



THE COMMITTEE AGENDA & REPORTS

for the meeting

Tuesday 4 August 2020
at 5:30 pm

To be held Remotely



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

1. Acknowledgement of Country

At the opening of the Committee Meeting, the Chair will state:

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

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

2. Apologies and Leave of Absence

Nil

3. Confirmation of Minutes – 21/7/2020 & 28/7/2020 [TC]

That the Minutes of the meeting of The Committee held on 21 July 2020 and the Special meeting of The Committee held on 28 July 2020, be taken as read and be confirmed as an accurate record of proceedings.

4. All reports in this section will be presented to Council

All reports in this section will be presented to Council on 11 August 2020 for consideration and determination

Strategic Alignment – Thriving Communities

4.1 Historian Precinct Shared Use Zone [2020/00761] [Page 3]

4.2 South Ward Streets and Movement Study Community Engagement Update [2018/03154] [Page 10]

Strategic Alignment – Strong Economies

4.3 Adelaide High School - Proposed Building Expansion [2015/00881] [Page 17]

4.4 Unnamed Public Road West off Nelson Place [2015/01579] [Page 53]

4.5 Unnamed Private Road off Market Street [2016/03678] [Page 61]

4.6 Street Numbering on the north side of North Terrace [2018/03945] [Page 67]

Strategic Alignment – Dynamic City Culture

4.7 Proposal for the Santos Tour Down Under-Tour Village to be held in Victoria Square / Tarntanyangga [2020/00860] [Page 71]

4.8 Change to Multi-Year Event Licence Agreement: Gluttony 2021 and 2022 | COVID-19 Response for Events [2020/00786] [Page 76]

4.9 Cultural Strategy Refresh [2019/01325] [Page 84]

Strategic Alignment – Environmental Leadership

4.10 Parliament of SA Inquiry into Urban Green Spaces [2019/01144] [Page 104]

4.11 Resource Recovery (Organics, Recycling and Waste) Strategy & Action Plan 2020-2028 [2019/01444] [Page 127]

Strategic Alignment – Enabling Priorities

4.12 2020 LGA Annual General Meeting [2018/04054] [Page 203]

4.13 Adelaide Oval Core Area boundary [2020/00175] [Page 208]

4.14 Statutes Amendment (Local Government Review) Bill 2020 – draft response [2019/01903] [Page 218]

5. Exclusion of the Public

5.1. Exclusion of the Public to Consider in Confidence [2018/04291] [Page 278]:

6.1 Lounders Boatshed Cafe [s 90(3) (d)]

6.2 E -Scooter Mobility Services [s 90(3) (d) & (h)]

6. All reports in this section will be presented to Council in Confidence

All reports in this section will be presented to Council on 11 August 2020 for consideration and determination

Strategic Alignment – Thriving Communities

6.1 Lounders Boatshed Café [2016/02716] [Page 281]

Strategic Alignment – Enabling Priorities

6.2 E -Scooter Mobility Services [2020/00191] [Page 290]

7. Closure

Historian Precinct Shared Use Zone

ITEM 4.1 04/08/2020
The Committee

Strategic Alignment - Thriving Communities

Program Contact:
Matthew Morrissey, AD
Infrastructure 8203 7462

2020/00761
Public

Approving Officer:
Klinton Devenish, Director Place

EXECUTIVE SUMMARY

The Historian Precinct consists of three public roads, Coromandel Place, French Street and Chesser Street that operate mainly in a one-way direction with a bollard system in place to allow two-way movement when required. All three streets have narrow footpaths, which are used for bin placement, resulting in pedestrians walking along the road.

Several stakeholders in Coromandel Place and Chesser Street have raised concerns with the current layout and vehicle movements in the precinct.

This report seeks approval for the introduction of a shared use zone and the removal of parking which would assist in creating a more pedestrian friendly environment and address stakeholder concerns regarding road safety.

The following recommendation will be presented to Council on 11 August 2020 for consideration

That Council:

1. Notes the results of the public consultation for a shared use zone and associated works in Coromandel Place, French Street and Chesser Street, Attachment A to Item # on the Agenda for the meeting of Council held on 11 August 2020.
2. Approves the lodgement of an application to the Commissioner of Highways for Ministerial approval to implement a shared use zone in Coromandel Place, French Street and Chesser Street.
3. Approves the removal of two loading spaces in Coromandel Place and four loading spaces in Chesser Street and the installation of planter boxes to add greening, widen the travelling lane and create a chicane effect.

IMPLICATIONS AND FINANCIALS

City of Adelaide 2020-2024 Strategic Plan	Strategic Alignment – Thriving Communities A safe, affordable, accessible, well-connected city for people of all ages and abilities and transport modes.
Policy	The review of traffic and parking for safety and amenity aligns with the Smart Move Transport and Movement Strategy for Calm Traffic.
Consultation	Consultation has been undertaken with affected stakeholders including emergency services, in accordance with Councils Communication and Consultation Policy.
Resource	Design works and management of delivery can be undertaken using internal resources.
Risk / Legal / Legislative	Council has a responsibility to monitor and improve road safety by taking measures to protect its area from hazards, and to mitigate the effects of such hazards within the city.
Opportunities	Feedback received during the consultation period highlighted a desire to remove additional loading on Coromandel Street and Chesser Street between French Street and Grenfell Street. Following implementation of the shared zone, parking in the precinct will be reviewed again.
20/21 Budget Allocation	Not as a result of this report
Proposed 21/22 Budget Allocation	Not as a result of this report
Life of Project, Service, Initiative or (Expectancy of) Asset	Road murals have a life expectancy of between five and ten years and planter boxes five years. The roads have a life expectancy of 25 years.
20/21 Budget Reconsideration (if applicable)	Not as a result of this report
Ongoing Costs (e.g. maintenance cost)	\$7,000 per annum to maintain plantings and replace if vandalised.
Other Funding Sources	Project cost in total \$113,000 \$83,000 is fully funded in FY 20/21 from Local Roads and Community Grant. \$30,000 assorted design and emergency works budget

DISCUSSION

Background

1. Stakeholders in Coromandel Place and Chesser Street have raised concerns with the current layout and vehicle movements in The Historian precinct, namely:
 - 1.1. Motorists forced to mount the narrow paths when attempting to manoeuvre around parked vehicles creating the potential for collisions with a person exiting private property.
 - 1.2. Property damage due to the narrow roadway when vehicles are parked.
 - 1.3. A perception that the speed of motorists in the precinct is endangering pedestrians who are forced to walk on the road due to the narrow footpaths especially when bins and recyclables are put out.
 - 1.4. Lack of DDA compliant footpaths.
 - 1.5. Lack of greenery in the precinct.
2. The introduction of a shared use zone would assist in creating a safer, more pedestrian friendly environment and address stakeholder concerns regarding road safety. The proposal is summarised in (Link 1 view [here](#)) and would include:
 - 2.1. Resurfacing the three streets.
 - 2.2. A 10km/h shared zone speed restriction.
 - 2.3. Removing the loading zone spaces in Coromandel Place and Chesser Street between French Street and Pirie Street, which is a total of six spaces.
 - 2.4. Placing planter boxes to create a chicane effect on all three streets.
 - 2.5. Placement of road murals to draw a motorist's attention to the different road environment.
3. The basic premise of a shared use zone is that pedestrians have equal rights with motorists. Motorists can use the shared use zone but at a greatly reduced speed of 10km/h, which does not present a safety hazard to pedestrians.
4. Traditionally, a shared use zone does not delineate between areas for pedestrian and vehicles through the removal of kerbs, gutters and footpaths. Significant capital investment would be required to achieve these outcomes. This proposal achieves the desired safety concerns raised by our customers in an effective way without the significant capital investment required to create a kerb-less environment.

Summary of consultation approach

5. Consultation has been undertaken between 22 June 2020 and 10 July 2020 in accordance with Council's Public Consultation Policy and included the following actions;
 - 5.1. A letter was circulated to affected stakeholders (property owners and occupiers) (Link 2 view [here](#)).
 - 5.2. Consultation packs and feedback forms were made available on the Your Say website and through City of Adelaide libraries and community centres.
 - 5.3. Consultation packs and feedback forms were sent to SA Police, SA Ambulance Service and SA Metropolitan Fire Service.
 - 5.4. Discussions with the Department of Planning Transport and Infrastructure (DPTI) and in-principle support for the introduction of a shared use zone has been given.

Results of Consultation

6. The below summarises the feedback received during the consultation:
 - 6.1. A total of 42 of the 46 responses received supported the proposed changes to the streets. One of the four respondents that did not support the shared zone, only did so as they requested it extend parking removals further north along Coromandel Place.
 - 6.2. No response was received from the three emergency service providers. However, the removal of parking and the installation of planter boxes will widen the carriageway, access for their vehicles will be safer.
7. A summary of the consultation results and feedback received can be found at **Attachment A**.

Next steps

8. As Council has no delegation under the Minister for Transport Notice dated 22 August 2013 for the installation of a shared use zone and associated 10km/h speed restriction, the first step will be to seek approval from DPTI. Following approval, the following will be undertaken;
 - 8.1 A letter advising of Council's decision will be sent to affected stakeholders.
 - 8.2 Design of the road murals will be undertaken in accordance with the Manual of Legal Responsibilities and Technical Requirements for the Installation of Traffic Control Devices (The Code) and DPTI's Pavement Marking Manual.
 - 8.3 Road resurfacing will be undertaken prior to road murals and planter boxes being installed and parking removed.

DATA AND SUPPORTING INFORMATION

Link 1 – Historian Precinct concept plan

Link 2 – Letter to stakeholders

ATTACHMENTS

Attachment A – Consultation results

- END OF REPORT -

Proposed 'Shared Use Zone' for Coromandel place, French Street and Chesser Street.

Survey Response				
Do you support the proposed 'Shared Use Zone' in Coromandel Place, French Street and Chesser Street?	Do you have any other comments?	Suburb	Are you an Adelaide City Council Ratepayer?	Please tell us how you participate in city life
No	<p>We applaud the council's decision to improve Coromandel Place and Chesser Streets, with emphasis on Coromandel Place. Too long has Coromandel Place been neglected, BUT your initiative does not go far enough. All of the emphasis in Coromandel Place is on the southern end between French Street and Pirie Street and none between Grenfell Street and French Street, this area has sadly been neglected. Between French Street and Grenfell Street we have car parks which should not be there as the street is narrow, the footpaths narrow (almost non-existent), and it is very difficult to make a U turn to exit the street. Factually, it is necessary in most instances to reverse to French Street to be able to get out of the Street. These car parks should be removed and if necessary loading zones provided elsewhere but not in Coromandel Place.</p> <p>There are many doors leading out to Coromandel Place in the northern end from shop premises in Gawler Place. In the future it would not be hard for these shops to extend their business into Coromandel Place given the opportunity. Our shop which is at that end of Coromandel Place would benefit greatly with the removal of the car parks, the placement of planter boxes and the allowance of cafe tables in the street from the bollards inwards. Now we have great difficulty in retaining a tenant and will continue to do so unless that end is improved.</p> <p>We request that council re-consider extending the improvements in Coromandel Place upto Grenfell Street as it will improve the attraction of the general public to that area and become more people friendly.</p> <p>Yours faithfully</p>	WAYVILLE, SA	Yes	Business Owner
Yes	<p>As business owner at The Historian Hotel, Coromandel Place, I strongly support a shared use zone. I would be interested in discussing potential to inter-grate my existing parklet into any new streetscape designs.</p> <p>Council have also previously been lobbied on allowing street art and murals to rear walls of Gawler place fronted buildings that face Coromandel Place. Property and business owners consented to this but it was denied.</p> <p>Street lighting also needs to be addressed.</p> <p>Regards</p>	NORWOOD, SA	Yes	Work, Shop, Play (e.g. Leisure, Recreation, Entertainment, Dining) , Business Owner
Yes		CAMDEN PARK, SA	No	Work
Yes	I feel that Chesser St is a real opportunity to create a lively through fare to connect Pirie St to the mall. With existing shop fronts it is a street with the bones to create a real "laneway" atmosphere and drive retail to the area. This is a great step in the right direction but more could be undertaken to, I think, to help fulfil Chesser St's potential.	PROSPECT, SA	No	Work, Play (e.g. Leisure, Recreation, Entertainment, Dining) , Shop
Yes		WARRADALE, SA	No	Work
Yes	Great laneways here and really good to see improvements that I think will promote the small businesses in the area	MEDINDIE, SA	No	Work, Shop, Play (e.g. Leisure, Recreation, Entertainment, Dining)
Yes		SOUTH BRIGHTON, SA	No	Work
Yes		ADELAIDE, SA	Yes	Live, Work, Shop, Play (e.g. Leisure, Recreation, Entertainment, Dining)
Yes	Would make the area nicer and more sier friendly	ADELAIDE BC, SA	Yes	Live, Work, Study , Shop, Play (e.g. Leisure, Recreation, Entertainment, Dining)
Yes	I work on Chesser St, this will be a great improvement to the feel of the area.	EDWARDSTOWN, SA	No	Work
Yes	I use these lanes daily walking/cycling. I like the idea of a shared use zone. Some problems I've had personally are people speeding down there and bullying people walking out of the way. The footpaths are not compliant so I hope this plan removes the footpaths and has a one-level shared zone. Raising the lane access points at Pirie Street to footpath level with the same footpath materials would be good.	NORWOOD, SA	No	Work, Play (e.g. Leisure, Recreation, Entertainment, Dining) , Shop
Yes	Sounds like a great idea. These streets are heavily used by pedestrians and making it more pedestrian friendly is a great thing. Could also be a catalyst for more shops with double frontages to open out onto these streets creating a more vibrant atmosphere within these streets.	TORRENS PARK, SA	No	Work
Yes	Yes, I love the idea of making those streets safer and more amenable to walk around!	GOODWOOD, SA	No	Study , Play (e.g. Leisure, Recreation, Entertainment, Dining) , Shop
Yes	Sounds like a great idea to revitalise the precinct. If people and businesses could have better access from Gawler Place and better entrances from Pirie and Grenfell, maybe consider having no cars	TORRENS PARK, SA	No	Work, Shop, Business Owner
Yes	Is there any requirement for motor vehicles to be present on these laneways at all? If not, then pedestrianise them completely. If yes, then maybe look at restricting times that motor vehicles are allowed access. Pop up bollards on a timer could be used	MAGILL, SA	No	Shop, Play (e.g. Leisure, Recreation, Entertainment, Dining)
Yes	Great idea. More pedestrian friendly zones needed all over the city. We live near here and are constantly walking through or jogging so keep the cars out please.	ADELAIDE, SA	Yes	Live, Work, Play (e.g. Leisure, Recreation, Entertainment, Dining) , Shop

Do you support the proposed 'Shared Use Zone' in Coromandel Place, French Street and Chesser Street?	Do you have any other comments?	Suburb	Are you an Adelaide City Council Ratepayer?	Please tell us how you participate in city life
Yes	I can find nothing in your documentation about option 3. Everything possible should be done to bring this area back to its glory days when Chesser Cellars ruled. It's tragic that we have almost no restaurants in the CBD now of that type. It is easy to imagine that supporting pedestrians and the aesthetics of the area will help achieve this.	CLARENCE PARK, SA	No	Study , Shop, Play (e.g. Leisure, Recreation, Entertainment, Dining)
Yes	Appears an entirely sensible proposition for all.	SEATON, SA	Yes	Shop, Play (e.g. Leisure, Recreation, Entertainment, Dining) , Tourist
Yes	Hoping guttering can be removed as in Gawler place to reduce injury with dodging street signs and bins and being forced onto current road way	WEST LAKES, SA	No	Work, Play (e.g. Leisure, Recreation, Entertainment, Dining)
Yes		PARKSIDE, SA	No	Work
Yes		ADELAIDE, SA	Yes	Live, Work, Shop, Play (e.g. Leisure, Recreation, Entertainment, Dining)
Yes	Currently this area has narrow footpaths and a street that is crowded with carparking, i support a shared use zone that prioritises pedestrians and cyclists. There are many heritage buildings that are interesting in this part of cbd	ADELAIDE BC, SA	Yes	Live, Work, Play (e.g. Leisure, Recreation, Entertainment, Dining) , Shop
Yes	I walk these streets almost every day and like me there are so many people walking down the roadway because the footpaths are so narrow. Often cars are interacting with the pedestrians and a shared zone would be fantastic to signify to cars that pedestrians may be on the roadway also. This is a great idea and will improve these streets greatly!	ADELAIDE, SA	Yes	Live, Play (e.g. Leisure, Recreation, Entertainment, Dining) , Shop
Yes		O'SULLIVAN BEACH, SA	No	Live, Work, Study , Shop, Play (e.g. Leisure, Recreation, Entertainment, Dining)
Yes		ADELAIDE, SA	Yes	Live, Work, Shop, Play (e.g. Leisure, Recreation, Entertainment, Dining)
Yes	Looks great. More pedestrians = more business.	HENLEY BEACH SOUTH, SA	No	Shop, Play (e.g. Leisure, Recreation, Entertainment, Dining)
Yes		STONYFELL, SA	No	Shop, Play (e.g. Leisure, Recreation, Entertainment, Dining)
Yes	access for large vehicles should be considered. currently a lot of businesses use these roads for loading / unloading materials, so any treatments need to accommodate larger vehicles.			
Yes		ADELAIDE, SA	No	Live, Work, Shop, Play (e.g. Leisure, Recreation, Entertainment, Dining)
Yes	There really need to be so many more projects like this in Adelaide. Adelaide is not a good city at all for pedestrians and cyclists. Narrow, crowded footpaths, cars parked everywhere, crossing roads takes ages, high speed heavy traffic.	WOODVILLE PARK, SA	No	Live, Work, Play (e.g. Leisure, Recreation, Entertainment, Dining) , Shop, Tourist
Yes		HENLEY BEACH SOUTH, SA	No	Work, Shop, Play (e.g. Leisure, Recreation, Entertainment, Dining)
Yes	these streets have always looked disconnected, always lots of people using them, however i think with paving, greenery and artwork, would look amazing and be pedestrian friendly and connect pirie street and grenfell street better,			
No	I could not see on the material provided what "Option 3" is. I have marked "No" because 1) there is currently insufficient on-street parking to meet demand in this area - this proposal further reduces this; 2) I find shared zones to be dangerous for pedestrians, who have to be constantly alert for vehicles whose drivers do not understand the concept, or assume that it means they have priority, and for cyclists who use these zones as speed tracks, again acting as though they have priority. If Council feels that pedestrians are being under-served by the current street architecture, it would be safer for pedestrians to widen the footpaths, remove the on-street parking and ban cyclists from using the footpaths (otherwise they will be treated as de facto cycle paths and become unsafe for frail pedestrians).	PANORAMA, SA	No	Work, Play (e.g. Leisure, Recreation, Entertainment, Dining) , Shop
No	Chesser St is already a mixed use street. No need to spend more money "beautifying" it unless it is made a fully pedestrian only street and closed to traffic and parking. As it is the project is a waste of money and unnecessary disruption to a city in continuous upheaval	PARKSIDE, SA	No	Shop, Play (e.g. Leisure, Recreation, Entertainment, Dining)
Yes	I like the concept	NORTH ADELAIDE, SA	Yes	Live, Work, Play (e.g. Leisure, Recreation, Entertainment, Dining) , Shop
Yes	Great idea, please can we have more shared and pedestrianised zones throughout the city?	GLENGOWRIE, SA	No	Work, Play (e.g. Leisure, Recreation, Entertainment, Dining) , Shop
Yes	Add in seating near this school campus as the students often sit on the kerb of Chesser St so some seating on a parklet or protuberance may make their life better	GUMERACHA, SA	No	Work, Shop, Play (e.g. Leisure, Recreation, Entertainment, Dining)

Do you support the proposed 'Shared Use Zone' in Coromandel Place, French Street and Chesser Street?	Do you have any other comments?	Suburb	Are you an Adelaide City Council Ratepayer?	Please tell us how you participate in city life
Yes	I am a teacher at SASY (SPECIALISED ASSISTANCE SCHOOL FOR YOUTH) on Chesser St and am excited to make this space a more people friendly, vibrant, inviting and ultimately a safer environment. On behalf of the school I'd like to continue our conversation with Council (currently talking with Esme Barratt) and ask that you consider: most importantly safe spaces for people to sit comfortably on the street & eat lunch (among "chicane" planter boxes), a 'rainbow' crossing between 30 and 25 on Chesser St for our young people to cross the road safely, overhead street lighting that is current and fresh, their is space for light boxes in windows displaying artists/students artwork for vibrant impact, we would love to be involved in murals/installation in the street or on the road, clear signage that indicated a safe shared precinct, strong sense of cultural inclusivity and cold there be a space for a garden (vertical or in the planter boxes)? Our big question is can it be car free altogether? We are happy to continue the conversation and want to create a respectful, inviting, art rich precinct that reflects ownership and is safe to exist in for everyone. Thank you	BROMPTON, SA	Yes	Live, Work, Shop, Play (e.g. Leisure, Recreation, Entertainment, Dining)
Yes	Sounds like a great idea. A few more of these would be useful too. For example, Rundle St between Pulteney and East Tce. Waymouth/Pirie between Topham Mall and Gawler Pl. Hindley St between Morphett and King William Sts. All busy pedestrian precincts with more space for cars than people.	HENLEY BEACH SOUTH, SA	No	Play (e.g. Leisure, Recreation, Entertainment, Dining) , Shop
Yes		EXETER, SA	No	Play (e.g. Leisure, Recreation, Entertainment, Dining) , Shop, Tourist
Yes	Having worked nearby for many years, and still using it en route to health services, think that it lends itself to this kind of use, and would not greatly inconvenience drivers.	KENSINGTON PARK, SA	No	Play (e.g. Leisure, Recreation, Entertainment, Dining) , Shop
No	Chesser Street needs 15 minute parking to remain where it is. We need the parking to help out our clients and effectively operate our business. I believe from past experience the students obstructing the entrance to our business is detrimental to successful trade in Chesser Street. Chesser Street is a place for business not a school yard. My clients have been abused by the students from S.A.S.Y.	ADELAIDE, SA	Yes	Business Owner
Yes		GREENWITH, SA	Yes	Business Owner
Yes	Encouraging business like cafes or eateries to have outdoor seating would help to activate and ensure greater appeal for the streets.	ADELAIDE, SA		
Yes	We generally support the proposal but request that all streets in the precinct are resealed. Placing planters and removing parking will prevent further damage to recently renovated property.	ADELAIDE, SA	Yes	Property Owner
Yes	I think it's a great idea, the more roads pedestrianised the better. Please get rid of the kerbs so that the whole road is the same level, that really makes the area comfortable for pedestrians.	ADELAIDE, SA	Yes	Live, Work, Study , Shop, Play (e.g. Leisure, Recreation, Entertainment, Dining)

South Ward Streets and Movement Study Community Engagement Update

ITEM 4.2 04/08/2020
The Committee

Strategic Alignment – Thriving Communities

2018/03154
Public

Approving Officer:
Klinton Devenish, Director Place

EXECUTIVE SUMMARY

At The Committee on the 12 November 2019, Council Administration and engagement consultant Colmar Brunton presented the engagement results from the South Ward Streets and Movement Project. While The Committee acknowledged the response rate from residents, Committee raised concerns with the response rate from businesses in the South Ward.

In response, a second round of engagement was undertaken which involved doorknocking a total of 113 businesses which resulted in 87 completed business survey responses. The additional engagement resulted in the receipt of a total of 200 resident responses, 97 employer/employee/landlord responses, and 96 visitor responses.

This report summarises the additional business engagement undertaken and summarises the results of the combined community engagement, with a recommendation for next steps.

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The following recommendation will be presented to Council on 11 August 2020 for consideration.

That Council:

1. Notes the business response rate and feedback of the engagement and the overall outcomes of the community engagement detailed within the report and Attachment A: South Ward Engagement Report Executive Summary to Item XX on the Agenda for the meeting of Council held on 11 August 2020.
 2. Notes that the Administration will work within existing programs of work including ongoing asset renewal programs to ensure that key design elements identified by the South Ward community are integrated in future streetscape upgrade projects, including the Hutt Street Action Plan.
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IMPLICATIONS AND FINANCIALS

City of Adelaide 2020-2024 Strategic Plan	Strategic Alignment – Thriving Communities This project is consistent with the objectives of the <i>City of Adelaide Strategic Plan 2020-2024</i> to provide A safe, affordable, accessible, well-connected city for people of all ages and abilities, and all transport modes
Policy	Not as a result of this report
Consultation	This report has arisen from engagement with residents, business and visitors in the South Ward.
Resource	Not as a result of this report
Risk / Legal / Legislative	Not as a result of this report
Opportunities	Identify key design elements desired by South Ward residents, businesses and visitors that can be integrated as part of projects to improve accessibility, greening and other street upgrades.
20/21 Budget Allocation	Not as a result of this report
Proposed 21/22 Budget Allocation	Not as a result of this report
Life of Project, Service, Initiative or (Expectancy of) Asset	Not as a result of this report
20/21 Budget Reconsideration (if applicable)	Not as a result of this report
Ongoing Costs (eg maintenance cost)	Not as a result of this report
Other Funding Sources	Not as a result of this report

DISCUSSION

Background

1. In April 2016, Council resolved for Administration to undertake a Local Area Traffic and Parking Management Plan for the South Ward Local Area. The project was deferred until the new Council commenced in November 2018.
2. A project was created through the 2018/19 integrated business plan and budget for the South Ward Streets and Movement Study.
3. Based on a review of the North Adelaide Local Area Traffic and Parking Management Plan Project undertaken in 2017, the South Ward study addressed the Local Area Traffic and Parking Management Plan principles as well as taking a more holistic review of the street environment. This approach provided an opportunity for residents, businesses and visitors to consider the streets they use as well as how the local streets meet their needs.

Community engagement

4. The community engagement for the project included engaging a specialist consultant to undertake detailed engagement with businesses, residents, and visitors; and to appoint a community steering committee to engage with in further detail.
5. Community engagement specialists Colmar Brunton were engaged to assist with the community consultation in the South Ward in September 2019.
6. A community steering committee was formed to provide input and feedback on the engagement material, as well as being a sounding board to confirm the feedback was consistent with their personal and professional views. The committee included Council administration; representatives from local business and community groups; the project manager from Colmar Brunton; and both South Ward Councillors, Councillor Helen Donovan and Deputy Lord Mayor Alexander Hyde.
7. The main elements of the engagement focused on parking; street trees and greening; traffic and accessibility; street furniture; pedestrian infrastructure; bicycle infrastructure; and general safety and amenity.
8. The community engagement was undertaken during August and September 2019 and included mailouts; social media notifications; community sessions at local businesses and community centres; and online surveys available via Council's YourSay page. The feedback received was largely from residents and visitors in the South Ward, with limited response rates from businesses.
9. At its meeting on 12 November 2019, the Committee was presented with the community engagement results from the South Ward Streets and Movement project, available here (Link 1 view [here](#)).
 - 9.1. A total of 200 responses from residents/landlords in the South Ward were received, with the key priorities from this group being:
 - More trees and greening – ranked highest priority by 47% and top five priority by 97%
 - Improve footpath surfaces – ranked highest priority by 27% and top five priority by 89%
 - More street art/give the South Ward 'a vibe' – ranked highest priority by 7% and top five priority by 79%.
 - 9.2. A total of 96 responses from visitors to the South Ward were received, with the key priorities from this group being:
 - More trees and greening – ranked highest priority by 53% and top five priority by 96%
 - More on-street car parking – ranked highest priority by 51% and top five priority by 91%
 - Improve footpath surfaces – ranked highest priority by 17% and top five priority by 91%.
10. The results of the September engagement were presented to Council's Committee. The Committee noted the feedback and response rates from residents and visitors; however, raised concerns with the low business response rate and requested that additional engagement specifically targeted at South Ward businesses be undertaken.

11. A methodology was prepared to further engage with businesses which included visiting individual businesses in the South Ward using Colmar Brunton and Administration to maximise the amount of businesses were able to be targeted. In February 2020, a total of 113 businesses were visited resulting in 87 completed surveys (77% completion rate). The results of the further business consultation were amalgamated with the business responses from stage 1 of the community engagement available here, ([Link 2 view here](#)) with the key street priorities for businesses being:
 - More on-street car parking – ranked highest priority by 42% of businesses
 - More trees and greening – ranked highest priority by 20% of businesses
 - Improve footpath surfaces – ranked highest priority by 13% of businesses.
12. On 26 May 2020 Administration reconvened the project steering committee to present and discuss the community engagement findings. The steering committee was supportive of the findings and provided some additional comments regarding how the feedback can be applied to local issues.
13. Based on the outcomes of the engagement and steering committee feedback, improved greening was the key theme identified. Administration has reviewed options to improve greening in the South Ward, including street tree planting and planter box installation and is being undertaken through the City Greening project.

Next steps

14. The outcomes of this study will be considered as part of the development of the community levels of service for the area. Levels of service are aimed to balance risks, performance and whole-of-life cost of the infrastructure supporting the services. The development of level of service is a critical part of the Asset Management Plans which are currently being revised; this will enable the key themes identified to be integrated in future streetscape upgrade projects for the area. We will also review existing projects in the area to ensure that key design elements identified by the South Ward community are considered, including the Action Plan for Hutt Street.
15. A succinct overview of the full community engagement will be made available on Council's website and promoted through Council's social media platforms. The overview is contained in **Attachment A**. The overview provides the key insights identified by the South Ward community and includes a link to the full community engagement report.
16. Immediate greening priorities will be delivered through the Greening North-West and South-West and City Greening projects identified in the 2020-21 Business Plan and Budget.

DATA & SUPPORTING INFORMATION

Link 1 – South Ward Engagement Program

Link 2 – South Ward Engagement Report

ATTACHMENTS

Attachment A - South Ward Engagement Report Executive Summary

- END OF REPORT -



Executive Summary.

Overall, engagement with the research process was high and the passion for the area was evident, particularly in the community workshop. People are happy with the South Ward, but would like to see Council make changes. Scepticism was clear, with people wondering what action will be taken from these results. It is important that residents and businesses feel listened to and that some tangible changes are implemented.

Residents/Visitors.

64% Have lived in the South Ward for 6 or more years



69% Were couples



53% Of residents walk as their main form of transport in the area



Businesses.

42% Of businesses have been in South Ward for 11+ years



64% Of employers lease the property that they run their business from



78% Of employers and employees drive to work



Residents/Visitors.

Businesses.

- 1 More trees and greening
- 2 Prioritise pedestrians (& cyclists)
- 3 Give the South Ward 'a vibe' (street art, more bars, fairy lights, etc.)

- 1 More on-street carparking
- 2 More trees and greening
- 3 Improve footpath surfaces



More trees and greening was a priority for residents, visitors, and businesses.



The most disagreement was regarding parking. Visitors and businesses want more and residents tend to want less.

Adelaide High School – Proposed Building Expansion

ITEM 4.3 04/08/2020
The Committee

Strategic Alignment - Strong Economies

Program Contact:
Tom McCready, AD Property &
Commercial 8203 7313

2015/00881
Public

Approving Officer:
Ian Hill, Director Growth

EXECUTIVE SUMMARY

The transition of Year 7 into senior school campuses will occur in 2022 across South Australia. In the case of Adelaide High School, this will result in an additional 300 students at the school, with a total student enrolment of up to 1,800 places.

To accommodate this expansion, additional learning space and associated support facilities are required. Commissioning and handover of the new accommodation is required by December 2021 for Year 7 student commencement in the first term of the 2022 school year.

To accommodate the expansion, it is proposed to:

- Demolish the canteen building and construct a new four level building known as the 'Hive Building'.
- Enclose the roof top of the existing southern wing known as Building 7.

The bulk of the additional 3,200m² of teaching facilities will be located in the new Hive Building. However, some 345m² of floor area will be created by enclosing the roof terrace area of Building 7 currently used as an informal recreation space by senior students.

This report recommends Council approval for the rooftop enclosure of the portion of the southern wing of Adelaide High School (Building 7) that is located within the established site of the High School but is on land under the care and control of Council.

.....

The following recommendation will be presented to Council on 11 August 2020 for consideration

That Council:

1. Notes the proposal for an extension of the built form of Adelaide High School to accommodate an additional 300 students will be within the existing site boundary of land that is in the care and control of the Minister for Education located in Ellis Park / Tampawardli (Park 24).
2. Notes the area of paved Park Lands west of the Adelaide High School that will be removed and returned as turfed Park Lands as part of the renewed landscape plan.
3. Approves the rooftop enclosure of the existing southern wing (Building 7) of the Adelaide High School campus located in Ellis Park / Tampawardli (Park 24), noting that this extension will not materially change the current land use or further encroach onto the adjacent Park Lands.
4. Authorises the Chief Executive Officer to finalise the 42 Year Park Lands Lease Agreement as shown in Attachment A to Item # on the Agenda for the meeting of Council held on 11 August 2020 with the Minister for Education (Lessee), that covers a portion of Building 7 which currently encroaches onto Ellis Park / Tampawardli (Park 24), noting that:
 - 4.1. Public consultation is not required to be undertaken with regard to this Park Lands Lease Agreement as this matter is exempt under the *Local Government Regulations (SA) 1999*.
 - 4.2. State Government Crown Law is required to further review the 42-year lease agreement.
 - 4.3. The 42 Year Park Lands Lease Agreement will be placed before both Houses of Parliament in accordance with the *Adelaide Park Lands Act (SA) 2005*.

5. Authorises the Lord Mayor and Chief Executive Officer to affix the Common Seal of the Council to the Park Lands Lease Agreement and any other items to give effect to that document.
6. Subject to Council's support for the proposal, advises the Minister for Education that Council will allocate a Single Point of Contact Officer (SPOC Officer) to manage the interface between Ministerial Land and Park Lands in the care and control of Council, in particular to provide and support with regard to:
 - 6.1. Developing a Building Site Management Plan.
 - 6.2. Developing a Traffic Management Plan for the life of the project.
 - 6.3. Managing construction delivery and access methodology to the site.
 - 6.4. Identifying appropriate car parking locations for construction workers.
 - 6.5. Identifying all onsite modifications requiring the temporary removal/relocation/provision of temporary urban elements assets (such as rubbish bins, benches, signage, etc).
 - 6.6. Undertaking a pre and post development inspections and creating a dilapidation report of Council's road, footpath, public lighting, and kerbing infrastructure, as well as adjacent horticultural elements.
 - 6.7. Develop a plan to undertake necessary remediation of Park Lands in the care and control of Council, including any repair and remediation to Council's above and below ground infrastructure damaged as a result of the project.
 - 6.8. Any other requests of the Developer or the Minister that is bespoke to the overall delivery of the project.

IMPLICATIONS AND FINANCIALS

City of Adelaide 2020-2024 Strategic Plan	<p>Strategic Alignment – Strong Economies</p> <p>Council’s Strategic Plan supports the enhancement of education facilities (at all levels) to support residential and business growth. However, it is reasonable to suggest that this enhancement is envisaged for the built form of the City and not the Park Lands.</p>
Policy	<p>The Adelaide Park Lands Management Strategy makes no recommendations in respect to Adelaide High School.</p> <p>The Community Land Management Plan for Ellis Park / Tampawardli (Park 24) states: <i>“Respect the heritage value of Adelaide High School, work collaboratively with the School to ensure future development achieves consistent landscape design and integrates with the Park Lands, and that any expansion beyond that approved in 2012, occurs offsite”</i>.</p> <p>The Adelaide (City) Development Plan states: <i>Any intensification of the Adelaide High School should be limited and contained within the existing site, such development should be designed and sited to have minimal impact on the open character of the Park Lands.</i></p>
Consultation	<p>In February 2020, the Adelaide Park Lands Authority considered a confidential briefing from the Ministerial project team as part of the preliminary planning of this project.</p> <p>No further consultation is required as a result of this report.</p>
Resource	<p>A Single Point of Contact (SPOC) Officer will be allocated to help manage the interface of the project with the Park Lands and Councils infrastructure and assets.</p>
Risk / Legal / Legislative	<p>Project likely to impact on Council infrastructure and assets. To be remedied by Minister for Education at completion of project.</p>
Opportunities	<p>Not as a result of this report</p>
20/21 Budget Allocation	<p>Not as a result of this report</p>
Proposed 21/22 Budget Allocation	<p>Not as a result of this report</p>
Life of Project, Service, Initiative or (Expectancy of) Asset	<p>Not as a result of this report</p>
20/21 Budget Reconsideration (if applicable)	<p>Not as a result of this report</p>
Ongoing Costs (eg maintenance cost)	<p>Not as a result of this report</p>
Other Funding Sources	<p>Not as a result of this report</p>

DISCUSSION

History of the Adelaide High School site

1. Adelaide High School was built on the site of the Government Observatory, which was completed in 1876.
2. The High School was designed in 1939/40 but not built until 1947-51 given the economic difficulties of the intervening war years. Figure 1 shows the completed school in 1959.
3. Using courtyards and long 'fingers' of built form, the School was designed to be integrated within its Park Land setting.

Figure 1 – Adelaide High School in 1959



4. The School is listed as a State Heritage Place due to its historic, social, and architectural significance. Figure 2 shows the heritage listed components.

Figure 2 – State Heritage listed components of the Adelaide High School site



History of Adelaide High School built form extensions

5. In 1967, an extension was added to the School's northern wing. In 1982, the westward extension of the Assembly Hall was added along with a minor extension immediately south of the (then) southern wing, shown in Figure 3.
6. In the early 1990s the current gymnasium was constructed and, as compensation for a minor encroachment of this building beyond the original site boundary, the upper storey of the old Gymnasium between playing fields west of the School (shown in Figure 3) was removed.

2012 School Expansion

7. The latest addition, the southernmost wing, was completed in 2014 and extended beyond the already extended southern site boundary, into Park Lands managed by the City of Adelaide (CoA).
8. In considering the proposal for the new southern wing in 2012, Council resolved that:
 - “1. On the proviso that there be no further expansions of Adelaide High School into the Park Lands, it waives its Park Lands related policy in respect to the proposed expansion, in recognition of the:
 - 1.1 role which public institutions such as the Adelaide High School have always played in the Park Lands.
 - 1.2 valued contribution which the school makes to the City's educational sector, which is consistent with Council's strategic objective to improve and expand educational facilities in the City.
 - 1.3 valued contribution which the school makes to the adjacent Park Lands in terms of playing fields and associated facilities.
 - 1.4 pressure on enrolments and facilities which Adelaide High School is experiencing, particularly being the only public high school in the City.
 - 1.5 constraints of the historical site boundaries and associated architectural heritage considerations; and
 - 1.6 notes that the State Government has agreed to meet the costs associated with the realignment of the road and any impacts of the project on Ellis Park.
 2. Council further advises the Minister that Council agrees to lease the land to the Minister for a period of 42 years (pursuant to the provisions of s 21 of the Adelaide Park Lands Act 2005) at effectively no charge.
 3. Council further advises the Minister that there is a need to provide a long-term solution for the future expansion of the school within the City.”

Figure 3 – Site map showing building additions and site boundary changes



Current extension proposal

9. The current proposal for an extension of the built form of Adelaide High School is based on the need to accommodate an additional 300 year seven students from Term 1 in 2022, as they transition from Primary to High School. An additional 35 teachers will also be accommodated on site. Total student capacity will be 1800.
10. Rather than encroach on adjacent Park Lands, the State Government is proposing to accommodate the additional built form within the existing site boundary (Link 1 view [here](#)), as shown in Figure 4.
11. A new, centrally located building, known as the 'Central Hive' building would be constructed on the site of the existing canteen (formerly a workshop). This new facility would include learning areas, administration, student support and amenities. Views of the Central Hive Building are shown in Figure 5.
12. The open roof of the new southern wing would be enclosed to provide space for science areas and general learning. This enclosure and infill concept is shown schematically in Figure 6.
13. The two core objectives for the design have been to:
 - 13.1. Respect the site's architectural heritage by taking cues from the bold, monolithic, and simple geometric forms across the school
 - 13.2. Continue and enhance the site's connection with the Park Lands through colour, texture, and views.
14. These design solutions, which are still in progress, have been developed in close collaboration with, and are supported by, Heritage SA, ODASSA and the School / Department for Education.

Figure 4 – proposed location of additional built form – shown in red



Future growth of High School student numbers

15. Opened in 2019, Botanic High School is the second of two public High Schools located in the City. Both schools are located in the Park Lands on sites where expansion opportunities, without encroaching on surrounding Park Lands, are extremely limited.
16. The forecast growth for High School aged student numbers for the City and inner suburbs between 2016 and 2036 is shown in Table 1.
17. For Adelaide High School, expansion on the eastern side of West Terrace is considered to be unviable due to the disruption to the overall functionality of the High School and associated safety and budgetary considerations. The High School is concerned about the movement of students between campuses and the effects this would have on timetables, required duties of care and loss of effective teaching time.
18. How the forecast increase in High School student numbers is expected to be accommodated is unknown.

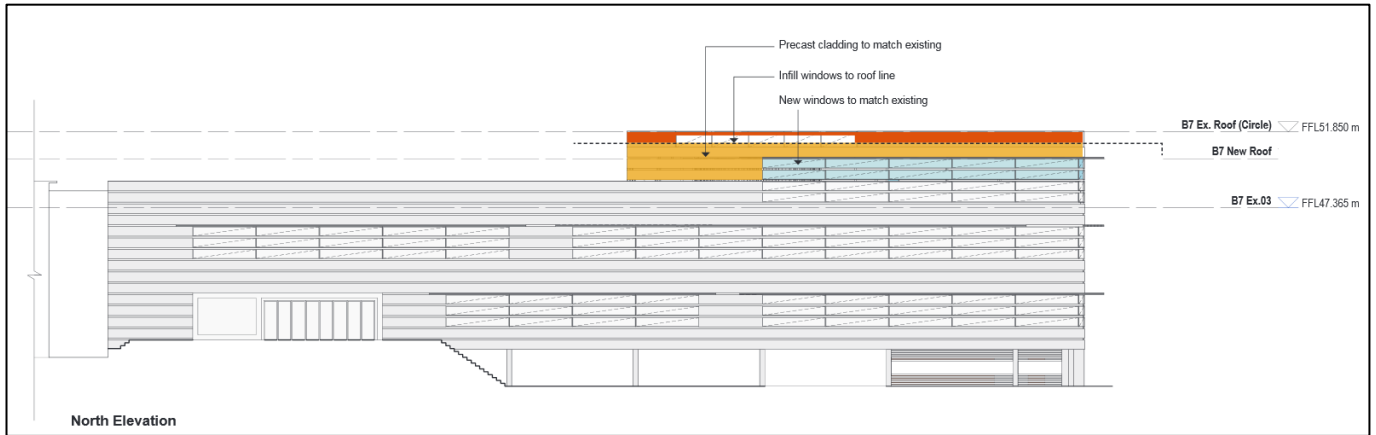
Table 1 – Forecast growth in numbers of High School aged students (source: DPTI 2019)

Location of High School students	Numbers in 2016	Expected numbers in 2036
City	516	988
Inner suburbs	7594	9723
City + Inner suburbs	8110	10711

Figure 5 – Views of the Central Hive building



Figure 6 – drawings for the enclosure of the roof of the southern wing



Landscaping

19. Figure 7 shows the long-term indicative landscaping plans associated with the project. These include an integrative approach with the Park Lands to the west which fall outside the scope of the current proposal.
20. This includes paving to be removed and replaced with turf bordered in green. The area of paving to be removed and renewed with new paving is bordered purple. The attached photo shows the area in question. All of the paving on the oval side of the spoon drain is proposed to be removed and replaced with turf (Figure 8).

Vehicle and pedestrian movement

21. Separate to the High School expansion proposal, the City of Adelaide has recently completed the upgrade to the roadway that runs between the School and Ellis Park. This project responds to the increased use of the area resulting from the new Comets soccer facility and involves formalising the uncontrolled parking and creation of a round-about to facilitate orderly traffic flows. This upgrade is shown on the following pedestrian and vehicle movement plan for the building expansion project in Figure 9.

Figure 7 – Long-term landscaping plan



Figure 8 – Paved area (Green outline) to be returned to Park Lands

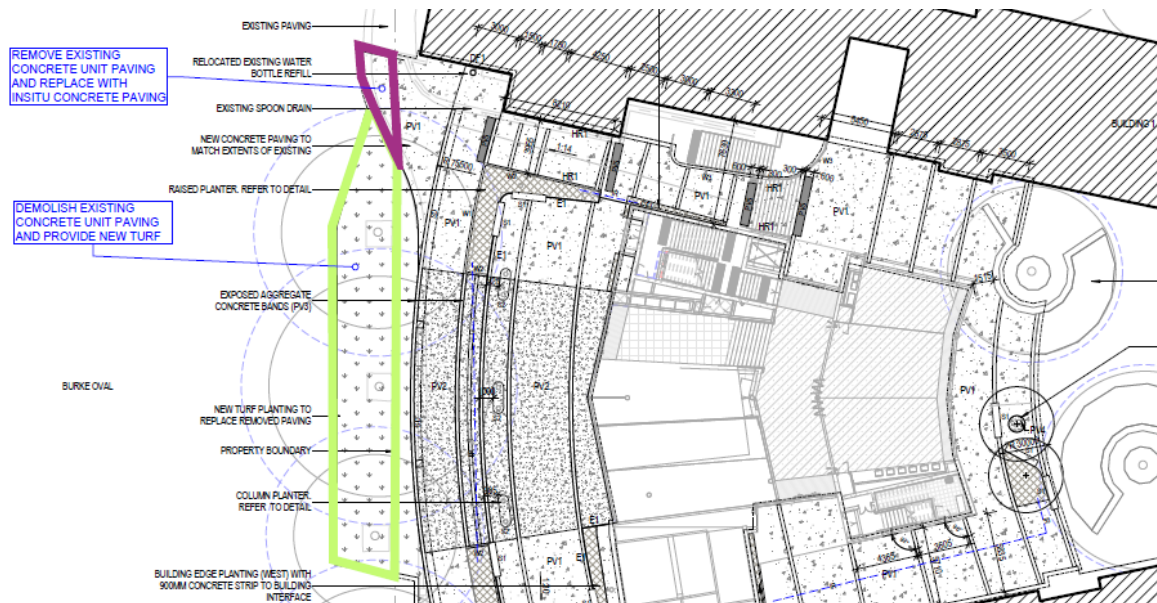
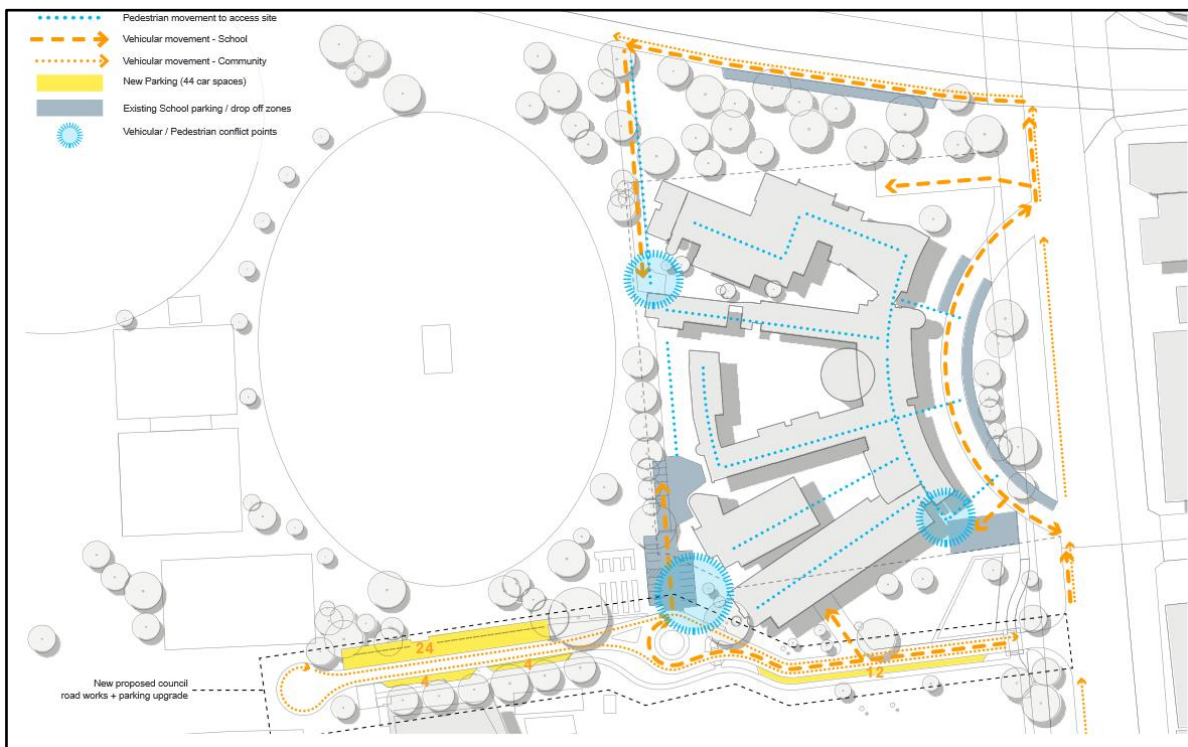


Figure 9 – Pedestrian and vehicle movement in and around Adelaide High School



Proposed rooftop enclosure for southern wing

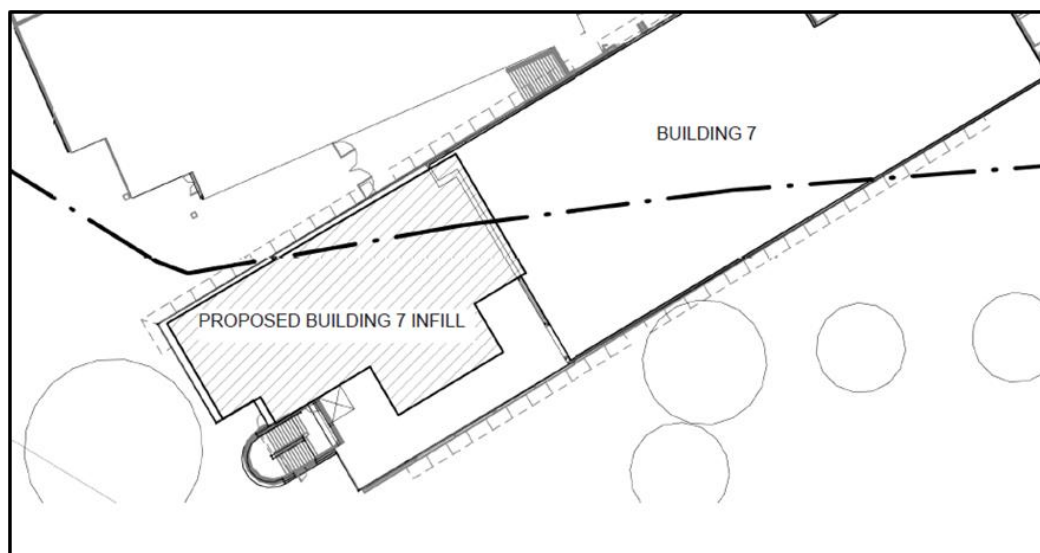
22. The proposed rooftop enclosure of Building 7 does not increase the existing building footprint or intrude further into Ellis Park, however it will result in increased building bulk and scale, with the infill increasing the roof height by 4.6 metres to a total height of 15.74 metres (measured at the western end above existing ground level).
23. The extension will match the existing polished precast façade and window pattern and is intended to seamlessly blend into the existing building form and materiality. The development preserves the heritage values of the existing built form and continues the radial pattern of the existing layout and ensures practical long-term safe emergency egress from buildings and courtyards.
24. In addition, it preserves a quality courtyard space between the new building and that to the immediate north.
25. As Building 7 partially encroaches beyond the boundary of the established Adelaide High School site into the adjacent Park Lands under the care and control of Council, consent from Council is required.

26. The development application for the expansion has been lodged with the State Planning Commission. The project is valued \$18 million therefore the State Commission Assessment Panel is the planning assessment body. Council is an informal referral body and has been asked to provide advice on technical matters only e.g. traffic management and infrastructure matters.
27. Should Council approve the rooftop enclosure of Building 7, the following activities will need to be undertaken:
- 27.1. Council to authorise the Chief Executive Officer to finalise the 42 Year Park Lands Lease Agreement in accordance with the *Adelaide Park Lands Act (SA) 2005* as shown in **Attachment A**, with the Minister for Education (Lessee), that covers a portion of Building 7 which currently encroaches onto Council managed Park Lands, noting that:
- 27.1.1. State Government Crown Law will review the 42-year lease agreement; and
- 27.1.2. The 42 Year Park Lands Lease Agreement will be placed before both Houses of Parliament in accordance with the *Adelaide Park Lands Act (SA) 2005*.
- 27.2. Public consultation on the proposed lease will not be undertaken as an exemption is provided by the Local Government (General) Regulations 2013 (SA).
28. The nature of this lease is a ground lease with the Lessee being solely responsible for the section of the building (shown in red in Figure 9) that protrudes on an area of the Park Lands that is in the care and control of the City of Adelaide.
29. The Lessee is also responsible for the surrounding landscaping (shown in yellow in Figure 10) which integrates the site into its Park Lands setting.
30. Location details of the proposed infill of Building 7 can be seen in Figure 11.
31. As this project does not expand further on to the adjacent Park Lands, it is recommended that Council provides consent to this development so that details of the enclosure can be captured in the 42 Year Lease Agreement.

Figure 10 – Details of southern wing and landscaping on Park Lands



Figure 11 - Proposed Building 7 Infill



Process for granting a long-term lease

32. Public consultation is required to be formally undertaken in accordance with the *Local Government Act (SA) 1999*, however, *Section 15A of the Local Government Regulations (SA) 1999* provide an exemption for certain leases or licences over community land from these consultation requirements; in particular:

“Section 15A (Regs): Exemption of certain leases or licences over community land from consultation requirements.

- (1) Pursuant to section 202(3)(b) of the Act, a council is not required to comply with its public consultation policy with respect to a lease or licence over community land if—
 - (a) the lease or licence is being granted to the Crown, or to a Minister or other Agency; and
 - (b) it is a term of the lease or licence that there is to be no substantial change in the use of the land (disregarding trifling, insignificant or subsidiary uses).

33. As the 42-year lease is with the Minister for Education and the building and surrounding area maintains an educational use associated with the school, there are existing grounds to not pursue undertaking community consultation.

34. Instead, the lease will proceed with fulfilling the requirements of the *Adelaide Park Lands Act (SA) 2005* as detailed below:

“21—Leases and licences granted by Council

- (1) *The maximum term for which the Adelaide City Council may grant or renew a lease or licence over land in the Adelaide Park Lands is 42 years (taking into account any right of extension and despite the provisions of the Local Government Act 1999).*
- (2) *However, before the Council grants (or renews) a lease or licence over land in the Park Lands for a term of 10 years or more (taking into account any right of renewal), the Council must submit copies of the lease or licence to the Presiding Members of both Houses of Parliament.*
- (3) *The Presiding Members of the Houses of Parliament must, within 6 sitting days after receiving a copy of a lease or licence under subsection (2), lay the copy before their respective Houses.*
- (4) *A House of Parliament may resolve to disallow the grant or renewal of a lease or licence pursuant to a notice of motion given in the House within 14 sitting days after a copy of the lease or licence is laid before the House under subsection (3).*
- (5) *The Council may only grant or renew a lease or licence within the ambit of subsection (2) if the time for disallowance has passed and neither House of Parliament has passed a resolution disallowing its granting or renewal.”*

Project Management and Delivery

35. The Proposed Building Expansion is a Ministerial project that will be managed and delivered by Badge Construction.

36. As part of this project the construction team will require a City Works Permit for a works compound which will be located on an existing bituminised area currently used by the school for their waste storage and staff and student car parking.
37. Moving forward it is also prudent to consider what impacts might be sustained to the land surrounding the development including Council assets and infrastructure.
38. Therefore, it is recommended that Council provide commentary and advice to the Minister to ensure communication throughout the project is maintained.
39. More importantly, as the project is greater than \$10m, Council will allocate a Single Point of Contact Officer (SPOC Officer) to manage the interface between Ministerial Land and Park Lands in the care and control of Council, in particular to provide and support with regard to:
 - 39.1. Developing a Building Site Management Plan.
 - 39.2. Developing a traffic management plan for the life of the project.
 - 39.3. Managing construction delivery and access methodology to the site.
 - 39.4. Identifying appropriate car parking locations for construction workers.
 - 39.5. Identifying all onsite modifications requiring the temporary removal/relocation/provision of temporary urban elements assets (such as rubbish bins, benches, signage, etc.).
 - 39.6. Undertaking a pre and post development inspections and creating a dilapidation report of Council's road, footpath, public lighting, and kerbing infrastructure, as well as adjacent horticultural elements.
 - 39.7. Develop a plan to undertake necessary remediation of Park Lands in the care and control of Council, including any repair and remediation to Council's above and below ground infrastructure damaged as a result of the development; and
 - 39.8. Any other requests of the Developer or the Minister that is bespoke to the overall delivery of the project.

Adelaide Park Lands Authority

40. The Adelaide Park Lands Authority (APLA) received a confidential briefing in February 2020 as part of the preliminary planning process associated with this development.
41. In general, APLA supported the development as it was contained within the current built form footprint and would not further encroach on the Park Lands. Also, the proposed development would be subject to other statutory approval processes.

Next Steps

42. Subject to Council's consent to the proposed development, the advice of Council will be prepared and sent to the Minister for Education, including details of Council's SPOC to manage the interface between the development, Park Lands and Council's infrastructure and assets.
43. The 42-year lease agreement will be provided to the Minister for Education so that Crown Law can review and finalise terms and conditions.
44. Once complete, the lease:
 - 44.1. Will be prepared for both Houses of Parliament; and then
 - 44.2. Once it has completed its parliamentary process, the document will be prepared for signature by both parties.

DATA & SUPPORTING INFORMATION

Link 1 - Plans and Details - S10/40/2020 – Adelaide High School, West Terrace, Adelaide

ATTACHMENTS

Attachment A – Draft 42 Year Lease Agreement

- END OF REPORT -

Ground lease agreement



**PARK LANDS
GROUND LEASE AGREEMENT
(Park 24 – Tambawodli)**

IMPORTANT NOTICE

Retail and Commercial Leases (SA) 1995 (“Act”)

This Lease is exempt from the application of the Act pursuant to an exemption granted under section 77(1) of the Act by the Minister for Business Services and Consumer on 28 December 2011.

PARK LANDS GROUND LEASE AGREEMENT

THIS PARK LANDS GROUND LEASE AGREEMENT is made the day of

BETWEEN: **THE CORPORATION OF THE CITY OF ADELAIDE** of Town Hall, King William Street, Adelaide SA 5000 (**Council**)

AND: **MINISTER FOR EDUCATION AND CHILD DEVELOPMENT** ABN 91 814 239 978 of Level 9, 31 Flinders Street, Adelaide SA 5000 (**Lessee**)

BACKGROUND

- A. The Council has the care, control and management of the Park Lands.
- B. The Lessee has requested a ground lease to use the Leased Area for the Permitted Use.
- C. The Council has resolved to grant the Lessee a ground lease of the Leased Area and (if necessary) undertaken public consultation and/or been granted Parliamentary approval in accordance with the *Local Government Act 1999* and the *Adelaide Park Lands Act 2005*.
- D. The Council and Lessee wish to record the terms of their agreement in this Lease.

AND THE PARTIES AGREE as follows:

1. DEFINED TERMS AND INTERPRETATION

1.1 Defined terms

In this Lease:

Agreed Consideration means the Rent and all other consideration (money or otherwise) for any supply or use of the Leased Area and any goods, services or other things provided by the Council under this Lease (other than tax payable under clause 16).

Appropriate Standard means a standard commensurate with the standard of repair the relevant land or property was in at the commencement of occupation by the Lessee (in the case of land), or at the time of final completion of the installation or construction (in the event of other property).

Approved Improvements means the interior and exterior of all improvements which have as at the date of this Lease been made to the Leased Area by the Lessee in connection with the building expansion of the Adelaide High School approved by the Council and contained in the area outlined in red on the Plan, and all other conveniences, services, amenities, landscaping and appurtenances of in or to the Approved Improvements.

APLA means the Adelaide Park Lands Authority established under the Park Lands Act.

Business Day means a day which is not a Saturday, Sunday or public holiday in Adelaide.

Claims includes any action, proceeding, right, claim or demand whether present or future, certain or contingent, due or may become due, known or unknown and including all costs and expenses (including legal expenses).

Commencement Date means the commencement date described in Item 2.

Contamination means the presence in, on or under land, air or water of a substance (solid, liquid or gel) or matter at a concentration or level above the concentration or level at which the substance or matter is normally present in, on or under land, air or water in the same locality being a presence that presents a risk of harm to human health or the Environment, or results in a non-compliance with or breach of any Environmental Law (and **contaminant**, **contaminated** and **contaminate** have a corresponding meaning).

Council means the party described as "Council" in this Lease and where the context permits includes the employees, contractors, agents and other invitees of the Council.

Council's Equipment means all fixtures and fittings, plant, equipment, services, chattels and other goods installed or situated in or on the Leased Area by the Council and made available for use by the Lessee.

Default Rate means ten per centum (10%).

Dispute means a dispute between the Council and the Lessee in relation to this Lease.

Environment includes:

- land, air and water;
- any organic or inorganic matter and any living organism; and
- human made or modified structures and areas.

Environmental Law means any Statutory Requirement that deals with an aspect of the Environment or health whether made before or after the Commencement Date.

Further Improvements means the interior and exterior of any further improvements on the Leased Area (including any alterations to the Approved Improvements).

GST has the same meaning as given to that term in the GST Legislation.

GST Legislation means the *A New Tax System (Goods and Services Tax) Act 1999* (Cth) and any ancillary or similar legislation.

GST Rate means 10% or such other percentage equal to the rate of GST imposed from time to time under the GST Legislation.

Improvements means (where the context permits or allows) the Approved Improvements and the Further Improvements (if any).

Insolvency Event means (in the case of a Lessee being a company or association):

- a meeting of the directors or members of the Lessee is convened to pass a resolution that an administrator of the Lessee be appointed or that the Lessee be wound up voluntarily;
- any person appoints an administrator of the Lessee;
- an application is made to any court to wind up the Lessee;
- an application is made pursuant to Section 411 of the Corporations Act 2001;
- a Controller, Managing Controller, Receiver or Receiver and Manager is appointed to the Lessee or in respect of any property of the Lessee; or
- the Lessee is deregistered or dissolved.

Institute means the South Australian Division of the Australian Property Institute (or its successor or equivalent).

Lease means this ground lease including any attached annexures and schedules.

Leased Area means that portion of the Park Lands described in Item 1 including the Council's Equipment (if any) but excluding the Improvements.

Legislation includes any relevant Statute or Act of Parliament (whether State or Federal) and any regulation or by-law including by-laws issued by any Statutory Authority.

Lessee means the party described as "Lessee" in this Lease and where the context permits includes the employees, contractors, agents, customers and other invitees of the Lessee.

Lessee's Equipment means any and all fittings and other equipment installed on, brought on to or kept on the Leased Area by the Lessee (with or without the consent of the Council).

Loss means any loss, damage, death or injury.

Native Title Claim means any native title claim for property rights or other claim in connection with objects of significance in, on or under the Leased Area.

Park Lands means the Adelaide Park Lands as defined in the Park Lands Act.

Park Lands Act means the *Adelaide Park Lands Act (SA) 2005*.

Payment Date means the Commencement Date and then each anniversary of the Commencement Date during the Term.

Permitted Use means the use described in Item 4.

Plan means the plan of the Leased Area comprising Annexure A.

Rent means the rent described in Item 3.

Resolving Body means LEADR or if that body no longer exists an equivalent Australasian organisation formed to promote dispute resolution.

Services means all services (including gas, electricity and water and all plant, equipment, pipes, wires and cables in connection with them as applicable) to or of

the Leased Area or the Improvements supplied by any authority, the Council or any other person the Council authorises.

Special Conditions means the special conditions (if any) in Item 6.

Statutory Authorities means any government or semi government authorities (including the Council in its separate capacity as local government authority) or authorities created by or under Legislation.

Statutory Requirements means all relevant and applicable Legislation and all lawful conditions, requirements, policies, notices, plans and directives issued or applicable under any such Legislation or by any Statutory Authorities (including any requirement of Council in its separate capacity as a Statutory Authority).

Term means the term described in Item 2 and any period during which the Lessee holds over or remains in occupation of the Leased Area.

1.2 Interpretation

Unless the contrary intention appears:

- 1.2.1 headings are for convenience only and do not affect interpretation;
- 1.2.2 the singular includes the plural and vice-versa;
- 1.2.3 a reference to an individual or person include a corporation, partnership, joint venture, authority, trust, state or government and vice versa;
- 1.2.4 a reference to any party in this Lease, or any other document or arrangement referred to in this Lease, includes that party's executors, administrators, substitutes, successors and permitted assigns;
- 1.2.5 a reference to any document (including this Lease) is to that document as varied, novated, ratified or replaced from time to time;
- 1.2.6 a reference to any Legislation includes any statutory modification, re-enactment or any Legislation substituted for it, and all by-laws, regulations and rules issued under it;
- 1.2.7 a reference in this Lease to the Council's approval or consent, is to the Council's prior written approval or consent which may be granted or withheld in the absolute discretion of the Council;
- 1.2.8 "including" and similar expressions are not and must not be treated as words of limitation;
- 1.2.9 the Background forms part of this Lease and is correct; and
- 1.2.10 a reference to an Item is a reference to an item in the Schedule.

2. GRANT OF LEASE

The Council grants and the Lessee accepts a ground lease of the Leased Area for the Term on the terms and conditions set out in this Lease.

3. PAYMENT OF RENT

The Lessee must unless otherwise agreed pay the Rent in advance on each Payment Date if demanded.

4. UTILITIES AND RATES

4.1 Utilities and Services

The Lessee will pay when due all costs for the use of telephone, light and other facilities and the consumption of electricity, gas, oil, water and any and all other Services and utilities supplied to or used from the Leased Area.

4.2 No separate meter

If there is no separate meter for recording or measuring the Services and utilities supplied to or used from the Leased Area, then the Lessee must, if required by the Council, install the necessary meters at the Lessee's cost.

4.3 Rates and other taxes

The Lessee must pay or reimburse the Council for all rates, taxes, levies or other charges (including any Council rates assessed by Council as a Statutory Authority) arising from the grant of the Lease or otherwise assessed, charged or incurred in relation to:

4.3.1 the Leased Area; or

4.3.2 the Lessee's use or occupation of the Leased Area.

5. USE OF LEASED AREA

5.1 Permitted Use

The Lessee must use the Leased Area only for the Permitted Use and not use or allow the Leased Area to be used for any other use.

5.2 Improvements

5.2.1 The parties acknowledge and agree that the Lessee has constructed the Approved Improvements on the Leased Area.

5.2.2 Unless otherwise agreed in writing, the Improvements will remain the property of the Lessee and will not form part of the Leased Area.

5.3 Park Lands

The Lessee must comply with the approved management plans, guidelines and strategies (from time to time) of the Council and APLA with respect to the use and occupation of the Leased Area (being part of the Park Lands).

5.4 **Offensive activities**

The Lessee must:

- 5.4.1 not carry on any offensive or dangerous activities on or from the Leased Area or create a nuisance or disturbance either:
 - 5.4.1.1 for the Council; or
 - 5.4.1.2 for the owners or occupiers of any adjoining property; and
- 5.4.2 ensure at all times that activities conducted on or from the Leased Area will not bring any discredit upon the Council.

5.5 **Use of Services**

The Lessee will:

- 5.5.1 ensure that the Services are used responsibly; and
- 5.5.2 be responsible to repair or correct any damage or malfunction which results from any misuse or abuse of the Services.

5.6 **Statutory requirements**

The Lessee must comply with all Statutory Requirements relating to the Lessee's use and occupation of the Leased Area.

5.7 **No alcohol**

The Lessee must not:

- 5.7.1 serve, sell or provide to persons; or
 - 5.7.2 consume or allow persons to consume;
- alcohol on the Leased Area without the prior written consent of the Council.

5.8 **Signs**

The Lessee must not place any signs or advertisements in or on the Leased Area (including on the outside or inside (if they can be seen from outside) of any Improvement), except signs which:

- 5.8.1 are approved by the Council; and
- 5.8.2 comply with any relevant Statutory Requirements.

5.9 **Fire precautions**

The Lessee must comply with all Statutory Requirements relating to fire safety including undertaking at the Lessee's cost any structural modifications or other building works to the Improvements.

5.10 **No vehicles**

The Lessee must not, and must not allow any other person to, drive, ride or park any vehicle on or over any part of the Park Lands without the consent of Council except

any part of the Improvements which is to be specifically used by vehicles including any car parking areas.

5.11 **No warranty**

The Council makes no warranty or representation regarding the suitability of the Leased Area or the Services for the Permitted Use or any other purpose.

6. **INSURANCE**

6.1 **Lessee must insure**

The Lessee must keep current during the Term:

- 6.1.1 insurance in respect of the Improvements and any alterations and additional carried out in accordance with clause 7.2 for their full replacement value;
- 6.1.2 public risk insurance for at least the amount in Item 5 (or any other amount the Council reasonably requires) for each claim;
- 6.1.3 all insurance in respect of the Lessee's Equipment for its full replacement value; and
- 6.1.4 other insurances required by any Statutory Requirement or which the Council reasonably requires.

6.2 **Requirements for Lessee's policies**

Each policy the Lessee takes out must:

- 6.2.1 be with an insurer and on terms (including value of policy) approved by the Council;
- 6.2.2 be in the name of the Lessee and note the Council's interest; and
- 6.2.3 cover events occurring during the policy's currency regardless of when claims are made.

6.3 **Evidence of insurance**

- 6.3.1 The Lessee must give the Council copies of certificates evidencing the currency of the policies the Lessee has taken out under this clause 6.
- 6.3.2 During the Term the Lessee must:
 - 6.3.2.1 pay each premium before it is due for payment;
 - 6.3.2.2 give the Council copies of certificates of currency each year when the policies are renewed and at other times the Council reasonably requests;
 - 6.3.2.3 not allow any insurance policy to lapse or vary or cancel it without the Council's consent; and
 - 6.3.2.4 notify the Council immediately if a policy is cancelled or if an event occurs which could prejudice or give rise to a claim under a policy.

6.4 **Additional premium and excess**

- 6.4.1 The Lessee must not do anything which may:
 - 6.4.1.1 prejudice or render void or voidable any insurance of the Leased Area; or
 - 6.4.1.2 increase the premium for any insurance of the Council.
- 6.4.2 If the Lessee does anything (with or without the consent of Council) that increases the premium of any insurance of the Council the Lessee must on demand pay the amount of that increase to the Council.
- 6.4.3 The Lessee must pay all excess amounts paid or payable by the Council relating to any accident or claim caused or contributed to by the Lessee.

7. REPAIR, MAINTENANCE AND ALTERATIONS

7.1 Maintenance and repair

- 7.1.1 The Lessee must at its own cost
 - 7.1.1.1 keep and maintain the Leased Area and the Improvements in good condition and repair and promptly rectify any damage so they are kept to the Appropriate Standard;
 - 7.1.1.2 keep, maintain, repair, replace and renovate the Lessee's Equipment, the Improvements and any alterations and additions carried out in accordance with clause 7.2 in good repair and condition, including structural and capital maintenance, repair and replacement, so that the Lessee's Equipment, Improvements and any alterations and additions are kept to the Appropriate Standard;
 - 7.1.1.3 keep, maintain, repair, replace and renovate the car parking, pedestrian and landscaped areas surrounding the Improvements on the Leased Area (including structural and capital maintenance, repair and replacement) so that such areas are kept to the Appropriate Standard; and
 - 7.1.1.4 undertake any upgrade to Services or improvement to the Leased Area required as a result of the Lessee's use or occupation of the Leased Area.
- 7.1.2 Not less frequently than annually the Council and the Lessee must review any works for repairs or replacements of which either party is aware that are required for the next year.
- 7.1.3 Each party must inform the other in writing of any critical structural or capital maintenance, replacement and repair required in respect of the Leased Area and the Improvements as soon as practicable after it becomes aware of it.
- 7.1.4 The Lessee must when complying with the obligations under the Lease use all reasonable endeavours to carry out any repairs and maintenance in a timely manner and cause as little interruption as possible to the Council and other users of the Park Lands.
- 7.1.5 Any disputes in regard to the subject matter of this clause 7 may be referred by either party for determination under clause 17 of this Lease.

7.1.6 If the Council is required to carry out any works which are the responsibility of the Lessee under this clause 7.1 then:

7.1.6.1 the Council may (without any obligation to do so and without any liability to the Lessee in respect of such works) execute such works as if it were the Lessee; and

7.1.6.2 the Lessee shall be liable for all of Council's reasonable costs and expenses in executing such works which the Council may recover from the Lessee as a debt due and payable on demand.

7.2 Alterations by Lessee

7.2.1 Except for any alterations or additions of a minor nature that do not substantially or materially change the Approved Improvements, the Lessee must not carry out any Further Improvements without the consent of Council.

7.2.2 The Lessee must provide full details of any proposal to undertake Further Improvements or any other proposed alterations and additions to the Council.

7.2.3 The Council may impose any conditions it considers necessary if it gives its approval, including requiring the Lessee to obtain the Council's consent to any agreements that the Lessee enters into in relation to the Further Improvements or other proposed alterations and additions.

7.2.4 The Lessee must carry out any approved works:

7.2.4.1 in a proper and workmanlike manner;

7.2.4.2 in accordance with the conditions and approvals imposed by the Council (as lessor under this Lease); and

7.2.4.3 in accordance with all Statutory Requirements.

7.2.5 The Lessee will pay all of the Council's costs (including consultant's costs and legal costs) as a result of the Lessee's works.

7.2.6 Unless otherwise agreed in writing, any alteration or addition made pursuant to this clause will be the property of the Lessee.

7.3 Cleaning

The Lessee must:

7.3.1 keep the Leased Area and the Improvements clean and tidy and free from dirt, rubbish and graffiti; and

7.3.2 not cause any part of the Park Lands to be left untidy or in an unclean state or condition.

8. ENVIRONMENT

8.1 Environmental obligations

8.1.1 The Lessee must not do anything that causes Contamination or is likely to cause Contamination to the Leased Area or the Environment in contravention of any Environmental Law.

8.1.2 The Lessee must perform at its cost any environmental remediation works required as a result of a breach by the Lessee of this clause.

8.2 Indemnity

Without limiting clause 14, the Lessee indemnifies the Council against any Claims for any Loss as a result of or contributed to by any breach of an Environmental Law by the Lessee.

8.3 Termination

This clause 8 survives termination or the expiration of this Lease.

9. ASSIGNING, SUBLETTING AND CHARGING

9.1 Assignment

The Lessee must not assign, transfer or otherwise deal with the Lessee's interest in the Leased Area under this Lease without the consent of Council (which will not be unreasonably withheld).

9.2 Request for Assignment

If the Lessee requests that the Council consent to any assignment, transfer or other dealing the Lessee must comply with Council's procedural requirements for dealing with the request.

9.3 No release

Where the Council grants consent to an assignment or transfer, the Lessee (i.e. the party assigning or transferring the Lease or rights under the Lease) will not be released or discharged from the current or future obligations under this Lease.

9.4 Subletting and hiring out

The Lessee must not sublet, hire out or otherwise part with possession of the Leased Area without the consent of Council.

9.5 Charging

9.5.1 The Lessee must not charge the Lessee's interest in this Lease or the Lessee's Equipment or the Improvements without the consent of Council.

9.5.2 If the Council consents to a charge then the Lessee must enter into a deed in a form required by the Council which ensures the charge is subject to the Council's rights under this Lease.

9.6 **Costs**

The Lessee must pay all costs reasonably incurred by the Council (including any legal fees) in relation to any dealing under this clause, including in considering whether or not to grant any consent to a request by the Lessee under this clause 9.

10. **COUNCIL'S OBLIGATIONS AND RIGHTS**

10.1 **Quiet enjoyment**

Subject to the Council's rights and to the Lessee complying with the Lessee's obligations under this Lease, the Lessee may occupy the Leased Area during the Term without interference from the Council.

10.2 **Right to enter**

The Council may (except in the case of emergency when no notice will be required) enter the Leased Area after giving the Lessee reasonable notice:

- 10.2.1 to see the state of repair of the Leased Area and the Improvements;
- 10.2.2 to do repairs to the Park Lands or other works which cannot reasonably be done unless the Council enters the Leased Area; and
- 10.2.3 to do anything the Council must or may do under this Lease or must do under any law.

10.3 **Emergencies**

In an emergency the Council may:

- 10.3.1 close off the Leased Area; and
- 10.3.2 prevent or restrict access to the Park Lands.

10.4 **Works and restrictions**

10.4.1 The Council may:

- 10.4.1.1 install, use, maintain, repair, alter, and interrupt Services;
- 10.4.1.2 carry out works on the Park Lands; and
- 10.4.1.3 close (temporarily or permanently) and restrict access to the Park Lands (including the Leased Area).

10.4.2 The Council must (except in cases of emergency) take reasonable steps to minimise interference with the Lessee's use and occupation of the Leased Area.

10.5 **Right to rectify**

Council may at the Lessee's cost do anything which the Lessee should have done under this Lease but which the Lessee has not done or which the Council reasonably considers the Lessee has not done properly.

11. TERMINATION FOR DAMAGE OR DESTRUCTION

- 11.1 If the Improvements are destroyed or damaged so that the Improvements are unfit for the Permitted Use then within three (3) months after the damage or destruction occurs, the Lessee must give the Council a notice either:
- 11.1.1 terminating this Lease (on a date at least one (1) month after the Lessee gives notice); or
 - 11.1.2 advising the Council that the Lessee intends to repair or replace the Improvements.
- 11.2 If the Lessee gives a notice under clause 11.1.2 but does not carry out the intention within a reasonable time, the Council may give notice to the Lessee that the Council intends to end the Lease if the Lessee does not carry out the required works within a reasonable time (having regard to the nature of the required work).
- 11.3 If the Lessee does not comply with the Council's notice under clause 11.2, the Council may terminate this Lease by giving the Lessee not less than one (1) month's notice without any Claim by the Lessee against the Council.

12. RETURN OF LEASED AREA ON EXPIRY OR TERMINATION

12.1 Expiry

This Lease will end at midnight on the last day of the Term unless it is terminated earlier by the Council or the Lessee under any other provision of this Lease.

12.2 Handover of possession

12.2.1 Before this Lease ends, the Lessee will to Council's satisfaction:

- 12.2.1.1 no later than one (1) month before this Lease comes to an end, provide the Council with a written summary of all alterations, additions (including the Improvements) made to the Leased Area by the Lessee, whether those alterations, additions and Improvements were authorised by the Council or not;
- 12.2.1.2 (if required by Council) remove the Improvements and any other alterations and additions made by the Lessee;
- 12.2.1.3 (if required by Council) remove all of the Lessee's Equipment from the Leased Area and repair any damage caused by such removal; and
- 12.2.1.4 complete any repairs which the Lessee is obliged to carry out under this Lease (if applicable);

to return the Leased Area to an open park like setting consistent with the adjacent Park Lands.

- 12.2.2 If it is not practical for the Lessee to undertake and complete these requirements before the Lease comes to an end, then such works must be undertaken immediately after the Lease comes to an end, but in accordance with the reasonable requirements of the Council.
- 12.2.3 If at the time that possession of the Leased Area is given back to the Council, the Lessee has not complied with all or any of its obligations under

this clause 12.2, the Lessee shall not be relieved of its obligation to comply with these requirements, or to compensate the Council for failure to do so, by reason of the fact that the Council has accepted or taken possession of the Leased Area.

12.3 Holding over

If with the Council's consent the Lessee continues to occupy the Leased Area after the end of this Lease, the Lessee does so as a monthly tenant which:

- 12.3.1 either party may terminate on one (1) month's notice given at any time; and
- 12.3.2 is on the same terms as this Lease.

13. BREACH

13.1 Payment obligations

13.1.1 The Lessee must make payments due under this Lease:

- 13.1.1.1 without demand (unless this Lease provides demand must be made);
- 13.1.1.2 without set-off, counter-claim, withholding or deduction; and
- 13.1.1.3 to the Council or as the Council directs; and
- 13.1.1.4 by direct debit or such other means as the Council directs.

13.1.2 If a payment is stated to be due on a particular Payment Date (such as the next Payment Date or the first Payment Date after an event) and there is no such Payment Date, the Lessee must make that payment on demand.

13.2 Set off

The Council may, by notice to the Lessee, set off against any amount due and payable under this Lease by the Council to the Lessee, any amount due and payable by the Lessee to the Council under this Lease or under any other agreement or arrangement.

13.3 Council's rights on breach

13.3.1 If the Lessee is at any time in breach of any of its obligations under this Lease, and the Lessee fails to remedy that breach to the satisfaction of the Council after being requested by the Council to do so, the Council may at any time come onto the Leased Area without notice and do all things necessary to remedy that breach.

13.3.2 The Lessee will be liable to pay or reimburse the Council for all costs and expenses incurred by the Council in that regard which the Council may recover from the Lessee as a debt due and payable on demand.

13.4 Default, breach and re-entry

In the event:

- 13.4.1 the Rent or any moneys (or part of any moneys) payable under this Lease are unpaid for the space of fourteen days (14) after any day on which the

same ought to have been paid (although no legal or formal demand has been made);

13.4.2 the Lessee commits, permits or suffers to occur any breach, or default in the due and punctual observances and performance of any of the covenants, obligations and provisions of the Lease; or

13.4.3 of an Insolvency Event;

then despite any other clause of this Lease the Council at any time has the right to terminate this Lease, re-enter into and re-possess the Leased Area but without prejudice to any action or other remedy which the Council has or might or otherwise could have for arrears of Rent or any other amounts or breach of covenant or for damages as a result of any such event and the Council shall be freed and discharged from any action, suit, claim or demand by or obligation to the Lessee under or by virtue of the Lease.

13.5 Rights of Council not limited

The rights of the Council under this Lease and at law resulting from a breach of this Lease by the Lessee will not be excluded or limited in any way by reason of the Council having or exercising any powers under this clause 13.

13.6 Landlord and Tenant Act

In the case of a breach or default of this Lease where notice is required to be given pursuant to Section 10 of the *Landlord and Tenant Act 1936*, such notices will provide that the period of fourteen (14) days is the period within which the Lessee is to remedy any such breach or default if it is capable of remedy or to make reasonable compensation in money to the satisfaction of the Council provided that no notice shall be required in respect of the non-payment of Rent.

13.7 Repudiation and damages

13.7.1 The Lessee acknowledges that the following obligations under this Lease are essential terms:

13.7.1.1 the obligation to pay Rent and any other moneys under the Lease;

13.7.1.2 the obligations and prohibitions in relation to use of the Leased Area;

13.7.1.3 the obligations in relation to repair and maintenance;

13.7.1.4 the obligations and restrictions in relation to the Improvements and any additions and alterations to the Leased Area; and

13.7.1.5 the restriction on assignment, subletting, mortgaging and licensing.

13.7.2 If the Council accepts payment of Rent or any other moneys late or does not act or exercise any rights immediately or at all in respect of any breach of an essential term, that conduct on the part of the Council will not be deemed to amount to a waiver of the essential nature of that essential term.

13.7.3 If the Lessee breaches any essential term, that conduct on the part of the Lessee will be deemed to constitute a repudiation of this Lease and the

Council may then at any time rescind this Lease by accepting that repudiation.

13.7.4 The Lessee agrees that if this Lease is terminated by the Council because of a breach by the Lessee of an essential term, or if the Lessee repudiates this Lease and the Council accepts that repudiation rescinding this Lease, the Lessee will be obliged to pay compensation to the Council including Rent and other moneys which the Council would otherwise have received under this Lease had the Lessee not breached an essential term or repudiated this Lease.

13.7.5 The rights of the Council under this clause 13.7 and any action taken by the Council do not exclude or limit any other rights or entitlements which the Council has under this Lease or at law in respect of any breach or repudiatory conduct on the part of the Lessee.

13.8 **Interest on overdue amounts**

If the Lessee does not pay an amount when it is due, it must pay interest on that amount on demand from when the amount becomes due until it is paid in full calculated on outstanding daily balances at the Default Rate.

14. **INDEMNITY AND RELEASE**

14.1 **Risk**

The Lessee occupies and uses the Leased Area at the Lessee's risk.

14.2 **Indemnity**

The Lessee is liable for and indemnifies the Council against all Claims for any Loss suffered directly or indirectly by the Council as a result of or in connection with the Lessee's use or occupation of the Leased Area including in connection with:

14.2.1 any act or omission of the Lessee;

14.2.2 the overflow or leakage of water or any other harmful agent into or from the Leased Area;

14.2.3 any fire on or from the Leased Area;

14.2.4 loss or damage to property or injury or death to any person caused by the Lessee, the use of the Leased Area by the Lessee or otherwise relating to the Leased Area;

14.2.5 a breach of this Lease by the Lessee; or

14.2.6 the Lessee's use or occupation of the Leased Area.

14.3 **Release**

The Lessee releases the Council from all Claims for any Loss occurring on the Leased Area except to the extent that they are caused by the Council's negligence.

14.4 **Indemnities are independent**

Each indemnity is independent from the Lessee's other obligations and continues during this Lease and after this Lease ends.

15. NATIVE TITLE

In the event a Native Title Claim is made then the Lessee:

- 15.1 will be responsible for payment of any compensation and any other moneys payable to the claimant arising from the grant of this Lease or the Lessee's use or occupation of the Leased Area; and
- 15.2 will indemnify and keep the Council indemnified against and in respect of all and any actions, claims, demands, losses, damages, costs and expense however arising for which the Council may incur or become liable for arising from any Native Title Claim.

16. GOODS AND SERVICES TAX

16.1 Agreed consideration

If a GST applies to impose tax on the Agreed Consideration or any part of it or if the Council is liable to pay GST in connection with any supply under this Lease then:

- 16.1.1 the Agreed Consideration for that supply is exclusive of GST;
- 16.1.2 the Council may increase the Agreed Consideration or the relevant part of the Agreed Consideration by a percentage amount which is equal to the GST Rate; and
- 16.1.3 the Lessee shall pay the increased Agreed Consideration on the due date for payment by the Lessee of the Agreed Consideration.

16.2 Tax invoice

Where the Agreed Consideration is to be increased to account for GST under this clause 16, the Council will on or before the date on which the Agreed Consideration is payable, issue a tax invoice to the Lessee.

16.3 Penalties and interest

If the Lessee does not comply with its obligations under this Lease or with its obligations under GST Legislation in connection with this Lease and as a result the Council becomes liable for penalties or interest for late payment of GST, then the Lessee must pay the Council on demand an amount equal to the amount of the penalties and interest.

17. DISPUTES RESOLUTION

17.1 Dispute

A party to a Dispute must comply with this clause before starting arbitration or court proceedings (except proceedings for interlocutory relief).

17.2 Notice of Dispute

A party to a Dispute must give the other parties to the Dispute notice setting out details of the Dispute.

17.3 Effort to resolve

For twenty (20) Business Days after the notice in clause 17.2, each party to the Dispute must use reasonable efforts to resolve the Dispute.

17.4 Mediator

- 17.4.1 If the parties cannot resolve the Dispute under clause 17.3 within that period, they must refer the Dispute to a mediator.
- 17.4.2 If, within a further twenty (20) Business Days, the parties to the Dispute do not agree on a mediator, a party to the Dispute may ask the chairman of the Resolving Body to appoint a mediator.
- 17.4.3 The mediator assists in negotiating a resolution of the Dispute. A mediator may not bind a party unless the party agrees in writing.
- 17.4.4 The mediation ends if the Dispute is not resolved within twenty (20) Business Days after the mediator's appointment.

17.5 Confidentiality

Each party:

- 17.5.1 must keep confidential any information or documents disclosed in the dispute resolution process; and
- 17.5.2 may use that information or those documents only to try to resolve the Dispute.

17.6 Cost of dispute

Each party to a Dispute must pay its own costs of complying with this clause. The parties to the Dispute must pay equally the costs of the mediator and any third party reports and enquiries requested by the mediator.

17.7 Breach of dispute clause

If a party to a Dispute breaches this clause, the other parties to the Dispute do not have to comply with this clause in relation to the Dispute.

18. GENERAL

18.1 Costs

The Lessee must pay or reimburse to the Council:

- 18.1.1 if the Lessee has requested that this Lease be registered and this Lease is capable of registration, all government fees for registration of this Lease. If a lease plan is required to be prepared and registered before this Lease can be registered, then the Lessee must arrange and pay for the preparation and registration of that lease plan;
- 18.1.2 all of the legal costs (determined on a solicitor and client basis) incurred by the Council in connection with the preparation, negotiating, revising and engrossing this Lease (including all attendances on the Lessee and its legal and other advisers and all advices provided to the Council) and attending to the execution of this Lease; and
- 18.1.3 all legal and other costs and expenses incurred by the Council in consequence of any actual or threatened breach by the Lessee or in exercising or enforcing (or attempting to do so) any rights or remedies of the

Council under this Lease or at law or otherwise arising in consequence of any actual or threatened breach by the Lessee.

18.2 Waiver

If the Council accepts or waives any breach by the Lessee, that acceptance or waiver cannot be taken as an acceptance or waiver of any future breach of the same obligation or of any other obligation under this Lease.

18.3 Notice

18.3.1 Without excluding any other form of service, any notice required to be given or served will be sufficiently given or served as follows:

18.3.1.1 in the case of the Lessee, if posted by pre-paid post or delivered to the last known address of the Lessee; and

18.3.1.2 in the case of the Council, if posted by pre-paid post to the Council at its principal place of business in South Australia (which is taken to be the address stated in this Lease unless the Lessee is or ought reasonably be aware that that is not the Council's principal place of business at the relevant time).

18.3.2 Notice served by pre-paid post will be deemed to have been given or served three (3) Business Days after posting.

18.3.3 Any notice may be signed on a party's behalf by its attorney, director, secretary, officer, solicitor or authorised agent.

18.4 Severance

If any part of this Lease is found to be invalid, void or unenforceable, then that part will be severed from this Lease and the remainder of this Lease will continue to apply.

18.5 Special conditions

Any Special Conditions will apply to this Lease and in the event of any inconsistency with the terms and conditions in the body of this Lease, then those Special Conditions will prevail.

18.6 Entire agreement

The Council and the Lessee acknowledge and agree that this Lease contains and represents the entire agreement reached between them with regard to the Leased Area and that no promises, representations or undertakings, other than those contained in this Lease, were made or given or relied upon.

18.7 Resumption

If the Council receives notice of resumption or acquisition of the Leased Area or any land affecting the Leased Area from or by any Statutory Authority or any body or authority of such Statutory Authority, then the Council may terminate this Lease by giving not less than three (3) months written notice to the Lessee. When such termination takes effect, the rights and obligations of the Council and the Lessee

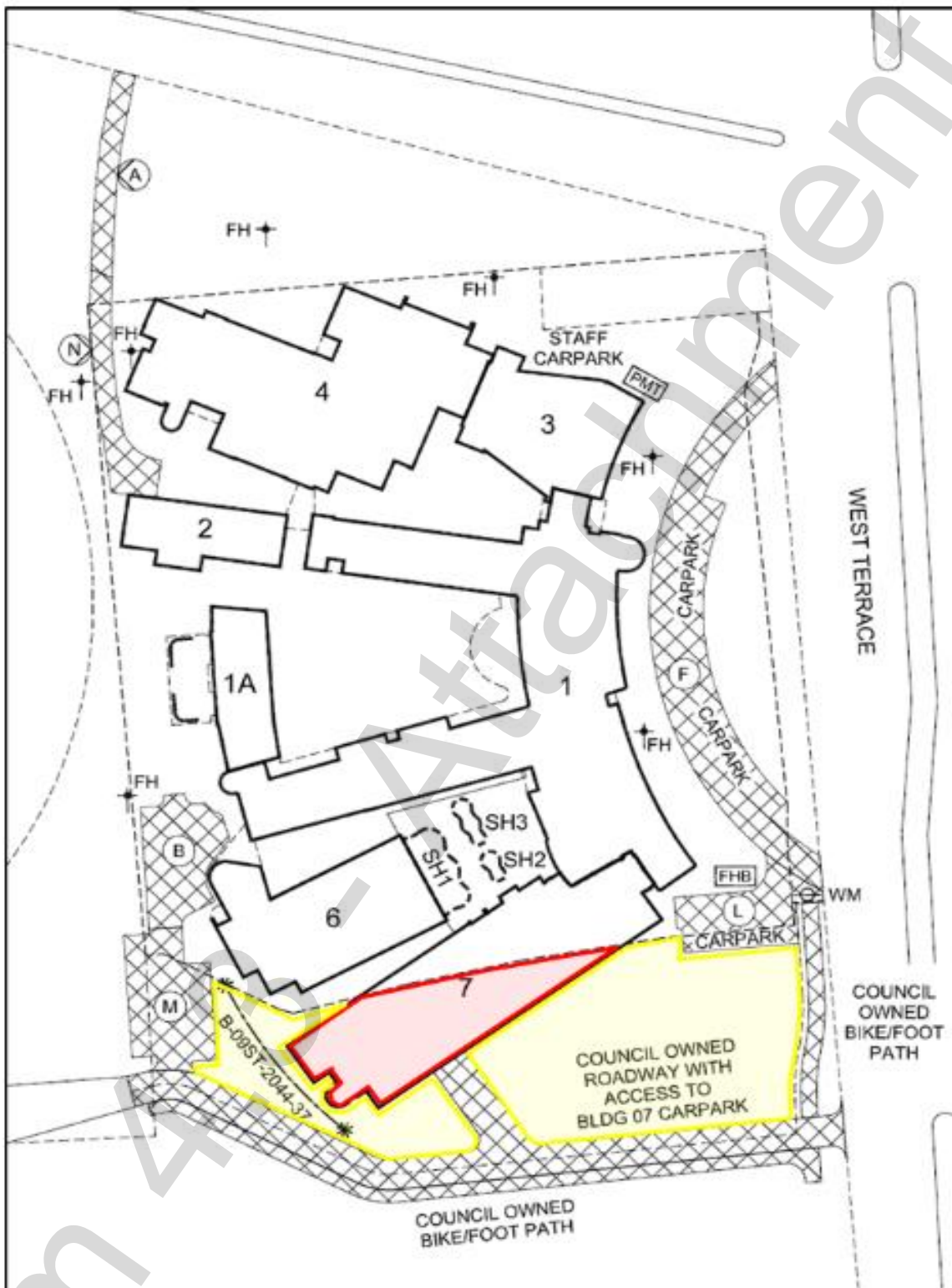
hereunder will come to an end but if any breach by either party still exists at that time then the rights of the other party with regard to that existing breach will continue.

Item 4.3 - Attachment A

FIRST SCHEDULE

ITEM 1 Leased Area	Portion of the Park Lands being the areas marked in red and yellow in the Plan (being portion of Tambawodli (Park 24) as comprised in Crown Record Volume 6102 Folio 722)
ITEM 2 Term	Forty two (42) years commencing (Commencement Date) and expiring at midnight
ITEM 3 Rent	One Dollar (\$1.00) per annum (exclusive of GST) if demanded
ITEM 4 Permitted Use	Adelaide High School building extension as depicted in the plan attached as Annexure A.
ITEM 5 Public Risk Insurance	\$20,000,000.00
ITEM 6 Special Conditions	<p>1. INSURANCE</p> <p>1.1 The Lessee warrants that the Lessee is entitled to the benefits of the South Australian Government Insurance and Risk Management arrangements administered by SAICORP, the Insurance Division of the South Australian Government Financing Authority (“SAFA”), in respect of the operations under this Lease.</p> <p>1.2 Whilst the Lessee is the Minister for Education and Child Development and remains entitled to the benefits described in special condition 1.1, the Lessee is not required to comply with clauses 6.1 to 6.3 of this Lease.</p> <p>1.3 If for any reason the Lessee is disentitled to the benefits of the South Australian Government Insurance and Risk Management arrangements in respect of the operations under this Lease, then the Lessee must notify the Council and the Lessee must immediately comply with clauses 6.1 to 6.3.</p>

ANNEXURE A PLAN



Adelaide High School Extension

Park 24

EXECUTED as an AGREEMENT

Signed by an Authorised Officer for **THE CORPORATION OF THE CITY OF ADELAIDE** in the presence of:

.....
Signature of witness

.....
Signature of Authorised Officer

.....
Name of witness (print)

.....
Name of Authorised Officer (print)

The common seal of Minister for Education and Child Development was affixed in the presence of:

.....
Signature

.....
Name (print)

Item 4.3 - Attachment A

Unnamed Public Road West off Nelson Place

ITEM 4.4 04/08/2020
The Committee

Strategic Alignment - Strong Economies

Program Contact:
Tom McCready, AD Property &
Commercial 8203 7313

2015/01579
Public

Approving Officer:
Ian Hill, Director Growth

EXECUTIVE SUMMARY

In 2014, the Police Association of South Australia expressed interest in acquiring an unnamed public road running west off Nelson Place from Council.

On 13 September 2016 Council resolved to commence a road process pursuant to the *Roads (Opening & Closing) Act 1991 (SA)* to close and transfer the road.

Public notice was given of Council's intent to close and transfer the Road to the Police Association of South Australia. No objections were received. However, SA Water requested an easement for sewer purposes over the Road (if Council decide to close and transfer it) and the Police Credit Union requested a free and unrestricted Right of Way over the Road.

Council must now decide if it wants to make a road process order to close and transfer the Road to the Police Association of South Australia and if so, whether it will make a further order to grant an easement to SA Water for sewer purposes and a free and unrestricted Right of Way to the Police Credit Union.

The following recommendation will be presented to Council on 11 August 2020 for consideration

That Council:

1. Approves, pursuant to Section 15 of the *Roads (Opening & Closing) Act 1991 (SA)*, the making of a Road Process Order to close and transfer to the Police Association of South Australia the land marked "A" on Attachment A to Item # on the Agenda for the meeting of Council held on 11 August 2020.
2. Approves, pursuant to Section 18 of the *Roads (Opening & Closing) Act 1991 (SA)*, the making of a further order that the following easements be granted over the land marked "A" on Attachment A to Item # on the Agenda for the meeting of Council held on 11 August 2020:
 - 2.1. An easement for sewer supply purposes in favour of SA Water Corporation.
 - 2.2. A free and unrestricted Right of Way limited in height to six metres above ground level (AHD 51.28m) in favour of Certificate of Title Volume 5174 Folio 480.
3. Authorises the Lord Mayor and Chief Executive Officer to affix the Common Seal of the Council to the Road Process Order (Attachment B to Item # on the Agenda for the meeting of Council held on 11 August 2020) and any other documentation to give effect to this resolution.

IMPLICATIONS AND FINANCIALS

City of Adelaide 2020-2024 Strategic Plan	Strategic Alignment – Strong Economies Closing and transferring the road to the Police Association of South Australia will allow it to consolidate its landholdings and maximise future development potential.
Policy	The proposed disposal of the road is consistent with the criteria in the 'Acquisition and Disposal of Land and Infrastructure Assets Policy'.
Consultation	The <i>Roads (Opening & Closing) Act 1991 (SA)</i> requires Council to consult with any person affected by the proposed closure and transfer of the road. SA Water requested an easement for sewer purposes over the Road if Council decides to close and transfer it and the Police Credit Union requested a Right of Way over the Road.
Resource	Closing and transferring a road pursuant to the <i>Roads (Opening & Closing) Act 1991 (SA)</i> incurs various expenses, including valuation, legal, survey and Lands Titles Office fees. These have been covered by a \$12,500 fee paid by the Police Association of SA.
Risk / Legal / Legislative	The closure and transfer of the Road is achieved by utilising the provisions of the <i>Roads (Opening & Closing) Act 1991 (SA)</i> .
Opportunities	Closing and transferring the road to the Police Association of South Australia will allow it to consolidate its landholdings and maximise future development potential.
20/21 Budget Allocation	The consideration paid by the Police Association of South Australia will be received.
Proposed 21/22 Budget Allocation	Not as a result of this report
Life of Project, Service, Initiative or (Expectancy of) Asset	Not as a result of this report
20/21 Budget Reconsideration (if applicable)	Not as a result of this report
Ongoing Costs (eg maintenance cost)	Council will not have to maintain the Road if it closes and transfers it to the Police Association of South Australia.
Other Funding Sources	Not as a result of this report

DISCUSSION

1. The Police Association of South Australia Incorporated (PASA) is the registered proprietor of the land coloured yellow on **Attachment A**.
2. The Police Credit Union Ltd is the registered proprietor of the land coloured purple on **Attachment A**.
3. In 2014 PASA approached the Administration expressing interest in acquiring ownership of the unnamed public road (the Road) lettered "A" on **Attachment A**.
4. The Road, measuring 4.57 x 19.81 metres (90 square metres) and bordered red on this plan (Link 1 view [here](#)) is used primarily by PASA as an internal service road for access to its car park.

Road processes in general

5. Councils can close and transfer ownership of public roads to adjoining owners by utilising the *Roads (Opening & Closing) Act 1991 (SA)* (Roads Act). This process is referred to as a 'road process'.
6. The Roads Act stipulates that a road process must be completed by the 'relevant authority' – which is generally the council for the area but can also be the State Commission Assessment Panel or the relevant State Government Minister.
7. The Roads Act requires the relevant authority to undertake various actions to close and transfer ownership of a public road to an adjoining owner, the main undertaking being to notify anyone with an interest in a proposed closure (which includes other adjoining owners, occupiers, interest holders and utility service providers), and in addition a notification to the general public (via notices in The Advertiser, The City and Fringe Messenger and the SA Government Gazette).
8. Anyone can object to a proposed closure or apply for easements over the road proposed to be closed.
9. Twenty-eight days is allowed for this process, after which the relevant authority must assess any submissions made and decide whether or not to formally close the road. This is called making a 'road process order'.
10. The utility service providers generally request easements to ensure ongoing access to their infrastructure. The Roads Act obligates the relevant authority to grant these easements. The granting of other easements (and rights of way) is at the discretion of the relevant authority.
11. If the relevant authority makes a road process order, it and various other documents are lodged with the Surveyor-General for review. The Surveyor-General must then make a recommendation to the relevant State Government Minister to 'confirm' the road process order or not. The road is formally transferred to the applicant upon notification of the Minister's confirmation in the SA Government Gazette.
12. Section 12 of the Roads Act requires that, prior to entering into a formal agreement to close and transfer ownership of a portion of public road (which is referred to as making an 'agreement for transfer'); the council must first invite all other adjoining owners to make an offer to purchase the road. Notwithstanding this requirement, it is ultimately a Council's decision who it transfers a road to.
13. An 'Agreement for transfer' is a document required under the Roads Act. It is an agreement between Council and applicant(s) to acquire a public road and stipulates who the closed public road is to be transferred to and for what consideration. It must be made prior to a road process order (order to close and transfer the public road) being made by the relevant authority.

Road Process for the subject land

14. On 13 September 2016 Council resolved that it: -
 1. *Commences a Road Process pursuant to Section 5 of the Roads (Opening & Closing) Act 1991 to close and transfer the unnamed public road running west off Nelson Place (lettered "A" on Attachment A to Item 11 on the Agenda for the meeting of the Infrastructure & Public Space Committee held on 6 September 2016) for a value determined by independent valuation.*
 2. *Notes that: -*
 - 2.1 *if there are no objections or applications for easements to the Road Process the Administration will finalise the Road Process in accordance with the powers delegated to it and transfer the road.*
 - 2.2 *if there are objections or applications for easement, a further report will be presented to Council to consider those matters.*
 3. *Subject to Recommendation 2, authorises the Lord Mayor and Chief Executive Officer to affix the Common Seal of the Council to Agreements for Transfer, Road Process Orders and any associated documents in order to finalise the Road Process and transfer the road.*

15. The proposed closure and transfer of the subject land was assessed against the criteria in the 'Acquisition and Disposal of Land and Infrastructure Assets Policy' and was taken into consideration when Council made its decision to commence the road process.
16. In relation to Resolution 3 (from paragraph 14), an Agreement for Transfer was made to transfer the subject land to PASA. The Administration had the land independently valued and consideration for the subject land was based on the valuation.
17. Disclosure of the consideration agreed to by PASA in the Agreement for Transfer would require Council to be informed of that figure in confidence because, in accordance with Sections 90(3)(b) of the *Local Government Act 1999 (SA)*, it would "*prejudice the commercial position of the council*" and would on balance be contrary to the public interest.
18. Council is the Relevant Authority pursuant to the Roads Act in relation to this proposal.
19. In accordance with Council's obligations as the Relevant Authority, the Administration gave public notice of Council's intent to close and transfer the Road to PASA. No objections were received; however, the following easements were requested over the Road: -
 - 19.1. An easement in favour of SA Water for sewer purposes; and
 - 19.2. A free and unrestricted Right of Way, limited in height to six metres above ground level (51.28m AHD), in favour of a portion of the Police Credit Union land at the end of the Road (contained within Certificate of Title Volume 5174 Folio 480).
20. Section 15(1) of the Roads Act requires the relevant authority to, as soon as practicable after the expiration of the time allowed for the making of objections and applications and after considering the objections and applications (if any) made in relation to a proposed road process:
 - 20.1 make a road process order in relation to all or part of the land to which the proposed road process relates; or
 - 20.2 determine that no road process order is to be made.
21. Section 16 of the Roads Act states that: -
 - 21.1. "16. *In determining whether to make a road process order and what order should be made, the relevant authority must have regard to —*
 - a) *any objections made by any person pursuant to this Act; and*
 - b) *the plans, principles, regulations and other matters to which regard must be had by assessment authorities for determining applications for development authorisation under the Development Act 1993 in relation to developments in the area to which the proposed road process order relates; and*
 - c) *whether the land subject to the road process is reasonably required as a road for public use in view of present and likely future needs in the area; and*
 - d) *alternative uses of the land subject to the road process that would benefit the public or a section of the public; and*
 - e) *any other matter that the authority considers relevant."*
 - 21.2. In relation to Section 16(a) of the Roads Act, no objections were received. However, the easements described in paragraph 19 were requested. Section 18(2)(b) of the Roads Act obligates Council to grant easements requested by service authorities. The easement requested by the Police Credit Union had been previously agreed between PASA and the Police Credit Union. The granting of the easements is a recommendation of this report.
 - 21.3. In relation to Section 16(b) of the Roads Act, there are no implications in relation to the *Development Act 1993 (SA)*.
 - 21.4. In relation to Section 16(c) of the Roads Act, the Road proposed to be closed has only two adjoining owners, both of whom will be able to continue to use the Road for access. There is no need for anyone else to use the Road. It is not wide enough to allow parking.
 - 21.5. In relation to Section 16(d) of the Roads Act, there are no obvious alternative uses for the Road.
 - 21.6. In relation to Section 16(e) of the Roads Act, there are no other matters of relevance to determining whether a Road Process Order can be made.

22. If Council resolves to make a Road Process Order, the Road Process Order and other documentation will be lodged with the Surveyor-General. The Surveyor-General will examine the documents and, if satisfied that the Road Process has been run in accordance with the Roads Act, will recommend to the relevant State Government Minister that the Road Process Order be 'confirmed'. If it is confirmed, notice of the confirmation will be published in the SA Government Gazette.
23. If Council resolves not to make a Road Process Order it must, as soon as practicable, notify the Surveyor-General and any person who objected or applied for easements.
24. Section 14 of the Roads Act requires a council to advise each person who objected to a road process or applied for easements that they are entitled to make a submission to the Council in support of their objection or application. The Administration advised SA Water and the Police Credit Union; however, neither accepted the invitation.

DATA & SUPPORTING INFORMATION

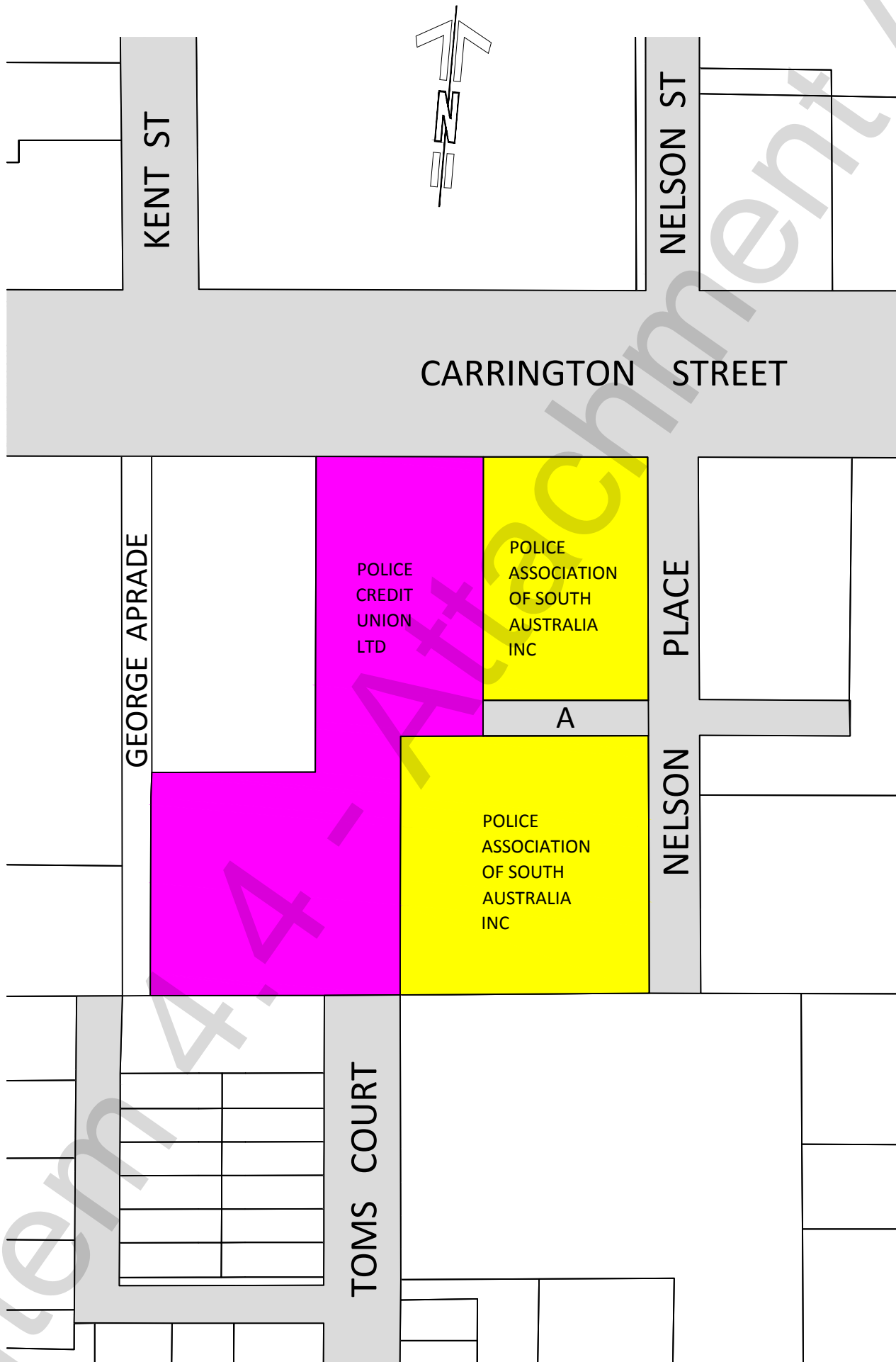
Link 1 – Map showing the public road off Nelson Place

ATTACHMENTS

Attachment A – Map showing the public road proposed to be closed and transferred

Attachment B – Road Process Order

- END OF REPORT



ROAD PROCESS ORDER

Deposited Plan

ORDER TO CLOSE ROAD

UNDER THE ROADS (OPENING AND CLOSING) ACT 1991
Unnamed Public Road running west off Nelson Place, Adelaide

ORDER MADE BY: THE CORPORATION OF THE CITY OF ADELAIDE

COUNCIL AREA: Adelaide

1. ORDER TO CLOSE ROAD

The following road is hereby **CLOSED**:

The unnamed Public Road running west off Nelson Place adjoining allotment 93 in F163677, allotment 3 in F101788 and allotments 2 & 3 in D18104 more particularly delineated as 'A' in Preliminary Plan No. 20/0001.

2. ORDER FOR DISPOSAL OF CLOSED ROAD

The road closed by this order must be dealt with in accordance with the following order:

The whole of the land subject to closure be transferred to The Police Association of South Australia in accordance with agreement to transfer dated 29th November 2019, entered into between The Police Association of South Australia and The Corporation of the City of Adelaide.

Subject to the grant of easements described in Order [3] of this order.

3. ORDER(S) FOR GRANT OF EASEMENT(S)

The following easement(s) are granted over the whole of the road closed by this order:

SA Water Corporation an easement for sewer supply purposes
A free and unrestricted Right of Way limited in height to six metres above ground level (AHD 51.28m) in favour of CT 5174/480

THE COMMON SEAL of
THE CORPORATION OF THE CITY
OF ADELAIDE was hereunto affixed
the day of 20

.....
Lord Mayor

.....
Chief Executive Officer

Certified Correct

Confirmed

SURVEYOR-GENERAL

MINISTER FOR TRANSPORT
INFRASTRUCTURE AND LOCAL
GOVERNMENT

Unnamed Private Road off Market Street

ITEM 4.5 04/08/2020
The Committee

Strategic Alignment - Strong Economies

Program Contact:
Tom McCready, AD Property &
Commercial 8203 7313

2016/03678
Public

Approving Officer:
Ian Hill, Director Growth

EXECUTIVE SUMMARY

Primefield Property Pty Ltd (Primefield) is the owner of land at 23-29 Market Street and is building a 19-storey hotel on the land. The hotel is adjacent to a private road that has a (long) deceased owner. The hotel is dependent on guaranteed access along the private road but does not have a Right of Way registered over it.

Primefield has therefore requested that Council consider declaring the private road to be a public road (pursuant to section 210 of the *Local Government Act 1999 (SA)*) and then closing and transferring it to them (pursuant to the *Roads (Opening & Closing) Act 1991 (SA)*) so that their access is secure.

On 14 July 2020 Council resolved to authorise the Chief Executive Officer to negotiate the terms of Deeds that would facilitate Primefield's request.

The purpose of this report is to request Council to - consistent with the terms of the Deeds - declare the private road to be a public road and authorise the Chief Executive Officer to commence a road process and accept the granting of an easement.

.....

The following recommendation will be presented to Council on 11 August 2020 for consideration

That Council:


1. Approves, pursuant to Section 210 of the *Local Government Act 1999 (SA)*, declaring the private road lettered "A" on Attachment A to Item # on the Agenda for the meeting of Council held on 11 August 2020 to be a public road.
2. Authorises the Chief Executive Officer to:
 - 2.1 Commence a road process pursuant to Section 5 of the *Roads (Opening & Closing) Act 1991 (SA)* to close and transfer the road lettered "A" on Attachment A to Item # on the Agenda for the meeting of Council held on 11 August 2020 to Primefield Property Pty Ltd.
 - 2.2 Accept the granting of an easement over the road lettered "A" on Attachment A to Item # on the Agenda for the Council held on 11 August 2020, the terms of which will entitle and oblige Council to install and enforce "No Stopping" parking controls on the Road, to ensure guaranteed access for parties having registered Rights of Way over the Road.
3. Authorises the Chief Executive Officer and Lord Mayor to execute and affix the Common Seal to Grant of Easement documents and any other documents to give effect to Council's resolution.

IMPLICATIONS AND FINANCIALS

City of Adelaide 2020-2024 Strategic Plan	Strategic Alignment – Strong Economies The primary goal of Council’s Strategic Plan is to strengthen the City economy. The closure and sale of the private road to Primefield Property Pty Ltd will allow it to complete the development of a 19-storey hotel.
Policy	The acquisition and subsequent disposal of the private road has been assessed against Council’s ‘Acquisition and Disposal of Land and Infrastructure Assets Policy’ and is considered to be appropriate.
Consultation	The <i>Local Government Act 1999 (SA)</i> requires a council to give public notice where it proposes to declare a private road to be a public road. This has been done. The <i>Roads (Opening & Closing) Act 1991 (SA)</i> requires the ‘relevant authority’ to notify any person who is affected by the proposed closure of a road. This will be done formally if Council adopts the recommendation of this Report. Notwithstanding this requirement, the Administration has consulted with people affected by the proposed transfer of the private road to Primefield Property Pty Ltd anyway. Those people have given in-principle support for the proposal.
Resource	Staff resources will be required to implement the recommendation of this Report.
Risk / Legal / Legislative	The private road will be declared public pursuant to section 210 of the <i>Local Government Act 1999 (SA)</i> . The road will then be closed and transferred to Primefield Property Pty Ltd pursuant to the <i>Roads (Opening & Closing) Act 1991 (SA)</i> . If the road is transferred to Primefield Property Pty Ltd, the associated liability transfers upon ownership.
Opportunities	The transfer of the private road to Primefield Property Pty Ltd will facilitate the development of a 19-storey Hotel development.
20/21 Budget Allocation	The consideration that is to be paid for the private road by Primefield Property Pty Ltd will be received in the 2020/2021 Financial Year.
Proposed 21/22 Budget Allocation	Not as a result of this report
Life of Project, Service, Initiative or (Expectancy of) Asset	Not applicable to this report
20/21 Budget Reconsideration (if applicable)	Not applicable to this report
Ongoing Costs (eg maintenance cost)	All ongoing maintenance costs associated with the private road will be borne by Primefield Property Pty Ltd if it is transferred to them. If the process of transferring the road to Primefield Property Pty Ltd fails, Council will be responsible for maintaining the road.
Other Funding Sources	Not as a result of this report

DISCUSSION

The Road

1. The land lettered "A" on **Attachment A**  is a private road (the Road).
2. The Road is contained within Certificate of Title Volume 6028 Folio 528 (CT 6028/528). The sketch on CT 6028/528 (Link 1 view [here](#)) shows that the Road is 3.66 metres wide, 55.17 metres long and 202 square metres in area.
3. CT 6028/528 (Link 1 view [here](#)) shows William Paxton as the registered proprietor. However, William Paxton is also shown as the registered proprietor on the original Certificate of Title (CT 219/186) issued in 1837, indicating he would have passed away many years ago.
4. There are about 130 private roads in the City of Adelaide similar to this Road that have long-deceased owners. These roads typically came into existence in the late 1800's because a developer subdivided land to create a number of allotments that could be sold off. The subdivisions would also have included private roads for access purposes. However, the roads created to access the allotments generally remained in the ownership of the developer.

Primefield Property Pty Ltd

5. The owner of the land numbered "1" on **Attachment A**, Primefield Property Pty Ltd (Primefield), is in the process of constructing a 19-storey hotel on that land. An extract from the approved plans is shown here. (Link 2 view [here](#)).
6. The owner of the land numbered "5" on **Attachment A**, Wright Developments SA Pty Ltd (Wright Developments), has development approval to build an 18-storey mixed use development on that land. An extract from the approved plans is shown here (Link 3 view [here](#)).
7. The only land that has registered Rights of Way over the Road is a portion of the land numbered "5" on **Attachment A** (owned by Wright Developments), along with a portion of the land numbered "8" on **Attachment A**.
8. Primefield (the owner of the land numbered "1" on **Attachment A**), along with the owner of the land numbered "2" on Attachment A (Democratic Chambers Pty Ltd), have registered caveats over the Certificate of Title for the Road (CT 6028/528), claiming to have Rights of Way over it by way of uninterrupted use over a long period of time.
9. The hotel being built by Primefield requires access along the Road to access fire exits, a delivery area and four car parks at the rear. Primefield is therefore seeking certainty over its tenure of the Road and, notwithstanding its caveat over the Road (which provides no formal rights – only a 'stop' to proceedings whilst the claim to rights can be verified), wishes to acquire it.
10. Primefield can acquire the Road via a two-stage process. The first stage involves Council declaring the private road to be a public road pursuant to Section 210 of the *Local Government Act 1999 (SA)* (LG Act). The second stage involves Council closing and transferring the (by then) public road to Primefield pursuant to the *Roads (Opening & Closing) Act 1991 (SA)* (Roads Act).

Stage 1 – Declaring the Road a public road pursuant to Section 210 of the LG Act

11. Section 210(1) of the LG Act states (in part):

"(1) A Council may declare a private road to be a public road if -
 (b) the Council makes reasonable inquiries to find the owner and fails to do so."

Where an "owner" includes the beneficiaries of wills.

12. The Administration engaged Cowell Clarke Lawyers to "make reasonable inquiries to find the owner" of the Road. However, after an exhaustive search, including the probate registry in England (where William Paxton was from) Cowell Clarke was unsuccessful in finding an owner.
13. Section 210(2) of the LG Act states (in part) that:
 - (2) At least three months before a council makes a declaration under this section, it must -
 - (ab) if a person has some other form of registered legal interest over the road and the identity and whereabouts of that person are known to the council - give written notice to the person of the proposed declaration; and
 - (b) give public notice of the proposed declaration."

- 13.1 In relation to section 210(2)(ab), the two caveats registered on CT 6028/528 are not considered to be "registered legal interests". However, the Rights of Way over the Road that are registered on the Certificates of Title for the properties numbered "5" and "8" on **Attachment A** are considered "registered legal interests". As such, the Administration gave written notice of Council's proposed declaration to the owners of those properties.
- 13.2 In relation to section 210(2)(b), in accordance with the powers delegated to it by Council, the Administration gave public notice of Council's proposed declaration in February 2019. The notice placed in the South Australian Government Gazette on 14 February 2019 is shown here ([Link 4 view here](#)).
14. Council has now satisfied sections 210(1) and (2) of the LG Act and can declare the Road public if it chooses.

Stage 2 – Closing and transferring the Road to Primefield pursuant to the Roads Act

15. Once Council has declared the Road a public road, it may then commence a 'road process' - pursuant to section 5 of the Roads Act - to close and transfer it to Primefield.
16. The Roads Act allows a council to enter into an 'agreement for transfer' with someone wanting to acquire a public road. However, section 12 of the Roads Act requires that, prior to a council entering into an 'agreement for transfer' with an applicant, it must first invite offers from all other adjoining owners of the road. The Administration did this; however, it received no interest from those parties.
17. The Roads Act defines the term 'Relevant Authority'. The Relevant Authority is responsible for various functions under the Roads Act, including:
- 17.1 Notifying the public and people affected by the proposed closure
 - 17.2 Considering objections to the road process and applications for easements and
 - 17.3 Making a 'road process order' (order to close and transfer the road).
18. In most instances where a public road is being closed and transferred, the council in whose area the road to be closed is located is deemed to be the Relevant Authority pursuant to the Roads Act. However, in this instance the State Commission Assessment Panel (SCAP) is the Relevant Authority, because the total value of Primefield's development (including the Road) exceeds \$10m.
19. Anyone can object to a proposed road closure or seek easements (including Rights of Way) over the road being closed. Objections typically come from other adjoining owners. The Administration has consulted with the owners of land adjoining the Road and has received in-principle support for the proposed closure and sale of the Road.
20. Council's role under the Roads Act is, in this instance, to:
- 20.1. Commence the Road Process.
 - 20.2. Deposit a copy of a preliminary plan and statement of persons affected by the proposed closure in the Adelaide office of the Surveyor-General.
 - 20.3. Make an 'Agreement for Transfer' with Primefield.
 - 20.4. Deposit at the Adelaide office of the Surveyor-General the necessary documents to finalise the Road Process.

The Deed

21. On 14 July 2020, Council resolved to authorise the Chief Executive Officer to negotiate the terms of a Deed with Primefield and Wright Developments that would result in Primefield owning the Road via the two-stage process outlined above. Specifically, the resolution was that Council:
- 1. *Notes the Administration has reviewed all matters pertaining to the ownership of the road marked "A" on Attachment A to Item # on the Agenda for the Council held on 14 July 2020 and is satisfied that Council can declare the Road public if it chooses.*
 - 2. *Authorises the Chief Executive Officer to:*
 - 2.1 *Negotiate the terms of a Deed with Primefield Property Pty Ltd and Wright Developments SA Pty Ltd, the essential terms of which will require: -*
 - 2.1.1 *Council to declare the private road marked "A" on Attachment A to Item 10.3 on the Agenda for the Council held on 14 July 2020 to be a public road pursuant to section 210 of the Local Government Act 1999 (SA).*

- 2.1.2 Council to commence a road process pursuant the Roads (Opening & Closing) Act 1991 (SA) to close and transfer the road marked "A" on Attachment A to Item 10.3 on the Agenda for the Council held on 14 July 2020 to Primefield Property Pty Ltd.
- 2.1.3 Primefield Property Pty Ltd to pay Council a sum determined by independent valuation as consideration for the transfer of the road marked "A" on Attachment A to Item 10.3 on the Agenda for the Council held on 14 July 2020.
- 2.1.4 Primefield Property Pty Ltd to upgrade the road marked "A" on Attachment A to Item 10.3 on the Agenda for the Council held on 14 July 2020 to council's satisfaction (at the expense of Primefield Property Pty Ltd) in the event that the road is declared a public road by Council but is subsequently unable to be closed and transferred to Primefield Property Pty Ltd pursuant to the Roads (Opening & Closing) Act 1991 (SA).
- 2.2 Negotiate the terms of Deeds with the owners of other land adjoining the road marked "A" on Attachment A to Item 10.3 on the Agenda for the Council held on 14 July 2020 in order to facilitate the transfer of the road marked "A" on Attachment A to Primefield Property Pty Ltd.
3. Authorises the Chief Executive Officer and Lord Mayor to execute and affix the Common Seal to Deeds and any other documents to give effect to Council's resolution.
22. In accordance with Council's resolution outlined in paragraph 21, the Deed between Council, Primefield and Wright Developments has been negotiated and executed.
23. Clause 2.1 of the Deed between Council, Primefield and Wright Developments states that Council agrees to declare the Road public once Primefield have provided a Bank Guarantee to Council. The Bank Guarantee may be used by Council to construct the Road to public road standards in the event that Stage 2 of the two-stage process (transferring the Road to Primefield pursuant to the Roads Act) fails and the road remains public (and must therefore be maintained by Council).
24. Primefield has provided the Bank Guarantee, meaning Council must, in accordance with the terms of the Deed, declare the Road public.

DATA AND SUPPORTING INFORMATION

Link 1 – CT 6028/528.

Link 2 – Plans for Primefield Property Pty Ltd development.

Link 3 – Plans for Wright Developments SA Pty Ltd development.

Link 4 – SA Government Gazette Notice.

ATTACHMENTS

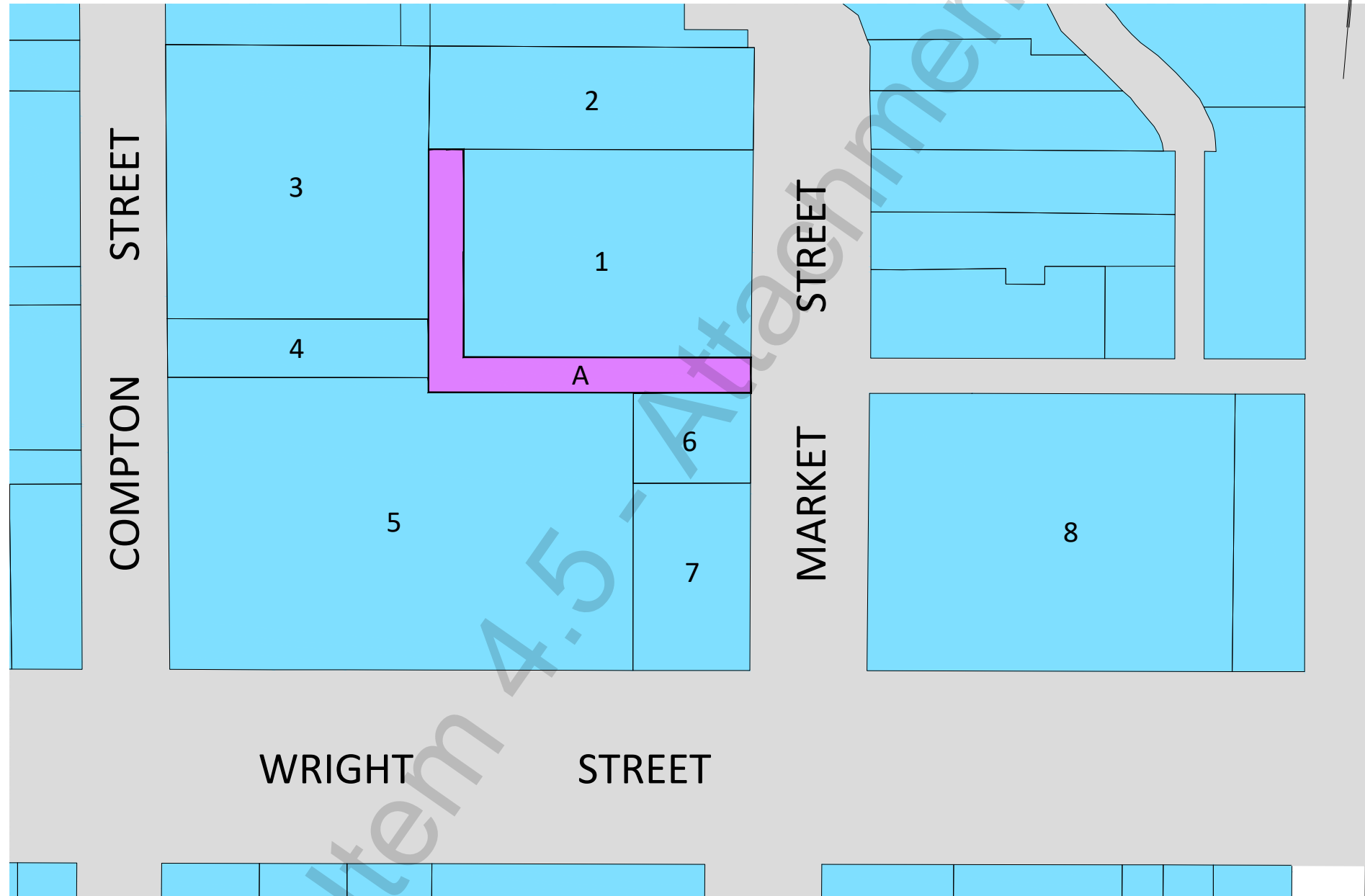
Attachment A – Private Road lettered "A".

- END OF REPORT -

LEGEND

Public road

Private road with deceased owner



Street Numbering on the north side of North Terrace

ITEM 4.6 04/08/2020
The Committee

Strategic Alignment - Strong Economies

Program Contact:
Sonjoy Ghosh, AD Strategic
Finance & Performance 8203
7655

2018/03945
Public

Approving Officer:
Clare Mockler, Deputy CEO &
Director Culture

EXECUTIVE SUMMARY

At its meeting on 22 April 2014, Council resolved for a report to be submitted to update Council's street numbering policy so that street numbers could be considered for allocation to buildings on the north side of North Terrace.

Council has the power to allocate street numbers in the City of Adelaide area in accordance with Section 220 of the *Local Government Act 1999 (SA) (the Act)*.

The street numbering system in the City of Adelaide has been in place for over 100 years and is based on the principles laid down by Colonel William Light in designing the City. This street numbering system, as set out in the Policy, was developed in 1884 and was last amended and endorsed by Council on 9 May 1994.

The system has been designed to ensure the orderly, logically sequenced, easily understood, and consistent allocation of street numbers within the City.

The investigation into the potential street numbering on the Park Land side of the terraces included engagement with key stakeholders such as SA Government Department of Planning, Transportation, and Infrastructure (DPTI), Australia Post and building owners. The engagement with stakeholders and the complexities associated in determining appropriate street numbering had delayed the finalisation of this report.

This report discusses the implications of changing the Street Numbering Policy to allocate street numbers on the Park Land side of the terraces in the City of Adelaide.

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The following recommendation will be presented to Council on 11 August 2020 for consideration.

THAT COUNCIL

1. Notes the Street Numbering Policy is based on the vision and principles of Colonel William Light's design for the City and no substantial changes to the Policy are required at this time.
 2. Notes the Street Numbering Policy will be updated to its new format in accordance with the City of Adelaide Policy Framework.
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IMPLICATIONS AND FINANCIALS

City of Adelaide 2020-2024 Strategic Plan	Strategic Alignment – Strong Economies The City of Adelaide is committed to supporting the community by enabling businesses to be easily identified and located by external parties.
Policy	The Council decision proposes to change the Street Numbering Policy; however, this report proposes that no changes be made.
Consultation	Consultation has taken place with DPTI, Australia Post, City of Adelaide Rates & Valuation and Strategic Property Management teams and building owners along North Terrace.
Resource	Not as a result of this report
Risk / Legal / Legislative	Not as a result of this report
Opportunities	Not as a result of this report
20/21 Budget Allocation	Not as a result of this report
Proposed 21/22 Budget Allocation	Not as a result of this report
Life of Project, Service, Initiative or (Expectancy of) Asset	Not as a result of this report
20/21 Budget Reconsideration (if applicable)	Not as a result of this report
Ongoing Costs (eg maintenance cost)	Not as a result of this report
Other Funding Sources	Not as a result of this report

DISCUSSION

1. Current street numbering in the City of Adelaide is based on the allocation of ten numbers per town acre. Except for the 'terraces' which are the boundaries between the built city and the Park Lands, street numbers are allocated based on odd numbers on one side of the street and even numbers on the other.
2. At its meeting on 22 April 2014, Council resolved for a report to be submitted to update Council's policy so that street numbers could be considered for allocation to buildings on the north side of North Terrace'.
3. During 2014-2015, the policy was reviewed, and as there were no street numbering issues raised by the property owners, it was recommended by the Administration that the policy remain unchanged.
4. Subsequently, in 2016 Council resolved that further consultation should be conducted with key stakeholders including the Department of Planning, Transport and Infrastructure (DPTI), Australia Post and building owners to test the original proposal and any policy amendments required to reflect the current and future use of the Park Lands.
5. The consultation resulted in the following key findings:
 - 5.1. The scope of numbering the northern side of North Terrace would need to consider the flow of numbers from the beginning of Port Road which connects to North Terrace (in front of the Royal Adelaide Hospital) as well as the flow of numbers on to the other terraces.
 - 5.2. To ensure the street numbers flowed correctly, the scope of the project would need to extend to include all sections of road in the city that currently do not have a number. Currently the policy states that the 'terraces' – the 'boundaries between the 'built city' and Park Lands are only numbered on the inside or 'built city' side of the 'terrace'. The outer or Park Land side has no street numbers allocated. If street numbers were allocated to buildings on the north side of North Terrace, all the 'terraces' should be subject to the same policy, to ensure the numbers flow.
 - 5.3. If the 'Park Land' side of the 'terraces' were to be numbered, then North and South Terrace would need to be numbered sequentially from west to east commencing at West Terrace and East and West Terrace would need to be numbered on the Park Land side sequentially north to south commencing at North Terrace.
 - 5.4. For consistency, the Council would need to consider numbering all the Park Lands.
6. Through engagement with key stakeholders including building owners, DPTI and Australia Post, it is evident that there is no real desire or need for the allocation of street numbers to buildings on the north side of North Terrace as the current addressing systems are working effectively, for example:
 - 6.1. Australia Post works with new occupiers along North Terrace and communicate where they believe the best position for the mailbox should be located
 - 6.2. The Universities have their own postcode, so all mail is delivered to the mail room at the Universities where University staff then distribute correctly to the mail recipients
 - 6.3. Australia Post (Adelaide) reference a building name on the terraces in their mail delivery duties
 - 6.4. Australia Post (Adelaide) deliver directly to the Art Gallery who have a letter box at the front of their building
 - 6.5. The Royal Adelaide Hospital has a mailroom and have engaged private company (Spotless) who collect the mail from Australia Post directly and do their own sorting and delivery within the hospital precinct as part of the facilities management contract
 - 6.6. The major buildings along North Terrace, including the Adelaide Casino, Government House, SA Museum, State Library, Adelaide Health Medical Services, and SAHMRI have their own GPO boxes.
7. Due to the expanded scope and complexities outlined, the allocation of street numbers on the Park Land side of the terraces would be a significant project, requiring additional staff and financial resources and extensive public consultation.
8. As there is no compelling, urgent or emerging business or community need to amend the policy, and the costs of doing so could be substantial, it is proposed the street numbering policy will not be changed at this time, and the street numbering of North Terrace, along with East, South and West Terraces on the Park Lands side, will remain as they currently are.
9. Street Numbering Policy will be updated to current template and style in accordance with the City of Adelaide Policy Framework.

ATTACHMENTS

Nil

- END OF REPORT -

Proposal for the Santos Tour Down Under - Tour Village to be held in Victoria Square / Tarntanyangga

ITEM 4.7 04/08/2020

The Committee

Strategic Alignment - Dynamic City Culture

Program Contact:

Christie Anthoney, AD

Community & Culture 8203 7444

2020/00860

Public

Approving Officer:

Clare Mockler, Deputy CEO &

Director Culture

EXECUTIVE SUMMARY

An application has been received from Events South Australia for the use of Victoria Square / Tarntanyangga to enable the Santos Tour Down Under - Tour Village to take place from Saturday 16 January 2021 to Sunday 25 January 2021 with the event bumping in from Monday 28 December 2020 and bumped out by Monday 1 February 2021.

The event application has been assessed against the [Adelaide Park Lands Event Management Plan \(APLEMP\)](#) and meets the Victoria Square / Tarntanyangga event site criteria.

In accordance with the [Adelaide Park Lands Event Management Plan \(APLEMP\)](#), Council approval is required for the event application because it will occupy a significant portion of a park for more than four weeks (including bump in and out).

Events South Australia are also seeking a road closure of Reconciliation Plaza for more than 24 hours to utilise an entire site.

Public consultation was administered via Council's Your Say website from Monday 15 June 2020 to Monday 6 July 2020. This report provides the results of the public consultation and information relating to how the proposed event and site will be managed during the event occupation.

Events South Australia do not currently have a multi-year event licence; therefore, they have requested that a single year event licence be granted for the 2021 event. We have commenced discussions with Events South Australia regarding the opportunity for them to apply for a multi-year event licence in the next round, due to open in early 2021.

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The following recommendation will be presented to Council on 11 August 2020 for consideration

That Council:

1. Authorises the CEO to grant a one-year event licence to Events South Australia to deliver the Santos Tour Down Under - Tour Village in Victoria Square / Tarntanyangga from Saturday 16 January 2021 to Sunday 25 January 2021. In addition, delegates the CEO to approve any further changes required to the event application (if needed) due to the impacts of COVID-19.
-

IMPLICATIONS AND FINANCIALS

City of Adelaide 2020-2024 Strategic Plan	Strategic Alignment – Dynamic City Culture Celebration of diverse community, culture and creativity
Policy	The Santos Tour Down Under - Tour Village event is considered consistent with the APLEMP 2016-2020 and suitable for Victoria Square/Tarntanyangga because the site is appropriate for arts and culture events that are accessible to the general public.
Consultation	Public Consultation occurred from Monday 15 June 2020 to Monday 6 July 2020. Public Consultation occurred to help identify impacts that and Santos Tour Down Under organisers and the Council should consider before making a final decision regarding the event. There were 99 visits and 21 people lodged a submission form. The results of the public consultation are included as part of this report. We are working through the feedback received in the consultation (Link 1 view here). Mitigation strategies for impacts identified are being explored through the Report to Council.
Resource	The Santos Tour Down Under - Tour Village event is facilitated within existing resources.
Risk / Legal / Legislative	All events are subject to abiding by the restrictions associated with COVID-19 and public gatherings.
Opportunities	The Santos Down Under – Tour Village is Australia’s premier cycling race. An action packed nine days of world-class cycling with gala dinners, street parties and an amazing atmosphere for riders, spectators, visitors and locals alike throughout South Australia. It is anticipated to attract up to 50,000 people over the duration of the event.
20/21 Budget Allocation	Not as a result of this report
Proposed 21/22 Budget Allocation	Not as a result of this report
Life of Project, Service, Initiative or (Expectancy of) Asset	If supported by Council, the event organiser will be issued a single year event licence for the 2021 event.
20/21 Budget Reconsideration (if applicable)	Not as a result of this report
Ongoing Costs (eg maintenance cost)	Not as a result of this report
Other Funding Sources	Not as a result of this report

DISCUSSION

1. On Tuesday 2 June 2020 an event application was received from Events South Australia to hold the 2021 Santos Tour Down Under Village in Victoria Square/Tarntanyangga from Saturday 16 January 2021 to Sunday 24 January 2021.
2. The Southern half of Victoria Square/Tarntanyangga will be occupied for 39 days (including bump in and bump out) to enable the Team Village infrastructure to be set up before the international and national cycling teams start arriving.
3. To ensure connectivity of the Tour Down Under Village, Reconciliation Plaza is proposed to be closed from 5.00am on Monday 11 January 2021 to 10.00pm on Wednesday 27 January 2021.
4. As outlined in the [Adelaide Park Lands Event Management Plan \(APLEMP\)](#), the application requires Council approval because it will occupy a significant portion of a park for more than four weeks (including bump in and out).
5. The event will provide a welcoming, inclusive, healthy and safe environment for event patrons and staff, adhering to national standards and legislative requirements.
6. The event will ensure pedestrian access is maintained around the perimeter of Victoria Square / Tarntanyangga for the duration of the event, bump in and bump out.

Event Description and Aim

7. The Santos Tour Down Under event was first staged in Adelaide in 1999. The event has grown year on year to now become the largest cycling race in the southern hemisphere.
8. The week-long event brings the top Union Cyclist Internationale (UCI) World Tour professional cycling teams to race on the streets of Adelaide and regional South Australia each January. Some of the very best in road cycling have competed at the Santos Tour Down Under since 1999, including International and Australian cycling stars.
9. The Santos Tour Down Under is a festival of cycling, with a range of associated events and festivals that create a party atmosphere across South Australia. Amateur cyclists can also be involved by taking part in the Breakaway Series, giving the community the chance to ride part of the UCI World Tour race route.

Results of the Public Consultation

10. Copies of the consultation documentation was made available at Council's Libraries and Community Centres.
11. After the end of the consultation, there were:
 - 11.1. 99 visits to the Your Say page
 - 11.2. 34 informed participants
 - 11.3. 21 engaged participants
12. In summary, 16 people supported the proposal and 5 people were against the proposal.
13. Further detail about the feedback is provided here (Link 1 view [here](#)).

Trading Hours and Admission

14. The applicant has proposed the following operating hours for the event:
 - 14.1. 3.00pm to 10.00pm on Saturday 16 January 2021
 - 14.2. 10.00am to 9.00pm on Sunday 17 January 2021
 - 14.3. 1.00pm to 10.00pm on Monday 18 January 2021 through to Sunday 24 January 2021
15. The operating hours proposed by the applicant for the event are within the permissible hours for Victoria Square/Tarntanyangga as set out in the APLEMP.
16. Admission to this event is free of charge.

Pedestrian Access

17. Access to Victoria Square/ Tarntanyangga will be maintained for pedestrians and cyclists for the event duration. Temporary pathway closures may be required during the build period to ensure public safety, but they will be brief and appropriate diversions put in place.

Road Closure

18. The Event Organisers will ensure:
 - 18.1. Advance notifications of the road closure will be displayed on the approaches, prior to the closure being enacted to notify motorists of the upcoming closure.
 - 18.2. Appropriate traffic management devices will be deployed with clear detour signage.
 - 18.3. Vehicles accessing the Adelaide Central Market car park from the east will be maintained via a detour around the southern section of Victoria Square/Tarntanyangga. The Department of Planning, Transport and Infrastructure's Traffic Management Centre have confirmed that they will adjust the precinct's traffic signal operations to keep congestion and delays to a minimum. Whilst the proposed closure of Reconciliation Plaza will affect traffic conditions, the event detours proposed will manage these conditions accordingly. Vehicles accessing the Adelaide Central Market car park from the west will not be impacted by the closure of Reconciliation Plaza.
 - 18.4. Pedestrian access will be maintained through Reconciliation Plaza.
 - 18.5. To help demonstrate respect to the Kaurna community and to protect the Cultural Marker during event operations, no infrastructure will be installed on or over the Cultural Marker and it will remain accessible to the public at all times.
 - 18.6. Liaise with emergency services and Department of Planning, Transport and Infrastructure regarding the change to traffic conditions in the area for emergency access and public transport.
 - 18.7. Targeted mailbox notification 14 days prior to the closure with affected residents and businesses.

Care of Park Lands

19. There is an expectation that Victoria Square/Tarntanyangga is maintained to a very high standard and that event organisers must cover all costs associated with remediating the site back to its original condition after an event. This has been communicated to the event organisers and would be a condition of the licence.
20. We will work with the event organisers on strategies and approaches to minimise impact on the site during the event bump-in and out.

Noise Levels

21. The proposed event will be required to develop a Noise Management Plan which will describe how the event will manage its noise emission. This event has been categorised as "Events and Festivals with a Music Component" under the CoA Event Amplified Sound Management Guidelines..

Use of Local Contractors / Supplier

22. The event organiser has advised that local Adelaide businesses and organisations will be engaged to provide products and services for the event.

Liquor Licence

23. The event organiser will apply for a limited liquor licence for this event. The application will be subject to final approval from Consumer and Business Services. The event organisers will be required to comply with the liquor licence conditions as set by Consumer and Business Services.

Response to COVID-19 for Events

24. All events will be subject to abiding by the State Government restrictions associated with COVID-19.
25. We have identified that it may be necessary for some events, including the 2021 Santos Tour Down Under event to further vary or review their usual site occupancy to fulfil their COVID-19 Management Plan or COVID-19 Safe Plan. Any such changes subsequent to this report shall be approved under CEO delegation, as noted in the recommendation.

Next Steps

26. If approved by Council, we will proceed with granting a one-year event licence to STAC for the delivery of the 2021 Santos Tour Down Under - Tour Village.

DATA AND SUPPORTING INFORMATION

Link 1 - Public Consultation Report for the 2021 Santos Tour Down Under Tour Village

ATTACHMENTS

Nil

- END OF REPORT -

Change to Multi-Year Event Licence Agreement: Gluttony 2021 and 2022 | COVID-19 Response for Events

ITEM 4.8 04/08/2020
The Committee

Strategic Alignment - Dynamic City Culture

Program Contact:
Christie Anthoney, AD
Community & Culture 8203 7444

2020/00786
Public

Approving Officer:
Clare Mockler, Deputy CEO &
Director Culture

EXECUTIVE SUMMARY

The Gluttony event footprint will need to change for the remainder of their existing Multi-Year Event Licence which is for an event to be held in 2021 and in 2022, as the Quentin Kenihan Inclusive Playspace (QKIP) will overlap with the existing footprint when the Playspace is constructed this year. Gluttony have proposed a new footprint omitting the Playspace area and expanding into new areas of the park to enable the event to retain its current offering and also deliver a new experience and show centred around the Lake.

The report provides the results of the public consultation and details the rationale behind our recommendation to Council to approve the proposed new footprint as a change to the existing Multi-Year Event Licence for Gluttony.

The report also identifies temporary measures to ensure we can be flexible and consistent in decision making to support all events to return to the Park Lands during STEP 3 and beyond of the [South Australian Roadmap for Easing COVID-19 Restrictions](#) while ensuring public health considerations remain at the forefront of event planning.

Both proposals were considered by the Adelaide Park Lands Authority at its meeting on 2 July 2020 and their advice, noted in this report, has informed our recommendation.

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The following recommendation will be presented to Council on 11 August 2020 for consideration

That Council:

1. Approves the change to the Gluttony event footprint as defined in the map, Attachment A to Item # on the Agenda for the Council meeting held on 11 August 2020, for the remainder of their existing Multi-Year Event Licence which is for an event to be held in 2021 and in 2022.
 2. Authorises the delegation of the Chief Executive Officer of the CoA or delegate to authorise changes to existing Multi-Year Event Licences for events commencing up until 30 June 2021 that would ordinarily be subject to a decision of Council where the change is necessary in order to fulfil a COVID Management Plan or COVID Safe Plan approved by SA Health and Council. This may include:
 - 2.1. Changes in event site location
 - 2.2. Significant changes in event concept
 - 2.3. Significant changes to the event footprint
 - 2.4. Significant changes to the trading hours of the event
 3. Approves not charging additional Park Lands Site Fees for events commencing up until 30 June 2021 where there is the need for an event to increase the extent of their site or period of occupancy to fulfil their COVID Management Plan or COVID Safe Plan approved by SA Health and Council.
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IMPLICATIONS AND FINANCIALS

City of Adelaide 2020-2024 Strategic Plan	<p>Strategic Alignment – Dynamic City Culture</p> <p>The proposals outlined in this report align with Key Action 3.11: <i>Expand Adelaide’s global reputation as a ‘magnet city’ and UNESCO City of Music, through world class events, live music, festivals and activation.</i></p>
Policy	<p>All events are assessed against the Adelaide Park Lands Event Management Plan 2016-2020 (APLEMP) through the application process.</p> <p>The Gluttony event is considered consistent with the APLEMP and suitable for Rymill Park/ Murlawirrapurka because the site is appropriate for arts and culture events that are accessible to the general public.</p>
Consultation	<p><u>Change to Multi-year Event Licence Agreement: Gluttony 2021 and 2022</u></p> <p>There was no legislative requirement to consult on the change to Gluttony’s footprint however, in line with our Public Communication and Consultation Policy Scope, it was considered that public consultation was appropriate as the proposed new footprint represented a significant change to what was originally endorsed as part of the existing Multi-Year Event Licence, to which we are seeking an amendment. The original footprint in the Multi-Year Event Licence was endorsed following public consultation.</p> <p>Public consultation was administered from 1 to 22 June 2020 and the results are included at (Link 1 view here). There were 30 individuals who visited the <i>Your Say Adelaide</i> page and 4 people lodged a submission.</p> <p>The consultation was promoted via Public Notice and the following key stakeholders were also directly informed of the public consultation:</p> <ul style="list-style-type: none"> • City of Adelaide Access and Inclusion Panel • Superloop Adelaide 500 • Adelaide Bowling Club • Rymill Park Kiosk Lessee • South East City Residents Association <p><u>Response to COVID-19 for Events</u></p> <p>Not as a result of this report.</p>
Resource	<p>All Park Lands events are facilitated within existing resources.</p>
Risk / Legal / Legislative	<p><u>Change to Multi-year Event Licence Agreement: Gluttony 2021 and 2022</u></p> <p>As a condition of hire, all events must submit a Risk Management Plan to us. In addition to usual considerations, the event will address Crime Prevention Through Environmental Design (CPTED) risks outside of the event footprint and lake closure due to water quality as part of the Risk Assessments for Gluttony 2021 and 2022.</p> <p><u>Response to COVID-19 for Events</u></p> <p>As a condition of hire, all events must submit a copy of their COVID Management Plan approved by SA Health or COVID Safe Plan dependent on attendance which they are required by law to hold.</p>
Opportunities	<p><u>Change to Gluttony Event Footprint: 2021 and 2022</u></p> <p>Gluttony is designing a new, interesting and engaging experience which makes good use of and celebrates the lake in its current form. The lake area is one of the most unique elements of our Park Land natural and built heritage and there is opportunity to promote it to a significant audience at Gluttony.</p>

	<p>The lake centric concept and installations will be developed by Gluttony's Adelaide-based team, with the intention that this will be the first in a series of such experiences created by this local group.</p> <p><u>Response to COVID-19 for Events</u></p> <p>The measures proposed support events to return to the Park Lands with COVID-19 public health considerations at the forefront of their planning.</p> <p>As the situation with COVID-19 restrictions continues to evolve rapidly, we will be positioned to quickly respond to Multi-Year Event Licence change requests that are needed to fulfil a COVID Management Plan or COVID Safe Plan.</p> <p>Further, the measures ensure we are limiting the increase in financial burden to events from COVID-19 which may prove to be cost prohibitive for organisers.</p>
20/21 Budget Allocation	Not as a result of this report
Proposed 21/22 Budget Allocation	Not as a result of this report
Life of Project, Service, Initiative or (Expectancy of) Asset	<p>The Multi-Year Event Licence for Gluttony has years 2021 and 2022 remaining.</p> <p>Response to COVID-19 for Events is being sought for events commencing until 30 June 2021.</p>
20/21 Budget Reconsideration (if applicable)	Not as a result of this report
Ongoing Costs (eg maintenance cost)	Not as a result of this report
Other Funding Sources	Not as a result of this report

DISCUSSION

Change to Multi-Year Event Licence Agreement: Gluttony 2021 and 2022

1. Since its inception in 2011, Gluttony has grown from a one tent food and wine event into one of the largest Arts venue hubs of the Adelaide Fringe Festival.
2. Gluttony were awarded a five-year Multi-Year Event Licence for use of Rymill Park/ Murlawirrapurka to deliver the Gluttony event each year from 2018 to 2022.
3. The event footprint increased from 2018 - 2020 with the changes and supporting event management approaches negotiated and approved under delegation.
4. The QKIP is scheduled to be constructed ahead of the 2021 Gluttony event and would overlap with the area currently approved for use by Gluttony (**Attachment A**).
5. The Gluttony event footprint therefore needs to change for the remaining term of the Multi-Year Event Licence which is for an event to be held in 2021 and in 2022.
6. The Gluttony Multi-Year Event Licence notes the following:
 - 6.1. The Licensee acknowledges and agrees that (subject to its location in the Park Lands) as a result of a Major Event or Major Project Works access and use of the Event Site for the Event may be affected including:
 - 6.1.1. the Event Site may not be available for use and occupation for the Event.
 - 6.1.2. the Licensee may be required to effect alterations to the Event (including alterations to the design, location and area of the Event Site).
7. Under Gluttony's existing Licence, the event has permission to hire the area shaded red in **Attachment A** for the remaining term of their existing Multi-Year Licence, with the QKIP footprint omitted.
8. Gluttony have proposed a new footprint omitting the QKIP area and expanding into new areas of the park to enable the event to retain its current offering and also deliver a new experience and show centred around the Lake.
9. The new area that is under consideration as part of this report is outlined in purple without any red shading in **Attachment A**.
10. The site redesign into new areas of the park has considered:
 - 10.1. Public access must be maintained to the new Playspace (including from an adjoining Disability Discrimination Act (DDA) complaint path), the lake and the kiosk from outside of the event site at all times and from inside the event site at minimum during day time event operating hours. From 5pm on event days, access to the Playspace from within the Gluttony site will be closed to ensure it is protected from unintended use when the venue is running.
 - 10.2. The Rymill Lake area is one of the most unique natural and built features of the Adelaide Park Lands and there is opportunity to celebrate and promote this feature to the 600,000 people who visit Gluttony each year with a new lake centric concept and installation.
 - 10.3. Increasing community use of and access to the Adelaide Park Lands is a priority. To that end:
 - 10.3.1. Key pathways will be opened for general public access through the site during peak usage times over the event period.
 - 10.3.2. The event is working to further maximise pathway access where possible, in particular for the connection between the new Playspace, lake and kiosk.
 - 10.3.3. During the event set-up and pull-down periods, the event footprint is a work site and must be closed for safety and site security. However, where possible, the event setup and pull down will be completed in a staged approach to maximise usual community access to the park.
 - 10.3.4. The portion of lake proposed to be included as part of the event site will not be for exclusive use by the event and will remain accessible for the paddleboats.
 - 10.3.5. Rymill Park presents an undulating site and Gluttony works to improve accessibility at the event every year including:
 - 10.3.5.1. Configuring the site to maximise use of sealed pathways
 - 10.3.5.2. Ensuring the new lake centric installation could be experienced via sealed pathways around the lake

- 10.3.5.3. Expanding use of decking
- 10.3.5.4. Dedicated accessible viewing areas are located in every venue
- 10.3.5.5. Family room installed
- 10.3.6. Gluttony remains a free entry, all ages event.
- 10.4. The engineering requirements of each venue as it relates to the Park, for example some venues require a specific land gradient and there must be sufficient gap between tree protection zones to accommodate tent ropes, pegs and weights.
- 10.5. The intention is to relocate venues rather than cut them from the plan; otherwise the variety of offerings is decreased which could impact visitation, market positioning and income potential.
- 10.6. Crime Prevention Through Environmental Design (CPTED) considerations outside of the event site must be addressed through a Risk Assessment process and SA Police will be consulted as part of this. The results of that assessment may for example inform the presence or type of fence or scrim used and some infrastructure placement.
- 10.7. Proximity of venues to noise sensitive receivers and relative programming considerations.
- 10.8. Southern sections of the park form part of the Superloop Adelaide 500 Declared Area.
- 11. Gluttony have described that the new lake-centric experience will celebrate and showcase beautiful Rymill Lake in a fresh and interesting way and would:
 - 11.1. Incorporate lighting and projections over the lake and physical installations and performers on a walking route around the water.
 - 11.2. Allow members of the public to enter the lakeside space and undertake the experience, which can be enjoyed in a passive way, observing in the way one would at a gallery.
 - 11.3. Allow visitors to choose a more active experience, interacting with the installation and 'solving' what would be a progressive quest around the lake.
 - 11.4. Enable a line of sight from Gluttony's food stalls and bars on the eastern side of the lake; however, the event itself would be one that has to be entered.
- 12. In 2021, the Gluttony event setup will commence from 29 January 2021 and pull down will be completed by 29 March 2021. The event period will be 18 February to 21 March 2021.
- 13. The 2022 event period will align with the 2022 Adelaide Fringe Festival dates which are to be announced. The total event setup and pull-down period will be 28 days.
- 14. The proposed new footprint represents a significant change from what was originally approved in the Multi-Year Event Licence and we have therefore presented the proposal to APLA for consideration at their meeting on 2 July 2020 and conducted Public Consultation.
- 15. From their meeting on 2 July 2020, APLA's advice was that the APLA advises Council that it:
 - 15.1. Supports the proposal for the change to the Gluttony event footprint as defined in the map, **Attachment A** to Item 8.2 on the Agenda for the meeting of the Board of the Adelaide Park Lands Authority held on 2 July 2020, for the remainder of their existing Multi-Year Event Licence which is for an event to be held in 2021 and in 2022.
- 16. The recommendation made regarding Gluttony in this report is consistent with APLA's advice. The map referenced in APLA's advice above is included at **Attachment A** in this report

Public Consultation

- 17. Public Consultation for the change to the Gluttony footprint was administered via *Your Say Adelaide* between 1 and 22 June 2020 and the results are included at (Link 1 view [here](#)).
- 18. The purpose of the Public Consultation was to help identify any impacts that Gluttony and the Council should consider before a final decision is made regarding the event footprint for 2021 and 2022.
- 19. There were 30 individuals who made a total of 51 visits and 4 people lodged a submission.
- 20. The themes of the feedback were:
 - 20.1. Protection of the new Playspace and access to the Adult Change Facility (which is part of the proposed future toilet block) after 5pm and during Gluttony.
 - 20.2. Support for the Gluttony change of footprint.
 - 20.3. Disapproval of the proposed Gluttony footprint and Council.

- 20.4. Public access to the East to West bitumen path from Dequetteville Tce to East Tce and ensuring the event does not extend into the Adelaide 500 Declared Area.
21. We are addressing the Public Consultation feedback received and our actions and responses are outlined at (Link 1 view [here](#)).
22. In response to the feedback received, an amendment was made to the proposed footprint to ensure it does not encroach on the Superloop Adelaide 500 Declared Area.
23. Public Consultation for the proposed response to COVID-19 for events is not required.

Response to COVID-19 for Events

24. All City of Adelaide event applications and approvals are subject to the Event Organisers complying with relevant laws, regulations, and restrictions in respect of the outbreak of the Human Disease named COVID-19.
25. At the time of writing this report South Australia is in STEP 3 of the [South Australian Roadmap for Easing COVID-19 Restrictions](#).
26. STEP 3 permits the return of all events, subject to there being 2sqm of space per 1 person and a COVID Management Plan approved by SA Health (if attendance is in excess of 1000 people) or a COVID Safe Plan (if attendance is less than 1000 people) in place.
27. A COVID Management Plan or COVID Safe Plan outlines the measures an event is taking to keep event patrons and staff safe in the context of the COVID-19 Pandemic to minimise the risk of spreading COVID-19.
28. As a condition of hire, all events are required to submit the relevant plan to the City of Adelaide for review and approval of those elements that affect occupancy of the Park Lands or roads in the delivery of the event.
29. We do not yet know how the South Australian Directions or restrictions may change during the remaining course of this financial year but have forecast that impacts to events from COVID-19 may remain at least until 30 June 2021.
30. Further variations to the Gluttony event footprint and operating conditions may be necessary for the event to fulfil a COVID Management Plan in 2021 and or 2022 to meet the South Australian Directions or restrictions that apply at the time.
31. We have identified that it may be necessary for some events, including Gluttony, to further vary their usual site occupancy to fulfil their COVID Management Plan or COVID Safe Plan. For example:
- 31.1. Increase their site footprint or extend to additional or alternative sites without significantly increasing patron capacity to achieve social distancing ratios.
- 31.2. Add additional days to their site occupancy to increase the gaps between shows so that patrons can leave the site before the next crowd arrives.
- 31.3. Extended trading hours to increase the gaps between shows so that patrons can leave the site before the next crowd arrives.
- 31.4. Add additional days to their site occupancy to allow for the installation of additional entrances and site delineation.
32. We have also identified that some events may need to temporarily change their event concept or model to better ensure financial viability.
33. For Multi-Year Licence holders, these types of changes may ordinarily prompt a reconsideration of Council.
34. We have experienced that the South Australian Directions and associated restrictions in relation to COVID-19 can change rapidly and in order to respond with comparative efficiency are seeking:
- 34.1. Delegated authority for our Chief Executive Officer or delegate to authorise changes to existing Multi-Year Event Licences for events commencing up until 30 June 2021 that would ordinarily be subject to a decision of Council where the change is necessary in order to fulfil a COVID Management Plan or COVID Safe Plan approved by us.
35. Reports indicate that arts and recreation have been one of the industries most impacted by COVID-19 ([Deloitte 29/4/20](#)).
36. We are seeking to ensure that we limit the additional financial burden that events may experience if they need to increase their usual site occupancy in order to fulfil their COVID Management Plan or COVID Safe Plan and propose that we do not charge additional Park Lands Site Fees for those events.
37. This is consistent with the action being taken by the Adelaide Town Hall which is supporting clients and offering venue flexibility in order to accommodate event bookings that have been impacted by social

distancing restrictions. Clients can host their events in the larger venues at the same rate as the smaller venue spaces.

38. All Park Lands events would remain financially responsible for the true costs associated with any remediation required because of an event. However, we continue to have a focus on supporting events to minimise damage to the Park Lands and therefore the associated remediation costs through the provision of advice and by collaborating on site solutions with our Infrastructure Management and Horticulture Teams.
39. APLA considered the proposal for our COVID-19 Response for Events at their meeting on 2 July 2020 and their advice was that the APLA advises Council that it:
 - 39.1. Supports formalising amendments to existing multi-year licences for events commencing until 30 June 2021 that may be required for an event to fulfil their COVID Management Plan or COVID Safe Plan including:
 - 39.1.1. Changes in event site location
 - 39.1.2. Significant changes in event concept
 - 39.1.3. Significant changes to the event footprint
 - 39.1.4. Significant changes to the trading hours of the event
 - 39.2. Supports not charging additional Park Lands Site Fees for events commencing up until 30 June 2021 where there is the need for an event to increase the extent of their site or period of occupancy to fulfil their COVID Management Plan or COVID Safe Plan.
40. The recommendations made regarding our COVID-19 response for events in this report are consistent with APLA's advice.

DATA AND SUPPORTING INFORMATION

Link 1 - Public Consultation Report

[Emergency Management \(Public Activities No 3\) \(COVID-19\) Direction 2020](#)

[South Australian Roadmap for Easing COVID-19 Restrictions](#)

[Deloitte 29/4/20](#)

ATTACHMENTS

Attachment A – Change to Gluttony Footprint

- END OF REPORT -

Attachment A - Change to Gluttony Event Footprint



- Gluttony 2020 Event Footprint (43,000m²)* & area currently approved for use by Gluttony
- Proposed Gluttony 2021 & 2022 Footprint (44,000m²)*
- Rymill Lake area of water inside Proposed Gluttony 2021 & 2022 Footprint (8000m²)*
- Quentin Kenihan Inclusive Playspace (QKIP) Footprint

Minimum 3.5 m gap maintained for pedestrian access

- Best gates to access QKIP outside of Gluttony 2021 & 2022
- Gate to access QKIP from inside Gluttony 2021 & 2022

*Figures rounded up to the next 1000m².

Cultural Strategy Refresh

ITEM 4.9 04/08/2020

The Committee

Strategic Alignment - Dynamic City Culture

Program Contact:

Christie Anthoney, AD

Community & Culture 8203 7444

2019/01325

Public

Approving Officer:

Clare Mockler, Deputy CEO &

Director Culture

EXECUTIVE SUMMARY

The Cultural Strategy 2017-2023 outlines how the City of Adelaide maximises the cultural vitality of the City. It recognises that a thriving creative cultural city is an essential driver of social, environmental and economic development that will draw people to Adelaide to live, study, work and play.

The development of the City of Adelaide 2017-2023 Cultural Strategy was a key action in the City of Adelaide 2016-2020 Strategic Plan. It currently provides the framework for the delivery of the approved Live Music Action Plan 2017-2020, Public Art action plan 2019-2022 and annual Adelaide Libraries action plan.

A refresh of the Cultural Strategy is considered timely at its current mid-point of delivery, to bring it into alignment with the release of Council's new 2020-2024 Strategic Plan and to identify the priority areas for the remaining three years, including in response to COVID19. This includes the development and delivery of new action plans that will contribute to Council's aspirational vision for Adelaide to be the world's most liveable city. A new Festivals Action Plan and Creative Arts and Industry Action Plan will amplify the celebration of our diverse community, culture and creativity.

.....

The following recommendation will be presented to Council on 11 August 2020 for consideration

That Council:

1. Approves the City of Adelaide Cultural Strategy 2017-2023 Refresh, dated July 2020, as set out in Attachment A to Item # on the Agenda for the meeting of Council held on 11 August 2020.
-

IMPLICATIONS AND FINANCIALS

City of Adelaide 2020-2024 Strategic Plan	Strategic Alignment – Dynamic City Culture The City of Adelaide Cultural Strategy 2017-2023 Refresh dated July 2020 delivers on Council's aspirational vision for Adelaide to be the world's most liveable city. It is strongly linked to Council's key community outcome as a celebration of our diverse community, culture and creativity. Its delivery adds cultural value to the objectives across all four community outcomes.
Policy	The City of Adelaide Cultural Strategy 2017-2023 was approved by Council on 27 September 2017 as a key deliverable of the City of Adelaide 2016-2020 Strategic Plan. This refresh of the Cultural Strategy has been undertaken to bring it into alignment with the existing 2020-2024 Strategic Plan.
Consultation	Consultation was central to the development of the Cultural Strategy 2017-2023 with engagement undertaken with Councillors, artists, makers and creative practitioners, cultural sector representatives, community and staff. This refresh is informed by internal review, grants and partnership acquittals, feedback from cultural strategic partners, connection with the UNESCO City of Music Executive Committee, and engagement with the wider community through the Lord Mayors Think Tanks, Culture Clubs, and community forums for the development of the Public Art Action Plan 2019-2022 and the 2020-2024 Strategic Plan.
Resource	Continued implementation will be delivered through the existing capacity of the Creative City team.
Risk / Legal / Legislative	The development of the Cultural Strategy 2017-2023 was a deliverable in the City of Adelaide 2016-2020 Strategic Plan. It has been well received by the community. Failure to review and prioritise actions for the remaining three years of delivery may impact Council's reputation.
Opportunities	The Cultural Strategy 2017-2023 has been successful in facilitating connection and collaboration with stakeholders across the city leading to activities that add cultural value to Council's objectives and support Adelaide's reputation as a city of creative culture. The uptake and ongoing demand for shared cultural strategic partnerships through the Cultural Strategy Refresh remains strong.
20/21 Budget Allocation	The Cultural Strategy is to be delivered as part of the operational funding included in the 2020/21 Business Plan and Budget, currently out for consultation.
Proposed 21/22 Budget Allocation	Maintenance of Cultural Strategy operations as approved for 2020/21.
Life of Project, Service, Initiative or (Expectancy of) Asset	The Cultural Strategy 2017-2023 is a six year document with this refresh undertaken at its mid-point. It will be further reviewed, refined and an updated strategy brought to Council for consideration at end of its life in 2023.
20/21 Budget Reconsideration (if applicable)	Not as a result of this report
Ongoing Costs (eg maintenance cost)	Any new projects or programs identified across the remaining life off the Cultural Strategy 2017-2023 will be brought to Council on a case-by-case basis.
Other Funding Sources	The Cultural Strategy 2017-2023 Refresh will continue to facilitate the development of partnerships that will bring resources and funding to shared cultural priorities. A total of 74 partnership projects with 50 partners are active and further will be identified and pursued throughout the remaining years of implementation to 2023. The opportunity to establish shared arts and cultural grants funding and assessment panels with the State Government are progressing, with a priority focus on addressing the need to support Aboriginal and Torres Strait Islander creative practice in the City.

DISCUSSION

1. The development of the City of Adelaide 2017-2023 Cultural Strategy was a key action in the City of Adelaide 2016-2020 Strategic Plan. It was approved by Council at its meeting on 26 September 2017.
2. The Cultural Strategy 2017-2023 outlines how the City of Adelaide maximises the cultural vitality of the City. It celebrates the strengths and dynamism of Adelaide's cultural landscape and recognises that a thriving creative cultural city is an essential driver of social, environmental and economic development that will draw people to Adelaide to live, study, work and play.
3. The Cultural Strategy espouses five shared cultural aspirations for the City, that together constitute the Cultural Lens, and articulates Council's strategies to achieve them. It clearly identifies where cultural value can be added to Council's strategic objectives and invites the arts sector, creative industries, makers, festivals and local business to work collaboratively to share resources and deliver bold and exciting outcomes. The shared aspirations are:
 - 3.1 Adelaide's CULTURAL IDENTITY is unique, and our creative reputation is renowned.
 - 3.2 Adelaide's CULTURAL ECONOMY is robust, sustainable and easy to navigate.
 - 3.3 Adelaide has an engaged, collaborative, knowledgeable and CONNECTED CULTURAL COMMUNITY.
 - 3.4 Adelaide is recognised as a CULTURAL INCUBATOR where people, enterprises and audiences flourish.
 - 3.5 Adelaide is renowned for its authentic, vibrant and diverse CULTURAL EXPERIENCES.
4. The Cultural Strategy is a six year living document that has been well received by the local arts, festivals and creative community with a strong demand for connection, engagement and delivery of cultural strategic partnerships. It has also received positive feedback through the Capital Cities Arts and Culture Network. A refresh is considered timely at its current mid-point of delivery to bring it into alignment with the release of Council's new 2020-2024 Strategic Plan and to identify the priority areas for the remaining three years, including in response to COVID19.
 - 4.1. The past six months has seen a significant negative impact on arts and culture in the City, resulting in the cancellation of festivals and events, delays in programming, lost income for artists, makers and musicians, and a reduction in creative and social experiences for people in the City. The Cultural Strategy Refresh will guide Council's ongoing engagement with and support for the local arts and creative industries.
5. The proposed Cultural Strategy 2017-2023 Refresh, dated July 2020, has been updated to deliver on Council's aspirational vision for Adelaide to be the world's most liveable city. As outlined in **Attachment A**, it is strongly linked to Council's key dynamic city culture community outcome, as a tool that enables celebration of our diverse community, culture and creativity. Its delivery will further add cultural value to the objectives across all four community outcomes.
 - 5.1 The development and delivery of the Cultural Strategy is informed by the City of Adelaide's Renew + Reimagine project, Stretch Reconciliation Action Plan 2018-2021, Disability Access and Inclusion Plan 2019-2022, Wellbeing Dashboard, Development Plan 2020, Adelaide Park Lands Management Strategy 2016-2020, Adelaide Park Lands Events Management Plan 2015-2025, Events and Festivals Sponsorship Program Guidelines, Procurement Policy and Assets Management Plan.
 - 5.2 It also provides the framework for the delivery of the Live Music Action Plan 2017-2020, Public Art Action Plan 2019-2022, the annual Adelaide City Libraries Action Plan, and new action plans in development including a Festivals Action Plan 2020-2023 and Creative Arts and Industry Plan 2020-2023.
6. The original Cultural Strategy 2017-2023 was developed as direct result of comprehensive engagement with Councillors, artists, makers and creative practitioners, representatives of the cultural sector, the community and internal Council programs. A number of engagement mechanisms were utilised, including a Council workshop, community cultural forum, Your Say Adelaide campaign and staff feedback.
7. The review of activities achieved to date was undertaken by the Creative City team, with the priority areas informed by feedback received from across Council programs and the arts and creative sector via connection with the UNESCO City of Music Executive Committee and our cultural strategic partners as well as acquittals from the Arts and Cultural grants program. In 2019-2020 the Creative City team worked closely with 50 strategic partners to enable 74 individual programs and projects. It is further informed by the engagement with the wider community through three Lord Mayor Think Tanks, quarterly Culture Clubs and

the community forums undertaken to develop the Public Art Action Plan 2019-2022 and the 2020-2024 Strategic Plan.

8. The first three years of delivery of the Cultural Strategy 2017-2023 has enabled us to make a positive shift to embed the Cultural Lens into everything that we do. Achievements of note to date include:
 - 8.1 Delivery of Live Music Action Plan; review and development of a new Public Art Action Plan; and an extensive annual program of residencies, workshops, exhibitions and presentations delivered across Adelaide City Libraries.
 - 8.2 Expansion of the Arts and Cultural grants program to include new categories for Live Music Enterprise, Cultural Promotion and Quick Response grants.
 - 8.3 The introduction of key creative programs that activate the City and provide opportunities for artists and makers to thrive, such as Local Buzz venue funding, Music in the Square, Art in the Streets mural program, and the Business of Being Creative entrepreneurship program.
 - 8.4 Strategic cultural partnerships developed across the creative eco system with demand now exceeding capacity supporting the co-funding and amplification of social, creative and economic outcomes for the City.
 - 8.5 Lord Mayors Cultural Think Tanks and Community Forums established to engage with artists, makers and the creative industries in dynamic dialogue and to explore wicked problems, new ideas and possibilities; and the establishment of an Arts and Culture working group to support the work of the Council of Capital Cities Lord Mayors.
 - 8.6 Creation of the Dynamic City: Arts and Cultural Dashboard to showcase and share the essential contributions arts and culture make locally to cultural, economic, environmental social and wellbeing outcomes.
 9. The Cultural Strategy 2017-2023 Refresh continues to emphasise the value of leading collaboration, partnership and shared resources to bring the City's dynamic, creative and diverse culture to life. It has a focus on supporting community diversity, cultural expression, making, experiences, participation, cultural tourism and growing the City's economy. Key priorities for the remaining three years of implementation, that will stimulate the life of the City in response to COVID19 will be:
 - 9.1 Delivery and review of the Live Music Action Plan 2017-2020 and development of a new Action Plan.
 - 9.2 Amplify and develop a sustainable model for the UNESCO Creative Cities Network working with the Adelaide UNESCO City of Music partners.
 - 9.3 Delivery and review of the Public Art Action Plan 2019-2023 including the convening of the Public Art Round Table.
 - 9.4 Delivery and review of the Adelaide Libraries annual Action Plan.
 - 9.5 Development and delivery of a Festivals Action Plan.
 - 9.6 Development and delivery of a Creative Arts and Industry Action Plan.
 - 9.7 Delivery of the Arts and Cultural grants program, including review of the guidelines.
 - 9.8 Working closely with State Government and Capital City colleagues to align approaches.
 - 9.9 Shared and amplified creative outcomes and city activation through Cultural Strategic partnerships.
 - 9.10 Development of a City of Adelaide led co-working makers and studio space via the Hutt Street Creative Arts and Recreational Hub.
 - 9.11 Partnerships and programming to expand the Wellbeing benefits of Arts and Culture.
 - 9.12 Incubation, skills development and opportunities for emerging and established makers and enterprises to thrive.
 10. No new funding is requested for the delivery of the Cultural Strategy refresh. Partnership projects will continue to enable co-funded outcomes. As required, the case for the delivery of any further new projects partnerships and initiatives will be brought as separate reports to Council for consideration.
-

DATA AND SUPPORTING INFORMATION

The City of Adelaide Cultural Strategy 2017-2023
Dynamic City: Arts and Culture Dashboard

ATTACHMENTS

Attachment A – City of Adelaide Cultural Strategy 2017-2023, Refresh, dated July 2020

- END OF REPORT -

CITY OF ADELAIDE CULTURAL STRATEGY

2017–2023 (Refresh July 2020)

DRAFT as at 7 July 2020 - update
ribbons to Dynamic City Culture pink



ACKNOWLEDGMENT OF COUNTRY

City of Adelaide tampendi, ngadlu Kaurna yertangga banbabanbalyarnendi (inbarendi). Kaurna meyunna yaiya mattanya Womma Tarndanyako.

Parnako yailtya, parnuko tappa purruna, parnuko yerta ngadlu tampendi. Yellaka Kaurna meyunna itto yailtya, tappa purruna, yerta kuma burro martendi, burro warriappendi, burro tangka martulyaiendi. Kumarta yaiya miyurna iyangka yalaka ngadlu tampinhi.

City of Adelaide acknowledges the 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.



A MESSAGE FROM THE LORD MAYOR

Marni Naa Pudni

Ngadlu tampintheta ngadlu Kurna yartangka tikanthi.

Welcome to you all.

I acknowledge that we live on traditional Country of the Kurna people.

As a world-renowned city of artists, makers and festivals, Adelaide's rich cultural diversity enables us to experience and tell stories that reflect our contemporary and inclusive communities. Creative culture shapes the experience of the city and is an intrinsic part of our daily lives. It is what we value and celebrate, and what makes us unique. Adelaide's designation as a member of the UNESCO Creative City Network in 2015, as a City of Music, is testament to our global reputation as a 'magnet city' with world class events, live music and festivals.

The City of Adelaide Cultural Strategy is a comprehensive six-year plan and, as we have now reached the mid-way point of its delivery, Council has undertaken a refresh of the document in light of the successes we've had and the ever evolving nature of our city.

The first three years of delivery of the Cultural Strategy has enabled us to embed arts and culture into everything that we do at the City of Adelaide. Stronger connections and new collaborations have been built with artists, cultural makers and arts organisations. This has supported cultural tourism, with increased employment in arts and culture, which in turn has made the City a more attractive place to work, live, visit, study and play. There is also strong evidence that arts and culture vastly improve health, resilience, wellbeing and economic outcomes. A key strategic priority is to support the wellbeing of our communities.

Through our artists and makers, Adelaide's unique culture is highlighted, strengthening the economic, social and civic fabric of the City and helping make Adelaide one of the most liveable cities in the world. Our city's cultural eco-system and the artists and makers within it, are energised, globally connected and collaborative, creating enormous economic value and extraordinary experiences that underpin a dynamic city culture.

Arts and creativity are evident everywhere in the City of Adelaide, inside and out, day and night. As a safe and welcoming city, encouraging participation in arts and cultural life, we attract audiences numbering in the millions year on year. This strategy refresh shows that Council will continue to support bold leadership and strong strategic partnerships that will help the culture sectors to innovate, be courageous in meeting challenges and to capitalise on new opportunities.

Council will continue to strengthen and grow Adelaide's global reputation as the premier southern hemisphere market and meeting place of artists and art makers. Our focus going forward will be to curate a city in which people, enterprises and audiences flourish. This will include the celebration of Aboriginal and Torres Strait Islander creative cultures, the development of a Festivals Action Plan and recognition that we are a city of artists and makers through a Creative Arts and Industry Action Plan.



Sandy Verschoor
Lord Mayor

ADELAIDE: A THRIVING CREATIVE CITY

The City of Adelaide 2020-2024 Strategic Plan outlines a vision for a Creative City. Adelaide will be the world's most liveable city with a Dynamic City Culture, a city that celebrates diverse community, culture and creativity.

The City of Adelaide Cultural Strategy 2017-2023 has been refreshed in July 2020 to enable this vision.

This Cultural Strategy celebrates the strengths and dynamism of Adelaide's creative cultural landscape. It recognises City of Adelaide as a driver of our vibrant creative and making environment. It articulates how we will have a leading role in bringing people together, leveraging talent and nurturing opportunities to see Adelaide's creative economy grow.

This Cultural Strategy acknowledges the importance of connecting people to cultural experience, understanding and meaning throughout their lives, and enhancing their wellbeing. It emphasises that cultural vitality is fundamental to a Creative City and it commits to making culture part of everything we do.

A thriving creative cultural city is an essential driver of social, environmental and economic development. Applying a cultural lens to Council's strategic outcomes will have direct and positive impact on building a brilliant city. Culture is an essential enabler of diversity, creativity, healthy and resilient communities, environmental leadership, strong economies and technological advancement. The result will be that people, businesses and organisations will be attracted to the City and Park Lands to invest, create and participate. Enterprises will expand, attendance at events and festivals will grow, the number of visitors will increase and they will stay longer, and Adelaide's reputation as a safe, welcoming and dynamic city full of vibrant, culturally rich and diverse experiences will be bolstered.

We are focused on building a city of amazing creative experiences for and with our residents, local businesses and visitors, capitalising on Adelaide's lifestyle offerings. City streets will be full of creative and cultural surprises as outward expressions of the City's talented makers and artists. Curated experiences will connect City users to our unique spaces and places and our unique built, natural and cultural heritage.

This Cultural Strategy has been developed in consultation with the cultural sector and wider community. It articulates five shared cultural aspirations which constitute our Cultural Lens, and it outlines the strategies that will bring to fruition Council's commitment to maximising cultural vitality in a Creative City.

We will continue to work collaboratively with artists, makers, festivals, cultural organisations, creative industries, business and State Government to build on our joint strengths. With our valued partners we will harness the creative energy of the City, strengthen the creative eco-system, and advance the economic prosperity of the City.

This Cultural Strategy outlines how we will use our resources to showcase Adelaide's unique cultural identity, enable cultural enterprise, foster productive cultural connections and support cultural incubation. Working together, we will infuse cultural diversity, creativity and the arts into the everyday experience of the City.

SHARED CULTURAL ASPIRATIONS

This Cultural Strategy refresh builds on ongoing consultation with the community; businesses; the arts, making and cultural sector; festivals; creative industries; Councilors and Council staff.

Consultation identified five aspirations that reflect our shared goals, and an intention to work together towards their achievement.

Success in these areas is considered essential to a healthy, robust, sustainable, energised and culturally vital landscape. Our shared aspirations are that:

1. Adelaide's **CULTURAL IDENTITY** is unique and our creative reputation is renowned
2. Adelaide's **CULTURAL ECONOMY** is robust, sustainable and easy to navigate
3. Adelaide has an engaged, collaborative, knowledgeable and **CONNECTED CULTURAL COMMUNITY**
4. Adelaide is recognised as a **CULTURAL INCUBATOR** where people, enterprises and audiences flourish
5. Adelaide is renowned for its authentic, vibrant and diverse **CULTURAL EXPERIENCES**

'Creating space for expansive exploration of ideas and creative expression is vital for artistic excellence. It makes our city more intriguing, interesting and connected for the benefit of all. The City of Adelaide's support for the inaugural Guildhouse Collections Project with the Adelaide Symphony Orchestra and Adelaide Festival Centre is a scintillating case in point as a cross-disciplinary cultural program that invites visual artists and musicians to explore and respond to each other, resulting in new work for diverse audiences to enjoy. Such a project presents an experience that is uniquely Adelaide, drawing people to our creative, interconnected City and contributing to the cultural economy.'

Emma Fey, Chief Executive Officer, Guildhouse

The Collections Project has sparked a new perspective on the institution of the Adelaide Symphony Orchestra, considering it as a "living collection". Through our cross-artform discussions with Guildhouse and artist Michael Kutschbach, we understand the orchestra as both historical and current, archival and alive. Finding ways to represent these ideas in a visual form across the city invigorates our music-making and extends the experience of both the orchestra and the artist's work amongst our audiences.'

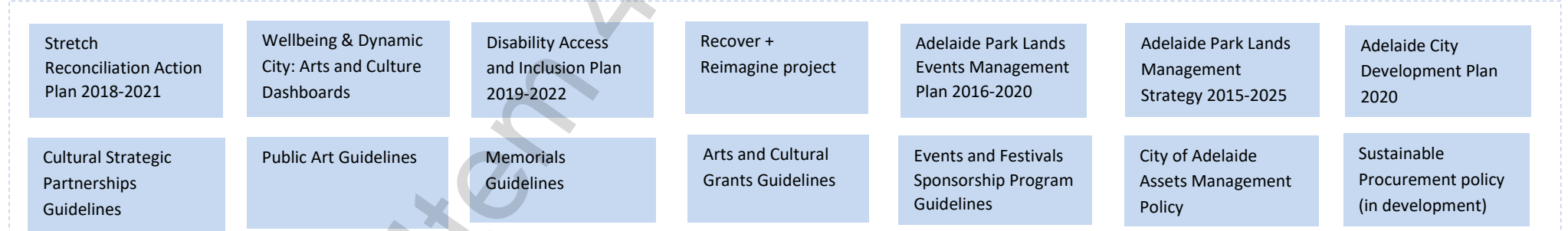
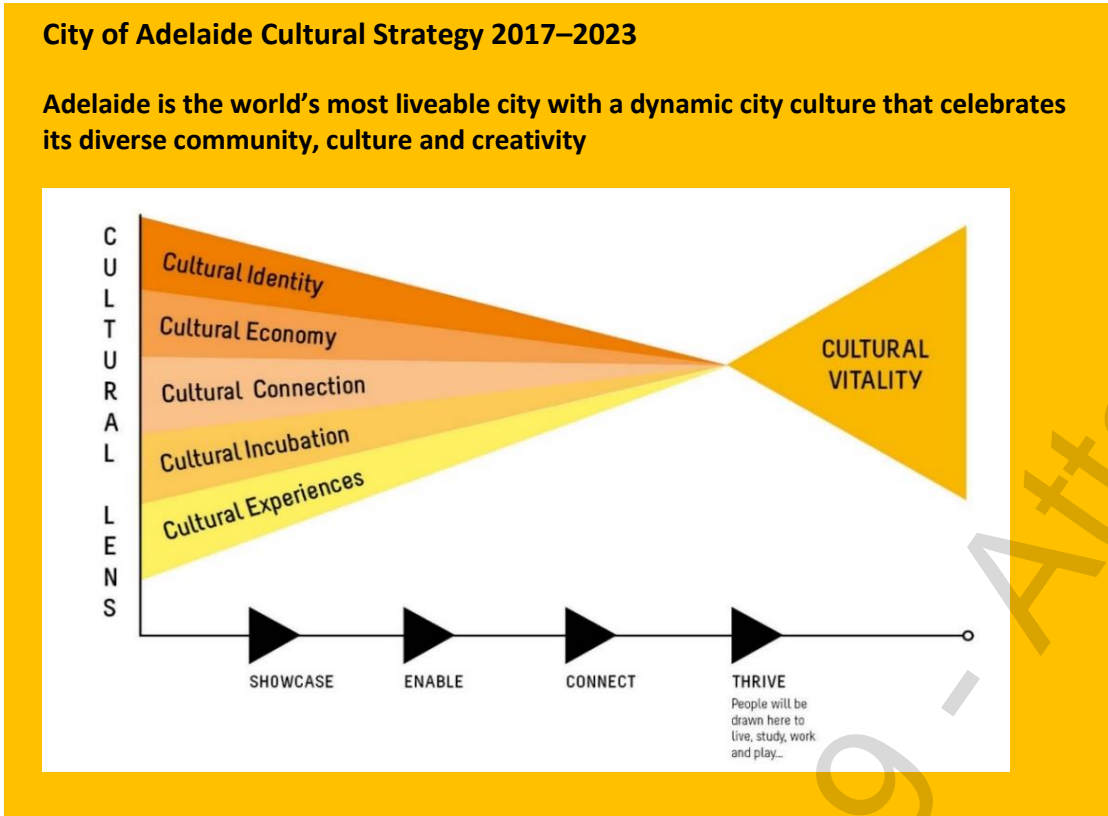
Sarah Bleby, Director, Special Programs and Production, Adelaide Symphony Orchestra

'At Adelaide Festival Centre we're excited to be working with all parties involved in this great Collection Project and can't wait to see what kind of work the artist has created for the large outdoor media screens. It is a very interesting challenge for an artist to respond to the orchestra on a platform that has no sound. Through working with the City of Adelaide we look forward to connecting and reaching a broader audience.'

Charissa Davies, Senior Exhibitions Curator, Adelaide Festival Centre 5

STRATEGIC PLANNING CONTEXT

The City of Adelaide Cultural Strategy 2017-2023 articulates how Council collaborates to add cultural value to the life of the City.



OTHER POLICY AND OPERATING DOCUMENTS THAT INFORM THE CULTURAL STRATEGY

BRINGING THE CULTURAL STRATEGY TO LIFE

The Cultural Strategy is a living document, refreshed in July 2020 to align with Council's 2020-2024 Strategic Plan and prioritises future actions.

Positive relationships and engagement with artists and makers continually influence our work and ensures that it is shaped by shared voices.

When we refer to the arts and cultural sector, we include individuals, groups, business and organisations who contribute to creative cultural activity in the City. Council is one of these organisations.

Within the arts and cultural sector we make reference to:

State Government: Government departments, functions and projects that support cultural activity in the City.

Art and Culture makers: People and organisations who create and foster the cultural life of the City. People who make creative culture happen. They are the creative people who make art, create festivals and events, shoot films, design sets, light performances, make costumes, write stories, generate music, perform, design buildings and public spaces, make games, and fashion clothes, jewellery and objects.

They are also the people who create opportunities for diverse stories to be seen, heard, experienced and shared. And they are the people who support creativity and cultural activity by providing funding and training, running cultural institutions, curating exhibitions, collecting art and objects, researching history and presenting shows, festivals and events.

Creative industries: The creative industries are also culture makers. They are often specifically referred to as people, businesses and enterprises working in the fields of festival and event management, music industry, architecture, design, fashion, digital technologies, gaming, craft, film, television and radio.

Art and Creative incubators: Organisations that provide professional development and opportunities for creative careers across a variety of forms, including visual art, film making, writing, music, performing, production, designing buildings and public spaces, and making games, clothes, jewellery and objects.

Emerging artists, makers and creatives: Individuals at the beginning of their creative career.

Art and cultural enterprises: Business or collectives with a cultural or creative focus.

We will also work together with the wider **Community**, including City residents, workers, students and businesses.

MEASURING SUCCESS

The City's collective achievements are communicated through the Dynamic City: Arts and Culture Dashboard. This highlights how arts and creativity drives positive cultural, economic, environmental, social and wellbeing outcomes.

The Dashboard includes Council led, facilitated and financially supported activity, alongside information drawn from published external sources. Together these measures provide a comprehensive base line for cultural vitality in the City and show the progression of outcomes over time.

Creative culture is central to a dynamic city culture and provides a wonderful place to live.



ACHIEVEMENTS TO DATE

- Delivery of the Live Music Action Plan 2017-2020
- UNESCO City of Music collaboration for the delivery of the Asia Pacific Creative Cities Conference 2019
- Introduction of key creative programs that activate the City and provide opportunities for artists and makers to thrive, including Local Buzz venue funding, Music in the Square and the Art in the Streets mural program
- Strategic cultural partnerships developed across the creative eco system with demand now exceeding capacity
- Delivery of creative and cultural aspects of the Stretch Reconciliation Action Plan 2018-2021, including Cultural Marker stage 2, The Riverbank is a Kaurna Market public artwork, Gawler Place creative wraps, partnerships with the National Museum and National Portrait Gallery that celebrate and showcase Aboriginal culture through virtual tours, and partner to Tarnanthi Festival of Contemporary Aboriginal and Torres Strait Islander Art
- Review and delivery of the Arts and Cultural Grants program with new grant categories created to support live music enterprise, cultural promotion and expansion of the quick response grants
- Introduction of a City of Adelaide internal Advisory Panel for the assessment of arts and cultural grants
- Case Management services established to make it easier to work with Council staff
- Implementation of a multi-year licence for major events in the Park Lands
- Wide ranging cultural promotion and showcasing of art experiences, including the update of the Art in Adelaide website and the creation of City Curator digital maps connecting people with artists, makers, cultural activity, places and spaces
- “What’s On” web page reviewed as part of the website development and web-page developed to promote city-wide creative cultural activities and opportunities
- Delivery of the Public Art Action Plan 2014-2019
- Public Art Action Plan 2019-2022 developed, including review, refinement and separation of the Guidelines for Public Art and Memorials
- Review of the Public Art Round Table, development of contemporary terms of reference and refreshed membership
- Delivery of public art and cultural infrastructure (such as plug and play) in major capital projects and public spaces, in for example Market to Riverbank and Gawler Place
- An MOU developed with City of Edinburgh and the practical sharing of information
- Work with State Government to align the cultural agenda, initiatives and facilitate the delivery of major events
- Lord Mayors Cultural Think Tanks and Community Forums delivered to engage with artists, makers and the creative industries in dynamic dialogue and to explore wicked problems, new ideas and possibilities
- Establishment of a Culture and Arts working group to support the work of the Council of Capital Cities Lord Mayors
- Creation of the Dynamic City: Arts and Culture Dashboard to showcase and share the essential contributions arts and culture make locally to cultural, economic, environmental social and wellbeing outcomes
- The Business of Being Creative entrepreneurship program developed and delivered with partners
- Emerging Curator Program reviewed and expanded across City of Adelaide spaces in collaboration with a series of partners
- Delivery of the annual Libraries Action Plan
- Extensive annual program of residencies, workshops, exhibitions and presentations delivered across Adelaide City Libraries with creative and cultural partners

SHARED CULTURAL ASPIRATION 1

Adelaide's **CULTURAL IDENTITY** is unique and our creative reputation is renowned

City of Adelaide Cultural Strategies	Key Actions	CONSULTATION FEEDBACK What will you thank Council for having achieved?
<p>CELEBRATE and BUILD ON Adelaide's designation as a UNESCO Creative City</p> <p>DEVELOP and STRENGTHEN partnerships and build Adelaide's creative cultural reputation</p> <p>SHOWCASE our unique heritage, multicultural diversity and creative culture</p> <p>PROMOTE cultural activities and cultural enterprise</p> <p>ACTIVATE our built heritage and EMPHASISE our green character</p>	<p>Deliver the Live Music Action Plan 2017-2020, review and create a new Live Music Action Plan 2021-2024</p> <p>Deliver the Public Art Action Plan 2019-2022</p> <p>Provide opportunities for Aboriginal and Torres Strait Islander peoples and cultures to be strongly represented in the creative life of the City</p> <p>Deliver the Stretch Reconciliation Action Plan actions for Arts and Culture in celebration of Aboriginal and Torres Strait Islander creative cultures</p> <p>Develop and deliver a Festivals Action Plan</p> <p>Develop and deliver a Creative Arts and Industry Action Plan</p> <p>Develop a sustainable model for the UNESCO Creative Cities Network working with the Adelaide UNESCO City of Music partners</p> <p>Partner with the State and Federal Government to support culture, artists, makers and creative industries, including the investigation of shared grants funding and assessment panels</p> <p>Build global collaborations and connections through Sister Cities, Friendly Cities and civic opportunities</p> <p>Explore opportunities to create a City of Adelaide-led major event to celebrate cultural and multicultural diversity and participation</p> <p>Apply the Cultural Lens to built form, streetscape and Park Lands planning</p>	<p>CONSULTATION FEEDBACK What will you thank Council for having achieved?</p> <p><i>'A space for Aboriginal stories of place and history'</i></p> <p><i>"Public Art makes ordinary spaces extraordinary and distinctive."</i></p> <p><i>"The City of Adelaide is known for bold, confident and expressive art"</i></p> <p><i>"We are not invisible. Creative people shouldn't be, lesser or hidden in a progressive city..."</i></p> <p>SHOWCASE</p> <p><i>'Working together [on artwork for the Gawler Place upgrade] has been a great opportunity to explore the unique terrain and stories of Tarntanya Adelaide. We look forward to seeing more artworks by Aboriginal and Torres Strait Islander peoples. The future cultural fabric of the city lies in acknowledging our history and going forward together.'</i></p> <p>Laura Wills and Carly Dodd, visual artists</p>

SHARED CULTURAL ASPIRATION 2

Adelaide's **CULTURAL ECONOMY** is robust, sustainable and easy to navigate

City of Adelaide Cultural Strategies	Key Actions	CONSULTATION FEEDBACK What will you thank Council for having achieved?
<p>ENABLE cultural enterprises to thrive through streamlined processes and case management of cultural activities</p> <p>FACILITATE a creative community co-working space</p> <p>ENCOURAGE private investment in the cultural sector</p> <p>PROMOTE cultural activities and cultural enterprise</p>	<p>Review Arts and Cultural Grants guidelines to align with the Strategic Plan 2020-2024 and implement an online grants management program</p> <p>Activate city laneways with maker markets and cultural events</p> <p>Develop and deliver an incentive scheme that connect businesses with creatives in the celebration of Christmas</p> <p>Investigate opportunities for access to Ten Gigabit Adelaide for culture makers, organisations and enterprises</p> <p>Develop and facilitate a City of Adelaide led co-working makers and studio space</p> <p>Host networking opportunities for creatives to meet with business</p> <p>Connect with philanthropists to increase investment in arts and culture</p> <p>Enable local procurement practices that support cultural and creative makers to contribute to major works and programs facilitated by City of Adelaide</p> <p>Investigate mechanisms to support the community to invest in cultural products</p> <p>Attract investment, visitation and support residential growth by promoting culture through Council's commitment to Dynamic City Culture and Designed for Life</p> <p>Support peak cultural organisations to raise the profile of Adelaide as a great place to do business</p>	<p>SHOWCASE</p> <p><i>'In 2019/20, with strategic funding from the City of Adelaide, State Theatre Company South Australia developed and conducted a pilot apprentice program based at our Thebarton workshop and rehearsal space. The pilot gave paid, on-the-job industry training in the highly specialised area of set construction for two TAFE Live Production and Technical Services students. Participants developed new skills and importantly reported a growth in professional confidence. The project outcomes are being used to assist in the development of a robust, long-term and financially sustainable program that will help ensure State Theatre Company South Australia plays a leading role in skills and career development of the state's future theatre makers.'</i></p> <p>Julian Hobba, Executive Director, State Theatre of South Australia</p>

SHARED CULTURAL ASPIRATION 3

Adelaide has an engaged, collaborative, knowledgeable and **CONNECTED CULTURAL COMMUNITY**

City of Adelaide Cultural Strategies	Key Actions	
<p>DEVELOP strategic partnerships to build on strengths and pursue bold new opportunities</p> <p>CONNECT culture makers and audiences with creative cultural activities, places and spaces</p> <p>CREATE opportunities that enhance Adelaide's reputation as a cultural meeting and marketplace</p> <p>FACILITATE productive cultural connections</p>	<p>Actively participate in the Council of Capital Cities Lord Mayors Culture and Arts working group to develop and deliver a collaborative three-year action plan in respect to culture and arts</p> <p>Engage and work with partners to maximise opportunities for the Wellbeing benefits of Arts and Culture for practitioners and the City</p> <p>Work with the State Government and other partners to connect creatives and makers with diverse audiences through physical and digital programs</p> <p>Partner to co-create a digital platform/map of creative activities, places and spaces</p> <p>Explore the role of a day and night City Curator to connect City users to place</p> <p>Facilitate Lord Mayor Cultural Think Tanks and Culture Club</p> <p>Identify and promote underutilised venues for cultural activity including City of Adelaide owned (and operated) spaces</p> <p>Review the Adelaide Art Walls platform</p>	<p>CONSULTATION FEEDBACK What will you thank Council for having achieved?</p> <p><i>'Regular opportunities for cultural sector to come together and broker collaborations'</i></p> <p><i>'The amazing app and website – it's great to know everything that's happening and where'</i></p> <p><i>'The city is full of artistic references to wellbeing. There are murals in the university campuses, meditation walks on the river, carvings, statues that reflect and strengthen ideas associated with a society full of wellbeing. Human "beings" in a human city is evident and celebrated. People laugh and interact everywhere.'</i></p> <p>SHOWCASE</p> <p><i>'Adelaide Festival's partnership with the City of Adelaide was joyous because together we were able to bring Japanese artist Tatzu Nishi's A Doll's House to Rundle Mall, the centre of Adelaide's civic life. Some 30,000 people of all ages and backgrounds together shared the chance to explore Nishi's life-sized, three-storeyed installation, making public art a tangible, accessible and unforgettable community experience. Events like this humanise the built environment, inject unexpected humour into everyday city life and reaffirm Adelaide in March as Australia's cultural capital.'</i></p> <p>Joint Artistic Directors Rachel Healy and Neil Armfield, Adelaide Festival</p>

SHARED CULTURAL ASPIRATION 4

Adelaide is recognised as a **CULTURAL INCUBATOR** where people, enterprises and audiences flourish

City of Adelaide Cultural Strategies	Key Actions	<p>CONSULTATION FEEDBACK What will you thank Council for having achieved?</p> <p><i>'Support of artists-in-residence across a diverse range of business, including Council departments'</i></p> <p><i>'It's obvious that Council is an enabler and they can be approached to facilitate what I might want to do'</i></p>
<p>ENABLE new, emerging and developing cultural practitioners, businesses and incubators to thrive</p> <p>CREATE OPPORTUNITIES for emerging and developing cultural practitioners to be seen and heard</p> <p>FACILITATE broad cultural engagement and audience development</p>	<p>Deliver The Business of Being Creative entrepreneurship program</p> <p>Support Emerging Creatives and Makers through cultural and creative strategic partnerships</p> <p>Support Cultural Residencies</p> <p>Support Mentoring programs that enable diverse participation across all ages in the dynamic and creative culture of the City</p> <p>Activate and promote the Cultural Volunteers Pool</p> <p>Establish a Creative Cultural Student Ambassador Program</p> <p>Grow audiences and support cultural participation and lifelong learning</p> <p>Establish the second-stage of a Peer Assessment Panel for the Arts and Cultural grants program</p>	<p>SHOWCASE</p> <p><i>'It has been a joy working with the City of Adelaide, as our cultural values are closely aligned. Together we focus on providing opportunities for artists and creatives that support incubation of ideas and processes and creative enterprises, in turn developing a flourishing arts sector in Adelaide.'</i></p> <p>Katrina Lazaroff, Director, The Mill</p>

SHARED CULTURAL ASPIRATION 5

Adelaide is renowned for its authentic, vibrant and diverse **CULTURAL EXPERIENCES**

City of Adelaide Cultural Strategies	Key Actions	CONSULTATION FEEDBACK What will you thank Council for having achieved?
<p>FOSTER a culturally diverse and vibrant city where people want to live, study, work and play</p> <p>MAXIMISE creative culture in the public realm through policy, regulation and incentives</p> <p>ENABLE a diversity of creative and multicultural events and initiatives through targeted funding and support</p> <p>COLLABORATE with cultural sector and businesses to fill the City with cultural events and experiences all year round</p> <p>ENCOURAGE activation of private and Council-owned buildings, spaces and new developments with cultural activity</p>	<p>Support community diversity, cultural expression, experiences and participation that lead to a dynamic city culture</p> <p>Deliver the Adelaide Libraries Action Plan</p> <p>Deliver the Arts and Cultural Grants Program</p> <p>Deliver the Festivals and Events Sponsorship Program</p> <p>Share the Civic Collection through curated exhibitions</p> <p>Work with Cultural strategic partners to build on combined strengths and deliver extraordinary and diverse creative experiences</p> <p>Champion creative responses, community-led partnerships and city activation through the Splash program</p> <p>Reimagine the experience and exploration of the City's creative cultural offerings, including the development of a City Art Publication</p> <p>Encourage planning reform to enable cultural activity and facilities in city buildings (with a focus on mixed use, co-working and adaptive reuse)</p> <p>Explore opportunities with the State Government for an incentive scheme or planning levers to increase public art and cultural expression in private developments</p> <p>Develop, build and upgrade infrastructure that supports cultural activities</p> <p>Apply the Cultural Lens to City of Adelaide planning, policy documents and guidelines</p>	<p>CONSULTATION FEEDBACK What will you thank Council for having achieved?</p> <p><i>'Making culture and creativity central to everything we do'</i></p> <p><i>'The confidence to take risks knowing some of them will pay off'</i></p> <p><i>'Artists have a role in the development of places and spaces'</i></p> <p><i>'Relaxing planning code and compliance to support adaptive reuse of heritage buildings for artist accommodation and studios'</i></p> <p>SHOWCASE</p> <p><i>'Working with the City of Adelaide has enabled the Helpmann Academy to offer South Australian emerging creatives with valuable opportunities to contribute to the creative culture of the city. Through public art commissions, curatorial mentorships and more, artists have received critical support and authentic experiences, helping them to build sustainable careers and share their diverse creative skills with Adelaide.'</i></p> <p>Jane McFarlane, CEO, Helpmann Academy</p> <p><i>'SA Power Networks has a number of highly visible assets scattered throughout the City of Adelaide's council area. We are pleased to be collaborating with Council on projects like the artwork on our Hindley St substation, to make the façade an aesthetic highlight in the precinct.'</i></p> <p>Jess Vonthethoff, General Manager Customer and Community, SA Power Networks.</p>

Featured creatives

Cover: Kurruru Youth Performing Arts. *Adelaide Central Markets Mural* (detail) by Vans the Omega and KAB101, photographed by Chris Oaten.

Page 2: William Barton with the Adelaide Symphony Orchestra, photographed by Shane Reid.

Page 8: Restless Dance Theatre.



Parliament of SA Inquiry into Urban Green Spaces

ITEM 4.10 04/08/2020
The Committee

Strategic Alignment - Environmental Leadership

Program Contact:

Michelle English, AD Economic Development and Sustainability
8203 7687

2019/01144

Public

Approving Officer:

Ian Hill, Director Growth

EXECUTIVE SUMMARY

The Parliament of South Australia's Natural Resources Committee is conducting an Inquiry into Urban Green Spaces. The Committee's terms of reference are as follows:

- 1.1. *To inquire into urban green spaces, and in particular the benefits, opportunities, challenges associated with urban strategic planning, biodiversity, water management, primary production, climate change impact projections.*
- 1.2. *To investigate as to what extent of resources are allocated to urban green spaces in comparison to similar projects being undertaken interstate and internationally, in relation to coastal management, water resources and wetlands, green streets and flourishing parklands, biodiversity sensitive and water sensitive urban design, controlling pest plants and animals, nature education and fauna, flora and ecosystem health in the urban environment.*
- 1.3. *Any other matter.*

Administration has prepared a submission outlining the benefits, opportunities and challenges associated with urban green spaces in the city and resources allocated to urban green spaces in the city. This report seeks Council's endorsement for the City of Adelaide to submit the submission to the Parliament of South Australia.

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The following recommendation will be presented to Council on 11 August 2020 for consideration

That Council:

1. Endorses the submission to the Parliament of South Australia's Natural Resources Committee prepared in response to the Parliament of South Australia's Inquiry into Urban Greening contained in Attachment A to Item # on the Agenda for the meeting of the Council held on 11 August 2020.
 2. Notes that the response to the Parliament of South Australia's Inquiry into Urban Greening must be received by 14 August 2020.
-

IMPLICATIONS AND FINANCIALS

City of Adelaide 2020-2024 Strategic Plan	<p>Strategic Alignment – Environmental Leadership</p> <p>Outcomes include enhanced greening and biodiversity, a climate ready organisation and community, integrated and sustainable development.</p> <p>Key Action 4.01 Increase street tree canopies and green infrastructure in city hot spots and public spaces</p> <p>Key Action 4.05 Enhance biodiversity in the Park Lands and connect our community to nature</p> <p>Key Action 4.08 Protect and conserve the heritage listed Adelaide Park Lands</p>
Policy	<p>Integrated Biodiversity Management Plan 2018-2023</p> <p>Adelaide Park Lands Management Strategy 2015-2025</p> <p>Adelaide Design Manual (Greening Chapter)</p> <p>Adelaide (City) Development Plan and the incoming Planning and Design Code</p>
Consultation	<p>Consultation has occurred with relevant programs from across the organisation including Planning, Design and Development, Economic Development and Sustainability, Financial Planning and Analysis, Infrastructure Management and Governance and Public Realm.</p>
Resource	<p>Not as a result of this report</p>
Risk / Legal / Legislative	<p>Not as a result of this report</p>
Opportunities	<p>Funding for CoA greening and water sustainability initiatives through State Government grant opportunities (e.g. Green Adelaide's Greener Neighbourhoods and Water Sustainability grants).</p>
20/21 Budget Allocation	<p>Not as a result of this report</p>
Proposed 21/22 Budget Allocation	<p>Not as a result of this report</p>
Life of Project, Service, Initiative or (Expectancy of) Asset	<p>Not as a result of this report</p>
20/21 Budget Reconsideration (if applicable)	<p>Not as a result of this report</p>
Ongoing Costs (eg maintenance cost)	<p>Not as a result of this report</p>
Other Funding Sources	<p>Not as a result of this report</p>

DISCUSSION

1. On 30 April 2020, the Parliament of South Australia's Natural Resources Committee resolved to conduct an inquiry into urban green spaces in South Australia.
2. Submissions are sought from any person and organisation on the following terms of reference:
 - 2.1. *To inquire into urban green spaces, and in particular the benefits, opportunities, challenges associated with urban strategic planning, biodiversity, water management, primary production, climate change impact projections.*
 - 2.2. *To investigate as to what extent of resources are allocated to urban green spaces in comparison to similar projects being undertaken interstate and internationally, in relation to coastal management, water resources and wetlands, green streets and flourishing parklands, biodiversity sensitive and water sensitive urban design, controlling pest plants and animals, nature education and fauna, flora and ecosystem health in the urban environment.*
 - 2.3. *Any other matter.*
3. Closing date for submissions is Friday 14 August 2020.
4. The City of Adelaide's submission to the Parliament of SA Inquiry into Urban Green Space (**Attachment A**) outlines the benefits, opportunities and challenges in relation to urban greening in the City of Adelaide with focus on climate change, greening, water management, native biodiversity and urban strategic planning, and provides advice on resources allocated to urban green spaces. A brief summary of the submission is provided below.
 - 4.1. Benefits
 - 4.1.1. Green spaces provide a range of benefits to city residents and the community including social (e.g. promoting wellbeing, physical and mental health); cultural (e.g. Kaurna and European heritage and identity), economic (e.g. increase in amenity, property values and energy efficiency of buildings through shading); ecosystem service (e.g. shading, cooling, pollination, noise reduction); and provide critical support for urban biodiversity (e.g. providing habitat and foraging opportunities to a range of birds, animals, insects as well as supporting native vegetation communities).
 - 4.1.2. One of the most important actions the CoA can take to increase liveability and wellbeing is to increase urban greening in the city. Increasing greening to mitigate urban heat is a key objective of the City of Adelaide's Strategic Plan.
 - 4.1.3. Access to water resources is critical to increasing urban greening and providing relief from the impacts of climate change such as extreme heat. The City of Adelaide is progressively transitioning into a Water Sensitive City - a liveable, climate ready city which uses a diverse range of fit for purpose water resources and infrastructure to meet strategic objectives and community expectations, by developing a Water Sensitive City Transition Plan with three objectives – water for increased greening, smart water use and restoration of wetlands and waterways.
 - 4.1.4. There are a broad range of Water Sensitive Urban Design (WSUD) features in the city which use techniques and technologies to better manage rainwater, stormwater, groundwater, wastewater and mains water. WSUD features include rainwater tanks, swales, bioretention basins, raingardens, tree inlets, wetlands and the Glenelg to Adelaide Recycled Wastewater Scheme (GARWS), a network of recycled water, which supplies 55% of water used in the city.
 - 4.1.5. The City of Adelaide uses the tools of the SA Planning System to bring about strategic objectives (e.g. the world's most liveable city) and an aspired future for the city. This includes understanding what a growing Capital City population of workers, residents, students and visitors need in terms of urban green spaces.
 - 4.2. Opportunities
 - 4.2.1. Opportunities associated with increasing greening include obtaining better data for decision making, trialling the use of innovative green infrastructure and innovative new technologies (to create more space for trees in the urban environment and to help street trees thrive) and community engagement.
 - 4.2.2. Opportunities associated with water for green spaces include obtaining better data for decision making, smart water use, extension of the GARWS Network into buildings and in the Adelaide Park Lands and increasing the installation of WSUD features in the city.

4.2.3. Opportunities associated with urban strategic planning through the existing legislative powers. Council is progressively working through seeking amendments to the Planning and Design Code (current proposals and future amendments).

4.3. Challenges

4.3.1. Adelaide is moving into new territory with climate change. Over the past 10 years Adelaide has had the highest number of extreme heat days ever recorded and has had more days exceeding extreme temperatures than any other major city in Australia. The Bureau of Meteorology (BOM) data demonstrates that Adelaide has already reached temperature levels predicted for 2030, and the number of extreme heat days is also projected to increase. As examples, the BOM advises that on 24 January 2019 Adelaide had its hottest day in recorded history in the city at 46.2°C, and in 2019 Adelaide experienced 17 days over 40°C and 38 days over 35°C.

4.3.2. These record-breaking temperatures impact on wellbeing, the economy, city businesses, built infrastructure, services, water supplies, environment (including Park Lands and green spaces) and Adelaide's reputation as a liveable city.

4.3.3. Climate change impacts that will specifically impact Adelaide include more frequent, long running and intense heatwaves and less rain overall, but more intense storms and flooding. Hotter and drier conditions will have an impact on Adelaide's natural water cycle, water security, and exacerbate the survival of many threatened species.

4.3.4. Adelaide's reliance on traditional water infrastructure and sources (mains water) will need to transition to more sustainable infrastructure and sources (e.g. GARWS, WSUD) if we wish to maintain and increase greening in Adelaide.

4.3.5. It is challenging to increase greening in the city because the city is a high density, contested landscape with competing priorities and increasing competition for space. Challenges include above and below ground services (electricity, sewer, gas, telecommunications), on-street parking and vehicle crossovers into properties (the community wants more trees in the city, however often property owners/businesses do not want to give up car parking spaces as they argue it will affect their business/property values), footpath widths and accessibility requirements.

4.3.6. Recent legislative change has enabled the Planning and Development Fund to be allocated to a broader range of purposes, including activities that do not provide improved open spaces for the community (e.g. SA planning website and database). This has the potential consequence of less funds being available to provide new and upgraded open spaces.

4.3.7. Development places more pressure on public open space through increased density and infill policies reducing green spaces in the private realm. There is a need for clear policy to ensure that urban greening is provided in both public and private space. The City of Adelaide has provided a submission on Phase 3 of the proposed Planning and Design Code, which provides commentary on the risk to urban greening with the proposed policy.

5. Resources allocated to urban green spaces

5.1. The City of Adelaide is responsible for managing approximately 690ha of the Adelaide Park Lands, including the six Squares and the River Torrens/Karrawirra Pari. In 2019-20 the City of Adelaide expenditure for the Adelaide Park Lands was \$25.6M.

5.2. In 2019-20 the City of Adelaide expenditure for non-Adelaide Park Lands related green spaces (including managing greening on city streets and in the Public Realm) was \$1.255M.

6. Recommendations

6.1. The following advice be provided for the Natural Resources Committee:

6.1.1. Continued access to State Government funding for urban greening and water sustainability initiatives is required. Additional State or Federal funding is critical to support increased greening in the city.

6.1.2. Additional metrics (other than just cost per tree) should be used when considering the cost and benefits of urban greening (for grants and other purposes).

6.1.3. Increase water infrastructure to enable the use of alternative water sources through policy settings, increasing funding and community engagement.

6.1.4. Maximise the role of urban planning to deliver urban greening outcomes, including through:

6.4.1.1. reforms for planning policy under the *Planning, Design and Infrastructure Act 2016* and policies to better support urban greening on private and public land

- 6.4.1.2. the development of an Acquisition Strategy for urban open spaces to support urban greening
- 6.4.1.3. implementing annual monitoring of urban green spaces to understand the impacts of urban development on greening and increases and losses of urban green space.

ATTACHMENTS

Attachment A – City of Adelaide’s Draft Submission to Parliament of SA Inquiry into Urban Green Spaces

- END OF REPORT -

August 2020

Parliament of South Australia
NATURAL RESOURCES COMMITTEE
Inquiry into Urban Green Spaces

The City of Adelaide (CoA) welcomes the opportunity to provide input into the Parliament of South Australia's Natural Resources Committee's Inquiry into Urban Green Spaces (Inquiry).

This submission documents the benefits, opportunities and challenges associated with urban green spaces in the City of Adelaide and resources allocated to urban green spaces.

BACKGROUND

Climate Change projections and impacts for the City of Adelaide

The Bureau of Meteorology (BOM) advises that as the global climate system has warmed, changes have occurred to both the frequency and severity of extreme weather in Adelaide. Climate change impacts that will specifically impact Adelaide include more frequent, long running and intense heatwaves and less rain overall, but more intense storms and flooding.

Adelaide is moving into new territory with climate change. Over the past 10 years Adelaide has had the highest number of extreme heat days ever recorded and has had more days exceeding extreme temperatures than any other major city in Australia. We now are being advised that Adelaide has already reached temperatures predicted for 2030 and the number of extreme heat days is projected to increase. As examples, the BOM advises that on 24 January 2019 Adelaide had its hottest day in recorded history in the city at 46.2°C. In 2019 the city experienced 17 days over 40°C and 38 days over 35°C.

These record-breaking temperatures impact on wellbeing, the economy, city businesses, built infrastructure, services, water supplies, environment (including Park Lands and green spaces) and Adelaide's reputation as a liveable city.

As the climate changes and the city's population grows, the Adelaide Park Lands, and our streets and public spaces will need to perform even better: they will need to be greener to be more sustainable, more comfortable, and more inviting. Adelaide's urban green spaces are critical to achieving the CoA's strategic goal of becoming 'the world's most liveable city' and positioning the city to be 'climate ready' and thrive in the face of a changing climate.

Adelaide Park Lands and urban green spaces

The City of Adelaide is located on the traditional country of the Kaurna people. The City of Adelaide recognises and respects the Kaurna's cultural heritage, beliefs and relationship with the land and acknowledges that they are of continuing importance to the Kaurna people living today.

Adelaide is the world's only 'city within a park'. Adelaide was designed by Colonel William Light in 1837 who was inspired by the Garden City Movement ideals of his time which emphasised the importance of fresh air and green open spaces for public health. Light had a vision for Adelaide as a city surrounded by park lands, with wide streets and green town squares.

Today, the Adelaide Park Lands consist of 760 hectares of parks, squares and gardens – making them the largest inner urban park system in Australia. The Adelaide Park Lands are listed on the National Heritage Register for their unique design. Their role and function contribute to Adelaide

consistently being named one of the most liveable cities in the world. The beautiful Adelaide Park Lands landscapes reflect a diverse range of values and uses (from native grasslands, irrigated parks, ornamental gardens, community sports grounds, recreation areas and play spaces), provide opportunities for recreation and relaxation and enable the community to connect with nature in a capital city context.

The City of Adelaide's *Integrated Biodiversity Management Plan 2018-2023* and *Stretch Reconciliation Action Plan* have objectives to incorporate Kurna understandings of native biodiversity management into the Park Lands.

City of Adelaide Greening Targets and policy

The CoA has approximately 100,000 trees including:

- Park Land Trees: 34,941
- Street Trees: 6,886
- Other trees within the city boundary (including on private land): an estimated 60,000 plus.

The CoA is committed to prioritising greening in the city by increasing street tree canopies and green infrastructure in city hot spots and public places (CoA's Strategic Plan 2020-2024). Canopy cover targets include:

- Increasing canopy cover to 40% for North Adelaide and 25% for the CBD by 2040
- Increasing canopy cover to 20% by 2021 in the CBD's north-west and south-west, (currently 9.21% and 18.79% respectively) which are currently the hottest parts of the city.

Native Biodiversity

Pre-colonisation, the traditional Kurna people cared for the Adelaide Plains and the area was one of the most biodiversity-rich areas in South Australia. At least four unique ecosystems could be found across the landscape. Today, the Adelaide Park Lands contain a rich variety of native plants, animals and natural systems. Embedded within the Adelaide Park Lands landscapes are areas of remnant native vegetation, mainly in the form of open grassy woodland and grassland and associated wildlife. These vegetation remnants are significant, because most of the native vegetation on the Adelaide Plains has been cleared since European settlement.

The CoA is committed to protecting and enhancing local native biodiversity so that the city environment is a healthy, resilient place in which plants, animals and natural systems flourish. The CoA has developed the *Integrated Biodiversity Management Plan 2018 – 2023* (IBMP), which outlines how the CoA will manage and improve biodiversity. The IBMP's three objectives are to:

- enhance the city's biodiversity
- connect people with nature
- incorporate Kurna knowledge into the management of the City's biodiversity.

The IBMP establishes 6 Key Biodiversity Areas in the Park Lands (protecting Blue Gum Woodland, Grey Box Woodland, Mallee Box Woodland and River Red Gum Woodland) and specifically protects listed fauna (Grey-headed Flying Fox, Yellow-tailed Black Cockatoo, Chequered Copper Butterfly) and flora (Swollen Spear-grass).

Water management in the City of Adelaide

South Australia is the driest state in Australia. Adelaide has a hot, dry climate with comparatively low rainfall. In periods of low or no rainfall, the CoA relies on irrigation and other watering to support street trees, landscaped gardens and green spaces.

The CoA has access to the Glenelg to Adelaide Recycled Wastewater Scheme (GARWS), a network of recycled water. Currently, 55% of CoA's total water consumption is supplied by GARWS network. Most of the GARWS infrastructure is located in the outskirts of the city and provides 779 megalitres (ML) of treated wastewater to the Adelaide Park Lands, Whitmore, Victoria and Light Squares and the entrance to the Royal Adelaide Hospital. The CoA also relies on 59 ML of potable water to sustain the amenity of streetscapes and verges in the CBD and North Adelaide and a further 264 ML is extracted directly from River Torrens to irrigate the Park Lands.

The CoA has a network of stormwater drains that convey approximately 1.3 gigalitres (GL) of rainwater to the River Torrens and Keswick Creek from hard surfaces such as roads, building roofs and footpaths. The CoA has also installed flood protection infrastructure including the Torrens Lake Weir as well as 67 Water Sensitive Urban Design (WSUD) features to help manage the quality and quantity of stormwater runoff and mitigate the impact of storm events.

Sustainable water management to maintain and increase urban greening is even more critical as the city becomes hotter and drier due to the impacts of climate change. The CoA is committed to managing water resources sustainably and is transitioning into a Water Sensitive City. A Water Sensitive City is a liveable, climate ready city which uses a diverse range of fit for purpose water resources and infrastructure to meet strategic objectives and community expectations.

Urban Strategic Planning

Urban strategic planning is about how the city is planned and developed, including urban green spaces. This function involves the CoA and the SA Planning System, in particular the State Planning Commission and the Department of Planning, Transport and Infrastructure.

Urban strategic planning in the CoA involves:

- long term strategic planning, such as the 30 Year Plan for Greater Adelaide
- establishing zoning policy (such as the work currently underway to transition the Adelaide (City) Development Plan along with all SA Development Plan's into a single State-wide 'Planning and Design Code')
- the administration of zoning policy through assessment decision making, principally by the State Commission Assessment Panel and the Council Assessment Panel
- planning and managing the Adelaide Park Lands and Squares under the *Adelaide Park Lands Act 2005* (SA) and the role of the Adelaide Park Lands Authority.

The work of urban strategic planning involves investigating and proposing changes, including using the tools of the SA Planning System, to bring about the aspired future for the City. This includes understanding what a growing Capital City population of workers, residents, students and visitors need in terms of urban green spaces.

DISCUSSION

1. Greening

1.1 Benefits associated with urban greening

Green spaces provide a range of benefits to city residents and the community including social benefits (e.g. promoting wellbeing, physical and mental health), economic benefits (e.g. increase in amenity, property values and energy efficiency of buildings through shading), ecosystem service benefits (e.g. shading, cooling, pollination, noise reduction) as well as critical support for urban biodiversity (e.g. providing habitat and foraging opportunities to a range of birds, animals, insects as well as supporting native vegetation communities).

One of the most important actions the CoA can take to increase liveability and prosperity is to increase greening, or green infrastructure, on both public and private land in the city.

Green infrastructure includes natural systems and elements such as street trees, community gardens, verge gardens, parks and park lands and green walls and roofs. In the CoA green infrastructure occurs across a wide range of scales and applications including streets, parks, buildings and open spaces.

Increasing greening to mitigate urban heat and cool the city is a key objective of the CoA's Strategic Plan. As an example of the cooling impacts of green infrastructure, in the CoA temperatures in the built-up areas can be as much as 8°C **hotter** than in the surrounding Park Lands. Roads with high levels of tree canopy cover have been found to be 9.5°C **cooler** than roads with no tree canopy.

The difference in temperature is caused by heat captured in roads, footpaths and buildings, and heat emitted from sources such as vehicles and air-conditioning units – classic examples of the urban heat island effect. The western and northern areas of the CBD are the hottest parts of the city. This corresponds with greater amounts of hard surfaces, more vehicle traffic and **lower levels of canopy cover and vegetation**.

1.2 Challenges associated with urban greening

It is not easy to increase greening in the city. The biggest challenge is lack of space. The city is a contested landscape with competing priorities and increasing competition for space.

Challenges to increasing greening in a high-density urban environment include:

- Above and below ground services (electricity, sewer, gas, telecommunications)
- On-street parking and vehicle crossovers into properties – people want more trees in the city but property owners/businesses often do not want to give up car parking spaces as they argue it will affect their business/property values
- Footpath widths and accessibility requirements.

An issue on private land is a reduction in private open space available for greening due to increased urban density as population increases.

The economic benefits and value of green infrastructure are not currently accounted for or acknowledged in asset management valuations and processes. Currently asset values for green infrastructure and trees are based on standard IPWEA guidelines (an Australian Standard used by most local governments in South Australia). These guidelines do not acknowledge the multiple benefits of green infrastructure and the services they provide (such as increase in property values and improving the energy efficiency of properties through shading, cooling, habitat, runoff attenuation, neighbourhood character and health benefits).

Reduced rainfall and hotter temperatures exacerbate challenges in providing and maintaining healthy trees and vegetation in an urban context. An analysis of CoA street trees has found that several species are at risk from the impacts of climate change. Climate change is also likely to

impact on the prevalence and distribution of pests and diseases that affect trees, requiring greater consideration of climate in species selection and tree management approaches.

1.3 Opportunities associated with urban greening

Obtaining better data for smart decision making

Increasing green infrastructure in the city increases liveability, cooling and amenity. The CoA is using heat mapping, canopy cover and pedestrian traffic data to:

- address more equitable distribution of street trees
- strategically plan for our street tree planting program to match known city hotspots and areas which link people and places through active transport, to deliver increased liveability, amenity and cooling benefits in the face of a changing climate.

Innovative green infrastructure installations

It is challenging to plant street trees in the city due to its contested landscape.

The CoA has piloted a range of innovative initiatives to increase greening in the city, including trialling green walls, planter boxes, green arbors and green screens. As an example, the CoA has recently installed 85 tree planter boxes across the CBD, a Green Arbour in Gawler Place along with 13 trees, and will install green screens in the western CBD in 2020/2021.

Case Study Turning Gray St Green Project.

- Gray Street is located in the west of the city. It is an urban hot spot with very little greening. In recent times there has been an increase in the construction of new apartments and high-density residential housing on the street. The CoA has prioritised the area for greening and has overcome challenges and constraints (such as above and below ground services, narrow footpaths, a narrow street, parking and cross over requirements) to put in seven (7) street trees with stormwater inlets, two bioretention raingardens, three (3) garden beds and two (2) green screens, in order to mitigate the hot spot and provide amenity for residents and the community.
- The CoA had initially envisaged installing a green wall and more trees on the street, however due to underground service constraints the CoA was unable to fit these in the street. Instead CoA is constructing vertical green screens (constructed from tennis court fencing and planted with fast growing native vines) to assist to green this space. The green screens will provide localised shade, cooling and amenity for pedestrians, cyclists and residents.

Innovative technologies to help street trees thrive

The CoA has trialled a range of innovative new technologies to help street trees to survive and thrive in a city environment.

Street trees need space to grow above ground and space for root systems as well as adequate water, air and nutrients. To ensure the long-term health and survival of our street tree assets the CoA is installing plastic structural support cells, permeable borders, tree pits, tree guards and stormwater inlets. As an example, the tree pits and tree guards installed in Waymouth Street allow deep watering, protect the trees, maintain the footpath and facilitate outdoor dining, shade and liveability.

Investigations into innovative ways to create more space for street trees in built-up environments

The CoA is partnering with adaptation network partners and utility providers to investigate how to create more space to plant more trees in built-up contested spaces. A barrier to providing space for trees is that each service authority has legislative and specific installation requirements that need to

be met. The project aims to update planting standards and guidelines for planting in proximity to infrastructure (including house footings, roads, footpaths, driveways, above and below ground services) by developing data on species, treatments, costs, risks and co-benefits.

The project is investigating which species are most likely to impact specified infrastructure, how soil type influences this, and what treatments (e.g. root barriers, watering regimes/infrastructure) should be used to mitigate any impacts.

The CoA is also looking to better co-ordinate the management of urban infrastructure (green, grey and blue) by leading a project with SA Water (water, sewer) and APA (gas) to correlate tree information (location, species, height, width, age) and planting treatments against fault data to identify low-risk approaches. SAPN (electricity) has recently produced an updated guide on planting under overhead powerlines and is also providing input into this project.

Community engagement/education on the benefits of greening

The CoA runs an annual 'Adelaide Tree Tag' initiative launched at the very successful North Terrace Tree Trail event (1,300 people attended the opening) in Spring 2017 in partnership with the Art Gallery of South Australia and SA Museum.

The initiative aims to increase community knowledge and understanding of the benefits of street trees. The CoA undertakes an analysis of the benefits of different tree species in the city using the "i-tree eco tool" and then places corresponding 'Tree Tags' on the trees displaying easy to understand facts providing information on the benefits of trees. Tree Tags have been placed on over 100 street trees throughout the city in locations such as Hindmarsh Square, Rymill Park (in the Garden of Unearthly Delights during the Fringe Festival), and in areas around South Terrace and Gillies Street in partnership with Gillies Street Primary School.

2. Native Biodiversity

2.1 Benefits associated with native biodiversity and urban green spaces

Biodiverse urban green spaces provide many of the same benefits as green spaces listed above, including social benefits, ecosystem service benefits and in particular provide critical support for urban biodiversity.

Green spaces in the Adelaide Park Lands and city that are rich in native biodiversity are an important refuge for native plants and animals and are especially important to endemic plant and animal species. Natural systems and habitat include understorey and canopy vegetation, leaf litter, logs, long grass, as well as wetlands, streams, garden ponds and ornamental lakes. Different types of urban green space are important in providing different characteristics and habitat for a greater variety of plants and animals. The composition of plant species in green spaces is also an important determinant of biodiversity, including animal richness and abundance.

2.2 Challenges associated with native biodiversity and urban green spaces

Climate change impacts pose a significant threat to the city's native ecological systems. Warmer and drier conditions are expected to have an impact on the survival and recruitment of many native species. The condition of remnant vegetation and habitats may decline, and the structure and composition of vegetation communities is expected to change. The selection of plants for planting programs will have to consider these changing conditions. Climate change is also expected to exacerbate some existing threats; for example, some plants and animals will benefit from the changed conditions and become invasive.

Natural threats such as weeds and feral animals, as well as the varied use of the Park Lands for recreation, business and other activities places pressure on the native animals and plants in the

Park Lands. Planted native species can also interbreed with naturally occurring species therefore it is important that only local-provenance sources of locally occurring species are used to prevent alteration of the local gene pool.

The CoA takes steps to reduce or minimise these threats to biodiversity in the Park Lands through the implementation of the IBMP and other relevant policies.

Case study – impact of climate change on Grey-headed Flying Foxes

- The Grey-headed Flying Fox (GHFF) are a nationally threatened species and Australia's largest bat. They can weigh up to one kilogram and their wing-span is up to one metre.
- The flying GHFF are originally from the eastern states (Queensland and NSW), and first arrived in Adelaide in 2010 in their search for other places to live. The GHFF are climate refugees. Climate change impacts such as drought and bushfires, roost disturbance (from logging and agriculture) and urban sprawl have been factors leading to their displacement.
- The Park Lands offer the GHFF a mostly comfortable climate, access to food and water, and many tall trees in which they can roost. There can be up to 26,000 individuals in the Adelaide camp, and this number fluctuates depending on the time of year and what is happening in the eastern states (i.e. bushfires).
- Heat is an issue that impacts the Adelaide bat camp. When temperatures exceed 40°C, the animals are affected and there have been mass deaths. On the hottest day in Adelaide's history (46.2°C) 4,000 bats died from heat stress and a further 10,000 died during the Summer of 2019/2020 heatwaves.
- The CoA has been working with our partners the Department for Environment and Water, Botanic Gardens SA, SA Zoo, University of Adelaide and Fauna Rescue to put in place strategies and processes to minimise the impacts of heat on GHFF, including turning on sprinkler systems during the day in areas where the GHFF camp and partner organisations intend to install misters in targeted trees in the coming months to further cool these areas.
- SA Water have monitored the use of sprinkler systems to cool temperatures and found that the sprinklers cooled areas by 2-7°C and reduced the highest day time temperature from 41.9°C to 37°C. This temperature reduction is significant as it reduced the peak high temperature, which is when the bats were the most vulnerable and reduced the impact of heat stress.

2.3 Opportunities associated with biodiversity and urban green spaces

Innovative approaches to climate resilient planting programs

The CoA is working to minimise the impacts of climate change on native flora in the Park Lands through climate resilient planting programs and increased watering (where appropriate).

HUMI Project

The CoA is a partner in the HUMI project (Human Urban Microbiome Initiative), a cross-organisational project (led by University of Adelaide and SA Health), investigating the health benefits of biodiverse green spaces with a focus on emerging evidence that microbiota in biodiverse, green environments have great value for priming and maintaining immune fitness in exposed populations. An individual's microbiome is closely linked to their health and influenced by their environment, as well as birth method, breastfeeding, diet, antibiotics, genetics, sex, age and stress. Exposure to biodiverse green spaces, and their associated microbiota can improve immune related population health outcomes.

Biodiversity Sensitive Urban Design (BSUD)

Biodiversity-sensitive urban design (BSUD) aims to create urban environments that make a positive onsite contribution to biodiversity through building nature into the urban fabric by linking urban planning and design to the basic needs and survival of native plants and animals.

BSUD seeks to embed five simple principles into urban greening:

- protect and create habitat
- help species disperse
- minimise anthropogenic threats
- promote ecological processes
- encourage positive human-nature interactions.

An example of BSUD in the CoA is the use of native species in the city and incorporating them as part of the built form and green infrastructure. This includes planting native street trees, native vegetation in WSUD features, green walls and street verges and native climbing vines on green screens.

Re-establishing locally indigenous plants throughout the city can boost populations of species, increase their genetic diversity, and increase the likelihood of their persistence in the city. Some plants may also provide habitat and food for native animals, including birds, bats and invertebrates. If well planned, then BSUD measures should be encouraged in greening activities.

Community engagement with the city's native biodiversity

The CoA is committed to providing opportunities to connect the community to nature and native biodiversity in the city, including through interpretive installations and the delivery of nature education initiatives. The CoA partners with a range of organisations including the Department for Environment and Water, SA Museum, SA Zoo, SA Botanic Gardens, Adelaide Botanic High, University of Adelaide, Butterfly Conservation SA and Nature Play SA to deliver a program of annual events to celebrate the following native flora and fauna:

- Chequered Copper Butterfly – Grasslands Field Trip and Interpretive Trail and workshops.
<https://www.cityofadelaide.com.au/about-adelaide/our-sustainable-city/biodiversity/getting-involved-in-biodiversity/>
- Grasslands – Grasslands Field Trip and Interpretive Trail.
<https://www.cityofadelaide.com.au/about-adelaide/our-sustainable-city/biodiversity/getting-involved-in-biodiversity/>
- Grey Headed Flying Fox – Bat Camp, Bat Trail, Bat Rambles
<https://www.cityofadelaide.com.au/about-adelaide/our-sustainable-city/biodiversity/grey-headed-flying-fox/>
- Native Bees – Native B'n'B Project
<https://www.cityofadelaide.com.au/about-adelaide/our-sustainable-city/biodiversity/biodiversity-projects/>

3. Water

3.1 *Benefits associated with water for urban green spaces*

Access to water resources is critical to increasing urban greening and providing relief from the impacts of climate change such as extreme heat.

The CoA is in the process of transitioning to a Water Sensitive City. A Water Sensitive City is a liveable, climate ready city which uses a diverse range of fit for purpose water resources and infrastructure to meet strategic objectives and community expectations. The CoA is developing a Water Sensitive City Transition Plan which has three objectives – water for increased greening, smart water use and restoration of wetlands and waterways.

Alternative water resources enable fit-for-purpose, locally sourced supplies to be consumed by the nearest available user. This reduces the cost of infrastructure to transfer water long distances and helps users to develop an appreciation of the importance for reusing water supplies and protecting marine environments. As an example, rainwater tanks directly connected to roof catchments retain stormwater flows, this in turn minimises catchment flooding and can provide a very clean source of water for the user which is free and plentiful in times of rainfall. Rainwater tanks can support urban gardens and green spaces are especially important during drier periods.

Water Sensitive Urban Design (WSUD)

The CoA is committed to increasing the use of WSUD on our streets and in the Park Lands. WSUD plays an important role in addressing the challenges of water management and security in a high-density urban environment and a hotter, drier climate. It enables the CoA to make better use of water resources, mitigate the effects of floods, protect natural waterways and support green infrastructure.

In the city we have WSUD features which use techniques and technologies to manage rainwater, stormwater, groundwater, wastewater and mains water. WSUD features include rainwater tanks, swales, bioretention basins, raingardens, tree inlets, wetlands and the GARWS network which supplies 55% of water used in the city.

The CoA is in the process of delivering a project to extend our GARWS infrastructure in Rymill and Rundle Parks to enable major events to use recycled water and reduce reliance on drinking water for activities such as flushing toilets, dust suppression and cleaning infrastructure where appropriate.

The CoA has developed a map of WSUD features in the city, connected them to surrounding local catchments and has begun work on understanding the monetary benefits of WSUD. Recently, the CoA installed two bioretention rain gardens as part of the Turning Grey Street Green Project which will provide 100,000 of services including water quality, runoff attenuation, neighbourhood character, property values and health benefits.

3.2 *Challenges associated with water for urban green spaces*

Climate change impacts – drought, reduced rainfall overall and increasing storm events and flooding

Climate change will impact Adelaide's natural water cycle and water security as the climate becomes hotter and drier. Projected impacts include an increase in heat, reduction in rainfall and more intense storm events and flooding. Adelaide's reliance on traditional water infrastructure and

sources will need to transform if maintaining and increasing greening in Adelaide is desired. Supplying urban green spaces such as Park Lands, gardens and street trees with fit for purpose water means they can provide the cooling, shading and storm water retention benefits that will be even more important as the climate changes.

Increasing use of alternative water sources such as GARWS water

Ownership, investment in alternative water resources and community perceptions remain the largest challenges to increasing the use of alternative water resources.

The CoA chose to invest in the GARWS (recycled water from Glenelg Adelaide pipeline) due to the specific nature of its position within the water catchment, available space, long-term certainty and the volume of water required to sustain the Park Lands. These factors continue to play a role in determining cost effective, fit-for-purpose alternative water resources for greening.

3.3 Opportunities associated with water for urban green spaces

Increasing WSUD in city streets

CoA's urban form includes a significant number of streets where the width of the footpath is bituminized or paved. These surfaces both absorb heat and prevent rainwater from entering the sub soil. In comparison, a WSUD raingarden, traditional garden bed, permeable paving or a light coloured crushed gravel in place of the footpath could better help cool a street.

CoA is investigating opportunities to replace the 'business as usual' footpath renewals of verges with bitumen or paving, with the installation (where possible) of cooler, greener, water sensitive options. Currently, the renewal of assets in the public realm with water sensitive options is subject to detailed surveying, underground services investigations and availability of CoA, State or other external funding as it is considered an additional cost to the 'business as usual' option.

CoA has also developed a Water Sensitive Urban Design Asset Map to identify and locate WSUD features in the city. These are primarily WSUD features that treat and harvest stormwater and have been added to the CoA asset register so their adoption across the city can be monitored as a key indicator of stormwater quality improvement.

Smart Water Use

The CoA has developed a Water Profile to understand how much water the city uses, what sources of water the city uses and where the water is used. Understanding the annual profile of water use and costs and charges helps the CoA to identify opportunities for improvements in the sources of water consumed, the volume used and the impact of seasonal variation on our open space and green infrastructure.

The CoA has installed 45 smart water meters throughout the city. Smart water meters are used to record real time consumption of water in public toilets to detect leaks and misuse; measure equitable cost recovery of utilities in CoA commercially leased multi-tenant properties; and measure the volume of water consumed by third parties in public event spaces or other CoA properties. An additional 54 smart water meters are planned for the Rundle / Rymill recycled water infrastructure upgrade and further investment in Park Lands public facilities is planned.

The CoA also uses technology to support the smart management of water including using BOM weather condition data to enable optimal water use to maintain urban greening.

Extension of the GARWS Network into buildings and in the Adelaide Park Lands

A number of public facilities have been plumbed with dual supply to enable recycled water from the GARWS network for toilet flushing. The CoA is implementing projects to increase dual plumbed public toilets / facilities including in the East Terrace public toilets, Bonython Park Exeloo and Victoria Park changeroom facilities. The Victoria Park changeroom facilities are also supported by a rainwater tank to safeguard water supplies when GARWS is switched off for public events such as the Superloop.

Case Study – Extending the GARWS network in Rundle/Rymill Parks to enable recycled water to be used for activities in addition to horticultural activities

- The upgrade of utility infrastructure for events was a key deliverable in the CoA Strategic Plan (2016-2020).
- The CoA is currently delivering the Rundle / Rymill Utility Infrastructure Project. This project will upgrade utility services in the east Park Lands to better cater for event tenants (Garden of Unearthly Delights etc), create capacity to attract larger events to the space and also provide an opportunity to provide an increase in recycled water infrastructure and sustainability services.
- The Project includes the construction of a dedicated pipeline to supply non-potable GARWS for event tenants. This opportunity will better enable CoA to achieve Water Sensitive City outcomes and to host sustainable events.
- The CoA has investigated the requirements for the use of recycled water in public places and is currently establishing an administrative and operational framework to support the use of the recycled water network by event tenants and to minimise any risks.

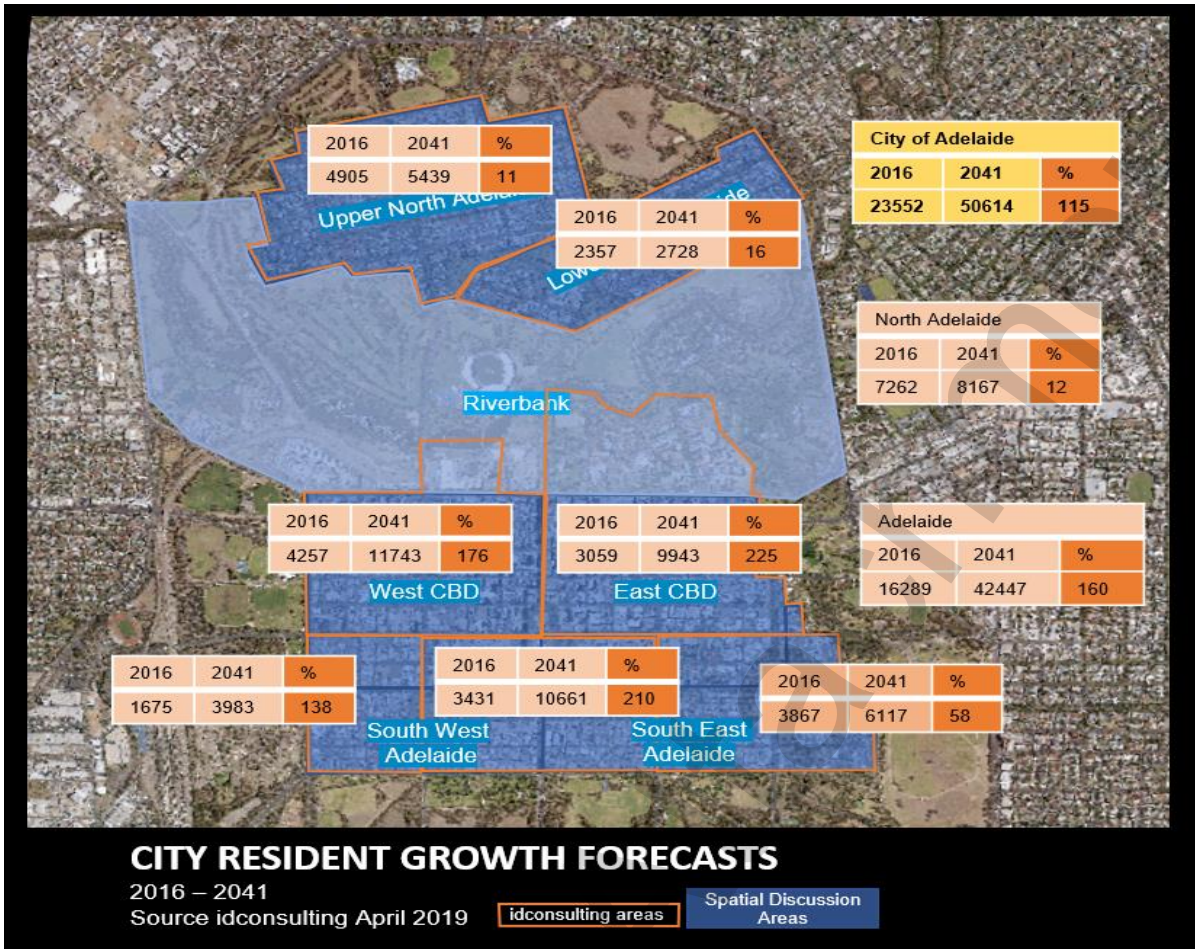
4. Urban Strategic Planning

4.1 Benefits associated with urban strategic planning and urban green spaces

Urban Strategic Planning has been used to provide the existing urban green spaces and guide the provision of new urban green spaces. Urban Strategic Planning can be used to support urban greening through:

- New development.
- Opportunities for community greening on private land.
- The public domain.

The need for urban greening as a resilience measure is extremely important as climate projections forecast the City will experience 25-30 days of over 35°C Degrees by 2040 and a high population growth (workers, visitors and residents) (see Figure 1, City Residents Growth Forecasts below). The psychological and well-being benefits of urban green spaces have been identified by the State Government's *Healthy Parks and Healthy People 2016-2021* initiative and provides an evidence base to support greening in urban environments for ecological and wellbeing objectives.



What Forecasts We're Planning With

City Jobs, Visitors, Residents, Trips to City			
	%	2016	2041
Jobs	+23%	136,000 (5)	168,000 (6)
Visitors	+59%	315,000 (6)	500,000 (6)
Residents	+66 to 114	23,552	39,000 (1 & 3) - 50,614 (2)
Int'l Students as Residents	+56 to 72%	3200	5 – 5,500
Trips to City	+45%		
Days over 35°C	+100%	17-19 avg	25-30 est (7)
Inner + Greater Adelaide			
Inner Residents	+17%	142,970	167,000
City + Inner	+24 – 31%	166,522	106,000 – 217,614
Greater Adelaide	+14 – 32%	1.32M	1.5 - 1.74M

Source (1) DPTI 2019 (2) idconsulting 2019 (3) Incl CoA estimate 2036 to 2041 (4) CoA estimate based on State Student Plan. Only includes 18 – 24 year olds (5) NEIR (6) Aurecon (7) based on Aust Institute 2019

Figure 1, City Resident Growth Forecasts

4.2 Challenges associated with urban strategic planning and urban green spaces in the City of Adelaide

The following discusses the challenges with urban greening in relation to current state, new development, opportunities for community greening on private land and public domain.

4.2.1 Current state of urban greening

Without changes to the planning policy, the current urban development patterns will result in less urban canopy and ecology (through removal of urban landscaping) and less opportunities for the community (and market) to provide greening as new development will provide residents with less space for urban greening.

On 28 February 2020, Council adopted a submission to the Phase 3 of the proposed Planning and Design Code. The submission is available via yoursay.cityofadelaide.com.au/State-Planning-Reform. The submission identified that the Planning and Design Code will not include sufficient policy to support urban greening through:

- Lowering the requirement for on-site landscaped open space across parts of the city.
- The removal of pedestrian links to connect people to existing open space and as an opportunity for additional urban green spaces.
- The removal of policies to support adequate daylight and sunlight to communal open spaces (e.g. roof gardens and ground level shared space).

Furthermore, the submission states that the Planning and Design Code entrenches existing policy that does not support urban greening in high density environments.

Rather than working towards climate resilience and enhanced urban ecology, the city's current development policy (*Adelaide (City) Development Plan and Planning and Design Code*) will likely increase the urban heat island impact through zoning development patterns and reduced landscaping. This is likely to impact to the health and well-being of the City's growing community.

Legislative powers exist to support new urban green spaces however the State Planning Policy framework is likely to create unintended consequences on greening in the city.

The State Planning Policies envisage that '*Regional Plans should include performance targets for urban greening and tree canopy enhancement in Greater Adelaide and regional townships*'. Currently, the proposed Planning and Design Code does not demonstrate linkages to regional targets and will be unlikely to deliver on the State Planning Policies.

Council has recognised a number of gaps in the policy framework and is actively advocating to bolster the policy framework to support high quality urban green spaces through Strategic Planning, Statutory Planning Policy and Public Domain guidance (*Adelaide Design Manual*). Figure 2 below outlines this approach.

New Open Space

DRAFT FRAMEWORK

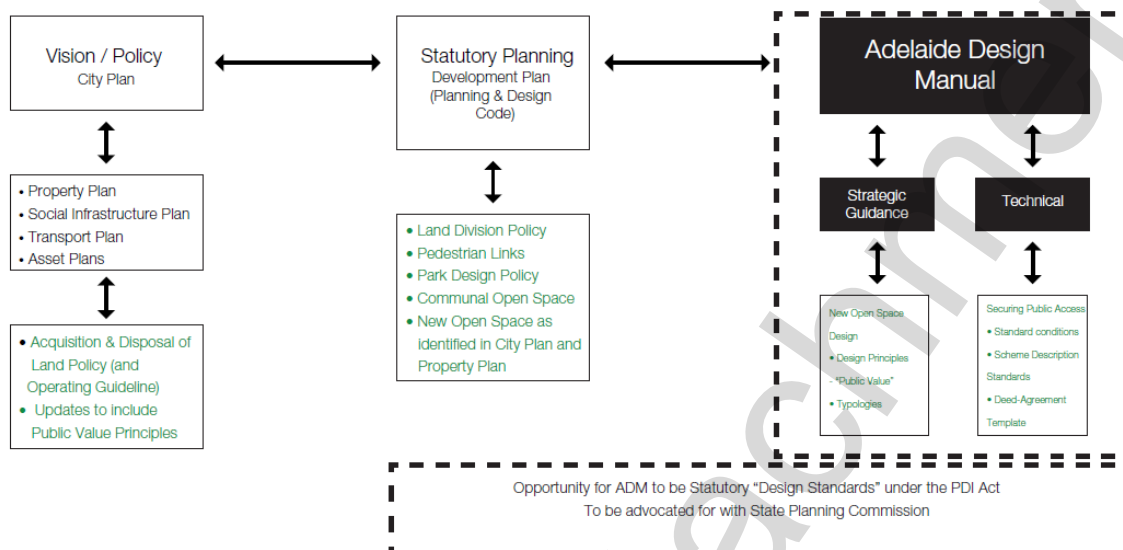


Figure 2: Draft policy framework

4.2.2 New development and urban greening

New development can support urban greening objectives through policy levers such as:

- Land division
- Pedestrian links (as urban greening opportunities and to increase access to existing open space)
- Private open spaces
- Communal open spaces
- New open space delivered on large sites
- Open space levy payments in lieu of on-site provision
- Green roofs and green walls
- Biophilic design opportunities
- Regulated and Significant Trees.

As mentioned, the planning system is going through a state of change where the existing *Adelaide (City) Development Plan* is being replaced with the Planning and Design Code. Through this 'transition' the State Planning Commission is bringing in new planning policy to guide new development which would involve the interface to the public realm, new urban green spaces and new private green spaces and payments into the Planning and Development Fund.

Policy Amendments

To support urban greening, Council has resolved to investigate amendments to the *Adelaide (City) Development Plan* and/or the Planning and Design Code.

This may include changes to support urban greening through the policy levers mentioned above.

4.2.3 Opportunities for community greening on private land

Where land is available for greening on private land, the CoA supports the community by providing guidance. For instance, the CoA has prepared a chapter in the Adelaide Design Manual which assists with green infrastructure such as green walls, green roofs and other plantings.

More support and guidance is needed to support high density communities, implement urban greening and navigate the State legislation. Some strata groups limit the ability to grow green infrastructure. As such it is critical to support urban greening during the early stages of the development of sites.

4.2.4 Public domain and urban greening

Streets

Urban Strategic Planning is important to support greening of the public domain. The current *Local Government Reform Bill* has the potential to impact opportunities for urban greening in the public domain. There is a need to ensure that the future interaction with *Planning Development and Infrastructure Act* and *Local Government Reform Bill* is managed in a way that does not impede on urban greening opportunities. Further there is a need to ensure the legislation reinforces coordination between private development and the public realm and leverages cost effective opportunities to support urban greening.

Planning and Development Fund

A critical tool in supporting enhancements to the public domain (existing urban green spaces) includes the Planning and Development Fund (derived from the Open Space Levy). Where development involving 20 or more allotments do not provide new open space on site, the Open Space Levy is charged and payments are made into the Planning and Development Fund. There have been recent Regulation changes that enable monies collected to be used for a wider range of purposes ([available here see page 3426](#)). The CoA's view is that the purpose of the Fund should be to support the creation of new and enhancements to existing green spaces.

The Regulation change will permit contributions to the Fund to be used for:

“the establishment of projects associated with the implementation of the Act, including the establishment of -

- (i) the SA planning website (the SA planning portal); and*
- (ii) the SA planning database; and*
- (iii) the online atlas and search facility; and*
- (iv) the online delivery of planning services; and*
- (v) the Planning and Design Code.”*

The CoA does not support the use of the Fund for the State Government administration functions as detailed above. These uses do not deliver on the ground open spaces.

4.3 Opportunities associated with urban strategic planning and urban greening

Shaping Streets and Spaces

The CoA is investigating how to approach new public open spaces within the City's town acres (the built component) especially in the context of an increase in high rise apartment development. The

'Shaping Streets and Spaces' project has identified a gap in accessibility to open space for some parts of the City. In 2019, Council adopted a set of 'Public Value Principles' to guide decisions on creation of new public open spaces.

City Plan and urban green spaces

In recognition of various trends including forecasts of significant residential growth over the next 15 years, CoA has commenced preparing a City Plan as a long-term plan for the City.

Initial investigations have affirmed the important role of the Adelaide Park Lands (including the Squares) to cater for a growing population in the City and wider metropolitan Adelaide.

The identified gap in accessibility to open space for some parts of the City through the 'Shaping Streets and Spaces' work is being integrated into the work preparing a City Plan. The intent is to have an integrated approach to how a growing population will have an enhanced lifestyle through nearby urban green spaces. This work is ongoing and is anticipated to consider the role of the tools in the SA Planning System.

5. Resources allocated to Urban Green Spaces

5.1 Expenditure on Adelaide Park Lands

In 2019-20, \$25.6M or 12.2% of the total CoA Budget involved expenditure on the Park Lands. Table 3 provides detail on expenditure over recent years.

CoA is responsible for managing approximately 690ha of the Adelaide Park Lands (74% of the total 930ha) including the six Squares and River Torrens / Karrawirra Pari. The 2019 report 'Adelaide Park Lands Expenditure and Income' is available at page 36 via dmzweb.cityofadelaide.com.au/agendasminutes/files08/Agendas/COMMITTEE/2019/2019_11_12COMMITTEE.pdf.

Table 3 – Areas of CoA expenditure for the Park Lands

Area of expenditure	Expenditure 2017/18	Expenditure 2018/19	Expenditure 2019/20
Capital projects (not including State Government grants)	\$8.4m	\$6.7m	\$8.6m
Golf Course and U-Park Park Lands	\$2.8m	\$2.9m	\$3.1m
Public Realm	\$8.3m	\$7.9m	\$7.8m
Park Lands Property	\$1.6m	\$1.4m	\$1.6m
Park Lands Events	\$427k	\$438k	\$541k
Planning, Design and Development (previously Strategy & Design)	\$889k	\$678k	\$756k
Infrastructure	\$2.3m	\$2.4m	\$2.1m
Adelaide Park Lands Authority	\$188k	\$187k	\$329k (includes \$100k for World Heritage project)
Recreation and Sport (Community and Culture)	\$526k	\$525k	\$558k
Sustainability	\$367k	\$259k	\$177k
TOTALS	\$25.8m	\$23.4m	\$25.6m

5.2 Expenditure on urban green spaces other than the Adelaide Park Lands

In 2019-20 the City of Adelaide expenditure for non-Adelaide Park Lands related green spaces (including managing greening on city streets and in the Public Realm) was \$1,255,000. This includes expenditure on items such as tree maintenance, arboriculture, watering, stump removal, pruning, root barriers, tree planting and streetscape maintenance.

6. Recommendations

The following recommendations are made for the Natural Resources Committee's consideration:

- 6.1 Continued access to State Government funding for urban greening and water sustainability initiatives is required. It is expensive to increase greening in a contested landscape (street tree installations can cost up to \$70,000 per tree). Additional State or Federal funding is critical to support increased greening in the city.
- 6.2 The cost of planting street trees in high density, contested, urban environments is more than in other areas (and can be up to \$70,000 per tree). Metrics other than just cost per tree should be used when assessing and considering the cost benefits of greening (for grant and other purposes).

A new suite of metrics would be beneficial so as not to disadvantage council areas that are characterised by high density local environments and experience challenges allocating space for greening. Additional metrics for assessing the benefits of greening could include:

- heat mitigation (eg the level of existing urban heat and cooling potential as a result of the greening, the change in canopy cover, etc).
 - the number of people visiting/walking through the area where the greening is proposed (e.g. number of annual and/or daily visitors benefitting from the greening).
 - the vulnerability of the people using the space where the greening is proposed (e.g. elderly or sick walking to key health and support services such as the RAH, other hospitals, essential services, etc).
- 6.3 Increasing infrastructure for access to recycled water use.
 - Investment in alternative water resources (such as recycled water) and community perceptions remain the largest challenges to increasing the use of alternative water resources. It is critical that State and Federal governments provide policy, funding of infrastructure and implement community engagement programs to support increased use of alternative water sources.
 - 6.4 Maximising the role urban planning plays in delivering urban greening outcomes
 - Planning Policy reforms:
 - Retain existing urban greening policy in the Planning and Development Code through reinstatement of Landscaped Open Space polices and pedestrian policies.
 - Increase state-wide requirements that support urban greening in the private realm through a variety of policy tools.
 - Implement funding and/or policy approaches to support developments to increase urban green infrastructure in the private realm.
 - Ensure that the Open Space Levy and payments are made into the Planning and Development Fund are used to create new and enhancements to existing green spaces, rather than fund State Government administration functions.
 - Acquisition strategy for urban open spaces:
 - Prepare a 30-year land acquisition strategy for urban open spaces to support urban greening (without costing more) for future populations. Strategic acquisition of land now will be more affordable than in future when it becomes more critical as

a result of population increases and a changing climate. Urban greening acquisition strategies could reduce the fragmentation of urban habitats from urban development and support other green city objectives such as liveability and wellbeing.

- Implement monitoring:
 - Annual monitoring of urban green spaces is required to understand the impacts of the current pattern of urban development on urban greening, as well as overall increases and losses of urban green space.

Item 4.10 - Attachment A

Resource Recovery (Organics, Recycling and Waste) Strategy & Action Plan 2020–2028

Strategic Alignment - Environmental Leadership

2019/01444
Public

ITEM 4.11 04/08/2020
The Committee

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82037687

Approving Officer:

Ian Hill, Director Growth

EXECUTIVE SUMMARY

Administration has developed a new draft waste management strategy to align to the City of Adelaide's sustainability goals, improve waste management, and achieve the Council-endorsed motion of becoming the first zero-waste city in Australia.

The draft *Resource Recovery (Organics, Recycling and Waste) Strategy 2020-2028* is an 8-year Strategy which provides a framework to redefine the concept of waste, recover more resources, and build a circular economy in the City of Adelaide. It establishes the Council-endorsed motion as the Resource Recovery Vision.

The related draft *Resource Recovery (Organics, Recycling and Waste) Action Plan 2020-2028* establishes the key actions necessary to achieve the Resource Recovery Vision.

Council endorsement is sought for both the draft *Resource Recovery (Organics, Recycling and Waste) Strategy 2020-2028* and the draft *Resource Recovery (Organics, Recycling and Waste) Action Plan 2020-2028* for public consultation for feedback from our community.

.....

The following recommendation will be presented to Council on 11 August 2020 for consideration

That Council:

1. Approves the draft Resource Recovery (Organics, Recycling and Waste) Strategy 2020-2028 as shown in Attachment A to Item # on the Agenda for the meeting of Council held on 11 August 2020 for public consultation.
2. Approves the draft Resource Recovery (Organics, Recycling and Waste) Action Plan 2020-2028 as shown in Attachment B to Item # on the Agenda for the meeting of Council held on 11 August 2020 for public consultation.
3. Notes that the draft Resource Recovery (Organics, Recycling and Waste) Strategy 2020-2028 and draft Resource Recovery (Organics, Recycling and Waste) Action Plan 2020-2028 will be graphically designed to fit the City of Adelaide's branding prior to community consultation.
4. Notes the results of the public consultation, the final draft Resource Recovery (Organics, Recycling and Waste) Strategy 2020-2028 and final draft Resource Recovery (Organics, Recycling and Waste) Action Plan 2020-2028 will be brought back to Council for consideration of adoption.

IMPLICATIONS AND FINANCIALS

City of Adelaide 2020-2024 Strategic Plan	<p>Strategic Alignment – Environmental Leadership</p> <p>4.2 Implement improvements to city-wide waste and recycling services to support the transition to a circular economy</p> <p>4.3 Educate and support our community to zero-waste, water sensitive, energy efficient and adaptive to climate change</p>
Policy	<p>This Strategy and Action Plan is intended to replace the City of Adelaide <i>Waste Management Action Plan 2012-2016</i>.</p> <p>Other policies, guidelines and documents which are influenced by or have been considered in the development of this Strategy include:</p> <ul style="list-style-type: none"> • Waste and Recycling Services Policy • Waste and Recycling Services Operating Guidelines • Design Guide for Residential Recycling • Carbon Neutral Strategy 2015-2025 • Carbon Neutral Adelaide Action Plan 2016-2020 • Sustainable Event Guidelines.
Consultation	<p>In the preparation of this draft Strategy, cross-organisation feedback and advice was provided.</p> <p>Advice was received from the waste consultancy who conducted the City of Adelaide's waste audits in 2019.</p> <p>Initial discussions on the draft <i>Resource Recovery (Organics, Recycling and Waste) Strategy 2020-2028</i> and draft <i>Resource Recovery (Organics, Recycling and Waste) Action Plan 2020-2028</i> have been held with representatives from Green Industries SA to ensure alignment between this draft strategy and the State Government's draft Waste Strategy.</p>
Resource	<p>Resourcing to deliver the Strategy has been included within the proposed \$1M budget bid for 2020/21.</p>
Risk / Legal / Legislative	<p>Under the <i>South Australia Environment Protection (Waste to Resources) Policy 2010</i> under the <i>Environment Protection Act 1993</i> metropolitan councils (including the City of Adelaide) are required to provide a weekly putrescible waste collection service for residents.</p> <p>The State Government's Solid Waste Levy fee which is passed on to councils was increased in July 2019, to \$110/tonne and again in January 2020 to \$140/tonne for waste.</p>
Opportunities	<p>Opportunities to reduce exposure to the Solid Waste Levy and achieve the City of Adelaide's long-term sustainability goals.</p>
20/21 Budget Allocation	<p>\$1M has been proposed within the draft 2020-2021 Business Plan and Budget which will see the development and implementation of programs and initiatives supporting the delivery of the Resource Recovery Strategy.</p>
Proposed 21/22 Budget Allocation	<p>\$1M will be proposed within the draft 2021-2022 Business Plan and Budget which will continue to deliver the programs initiated in 20/21 and grow and develop additional programs and initiatives supporting the Resource Recovery Strategy.</p>
Life of Project, Service, Initiative or (Expectancy of) Asset	<p>8-year strategy</p>
20/21 Budget Reconsideration (if applicable)	<p>Not as a result of this report</p>

Ongoing Costs (eg maintenance cost)	Ongoing investment would be required for the life of the strategy
Other Funding Sources	Grants and partnerships will be explored

DISCUSSION

City of Adelaide Background

1. The City of Adelaide is responsible for sanitation of the city. It drives a rigorous waste and cleansing program ensuring its public parks, streets and waterways are kept clean of litter and graffiti and rate payers are offered high quality services to meet their needs.
2. Approximately 10,000 residential, 2,000 multi-unit dwellings and 4,500 non-residential premises are serviced by City of Adelaide waste and recycling collections. An estimated 300,000 users visit the city daily contributing to the need for public space waste management.
3. Waste services are provided by City of Adelaide operations and through a joint-council contract (with the City of Marion, City of Port Adelaide Enfield and City of Charles Sturt) for kerbside collection, which commenced July 2020.
4. The City of Adelaide's current Waste Management Action Plan 2012-2016 (Link 1 view [here](#)) is outdated.
5. Our community continues to demonstrate expectations for sustainable waste management services.
6. There has been a significant increase in Motions on Notice and other queries from Council Members over recent years, demonstrating an appetite for improvement in waste management. These Motions on Notice have been integrated into the Strategy, where applicable and are shown here (Link 2 view [here](#)).

Global, National and State Context

7. Numerous influencing events involving the waste and recycling industries have occurred throughout the last several years and during the development of this Strategy:
 - 7.1. The implementation of China's 'National Sword' policy which placed stringent regulations on recyclable materials imported into China and resulted in severe market disruptions for the global recycling industry.
 - 7.2. In July 2019, the State Government increased the Solid Waste Levy to \$110/tonne and again in January 2020 to \$140/tonne, making waste to landfill the most expensive of the three kerbside collection streams (waste, recycling and organics) to process.
 - 7.3. Climate change is expected to continue to deliver unexpected challenges to our communities such as the 2019/2020 bushfires which impacted well-established systems and resulted in significant clean-up and waste disposal efforts led by State Government.
 - 7.4. The impact of the COVID-19 pandemic on our communities has resulted in an increase of waste generation through increased demand of single-use products.
 - 7.5. Waste and recycling have been extensively covered by the media and TV programming, for example the Australian documentary series, *War on Waste*. This highlighted the environmental impact of consumerism and reinforced community expectations for sustainable waste management practices.

City of Adelaide Waste Audit Results and Opportunity

8. In August 2019, a comprehensive waste audit was conducted on the City of Adelaide's internal and external waste services. This provided a benchmark to measure future progress against and identified several areas for improvement.
9. This information and intended direction of the Strategy was presented to Council Committee in a workshop in November 2019.
10. High level figures highlighting the scale of opportunity are included below. Further details on the waste audit results can be found in the Council Committee Workshop - Waste Audit Results & Waste and Recycling Management Strategy Direction (Link 3 view [here](#)).
 - 10.1. The estimated amount of solid waste generated within the boundaries of the City of Adelaide (including internal operations) for 2019/2020 is 8,600 tonnes, with kerbside serviced households on average producing approximately 650 kilograms of waste per annum.

- 10.2. City of Adelaide's kerbside serviced residents diverted only 54 per cent of material from landfill. The State target is currently 70 per cent. Approximately 43 per cent of the red waste bin contained food scraps, garden organics and compostable material which could have been placed directly into the green organics bin.
- 10.3. City of Adelaide multi-unit dwellings had approximately 75 per cent unrecovered resources in their shared bulk red waste bin. About 50 per cent of this is organics and 25 per cent is recyclable material.
- 10.4. Approximately 40 per cent of City of Adelaide serviced businesses were observed to have overfull bins and about 73 per cent of the red waste bin was considered unrecovered resources. Over half of the red waste bin contained food waste that could be diverted from landfill however, at present, green organics collection is only available to residents.
- 10.5. City of Adelaide own operations, public spaces and Park Lands also demonstrated good opportunity for increased diversion of recoverable materials.
11. With an ambition for the city population to continue growing, and increased demands on our services, it is important to draw on these opportunities for improvement, reduce financial exposure to the Solid Waste Levy, and reach our sustainability and carbon neutrality goals.
12. Additionally, resource recovery is economically beneficial. For every 10,000 tonnes of waste recycled, 9.2 jobs are created, compared to 2.8 jobs associated with waste to landfill. In addition, each year \$2.9 billion is raised through sales of recovered materials. In a time where job disruptions are high, employment through the resource recovery sector can be capitalised.

Draft Resource Recovery (Organics, Recycling and Waste) Strategy and Action Plan 2020-28

13. The intent of the draft *Resource Recovery (Organics, Recycling and Waste) Strategy 2020-2028* (**Attachment A**) and the draft *Resource Recovery (Organics, Recycling and Waste) Action Plan 2020-2028* (**Attachment B**) are to provide a solid framework to redefine the concept of waste, improve resource recovery and build a circular economy in the City of Adelaide.
14. The draft Strategy builds on the City of Adelaide's *Waste Management Action Plan 2012-2016*. The Strategy will deliver forward-thinking, evidence-based programs and exceptional and timely service.
15. The *Resource Recovery (Organics, Recycling and Waste) Strategy 2020-2028* outlines the City of Adelaide's long-term vision and strategy.
16. The related *Resource Recovery (Organics, Recycling and Waste) Action Plan 2020-2028* which is a separate document, identifies the steps we will take in order to achieve our Resource Recovery Vision.
17. On 10 March 2020, Council committed to the City of Adelaide becoming a zero-waste City by 2030 and Australia's first 'zero-waste' city.
18. The definitions of zero-waste adopted by different jurisdictions and organisations varies, with all promoting a focus on maximising resource recovery.
19. The zero-waste goal established in the draft Strategy for 2028 is proposed to be measured by Key Performance Indicators (KPI).
20. The KPIs have been established based on feasibility within the Strategy's timeframe associated with financial limitations, industry limitations and available infrastructure in Australia. Where applicable, KPIs have been aligned to State and Federal Government strategies.
21. KPIs included in the draft Strategy include:
 - 21.1. Divert 75 per cent of residential waste from landfill
 - 21.2. Divert 90 per cent of waste from City of Adelaide (CoA) activities and events from landfill
 - 21.3. Reduce waste generation by 5 per cent per capita
 - 21.4. Reduce contamination to below 10 per cent in yellow comingled recycling
 - 21.5. Reduce food waste in the kerbside residential waste bin by 50 per cent.

22. The draft Strategy sets out five Priority Items that are critical to the achievement of the draft Strategy. They are woven into every program created to deliver the draft Strategy and Action Plan, as follows:
- 22.1. Priority Item 1: Eliminate Food Waste
Reduce food waste generation and increase diversion of food scraps from landfill by 50%.
 - 22.2. Priority Item 2: Engage, Educate, and Inspire
Drive robust waste management education to all residents, businesses and users of our city.
 - 22.3. Priority Item 3: Foster Innovation, New Technologies, and Data Collection
Collaborate with industry, academia and entrepreneurs to develop innovative solutions to achieve zero-waste.
 - 22.4. Priority Item 4: Prioritise & Centralise Resource Recovery
Support methods to establish resource recovery as central in business decision making, development applications, building plans, product design, manufacturing and waste systems design.
 - 22.5. Priority Item 5: Advocate and Align Practices and Policies to the Circular Economy
Work internally and externally with all levels of Government to drive long-term change in consumption and waste management.
23. The draft Strategy also sets out five critical Target Areas. The Target Areas reflect the five major sectors or stakeholders within the city. These sectors and stakeholders have varying needs and requirements and as a result require tailor-made approaches for best outcomes regarding resource recovery.
- 23.1. Target Area 1: Residents & the Community
Support residents and the community using the residential kerbside collection to achieve zero-waste at home.
 - 23.2. Target Area 2: Residents in Multi-Unit Dwellings
Tailor supportive services to residential multi-unit dwellings (including apartments, low-rises, high rises) in development and occupancy phases.
 - 23.3. Target Area 3: Businesses
Expand support for businesses eligible for kerbside collection.
 - 23.4. Target Area 4: Public Spaces
Establish public space like streets and Park Lands as conduits for resource recovery.
 - 23.5. Target Area 5: City of Adelaide Operations
Establish the City of Adelaide's operations, businesses, facilities and events as a visible leader in exceptional waste avoidance and management
24. Key Actions have been developed to align the five Target Areas with the Priority Items. A summary of all of the Key Actions is found on page 12 of the draft Resource Recovery (Organics, Recycling and Waste) Strategy 2020-2028.

Next Steps

- 25. Council approval is sought to undertake community consultation on the draft *Resource Recovery (Organics, Recycling and Waste) Strategy 2020-2028* and the draft *Resource Recovery (Organics, Recycling and Waste) Action Plan 2020-2028*.
- 26. It is proposed that these documents would be graphically designed to fit the City of Adelaide's branding prior to community consultation.
- 27. Community consultation is proposed to occur for a period of four weeks consistent with CoA's Community Consultation Strategy. This will include publishing a notice on the CoA website and in a newspaper inviting interested persons to make written submissions.
- 28. After receiving feedback from community consultation, a final draft *Resource Recovery (Organics, Recycling and Waste) Strategy 2020-2028* and a final draft *Resource Recovery (Organics, Recycling and Waste) Action Plan 2020-2028* will be presented to Council Committee and Council for endorsement and adoption.

DATA AND SUPPORTING INFORMATION

Link 1 – *Waste Management Action Plan 2012-2016*

Link 2 – City of Adelaide - Motions on Notice - Waste and Recycling

Link 3 – City of Adelaide Council Committee Workshop - Waste Audit Results & Waste and Recycling Management Strategy Direction

ATTACHMENTS

Attachment A – Draft Resource Recovery (Organics, Recycling and Waste) Strategy 2020-2028

Attachment B – Draft Resource Recovery (Organics, Recycling and Waste) Action Plan 2020-2028

- END OF REPORT -

DRAFT: 10/07/2020

Resource Recovery (Organics, Recycling and Waste) Strategy 2020-2028



Item 4.1.1 - Attachment A

Disclaimer: While every reasonable effort has been made to ensure that this document is correct at the time of publication, the City of Adelaide disclaim any and all liability to any person in respect to anything or the consequence of anything done or omitted to be done in reliance upon the whole or any part of this document.

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Kurna Acknowledgment

Adelaide City Council tampinhi, ngadlu Kurna yartangka panpapanpalyarninhi (inparrinhi). Kurna miyurna yaitya mathanya Wama Tarntanyaku. Parnaku yailtya, parnaku tapa purruna, parnaku yarta ngadlu tampinhi. Yalaka Kurna miyurna itu yailtya, tapa purruna, yarta kuma puru martinhi, puru warri-apinhi, puru tangka martulayinhi.

City of Adelaide acknowledges the 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.

Lord Mayor's Message

The City of Adelaide is a vibrant cosmopolitan city with a place for everyone. We are a future-thinking city that is continually building toward a more sustainable way of living.

Over the last year, we have been working to review and assess how we manage and reduce our waste including our recycling and our organics materials. Through this process we have discovered areas of opportunity and we have set our sights on significant improvement.

With this, I am excited to present our new way forward through our new Resource Recovery (Organics, Recycling and Waste) Strategy and Action Plan 2020-2028.

Through this strategy, I am proud to say we are now embarking on a new journey with new approaches and ambitious targets endorsed by Council. We have consulted with various stakeholders and gained valuable feedback from our community.

We have recently implemented new waste contracts and we will implement new roles to help lead us to where we envision our city to be.

Together we can change our perspective with waste, recover these resources and build toward a more circular economic and sustainable future.

Together we are creating a city, designed for life.

Sandy Verschoor
Lord Mayor, City of Adelaide

*Note, message + signature requires approval from Lord Mayor





A New Way Forward

This document

The purpose of the City of Adelaide's new Resource Recovery (Organics, Recycling and Waste) Strategy 2020-2028 is to provide a solid framework to redefine the concept of waste, improve resource recovery and build a circular economy in the City of Adelaide. Drawing on some of the targets established in the City of Adelaide's Waste Management Action Plan 2012-2016, the Strategy forges a new pathway forward through the development and delivery of forward-thinking, evidence-based programs and exceptional and timely service.

This document outlines the City of Adelaide's long term Resource Recovery Vision and the strategy to achieve it. The related *Resource Recovery (Organics, Recycling and Waste) Strategy 2020-2028 - Action Plan* which is a separate document, identifies the steps we will take in order to achieve our Resource Recovery Vision.

Where we are today

Numerous influencing events have occurred throughout the last several years and during the development of this Strategy, shifting the way we interact with waste.

The waste and recycling industries has been placed under the spotlight resulting from the implementation of China's 'National Sword' policy which placed new, stringent regulations on recyclable materials imported into China. This resulted in severe market disruptions for the global recycling industry.

In July 2019, the State Government increased, once again, the Solid Waste Levy to \$110/tonne and again in January 2020 to \$140/tonne, making sending waste to the landfill the most expensive of the three kerbside collection streams (waste, recycling and organics) to process.

Climate change is expected to continue to deliver unexpected challenges to our communities such as the 2019/2020 bushfires which impacted well-established systems and resulted in significant clean-up and disposal efforts led by State Government.

The impact of the COVID-19 pandemic on our communities resulted in an increase of waste generation through increased demand of single-use products.

Waste, recycling and related disruptions to the industry have been extensively covered by the media and TV programming like the Australian documentary series, *War on Waste*. This has highlighted the impact of consumerism and reinforced community expectations for sustainable waste management practises.

Adelaide and South Australia:

The City of Adelaide is responsible for sanitation of the city. It drives a rigorous waste management and cleansing program ensuring its public parks, streets and waterways are kept clean of litter and graffiti and rate payers are offered high quality services to meet their needs.

Approximately 10,000 residential, 2,000 multi-unit dwellings and 4,500 non-residential premises are serviced by City of Adelaide for waste and recycling. An estimated 300,000 users visit the city daily contributing to the need for public space waste management. Waste services are provided by City of Adelaide operations and through a joint-council contract (with the City of Marion, City of Port Adelaide Enfield and City of Charles Sturt) for kerbside collection, which commenced July 2020.

In August 2019, a comprehensive waste audit was conducted throughout the city, including City of Adelaide's own operations. This provided a benchmark to measure against and identified several areas for improvement.

The estimated amount of solid waste generated within the boundaries of the City of Adelaide (including internal operations) for 2019/2020 is 8,600 tonnes with kerbside serviced households each producing on average 650kg of waste per annum.

City of Adelaide's kerbside serviced residents diverted 53.6 per cent of material from landfill. Approximately 43 per cent of the red waste bin contained food scraps, garden organics and compostable material, which could have been placed directly into the green organics bin. With methods in place to recover these materials, this represents a significant loss of valuable resources and indicates a gap in service uptake.

Influences & Regulations:

The City of Adelaide is guided by its Strategic Plan 2020-2024 and is regulated by all levels of government and influences this Resource Recovery (Organics, Recycling and Waste) Strategy 2020-2028. The City of Adelaide also recognises the significant efforts made by several external organisations to create meaningful change and believes the coordination and collaboration of both external and internal organisations and varying levels of Government is fundamental to achieving widespread sustainability.

Influencing guidelines, strategies, and regulation include the following list. A comprehensive review and further related information is located in Appendix B:

- *City of Adelaide Strategic Plan 2020-2024*¹
- *South Australia Environment Protection (Waste to Resources) Policy 2010*
- National and State based Waste Strategies and Food Waste Strategies
- Sustainable Development Goals (SDG)
- *Carbon Neutral Adelaide Strategy 2015-2025*

The Opportunity

The waste audit revealed that there is opportunity for overall improvement of waste management and to better support our residents, local businesses and the City of Adelaide's internal operations in our collective efforts for resource recovery.

This is especially important as our South Australian communities are expected to grow as a result of extensive planning set out in 2010 through the State Government's 30-Year Plan for Greater Adelaide. Revised in 2017, the population growth scenario estimates that Greater Adelaide will increase by up to 545,000 people by 2045², resulting in an increased demand on waste management.

Resource recovery is economically beneficial. For every 10,000 tonnes of waste recycled, 9.2 jobs are created versus only 2.8 jobs when waste is sent to landfill.³ In addition, \$2.9 billion is raised through sales of recovered materials each year.⁴ In a time where job disruptions are high, employment through the resource recovery sector can be capitalised.

The City of Adelaide has an opportunity to create a dynamic, equitable and responsive approach to become more resilient to future events as they occur and continue to serve our growing community.

Our Vision for resource recovery

In our modern society, waste affects us all. Waste is something we interact with in our homes, our businesses, workplaces, malls, restaurants, cafes, public spaces and even in our parks. It is also something that together, we can improve and reduce the volume we create and divert more materials from landfill, with a little support.

The City of Adelaide has set the Resource Recovery Vision of becoming Australia's first 'zero-waste' city.⁵

This Resource Recovery Vision will guide the City of Adelaide through to 2028 and will promote a circular economy through waste reduction, increase resource recovery and delivering exceptional customer service that is:

- | | | |
|--------------------|------------------|--------------|
| ✓ Customer-centric | ✓ Evidence-based | ✓ Equitable |
| ✓ Responsive | ✓ Collaborative | ✓ Innovative |

¹ Further details of alignment with the City of Adelaide's Strategic Plan 2020-2023 are shown on page 46.

² The 30-Year Plan for Greater Adelaide, 2017

³ *Employment In Waste Management And Recycling*. The Department of the Environment, Water, Heritage and the Arts.

⁴ *National Waste Policy Action Plan*, Australian Government 2019

⁵ See the City of Adelaide's Key Performance Indicators for a 'zero-waste city' on page 9.

- ✓ **Customer-centric:**
Customer-centric programs that support our residents, businesses, public space users and our internal city operations transition to a 'zero-waste' city
- ✓ **Responsive/equitable:**
A high-functioning, timely and equitable resource recovery system
- ✓ **Evidence based:**
Objective decision making based on evidence and supported by data
- ✓ **Collaborative:**
Collaboration and partnerships between neighbouring councils, industries and varying level of government to drive ground shifting change
- ✓ **Innovative**
Initiatives that consider the whole cycle of consumption and prioritises reduction of waste generation to ensure the long-term protection of human and ecological health

This vision for a resource recovery centric system is guided by a strong strategic framework and action plan which is funded by an adequate budget. Achieving this Resource Recovery Vision will establish the City of Adelaide as a world class resource recovery leader by redefining what waste is, establishing an integrated system of recovery and build the supporting networks to deliver a circular economy and a 'zero-waste' city.

Key Performance Indicators

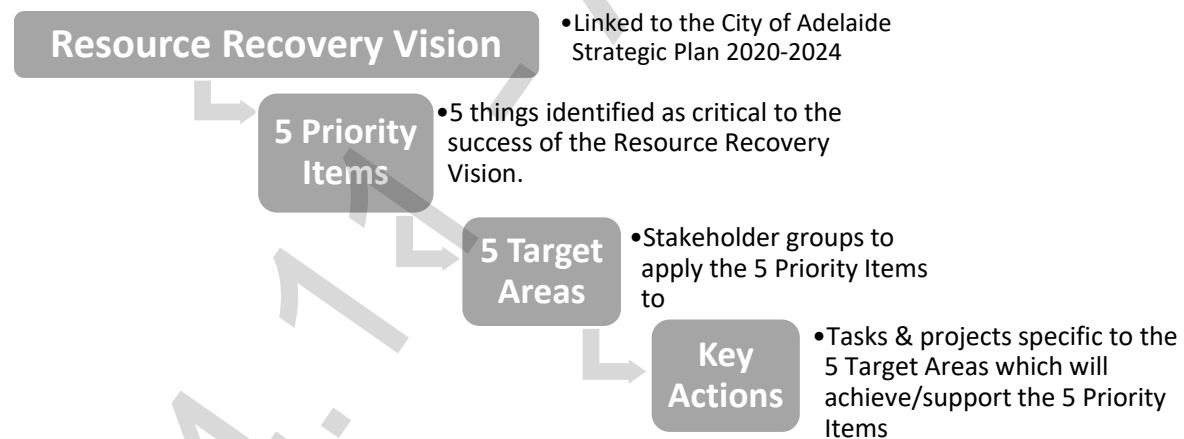
The City of Adelaide's vision of 'zero-waste' by 2028 is measured by the following:

1. Divert 75 per cent of residential waste from landfill
2. Divert 90 per cent of waste from City of Adelaide (CoA) activities and events from landfill
3. Reduce waste generation by 5 per cent per capita
4. Reduce contamination to below 10 per cent in yellow comingled recycling
5. Reduce food waste in the kerbside residential waste bin by 50 per cent



The Strategy

Strategy Framework



Resource Recovery Vision: is where we see the City of Adelaide's future of resource recovery.

Priority Items: items that are critical to the achievement of the Resource Recovery Vision. They are woven into every program created in support of this Strategy.






Target Areas: are the major sectors or stakeholders within the city which programs will be created for. These sectors and stakeholders have varying needs and requirements and require a tailor-made approach for best resource recovery outcomes.

Key Actions: are a set of tasks and projects specific to the five Target Areas and they integrate the goals set out in the Priority Items.

Key Actions:				
Priority Item 1:	Priority Item 2:	Priority Item 3:	Priority Item 4:	Priority Item 5:
<p>Eliminate Food Waste Reduce food waste generation and increase diversion of food scraps going to landfill by 50%.</p>	<p>Engage, Educate, and Inspire Drive robust waste management education to all residents, businesses and users of our city.</p>	<p>Foster Innovation, New Technologies, and Data Collection Collaborate with industry, academia and entrepreneurs to develop innovative solutions and data collection methods to reach the Resource Recovery Vision.</p>	<p>Prioritise & Centralise Resource Recovery Support methods to establish waste avoidance, reduction and improved resource recovery as central in business decision making, development applications, building plans, product design, manufacturing and waste systems design.</p>	<p>Item 5: Advocate and Align Practices and Policies to the Circular Economy Work internally and externally with varying levels of Government to drive long term fundamental change in consumption and waste management.</p>
<p>Target Area 1: Residents & the Community Support residents and the community using the residential kerbside collection to achieve 'zero-waste' at home.</p>	<p>2.1 Develop and provide multi-faceted, multi-lingual suite of educational resources for residents, community, community events organisers to reduce waste generation and increase resource recovery.</p>	<p>3.1 Establish data collection methods for resource recovery and cost signalling mechanisms linked to waste disposal.</p>	<p>4.1 Increase visibility of the associated cost and volume of residential waste, and the benefits of adopting circular economy.</p>	<p>5.1 Drive initiatives and advocacy in our local communities that position the City of Adelaide as a leader in resource recovery.</p>
<p>Target Area 2: Residents in Multi-Unit Dwellings Tailor supportive services to residential multi-unit dwellings (including apartments, low-rises, high rises) in development through to occupancy.</p>	<p>2.2 Develop and provide multi-lingual waste management education resources for City of Adelaide serviced multi-unit dwelling residents and building personnel.</p>	<p>3.2 Establish behaviour feedback mechanisms through data collection methods specific to multi-unit dwellings.</p>	<p>4.2 Centralise best practise waste management decisions at development phase, during build and in occupancy phases.</p>	<p>5.2 Drive initiatives and advocacy for improvements to waste management for multi-unit dwellings to enable the city as a vehicle resource recovery.</p>
<p>Target Area 3: Businesses Expand support for businesses eligible for kerbside collection.</p>	<p>2.3 Develop and provide multi-lingual information targeting waste management best practises for business.</p>	<p>3.3 Partner with circular economy businesses located in the CoA to encourage waste reduction and resource sharing for businesses.</p>	<p>4.3 Establish protocols that stipulate robust resource management plans must be approved and contingent to a business opening.</p>	<p>5.3 Advocate for improvements in policy and legislation related to business and industry which support the Circular Economy.</p>
<p>Target Area 4: Public Spaces Establish public space like streets and Park Lands as conduits for resource recovery.</p>	<p>2.4 Create a consumer-centric public space waste management system that is consistent to the 3-stream system.</p>	<p>3.4 Leverage opportunities in public spaces to drive resource recovery through lifecycle thinking and technological innovation.</p>	<p>4.4 Centralise waste management decisions in assets and infrastructure projects.</p>	<p>5.4 Drive the Circular Economy through collaboration.</p>
<p>Target Area 5: City of Adelaide Operations Establish the City of Adelaide operations, businesses, facilities and events as visible leaders in exceptional waste management.</p>	<p>2.5 Establish a resource recovery as part of workplace culture in City of Adelaide properties, rentals, leases, and facilities.</p>	<p>3.5 Establish data collection methods and ensure data is linked to key roles for sustained resource recovery.</p>	<p>4.5 Review resource recovery program annually and establish adequate funding and resources to support strategy goals.</p>	<p>5.5 Review internal City of Adelaide policies and guidelines to ensure alignment to this strategy and long-term vision.</p>

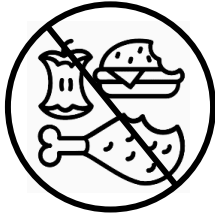
Priority Items

Priority Items address challenges and opportunities which have been identified throughout the whole city. They will result in the biggest impact and transformational change across all Target Areas.

	<p>Priority Item 1: Eliminate Food Waste <i>Reduce food waste generation and increase diversion of food scraps from landfill by 50%.</i></p>	<p>Why? Food waste is expensive for residents and businesses, costs council and ratepayers to dispose of and harms the environment when it is sent to landfill.</p>
	<p>Priority Item 2: Engage, Educate, and Inspire <i>Drive robust waste management education to all residents, businesses and users of our city.</i></p>	<p>Why? Sometimes the community need some extra information and help to do their best to reduce their environmental impact.</p>
	<p>Priority Item 3: Foster Innovation, New Technologies, and Data Collection <i>Collaborate with industry, academia and entrepreneurs to develop innovative solutions and data collection methods to reach the Resource Recovery Vision.</i></p>	<p>Why? There are new ways of doing things and there are lots of opportunities to partner with others so we can do things better.</p>
	<p>Priority Item 4: Prioritise & Centralise Resource Recovery <i>Support methods to establish waste avoidance, reduction, and improved resource recovery as central in business decision making, development applications, building plans, product design, manufacturing and waste systems design.</i></p>	<p>Why? Thinking about waste and recycling first instead of an afterthought means better outcomes.</p>
	<p>Priority Item 5: Advocate and Align Practices and Policies to the Circular Economy <i>Work internally and externally with all levels of Government to drive long-term change in consumption and waste management.</i></p>	<p>Why? Moving towards a circular economy will reduce our risk and make our city more resilient.</p>



ELIMINATE FOOD WASTE



Priority Item 1: Eliminate Food Waste

Reduce food waste generation and increase diversion of food scraps from landfill by 50%.

Overview:

Food waste and its corresponding waste management system is a problem that affects all areas of our city including suppliers, distributors, residents, businesses, food retailers and the waste management industry.

Over seven million tonnes of food is wasted in Australia every year which costs the economy approximately \$20 billion.

Food waste costs businesses through food loss (production and investment), and food waste management (rates – collection and processing). It also costs a typical family household up to \$2,200 - \$3,800 annually¹ in lost or uneaten food.

Contributing to food waste includes:

- Individuals unaware of the amount of food waste they produce
- Over buying/ stock-piling
- Serving sizes
- Understanding of food labelling ('best before'/'use by' etc.)
- Lost or forgotten food in the fridge
- Too many leftovers/ pre-made fast-food
- Waste management system underserving/underutilised/not available
- Collection stream that prioritises waste collection over diversion
- Waste only considered after generation, not before

Food waste is heavy and collecting it in the kerbside red waste bin is the most expensive option due to the Solid Waste Levy which has increased to \$140/tonne.

¹ National Food Waste Strategy, Halving Australia's Food Waste by 2030, 2017

Left image: Unopened, whole food, in packaging and in date found in City of Adelaide 2019 waste audit, Source: Amandine Johnson

Additionally, food waste should not be sent to landfill as it contributes to greenhouse gasses via methane production from anaerobic decomposition. In fact, 5.25 million metric tonnes of CO₂-e every year in Australia is created from food waste going to landfill which is equivalent to the Australian iron and the steel manufacturing industries combined.¹

The City of Adelaide provides kerbside green organics collection or bulk bin collection services and complimentary tools like kitchen caddys and compostable liner bags (which can be collected at the City of Adelaide Customer Centre, community centres and libraries).

The waste audit conducted in August of 2019 revealed a gap in the uptake and use of the system. Approximately 43 per cent of the red waste bin is food waste that could have been diverted from landfill. Food waste in the red waste bin included untouched food in packaging, or whole fruit and vegetables that could have been eaten.

This is a significant problem as 5% of the Australian population have experienced some form of food insecurity and even more alarmingly, 40% of those at a severe level.²

Associated with food waste is food packaging waste. Food packaging is designed to extend the shelf life of foods, but can cause significant waste, especially at home. Diversion of materials is becoming increasingly difficult with packaging being made of varying materials that can be difficult to identify.

The South Australia Government has drafted the Single Use and Other Plastics (Waste Avoidance) 2019 Bill, which if enacted, will regulate some single use plastics.

Opportunity:

With systems in place for diversion of residential food waste from landfill we must remove any barriers to the uptake and adoption of green organics collection (and/or at-home/community composting) by making this the simplest option.

Currently, the green organics bin service is not offered to businesses. Opportunities to better support our business community to reduce the impacts of food waste (especially with the economic impacts of COVID-19) and increase diversion of food scraps from landfill should be investigated.

Measures to reduce the generation of food waste in the first instance can also be implemented. For example, address the unconscious behaviours and habits that contribute to food waste - from purchasing to cooking and disposal.

Advocacy for regulation of food waste generation and food scraps in landfill should be prioritised to address systemic changes.

¹ *Wasting Away*, RMIT University, 2015

² *Food insecurity in Australia*, Australian Institute of Family Studies, 2011

Key Actions:

Priority Item 1: Eliminate Food Waste	
Target Area 1: Residents & the Community	1.1 Provide residents, community members and community event organisers with the tools and services to eliminate food from the waste stream.
Target Area 2: Residents in Multi-Unit Dwellings	1.2 Provide multi-unit dwelling building owners, managers and residents with tailored waste management solutions for their premise which targets elimination of food from the waste stream.
Target Area 3: Businesses	1.3 Investigate and provide green organics collection service and tools to businesses with a CoA kerbside collection service.
Target Area 4: Public Spaces	1.4 Investigate the collection of organic materials in public spaces.
Target Area 5: City of Adelaide Own Operations	1.5 Mandate diversion of all food waste and compostable products in the City of Adelaide's own operations, building and tenants and provide support and services to achieve this.

Outcomes:

A significant increase of uptake in the green bin service, reduction of food waste in the red waste bin is expected as a result of these Key Actions. This may increase servicing costs, however, it is anticipated to reduce the Solid Waste Levy cost (which is an increasing risk) by offering value-added services to our customers, reducing greenhouse gasses, and aligning to Carbon Neutral Adelaide goals.



ENGAGE EDUCATE & INSPIRE



Priority Item 2: Engage, Educate, and Inspire

Drive robust waste management education to all residents, businesses and users of our city.

Overview:

Our city is diverse, premises vary, uses differ, and our residents are multi-cultural and multi-lingual which provides a spectacular community environment in which to live, work and play.

Our typical consumer lifestyles result in the generation of waste and how much waste we generate and how we dispose of it – including through recycling or composting – has a direct impact on the environment and health of our communities.

Overall, our community expectations demonstrate awareness of the environmental impacts of waste management, and support of resource recovery initiatives such as kerbside recycling, green organics collection and litter reduction programs.

The comprehensive waste audits conducted in August 2019 provide evidence that our community and local businesses would benefit from further engagement and education surrounding the circular economy and waste management.

Contributing to challenges with resource recovery and waste management include the varying needs of our community. Residents in single dwelling homes, and multi-unit developments, business properties and public spaces all experience waste management differently: For example:

- Stakeholder have varying types of waste management systems based on premises (homes, multi-unit developments, businesses etc.)
- Stakeholders may be accustomed to different waste management systems and/or may be multi-lingual
- Stakeholders encounter varying types of waste
- Hybrid materials can be difficult to identify if they are recyclable
- Businesses have different priorities than residents

With a planned population growth, waste reduction and resource recovery education are critical.

Opportunity:

To meet these challenges, a coordinated approach to waste and resource recovery education with a linked delivery program for each Target Area will be devised. This includes:

- A consumer-centric approach where resource recovery systems are replicated at home, work and in public spaces throughout the city would create conditions for high quality source separation.
- The provision of a tailored multi-faceted, multi-lingual suite of educational resources for each Target Area. This could include printed material, visual signage, bin stickers, in person information session, online training and more.
- Investigation into behaviour change programs that makes doing the right thing, the easiest thing to do.
- Additionally, there is a good opportunity to leverage the great work seen in our Community Centres and libraries to disseminate information and provide more tailored assistance for resource recovery. For example, implementing or supporting repair cafes or lending libraries.

This will be completed by working together with neighbouring Councils and State Government to ensure consistent and clear approaches.

Key Actions:

Priority Item 2: Engage, Educate, and Inspire	
Target Area 1: Residents & the Community	2.1 Develop and provide multi-faceted, multi-lingual suite of educational resources for residents, community, community events organisers to reduce waste generation and increase resource recovery.
Target Area 2: Residents in Multi-Unit Dwellings	2.2 Develop and provide multi-lingual waste management education resources for City of Adelaide serviced multi-unit dwelling residents and building personnel.
Target Area 3: Businesses	2.3 Develop and provide multi-lingual information targeting waste management best practises for business.
Target Area 4: Public Spaces	2.4 Create a consumer-centric public space waste management system that is consistent to the 3-stream system.
Target Area 5: City of Adelaide Own Operations	2.5 Establish a resource recovery as part of workplace culture in City of Adelaide properties, rentals, leases, and facilities.

Outcomes:

Outcomes of the waste education and outreach program includes stakeholders:

- Having greater clarity around their roles and how they contribute to waste reduction
- Understanding how behaviours, habits and actions at home, at work and in public spaces impact the whole waste management system
- Realising the value of resource recovery and material value for recycling
- Being well informed and taking practical action to reduce waste and divert more from landfill

Projects will contribute to:

- Better understanding of the 3-bin and hard waste system
- Understanding other forms of diversion and how-to action
- Reduction of litter and illegal dumping
- Reduction of food waste and diversion from landfill
- Reduction in contamination of recovery streams
- Advocacy for the circular economy and pressure on manufacturing alignment



FOSTER INNOVATION



Priority Item 3: Foster Innovation, New Technologies, and Data Collection

Collaborate with industry, academia and entrepreneurs to develop innovative solutions to reach the Resource Recovery Vision.

Overview:

A city's waste management program is in place to ensure sanitation for health and safety of the community. With significant widespread disruptions in the waste and recycling industries, and disruptions to the economy it is time to build a more robust, innovative and localised system to move into a new era of resource recovery. Additionally, a growing population will place increased demand for a robust waste management system.

With an ambitious target of becoming the first 'zero-waste' city in Australia, 'business as usual' with regard to waste management will not drive the transformational change this goal requires. Therefore, new ways of thinking and new cutting-edge technology to drive evidence-based decisions must be generated.

The waste system is designed for our current manufacturing, consumption and disposal model, sometimes referred to as a 'take-make-waste model' and is generally reactive. A proactive system that endeavours to address materials and products before they become waste is necessary.

The City of Adelaide has a history of implementing cutting edge technology and supporting sustainability goals. From recycled roads, electric vehicle charging stations and Solar waste bins, the City has invested in new technologies. By continuing to embrace and support technology, innovation and data collection we can address the challenges experienced with waste (for example, amenity, health and safety when collecting waste and recycling from the kerb as well as improved diversion of waste from landfill).

Opportunity:

South Australia is a State with exceptional entrepreneurial spirit. Working with industry, academia, advocacy groups and various levels of government, the City of Adelaide will collaborate, support and promote activities that will help us reach our Resource Recovery Vision of 'zero-waste'.

Opportunities to drive the collection of useful and accurate data, methods to automate it, and innovate based on the findings and opportunities that arise through these collaborations are significant.

More specifically, opportunities include:

- Innovation that targets all areas of *the waste hierarchy*,¹ and the cycle of consumption (design development, manufacturing, distribution, consumption, disposal, collection and redevelopment).
- Innovation in new technology to process hard to recycle materials and/or managing residual waste.
- Projects that are customer centric that can be integrated into the current system and improve amenity will be developed.
- Data collection that generate meaningful data (i.e. using big data) to provide evidence-based decision making with cross-disciplinary benefits (i.e. Carbon Neutral Adelaide & greenhouse gas emissions inventory projects).
- Centralised data platforms will be supported and developed in order to create feedback loops to track our progress, monitor environmental impacts and clearly see results on implemented initiatives. This will allow a dynamic system that can be adapted as needed in order to reach our goal and will support the development of the jobs of tomorrow.

¹ See page 47 for more details on the Waste Hierarchy

Key Actions:

Priority Item 3: Foster innovation, new technologies, and data collection	
Target Area 1: Residents & the Community	3.1 Establish data collection methods for resource recovery and cost signalling mechanisms linked to waste disposal.
Target Area 2: Residents in Multi-Unit Dwellings	3.2 Establish behaviour feedback mechanisms through data collection methods specific to multi-unit dwellings.
Target Area 3: Businesses	3.3 Partner with circular economy businesses located in the CoA to encourage waste reduction and resource sharing for businesses.
Target Area 4: Public Spaces	3.4 Leverage opportunities in public spaces to drive resource recovery through lifecycle thinking and technological innovation.
Target Area 5: City of Adelaide Own Operations	3.5 Establish data collection methods and ensure data is linked to key roles for sustained resource recovery.

Outcomes:

This Priority will support projects, collaborations and partnerships that lead a circular economy.

It will help to design the future of resource recovery today, and invigorate outdated thinking surrounding 'waste'. It will question our infrastructure, our recovery and collection systems to drive transformational, meaningful and sustainable change.

Maison Bremond 1

OVER 185-YEAR HERITAGE
Natural Treasures from France

Everything given today, I enjoy

PRIORITISE RESOURCE RECOVERY



Priority Item 4: Prioritise & Centralise Resource Recovery

Support methods to establish waste avoidance, reduction, and improved resource recovery as central in business decision making, development applications, building plans, product design, manufacturing and waste systems design.

Overview:

Waste is often considered as an afterthought, or only thought of when it accumulates, or becomes a problem. When products are considered 'waste', or 'garbage', it becomes 'somebody else's' problem. It is usually only when waste systems fail us that we begin to ask questions, for example, when our bins are 'too small' are overflowing, or we find plastic pieces in our local beaches.

It is considered that 80 per cent of environmental impact of a product is determined during the design phase.¹

If resource recovery and waste management plans are not considered for its environmental merit before business decisions are made, or building plans are finalised, it can be much more difficult and costly to retrofit or adjust after.

Prioritising waste management decisions in all Target Areas including Businesses, Residential Multi-Unit Developments and City of Adelaide's operations will identify a considered perspective on waste management, bring the true cost of waste to the forefront and ensure that key waste management decisions are made early on so that resource recovery is centralised.

Projects, prompts and policies will be positioned to bring resource management plans to the forefront of various scenarios.

¹ Sustainable Product Policy - EU Science Hub - European Commission, n.d.

Opportunity:

Opportunities include driving the circular economy through considered approaches. For example:

- Establishing an understanding of the true cost of waste management
- Support businesses in resource recovery through waste management planning
- Provide ongoing waste management feedback for multi-unit dwellings
- Lead by example in the City of Adelaide's own operations

This approach also offers further support for our local businesses. For example, investigations into shared, precinct-based resource recovery systems may achieve the goals identified in a Resource Recovery Plan.

These Resource Recovery Plans will identify actions necessary to avoid, reduce and divert waste from landfill in multi-unit developments, businesses, including in the City of Adelaide own operations and tenancies.

Key Actions:

Priority Item 4: Ensure resource management is central and proactive	
Target Area 1: Residents & the Community	4.1 Increase visibility of the associated cost and volume of residential waste, and the benefits of adopting circular economy.
Target Area 2: Residents in Multi-Unit Dwellings	4.2 Centralise best practise waste management decisions at development phase, during build and in occupancy phases.
Target Area 3: Businesses	4.3 Establish protocols that stipulate robust resource management plans must be approved and contingent to a business opening.
Target Area 4: Public Spaces	4.4 Centralise waste management decisions in assets and infrastructure projects.
Target Area 5: City of Adelaide Own Operations	4.5 Review resource recovery program annually and establish adequate funding and resources to support strategy goals.

Outcomes:

By supporting and developing programs, this ensures that circular economy principles are considered, offering an opportunity to eliminate waste and/or reduce the generation of waste.

A large pile of paper waste, including newspapers and magazines, is shown. In the foreground, a worker wearing a blue shirt and a high-visibility orange and yellow safety vest is walking. Another worker in a similar vest is partially visible on the right. The background is filled with a dense, chaotic pile of discarded paper.

ADVOCATE FOR THE CIRCULAR ECONOMY



Item 5: Advocate and Align Practices and Policies to the Circular Economy

Work internally and externally with varying levels of Government to drive long-term fundamental change in consumption and waste management.

Overview:

Moving to a circular economy will reduce the City of Adelaide's exposure to risk. For example, within the waste management supply chain, a more robust waste diversion program will reduce the exposure and financial risk resulting from the Solid Waste Levy. It has the capacity to provide an exceptional customer experienced, if designed properly. With high community expectations for responsible handling of waste materials and a new generation of customers that demonstrate high value on 'access' over 'ownership' of goods, the opportunity for sustainable change is ripe.

Alignment of guidelines, regulations and policies to support a circular economy is key in driving long-term change especially as some policies, regulations and guidelines may not be designed to prioritise resource recovery, or sustainability. For example, the City of Adelaide is required to provide weekly putrescible waste collections for its residents under the *South Australia Environment Protection (Waste to Resources) Policy 2010* under the *Environment Protection Act 1993*. While this policy addresses health and sanitation, it also prioritises collection of waste to landfill versus any other form of material recovery. Without flexibility of servicing, transformation change is limited.

The City of Adelaide has made some internal progress in this space for example, through its Carbon Neutral Adelaide Goal. As waste contributes to greenhouse gas emissions, creating measures to reduce carbon emissions is synergetic with waste reduction.

Continued efforts to realign policy and regulation internally and externally is necessary.

The Opportunity:

Shifting to a circular economy will require the active collaboration of internal programs, all levels of Government, industry, and consumers. The City of Adelaide will advocate for internal and external policies, regulation and guidelines that will help shift our 'take, make' waste' society into a more sustainable, circular economic model where we value our resources and reuse them over and over again. The City of Adelaide will also investigate other levers to help reduce waste generation at source.

Key Actions:

Priority Item 5: Advocate and align policies, guidelines and practices to the circular economy	
Target Area 1: Residents & the Community	5.1 Drive initiatives and advocacy in our local communities that position the City of Adelaide as a leader in resource recovery.
Target Area 2: Residents in Multi-Unit Dwellings	5.2 Drive initiatives and advocacy for improvements to waste management for multi-unit dwellings to enable the city as a vehicle resource recovery.
Target Area 3: Businesses	5.3 Advocate for improvements in policy and legislation related to business and industry which support the Circular Economy.
Target Area 4: Public Spaces	5.4 Drive the Circular Economy through collaboration.
Target Area 5: City of Adelaide Own Operations	5.5 Review internal City of Adelaide policies and guidelines to ensure alignment to this strategy and long-term vision.


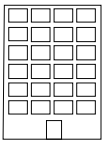
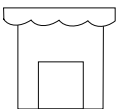
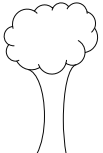

Outcomes:

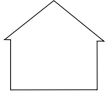
This Priority is about continual advocacy for systemic change of waste policies and shifting to a more circular economy. By advocating for a methodological, policy and regulatory changes, Key Actions under this Priority Item will target systemic change in waste recovery.

Target Areas

The City of Adelaide is a wonderful patchwork of diversity and this is one of our strongest assets. We have a beautiful combination of historic premises, mixed use premises and modern high-density spaces. Like in many other cities, with this range of diversity, also comes waste management challenges. Premises currently come equipped with varying footprints and approaches for waste management. Varying linguistic and cultural backgrounds may mean that residents are accustomed to different waste management practices than those offered in our city. Therefore, different approaches must be taken to ensure successful outcomes.

There are five Target Areas, each of which focuses on a group of stakeholders within our city. They are grouped in this way to best address their varying needs and provide a tailored waste management support system. Major changes including infrastructure development is needed before 'zero-waste' can be achieved therefore, the Key Actions are dynamic and are expected to shift over time. As a result, they will be closely monitored and should be reviewed annually for efficacy and direction. The five Target Areas are:

	<p>Target Area 1: Residents & the Community</p> <p><i>Support residents and the community using the residential kerbside collection to achieve zero-waste at home.</i></p>	<p>Why? City of Adelaide residents are provided with three bins for kerbside collection. Nearly half what is being put in the general waste could go straight into the green organics bin demonstrating a need for ongoing educational support.</p>
	<p>Target Area 2: Residents in Multi-Unit Dwellings</p> <p><i>Tailor supportive services to residential multi-unit dwellings (including apartments, low-rises, high rises) in development through to occupancy.</i></p>	<p>Why? The City of Adelaide provides a bulk bin service to a small number of the 2000 multi-unit dwelling households. These residents have very different needs to that of single unit dwellings (like houses) and this is evident through the audit figures - up to 75 per cent of the red waste bins can be unrecovered resources.</p>
	<p>Target Area 3: Businesses</p> <p><i>Expand support for businesses eligible for kerbside collection.</i></p>	<p>Why? Smaller businesses can have a CoA kerbside bin service. There are significant unrecovered resources in these bins and systemic challenges with location and space for bin, storage and amenity.</p>
	<p>Target Area 4: Public Spaces</p> <p><i>Establish public space like streets and Park Lands as conduits for resource recovery.</i></p>	<p>Why? Public bins are provided across the city. They are highly visible and highly contaminated and can be leveraged to engage residents, businesses and visitors.</p>
	<p>Target Area 5: City of Adelaide Operations</p> <p><i>Establish the City of Adelaide's operations, businesses, facilities and events as visible leaders in exceptional waste avoidance and management</i></p>	<p>Why? The City of Adelaide has a variety of facilities and businesses. The City of Adelaide has the opportunity to lead by example to demonstrate to residents and businesses what is expected.</p>



Target Area 1: Residents & the Community

Support residents and the community using the residential kerbside collection to achieve 'zero-waste' at home.

Stakeholders: residents, students, community centres and organisations/groups, event organisers

Residents:

The City of Adelaide exceeds the requirements of the *South Australia Environment Protection (Waste to Resources) Policy 2010 under the Environment Protection Act 1993¹* by providing residents with the following kerbside collection services:



- 140L red waste bin – collected weekly
- 140L or 240L yellow comingle recycling bin – collected fortnightly
- 140L or 240L green organics bin – collected fortnightly
- 2.5m³ hard waste – two collections annually

Kitchen caddys and compostable liner bags are also provided on demand to residents through the City of Adelaide Customer Centre, community centres and libraries throughout the city.

Compared with recycling and waste collections, there is relatively low uptake of the green organics bin. In fact, only about 20% of serviced premises have a green bin kerbside collection service. While our recent waste audit indicated that those who employ the kitchen caddy and the compostable liner bag understand the system well, there are gaps in data regarding distribution and use of kitchen caddys and liner bags, which could be improved.

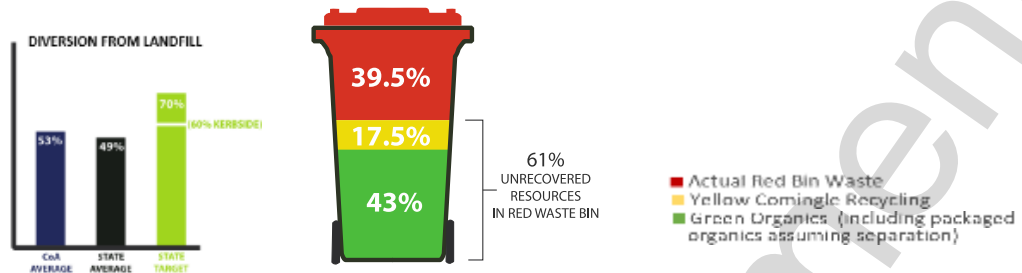
The high volume of materials found in the red waste bin that could have been recycled or composted indicates that this bin is often considered the catch-all solution. Just over half of the materials (53 per cent) that kerbside residents generate are successfully diverted away from the landfill using the green organics bin and yellow recycling bin. This indicates that the City of Adelaide is performing better than the State average (49 per cent) but lower than the State kerbside target (70 per cent at time of publishing).

Materials that don't belong in the recycling bin or the organics bin are considered as contamination, but interestingly, organics and recycling that is found in the red waste bin are not usually labelled in this way. The red waste bin should be considered the last resort; therefore, we need to shift the dialogue to identify recoverable materials found in the red waste bin as contamination.

This could be achieved through various initiatives for example dissemination of information and supportive programs provided through our community centres, libraries and community-run events. Resources including the City of Adelaide Sustainable Event Guidelines have

¹ See page 48 of the Appendix for more information on the *South Australia Environment Protection (Waste to Resources) Policy 2010*

been developed and are provided to event organisers via the City of Adelaide’s website. This continues to be an important body of work to assist in resource recovery for both the events industry, event participants, organisers and the wider community.



Red Waste Bin:



- Approximately 650 kg of waste is generated annually per residential kerbside serviced premise.
- Approximately 61 per cent of the materials could be recovered by using either the green organics bin (43 per cent) or yellow comingle recycling bin (17.5 per cent).



Yellow Comingle Recycling Bin:

- Kerbside residents have successfully adopted the yellow comingle recycling collection service and generally place glass, paper/cardboard in the correct yellow comingle recycling bin however there is confusion regarding metals and hard plastics.
- On average, 21 per cent of yellow comingle recycling bins had some form of visible contamination like garden organics, recycling contained in plastic bags, and general waste (e.g. textiles and soft plastics).



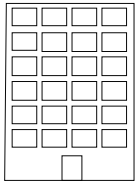
Green Organics Bin:

- Kerbside residential organics collection is an opt-in service. Those who adopt the service understand the system demonstrated through low contamination rates (0.25 per cent).
- The majority of the materials in the green organics bin are garden organics. Only 7.5 per cent of the organics bin was food. Food was present in the red waste bin (over 30 per cent) and yellow comingle bin (less than 1 per cent).

Influencing Challenges:

- Premises come in varying sizes. Physical space available to hold 3 bins can vary, for examples row houses
- The current, large volume of waste bin does not encourage reduction of waste and more diversion from landfill
- Limited support in the form of education is currently provided for residents
- High Solid Waste Levy fees is a financial risk to council

To address the challenges identified above and achieve our goal of ‘zero-waste’, significant support for our residents is needed.



Target Area 2: Residents in Multi-Unit Dwellings

Tailor supportive services to residential multi-unit dwellings (including apartments, low-rises, high rises) in development through to occupancy.

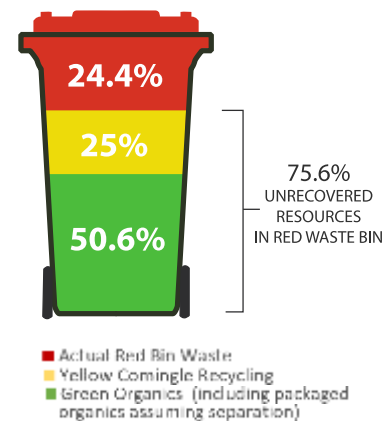
Stakeholders: residents, students, building managers, strata managers

The City of Adelaide has just over 2000 multi-unit dwelling households. The city provides multi-unit developments with either the standard residential kerbside service or a shared three-stream service (organics, comingle recycling, waste and hard waste service 660L bulk-bins serviced weekly) if the premise is suitable for servicing. If it is not suitable, a contracted service can be utilised. These services include shared 660 litre general waste, 660 litre comingled recycling and 240 litre organics recycling bins.



While these bulk services are efficient for collection, these premises have been shown to have high contamination rates in all streams and a very low diversion from landfill rate of only 26 per cent. This is significantly lower than the State’s target of 70 per cent of municipal solid waste diversion from landfill.

Unrecovered resources made up approximately 75 per cent of the red waste bin with 50 per cent of this being organics and 25 per cent recycling material that could have been diverted. This means only a quarter of what is in the red waste bin is material that should actually go in the red waste bin.





Yellow Comingle Recycling Bin:

- Contamination in the yellow comingle recycling bin (such as textiles and plastic bags) was high at 25 per cent.



Green Organics Bin:

- Zero compostable caddy liner bags were found in the red waste bin or the yellow comingle recycling bin. This demonstrates that like kerbside residents, multi-unit development residents link compostable caddy liners supplied by Council to the green organics bin.
- Contamination like glass and plastics was high at 30 per cent.

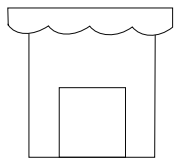
Influencing challenges:

Waste diversion in multi-unit developments is complex. For example:

- The residents can be multi-lingual, more transient and may be accustomed to different waste and recycling systems which means a consistent and ongoing support system is needed.
- Each building is unique, especially the waste management area, therefore a 'one-size fit all' approach is not effective in these buildings. High contamination can be due to a number of factors including bins types and sizes, bin location, signage, language, building configuration and user knowledge of the waste system.

Onsite observation at various sites indicate that infrastructure, building design, systems and education need to be addressed to see improvements. Both multi-unit dwellings in development and through the occupancy phase must be addressed for improved waste management.

It is anticipated that significant improvements could be made if hands-on support is provided by the City of Adelaide. Given the growth of multi-unit residential developments in the city, this sector is a key focus area for improvement.



Target Area 3: Businesses

Expand support for businesses eligible for kerbside collection.

Stakeholders: business owners, business organisations, permanent employees, contract workers, precinct groups.



Businesses in the City of Adelaide that generate a small amount of waste, similar to a residential premise are provided a Council general waste and comingled recycling service.

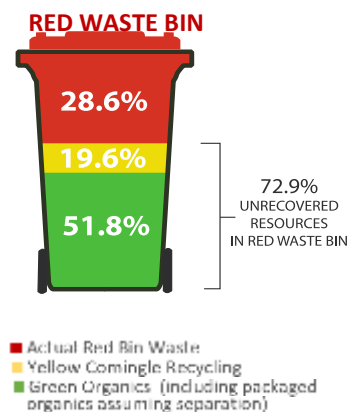
- 140L red waste bin – collected weekly
- 240L yellow comingle recycling bin – collected fortnightly
- Commercial cardboard - collected weekly at kerb

Businesses that use the city kerbside waste services make use of it and rely on it heavily.

Approximately 40 per cent of business bins are overfull. Overfull bins could mean that the size does not suit the need, and/or there is opportunity for waste reduction or diversion from landfill. Feedback loops providing information on diversion could be beneficial and employed if technology like radio frequency identification (RFID) was implemented.



About 73 per cent of the red waste bin was considered unrecovered resources. Over half of the red waste bin contained food waste that could be diverted from landfill however, at present, green organics collection is only available to residents. This demonstrates a significant opportunity for improved services.





Red Waste Bin:

- 73 per cent of the red waste bin was unrecovered resources like organics, glass bottles, cardboard and hard plastics. Of this, 51.8 per cent was food waste and 19.6 per cent was recyclable materials that could have been diverted from landfill by using the yellow comingle recycling bin service which is currently available to businesses.



Yellow Comingle Recycling Bin:

- The yellow comingle recycling bin was highly contaminated. The audit revealed that over 20 per cent of this bin contains non-recyclable materials such as building materials, compostable paper, recycling contained in plastic bags, and general waste.

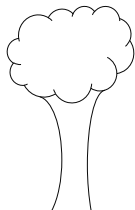
Influencing challenges:

- Businesses have fluctuations in waste and recycling generation depending on delivery dates, day of the week and type of business.
- Businesses are likely to generate different waste materials and volumes than residential properties in the City of Adelaide. Therefore, residential education resources are not suitable for businesses even if the collection system is similar.
- To improve waste diversion from landfill it is important to provide services and education that is relevant to businesses.

In order to make the biggest impact, 3-stream waste collection services should be mandatory for all businesses including those serviced by Council and those who use contracted services. Best practises should be designed in a way that compost and recycling is the simplest to do, and supportive services are provided for sustained improvements. An example program currently in place is the Sustainability Incentive Scheme (SIS) which could be leveraged as part of implementation.

Space is premium in many of the city's businesses, particularly in food premises. Often, bins for waste, recycling and organics both provided by the City of Adelaide, or by private contractors are stored in the public realm. Storage of bins on the kerb and in the street are a health and safety risk and contribute to reduced amenity. This can cause a reduction in foot traffic and vehicle access and can impact businesses. Bins systems should be considered in the development application process and prioritised in business decisions.

Advocacy to regulate diversion of food waste and other compostable materials would support City of Adelaide and business efforts in diversion and result in significant improvement.



Target Area 4: Public Spaces

Establish public space like streets and Park Lands as conduits for resource recovery.

Stakeholders: residents, students, visitors, workers, tourists,



In the public streets in high traffic, public street or pedestrian areas the City provides waste collection and some recycling services through a variety of bin receptacles. Innovative trials using solar powered compactor bins and solar powered sensor bins have offered insight into our city's habits.

In the Park Lands, the city provides waste collection via waste bins.

Unsurprisingly, the red waste bins on city streets contained a high percentage of once recoverable materials. Approximately 62 per cent were unrecovered resources, with comingled recyclables being 13 per cent of the bin and compostable items 49 per cent.

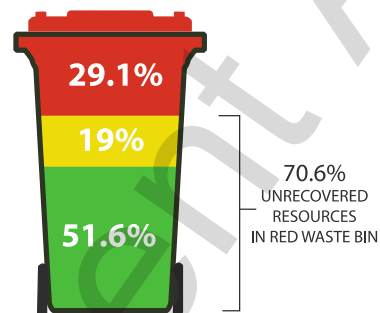
Red waste bins in the Park Lands also had a large proportion of unrecovered resources (70 per cent), including 51 percent of compostable material and 19 percent comingled recyclables.

Waste management and resource recovery in the public space is known to be difficult with a number of factors like users accustomed to different systems, contributing to low diversion rates. Consistent resource recovery systems in residential homes, workplaces, and public spaces is one approach which can increase diversion. This approach eases the confusion of source separating by making users and customers central in the system, and therefore making doing the right thing, innate.

The Key Actions address a range of challenges known in public space waste management and build on that knowledge for long-term sustained change.

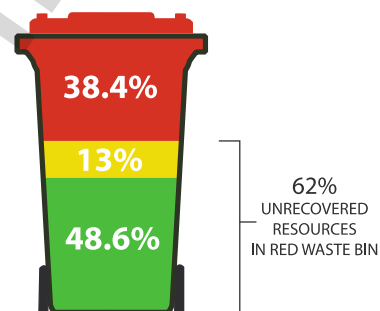
Park Lands – Red Waste Bin:

- Only red waste bins are available in the Park Lands. Around 70 per cent of materials in the red waste bin has the potential to be diverted from landfill.
- Over 50 per cent of the red waste bin could be placed in a green organics bin (if available), and 19 per cent could be placed in a yellow comingle recycling (if both were co-located).
- Specific contents vary by location. For example, in some locations, over 10 per cent of the Park Lands red waste bins contained animal waste in plastic bags.



Streets – Red Waste Bin:

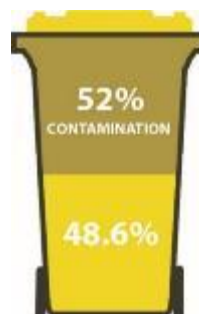
- Over 60 per cent of the red waste bin are unrecovered resources that if appropriate services were offered, could easily be diverted from landfill.
- Over 48 per cent could be placed in a green organics bin (if available), and 13 per cent could be placed in a yellow comingle recycling bin (if both were co-located).



Streets – Yellow Comingle Recycling Bin:

- Over 50 per cent of the yellow comingle recycling bin was contaminated with items such as coffee cups, drinks in containers, food organics and other waste. Highly contaminated recycling results in the entire contents of the yellow recycling rejected by the recycling facility and sent to landfill.

YELLOW RECYCLING BIN



Influencing challenges:

- A large proportion of waste collected in public spaces within the City of Adelaide are illegally dumped. This includes a variety of waste types such as white goods, furniture, electronic and hazardous waste.
- There are known challenges with public place recycling bins and their level of efficacy. Often bins are highly contaminated with materials unsuitable for recycling (like coffee cups and soiled paper), or the valuable materials (such as glass containers accepted in the Container Deposit Scheme) are removed from bins by informal recyclers.
- The contents of the red waste bins differ significantly, by location and the surrounding land uses. There is opportunity for further investigation to better understand the nuances of waste generation patterns and service requirements for our streets and Park Lands.



Target Area 5: City of Adelaide Operations

Establish the City of Adelaide's operations, businesses, facilities and events as a visible leader in exceptional waste avoidance and management

Stakeholders: City of Adelaide employees, customers, visitors, tourists

The City of Adelaide has a variety of facilities and businesses that serve the greater Adelaide community. Facilities and businesses include: Colonel Light Centre and Eagle Chambers, London Road Depot, North Adelaide Golf Links, Adelaide Aquatic Centre, Uparks and community centres and libraries.

The City also provides a range of tenancies, leases and rental space for property, retail and Park Land spaces.

In order to benchmark the city, a waste audit was conducted on the four major City of Adelaide facilities. The City of Adelaide's Own Operations: Colonel Light Centre and Eagle Chambers, London Road Depot, North Adelaide Golf Links, Adelaide Aquatic Centre.

Depending on the facility, waste and recycling is managed through a combination of internal staff and external contractors which revealed waste management inconsistencies across the City of Adelaide's own operations, facilities and businesses. This can cause confusion and contamination especially if staff and customers frequent several of these facilities. As mentioned in *Target Area #4: Public Spaces*, for successful resource recovery, it is important to create a customer centric approach where the resource recovery system is consistent at work, at home and in public spaces.

The audit also revealed opportunity for improvements in all spaces particularly in contamination of the yellow comingle recycling bin and diversion of organics. The red waste bin was a good indicator of the opportunities available at each site and are documented on the following page:

Along with infrastructure change supporting customer centricity, support is needed in the form of education for customers and training for our employees. For improved systems, policies, for example in procurement, should include circular economy principles.

Colonel Light Centre / Eagle Chambers:

Approximately 79 per cent of the materials generated in the red waste bin were unrecovered resources. Despite having a green organics service, over 44 per cent of the material collected in the red waste bin could be placed directly in the green organics bin. Over 28 per cent could have been placed in the yellow comingle recycling bin.

London Road Depot (Offices Only):

Over 77 per cent of the materials collected in the red waste bin could be diverted from landfill. Of this, more than 50 per cent could be placed directly into the green organics bin and over 22 per cent could be recycled into the yellow comingle recycling bin.

North Adelaide Golf Links:

There is significant opportunity for diversion. Over 87 per cent of the waste that was placed in the red waste bin could be diverted from landfill. Approximately 25 per cent of this material could have been placed directly in the yellow comingle recycling bin. Over 59 per cent of the red waste bin could be directly diverted from landfill immediately if a green organics bin collection system was implemented. A further 8.3 per cent could be recovered if visitors and staff separated food scraps from containers.

Adelaide Aquatic Centre:

Approximately 50 tonnes of waste per annum is generated onsite, which includes a combination of food and packaging purchased at the café, as well as food, packaging, and textiles (clothing and towels) brought in by customers and disposed of on-site. The audit revealed that the diversion from landfill rate for this facility is very low at only 28 per cent.

Close to 66 per cent of the materials generated in the red waste bin were unrecovered resources. Over 42 per cent of the material collected in the red waste bin could be placed directly in the green organics bin, and over 23 per cent could be placed in the yellow comingle bin.

Influencing challenges:

- Each facility is managed by different staff
- Buildings vary significantly
- Significant fluctuations of the number of visitors throughout the year
- Illegal dumping occurs at most sites and contribute to overall volumes

With the City of Adelaide's Resource Recovery Vision of becoming the first city in Australia to be 'zero-waste' we must demonstrate leadership and amend our internal operations to reflect the change we want to see in our communities

Next Steps

The Resource Recovery (Organics, Recycling and Waste) Strategy 2020-2028 provides the framework for change.

Linked to the document is the Resource Recovery (Organics, Recycling and Waste) Strategy 2020-2028 Action Plan, which outlines further details regarding the Keys Actions necessary in order to activate steps to reach the Resource Recovery Vision.

Glossary

bulk bin / shared bulk bin: a larger bin usually on four wheels, that collects waste, recycling or organics, depending on the lid colour. These bins are often used for multi-unit dwellings, large office buildings or commercial complexes that share the collection service.

circular economy: a methodology to use resources in a cyclical manner, effectively remove the concept of 'waste'.

comingle recycling: a collection of recyclable materials like glass, tin cans and paper that are taken to a material recovery facility for sorting and recycling.

food organics: food scraps and waste collected for composting.

green organics bin: a bin used to collect food waste and garden organic materials to be processed into composting. (FOGO: *Food Organics, Garden Organics* is also a frequently used term to describe food and garden organics waste for a green organics kerbside system).

hard-to-recycle products that are recyclable, however should not be placed in the kerbside comingle recycling stream. These products are made of several materials and need to be dismantled (usually by a professional) before recycling can occur.

Key Actions: are a set of tasks and projects specific to the 5 Target Areas

Priority Items: initiatives that are critical to the achievement of the Resource Recovery Vision. They are woven into every program created in support of this Strategy.

recycling: the process of converting 'waste' materials like plastic containers, metals and paper into reusable materials.

red waste bin: a bin used to collect residual waste, garbage or putrescible waste. Often used as the 'catch-all' bin, where many materials can be recycled or composted.

Resource Recovery Vision: The City of Adelaide's long-term aim.

Target Areas: are the major sectors or stakeholders within the city which programs and projects will be directed toward.

waste avoidance: avoiding consumption that results in the production of waste.

waste diversion: recovering materials that can be recycled so that they do not end up in landfill.

waste generation: the process of making waste.

waste management / resource recovery system: the actions needed to manage waste from generation to disposal / A waste management system that prioritises recycling and reuse of materials, rather than sending to landfill.

yellow comingle bin: a bin used to collect comingle recycling (see Comingle Recycling definition). 'Mufes' which are smaller yellow recycling bins are sometimes provided to help at-source separation.

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Appendix

Appendix A: [Link to City of Adelaide's Strategic Plan 2020-2024](#)

The new City of Adelaide Strategic Plan 2020-2024 specified improvements in waste and resource recovery and the circular economy.

The following is the corresponding excerpt from the City of Adelaide's Strategic 'Plan on a Page' document. The underlined areas call for specific improvements in waste systems.

Outcome #4 Environmental Leadership

What we want to achieve together:

- One of the world's first carbon neutral cities by 2025, where sustainability is core
- A transition to low carbon and circular economies
- A climate ready organisation and community
- Integrated and sustainable development

How we will do it:

4.2 Implement improvements to city-wide waste and recycling services to support the transition to a circular economy

4.3 Educate and support our community to zero-waste, water sensitive, energy efficient and adaptive to climate change

4.4 Support our community to transition to a low carbon economy through education, incentives and appropriate infrastructure

4.6 Implement the Carbon Neutral Strategy for the city and achieve carbon neutral certification for our operations

4.7 Support all CBD businesses to be green accredited

How will we know we succeeded?

- Community greenhouse gas emissions are lower
- Less waste to landfill
- More residents agree that Council is taking steps to protect our environment

Appendix B: Strategic and Policy Context

The City of Adelaide is influenced by several different internal and external regulations, policies and guidelines. These have been considered in the development of this Strategy and have shaped it accordingly. The list below is a summary of its applicability for greater context.

Global context and influences:

1. *Sustainable Development Goals: 12 Responsible Consumption and Production*

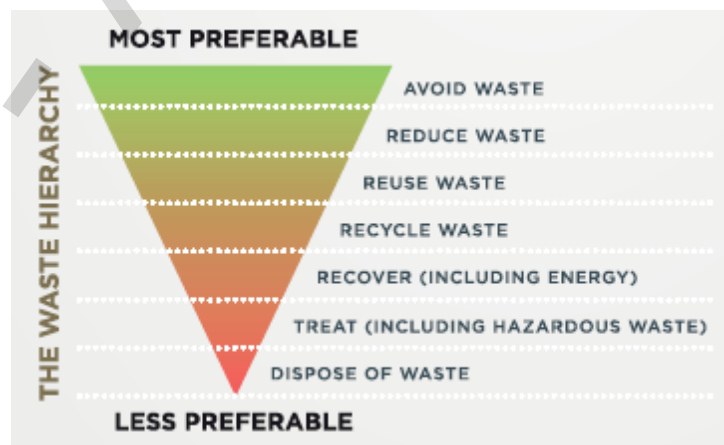
On 25 September 2015, all United Nations Member States in 2015, including Australia, established a set of goals to end poverty and protect the planet through a sustainable development agenda. Relevant to the City of Adelaide's Resource Recovery (Organics, Recycling and Waste) Strategy 2020-2028 is *Sustainable Development Goal (SDG) 12 Responsible Consumption and Production*. This goal specifically focuses on responsible consumption and production patterns calls for urgent action addressing current material demands and policies that improve resource efficiency, reduce waste and mainstream sustainability practices across all sectors of the economy. Of particular relevance to this Strategy are the following two goals:

- 'By 2030, substantially reduce waste generation through prevention, reduction, recycling and reuse and,
- By 2030, halve per capita global food waste at the retail and consumer levels and reduce food losses along production and supply chains, including post-harvest losses'¹

This Strategy aligns to the SDG to ensure our efforts are a part of the global collective goal for peace and prosperity and a sustainable future.

National context and influences:

2. *National Waste Policy* including the waste hierarchy which sets out the preferences for waste management solutions: prioritising waste avoidance and minimisation and seeking to recover the highest value from materials.



3. *National Waste Policy Action Plan 2019* presents targets and actions to implement the *2018 National Waste Policy*.

4. The *National Food Waste Strategy* which aims to halve Australia's food waste by 2030.

5. *Product Stewardship Act 2011* provides the framework to effectively manage the environmental, health, safety and disposal impacts of products,

¹ Goal 12 Sustainable Development Knowledge Platform, Progress of Goal in 2019.

Top image: Metal recovered from fluorescent light tubes. Source: Amandine Johnson

State context and influences:

6. *South Australia Environment Protection (Waste to Resources) Policy 2010 under the Environment Protection Act 1993.*
Under this policy the City of Adelaide is required to provide weekly putrescible waste collections for its residents.
7. *A vision for a Circular Economy, Waste Strategy 2020-2025 Consultation Draft*
Alignment to the efforts made by the State Government's Green Industries SA will ensure consistent messaging across programs.
8. *South Australia Better Practice Guide for Residential and Mixed-Use Developments*
Guidelines for waste management created with feedback from the City of Adelaide. This document is referenced in assessing development approvals.

Local and other influences:

9. *City of Adelaide Strategic Plan 2020-2024*
This Strategic Plan includes the following waste management elements under the Environmental Leadership section.
10. *City of Adelaide Waste Management Action Plan 2012-2016*
This Strategy will replace supersede this Plan
11. *Waste and Recycling Services Policy*
The current Policy will be reviewed following adoption of this strategy by Council.
12. *Waste and Recycling Services Operating Guidelines*
The current Guidelines will be reviewed following adoption of this strategy by Council.
13. *Design Guide for Residential Recycling*
The current Guide will be reviewed following adoption of this strategy by Council.
14. *Carbon Neutral Adelaide Strategy 2015-2025 and Carbon Neutral Adelaide Action Plan*
This strategy establishes ambitious targets of carbon neutrality for the City of Adelaide operations by 2020 and the broader community by 2025. It lists reduction of emissions associated with resource use and maximising recycling as a priority to achieving a carbon neutral Council.
15. *Sustainable Event Guidelines*
This document provides guidance on how to deliver more environmentally sustainable events across six activity areas including waste reduction and recycling.
16. *City of Adelaide 2019 Waste Audits*
Comprehensive waste audits were conducted in August 2019 which helped to inform the development of this Strategy.
17. *Fight Food Waste CRC* Organisation such as the Fight Food Waste CRC dedicate resources to address food waste challenges. Therefore, partnerships with such organisations can support our collective goals.

Appendix C: Zero-Waste in Other Organisations and Cities

Although the goal of ‘zero-waste’ in other organisations and jurisdictions is similarly aligned with the underlining premise of resource recovery, there are several different applications and interpretations. The following organisation and cities demonstrate to the City of Adelaide precedence and direction.

Zero Waste International Alliance:

According to Zero Waste International Alliance, zero-waste is “the conservation of all resources by means of responsible production, consumption, reuse and recovery of products, packaging and materials without burning, and with no discharges to land, water or air that threaten the environment or human health.”¹

Austin, Texas, USA:

Adelaide’s US sister-city Austin, Texas defines zero-waste as: “an ambitious goal to divert 90% of waste from landfills and incinerators by 2040 using a ‘whole system’ approach to evaluate and manage the flow of resources and waste created by our communities.”² The City Council established three goals for achieving zero-waste:

- 20 per cent per capita reduction of solid waste disposed to landfills by 2012
- 75 per cent diversion of solid waste from landfills and incinerators by 2020
- 90 per cent diversion of solid waste from landfills and incinerators by 2040.

Sydney, New South Wales, Australia:

“The long-term goal of the City of Sydney is to reduce all waste for maximum resource recovery, so materials aren’t just used once and then disposed of. Zero-waste targets in other cities are defined as greater than 90 per cent of waste diverted from landfill. The following are their targets for June 2030.

- Operations: To divert 90 per cent of waste from City parks, streets, public places, City-managed properties, construction and demolition generated and managed by City operations, from landfill.
- Residents: To divert 90 per cent of waste (with a minimum of 35 per cent as source-separated recycling) from landfill.
- Businesses: To divert 90 per cent of waste from operating businesses in the local government area, and from construction and demolition activities in the local government area from landfill.”³

Melbourne, Victoria, Australia:

The City of Melbourne have also set an ambitious goal towards zero-waste, aiming for a 90 per cent recovery rate. They aim to;

- avoid waste and reduce household waste generation by 20 per cent
- improve how waste and recycling is separated, stored and collected in order to reduce noise, odour and congestion and improve the beauty of the city capture and recycle organic waste
- recover all valuable material if viable, with minimal waste going to landfill.⁴

¹ *Zero Waste Definition* - Zero Waste International Alliance, 2018

² *Austin Resource Recovery Master Plan*, City of Austin, 2011

³ *Leave Nothing to Waste, Managing resources in the City of Sydney Area*, Waste Strategy and Action Plan 2017 – 2030

⁴ *Waste and Resource Recovery Strategy 2030*, City of Melbourne 2019

Appendix D: The Circular Economy Principle

What does a circular economy look like?



Waste as we currently know it, is often the last thought. Once a material has been deemed 'waste', or 'garbage', it becomes 'somebody else's' problem. It is usually only when waste systems fail us that we begin to ask questions, for example, when our bins are overflowing, or we find plastic in our local beaches.

In nature, biological systems consider 'waste' as a resource, feeding the next set of organisms and so on. Effectively, there is no 'waste' unlike in our typical consumer lives. The circular economy, much like natural systems, uses resources in a cyclical manner, and 'waste' becomes food for the next system. It employs design principles to effectively remove the concept of 'waste' entirely, treating it as an input for the next system. Applying this type of thinking to materials, manufacturing and consumption reduces the amount of new resources required and reduces the amount of materials ending up in landfill.

If we consider waste as a valuable resource, we can gain back much of what it took to make the product for example, the materials, the embodied energy and water.

This takes a different type of thinking that has been employed since the time of the industrial revolution.

Some of the essential elements necessary for a circular economy include:

- design and manufacture products that are made from recycled materials (rather than virgin resources), that can be repaired and/or recycled back into the system;
- establish repair centres as part of this design and manufacture process, so that items can be repaired;
- establish collection systems so that items unable to be repaired are collected, rather than disposed of in landfill;
- ensure that there is adequate and appropriate recycling facility infrastructure in place, taking into account location and sorting capacity; and
- encourage manufacturers to purchase recycled materials, thereby closing the production loop.¹

Designing for reuse, repair, remanufacture and effective recycling are some circular economy principles that redefine products and manufacturing approaches to design out waste.

¹ *The Circular Economy, An explainer*, Department of Parliamentary Services, Parliament of Victoria 2018

How does this apply to our everyday consumer life?

Following the National Waste Hierarchy¹, reduction of consumption is the most impactful action we can take. By reducing overall consumption of products, we reduce demand both up the supply chain, where products are made, and down the supply chain where a product's fate in the waste system is decided.

Another way to reduce consumption and the resulting waste can be done by choosing the right products. For example, products that are designed to have long and useful lives, are designed to be repaired using standard tools, are designed to be disassembled and made by companies that have extended producer responsibility policies in place, who will support the consumer in responsible end-of-product-life disposal.

Products for example, would be designed in a way that could feed into a viable recycling system – for example the yellow comingle recycling bin in your standard municipal kerbside system. Packaging would be minimal, made with recycled and recyclable materials, and only used to protect the product in transit. Importantly, labelling regulations should be made to support the consumer in identifying responsible disposal.

What does a well operating circular economy system look like?



- An overall reduction of materials entering the waste system through measures like avoidance, reuse or repair
- Manufacturers design for a circular economy
- Labelling of packaging enforced to assist in recycling
- Consumers practise avoidance, reduction, reuse and recycling and know what to do with all materials at time of disposal
- All recyclable materials like cardboard/paper, plastic, metal and glass are placed in the correct bin and are separated and processed accordingly for recycling and remanufacturing
- A localised and resilient waste and recycling system
- Businesses and residents supported in good waste management practices

How can the City of Adelaide support a circular economy?

- Advocate to State and Federal Governments for policies supporting a circular economy. For example, support the expansion of the extended producer responsibility policy, suggest implementing guidelines or policies for more sustainable material choice, support and advocate for sustainable packaging and labelling on packaging.

¹ See page 47 for further details on the *National Waste Hierarchy*

Image: Glass crushed and sorted by colour ready for melting into new bottles. Source: Amandine Johnson

- Provide assistance to businesses in choosing more sustainable materials and products
- Educate our community and residents on choosing products that have minimal packaging and long useful lives that can be reused or repaired. Encourage purchasing from companies that have extended producer responsibility, or Product Stewardship policies in place to support customers in end of product life options
- Investigate how repair cafes, and lending libraries can be implemented in our communities.
- Advocate and support localised infrastructure to support local recycling and diversion of waste.
- Develop a strong *Resource Recovery Strategy* and *Action Plan* linked with an adequate, sustained budget that weaves in circular economy principles.
- Lead by example via our annual procurement and services

By understanding what we want our economy and resource recovery to look like, we can shape the programs to support this goal and our Resource Recovery Vision of 'zero-waste'.

Appendix E: Waste Audits 2019

In August 2019, the City of Adelaide conducted a series of comprehensive waste audits to benchmark our progress and gain a better understanding of current challenges and wins.



The audit was conducted on external services provided by City of Adelaide and included Kerbside residential, kerbside business, multi-unit developments, and public spaces.

Internal operations and facilities such as the Colonel Light Centre/Eagle Chambers, London Road Depot, North Adelaide Golf Links and the Aquatic Centre were also audited. This multi-audit approach gave a comprehensive baseline for the City of Adelaide.

The purpose of the waste audits was to:

- establish a baseline of data to assess the efficacy and efficiency of the City of Adelaide's waste approach and programs
- understand material generation and verify waste pathways and associated costs
- understand user behaviour within each site and service
- identify waste reduction, diversion and efficiency opportunities.

The audits provided information on:

- high level waste generation data
- composition and contamination of bins
- recycling rate and diversion of materials
- bin fullness
- adoption of compostable liner bags for organics kitchen caddy.

The audit revealed good areas of opportunities, some of which can be achieved with quick wins, and others requiring more substantial changes.

Top image: Waste Auditor conducting a waste audit in 2019 for the City of Adelaide. Source: Amandine Johnson

DRAFT: 10/07/2020

Resource Recovery (Organics, Recycling and Waste) Action Plan 2020-2028

4.1.1 - Attachment B



Item 4.1.1 - Attachment B

Disclaimer: While every reasonable effort has been made to ensure that this document is correct at the time of publication, the City of Adelaide disclaim any and all liability to any person in respect to anything or the consequence of anything done or omitted to be done in reliance upon the whole or any part of this document.

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This Document

The purpose of the City of Adelaide's new Resource Recovery (Organics, Recycling and Waste) Strategy 2020-2028 is to provide a solid framework to redefine the concept of waste, improve resource recovery and build a circular economy in the City of Adelaide.

This document is the related Action Plan which will establish how we will achieve the Resource Recovery Vision.

It outlines programs projects and initiatives that will be developed over the next 8 years. As the waste and recycling industry is dynamic, it is intended to be reviewed annually for relevance and applicability.

Our Vision for Resource Recovery - An Overview

The City of Adelaide has set the Resource Recovery Vision of becoming Australia's first 'zero-waste' city.¹

This vision will guide the City of Adelaide through to 2028 and will promote a circular economy through waste reduction, increase resource recovery and delivering exceptional customer service that is:

- ✓ Customer-centric
- ✓ Evidence-based
- ✓ Equitable
- ✓ Responsive
- ✓ Collaborative
- ✓ Innovative

This vision for a resource recovery centric system is guided by a strong strategic framework and action plan which is funded by an adequate budget. Achieving the vision will establish the City of Adelaide as a world class resource recovery leader by redefining what waste is, establishing an

¹ See the City of Adelaide's Key Performance Indicators for a 'zero-waste city' on page 5.

integrated system of recovery and build the supporting networks to deliver a circular economy and a 'zero-waste' city.

Key Performance Indicators

The City of Adelaide's Resource Recovery Vision of 'zero-waste' by 2028 is measured by the following:

1. Divert 75 per cent of residential waste from landfill
2. Divert 90 per cent of waste from City of Adelaide (CoA) activities and events from landfill
3. Reduce waste generation by 5 per cent per capita
4. Reduce contamination to below 10 per cent in yellow comingled recycling
5. Reduce food waste in the kerbside residential waste bin by 50 per cent

The Strategy Framework



Resource Recovery Vision: is where we see the City of Adelaide's future of resource recovery.

Priority Items: The Priority Items are items that address challenges and opportunities identified in all Target Areas. They are determined by identifying what actions will result in the biggest impact and result in transformation change across all Target Areas.

Target Areas: The major sectors or stakeholders within the city in which programs and projects will be created for. They are grouped in this way to best address their varying needs and provide a tailored waste management support system.

Key Actions: Are a set of tasks and projects specific to the five Target Areas and they integrate the goals set out in the Priority Items.

Action Plan

Key Actions Matrix - Overview

The matrix below identifies the high-level Key Actions which will guide the City of Adelaide's activities.

Key Actions:					
	Priority Item 1:	Priority Item 2:	Priority Item 3:	Priority Item 4:	Priority Item 5:
	Eliminate Food Waste <i>Reduce food waste generation and increase diversion of food scraps going to landfill by 50%.</i>	Engage, Educate, and Inspire <i>Drive robust waste management education to all residents, businesses and users of our city.</i>	Foster Innovation, New Technologies, and Data Collection <i>Collaborate with industry, academia and entrepreneurs to develop innovative solutions and data collection methods to reach the Resource Recovery Vision.</i>	Prioritise & Centralise Resource Recovery <i>Support methods to establish waste avoidance, reduction and improved resource recovery as central in business decision making, development applications, building plans, product design, manufacturing and waste systems design.</i>	Item 5: Advocate and Align Practices and Policies to the Circular Economy <i>Work internally and externally with varying levels of Government to drive long term fundamental change in consumption and waste management.</i>
Target Area 1: Residents & the Community Support residents and the community using the residential kerbside collection to achieve 'zero-waste' at home.	1.1 Provide residents, community members and community event organisers with the tools and services to eliminate food from the waste stream.	2.1 Develop and provide multi-faceted, multi-lingual suite of educational resources for residents, community, community events organisers to reduce waste generation and increase resource recovery.	3.1 Establish data collection methods for resource recovery and cost signalling mechanisms linked to waste disposal.	4.1 Increase visibility of the associated cost and volume of residential waste, and the benefits of adopting circular economy.	5.1 Drive initiatives and advocacy in our local communities that position the City of Adelaide as a leader in resource recovery.
Target Area 2: Residents in Multi-Unit Dwellings Tailor supportive services to residential multi-unit dwellings (including apartments, low-rises, high rises) in development through to occupancy.	1.2 Provide multi-unit dwelling building owners, managers and residents with tailored waste management solutions for their premise which targets elimination of food from the waste stream.	2.2 Develop and provide multi-lingual waste management education resources for City of Adelaide serviced multi-unit dwelling residents and building personnel.	3.2 Establish behaviour feedback mechanisms through data collection methods specific to multi-unit dwellings.	4.2 Centralise best practise waste management decisions at development phase, during build and in occupancy phases.	5.2 Drive initiatives and advocacy for improvements to waste management for multi-unit dwellings to enable the city as a vehicle resource recovery.
Target Area 3: Businesses Expand support for businesses eligible for kerbside collection.	1.3 Investigate and provide green organics collection service and tools to businesses with a CoA kerbside collection service.	2.3 Develop and provide multi-lingual information targeting waste management best practises for business.	3.3 Partner with circular economy businesses located in the CoA to encourage waste reduction and resource sharing for businesses.	4.3 Establish protocols that stipulate robust resource management plans must be approved and contingent to a business opening.	5.3 Advocate for improvements in policy and legislation related to business and industry which support the Circular Economy.
Target Area 4: Public Spaces Establish public space like streets and Park Lands as conduits for resource recovery.	1.4 Investigate the collection of organic materials in public spaces.	2.4 Create a consumer-centric public space waste management system that is consistent to the 3-stream system.	3.4 Leverage opportunities in public spaces to drive resource recovery through lifecycle thinking and technological innovation.	4.4 Centralise waste management decisions in assets and infrastructure projects.	5.4 Drive the Circular Economy through collaboration.
Target Area 5: City of Adelaide Operations Establish the City of Adelaide operations, businesses, facilities and events as visible leaders in exceptional waste management.	1.5 Mandate diversion of all food waste and compostable products in the City of Adelaide's own operations, building and tenants and provide support and services to achieve this.	2.5 Establish a resource recovery as part of workplace culture in City of Adelaide properties, rentals, leases, and facilities.	3.5 Establish data collection methods and ensure data is linked to key roles for sustained resource recovery.	4.5 Review resource recovery program annually and establish adequate funding and resources to support strategy goals.	5.5 Review internal City of Adelaide policies and guidelines to ensure alignment to this strategy and long-term vision.

Key Actions Matrix - Sub-Actions

The matrix on the following page includes the high-level action items and several sub-actions which will be executed over the duration of the Strategy. The matrix demonstrates how each of the Key Actions are linked to each Priority Item and Target Area.

As the waste and recycling industries change rapidly, these sub-actions will be reviewed annually for feasibility, relevance and applicability.

Key Actions:					
	Priority Item 1:	Priority Item 2:	Priority Item 3:	Priority Item 4:	Priority Item 5:
	Eliminate Food Waste Reduce food waste generation and increase diversion of food scraps going to landfill by 50%.	Engage, Educate, and Inspire Drive robust waste management education to all residents, businesses and users of our city.	Foster Innovation, New Technologies, and Data Collection Collaborate with industry, academia and entrepreneurs to develop innovative solutions and data collection methods to reach the Resource Recovery Vision.	Prioritise & Centralise Resource Recovery Support methods to establish waste avoidance, reduction and improved resource recovery as central in business decision making, development applications, building plans, product design, manufacturing and waste systems design.	Item 5: Advocate and Align Practices and Policies to the Circular Economy Work internally and externally with varying levels of Government to drive long term fundamental change in consumption and waste management.
Target Area 1: Residents & the Community Support residents and the community using the residential kerbside collection to achieve 'zero-waste' at home.	1.1 Provide residents, community members and community event organisers with the tools and services to eliminate food from the waste stream.	2.1 Develop and provide multi-faceted, multi-lingual suite of educational resources for residents, community, community events organisers to reduce waste generation and increase resource recovery.	3.1 Establish data collection methods for resource recovery and cost signalling mechanisms linked to waste disposal.	4.1 Increase visibility of the associated cost and volume of residential waste, and the benefits of adopting circular economy.	5.1 Drive initiatives and advocacy in our local communities that position the City of Adelaide as a leader in resource recovery.
	1.1.1 Investigate and remove the barriers to adopting the green organics service.	2.1.1 Develop a new information and education program for residents using the 3-bin kerbside system. Include collateral, signage and information sessions.	3.1.1 Support and implement innovative technology and behaviour change to deliver improved municipal resource recovery systems and infrastructure (for example, investigate kerbside bin size options).	4.1.1 Investigate decoupling waste fees from rates for clarity of cost	5.1.1 Advocate for the development and improvement of policies, and guidelines that support the consumer enact the circular economy, product stewardship, and waste avoidance/reduction/diversion.
	1.1.2 Increase ease of accessibility to green organics bins, kitchen caddys, certified compostable liner bags, education and other tools that support reduction of food waste.	2.1.2 Investigate partnerships and collaborations with other councils, organisations industry, academia and varying levels of government to deliver unique programs, strengthen and unite waste reduction initiatives, and recognise high waste diversion achievers.	3.1.2 Investigate methods to install data collection methods (for example, radio-frequency identification (RFID) tags on all CoA kerbside bins) to provide ongoing feedback and improve service outcomes, communicate feedback to residents and target resource recovery behaviours.	4.1.2 Establish incentives programs, or financial models to encourage reduction of waste generation. For example, financial incentives, alternative collection service frequencies, bin sizes, service cost models and other behaviour-change tactics that encourage waste reduction	5.1.2 Advocate for changes to legislation that prioritises material recovery services over waste services.
	1.1.3 Develop, implement and fund projects and campaigns targeting the items that do not belong in the red waste bin (like food waste), to increase recovery of these materials.	2.1.3 Offer regular outreach, education events and information sessions and recycling tours for residents and elected members. 2.1.4 Support and implement community programs targeting waste avoidance, reduction and reuse (i.e. repair cafes and lending libraries, ambassador programs)	3.1.3 Conduct regular comprehensive waste audits and report publicly on results. (Data should be collected in a way that is useful cross-program for example the Carbon 3.1.4 Facilitate additional collection locations for hard-to-recycle items for residents to access (for example within City of Adelaide facilities and community centres)	4.1.3 Target and clarify misinformation and provide clarity regarding resource recovery. 4.1.4 Provide resources for at-home waste management organisation.	5.1.3 Develop new City of Adelaide policy and guidelines for kerbside collection that align to this strategy.
Target Area 2: Residents in Multi-Unit Dwellings Tailor supportive services to residential multi-unit dwellings (including apartments, low-rises, high rises) in development through to occupancy.	1.2 Provide multi-unit dwelling building owners, managers and residents with tailored waste management solutions for their premise which targets elimination of food from the waste stream.	2.2 Develop and provide multi-lingual waste management education resources for City of Adelaide serviced multi-unit dwelling residents and building personnel.	3.2 Establish behaviour feedback mechanisms through data collection methods specific to multi-unit dwellings.	4.2 Centralise best practise waste management decisions at development phase, during build and in occupancy phases.	5.2 Drive initiatives and advocacy for improvements to waste management for multi-unit dwellings to enable the city as a vehicle resource recovery.
	1.2.1 Identify the challenges associated with food waste diversion in multi-unit-dwellings, and tailor programs to address these challenges.	2.2.1 Develop and deliver multi-lingual education tool-kits and printable materials accessible on the City of Adelaide's website for residents and building personnel.	3.2.1 Facilitate regular assessments and audits of multi-unit dwellings to ensure measurable and verifiable improvements to waste management. Report progress to residents, building management and other associated stakeholders.	4.2.1 Facilitate and provide guidance in the form of a resource on waste management best practises for stakeholders involved in new developments, and development applications so that waste management is prioritised early on in development, during build, and during	5.2.1 Advocate for policies and guidelines that prioritise waste diversion and associated user behaviour in building design, occupancy and building management.
	1.2.2 Increase accessibility to mufes (small recycling bins) kitchen caddys, certified compostable liner bags, education and other tools specific to multi-unit dwellings.	2.2.2 Support residents with at-home waste management through education information sessions for residents and building personnel.	3.2.2 Investigate ongoing data collection methods (for example, radio-frequency identification (RFID) tags on bulk bins) to improve service outcomes, communicate feedback and resident behaviours.	4.2.2 Provide assistance for existing developments to access information on waste management best practises to enhance or support existing or new waste management systems.	5.2.2 Develop new City of Adelaide policies and guidelines for waste management that align to this strategy for City of Adelaide serviced multi-unit dwellings.
Target Area 3: Businesses Expand support for businesses eligible for kerbside collection.	1.3 Investigate and provide green organics collection service and tools to businesses with a CoA kerbside collection service.	2.3 Develop and provide multi-lingual information targeting waste management best practises for business.	3.3 Partner with circular economy businesses located in the CoA to encourage waste reduction and resource sharing for businesses.	4.3 Establish protocols that stipulate robust resource management plans must be approved and contingent to a business opening.	5.3 Advocate for improvements in policy and legislation related to business and industry which support the Circular Economy.
	1.3.1 Explore and implement innovative solutions for green waste diversion for commercial enterprises (i.e. precinct based collection)	2.3.1 Consider and develop methods for incentivisation for reduction and diversion of waste.	3.3.1 Investigate and implement innovative technology and data collection methods to improve service outcomes, communicate feedback to businesses (i.e. RFID, precinct-based waste management, high performers recognition	4.3.1 Position Council as an ally that businesses can rely on for waste management best practices.	5.3.1 Work with and advocate for improvements to the waste system and infrastructure.
	1.3.2 Support businesses in to operate more sustainably, including transitioning from single use plastics to reusable containers or compostable serve-ware, and implementing a green organics service.	2.3.2 Offer regular information meetings for businesses to assist them in establishing or maintaining good waste management practises. Consider links to existing programs such as the Sustainable Incentives Scheme SIS). 2.3.3 Recognise high achievers in waste reduction and diversion.	3.3.2 Consider collaboration with organisations and other innovative programs (for example, Carbon Neutral Partners and City Switch programs) to drive unique and innovative solutions to resource recovery challenges.	4.3.2 Establish protocols to evaluate businesses on their resource recovery practises based on their resource recovery plans. 4.3.3 Work with businesses across the city to improve waste and waste bin amenity.	5.3.2 Advocate for improvements in legislation surrounding accountability in material use/design, lifecycle which support the Circular Economy. 5.3.3 Develop new policy and guidelines for waste management for kerbside collection for businesses that
Target Area 4: Public Spaces Establish public space like streets and Park Lands as conduits for resource recovery.	1.4 Investigate the collection of organic materials in public spaces.	2.4 Create a consumer-centric public space waste management system that is consistent to the 3-stream system.	3.4 Leverage opportunities in public spaces to drive resource recovery through lifecycle thinking and technological innovation.	4.4 Centralise waste management decisions in assets and infrastructure projects.	5.4 Drive the Circular Economy through collaboration.
	1.4.1 Investigate and facilitate collection of food waste and compostable products (green organics) and dog waste in the public space	2.4.1 Increase visibility and consistency of signage relating to waste/recycling/organics bins.	3.4.1 Investigate innovations in public places such as streets and the Park Lands and including City of Adelaide hire, lease, and rental spaces (i.e. pet waste, club, sporting organisation waste) through collaborations with industry and	4.4.1 Investigate building a consistent resource recovery system (residential, workplaces, public spaces etc) to support a consumer centric approach.	5.4.1 Facilitate collaboration with other councils to develop a consistent methodology for waste particularly in the public realm.
	1.4.2 Facilitate the distribution of Australian certified compostable dog waste bags in the public space.	2.4.2 Facilitate unique engagement and events to support public place waste education.	3.4.2 Execute regular data collection and auditing of innovation implementation to measure ongoing progress. Report progress publicly.	4.4.2 Prioritise projects and materials that utilise recycled content (for example, recycled roads)	5.4.2 Investigate place-based waste generation to assist with reduction at touch point (i.e. link between cafes and nearby public bins).
Target Area 5: City of Adelaide Operations Establish the City of Adelaide operations, businesses, facilities and events as visible leaders in exceptional waste management.	1.5 Mandate diversion of all food waste and compostable products in the City of Adelaide's own operations, building and tenants and provide support and services to achieve this.	2.5 Establish a resource recovery as part of workplace culture in City of Adelaide properties, rentals, leases, and facilities.	3.5 Establish data collection methods and ensure data is linked to key roles for sustained resource recovery.	4.5 Review resource recovery program annually and establish adequate funding and resources to support strategy goals.	5.5 Review internal City of Adelaide policies and guidelines to ensure alignment to this strategy and long-term vision.
	1.5.1 Facilitate and mandate diversion of all food waste in CoA own operations, building and tenants.	2.5.1 Create an education program (including onboarding, ongoing training, program execution and maintenance) to support employees and visitors to improve waste avoidance reduction, and diversion.	3.5.1 Investigate and implement innovative solutions for hard waste and illegal dumping	4.5.1 Develop protocols for City of Adelaide undertakings (internal operations, assets, infrastructure projects, capital projects, and procurement) to consider the effects of waste in all activities.	5.5.1 Consolidate similar services for efficiency and best value and ensure that contracts require data collection. Review contracts regularly for fit for purpose.
	1.5.2 Ban the use of single-use plastic serve-ware and replace with alternatives like reusable containers and compostable serve-ware.	2.5.2 Install visible and consistent bins and bin signage on public place and event bins and internally in CoA operations and community centres	3.5.2 Facilitate additional collection points hard-to-recycle products for staff and residents to access.	4.5.2 Execute regular data collection and auditing to measure ongoing progress. Report progress to internal staff.	5.5.2 Review City of Adelaide internal waste management guidelines, policies and by-laws.
	1.5.3 Measure, audit and assess food waste generation for food waste reduction opportunities.	2.5.3 Establish a waste management program and resource recovery plan for each City of Adelaide site and facility. (Modelling off of Workplace Safety Program.)		4.5.3 Review Action Plan annually and budget for sustainability and continuity	5.5.3 Develop protocols to ensure procurement avoids waste, is made with sustainably, can be reused, recycled or composted at end of life. Favour companies that have product stewardship or extended producer responsibility policies in place.

Key Actions - Over Time

The following table demonstrates the set of Key Actions that will be executed for each Target Area for the next 8 years.

Target Area 1: Residents & the Community <i>Support residents and the community using the residential kerbside collection to achieve zero-waste at home</i>		Quick Win	2020-2022	2023-2025	2026-2028
Priority Item 1: Eliminate Food Waste <i>Reduce food waste generation and increase diversion of food scraps going to landfill by 50%.</i>	1.1 Provide residents, community members and community event organisers with the tools and services to eliminate food from the waste stream.				
	1.1.1 Investigate and remove the barriers to adopting the green organics service.				
	1.1.2 Increase ease of accessibility to green organics bins, kitchen caddys, certified compostable liner bags, education and other tools that support reduction of food waste.				
	1.1.3 Develop, implement and fund projects and campaigns targeting the items that do not belong in the red waste bin (like food waste), to increase recovery of these materials.				
Priority Item 2: Engage, Educate, and Inspire <i>Drive robust waste management education to all residents, businesses and users of our city.</i>	2.1 Develop and provide multi-faceted, multi-lingual suite of educational resources for residents, community, community events organisers to reduce waste generation and increase resource recovery.				
	2.1.1 Develop a new information and education program for residents using the 3-bin kerbside system. Include collateral, signage and information sessions.				
	2.1.2 Investigate partnerships and collaborations with other councils, organisations industry, academia and varying levels of government to deliver unique programs, strengthen and unite waste reduction initiatives, and recognise high waste diversion achievers.				
	2.1.3 Offer regular outreach, education events and information sessions and recycling tours for residents and elected members.				
	2.1.4 Support and implement community programs targeting waste avoidance, reduction and reuse (i.e. repair cafes and lending libraries, ambassador programs).				
Priority Item 3: Foster innovation, new technologies, and data collection. <i>Collaborate with industry, academia and entrepreneurs to develop innovative solutions to reach the Overarching Goal.</i>	3.1 Establish data collection methods for resource recovery and cost signalling mechanisms linked to waste disposal.				
	3.1.1 Support and implement innovative technology and behaviour change to deliver improved municipal resource recovery systems and infrastructure (for example, investigate kerbside bin size options).				
	3.1.2 Investigate methods to install data collection methods (for example, radio-frequency identification (RFID) tags on all CoA kerbside bins) to provide ongoing feedback and improve service outcomes, communicate feedback to residents and target resource recovery behaviours.				
	3.1.3 Conduct regular comprehensive waste audits and report publicly on results. (Data should be collected in a way that is useful cross-program for example the Carbon Neutral Adelaide program).				
	3.1.4 Facilitate additional collection locations for hard-to-recycle items for residents to access (for example within City of Adelaide facilities and community centres).				

Priority Item 4: Ensure resource management is central and proactive <i>Support methods to establish resource recovery as central in business decision making, development applications, building plans, product design, manufacturing and waste systems design.</i>	4.1 Increase visibility of the associated cost and volume of residential waste, and the benefits of adopting circular economy.				
	4.1.1 Investigate decoupling waste fees from rates for clarity of cost				
	4.1.2 Establish incentives programs, or financial models to encourage reduction of waste generation. For example, financial incentives, alternative collection service frequencies, bin sizes, service cost models and other behaviour-change tactics that encourage waste reduction and source separation.				
	4.1.3 Target and clarify misinformation and provide clarity regarding resource recovery.				
	4.1.4 Provide resources for at-home waste management organisation.				
Priority Item 5: Advocate and align policies, guidelines and practices to the Circular Economy <i>Work internally and externally with varying levels of Government to drive long term fundamental change in consumption and waste management.</i>	5.1 Drive initiatives and advocacy in our local communities that position the City of Adelaide as a leader in resource recovery.				
	5.1.1 Advocate for the development and improvement of policies, and guidelines that support the consumer enact the circular economy, product stewardship, and waste avoidance/reduction/diversion.				
	5.1.2 Advocate for changes to legislation that prioritises material recovery services over waste services.				
	5.1.3 Develop new City of Adelaide policy and guidelines for kerbside collection that align to this strategy.				
Target Area 2: Residents in Multi-Unit Dwellings <i>Tailor supportive services to residential multi-unit dwellings (including apartments, low-rises, high rises) in development and occupancy phases.</i>					
Priority Item 1: Eliminate Food Waste <i>Reduce food waste generation and increase diversion of food scraps going to landfill by 50%.</i>	1.2 Provide multi-unit dwelling building owners, managers and residents with tailored waste management solutions for their premise which targets elimination of food from the waste stream.				
	1.2.1 Identify the challenges associated with food waste diversion in multi-unit-dwellings, and tailor programs to address these challenges.				
	1.2.2 Increase accessibility to murfes (small recycling bins) kitchen caddys, certified compostable liner bags, education and other tools specific to multi-unit dwellings.				
	1.2.3 Develop and implement projects and campaigns targeting the items that do not belong in the shared bulk red waste bin (like food waste) to increase recovery of these materials.				
Priority Item 2: Engage, Educate, and Inspire <i>Drive robust waste management education to all residents, businesses and users of our city.</i>	2.2 Develop and provide multi-lingual waste management education resources for City of Adelaide serviced multi-unit dwelling residents and building personnel.				
	2.2.1 Develop and deliver multi-lingual education tool-kits and printable materials accessible on the City of Adelaide's website for residents and building personnel.				
	2.2.2 Support residents with at-home waste management through education information sessions for residents and building personnel.				
	2.2.3 Develop an ambassadors program, build relationships and recognise high achievers in waste reduction and diversion.				

Foster innovation, new technologies, and data collection <i>Collaborate with industry, academia and entrepreneurs to develop innovative solutions and data collection methods to reach the Vision.</i>	3.2 Establish behaviour feedback mechanisms through data collection methods specific to multi-unit dwellings.				
	3.2.1 Facilitate regular assessments and audits of multi-unit dwellings to ensure measurable and verifiable improvements to waste management. Report progress to residents, building management and other associated stakeholders.				
	3.2.2 Investigate ongoing data collection methods (for example, radio-frequency identification (RFID) tags on bulk bins) to improve service outcomes, communicate feedback and resident behaviours.				
	3.2.3 Investigate pilot programs specific to multi-unit dwellings to divert additional materials from landfill which compliment or accentuate existing systems				
Priority Item 4: Ensure resource management is central and proactive <i>Support methods to establish resource recovery as central in business decision making, development applications, building plans, product design, manufacturing and waste systems design.</i>	4.2 Centralise best practise waste management decisions at development phase, during build and in occupancy phases.				
	4.2.1 Facilitate and provide guidance in the form of a resource on waste management best practises for stakeholders involved in new developments, and development applications so that waste management is prioritised early on in development, during build, and during occupation.				
	4.2.2 Provide assistance for existing developments to access information on waste management best practises to enhance or support existing or new waste management systems.				
	4.2.3 Transition multi-unit buildings to a shared 3-bin system, where appropriate.				
Priority Item 5: Advocate and align policies, guidelines and practices to the Circular Economy <i>Work internally and externally with varying levels of Government to drive long term fundamental change in consumption and waste management.</i>	5.2 Drive initiatives and advocacy for improvements to waste management for multi-unit dwellings to enable the city as a vehicle resource recovery.				
	5.2.1 Advocate for policies and guidelines that prioritise waste diversion and associated user behaviour in building design, occupancy and building management.				
	5.2.2 Develop new City of Adelaide policies and guidelines for waste management that align to this strategy for City of Adelaide serviced multi-unit dwellings.				
Target Area 3: Businesses <i>Expand support for businesses eligible for kerbside collection.</i>					
Priority Item 1: Eliminate Food Waste <i>Reduce food waste generation and increase diversion of food scraps going to landfill by 50%.</i>	1.3 Investigate and provide green organics collection service and tools to businesses with a CoA kerbside collection service.				
	1.3.1 Explore and implement innovative solutions for green waste diversion for commercial enterprises (i.e. precinct based collection)				
	1.3.2 Support businesses in to operate more sustainably, including transitioning from single use plastics to reusable containers or compostable serve-ware, and implementing a green organics service.				
Priority Item 2: Engage, Educate, and Inspire <i>Drive robust waste management education to all residents, businesses and users of our city.</i>	2.3 Develop and provide multi-lingual information targeting waste management best practises for business.				
	2.3.1 Consider and develop methods for incentivisation for reduction and diversion of waste.				
	2.3.2 Offer regular information meetings for businesses to assist them in establishing or maintaining good waste management practises. Consider links to existing programs such as the Sustainable Incentives Scheme (SIS).				
	2.3.3 Recognise high achievers in waste reduction and diversion.				

Foster innovation, new technologies, and data collection <i>Collaborate with industry, academia and entrepreneurs to develop innovative solutions and data collection methods to reach the Vision.</i>	3.3 Partner with circular economy businesses located in the CoA to encourage waste reduction and resource sharing for businesses.				
	3.3.1 Investigate and implement innovative technology and data collection methods to improve service outcomes, communicate feedback to businesses (i.e. RFID, precinct-based waste management, high performers recognition programs).				
	3.3.2 Consider collaboration with organisations and other innovative programs (for example, Carbon Neutral Partners and City Switch programs) to drive unique and innovative solutions to resource recovery challenges.				
Priority Item 4: Ensure resource management is central and proactive <i>Support methods to establish resource recovery as central in business decision making, development applications, building plans, product design, manufacturing and waste systems design.</i>	4.3 Establish protocols that stipulate robust resource management plans must be approved and contingent to a business opening.				
	4.3.1 Position Council as an ally that businesses can rely on for waste management best practices.				
	4.3.2 Establish protocols to evaluate businesses on their resource recovery practises based on their resource recovery plans.				
	4.3.3 Work with businesses across the city to improve waste and waste bin amenity.				
Priority Item 5: Advocate and align policies, guidelines and practices to the Circular Economy <i>Work internally and externally with varying levels of Government to drive long term fundamental change in consumption and waste management.</i>	5.3 Advocate for improvements in policy and legislation related to business and industry which support the Circular Economy.				
	5.3.1 Work with and advocate for improvements to the waste system and infrastructure.				
	5.3.2 Advocate for improvements in legislation surrounding accountability in material use/design, lifecycle which support the Circular Economy.				
	5.3.3 Develop new policy and guidelines for waste management for kerbside collection for businesses that align to this strategy.				
Target Area 4: Public Spaces <i>Establish public space like streets and Park Lands as conduits for resource recovery.</i>					
Priority Item 1: Eliminate Food Waste <i>Reduce food waste generation and increase diversion of food scraps going to landfill by 50%.</i>	1.4 Investigate the collection of organic materials in public spaces.				
	1.4.1 Investigate and facilitate collection of food waste and compostable products (green organics) and dog waste in the public space				
	1.4.2 Facilitate the distribution of Australian certified compostable dog waste bags in the public space.				
Priority Item 2: Engage, Educate, and Inspire <i>Drive robust waste management education to all residents, businesses and users of our city.</i>	2.4 Create a consumer-centric public space waste management system that is consistent to the 3-stream system.				
	2.4.1 Increase visibility and consistency of signage relating to waste/recycling/organics bins.				
	2.4.2 Facilitate unique engagement and events to support public place waste education.				

Foster innovation, new technologies, and data collection <i>Collaborate with industry, academia and entrepreneurs to develop innovative solutions and data collection methods to reach the Vision.</i>	3.4 Leverage opportunities in public spaces to drive resource recovery through lifecycle thinking and technological innovation.				
	3.4.1 Investigate innovations in public places such as streets and the Park Lands and including City of Adelaide hire, lease, and rental spaces (i.e. pet waste, club, sporting organisation waste) through collaborations with industry and academia.				
	3.4.2 Execute regular data collection and auditing of innovation implementation to measure ongoing progress. Report progress publicly.				
Priority Item 4: Ensure resource management is central and proactive <i>Support methods to establish resource recovery as central in business decision making, development applications, building plans, product design, manufacturing and waste systems design.</i>	4.4 Centralise waste management decisions in assets and infrastructure projects.				
	4.4.1 Investigate building a consistent resource recovery system (residential, workplaces, public spaces etc) to support a consumer centric approach.				
	4.4.2 Prioritise projects and materials that utilise recycled content (for example, recycled roads)				
Priority Item 5: Advocate and align policies, guidelines and practices to the Circular Economy <i>Work internally and externally with varying levels of Government to drive long term fundamental change in consumption and waste management.</i>	5.4 Drive the Circular Economy through collaboration.				
	5.4.1 Facilitate collaboration with other councils to develop a consistent methodology for waste particularly in the public realm.				
	5.4.2 Investigate place-based waste generation to assist with reduction at touch point (i.e. link between cafés and nearby public bins).				
Target Area 5: City of Adelaide Own Operations <i>Establish the City of Adelaide's own operations, businesses and facilities as a visible leader in exceptional waste management</i>					
Priority Item 1: Eliminate Food Waste <i>Reduce food waste generation and increase diversion of food scraps going to landfill by 50%.</i>	1.5 Mandate diversion of all food waste and compostable products in the City of Adelaide's own operations, building and tenants and provide support and services to achieve this.				
	1.5.1 Facilitate and mandate diversion of all food waste in CoA own operations, building and tenants.				
	1.5.2 Ban the use of single-use plastic serve-ware and replace with alternatives like reusable containers and compostable serve-ware.				
	1.5.3 Measure, audit and assess food waste generation for food waste reduction opportunities.				
Priority Item 2: Engage, Educate, and Inspire <i>Drive robust waste management education to all residents, businesses and users of our city.</i>	2.5 Establish a resource recovery as part of workplace culture in City of Adelaide properties, rentals, leases, and facilities.				
	2.5.1 Create an education program (including onboarding, ongoing training, program execution and maintenance) to support employees and visitors to improve waste avoidance reduction, and diversion.				
	2.5.2 Install visible and consistent bins and bin signage on public place and event bins and internally in CoA operations and community centres				
	2.5.3 Establish a waste management program and resource recovery plan for each City of Adelaide site and facility. (Modelling off of Workplace Safety Program.)				

Foster innovation, new technologies, and data collection <i>Collaborate with industry, academia and entrepreneurs to develop innovative solutions and data collection methods to reach the Vision.</i>	3.5 Establish data collection methods and ensure data is linked to key roles for sustained resource recovery.				
	3.5.1 Investigate and implement innovative solutions for hard waste and illegal dumping				
	3.5.2 Facilitate additional collection points hard-to-recycle products for staff and residents to access.				
Priority Item 4: Ensure resource management is central and proactive <i>Support methods to establish resource recovery as central in business decision making, development applications, building plans, product design, manufacturing and waste systems design.</i>	4.5 Review resource recovery program annually and establish adequate funding and resources to support strategy goals.				
	4.5.1 Develop protocols for City of Adelaide undertakings (internal operations, assets, infrastructure projects, capital projects, and procurement) to consider the effects of waste in all activities.				
	4.5.2 Execute regular data collection and auditing to measure ongoing progress. Report progress to internal staff.				
	4.5.3 Review Action Plan annually and budget for sustainability and continuity				
Priority Item 5: Advocate and align policies, guidelines and practices to the Circular Economy <i>Work internally and externally with varying levels of Government to drive long term fundamental change in consumption and waste management.</i>	5.5 Review internal City of Adelaide policies and guidelines to ensure alignment to this strategy and long-term vision.				
	5.5.1 Consolidate similar services for efficiency and best value and ensure that contracts require data collection. Review contracts regularly for fit for purpose.				
	5.5.2 Review City of Adelaide internal waste management guidelines, policies and by-laws.				
	5.5.3 Develop protocols to ensure procurement avoids waste, is made with sustainably, can be reused, recycled or composted at end of life. Favour companies that have product stewardship or extended producer responsibility policies in place.				

Glossary

bulk bin / shared bulk bin: a larger bin usually on four wheels, that collects waste, recycling or organics, depending on the lid colour. These bins are often used for multi-unit dwellings, large office buildings or commercial complexes that share the collection service.

circular economy: a methodology to use resources in a cyclical manner, effectively remove the concept of 'waste'.

comingle recycling: a collection of recyclable materials like glass, tin cans and paper that are taken to a material recovery facility for sorting and recycling.

food organics: food scraps and waste collected for composting.

green organics bin: a bin used to collect food waste and garden organic materials to be processed into composting. (FOGO: *Food Organics, Garden Organics* is also a frequently used term to describe food and garden organics waste for a green organics kerbside system).

hard-to-recycle products that are recyclable, however should not be placed in the kerbside comingle recycling stream. These products are made of several materials and need to be dismantled (usually by a professional) before recycling can occur.

Key Actions: are a set of tasks and projects specific to the 5 Target Areas

Priority Items: initiatives that are critical to the achievement of the Resource Recovery Vision. They are woven into every program created in support of this Strategy.

recycling: the process of converting 'waste' materials like plastic containers, metals and paper into reusable materials.

red waste bin: a bin used to collect residual waste, garbage or putrescible waste. Often used as the 'catch-all' bin, where many materials can be recycled or composted.

Resource Recovery Vision: The City of Adelaide's long-term aim.

Target Areas: are the major sectors or stakeholders within the city which programs and projects will be directed toward.

waste avoidance: avoiding consumption that results in the production of waste.

waste diversion: recovering materials that can be recycled so that they do not end up in landfill.

waste generation: the process of making waste.

waste management / resource recovery system: the actions needed to manage waste from generation to disposal / A waste management system that prioritises recycling and reuse of materials, rather than sending to landfill.

yellow comingle bin: a bin used to collect comingle recycling (see Comingle Recycling definition). 'Mufes' which are smaller yellow recycling bins are sometimes provided to help at-source separation.

2020 LGA Annual General Meeting

ITEM 4.12 04/08/2020
The Committee

Strategic Alignment - Enabling Priorities

2018/04054
Public

Program Contact:

Susan Rudall, Office of the Chief Executive Officer

Approving Officer:

Mark Goldstone, Chief Executive Officer

EXECUTIVE SUMMARY

The Local Government Association of South Australia (LGA) has advised that the LGA Annual General Meeting (AGM) will be held on Thursday 29 October 2020 at the Adelaide Town Hall (subject to restrictions on gatherings).

The LGA has invited South Australian Councils to submit Proposed Items of Business of strategic importance for the AGM by 17 August 2020.

Council Members have been engaged via e-News articles and invited to submit possible Items of Business for Council consideration, resulting in the Item at Recommendation 4.

Council Members have also been informed of the opportunity to attend the AGM, and to nominate as Council's voting delegate or deputy delegate.

.....

The following recommendation will be presented to Council on 11 August 2020 for consideration

That Council:

1. Notes that the Local Government Association of South Australia (LGA) Annual General Meeting is scheduled for Thursday 29 October 2020 at the Adelaide Town Hall (subject to restrictions on gatherings).
2. Appoints a Council Delegate for the 2020 LGA Annual General Meeting on 29 October 2020.
3. Appoints a Deputy Council Delegate for the 2020 LGA Annual General Meeting on 29 October 2020.
4. Endorses submission of the following proposed Item of Business for Greater Adelaide Regional Organisation of Councils (GAROC) to consider its inclusion on the LGA Annual General Meeting agenda:
 - 4.1. *That the Annual General Meeting requests that the LGA work with interested councils to:*
 - 4.1.1. *develop a framework and approach fostering greater cross council collaboration and co-funding of social and other facilities and infrastructure which support communities across multiple council areas*
 - 4.1.2. *provide materials and resources to support councils seeking partnership and co-funding arrangements with State and Federal Governments as well as private and non-government sector organisations to support such facilities and infrastructure*
 - 4.1.3. *trial this approach in relation to the potential redevelopment of a central Aquatic Centre for Greater Adelaide*
 - 4.1.4. *advocate to State and Federal Governments to partner with the City of Adelaide and any other interested councils to co-fund redevelopment of a central Aquatic Centre.*
5. Notes that the following Item of Business approved by Council on 29 January 2020 has been approved by GAROC for inclusion on the LGA Annual General Meeting agenda:
 - 5.1. *That the Annual General Meeting requests that the LGA:*

- 5.1.1. *consults with member councils to determine what resources and programs currently exist to support employees and/or members of their communities impacted by Family and Domestic Violence, and identify any further resources which should be developed;*
 - 5.1.2. *liaises with State and Federal Governments to explore partnership opportunities to support the local government sector in providing consistent, best practice support and education to employees on matters relating to Family and Domestic Violence; and*
 - 5.1.3. *based on the outcomes of those investigations, develops a training and education package:*
 - 5.1.3.1. *that can be implemented by leaders in the sector, to assist them in identifying when an employee may be in a Family and Domestic Violence situation and how they can assist in connecting them to supporting mechanisms;*
 - 5.1.3.2. *that could be provided to employees (possibly delivered by leaders) on Family and Domestic Violence.*
-

IMPLICATIONS AND FINANCIALS

City of Adelaide 2020-2024 Strategic Plan	Strategic Alignment – Enabling Priorities This report supports Council’s 2020-2024 Strategic Plan Enabling Priorities to demonstrate bold governance leadership in the Local Government Sector and to build on effective advocacy and partnerships, locally, nationally and globally.
Policy	Not as a result of this report
Consultation	Council Members have been informed via E-News of the opportunity to attend the Meeting, or to nominate as a voting delegate or deputy. Council Members were also invited to propose Items of Business for Council to move at the LGA Annual General Meeting.
Resource	Administrative support will be provided to Council Member/s attending the meeting.
Risk / Legal / Legislative	Not as a result of this report
Opportunities	The LGA Annual General Meeting provides an opportunity for Council to participate in decision making on LGA policy and local government matters. In addition, submission of items of business for consideration at the meeting provides Council with the opportunity to shape the future of Local Government in South Australia.
20/21 Budget Allocation	Not as a result of this report
Proposed 21/22 Budget Allocation	Not as a result of this report
Life of Project, Service, Initiative or (Expectancy of) Asset	Not as a result of this report
20/21 Budget Reconsideration (if applicable)	Not as a result of this report
Ongoing Costs (eg maintenance cost)	Not as a result of this report
Other Funding Sources	Not as a result of this report

DISCUSSION

1. The 2020 Local Government Association of South Australia (LGA) Annual General Meeting (AGM) is to be held on Thursday 29 October 2020 at the Adelaide Town Hall (subject to restrictions on gatherings).

Appointment of a Voting Delegate and Deputy Delegate

2. The Deputy Lord Mayor and Councillor Dr Donovan were appointed by Council at its 29 January meeting as Council's LGA voting and deputy voting delegate for the April 2020 LGA Ordinary General Meeting (OGM). The OGM was however cancelled due to COVID-19 restrictions on gatherings. Council may therefore choose to confirm the appointment of the Deputy Lord Mayor and Cr Donovan as voting delegates for the LGA AGM. Alternatively, Council may choose to appoint a new Council Delegate to vote on Council's behalf at the AGM, and/or Deputy Council Delegate (in case the delegate is unable to attend).
3. Notification of any change to the current delegates is to be provided on the *LGA General Meetings – Appointment of Council Delegate* form to the LGA in advance of the meeting.

Notices of Motion

4. The LGA has invited Councils to submit proposed Items of Business for inclusion in the AGM agenda.
5. Items of business are required to be submitted to the LGA by 17 August 2020. Proposed items will be referred to either the Greater Adelaide Regional Organisation of Councils (GAROC) or the LGA Board of Directors to consider their inclusion as items of strategic importance on the LGA OGM agenda.
Item submitted by a Member of Council
6. Council Members were engaged and invited via E-News articles to submit proposed Items of Business for Council's consideration, and offered support from the Office of the Chief Executive Officer in drafting any items.
7. At the request of a Member of a Council, the following item (Link 1 view [here](#)) has been prepared for Council to consider submitting it to GAROC for inclusion in the agenda of the LGA AGM:
 - 7.1. *That the Annual General Meeting requests that the LGA work with interested councils to:*
 - 7.1.1. *develop a framework and approach fostering greater cross council collaboration and co-funding of social and other facilities and infrastructure which support communities across multiple council areas*
 - 7.1.2. *provide materials and resources to support councils seeking partnership and co-funding arrangements with State and Federal Governments as well as private and non-government sector organisations to support such facilities and infrastructure*
 - 7.1.3. *trial this approach in relation to the potential redevelopment of a central Aquatic Centre for Greater Adelaide*
 - 7.1.4. *advocate to State and Federal Governments to partner with the City of Adelaide and any other interested councils to co-fund redevelopment of a central Aquatic Centre*
8. Increasingly Councils need to explore innovative measures to fund social infrastructure and facilities, including partnerships and co-funding arrangements between multiple councils as well as with other tiers of government, and private, community and non-government sector organisations.
9. Under this proposal, the City of Adelaide would therefore seek the support of other Councils and the LGA to foster means for the sector to encourage greater collaboration and fair and equitable commitment of resources towards shared social infrastructure and facilities. This could include assistance for interested Councils in establishing governance and other arrangements to work together on such projects.
10. The LGA would work with councils to determine what support would best facilitate and encourage collaboration and co-funding of regional facilities and infrastructure which support communities across multiple council areas. It would also develop resources to assist councils in seeking funding from other potential partners including State and Federal Governments, to support such infrastructure. A trial of the new framework and approach is proposed in relation to the potential redevelopment of a central Aquatic Centre for Greater Adelaide.
11. The proposed item supports Council's 2020-2024 Strategic Plan Enabling Priorities to demonstrate bold governance leadership in the Local Government Sector and to build on effective advocacy and partnerships, locally, nationally and globally.

Item already approved by Council – for noting

12. The following Item of Business was approved by Council on 29 January 2020 in preparation for the April 2020 LGA OGM, which was cancelled. It was subsequently considered by GAROC which had recommended its inclusion on the agenda of October's LGA AGM:
- 12.1. *That the Annual General Meeting requests that the LGA:*
- 12.1.1. *consults with member councils to determine what resources and programs currently exist to support employees and/or members of their communities impacted by Family and Domestic Violence, and identify any further resources which should be developed;*
 - 12.1.2. *liaises with State and Federal Governments to explore partnership opportunities to support the local government sector in providing consistent, best practice support and education to employees on matters relating to Family and Domestic Violence; and*
 - 12.1.3. *based on the outcomes of those investigations, develops a training and education package:*
 - 12.1.3.1. *that can be implemented by leaders in the sector, to assist them in identifying when an employee may be in a Family and Domestic Violence situation and how they can assist in connecting them to supporting mechanisms;*
 - 12.1.3.2. *that could be provided to employees (possibly delivered by leaders) on Family and Domestic Violence.*
13. The proposed item is consistent with the City of Adelaide 2020-2024 Strategic Plan's Thriving Communities outcome, supporting a healthy and resilient community as well as the Strategic Priority to support the wellbeing of our communities.
14. It is also cognisant of work to date by the LGA and some member Councils to develop and deliver resources and programs to support those in the community experiencing Family and Domestic Violence. It seeks to achieve additional benefit by developing training and education to support our employees in the sector who may be experiencing such violence.

DATA AND SUPPORTING INFORMATION

Link 1 – Item of Business, Proposed by a Council Member

ATTACHMENTS

Nil

- END OF REPORT -

Adelaide Oval Core Area boundary

ITEM 4.13 04/08/2020
The Committee

Strategic Alignment - Enabling Priorities

Program Contact:
Tom McCready, AD Property &
Commercial 8203 7313

2020/00175
Public

Approving Officer:
Ian Hill, Director Growth

EXECUTIVE SUMMARY

The *Adelaide Oval Redevelopment and Management Act 2011 (SA)* (the Act) was introduced to govern the redevelopment and ongoing management of Adelaide Oval.

The Act defines an 'Adelaide Oval Core Area' and an 'Adelaide Oval Licence Area'. Section 16(1) of the Act states that the Minister may, by instrument deposited in the General Registry Office (GRO), identify or delineate any land in connection with the operation of the Act.

The instruments also create a Right of Way over a small portion of the Park Lands for access to Adelaide Oval.

The recommendation of this report is for Council to consent, as custodian of the Park Lands, to the depositing of those instruments.

The Committee Chair will provide opportunity for this topic to be discussed. The discussion will be facilitated by the CEO or Director Growth.

The following recommendation will be presented to Council on 11 August for consideration

That Council:

1. Approves, as custodian of the Park Lands, the Minister for Transport, Infrastructure and Local Government lodging an 'Application for Deposit of a Plan of Division and issue of new Certificates of Title' at the General Registry Office that will:
 - 1.1 Identify and delineate (by survey) the land in connection with the *Adelaide Oval Redevelopment and Management Act 2011 (SA)* - including the Adelaide Oval 'Core Area' – pursuant to section 16(1) of the *Adelaide Oval Redevelopment and Management Act 2011 (SA)*, resulting in the issue of new Crown Records (with the Council remaining as custodian).
 - 1.1 Grant a Right of Way over Piece 1001* in Deposited Plan 89498 (which is Park Lands maintained as Park Land by the City of Adelaide) in favour of Allotment 1000 in Deposited Plan 89498 (which is Park Lands under council's care, control and management being leased to the Minister (and subleased to the Stadium Management Authority)).
2. Authorises the Lord Mayor and Chief Executive Officer to execute and affix the Common Seal of the Council to an 'Application for Deposit of a Plan of Division and issue of new Certificates of Title' substantially in accordance with that shown in Attachment A to Item # on the Agenda for the meeting of Council held on 11 August 2020.

IMPLICATIONS AND FINANCIALS

City of Adelaide 2020-2024 Strategic Plan	Strategic Alignment – Enabling Priorities Adopting the recommendation of this report will enable opportunities through support of the Adelaide Oval redevelopment.
Policy	None in relation to this report
Consultation	None in relation to this report
Resource	None in relation to this report
Risk / Legal / Legislative	The recommendation of this report is to consent (as custodian of the Park Lands) to the delineation of land boundaries by the relevant State Government Minister pursuant to the <i>Adelaide Oval Redevelopment and Management Act 2011 (SA)</i> .
Opportunities	Adopting the recommendation of this report will not, in itself, create opportunities. However, it will <u>enable</u> opportunities through support of the Adelaide Oval redevelopment.
20/21 Budget Allocation	None in relation to this report
Proposed 21/22 Budget Allocation	None in relation to this report
Life of Project, Service, Initiative or (Expectancy of) Asset	Not applicable in relation to this report
20/21 Budget Reconsideration (if applicable)	None in relation to this report
Ongoing Costs (eg maintenance cost)	None in relation to this report
Other Funding Sources	None in relation to this report

DISCUSSION

1. Tarntanya Wama (Park 26) is Park Land under Council's care, control and management.
2. Park 26 is contained within Crown Record 6102/703 (Link 1 view [here](#)), which comprises Allotments 100 and 129. Allotment 100 is coloured yellow on Sheet 4 of Deposited Plan 81642 (D81642) (Link 2 view [here](#)) and Allotment 129 is coloured orange. Allotment 129 defines the extent of Adelaide Oval. Victor Richardson Road is a public road.
3. Adelaide Oval was redeveloped between 2012-2013 and the *Adelaide Oval Redevelopment and Management Act 2011 (SA)* (the Act) was introduced to govern its redevelopment and ongoing management (as the title suggests). The following Sections of the Act are of particular relevance:
 - 3.1. Section 3 - defines an 'Adelaide Oval Core Area' (coloured orange on Schedule 1 (Link 3 view [here](#)) from the Act) and an 'Adelaide Oval Licence Area'.
 - 3.2. Section 14 - closes Victor Richardson Road as a public road and reverts it to Park Lands under council's care, control and management and includes it as part of the 'Adelaide Oval Core Area'.
 - 3.3. Section 4(1) - compels council to grant a lease over the 'Adelaide Oval Core Area' to the Minister.
 - 3.4. Section 5(1) - authorises the Minister to sublease the 'Adelaide Oval Core Area' to the Stadium Management Authority.
4. As advised above, Section 3 of the Act defines the 'Adelaide Oval Core Area' and Schedule 1 (Link 3 view [here](#)) from the Act shows the 'Adelaide Oval Core Area' in a plan format. However, this is only a schematic (non-survey data) depiction of the Area and these land tenure arrangements are now being formalised through the Registrar-General, who will issue new Crown Records for the land.
5. Section 16(1) of the Act states that "*The Minister may, by instrument deposited in the GRO, identify or delineate any land in connection with the operation of this Act.*"
6. The Attorney-General's Department (for the Minister) has now written to Council advising that they want to exercise the powers granted to the Minister pursuant to Section 16(1) of the Act by depositing a plan of division (Deposited Plan 89498 (D89498) (Link 4 view [here](#)) and 'Application for deposit of a plan of division and issue of new certificates of title' (shown as **Attachment A**) in the General Registry Office, that will define the 'Adelaide Oval Core Area' and roads surrounding Park 26 accurately by survey (War Memorial Drive has never been defined by survey).
7. The 'Application for deposit of a plan of division and issue of new certificates of title' requires the Common Seal of the Corporation of the City of Adelaide. It will formalise the land tenure as provided in the Act. The updated Crown Records will continue to be Park Lands under the Council's custodial care (as required by the Act).
8. The Attorney-General's Department also wishes to create 'Easement J' (coloured blue on Sheet 6 (Link 5 view [here](#)) of D89498), which is a Right of Way over the land identified as Piece 1001 on D89498 (Park Lands) in favour of Allotment 1000 ('Adelaide Oval Core Area').
9. The Right of Way is for a 'slip lane' that leads to parking beneath Adelaide Oval. It is understood this was constructed to accommodate pedestrian safety. The land comprising Easement J is shown in this image (Link 6 view [here](#)) and in this image (Link 7 view [here](#)).
10. The powers of the Minister under the Act do not include the power to create Easement J. The granting of this easement is at Council's discretion. Notwithstanding this, the 'slip lane' has a negligible impact on Piece 1001, so granting it is recommended.
11. Once D89498 has been deposited, the Registrar-General will issue Crown Records for: -
 - 11.1. Allotment 1000 (coloured orange on Sheet 3 (Link 8 view [here](#)) of D89498); and
 - 11.2. An Allotment comprising Pieces 1001 and 1002 (coloured yellow on Sheet 3 (Link 8 view [here](#)) of D89498).
12. Both Allotments will remain Park Lands showing the 'Crown' as the owner and the Corporation of the City of Adelaide as the custodian.
13. The Registrar-General will also issue a Certificate of Title for the land shown as Allotment 1003 (coloured green on Sheet 3 (Link 9 view [here](#)) of D89498), which will identify the land as public road (War Memorial Drive) in the ownership of the Corporation of the City of Adelaide.
14. The boundaries of Allotment 1000 (Adelaide Oval Core Area) have been overlaid onto aerial photography in this Map (Link 10 view [here](#)).

15. Existing easements A, B, C, D, E, F, G and H in favour of Distribution Lessor Corporation are coloured orange on Sheet 3 (Link 11 view [here](#)) of D89498.
16. The Adelaide Oval redevelopment required Distribution Lessor Corporation's infrastructure to be relocated. Once DP 89498 has been deposited in the General Registry Office and accepted by the Registrar-General, Distribution Lessor Corporation intends to apply to Crown Lands to extinguish the existing easements and request the granting of new easements for its new (relocated) electrical infrastructure. This cannot be done as part of this application.

DATA & SUPPORTING INFORMATION

Link 1 - CR 6102 703

Link 2 - DP 81642

Link 3 - Schedule 1

Link 4 - DP 89498 (all Sheets)

Link 5 - Easement J

Link 6 - Easement J – plan view

Link 7 - Easement J – Google 'Streetview' view

Link 8 - Sheet 3 of D89498

Link 9 - War Memorial Drive

Link 10 - Adelaide Oval Core Area

Link 11 - SAPN easements

ATTACHMENTS

Attachment A – Application for Deposit of a Plan of Division and issue of new Certificates of Title

- END OF REPORT -

LANDS TITLES REGISTRATION
OFFICE
SOUTH AUSTRALIA

**APPLICATION FOR DEPOSIT OF A
PLAN OF DIVISION AND ISSUE OF
NEW CERTIFICATES OF TITLE**

FORM APPROVED BY THE REGISTRAR-GENERAL

SERIES NO	PREFIX
	RTD

PRIORITY NOTICE ID	
--------------------	--

**BELOW THIS LINE FOR OFFICE
PURPOSES ONLY**

AGENT CODE

LODGED BY: CROWN SOLICITOR'S OFFICE CSOL 22

CORRECTION TO: CROWN SOLICITOR'S OFFICE CSOL 22

SUPPORTING DOCUMENTATION LODGED WITH APPLICATION
(COPIES ONLY)

- 1.....
- 2.....
- 3.....
- 4.....
- 5.....

PLEASE ISSUE NEW CERTIFICATES OF TITLE AS FOLLOWS

- 1.....
- 2.....
- 3.....
- 4.....
- 5.....

PICK UP NO.	
-------------	--

PLAN DEPOSITED

CORRECTION	PASSED
REGISTERED	
REGISTRAR-GENERAL	

CSO 111041 |cg

APPLICATION FOR DEPOSIT OF A PLAN OF DIVISION AND ISSUE OF NEW CERTIFICATES OF TITLE

PRIVACY COLLECTION STATEMENT: The information in this form is collected under statutory authority and is used for maintaining publicly searchable registers and indexes. It may also be used for authorised purposes in accordance with Government legislation and policy requirements.

D. 89498.....

LAND DESCRIPTION

The whole of the land comprised in Crown Record Volume 6102 Folio 703 and Public Road (portion of War Memorial Drive) in the Hundred of Yatala in the area named North Adelaide and Closed Road land formerly identified as Victor Richardson Road North Adelaide

APPLICANT(S) (Full name and address of all Registered Proprietors of land divided)

MINISTER FOR ENVIRONMENT AND WATER of Adelaide SA 5000

and

MINISTER FOR ENVIRONMENT AND WATER for and on behalf of the Custodian, The Corporation of the City of Adelaide of GPO Box 2252 Adelaide SA 5001

THE APPLICANT HEREBY APPLIES FOR:-

- (a) the deposit and registration of the plan of division to which this application relates; and
 (b) the issue of new Certificates of Title for each of the allotments delineated in the said plan in the following manner.

NOTES:

The accompanying plan of division numbered DP 89498 is for the purpose of division and redesignation of parcels pursuant to Section 17 of The Adelaide Oval Redevelopment and Management Act 2011.

Portion of land marked Closed Road is incorporated into the Adelaide Park Lands pursuant to Section 14 of The Adelaide Oval Redevelopment and Management Act 2011 under the care and control of The Corporation of the City of Adelaide SA 5001 and forms portion of Allotment 1000 in the accompanying plan of division.

Allotment 1003 (War Memorial Drive) is a Public Road pursuant to the Adelaide Park Lands Act 2005

Portion of Piece 1001 marked "J" is subject to a free and unrestricted right of way appurtenant to Allotment 1000 as set out on the accompanying plan

INSTRUCTIONS:

Pursuant to the Adelaide Park Lands Act 2005 and Adelaide Oval Redevelopment and Management Act 2011 please deposit the accompanying plan numbered D89498, note and issue the following:

1. Certificate of Title for Allotment 1003 War Memorial Drive on DP 89498 *subject to Easement over the land marked E on DP 81642 to Distribution Lessor Corporation (Subject to Lease 8890000) (RLG 8356486)*. Land is vested as an estate in fee simple as Public Road under the care control of The Corporation of the City of Adelaide of GPO Box 2252 Adelaide SA 5001.
2. Issue two new Crown Records for the following:

PARCEL	CUSTODIAN	PURPOSE CODE
Allotment 1000 in DP 89498 in the Hundred of Yatala in the area named North Adelaide Subject to Easement(s) over the land marked A,B,C,D,E,F,G & H on DP 81642 to Distribution Lessor Corporation (subject to L8890000) (RLG8356486) Together with a free and unrestricted right of way over land marked J appurtenant to Piece 1001 as set out on DP 89498	The Corporation of the City of Adelaide of GPO Box 2252 Adelaide SA 5001 <i>*Land set aside before December 24th 1858 for Parkland Purposes*</i>	
Allotment comprising Pieces 1001 and 1002 in DP 89498 in the Hundred of Yatala in the area named North Adelaide Subject to Easement over the land marked E on DP 81642 and Piece 1001 is subject to Easements G, A & B on DP 81642 to Distribution Lessor Corporation (subject to L8890000) (RLG 8356486) and Piece 1001 is subject to a free and unregistered right of way over land marked J appurtenant to Allotment 1000 as set out on DP 89498	The Corporation of the City of Adelaide of GPO Box 2252 Adelaide SA 5001 <i>*Land set aside before December 24th 1858 for Parkland Purposes*</i>	

DATED

EXECUTION BY APPLICANT(S)

IN EXERCISING HIS POWERS PURSUANT TO THE CROWN LANDS MANAGEMENT ACT 2009

THE COMMON SEAL of MINISTER)
FOR ENVIRONMENT AND WATER)
was affixed hereto by the authority of the)
Minister in the presence of)

.....
Signature of WITNESS

.....
Print Full Name of WITNESS

.....
Position Held:

.....
Address of Witness

.....
Business Hours Telephone No.

This plan does not contravene Section 49 of the
Development Act, 1993

.....
Catherine Garnett Registered Conveyancer

PRIVACY COLLECTION STATEMENT: The information in this form is collected under statutory authority and is used for maintaining publicly searchable registers and indexes. It may also be used for authorised purposes in accordance with Government legislation and policy requirements.

To be completed by lodging party	Office Use Only
ANNEXURE to RTD dated	NUMBER
over Crown Recod Volume:6102 Folio:703	

DEALING: Application for Deposit of a Plan of Division - D 89498 over land in Crown Record Volume 6102 Folio 703, Public Road (portion of War Memorial Drive) and Closed Road pursuant to Sec 14 of the Adelaide Oval Redevelopment & Management Act 2011

APPLICANT: Minister for Environment and Water and Minister for Environment and Water for and on behalf of the Custodian The Corporation of the City of Adelaide .

EXECUTION BY CONSENTING PARTY AND CUSTODIAN:

The **COMMON SEAL** of)
THE CORPORATION OF THE)
CITY OF ADELAIDE was hereunto)
affixed in the presence of:)

.....
Signature of LORD MAYOR

.....
Print Full Names (BLOCK LETTERS)

.....
Signature of Chief Executive Officer

.....
Print Full Names (BLOCK LETTERS)



PRIVACY COLLECTION STATEMENT: The information in this form is collected under statutory authority and is used for maintaining publicly searchable registers and indexes. It may also be used for authorised purposes in accordance with Government legislation and policy requirements.

To be completed by lodging party	Office Use Only
ANNEXURE to RTD dated	NUMBER
over Crown Record Volume 6102 Folio 703	

DEALING: Application for Deposit of a Plan of Division - D89498 over land in Crown Record Volume 612 Folio 703, Public Road (portion of War Memorial Drive) and Closed Road pursuant to Section 14 of the Adelaide Oval Redevelopment & Management Act 2011

APPLICANT: Minister for Environment and Water and Minister for Environment and Water for and on behalf of the Custodian The Corporation of the City of Adelaide

EXECUTION BY THE CONSENTING PARTY

IN EXERCISING HIS POWERS PURSUANT TO THE ADELAIDE OVAL REDEVELOPMENT & MANAGEMENT ACT 2011 AND THE ADELAIDE PARK LANDS ACT 2005

The **COMMON SEAL** of the)
MINISTER FOR TRANSPORT,)
INFRASTRUCTURE AND LOCAL)
GOVERNMENT)
was affixed hereto in the)
presence of:)

.....
Signature of WITNESS

.....
Print Full Name of Witness

.....
Position Held:

.....
Address of Witness

.....
Business Hours Telephone No.

Statutes Amendment (Local Government Review) Bill 2020 – draft response

ITEM 4.14 04/08/2020
The Committee

Strategic Alignment - Enabling Priorities

Program Contact:

Susan Rudall, Office of the Chief Executive Officer

2019/01903

Public

Approving Officer:

Mark Goldstone, Chief Executive Officer

EXECUTIVE SUMMARY

On 17 June 2020 the Statutes Amendment (Local Government Review) Bill 2020 (the Bill) (Link 1 view [here](#)) was introduced in the House of Assembly. Through the Bill, the State Government seeks to implement comprehensive reforms to the *Local Government Act 1999*, the *Local Government Elections Act 1999* and the *City of Adelaide Act 1998*.

The City of Adelaide has contributed to this local government reform process since it commenced in February 2019. Formal Council submissions were approved in April and October 2019 and Council has participated in various fora with the State Government, Local Government Association of South Australia (LGA) and the sector. Council Members have been engaged through Council briefings, workshops, meetings, E-news articles, and a Local Government Reform Page on the Elected Members' Portal.

On 18 June 2020, the Hon Stephan Knoll MP, then Minister for Transport, Infrastructure and Local Government, wrote to the Lord Mayor to advise of the Bill's introduction (Link 2 view [here](#)). The LGA has asked Councils to provide any further feedback Councils may have regarding the Bill.

Given the large number and breadth of amendments contained in the Bill, it is proposed that Council manages its feedback by exception. It is therefore recommended that Council:

- Notes **Attachment A** – which sets out detail of the provisions which are for the most part aligned with existing policies and practices of Council, and/or the reform proposals Council determined to support on 22 October 2019. This analysis informs Council's draft response and support for the majority of the Bill provisions, but the detail is not intended to be submitted to the State Government nor provided to the LGA.
- Authorises provision of **Attachment B** to the Minister, the Office of Local Government (OLG) and the LGA, in order to highlight any concerns and offer to work with the OLG on potential improvements to the Bill.

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The following recommendation will be presented to Council on 11 August 2020 for consideration

That Council:

1. Notes the report.
 2. Notes analysis of the Statutes Amendment (Local Government Review) Bill 2020 at Attachment A to Item X on the Agenda for the meeting of Council held on 11 August 2020, subject to any revisions determined by Council at the meeting of Council held on 11 August 2020.
 3. Authorises the Chief Executive Officer to provide to the Office of Local Government and the Local Government Association of South Australia Council's response to the Statutes Amendment (Local Government Review) Bill 2020 and highlight key reform proposals of interest or concern to the City of Adelaide, as set out in Attachment B to Item X on the Agenda for the meeting of Council held on 11 August 2020, subject to any revisions determined by Council at the meeting of Council held on 11 August 2020 and any amendments required for editorial purposes.
 4. Notes that the Lord Mayor will write on behalf of Council to the Hon Vickie Chapman MP, Deputy Premier and Attorney-General, in her capacity as Minister for Local Government, to provide Council's response and highlight key reform proposals of interest or concern to the City of Adelaide, as set out in Attachment B to Item X on the Agenda for the meeting of Council held on 11 August 2020, subject to any revisions determined by Council at the meeting of Council held on 11 August 2020 and any amendments required for editorial purposes.
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IMPLICATIONS AND FINANCIALS

City of Adelaide 2020-2024 Strategic Plan	<p>Strategic Alignment – Enabling Priorities</p> <p>This report supports the Enabling Priorities in the <i>City of Adelaide 2020-2024 Strategic Plan</i> to demonstrate bold governance leadership in the Local Government Sector and build on effective advocacy and partnerships, locally, nationally and globally.</p>
Policy	<p>If the State Government secures passage of the Statutes Amendment (Local Government Review) Bill 2020 (the Bill) through the Parliament in its current form, implementation will require development of a number of new / revised policies and procedures including:</p> <ul style="list-style-type: none"> • a Community Engagement Charter (to be developed by the Minister in consultation with the sector), and a Council policy on implementation of that Charter, and • a (voluntary) Council Behavioural Support Policy and (required) Behavioural Management Policy.
Consultation	<p>The State Government has undertaken consultation with the public and the local government sector regarding its proposed reforms to the sector during the last year and a half. Council Members have been engaged through Council workshops, meetings, E-news articles and updates to the Local Government Reform Page on the Elected Members' Portal.</p>
Resource	<p>Not as a result of this report. The response to the Bill should advocate to the State Government to help the sector to manage resource impacts to the sector of implementation, should its passage be secured.</p>
Risk / Legal / Legislative	<p>It is proposed to respond by exception, in regards to only those provisions which are of key interest or concern to Council, in order to help manage potential adverse impacts of some provisions for the City of Adelaide, the local government sector and the community.</p>
Opportunities	<p>Engaging with the Government and responding to the proposed reforms provides Council with an opportunity to positively influence the legislative development of proposed reforms to the benefit of the City of Adelaide, the sector and the community.</p>
20/21 Budget Allocation	<p>Not as a result of this report.</p> <p>If the State Government secures passage of the Bill through the Parliament in its current form, there will be a significant budget and resource impact, from as early as 2020-21. Implementation costs (transitional and ongoing) could include:</p> <ul style="list-style-type: none"> • funding sector wide payment (via the LGA) for the Remuneration Tribunal to determine remuneration ranges for Chief Executive Officers • funding sector wide payment (via the LGA) for a Local Government Behavioural Panel to be established (an estimated \$300,000 - \$350,000 per year) • funding on an <i>ad hoc</i> basis for any Auditor-General review or investigation that may be conducted into a particular aspect of Council's affairs • funding on a fee for service basis should a Council matter be brought before the Behavioural Standards Panel.
Proposed 21/22 Budget Allocation	<p>Not as a result of this report. If the Bill is enacted as drafted there will be a significant budget and resource impact.</p>
Life of Project, Service, Initiative or (Expectancy of) Asset	<p>The Government has communicated a desire to seek passage of the Bill during the 2020 calendar year. If achieved, implementation of any provisions enacted can be anticipated during 2020-21 and 2021-22.</p>
20/21 Budget Reconsideration (if applicable)	<p>Not as a result of this report. If the Bill is enacted as drafted there will be a significant budget and resource impact, from 2020-21.</p>

Ongoing Costs (eg maintenance cost)	Not as a result of this report. If the Bill is enacted as drafted there will be a significant budget and resource impact, from 2020-21.
Other Funding Sources	Not as a result of this report

DISCUSSION

1. On 18 June 2020 the Hon Stephan Knoll MP, then Minister for Transport, Infrastructure and Local Government, wrote to the Lord Mayor (Link 2 view [here](#)) to advise of the introduction in Parliament of the Statutes Amendment (Local Government Review) Bill 2020 (the Bill) (Link 1 view [here](#)).

The reform process and next steps

2. The City of Adelaide has been engaged with the State Government's local government review process since it commenced in February 2019.
3. Formal submissions were approved by Council in April and October 2019 and Council has engaged in various forums with the State Government, Local Government Association of South Australia (LGA) and the sector.
4. The Bill may be debated in the House of Assembly from September 2020, after Parliament resumes following the winter break in its sitting calendar. The Bill may be the subject of successful in-house amendments in either House, in which case it will need to be passed in the other Chamber as amended.
5. The LGA has requested submissions from councils on the Bill by Friday 9 August 2020, and been advised that the CoA response will be provided as soon as possible following Council's consideration of this report.
6. Subject to Council's endorsement, the Council response is proposed to be submitted to the Hon Vickie Chapman MP, Deputy Premier and Attorney-General, in her capacity as the Minister for Local Government, and the LGA in August 2020. It is recommended that this be achieved as follows:
 - 6.1. The Lord Mayor writing to and offering to meet with the Attorney-General to provide the Council's endorsed response and highlight key matters of interest and concern to Council, per this report and attachments
 - 6.2. The Chief Executive Officer providing Council's response to the Office of Local Government and LGA.
7. The Lord Mayor in providing Council's response to the Attorney-General may also wish to:
 - 7.1. Thank the Government for engaging the public and the sector on the reforms, and recognise the efforts of all involved to achieve better outcomes for councils and the community.
 - 7.2. Invite the State Government to work closely with the City of Adelaide to address some of the concerns with the Bill as drafted, highlighted in Council's response.
 - 7.3. Call on the State Government to continue to work closely with Council, the sector and the LGA to:
 - 7.3.1. develop regulations and subordinate instruments such as the new Ministerial Behaviour Standards and Community Engagement Charter
 - 7.3.2. ensure sufficient lead time is provided for implementation of system and procedural changes in order to manage the costs to councils and ultimately the community, and to support Councils and the community to fulfil changed obligations.
8. The Bill is considered likely to be amended during its passage through the Parliament. Once the State Government secures its passage, the City of Adelaide will bring together a cross-portfolio team to manage transition and implementation of the reforms as passed.

The content of the proposed reforms

9. The Bill's 200 clauses, or 114 pages, of amendments, embody significant reform proposals.
10. As anticipated, four main areas of reform are proposed, amending the *City of Adelaide Act 1998* (CoA Act), the *Local Government Act 1999* (LG Act) and the *Local Government (Elections) Act 1999* (LG Elections Act):
 - 10.1. *Stronger Council Member Capacity and Better Conduct* – including a new conduct management framework for Council Members.
 - 10.2. *Lower Costs and Enhanced Financial Accountability* – including independent expert advice to councils on a range of critical financial and governance matters.
 - 10.3. *Efficient and Transparent Local Government Representation* – including increased disclosure requirements, streamlined representation reviews and a requirement for bodies corporate and groups to nominate a natural person to vote on their behalf.
 - 10.4. *Simpler Regulation* – including a principle based approach to public consultation.

11. The majority of the reforms align with Council's endorsed submission of October 2019 or are consistent with existing positions or practices of the City of Adelaide. **Attachment A** sets out these amendments, which it is proposed that Council support. In order to best advocate for any concerns with the Bill to be addressed, Attachment A is intended to inform but not to form a detailed part of Council's formal response.
12. However as may be expected in a reform of this scale not all concerns have been addressed in accordance with Council's earlier submissions. These and some provisions setting out policies not yet considered by Council warrant further attention and advocacy to the State Government in order to pursue improved outcomes for the City of Adelaide, the local government sector and the community.
13. **Attachment B** forms the basis of Council's response, highlighting those provisions in which Council is most likely to have an interest and/or wish to express concern. This may be because the policy intent of the provision was either not considered or not supported by Council in October 2019, or because the provisions are drafted in a manner which may create unintended or adverse impacts for the City of Adelaide, the community or the sector.

Key areas of proposed support (as detailed in Attachment A):

14. The Bill comprises a number of proposals that Council supported in earlier consultations including:
 - 14.1. Changes to Lord Mayor and Council Member roles to support constructive working relationships and high standards of behaviour and integrity.
 - 14.2. A more modern, principle-based Community Engagement Charter which will replace prescriptive Council consultation and notification requirements with a set of minimum requirements in the Charter which Council engagement processes will be required to meet.
 - 14.3. Improvements to electoral provisions such as streamlined representation review provisions, extension of the period (from 7 to 12 months) for which a casual vacancy may remain unfilled without calling a supplementary election, simplified online nomination processes managed by the Electoral Commission of SA, and increased disclosure requirements for candidates to provide more information to voters including the names of any political party, body or association of which the candidate is a member, and to declare campaign donations above a certain amount before the close of voting.
 - 14.4. An expanded role for Audit Committees to also encompass risk management.
 - 14.5. Clarification of internal review provisions including the ability to decline an application in certain circumstances, and to charge a modest fee that may be refunded if the review is granted.
 - 14.6. Simplification of registers of interest into one plain English form, to be published online.
 - 14.7. A requirement to seek qualified, independent advice before appointment, performance review and termination of a Council Chief Executive Officer.
 - 14.8. Duties for employees to comply with integrity provisions, protect information they should know is to be treated confidentially and maintain an Employee Register of Gifts and Benefits.
 - 14.9. Removal of the two-term limit on a person holding the office of Lord Mayor.

Key areas of interest or concern (as detailed in Attachment B):

15. The Member Behaviour provisions of the Bill are aligned with the Council's endorsed submission of October 2019. It is therefore proposed that Members confirm their support for the Behaviour framework in the Bill, which will provide as follows:
 - 15.1. Statutory Council Member integrity provisions.
 - 15.2. Ministerial power to establish Member Behaviour Standards with which Council policies must apply.
 - 15.3. Introduction of express health and safety obligations for Council Members.
 - 15.4. Provisions for Councils to, if they choose, adopt their own Behavioural Support Policy.
 - 15.5. Requirements for Councils to adopt a Behavioural Management Policy.
 - 15.6. Establishment of a Behavioural Standards Panel comprising 3 members with specified collective qualifications, knowledge, expertise and experience, appointed by the Minister to assess and deal with complaints re misbehaviour, and repeated and serious misbehaviour. Complaints may be referred to the Panel by a resolution of council, the principal member, at least 3 Members of Council or the Minister, or by a person dissatisfied with the outcome of a council's decision in relation to a complaint about Member behaviour. CoA may wish to request an amendment to the Bill to include a timeframe for the Panel to deal with complaints referred to it for inquiry.

16. Similarly, Council's October 2019 decision supported a new requirement for a group and body corporate to nominate a natural person to exercise its vote, before receiving ballot papers, to enable councils to ensure that a person does not vote twice in a council election. Council's response at the time also noted that this would create additional resource implications for Council, increased regulatory burden for property franchise holders, a risk of significantly diminished numbers of voters, and even a potential reduction in the number of persons eligible for candidacy in local government elections. On reviewing the draft provisions, these adverse outcomes appear likely. Further consultation is therefore requested in order to identify alternative approaches which might better manage these adverse impacts.
17. Thirdly, there are a number of areas in which it is proposed that Chief Executive Officers be empowered to impose consequences for breach of requirements including in some cases a power to suspend Council Members for e.g. failure to submit a register of interests, breach of training requirements, or for being subject to a relevant interim intervention order. Some matters will require the exercise of discretion rather than being based purely on process.
18. The Bill imposes costs upon the sector to fund (through the LGA and/or on a fee for service basis):
 - 18.1. The Remuneration Tribunal to set Member allowances and CEO remuneration range.
 - 18.2. The Behavioural Standards Panel to oversee Council Member conduct.
19. The following provisions of the Bill are highlighted as they reflect policy outcomes that were not supported by Council in its endorsed October 2019 submission:
 - 19.1. Simplification of rules related to informal gatherings by replacing them with information or briefing sessions is welcomed provided it is confirmed that council will still be able to hold closed meetings for e.g. strategic planning, training, workshops that do not seek to make a decision, and social gatherings.
 - 19.2. While efforts to address Council's concerns by amending section 221 of the LG Act to address problematic amendments (not yet commenced) made by the *Planning, Development and Infrastructure Act 2016*, these have not been wholly effective in addressing concerns. It is therefore proposed that Council continue to discuss potential amendments to improve these provisions with OLG and the LGA.
 - 19.3. Open-ended additional requirements and reports may be prescribed or requested by the Minister in relation to Strategic Management Plans, with a further potential cost and resource impact on Council.
 - 19.4. Council opposed the introduction of a series of costly and impractical requirements related to the setting of rates in the Annual Business Plan provisions. Provisions included in the Bill will require a continuous cycle of budgetary planning on the basis of information 6-9 months before the next financial year commences. Due to the timeframes set out in the Bill, valuations and services for the following financial year would need to be known and planned for by the end of December of the previous year. This is not achievable and would lead to formulation of budgets without the latest and best data.

Key areas that have not been addressed from Council's earlier submissions:

20. CoA's previous requests to consider electronic (online) and compulsory voting and use of polling booths and days have not been included in the Bill as introduced. While the sector as a whole may not be ready for such reforms, the CoA has offered to act as a trial or demonstration jurisdiction for such reforms. This status is appropriate as CoA Act provisions prevail to the extent of inconsistency with the LG Act, making it easier for the CoA to test local government reforms before they are rolled out to the rest of the sector.
21. In addition, a number of specific reforms proposed in CoA's earlier submissions have been omitted:
 - 21.1. A more fair and equitable rating system in particular relating to:
 - 21.1.1. permitted rating categories
 - 21.1.2. rate rebates
 - 21.1.3. exemptions.
 - 21.2. Review of constraints on commercial and associated activities of councils to drive downward pressure on rates.
22. Council may continue to advocate for these reforms to State Government and where appropriate the LGA.

DATA AND SUPPORTING INFORMATION

Link 1 - Statutes Amendment (Local Government Review) Bill 2020

Link 2 – Letter from then Minister Knoll to Lord Mayor advising Introduction of Bill

In addition to the Statutes Amendment (Local Government Review) Bill 2020, the following sources have been used in preparing this report and attachments:

Link 3 - *Marked-up copy of the LG Act showing the effect of the amendments to it in the Statutes Amendment (Local Government Review) Bill 2020 (DPTI)*

Link 4 - *Marked-up copy of the LG Elections Act showing the effect of the amendments to it in the Statutes Amendment (Local Government Review) Bill 2020 (DPTI)*

Link 5 - *Marked-up copy of the CoA Act showing the effect of the amendments to it in the Statutes Amendment (Local Government Review) Bill 2020 (DPTI)*

Link 6 - *LGA Local Government Review Bill 2020 – Summary of major changes (LGA) Local Government Reform Page, Elected Members' Portal (City of Adelaide) [internal]*

ATTACHMENTS

Attachment A – City of Adelaide analysis of the Statutes Amendment (Local Government Review) Bill 2020

Attachment B – Draft City of Adelaide response to the Statutes Amendment (Local Government Review) Bill 2020

- END OF REPORT -

City of Adelaide Analysis of Local Government Review Bill 2020

City of Adelaide Administration has undertaken a detailed analysis of changes the Government proposes to achieve through the Statutes Amendment (Local Government Review) Bill 2020 (the Bill).

The following table sets out those substantive amendments in the Bill regarding which Council is considered to be in support (minor changes are not included).

The majority of these provisions are aligned with reform proposals which Council determined to support on 22 October 2019, or are consistent with existing policies or practices of the City of Adelaide.

This content is intended to inform but not to form part of Council’s formal response to Government and the LGA, subject to any amendments that may be made by Council during consideration at Committee and Council.

The provisions are examined below in the order in which they impact relevant legislation, as follows:

- *City of Adelaide Act 1998* (CoA Act)
- *Local Government Elections Act 1999* (LG Elections Act)
- *Local Government Act 1999* (LG Act).

Given the large number and breadth of amendments proposed in the Bill, any concerns are managed by exception, with any provisions of key concern or interest to Council to be addressed in Attachment B.

Analysis, guidance and comments prepared by the Local Government Association of SA (LGA) is also reflected in the content below, with acknowledgement and thanks.

Key:

NB this applies to LGA guidance and comments where provided. It is proposed that CoA support all provisions in attachment A.

CoA support	CoA query/qualified support	CoA not support/oppose
LGA support	LGA query/qualified support	LGA not support/oppose

ATTACHMENT A: BACKGROUND ANALYSIS – AUGUST 2020

Amendments proposed to *City of Adelaide Act 1998 (CoA Act)*:

Section of CoA Act amended	Effect of amendment	CoA Recommended position
20 Constitution of Council	The two consecutive term limit on holding office as Lord Mayor is deleted.	Support Consistent with CoA decision of October 2019
21 Lord Mayor	<p>The role of Lord Mayor as Leader of Council is amended consistent with proposed changes to changes proposed to the role of the principal member of a council in section 58 LG Act. This includes:</p> <ul style="list-style-type: none"> • To provide leadership and guidance to the council. • To lead the promotion of positive and constructive working relationships amongst members of the council • To provide guidance to council members on the performance of their role; and • To support council members understanding on the separation of responsibilities between elected representatives and employees of the council. <p>The Lord Mayor's special role as the principal elected member of the capital city council remains unchanged.</p>	<p>Support</p> <p>Consistent with CoA decision of October 2019 to support clarifying the role of presiding members to ensure good working relationships within the council, including presiding at meetings, providing guidance to council members, supporting constructive working relationships and high standards of behaviour and integrity, and taking leadership in resolving differences.</p> <p>Councils may require advice from the LGA/Government regarding practical application e.g. providing guidance to council members etc.</p> <p>Note LGA queries in relation to section 58 LG Act changes, however this proposal was tested with CoA in October 2019:</p> <p><i>This proposal needs to be tested with member councils before the LGA forms a position.</i></p> <p><i>Mayors are not given specific new powers.</i></p> <p><i>The proposed section states general principles, setting out what the principal member's leadership role entails.</i></p>
22	New.	Support

ATTACHMENT A: BACKGROUND ANALYSIS – AUGUST 2020

Section of CoA Act amended	Effect of amendment	CoA Recommended position
Members	<p>The role of Council Member is amended consistent with proposed changes to changes proposed to the role of the principal member of a council in section 59 LG Act. This includes:</p> <ul style="list-style-type: none"> • To act with integrity • To ensure positive and constructive working relationships within Council • To recognise and support the role of the Lord Mayor • To develop skills relevant to the role and functions of council. <p>Other aspects of Council Members' roles remain largely unchanged.</p>	<p>Consistent with CoA decision of October 2019 to support clarifying the role of Council Members to recognise their individual and collective responsibility to act with integrity, support the presiding member, ensure good working relationships etc.</p> <p>Council supported, noting potential issues with interpretation</p> <p>Note LGA queries in relation to section 59 LG Act as follows:</p> <p style="padding-left: 40px;"><i>'Integrity' is not defined and will have a common law definition.</i></p> <p style="padding-left: 40px;"><i>The existing Act and Bill contain specific sections about integrity, which are still primarily regulated by ICAC, the OPI and Ombudsman.</i></p>
3(15) Roll can be provided in electronic form	<p>Amendment removes the requirement for the voters roll to be provided only in printed form, and creates new offence of using the voters roll or information therein for a purpose other than distribution of local government electoral material.</p>	<p>Support</p> <p>Consistent with CoA decision of October 2019 to support proposal for electronic copies of the voters roll to be used, noting agreement with significant penalties proposed for use of the roll for any purposes other than local government elections.</p>
24 Campaign donations returns	<p>Campaign donations returns must set out each gift made on behalf of the members of an unincorporated association. This will newly include registered industrial organisations (which were previously the subject of an exemption).</p>	<p>Support</p> <p>Not considered by Council previously however the principle should be consistently applied.</p>

ATTACHMENT A: BACKGROUND ANALYSIS – AUGUST 2020

Section of CoA Act amended	Effect of amendment	CoA Recommended position
	New reference is made to a 'large gifts return' in clause 24A (below).	
24A Large gifts returns 24B Disclosure period for returns	<p>A candidate for election to the CoA who receives a gift or gifts valued at more than the prescribed amount must newly furnish a <i>large gifts return</i> to the returning officer setting out the value, source and date of the gift within the returns period set out in section 24B. Reflects section 81A amendments in LG Elections Act.</p> <p>Clause 31 requires publication of returns online for a period of four years following the election to which the return relates.</p>	<p>Support</p> <p>Consistent with October 2019 CoA decision to support proposal noting likely resource impact and query re timeframes.</p> <p>NB does not appear to take into account CoA proposal to require disclosure of donations before elections. Rather, for a new candidate, disclosure is required to be made on the day on which the person announced their candidacy, on the day of their appointment, or 21 days after the polling date.</p>
32 Public inspection of returns	<p>ECSA is to publish returns online within the prescribed period, for a period of 4 years after an election to which it relates.</p> <p>Reflects section 87 amendments in LG Elections Act.</p>	<p>Support</p> <p>Consistent with CoA decision of October 2019</p>

ATTACHMENT A: BACKGROUND ANALYSIS – AUGUST 2020

Amendments to *Local Government (Elections) Act 1999* (LG Elections Act):

Section of LG Elections Act amended	Effect of amendment	CoA Recommended position
6 Supplementary elections	<p>Subsection (2)(a): a supplementary election will not be held to fill a casual vacancy if the vacancy occurs within 12 months before polling day for a periodic or general election, if the date is known at the time the vacancy arises.</p> <p>The amendment at subsection (2)(b) does not impact CoA as it relates only to councils without wards.</p> <p>New subsection (2)(c) provides that a supplementary election is not required if the vacancy is for an office other than (Lord) Mayor or a Member elected under section 25(1) (uncontested election), occurs within 12 months after conclusion of a periodic election, and can be filled in accordance with section 6A below.</p>	<p>Support</p> <p>Consistent with CoA decision of October 2019 in support of the proposal due to anticipated of reduced costs and administrative burden for Councils as well as reduced impost on the community.</p>
6A	<p>If a casual vacancy occurs and a supplementary election is not to be held by virtue of section 6(2)(c) above, the vacancy will be filled by the returning officer:</p> <ul style="list-style-type: none"> • determining the (next most) successful candidate in the most recent election for the relevant office (not Lord Mayor) and 	<p>Support</p> <p>Consistent with CoA decision of October 2019 in support of the proposal due to anticipated of reduced costs and administrative burden for Councils as well as reduced impost on the community.</p>

ATTACHMENT A: BACKGROUND ANALYSIS – AUGUST 2020

Section of LG Elections Act amended	Effect of amendment	CoA Recommended position
	<ul style="list-style-type: none"> ascertaining whether the candidate who becomes a successful candidate is still willing and eligible to be elected to that office. <p>If the successful candidate indicates they are willing and eligible, the returning officer will declare the person elected.</p> <p>If not, the returning officer must determine the next successful candidate in accordance with the regulations until the vacancy is filled or there are no willing and eligible candidates left to be elected to office.</p>	
7 Failure of election in certain cases	<p>If between the close of nominations and the close of voting to fill only one vacancy:</p> <ul style="list-style-type: none"> a nominated candidate dies or two or more candidates die, or a nominated candidate becomes ineligible to be a candidate for election, <p>the election will be taken to have failed.</p> <p>An election will also fail if between close of nominations and close of voting two or more candidates die or become ineligible for election.</p>	<p>Support</p> <p>Not previously considered by Council.</p> <p>Inclusion of provisions to assist clarity should such circumstances arise is supported.</p>

ATTACHMENT A: BACKGROUND ANALYSIS – AUGUST 2020

Section of LG Elections Act amended	Effect of amendment	CoA Recommended position
19 Publication of candidate statements etc 20 Publication of valid nominations	The returning officer is to publish candidate profiles etc, rather than the LGA. ECSA to publish all valid nominations online within 24 hours of nominations closing	Support Consistent with CoA decision of October 2019 that it is appropriate that ESCOSA as a specialist independent body take responsibility for this activity.
28 Publication of misleading material	Amendment provides that a person is not taken to have authorised publication of electoral material if it is published by another person online in a platform established/controlled by the person unless they authorised its publication.	Support Consistent with CoA decision of October 2019 to enable more contemporary publication requirements. As a corollary it is appropriate that people administering websites have some protection from liability for publication made by others on those websites of material that the person running the website has not authorised (e.g. comments on a website/ etc).
31 and 35 Special arrangements 41A Assisted voting	The returning officer may make arrangements for delivery of voting papers in printed or electronic form to enable persons living at a specified institution or place in order to assist them to vote. The Regulations may provide for assisted voting methods for e.g. voters who have a sight impairment so as to be unable to vote without assistance, as defined in section 41.	Support Consistent with CoA decision of October 2019 to enable ECSA to provide ballot papers electronically in certain instances and for their return by electronic means to avoid delays in receiving completed votes. CoA in October 2019 also reaffirmed support for introduction of online voting in future.
48 Method of counting and provisional declarations	The method of counting has been revised as proposed during consultation on reform proposals, to apply the Exclusion method' of	Support

ATTACHMENT A: BACKGROUND ANALYSIS – AUGUST 2020

Section of LG Elections Act amended	Effect of amendment	CoA Recommended position
	<p>counting, which eliminates the candidates with the least votes.</p> <p>Refer subsection (1a).</p> <p>Subsection (4) provides that if a candidate has died or become ineligible between the close of nominations and close of voting, then a vote indicated for the deceased or ineligible candidate must be counted to the candidate next in order of the voter's preference, and the numbers indicating subsequent preferences will be taken to have been altered accordingly.</p>	<p>Consistent with CoA decision of October 2019 which supported a simpler, faster counting method subject to addressing LGA comments re the Exclusion method of counting.</p> <p>Also support provision to address potential death of a candidate between close of nominations and close of voting.</p>
55A Recount if successful candidate dies	<p>If a candidate is successful and dies between the close of voting and the first meeting of council after that election, in an election to fill 2 or more vacancies, the countback method will be used to determine the next successful candidate who is still willing and eligible to be elected to the relevant office.</p>	<p>Support provision to address potential death of a candidate between close of nominations and close of voting.</p>
69A Electoral Commission may lodge petition	<p>ECSA may lodge a petition in the Court disputing validity of an election where it considers it appropriate to do so on the basis of an error in recording, scrutiny, counting or recounting of votes.</p>	<p>Support provision to enable ECSA to petition the Court to dispute validity of an election where appropriate to do so as a probity measure.</p>

ATTACHMENT A: BACKGROUND ANALYSIS – AUGUST 2020

Section of LG Elections Act amended	Effect of amendment	CoA Recommended position
73 Illegal practices	An election can newly be declared void on ground of defamation of a candidate or publication of misleading material, only if the Court is satisfied that the result of the election was affected.	Support provision to enable a Court to declare an election invalid if satisfied that defamation of a candidate or publication of misleading material affected the election result.
81A Large gifts returns	If a candidate for election receives a gift or gifts from a person during the disclosure period which is/are in total of a value more than the prescribed amount, the candidate must within the prescribed period furnish a return to the returning officer setting out the amount or value of the gift and details regarding the source. For a new candidate, disclosure should be made on the day on which the person announced their candidacy, on the day of their appointment, or 21 days after the polling date.	Support Consistent with CoA decision of October 2019
87 Public inspection of returns	ECSA is to publish returns online within the prescribed period, for a period of 4 years after an election to which it relates.	Support Consistent with CoA decision of October 2019
93 Regulations	New regulation making power provides for a matter or thing to be determined, dispensed with, regulated or prohibited according to the discretion of the Electoral Commissioner or any prescribed authority	Support

ATTACHMENT A: BACKGROUND ANALYSIS – AUGUST 2020

Amendments proposed to *Local Government Act 1999* (LG Act):

Section of LG Act amended	Effect of amendment – <i>based on LGA summary</i>	LGA guidance and comments	CoA Recommended position
3 Objects	New. “(f) to encourage local government to provide appropriate services and facilities to meet the present and future needs of local communities <i>and to provide for appropriate financial contributions by ratepayers to those services and facilities.</i> ”	Nil provided by LGA	Support Not in previous proposals but no concerns identified with continuing to ensure that ratepayers’ contributions are appropriate. Sets scene for rate monitoring approach later in Bill.
7 Functions of a Council	New. (ba) to determine the appropriate financial contribution to be made by ratepayers to the resources of the council.	A number of additions to the ‘role’ and ‘functions’ tie into later changes relating to rate setting and Ministerial directions. These preliminary sections related to the role and functions of council are considered to be acceptable, but the later sections on rate capping and new Ministerial ability to override council policies are strongly opposed.	Support Not in previous proposals but no concerns identified with determining appropriate ratepayers’ contributions. Sets scene for rate monitoring approach later in Bill. Note deletion of reference to specific services and facilities.
8 Principles to be observed by a council	(ea) Seek to collaborate, form partnerships and <i>share resources</i> with other councils... (h) seek to ensure that council resources are used fairly, effectively and efficiently <i>and council services, facilities and programs are provided effectively and efficiently.</i>	The additional wording introduced by this clause is in <i>italics</i> . A number of additions in the ‘role’ and ‘functions’ and ‘principles’ sections tie into later changes relating to rate setting processes.	Support Not in previous proposals but no concerns identified with specifying councils seek to share resources and ensure council services, facilities and programs are provided effectively and efficiently with a view to their financial impact.

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Section of LG Act amended	Effect of amendment – based on LGA summary	LGA guidance and comments	CoA Recommended position
	(ia) seek to balance the provision of services facilities and programs with the financial impact of the provision of those services, facilities and programs on ratepayers.		
11A Number of elected members	The number of members of a council (including the Mayor) will be capped at 12.	This proposal needs to be tested with member councils before the LGA forms a position.	Qualified support Does not impact CoA but political implications for other councils need to be considered
12 Rep review process	<p>Simplifies current Representation Review clauses by removing requirement to prepare a representation options paper, while retaining the requirement for council to engage a qualified person to prepare a representation report which includes examination of options.</p> <p>Requires review of potential to reduce either the number of members or of wards.</p> <p>If a council conducts a review by 2022, they can implement this change for 2022 council elections. If not, then must implement by the 2026 elections.</p> <p>Councils must consult with the public re the representation report. The resulting report must include public submissions.</p>	<p>During sector consultation in 2019, most councils preferred to retain current arrangements.</p> <p>This proposal is designed to be a simpler process and respond to feedback from councils that the Representation Review process is overly complex.</p> <p>The Bill includes transitional provisions that will capture reviews that have already commenced or will commence before the 2022 council elections.</p>	<p>Support simplification of Representation Review provisions</p> <p>Consistent with CoA decision of October 2019</p> <p>The Review process is simplified requiring that only 1 report be developed and 1 round of consultation undertaken (as opposed to 2 reports and 2 consultations under current arrangements).</p> <p>CoA would prefer to undertake its impending Review under the Bill’s simplified provisions. CoA plans to conduct its Representation Review from October 2020, to complete it by August 2021 (deadline is October 2021).</p>
26	The South Australian Local Government Boundaries Commission,	Nil provided by LGA.	Support

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Section of LG Act amended	Effect of amendment – based on LGA summary	LGA guidance and comments	CoA Recommended position
Principles	in place of the SA Local Government Grants Commission, will consider proposals relating to the alteration of council boundaries, composition of councils and its representative structure etc.		Consistent with CoA decision of October 2019.
44 Delegations	Amendment to include a Joint Planning Board as a body to which a delegation may be made.	Councils retain the ability to make decisions about delegations and the terms and conditions of a delegation. There is no requirement to make a delegation.	Support Not in previous proposals however Council must be a party to the planning agreement and is not obligated to make a delegation.
50 Current public consultation sections deleted	<p>New.</p> <p>Replaces the current public consultation policy requirements with one Community Engagement Charter for the whole local government sector.</p> <p>This will replace many individual sections requiring councils to report info, consult, publish in newspapers, keep hard copy at principal office, etc</p> <p>The Charter will be gazetted by the Minister to apply across all councils.</p> <p>Some parts will be mandatory, others will be up to council policy (See 50A).</p> <p>The Minister approves and varies the Charter, after consultation with the LGA.</p>	<p>This proposal needs to be tested with member councils before the LGA forms a position</p> <p>The concept of a state-wide Community Engagement Charter is consistent with the LGA's previous local government reform submission.</p> <p>Consolidating consultation arrangements within one state-wide charter could lead to savings and efficiencies by reducing duplication and allowing for more targeted and effective consultation to occur.</p> <p>Local government will be consulted on the development of and any variation to the Charter,</p>	<p>Support</p> <p>Consistent with CoA decision of October 2019 to support replacing the current outdated requirements with a more flexible, contemporary approach through collaborative development of a Community Engagement Charter. Council asked that the Charter provide for a principle-based rather than prescriptive approach and allow for each council to develop its own consultation framework within minimum requirements set in the Charter, so that each engagement process is fit for purpose and context.</p> <p>The Act requires the Minister to consult the LGA before approving/varying the Charter.</p> <p>No concerns raised by the Engagement team.</p>

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Section of LG Act amended	Effect of amendment – based on LGA summary	LGA guidance and comments	CoA Recommended position
		via a process facilitated by the LGA.	
50A	<p>Each council must have its own policy on how to implement the Community Engagement Charter.</p> <p>A large number of sections in the Act relating to specific consultation on specific matters are deleted, as a consequence of new ss 50 and 50A.</p> <p>Councils must consult the community regarding adoption of their Policy , which must be consistent with minimum requirements of the Charter.</p>	A failure to comply with a Community Engagement Charter or the council’s related community engagement policy still exposes the subsequent council decision to judicial review.	<p>Support</p> <p>Consistent with CoA decision of October 2019 in which Council proposed that the Charter allow for each council to develop its own consultation framework within minimum requirements so that each engagement process is fit for purpose and context.</p> <p>No concerns raised by CoA Engagement team.</p>
51 Principal member of council	The principal member is to be <i>appointed or elected</i> as a representative of the area as a whole (provision removed for members to <i>choose</i> a principal member, currently referred to as a chairperson).	Nil provided	<p>Support</p> <p>Does not impact CoA but political implications for other councils need to be considered.</p>
54 Casual vacancy	<p>If a council member resigns including to take up another position such as Mayor, their position becomes vacant.</p> <p>Councils can go to next election without filling the casual vacancy if an election is to be held within next 12 months (currently on or after 1 January or within 7 months, which doesn’t quite cover State elections).</p>	This proposal is consistent with the LGA’s previous local government reform submission.	<p>Support</p> <p>CoA decision of October 2019 indicated qualified support for this proposal and flagged need to ensure drafting addresses potential issues with quorum.</p> <p>See section 85 – Quorum.</p>

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Section of LG Act amended	Effect of amendment – based on LGA summary	LGA guidance and comments	CoA Recommended position
55A Leave of absence—council member contesting election	<p>If a council member runs for State Parliament, they are automatically granted a ‘leave of absence’ from all council offices including committees and subsidiaries of council.</p> <p>The leave commences at the close of nominations, even if the member/ candidate starts campaigning earlier.</p> <p>If a candidate withdraws their nomination, they are automatically reinstated to their council position.</p> <p>Members will not receive pay or allowances during the leave period nor are they required to provide returns etc.</p> <p>In subsection 5, candidates cannot use council facilities or services during this leave period (penalty \$15,000).</p>	<p>This proposal is consistent with the LGA’s previous local government reform submission.</p> <p>During previous elections, there have been inconsistent approaches by candidates in relation to standing down from council roles and payment of allowances. These proposed provisions create a level playing field for all council members.</p> <p>It appears that council members can still call themselves ‘Mayor’ or ‘Councillor’ during the leave of absence.</p> <p>The LGA will seek feedback from member councils on the optimal wording for this section.</p>	<p>Support</p> <p>Consistent with CoA decision of October 2019</p> <p>See section 85 – Quorum.</p>
58 Role of Principal Member (usually called Mayor)	<p>New sections clarify the role of a principal member of council. This is consistent with changes applicable to the Lord Mayor’s role – see proposed changes to section 21 of the CoA Act.</p>	<p>This proposal needs to be tested with member councils before the LGA forms a position.</p>	<p>Support</p> <p>Consistent with CoA decision of October 2019</p>
59 Role of members of council	<p>New sections clarify the role of members of council. This is consistent with changes applicable to CoA Members’ role – see proposed changes to section 22 of the CoA Act.</p>	<p>‘Integrity’ is not defined and will have a common law definition.</p> <p>The existing Act and Bill contain specific sections about integrity, which are still primarily regulated by ICAC, the OPI and Ombudsman.</p>	<p>Support</p> <p>Consistent with CoA decision of October 2019</p>

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Section of LG Act amended	Effect of amendment – based on LGA summary	LGA guidance and comments	CoA Recommended position
62 General Council Member duties	<p>The prohibitions on disclosure of confidential council information are extended to documents that the council member “knows or ought reasonably to have known is ...required to be treated confidentially”.</p> <p>Members must comply with any integrity requirements prescribed in regulations, and may only request an employee of council to perform work for them in accordance with requirements of the CEO.</p>	<p>This change will clarify council member confidentiality obligations and make it easier to establish that a breach has occurred.</p>	<p>Consistent with CoA decision of October 2019 in support of the proposal to better enable escalation of serious behavioural matters, with strengthened actions for any Member found in breach of confidence.</p>
70 Inspection of a Register	<p>The CEO will now no longer include on the Register the home nor other addresses of a councillor.</p> <p>Additional information can be suppressed for personal safety.</p>	<p>This proposal is consistent with the LGA’s previous local government reform submission.</p>	<p>Support</p> <p>Support in general given proposed omission of addresses. However query whether the identify of persons related to the Elected Member and their information should also be provided online?</p>
73 Register of gifts and benefits	<p>The Minister will declare the threshold amount for the purpose of this clause.</p> <p>The Minister must consult the LGA prior to making this declaration.</p>	<p>This proposal is consistent with the LGA’s previous local government reform submission.</p>	<p>Support</p> <p>Consistent with CoA decision of October 2019 which supported simplification of forms/Registers.</p>
75E Member ‘Behaviour Standards’	<p>The Minister may publish and vary ‘Member Behaviour Standards’, following consultation with the LGA. These Standards are not set out in the Bill.</p> <p>The Standards will apply State-wide and may specify requirements for behavioural support policies and</p>	<p>There will continue to be multiple (but slightly different) sources of rules that govern member behaviour including:</p> <ul style="list-style-type: none"> • the Act, • proposed ‘Member ‘Behaviour Standards’; and 	<p>Support</p> <p>Consistent with CoA decision of October 2019, provided that Ministerial standards provide sufficient clarity on how Councils are to set policy. The likely role of the LGA in providing guidance to the sector is recognised.</p>

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Section of LG Act amended	Effect of amendment – based on LGA summary	LGA guidance and comments	CoA Recommended position
	<p>behavioural management policies which may be made by councils.</p> <p>The Minister's Standards will be published in the <i>Government Gazette</i>.</p>	<ul style="list-style-type: none"> (voluntary) 'Council Behavioural Support Policies' (see s75F). <p>This could be confusing, and it will be important for the LGA to provide support and guidance.</p> <p>These standards will be reviewable by Parliament, which provides a level of oversight of the decisions made by a Minister.</p>	<p>The Minister will set the behavioural standards which are anticipated to be principle based. The overarching principles (and any requirements specified by the Minister) will then be reflected in any policies and procedures Council may decide to adopt.</p>
75F Council Behavioural Support Policies	<p>Council may implement their own policies on how to support "appropriate behaviour by members of the council". Council members must comply with their CBSPs, which cannot be inconsistent with the Minister's Behavioural Standards.</p> <p>Council must review these within 6 months of general elections.</p> <p>Council must consult the public in development/variation of its BSP.</p>	<p>Sector feedback indicated that dedicated meetings (usually just after elections), where councillors deliberated and then agreed on behavioural standards, led to strong improvements in meeting culture.</p> <p>The Bill will enable each council to address these issues and to approve their own policy.</p> <p>Members may face sanctions for a breach of a CBSP. Council itself would be able to impose limited sanctions (see s262C).</p> <p>A breach of the CBSP could constitute 'misbehaviour' (s262E), could be referred to the new Behavioural Standards</p>	<p>Support</p> <p>Consistent with CoA decision of October 2019 provided that the standards provide sufficient clarity and guidance on Councils' policy.</p> <p>This provision empowers Councils to prepare and adopt a policy in consultation with the public. It is not mandatory.</p> <p>Following election of a new council a decision whether to adopt a policy must be made, or an existing policy reviewed, within 6 months.</p>

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Section of LG Act amended	Effect of amendment – based on LGA summary	LGA guidance and comments	CoA Recommended position
		Panel and could result in more serious sanctions or penalties.	
85 Quorum	Definition of prescribed number of Council Members does <i>not</i> include members suspended or on a leave of absence.	Nil provided by LGA	Support Not in previous proposals. A reasonable consequential amendment which resolves earlier drafting concerns relating to suspension and leave of absence in the Bill.
90(3)(o) Meetings held in public	New exemption allows councils to discuss potential award recipients in confidence.	This is a minor but welcome amendment. This will allow the names of award-winners to not enter the public domain until the award is presented.	Support Consistent with CoA current practice under section 90(3)(a) (unreasonable disclosure of information concerning personal affairs) which may remain the preferred provision unless 'award' is defined.
S92 Access to meetings and documents	Councils must already have a Code of Practice about meetings and access to documents. Council requirements for consultation with the public before adopting, altering or substituting this Code are streamlined in accordance with the new Community Engagement Charter.	Almost all of the reporting consultation provisions are removed from the Act, and will be replaced by the requirements to be set out in the Community Engagement Charter.	Support Consistent with Council decision of October 2019 which supported creation of a contemporary Community Engagement Charter to simplify requirements for consultation and publication in line with the proposed new Community Engagement Charter.
97(3)(a) Terminate a CEO	Before council can terminate a CEO's employment, it must have regard to advice from a "qualified independent person". Definition: "a legal practitioner OR someone determined by the council to have appropriate qualifications or	The detail of this proposal needs to be tested with member councils before the LGA forms a position. Council must consider the advice but is not bound by it.	Support Consistent with Council decision of October 2019 which advised that this is already CoA's practice and is common across councils. The provision defines a 'qualified independent person' who can thus be assumed to be in a

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Section of LG Act amended	Effect of amendment – based on LGA summary	LGA guidance and comments	CoA Recommended position
	experience in human resource management”.	This provision only applies to some grounds for termination. There is no requirement to obtain this advice if the CEO is ‘guilty of an offence’, etc.	position to give appropriate, independent advice to Council as the decision maker.
98 Appointment procedures – CEO Vacancy	<p>Makeup of the Selection Panel is such that at least one is not a council member or member of staff.</p> <p>Before a CEO is appointed, council must obtain and consider independent advice on the assessment of applications and recommendations on the appointment.</p>	<p>Councils will typically engage a suitably qualified and experienced third party to assist with CEO recruitment.</p> <p>The detail of this proposal needs to be tested with member councils before the LGA forms a position.</p>	<p>Support</p> <p>Consistent with Council decision of October 2019 which stated that it is already CoA’s practice to seek independent representation/advice on such decisions.</p>
99 (ia) and (ib) Role of CEO	<p>New subsections relating to CEO functions require that a CEO must.</p> <ul style="list-style-type: none"> • ensure council has effective policies, systems, procedures etc in place for risk identification and management • Report annually to the relevant audit and risk committee on the council’s internal audit process. 	The section clarifies a role that most council CEOs perform already.	<p>Support</p> <p>Broadly consistent with CoA’s current practice.</p>
99A Remuneration Tribunal extends to CEOs	<p>While Councils will determine the remuneration of their CEO, the Remuneration Tribunal will determine minimum and maximum remuneration i.e. the range within which Council must set remuneration.</p> <p>The Remuneration Tribunal may have regard to any matter set out in the</p>	<p>The proposed provisions are modelled on the WA legislative scheme and were broadly supported by councils and the LGA in previous submissions.</p> <p>Clarification is required about how additional allowances will</p>	<p>Support</p> <p>Consistent with Council decision of October 2019 which supported the proposal in principle.</p> <p>The provisions appear to be drafted with sufficient flexibility to satisfy CoA’s queries as to whether the Tribunal would:</p>

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Section of LG Act amended	Effect of amendment – based on LGA summary	LGA guidance and comments	CoA Recommended position
	<p>Regulations, and the range may differ based on geographical and/or other factors.</p> <p>Amounts may be indexed.</p> <p>The LGA will pay for the Remuneration Tribunals' reasonable costs.</p> <p>Councils must ensure the remuneration they pay is within the range set by the Remuneration Tribunal.</p>	<p>be considered/determined by the Tribunal.</p> <p>The Bill allows for a determination to be made 'from time to time'. Greater certainty should be provided about the minimum / maximum frequency of determinations, noting the cost will be borne by councils (via the LGA).</p> <p>100% of SA councils are in the LGA but provisions need to be made that enable an equitable proportion of the costs to be recovered from a non-member council in future.</p>	<ul style="list-style-type: none"> • set a minimum above which councils could pay more to attract appropriate candidates during times of skills shortage, and • be able to consider the scale and complexity of a council's operations in determining CEO remuneration.
102A CEO Performance review	<p>New.</p> <p>A CEO Performance Review must occur at least once a year <u>and</u> "if relevant" before reappointment.</p> <p>Council is to obtain independent advice from a "qualified independent person", defined as a person who is not a Council Member and is determined by Council to have appropriate qualifications or experience in human resources management.</p>	<p>The detail of this proposal needs to be tested with member councils before the LGA forms a position.</p>	<p>Support</p> <p>Consistent with Council decision of October 2019 which stated that it is already CoA's practice to seek independent representation/ advice in advance of such decisions.</p> <p>The provision defines a 'qualified independent person' who can thus be assumed to be in a position to give appropriate, independent advice to Council as the decision maker.</p>
109 General duty and compliance	<p>Existing duties to act honestly, and with reasonable care and diligence in the performance of official duties are supplemented with a new requirement</p>	<p>Nil provided by LGA.</p>	<p>Support</p> <p>Not considered by Council previously, support in principle.</p>

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Section of LG Act amended	Effect of amendment – based on LGA summary	LGA guidance and comments	CoA Recommended position
	to comply with integrity provisions. Contravention constitutes a ground for disciplinary action including suspension or dismissal.		
110 Code of conduct for employees	The provisions relating to the current Employee Code of Conduct are deleted, and replaced by s119A, which relates to the Register of Gifts and Benefits for Employees.	CEOs have responsibility to manage employee conduct through council policies and industrial arrangements.	Support Not considered by Council previously, support in principle.
110A Duty of employees to protect confidential information	Further to requirements relating to documents/information that comes under section 90(3), adds a new limb relating to information the “ <i>employee knew or ought to have known is to be treated confidentially</i> ”.	Consistent with clarification of Council Members’ confidentiality obligations.	Support Not considered by Council previously, support in principle. Note increase in maximum penalty from \$10,000 to \$15,000 (2 years imprisonment is the same).
119A Register of Gifts and Benefits for Employees	This was previously dealt with by the Employee Code of Conduct. Minister to consult with the LGA before declaring the limit above which a gift or benefit must be the subject of notification to CEO or Council. [Change to section 119A(7) is consistent with Council Members’ limits in relation to considering two or more separate gifts, benefits or transactions as one for the purpose of determining limits during a financial year.]	The employee register in section 119A is designed to mirror the requirements for council members.	Support Not considered by Council previously, but represents minimal change from what was previously addressed by the Employee Code of Conduct. [Change to section 119A(7) is consistent with Council Members’ limits in relation to considering two or more separate gifts, benefits or transactions as one for the purpose of determining limits for a financial year.]
125A Internal audit functions	In appointing a person to be responsible for the internal audit function, the CEO must consult with	Nil provided by the LGA.	Support Not considered by Council previously, however it does not seem problematic that the Audit and

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Section of LG Act amended	Effect of amendment – based on LGA summary	LGA guidance and comments	CoA Recommended position
	council's Audit and Risk Committee. The primary person responsible must ensure the reports are provided directly to the committee and may report any matters relating to the internal audit function directly to the committee.		Risk Committee be consulted before the CEO appoints or selects a person to be primarily responsible for the internal audit function, and that this person must provide reports in relation to the internal audit function direct to the Committee.
126 Audit and Risk Committee	<p>Councils must (unless they have a Regional Committee) have an Audit and Risk Committee, and the majority of its members must not be Council Members.</p> <p>Expanded 'Functions' of Audit and Risk Committees will newly include:</p> <ul style="list-style-type: none"> • make recommendations for improvements based on previous audit/risk assessments. • review powers when CEO assists audit committee. • liaise with council auditor in accordance with the Regulations <p>If a council has an internal audit function - to review/comment on an annual report from CEO in internal report re the scope of internal audit work; and objectivity and standard demonstrated in the carrying out of the function.</p> <p>If a council does not have internal audit function, the CEO must report on polices of council etc.</p>	<p>The LGA's previous local government reform submission provided broad support for an expanded role for council Audit Committees. will seek advice on these details from the sector.</p> <p>The detail of this proposal needs to be tested with member councils before the LGA forms a position.</p>	<p>Support</p> <p>Consistent with Council decision of October 2019 which supported the creation of Audit and Risk Committees with expanded functions and the requirement that the majority of Committee members be non-Council Members or and have relevant skills, knowledge and experience.</p> <p>Note that while employees may not be members, an employee may attend a Committee meeting if appropriate.</p>

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Section of LG Act amended	Effect of amendment – based on LGA summary	LGA guidance and comments	CoA Recommended position
	The Committee must meet once per quarter and provide a report to council after each meeting as well as an annual report.		
126A	Regional audits permitted, where 2 or more councils share audit resources. This is optional.	This option may be useful for regional councils who struggle to recruit qualified independent auditors.	Support Consistent with Council decision of October 2019 which supported the option for two or more regional councils to establish a regional audit and risk committee.
128 Auditor	Councils must newly use a different audit firm (not just a new auditor in the same form) at least every 5 years. Then a council must wait five years before re-engaging that same auditor.	Unlike Corporations, councils can't just change to using a different auditor within the same firm.	Support Not considered by Council previously, however proposal is supported for probity reasons and noting LGA support.
129 Conduct of Audit	If the SA Auditor-General exercises (existing) powers to perform the council audit, then a normal audit is not required. If the Auditor -General conducts the audit, the council must pay for the reasonable costs incurred.	Note that the Auditor-General also has new powers to conduct a 'review' which is not a full audit but might be, for example, an investigation into a particular aspect of a council's affairs. The broad powers that are already available to the Auditor General to review or audit a council's financial management are further justification that the additional, expensive rates oversight processes outlined in the Bill are unnecessary and unwarranted.	Support Consistent with Council decision of October 2019 which supported the proposal for Auditor-General oversight but expressed concern regarding the potential for this to incur significant additional costs for councils. This has been addressed by the provision as drafted: there is a 'review' power which allows for a focused investigation, and a full audit is not required for a financial year in which council's financial management is audited by the Auditor-General.

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Section of LG Act amended	Effect of amendment – based on LGA summary	LGA guidance and comments	CoA Recommended position
131A Provision of information to the Minister	<p>Councils must provide the Minister with materials specified in Schedule 4 (Material to be included in the annual report) and information at the time/s and in the manner and form specified by the Minister. The Minister may publish this information.</p> <p>This may newly include a report relating to contraventions of Chapter 5 Part 4 Division 2 by members of the council during the relevant financial year, containing the information required by the regulations.</p>	Nil provided by LGA.	<p>Support</p> <p>Not in previous proposals, however support in principle for transparency.</p>
132 Access to documents	Replaces provisions regarding documents to be made available for inspection with requirements for publication online or provision of a printed copy (on payment of any applicable fee), with one comprehensive list in schedule 5.	Nil provided by LGA.	<p>Support</p> <p>Not considered previously, however support greater transparency, access to information and ease of administration.</p>
151 Basis of rating	Delete council power to use 'site value' as a means of rating in section 151(3). All councils will in future use the 'capital value' method.	<p>The OLG advise that currently only 8 councils use site value.</p> <p>This will mean state-wide consistency for ratepayers, but the detail needs to be tested with member councils.</p>	<p>No comment</p> <p>CoA does not use 'site value' as a means of determining rates.</p>
170 Notice of declaration of rates	Requirements to provide public notice of the declaration of rates.	Specific requirements for public notice of the declaration of rates will be set out in the Community Engagement Charter.	<p>Support</p> <p>Consistent with CoA decision of October 2019 in support of establishing a Community Engagement Charter for such purposes.</p>

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Section of LG Act amended	Effect of amendment – based on LGA summary	LGA guidance and comments	CoA Recommended position
194 Revocation of community land	<p>Simplification of current unwieldy process to revoke community lands. Cases where the Minister will be required to make the decision is clarified.</p> <p>More situations where councils can make the decision to revoke uncontroversial community land (eg unmade roads).</p> <p>Does not apply to Adelaide Parklands.</p>	<p>On an initial review of this proposed clause the LGA is not convinced that the drafting achieves the policy intention.</p> <p>With assistance from Norman Waterhouse Lawyers, we hope to clarify this and ensure the Minister is not required to approve minor or uncontroversial applications.</p>	<p>Support</p> <p>Consistent with CoA decision of October 2019. Note LGA query relating to ensuring that Ministerial approval is not required in order to approve minor or uncontroversial applications for revocation.</p> <p>Both processes set out under section 194A (revocation requiring Ministerial approval) and section 194B (revocation relating to other land) retain a requirement to prepare a revocation report and undertake public consultation.</p>
222 Permits for business purposes		Nil provided by LGA	<p>Support</p> <p>This section has been redrafted consistent with CoA decision of October 2019, as requested by Council.</p> <p>This amendment restores the <i>status quo</i> pre-PDI Act amendments to the LG Act (which have not yet commenced), meaning that on passage of these amendments councils will retain ability to regulate circumstances in which public roads may be used for business purposes, separate from the development approval process.</p>
222 (1a) – permits for mobile food vending business 224, 224A, 225 and 225A	<p>Removal of requirement that councils <i>must</i> grant permits to mobile food vending businesses (food trucks).</p> <p>Consequential amendments to sections 224 delete special provisions relating only to permits and offences relating to food trucks.</p>	<p>Mobile food vending business will now be treated like any other business seeking a council permit. This is consistent with ongoing submissions from the sector and LGA advocacy.</p>	<p>Support</p> <p>Consistent with CoA decision of October 2019.</p>

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Section of LG Act amended	Effect of amendment – based on LGA summary	LGA guidance and comments	CoA Recommended position
225 – Location rules - disputes	All businesses will have access to review by the Small Business Commissioner if ‘unreasonably affected’ by activities under authorisations/permits granted by council or refusal to grant such authorisation/permit.		CoA already works to facilitate approvals, unless there are sound reasons not to, so the proposal should not have major impacts to operations. Food trucks and all business will have access to review by the Small Business Commissioner where unduly impacted.
263A-B Referral to Ombudsman	Provisions are clarified and still provide that the Council, Panel, Minister or any person may refer to the Ombudsman any matter alleged to involve a breach of an integrity provision by a Member of Council.	Nil provided by LGA	Support Grounds for referral and action to be taken by Ombudsman remain substantively unchanged.
264-267 Complaint lodged with SACAT	Grounds for referral of a complaint to SACAT are clarified, as is the requirement that a breach of an integrity provision by a Member of Council must first be considered by the Ombudsman and ICAC.	Nil provided by LGA	Support Grounds for referral, constitution and hearings, actions to be taken by SACAT remain substantively unchanged.
270 Review of decisions	Review provisions are largely unchanged but newly provide that an application for review must be: <ul style="list-style-type: none"> • made within 6 months of the reviewable decision unless council allows an application beyond that time • accompanied by the prescribed fee, which council may reduce, waive or refund in whole or part if it sees fit. 	Nil provided by LGA	Support Consistent with CoA decision of October 2019 to support proposal to set a nominal fee and 6 month time limit for requests for internal review, with discretion for councils to refund the fee if the decision is overturned on review, and to extend the time frame on a case by case basis. CoA indicated an appetite for a 12 month time limit.

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Section of LG Act amended	Effect of amendment – based on LGA summary	LGA guidance and comments	CoA Recommended position
Schedule 4 Material to be included in annual report of council	A report relating to contraventions of provisions relating to the Register of Interest during the relevant financial year is newly to be included in the annual report.	Nil provided by the LGA.	Support Not in previous proposals, however support in principle for transparency.

Item 4.14 - Attachment A

City of Adelaide response to the Local Government Review Bill 2020

City of Adelaide Administration has undertaken a detailed analysis of changes the Government proposes to achieve through the Statutes Amendment (Local Government Review) Bill 2020 (the Bill).

The City of Adelaide has been engaged with this State Government reform process since it commenced in February 2019. Formal Council submissions were approved in April and October 2019.

The following table provides an assessment of amendments proposed in the Bill which are of **key concern or interest** to Council.

It provides CoA's comments and recommendations on each of the reforms Council wishes to highlight, based on Council's previous consideration of reform proposals in April and October 2019, and Administration advice.

The provisions are examined below in the order in which they impact relevant legislation, as follows:

- *City of Adelaide Act 1998* (CoA Act)
- *Local Government Act 1999* (LG Act).

No key concerns or issues have been identified by CoA at the time of writing with the proposed amendments to the *Local Government Elections Act 1999*, although it is noted that CoA proposals for consideration of online and compulsory voting are not included in the Bill as introduced.

Analysis, guidance and comments prepared by the Local Government Association of SA (LGA) is also reflected in the content below with acknowledgement and thanks.

Key:

CoA support	CoA query/qualified support	CoA not support/oppose
LGA support	LGA query/qualified support	LGA not support/oppose

Proposals not in the Bill are included in red text.

Attachment B: CITY OF ADELAIDE RESPONSE – AUGUST 2020

Reform of the City of Adelaide Act

The City of Adelaide continues to advocate for a number of proposals put forward by Council in its previous submissions to the State Government, proposing reform of the City of Adelaide Act in particular, and which have not been included in the Bill as introduced.

Council's previous requests to consider electronic (online) and compulsory voting and use of polling booths and days have not been included in the Bill as introduced.

While it may not yet be possible for the sector as a whole to implement such reforms, the CoA again offers to act as a trial or demonstration jurisdiction for such reforms. The statutory framework exists for this in the CoA Act, the provisions of which prevail to the extent of inconsistency with the LG Act, making it easier for the CoA to test local government reforms before they are rolled out to the rest of the sector.

In addition, a number of specific reforms proposed in CoA's earlier submissions have been omitted:

- A more fair and equitable rating system in particular relating to:
 - permitted rating categories
 - rate rebates
 - exemptions
- Review of constraints on commercial and associated activities of councils to drive downward pressure on rates.

Amendments proposed to *City of Adelaide Act 1998* (CoA Act):

Section of CoA Act amended	Effect of amendment	CoA Recommended position
4 Interpretation	<i>Default person, eligible person and nominated person</i> amended in order to support provisions newly requiring nomination of persons by a body corporate or group for the purpose of enrolment to vote in CoA elections	<p>Qualified support</p> <p>Consistent with CoA decision of October 2019 which noted that automatic enrolment of property franchise holders (which CoA already has) will newly include a requirement for a group or body corporate to nominate a natural person to exercise its vote, before receiving ballot papers, to enable councils to ensure that a person is not voting twice in a council election.</p> <p>CoA's previous submission noted that this new requirement will create additional resource implications for Council, administrative impact for property franchise holders and may significantly diminish voter numbers and as a result, the number of persons eligible for candidacy in local government elections, if only a nominated person is eligible.</p> <p><i>While the definitional changes are not opposed, CoA has concerns regarding the administrative burden and resource impacts of the substantive provisions.</i></p>
Schedule 1 CoA Act		
Summary of amendments to sections 3, 3A, 3B, 3C, 4 to implement the proposed requirement to nominate natural person as a representative of a body corporate or group for the purposes of the	<p>Summary - The CEO will be required to request in writing that all bodies corporate and groups nominate an eligible person to vote on their behalf, in advance of each election.</p> <p>The CEO will then be required to write to advise any body corporate or group which does <i>not</i> nominate an eligible person that s/he has nominated a default person on their behalf, or if s/he has not been able to nominate a default person, to advise them that there is no nominated person. These bodies corporate or groups may then</p>	<p>Not supported as drafted</p> <p>The proposal to mandate nomination of a natural person as a representative of a body corporate or group to be on the voters roll was supported by Council in October 2019, noting that care would be required during drafting to manage impacts on Council and the community.</p> <p>CoA presently commits significant administrative resources and expenditure prior to each election on marketing and informing people how to enrol, with online tools and communications which also target bodies corporate and groups. As drafted, this reform is expected to incur additional costs of up to an estimated \$60,000 plus a resource impact of up to an additional 0.5 FTE for each election year, plus additional one-off implementation costs in the first election year to fund e.g. IT systems changes costed at approximately \$10,000, and the costs of revising staff procedure and policy documents and staff training.</p>

Attachment B: CITY OF ADELAIDE RESPONSE – AUGUST 2020

Section of CoA Act amended	Effect of amendment	CoA Recommended position
voters roll and elections	<p>choose to nominate an eligible person within a prescribed time – otherwise the default person will remain the person nominated, or no person will be nominated, to vote on their behalf.</p> <p>Businesses will receive a voting pack showing the name of a nominated person, but the default person’s details will be redacted and thus will only be available to CoA and ECSA. A new offence and \$10,000 penalty has been included for anyone who shares the roll for a purpose not related to a local government election.</p>	<p>The new requirements will increase the administrative burden for bodies corporates and groups during election years if they decide to respond to a nomination request (and potentially further correspondence advising of default / no nomination) in a non-compulsory election for which participation rates are low (30-35% for a general election, and only 17% for the 2020 CoA supplementary election).</p> <p>In addition, the timeframes set out in the Bill do not allow sufficient time for CoA to obtain and review information from the Australian Securities and Investments Commission in order for the CEO to nominate default persons.</p> <p>Given the resource implications and budget impacts further consultation regarding potential amendments is requested.</p>
3 The Voters roll	<p>Amendment will require that the voters roll sets out both the full name of a body corporate or group and the full name and date of birth of a nominated person for that body corporate or group, or if no person has been nominated, the full name and date of birth of a default person.</p> <p>Subsection (2a) the full name and date of birth of a default person will be redacted from the roll.</p> <p>Subsection (10) provides the Electoral Commissioner may at any time (and must, as at present, within 7 days of a closing date) supply the CoA CEO with the House of Assembly roll for persons who reside in the City of Adelaide.</p>	<p>Qualified support</p> <p>Consistent with CoA decision of October 2019 in support of the proposal to mandate nomination of a natural person as a representative of a body corporate or group for the purposes of the voters roll and elections, noting that careful attention would be required during drafting to manage impacts on Council and the community.</p> <p>Given the resource implications and budget impacts further consultation regarding potential amendments is requested.</p>

Attachment B: CITY OF ADELAIDE RESPONSE – AUGUST 2020

Section of CoA Act amended	Effect of amendment	CoA Recommended position
3A Nominating person to vote	<p>The CEO must write to each body corporate and group requesting that it nominates an eligible person to vote on its behalf, at least 7 weeks before the closing date for a periodic election and at least 4 weeks before the closing date for any other election or a poll.</p> <p>A body corporate or group may nominate an eligible person to vote on its behalf by providing the completed nomination form to the CEO by the relevant closing date.</p>	<p>Qualified support</p> <p>Consistent with CoA decision of October 2019 in support of the proposal to mandate nomination of a natural person as a representative of a body corporate or group for the purposes of the voters roll and elections, noting that careful attention would be required during drafting to manage impacts on Council and the community.</p> <p>Given the resource implications and budget impacts <i>further consultation regarding potential amendments is requested.</i></p>
3B Nominating default person to vote	<p>If the CEO has not received a nomination for an eligible person to vote, by the closing date, the CEO must nominate the first officer of the body corporate or the first member of the group as the CEO thinks fit, to vote on behalf of the body corporate or group.</p> <p>The CEO must not nominate a person who is already on or entitled to be enrolled on the voters roll.</p> <p>The CEO may use the most recent name and address information available from ASIC 'after the relevant closing date' to nominate the default person for a body corporate.</p>	<p>Not support as drafted</p> <p>The nomination process combined with the requirements of 3C will incur an additional administrative cost for the CoA. The timeframes mandated are also likely to be problematic – please see 3C below.</p> <p>If ECSA is unable to provide the ASIC data for free, this may also come at a further cost to Council.</p> <p>Given the resource implications and budget impacts <i>further consultation regarding potential amendments is requested.</i></p>
3C	<p>The CEO must within 14 days of closing date given notice to each body</p>	<p>Not support as drafted</p> <p>The timeframes and administrative impact of this clause are problematic:</p>

Attachment B: CITY OF ADELAIDE RESPONSE – AUGUST 2020

Section of CoA Act amended	Effect of amendment	CoA Recommended position
<p>Notice of default person and further nomination of person to vote</p>	<p>corporate and group in respect of which there is no nominated person:</p> <ul style="list-style-type: none"> of a default person nominated by the CEO or that no default person has been nominated if that is the case, <p>and that the body corporate or group may nominate an eligible person within the prescribed period (within 21 days after the closing date).</p> <p>A body corporate or group may nominate an eligible person to vote on its behalf within that period.</p> <p>If the CEO does not receive a nomination from the body corporate or group within the prescribed period or the person is not eligible, any eligible default person already nominated remains the person nominated to vote, or in the alternative, no person is nominated to vote on behalf of the body corporate or group.</p>	<ul style="list-style-type: none"> Once a body corporate or group is asked to nominate a person for voting purposes, the CEO then has 14 days from the closing date to review (using the process in 3B) 'the more recent information available from ASIC <i>after</i> the relevant closing date' to identify a default person <i>or</i> determine that no default person can be nominated. This will incur significant administrative effort. CoA will need to process any nominations made by bodies corporate or groups. If a body corporate or group fails to nominate an eligible person the voters roll will show the default person. If there is no default person, noone will be nominated to vote on behalf of the body or group no ballot paper will be provided to the body or group. This may also result in reduced franchise and potentially eligibility to stand for election in the City of Adelaide. <p>CoA supports the requirement to write again to those bodies corporate and groups for which no eligible person is identified as a default person by the CEO. Otherwise no voting pack would be provided to that body or group under the current proposal.</p> <p>However, in order to lessen the additional administrative burden for council, it is proposed to seek omission of the section 3C(1)(a) requirement to issue a notice informing the body or group of the nomination of a default person.</p> <p>In its place, bodies corporate and groups with default persons could be provided a ballot pack showing the name of the default person. A declaration could be included for the default person to sign indicating that they are the person named therein and that they are aware of the penalties which apply for making a false declaration.</p> <p>This would reduce the additional costs for the CoA, while helping to ensure that only the eligible person nominated by the body corporate or group or the default person nominated by the CEO of the CoA votes on behalf of that body or group, and that they only vote once, in CoA elections.</p>
<p>4 Entitlement to vote</p>	<p>A natural person is entitled to vote on behalf of a body corporate or group named on the voters roll if the natural person is the nominated or default person on the roll for that body or group. Subsection (10) is retained</p>	<p>Qualified support</p> <p>Consistent with CoA decision of October 2019</p> <p>See above for concerns identified elsewhere in this reform area.</p>

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Section of CoA Act amended	Effect of amendment	CoA Recommended position
	which provides that a natural person may only vote in one capacity at an election or poll for the CoA.	
5 Entitlement to stand	<p>The requirement to be a prescribed person is removed from the list of requirements for a person to be eligible to be a candidate for election to the CoA. This removes ‘a person who has held office as a member of the CoA between 5 May 1997 and the commencement of this clause’ as an alternative to the requirement to be an Australian citizen.</p> <p>A nominee of a body corporate or group may be eligible to stand.</p>	<p>Qualified support subject to drafting queries</p> <p>Changes to nomination for bodies corporate and groups may result in a reduced number of nominees and thus fewer persons eligible to stand for election in the City of Adelaide.</p> <p>Seek confirmation as to whether ‘nominee’ includes default person as well as nominated person, as if not the reduction in numbers of eligible person may be even greater.</p> <p>Allows a ‘nominee’ to vote for a body corporate or group – may require consequential amendment to clause 5 to reflect new definitions in section 4 Interpretation (<i>default person, nominated person</i>) and for consistency with eg Schedule 1 clause 19(2)(a)(iii).</p>
18 Postal voting papers 19 Arranging postal papers	<p>Changes are made to this section consequential on the new requirement to nominate a natural person to vote for a body corporate or group. No postal voting papers are to be issued to a body corporate or group unless there is a nominated/default person to vote for the body corporate or group.</p>	<p>Qualified support subject to drafting queries</p> <p>The proposed changes to these clauses should be reconsidered depending on the outcome of the request for redrafting of the above provisions.</p>

Amendments proposed to *Local Government Act 1999* (LG Act):

Section of LG Act amended	Effect of amendment – <i>based on LGA summary</i>	LGA guidance and comments	CoA Recommended position
6 Principal role of council.	New. “6(b) to make decisions about the provision of various public services and facilities that will benefit the community in the context of the capacity and willingness of ratepayers to pay for those services and facilities.”	The LGA is seeking clarification on what that means in practice and whether this additional principal creates grounds for council budgetary decisions to be contested.	Qualified support Not in previous proposals considered by Council. LGA seeks clarification Note deletion of reference to developing community and resources in a ‘socially just and ecologically sustainable matter’.
68 Council Member Register of Interests	If a council member fails to return their Register more than 1 month after the end of a defined period (in most cases 12 months) the member will be suspended and will not be entitled to member allowances. If the suspended member subsequently submits a satisfactory return to the CEO, the CEO will publish a notice on website to this effect and the suspension will be revoked upon publication. If the failure to submit a return continues, the CEO may refer to SACAT.	Consultation with member councils in 2019 showed support for clear consequences for a breach of this requirement. The proposed clause gives council CEOs a role in imposing consequences, including exercising a degree of discretion (ie determining whether the return is satisfactory). The LGA will seek feedback from member councils on the optimal wording for this section.	Qualified support Not in previous proposals considered by Council. Note LGA concern with CEO ability to impose consequences for failure to return register of interests. However note this is an objective/factual rather than subjective assessment (whether a Register has been returned or not) – albeit a CEO decision whether or not to refer a failure to submit to SACAT would indeed require the exercise of discretion.
74-75D Conflicts of Interest	The three categories of Conflict of Interest are reduced to two: ‘General’ and ‘Material’ Conflicts of Interest. A member of a council will not be regarded as having a conflict of interest	The new sections are simpler and less confusing. They should allow greater council member participation in decision-making where there is no actual conflict,	Qualified support Consistent with CoA decision of October 2019 which supported simplification of provisions re- conflicts of interest. CoA also requested guidance in relation to a number of

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Section of LG Act amended	Effect of amendment – based on LGA summary	LGA guidance and comments	CoA Recommended position
	<p>in a matter if the interest is held in common with a ‘substantial proportion’ of the ratepayers, electors or residents of the council area (if that interest is equal).</p> <p>Onus is on the council member to declare/decide whether they have a conflict. Failure to declare a conflict can result in penalties.</p> <p>S75D clarifies that Conflict of Interest provisions extend to committees and subsidiaries and their board members as if they were council members.</p>	<p>or the conflict can be managed appropriately.</p> <p>Areas where further clarification is required include:</p> <ul style="list-style-type: none"> • circumstances where the council has nominated an elected member to the board of another legal entity, • mechanisms for abstaining; and • the ‘substantial proportion’ test. 	<p>matters including the position of council members who are shareholders, and those nominated by council to be a member of a board. These queries appear to have been addressed in the draft provisions.</p> <p>CoA now queries:</p> <ul style="list-style-type: none"> • Sections 74 and 75: Do the conflict of interest provisions apply to both decision-making as well as non decision-making meetings such as proposed new information sessions/briefings? The differentiation between two levels of conflict requires careful review. • S75: for the avoidance of doubt, should it be clarified that Council members are still entitled to receive all meeting papers even though a past conflict of interest may have been declared on the matter or a new conflict of interest may be declared? • S75 (J): for avoidance of doubt sale of goods should be expressly excluded (in addition to services). <i>This may be relevant to a Councillor who runs a business but may not have full oversight on client interactions such as e.g. high volume or online transactions.</i>
<p>75G</p> <p>Council member health and safety obligations</p>	<p>New.</p> <p>Council members are not ‘officers’ or ‘workers’ nor are they ‘conducting a business or undertaking’ for the purpose of the WHS Act. But they will now have specific WH&S obligations under the LG Act.</p>	<p>This proposal needs to be tested with member councils before the LGA forms a position.</p> <p>The CEO will have clear powers to put in place arrangements to ensure employee safety. This could include, for example</p>	<p>Qualified support</p> <p>Not in previous proposals considered by Council.</p> <p>Proposed amendments would achieve greater consistency with WH&S Act provisions which do not presently apply to Council Members.</p>

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Section of LG Act amended	Effect of amendment – based on LGA summary	LGA guidance and comments	CoA Recommended position
	<p>Council members must not adversely affect the health and safety of other members of council or employees.</p> <p>Council members must follow the reasonable directions of a responsible person (usually the CEO) in this respect.</p> <p>Could include a direction that a member of a council not attend a meeting of the council.</p>	<p>implementing administrative arrangements to limit contact between council members or between a council member and an employee.</p> <p>The LGA has sought advice from Norman Waterhouse Lawyers to clarify the proposed role of CEOs in administering this provision.</p> <p>Where appropriate in the circumstances, provision for alternative participation in a council or committees should be considered.</p>	<p>Clarification of policy/ procedure requirements is sought.</p> <p>Note LGA request for legal advice in relation to the role of the CEO.</p> <p>The Bill makes the CEO the responsible person for making a reasonable direction to a council member (including not attending a meeting) if an employee’s health may be adversely affected. In instances relating to the health and safety of the Principal member, other Members or the CEO, the responsible person may be either the Principal or the Deputy or another Member chosen by Council.</p>
76 Member Allowances	<p>Member Allowances to be set by Remuneration Tribunal.</p> <p>LGA to pay Remuneration Tribunal their “reasonable costs”.</p> <p>The requirement of the Remuneration Tribunal to consult with the LGA and reach agreement on arrangements has been deleted.</p>	<p>Clarification is required regarding “reasonable costs” to ensure there are appropriate limits on the cost to councils (via the LGA).</p> <p>100% of SA councils are members of the LGA. However, need enable an equitable proportion of the costs to be recovered from a potential non-member council in the future.</p>	<p>Qualified support</p> <p>Not in previous proposals considered by Council.</p> <p>Note the LGA’s query regarding deletion of the reference to the consultation between the Minister and the Tribunal and LGA regarding ‘reasonable costs’.</p>
80A Training & Development	<p>‘LGA Training Standards’ will still be specified in the Regulations.</p> <p>As previously, each council must adopt their own policy for conducting and completing training and development</p>	<p>The LGA submission recommended that there be approved candidate training and candidates must indicate whether they have completed</p>	<p>Qualified support</p> <p>Consistent with CoA decision of October 2019 which sought establishment of a timeframe for training to be completed and penalty for non-compliance.</p>

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Section of LG Act amended	Effect of amendment – based on LGA summary	LGA guidance and comments	CoA Recommended position
	<p>for their members (which may vary for different members' needs).</p> <p>Amendments provide that if a council member has not completed the training, the CEO must suspend the Council Member (without allowances) unless the Council Member satisfies the CEO that good reasons exist for non-completion.</p> <p>The CEO must lift the suspension if the Council Member has subsequently complied. If not, the CEO may apply to SACAT for an order disqualifying the Member from office if the suspension continues beyond the prescribed time.</p> <p>(See s262 for referral to Behavioural Standards Panel and penalties.)</p>	<p>the approved candidate training, when nominating for council elections.</p> <p>At present, the State Government does not intend to include these in the (yet to be drafted) Regulations.</p> <p>Feedback from members is required about the proposed role for council CEOs in enforcing compliance with the training standards.</p>	<p>LGA is seeking Council feedback regarding proposed enforcement role for CEOs.</p> <p>Note that the application of discretion is limited given the CEO is required to take action to suspend a Council Member for non-completion of training, and must lift the suspension once training has been undertaken.</p> <p>However, CEO discretion would be applied when a CEO considers whether or not good reason exists for non-compliance, or whether to apply for SACAT for a disqualifying order (but only beyond a prescribed time).</p>
<p>80B</p> <p>Suspension of Council Member subject to an intervention order</p>	<p>The CEO will have discretion to suspend or not to suspend a Council Member who is subject to a relevant interim intervention order, and to revoke a suspension. The suspension must be lifted if the order is revoked.</p> <p>A Member is entitled to allowance entitlements during the period of suspension due to a relevant <i>interim</i> intervention order.</p> <p>If a Council Member is subject to a relevant <i>final</i> intervention order the CEO must notify the Member that s/he</p>	<p>This proposal needs to be tested with member councils before the LGA forms a position.</p> <p>The LGA has sought advice from Norman Waterhouse Lawyers to clarify the proposed role of CEOs in administering this provision.</p> <p>Feedback from members is required about the proposed role for council CEOs.</p>	<p>Qualified support</p> <p>Not in previous proposals considered by Council.</p> <p>LGA seeks feedback from Councils regarding proposed enforcement role for CEOs.</p> <p>However, note limited discretion:</p> <ul style="list-style-type: none"> • A suspension order must be lifted if the order is revoked • A Member is entitled to allowances during suspension

Attachment B: CITY OF ADELAIDE RESPONSE – AUGUST 2020

Section of LG Act amended	Effect of amendment – based on LGA summary	LGA guidance and comments	CoA Recommended position
	<p>is suspended from office, and not entitled to an allowance.</p> <p>The CEO may also apply to the SACAT for an order disqualifying the member from office if the suspension continues beyond the prescribed time.</p>		<ul style="list-style-type: none"> The CEO must suspend a Member under a final intervention order. <p>Discretion is limited to:</p> <ul style="list-style-type: none"> CEO decision whether or not to suspend a Council Member subject to a relevant interim intervention order CEO decision whether or not to apply to SACAT for a disqualification order if the suspension for more than prescribed time. <p>Also query practical application – how will CEO enforce?</p>
81 Frequency and timing of ordinary meetings	<p>*Amendment sought by CoA* Currently section 81(6) provides ordinary meetings of council may not commence before 5pm without a unanimous resolution of council.</p>	Nil provided by LGA – CoA proposal	<p>Amendment sought by CoA to provide that ordinary meetings of CoA be permitted to start at any time from 2p.m. (the current restriction having proven impractical).</p>
86 Procedure at meetings	<p>A Council Member must not behave in an improper or disorderly manner or cause interruption to another Member who is speaking.</p> <p>A Presiding Member may direct exclusion for up to 15 minutes of a member who fails to comply, during which period no matter may be put to a vote.</p> <p>Regulations may prescribe procedures authorising censure, exclusion or suspension.</p>	Nil provided by LGA	<p>Support</p> <p>The CoA decision of October 2019 supported the proposal to clarify the Presiding Member's role in ensuring sound working relationships within council.</p> <p>This amendment empowers the Presiding Member to exclude a council member (for up to 15 minutes), for improper or disorderly behaviour or interruption noting that the Council must not vote on any matter during that period of exclusion.</p>

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Section of LG Act amended	Effect of amendment – based on LGA summary	LGA guidance and comments	CoA Recommended position
	In an amendment consequential upon removal of provision for a chairperson from the Act, the provision is deleted under which the chairperson of a council has a deliberative but not casting vote.		As CoA has a directly elected Lord Mayor, there is no impact of deletion of the provision relating to the deliberative vote of a chairperson.
S90(8) Informal Meetings held in public New S90A Information or briefing sessions	<p>The rules relating to informal gatherings are simplified.</p> <p>The Bill replaces 'informal gatherings or discussions' with a simpler scheme of clearly defined 'information and briefing sessions' described in new section 90A.</p> <p>An 'Information or briefing session' is required to be open to the public and a record made.</p> <p>The CEO makes decisions regarding whether a matter will be on the agenda and if the group has 'effectively made the decision'.</p>	<p>The current provisions are confusing and unintentionally broad.</p> <p>These new sessions will enable councils to more easily discuss and better understand their business but will also retain the expectation that these sessions cannot be used to obtain, or effectively obtain, decisions that should be made in a public council meeting.</p>	<p>Not support - query</p> <p>CoA decision of October 2019 did not support this proposal.</p> <p>This amendment proposes deleting s90(8) and (8a) which provide for 'informal gatherings' of council and committee in order to discuss matters such as strategic planning, training sessions, workshops and social gatherings.</p> <p>It provides instead for information or briefing sessions to address issues identified by councils.</p> <p>The intent is queried. If it is no longer possible to hold closed informal gatherings for e.g. strategic planning then it should be opposed.</p> <p>Information sessions or briefings should be held in public if they relate to a matter or matters that are or are intended to be on the agenda for a formal meeting of council, unless section 90(3) grounds apply to hold a closed meeting. However public meetings should not be mandated for e.g. strategic planning, workshops, social gatherings or training, as is now permitted under section 90(8), provided that Council is not</p>

Attachment B: CITY OF ADELAIDE RESPONSE – AUGUST 2020

Section of LG Act amended	Effect of amendment – based on LGA summary	LGA guidance and comments	CoA Recommended position
			seeking to ‘obtain or effectively obtain’ a decision outside of a public meeting.
90 Meetings to be held in public except in special circumstances Consequential amendments sought also to sections 81, 83, 84, 85, 86, 91, 92 and the Local Government (Procedures at Meetings) Regulations 2013	* Amendment sought by CoA* Currently section 90 (among others) and the <i>Local Government (Procedures at Meetings) Regulations 2013</i> make no provision for electronic participation in ordinary meetings of council. Council proposes that provision be made in the Act for electronic participation in the future without requiring gazettal of a Public Health Emergency Notice.	Nil provided by LGA – CoA proposal	Amendment sought by CoA Seek amendment to section 90 and consequential amendments to provide for electronic participation in Council Meetings, which could be based on the model in the <i>Public Health Emergency: Electronic Participation in Council Meetings (No 1)</i> gazetted on 31 March 2020. Electronic participation has provided a means for councils to conduct their business safely in recent months. Alternative means of participation in a Council or Committee meeting may be required in future as a consequence of future events, or e.g. under a ‘reasonable direction of a responsible person’ to put in place arrangements to ensure employee safety (as the LGA points out in its comments at section 75G). This proposal would future proof Council procedures, and better enable the sector to provide for the health and safety of Council Members, employees and the public by being responsive to circumstances which may arise.
120A Employee Behavioural standards	A Council may prepare and adopt or review and vary Employee Behavioural Standards, in consultation with a relevant industrial association. Standards may set out expectations of behaviour to be observed and provide	While the council will adopt the overall policy, the CEO otherwise remains in charge of employee matters.	Not support Not considered by Council previously. As the only employee of council, the CEO appoints all other staff to administer council’s functions and duties.

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Section of LG Act amended	Effect of amendment – based on LGA summary	LGA guidance and comments	CoA Recommended position
	<p>for other matters. Employees will be required to comply, and failure to do so may constitute grounds for disciplinary action against the employee, including suspension or dismissal.</p> <p>Within 6 months of a periodic election, council must review the standards (in consultation with a relevant industrial association) or consider adopting standards if none have already been adopted.</p>	<p>The LGA offers to consult with member councils and with the relevant trade unions</p>	<p>It is thus the CEO's role to set employee behaviour standards as administered through councils' human resource management and employee contracts.</p>
<p>122 Strategic Management Plan</p>	<p>A Council's Long-Term Financial Plan (LTFP) must be for a 10 year period.</p> <p>The LTFP must:</p> <p>(Newly)</p> <ul style="list-style-type: none"> • outline council's approach to funding services and infrastructure • Set out council's total revenue for the period • Outline the sources of revenue including fees, grants, rates and charges. <p>(3a) Regulations may require the inclusion of additional information in an SMP.</p>	<p>The LGA acknowledges the significant work that almost all councils have undertaken in developing their LTFPs and is comfortable with this codification of existing practice.</p> <p>Note that the Community Engagement Charter arrangements:</p> <ul style="list-style-type: none"> • will require councils to consult with communities on their LTFPs; and • are likely to require councils to undertake further consultation before changes are made to the LTFP. 	<p>Not support</p> <p>This proposal was not supported by Council in October 2019.</p> <p>Policy additional to CoA's Treasury police was considered to be burdensome and of limited utility, because e.g.:</p> <ul style="list-style-type: none"> • CoA reviews funding assumptions with Council and the Audit Committee as part of annual business planning. • The section 122(1a)(a)(iii) requirement to outline intended source of total revenue (rates, grants and other fees and charges) is consistent with what CoA currently provides. <p>Open-ended requirements could impose further regulatory burdens on councils e.g.:</p> <ul style="list-style-type: none"> • What additional requirements are intended to be prescribed under section 122(3a)?

Attachment B: CITY OF ADELAIDE RESPONSE – AUGUST 2020

Section of LG Act amended	Effect of amendment – based on LGA summary	LGA guidance and comments	CoA Recommended position
			<ul style="list-style-type: none"> What does the Minister intend to require a CEO to report on under section 122(4b)(a) and what is the likely timeframe S122(4b)?
123 Annual Business Plan	<p>An Annual Business Plan (ABP) must newly include the following additional contents:</p> <ul style="list-style-type: none"> a statement on proposed change in total revenue from general rates for the financial year. If the ABP sets out a growth component in relation to general rates it may only relate to growth in the number of rateable properties and not to growth in the value of rateable properties. an explanation of how the proposed change is consistent with the council's LTFP. a summary of other reasons for the proposed change. details of impact of the proposed change on average rates for each land use category. advice received from the 'Designated Authority' (likely Essential Services Commission of SA); and council's response to that advice which must set out whether the proposed change in total revenue from general rates is consistent with the advice and reasons for any inconsistency if not. 	<p>This section would impose a series of expensive and unwarranted new requirements on councils in drafting and adopting their Annual Business Plan and Budget.</p> <p>This proposal introduces another layer of bureaucracy and gives a significant role to an unelected body that has no relationship with or accountability to the local community.</p> <p>This process will place councils in a continuous cycle of administrative planning and reporting that will detract from the councils' role in providing local services and facilities that benefit the local community.</p> <p>The timeframes outlined in this section are unrealistic and unworkable. A council will be required to adopt a draft Annual Business Plan and Budget in December – 6 months prior to the commencement of the new financial year. This provides</p>	<p>Not support</p> <p>This proposal was not supported by Council in October 2019.</p> <p>The proposed requirement in section 123 (2)(ea)(i) to relate growth only to <i>number</i> and not <i>value</i> of rateable properties may not be a true reflection of the service implications for Council and ultimately ratepayers – noting that in a capital city the valuation and relative implications of one property to another can be different.</p> <p>It is proposed (section 123(3a)) to require Councils to provide the designated authority by 31 December in the financial year prior with:</p> <ul style="list-style-type: none"> Proposed change in rates revenue Council's view of impact on ratepayers Alternatives to rates revenue considered How aligns with LTFP, Infra and AMP, and Any other matter prescribed/requested <p>This is unachievable and impractical as it would require the drafting and review of budgets by Administration in September and October, nine months prior to the commencement of the following financial year, and initial review from Council in November (usually March-April).</p>

Attachment B: CITY OF ADELAIDE RESPONSE – AUGUST 2020

Section of LG Act amended	Effect of amendment – based on LGA summary	LGA guidance and comments	CoA Recommended position
	<p>(3a) The following information forming the basis of preparing the draft ABP must be provided to the Designated Authority by 31 Dec in the FY preceding and must include:</p> <ul style="list-style-type: none"> • the proposed change in total revenue from general rates. • the council’s view of the impact of the change on ratepayers. • information about consideration given by council to alternatives to the proposed change including total revenue resulting from such alternative measures. • information as to how the proposal is consistent with the Council’s LTFP. • any other matter set out in the in Regs. <p>The Designated Authority must provide its advice back to the council by 31 March of each year.</p> <p>The Designated Authority must have regard to:</p> <ul style="list-style-type: none"> - Information provided by, AND any matter directed by the Minister; and - Any other matter considered relevant by the Designated Authority. 	<p>limited flexibility to respond quickly and effectively to changing economic and social circumstances, such as those we have experienced in 2020 during the Covid-19 public health emergency.</p> <p>In 2019, the South Australian Productivity Commission undertook an Inquiry into Local Government Costs and Efficiency. The Inquiry found that SA councils are achieving high levels of efficiency and did not make any recommendations that are consistent with the rate capping proposals contained within the Bill.</p> <p>The Commission did, however, find that regulatory compliance costs and the expansion of mandated responsibilities under state legislation have created additional cost pressures for councils.</p> <p>This Bill introduces a range of new compliance requirements that will need to be funded by councils. The costs of this process are likely to be significant. A ‘Designated Authority’ (likely to be ESCOSA)</p>	<p>Council would only have the benefit of data from one quarter’s financial results from the financial year commenced in July. This will result in far greater rework of budgets as preliminary budgets will be largely based on the prior financial year’s budget, rather than actuals. This will not enable council to reflect evolving priorities and factors influencing financial performance. This is especially challenging for Council’s commercial businesses and will not allow Council to make decisions based on the best and most recent information available.</p> <p>Rates should not be set until required services are identified, so it will be necessary to prepare the budget before Council can determine the rates necessary in order to fund them.</p> <p>This deadline would also require CoA to complete valuations and discuss them with council first, which is unachievable. CoA will commence 2021-22 valuations in October 2020. This would allow CoA less than three months to have valuation figures (involving review of more than 26,000 assessments) ready for the budget – which is not achievable. Valuations figures derived in early December, six months ahead of time, would not be robust nor reliable. CoA could also lose significant rate revenue unless Council’s valuation resources are increased in order to avoid the need to make assumptions about properties so far in advance, with greater risk of inaccuracy. This will require site visits which can take time to arrange particularly with</p>

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Section of LG Act amended	Effect of amendment – based on LGA summary	LGA guidance and comments	CoA Recommended position
	<p>The Designated Authority must publish a copy of any direction given by the Minister as soon as practicable.</p> <p>If the Designated Authority considers a council has failed to respond to its advice - it May provide a report to the Minister.</p>	<p>will need to undertake an individual assessment of every councils plans and budget, every year.</p> <p>As a reference, the Essential Services Commission in Victoria spent \$2 million in 2018/19 administering its local government regulatory role.</p> <p>Every extra dollar that is needed to fund new reporting requirements in an extra dollar that needs to be paid by ratepayers, or one less dollar that is invested in local services and facilities.</p> <p>This proposal is inconsistent with the LGA’s longstanding policy position to oppose rate capping in any form.</p>	<p>development sites. Valuations ultimately need to be accepted by Council before any rate notices are distributed. Several thousand “corrections” to properties’ data also require significant administrative effort to process.</p> <p>S123(3b), (3c), (3d), (3e) set out the timelines and mechanics of interactions and process between the designated authority and Minister and council. The proposed three month timeline for the designated authority to provide its advice on the appropriateness of Council’s proposed change in total revenue from general rates for the next financial year is not workable (too long).</p> <p>S123(7a) could also be problematic – in circumstances such as the present COVID-19 emergency a more responsive mechanism may be required to respond quickly necessitating urgent borrowings beyond an amount foreseen in the budget. This provision may also limit Council’s capacity to respond to emerging opportunities, especially co-funding opportunities for infrastructure or projects, or unanticipated opportunities to purchase key strategic property (e.g. 88 O’Connell).</p> <p>S123(10a) is overly prescriptive and could be replaced by e.g. principles or mandatory minimum essential content.</p> <p>S123(16) allows for cost recovery by the designated authority from councils which would shift the costs of state govt regulation to local government, beyond the regulatory burden.</p>

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Section of LG Act amended	Effect of amendment – based on LGA summary	LGA guidance and comments	CoA Recommended position
Ch 13 s273 Reviews Initiated by Minister	<p>Minister may ask the council to report under s123 to the designated authority (likely ESCOSA).</p> <p>If the Minister deems that council has “failed to adequately respond” to the designated authority’s advice, then the Minister direct the council to provide a report to the Minister on the Matter.</p> <p>Under section 273 the Council may be directed to “rectify the matter” or to prevent recurrence of the “act, failure or irregularity”.</p> <p>This is not limited to situations where there has been a breach or failure by a council. It has potential for use in relation to any council budgetary decision, including e.g. where the Minister and council merely have different financial priorities.</p>	<p>Councils already publicly consult and report on Annual Business Plans and Budgets, which outline proposed rate increases.</p> <p>Councils also have Audit Committees and are subject to an annual external audit. The Auditor General also has broad powers to review a councils’ financial decision making.</p> <p>Ultimately, councils are accountable to the community and are held to account via democratic elections that are held every 4 years.</p> <p>This proposal centralised more power with an individual Minister, who will be given extremely broad scope to direct a council in relation to its budget and the delivery of local services and projects.</p> <p>This proposal is inconsistent with the LGA’s longstanding policy position to oppose rate capping in any form.</p>	<p>Not support</p> <p>Not considered by Council previously.</p> <p>S273 allows for Minister to take action on a report of designated authority under s123 i.e. in relation to a council budget, including if a council has failed to respond appropriately to advice from a designated authority under s123.</p> <p>The Minister may direct the council to rectify or prevent recurrence, and in some instances may recommend the Governor declare council a ‘defaulting Council’ (and appoint an administrator etc).</p>
125 Internal Control policies	<p>New Regulation making powers. Councils must ensure their policies, practices and procedures comply with these Regulations <i>in relation to internal controls (risk and audit)</i>.</p>	<p>This is a potentially significant power and has the potential for the State government to significantly encroach on the</p>	<p>Qualified support</p> <p>Not considered by Council previously, however the policies, systems and procedures are required to comply with standards or other</p>

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Section of LG Act amended	Effect of amendment – based on LGA summary	LGA guidance and comments	CoA Recommended position
		<p>decision-making of local representatives.</p> <p>The scope of the section extends to any policy, procedure, etc.</p> <p>The section could be used to effectively take away almost all council discretion and undermines the role of local government as an independent, democratic sphere of government.</p>	<p>documents relating to internal control prescribed by the regulations.</p> <p>The scope of this proposal only relates to Audit and Risk Committees which we already have in place, along with internal controls, thus is not considered to be problematic.</p> <p>While the concerns raised by the LGA are noted, OLG advice is that the intent is to prescribe the LGA Better Practice Model of Internal Financial Controls, which has been agreed and adopted by peak local government financial management and auditing bodies as the framework by which all local councils in SA self-assess risk management areas of their business and establish measures to mitigate this risk.</p>
165 Rebate of rates – educational purposes	*Amendment sought by CoA* Rates on land used for educational purposes to receive a 75% rebate – unchanged.	Nil provided by LGA.	<p>Further consideration sought of CoA proposal approved in October 2019 that the Government reconsider rate rebates for educational purposes applicable to universities.</p>
221 Alteration of road		Nil provided by LGA	<p>Oppose as drafted and seek consultation on redrafting</p> <p>Inconsistent with CoA decision of October 2019 which highlighted 'issues of significant concern' related to permits issued under section 221 of the LG Act as a result of the anticipated implementation of certain <i>Planning, Development and Infrastructure Act 2016</i> (PDI Act) provisions.</p>

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Section of LG Act amended	Effect of amendment – based on LGA summary	LGA guidance and comments	CoA Recommended position
			<p>(Aligned concerns with section 222 appear to have been resolved – see Attachment A.)</p> <p>Council has been advised that the proposed amendments to section 221 do not fully address the concerns raised. Rather they may further diminish council oversight and ability to regulate proposed alterations to public roads with anticipated adverse impacts.</p>
262A Council Member Behaviour	A person may make a complaint in accordance with the council’s (new) behaviour management policy if a Member of Council fails to comply with the conduct provisions. Council must deal with a complaint (including determining to take no further action) in accordance with its behaviour management policy.	<p>Council has initial obligation to deal with council member behavioural issues, according to their own ‘Code’.</p> <p>This is consistent with previous LGA local government reform submissions.</p>	<p>Support</p> <p>Consistent with CoA decision of October 2019 to support proposal to empower councils to deal with complaints under a self-determined complaints handling processes, e.g. by requiring or directing actions.</p>
262B Council Member Behaviour	<p>A council MUST prepare and adopt a (new) behaviour management policy which includes provisions authorising the presiding member, CEO or delegate to receive and deal with complaints according to the policy.</p> <p>The policy must be reviewed within 12 months after each periodic election.</p> <p>This policy must not be inconsistent with behavioural standards published by the Minister and must comply with</p>	Nil provided by LGA	<p>Support</p> <p>Consistent with CoA decision of October 2019 to support proposal to empower councils to deal with complaints under a self-determined complaints handling processes, eg by requiring or directing actions.</p> <p>Also consistent with the CoA proposal of April 2019 which sought changes to:</p> <ul style="list-style-type: none"> • Deter vexatious/frivolous complaints • Clearly classify misconduct including bullying and harassment

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Section of LG Act amended	Effect of amendment – based on LGA summary	LGA guidance and comments	CoA Recommended position
	<p>any requirement specified by those standards.</p> <p>Council Members must comply with the behavioural management policy.</p>		<ul style="list-style-type: none"> • Provide strong penalties and sanctions for serious, persistent misconduct • Include enforcement mechanisms for breach of general duties.
262C Member Behaviour - Action	<p>Council has powers to include in their policy the following consequences/ penalties for breaches:</p> <ul style="list-style-type: none"> • censure motion • public apology • specified training or instruction • removal or suspension from 1 or more offices held. <p>Reports on such matters are to be considered in public by council, and council must proceed expeditiously and with limited formality and technicality. This attempts to enable councils to resolve such matters without lawyers.</p> <p>Councils are not bound by the rules of evidence but must provide procedural fairness.</p>	<p>Most of these changes are welcome.</p> <p>Legal advice, mediation and other options can be used, if a council chooses.</p> <p>Based on the consultation with the sector in 2019, there may be some concern if a majority of council members have a power to suspend a council member, even after a formal process had been completed.</p> <p>The LGA will seek feedback from member councils on the detail of this proposal.</p>	<p>Qualified support</p> <p>Consistent with CoA decision of October 2019 to support proposal to empower councils to deal with complaints under a self-determined complaints handling processes, e.g. by requiring or directing actions.</p> <p>Also consistent with the CoA proposal of April 2019 which sought changes to:</p> <ul style="list-style-type: none"> • Deter vexatious/frivolous complaints • Clearly classify misconduct including bullying and harassment • Provide strong penalties and sanctions for serious, persistent misconduct • Include enforcement mechanisms for breach of general duties. <p>Note concerns highlighted by the LGA.</p>
262D - Member Behaviour - Reasons	<p>If a council refuses to deal with a complaint or determines to take no further action, then the council must provide written reasons.</p>	<p>This is a new administrative step that, ideally, will be part of an overall scheme that is faster and less expensive than currently operating.</p>	<p>Support</p> <p>Consistent with CoA decision of October 2019 to support proposal to empower councils to deal with complaints under a self-determined complaints handling processes, e.g. by requiring or directing actions. This also keeps Councils accountable for undertaking these processes.</p>

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Section of LG Act amended	Effect of amendment – based on LGA summary	LGA guidance and comments	CoA Recommended position
262E Behaviour Panel - Interpretation	<p>Misbehaviour, repeated behaviour and serious misbehaviour are defined.</p> <p>Misbehaviour means a failure to comply with:</p> <ul style="list-style-type: none"> • a requirement under 262C(1) (i.e. the council determination about the complaint) • a provision of council’s behaviour management policy • an agreement reached following mediation, conciliation arbitration, dispute resolution process (i.e. if agreed then reneged upon). <p>‘Serious misbehaviour’ means bullying or harassment of another member or employee of council (see section 75G Health and Safety Duties).</p>	<p>Classifying these levels of poor behaviour will enable the new Behaviour Panel to issue guidelines on likely penalties.</p> <p>The proposal will give the Panel power to define bullying and harassment, for the purposes of the Local Government Act.</p>	<p>Support</p> <p>Consistent with CoA decision of October 2019 to support proposal to better enable escalation of serious behavioural matters to an independent body that can e.g. suspend members.</p>
S262F Establishment and Constitution of Panel	<p>Local Government Behaviour Panel is a body corporate with 3 members:</p> <ol style="list-style-type: none"> 1. one is jointly appointed by Minister and LGA 2. one is appointed by Minister 3. one is appointed by LGA <p>None is a Member or employee of a council. Collective qualifications, knowledge and experience are defined.</p>	<p>This proposal is consistent the LGA’s previous local government reform submissions.</p>	<p>Qualified support</p> <p>Consistent with CoA decision of October 2019 to support proposal to establish a new conduct management framework including a Commissioner (now conceived of as a Panel) to oversee Council Member conduct, enabling the Ombudsman and ICAC to focus on administrative acts of councils and integrity matters.</p>
262J	<p>Remuneration and expenses of the Panel will require approval by the Governor.</p>	<p>Early estimates (based on Local Government Grants Commission Model) indicate</p>	<p>Qualified support</p>

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Section of LG Act amended	Effect of amendment – based on LGA summary	LGA guidance and comments	CoA Recommended position
Panel – Remuneration and expenses 262M - Costs	The Bill provides that the LGA would pay the ongoing administrative and operational costs of the Panel, with the Panel able to recover reasonable costs from councils on a fee for service basis when their matters come before the Panel.	costs of \$300-350K per annum for three Panel Members (including an Executive Officer and one administrative person). <i>The LGA is seeking feedback on whether the sector is prepared to fund the proposed model.</i>	Consistent with CoA decision of October 2019 to support proposal to establish a new conduct management framework including a body to oversee council member conduct. <i>More information is sought regarding funding of the Panel's operations and the anticipated costs to Councils.</i>
S262N	The Panel must: <ul style="list-style-type: none"> - publish guidelines - publish model behavioural management policies - publish practice directions - perform other functions conferred under this or any other Act 	The LGA will seek further details on the funding model. At present, the LGA would pay extra, if the Minister assigned the Panel additional functions. This appears to present an open-ended financial commitment. There is a danger that the State Government could use LGA to take on extra regulatory roles (cost shifting). Extra LGA and sector funding needs to be by agreement.	Qualified support Consistent with CoA decision of October 2019 to support proposal to establish a new conduct management framework including a body to oversee council member conduct. Guidelines and model policies will provide Panel guidance to individual councils in setting their own policies. <i>More information is sought regarding funding of the Panel's operations and the anticipated costs to Councils.</i>
262Q Referral	A complaint alleging misbehaviour, repeated misbehaviour or serious misbehaviour may be referred to the Panel by: <ul style="list-style-type: none"> - a resolution of council - a CEO of council - at least 3 members of council - the Minister 	Council policies should have processes to deal with complaints from the public, council staff and council members. This clause needs to distinguish members of the public complaining about council member behaviour (already	Support Consistent with CoA decision of October 2019 to support proposal to establish a new conduct management framework including a body to oversee council member conduct. A person dissatisfied with a council decision under section 262Q as amended only relates to decisions under Division 1 and requires there to

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Section of LG Act amended	Effect of amendment – based on LGA summary	LGA guidance and comments	CoA Recommended position
	<p>Any person dissatisfied with a council decision in relation to a complaint <i>under Division 1</i> (ie a member behaviour complaint) including a decision of council not to deal with a complaint, may refer the subject matter of the complaint to the Panel.</p>	<p>dealt with by s273 with appeals to Ombudsman) and complaints from staff and council members. The public already has the ability to complain about council member behaviour. There is no need (and have been no calls) for an additional grievance process for members of the public.</p> <p>Council staff and members should have access to the Panel where internal council processes have not been successful.</p>	<p>have been misbehaviour, serious or repeated misbehaviour. This therefore should not open up a broad scope for public complaints.</p>
262S	<p>Behavioural Panel may refuse to deal with a complaint that is considered trivial, vexatious, not in good faith, without standing, unnecessary or unjustifiable, already dealt with adequately, or otherwise not in the public interest.</p> <p>The Panel must inform the party who referred the complaint to the Panel and may refer the complaint to Council if satisfied that it is not misbehaviour including repeated or serious misbehaviour.</p>	Nil provided by LGA	<p>Support</p> <p>Consistent with CoA decision of October 2019 to support proposal to establish a new conduct management framework including a body to oversee council member conduct.</p>
262T, 262U, 262V	Panel may arrange for investigations, compel reports from council, etc.	Council will often conduct an initial investigation. While the Panel should be a fast and low-cost forum, it may need to (but	<p>Support</p> <p>Consistent with CoA decision of October 2019 to support proposal to establish a new</p>

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Section of LG Act amended	Effect of amendment – based on LGA summary	LGA guidance and comments	CoA Recommended position
	Panel may arrange for alternative dispute resolution. If this results in agreement, it is to be recorded in writing.	should not be required to) conduct its own investigation.	conduct management framework including a body to oversee council member conduct.
262W Powers of the Behaviour Panel.	<p>The Panel may:</p> <ul style="list-style-type: none"> • Reprimand • Direct a council to censure • Require a public apology • Require a councillor to undertake a course of training or development. • Require a councillor to reimburse an amount of money (costs) • Remove or suspend a Member • Suspend for up to 3 months • Direct council to lodge a complaint with SACAT (who can extend suspension or remove a person from council). <p>The Panel must provide a report on the matter to Council, and may require that this be public. The Panel may require a council to provide a report to the Panel.</p> <p>If a councillor fails to comply with an order of the Panel, this is an integrity breach and council is to lodge a complaint with SACAT. If the Panel considers a council has failed to comply, it may report it to the Minister.</p>	The LGA queries why the Panel refers censures back to councils and doesn't have the power to censure, itself.	<p>Qualified support – request for amendment</p> <p>Consistent with CoA decision of October 2019 to support proposal to establish a new conduct management framework including a body to oversee council member conduct.</p> <p>In addition, CoA requests inclusion of a timeframe in which the Panel is required to inquire and take action on a complaint before it, ideally before the next/following Council meeting. The Panel has the ability to employ staff and investigators and to utilise employees of Government agencies, and recoup operating costs from the LGA and fees for service from councils who bring matters before it. The Panel should therefore be able to perform its functions expeditiously and minimise delays in resolving complaints.</p> <p>Note LGA query as to why Panel refers matters back to councils to 'pass a motion to censure', and doesn't have its own power to censure. The Panel does have the power to reprimand including by public statement, which is not dissimilar to censure, but cannot as a body corporate pass a motion.</p>
S262Y	If a Council or the Panel reasonably suspects that a complaint relates to	Clarification is required regarding where appeals from	Qualified support

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Section of LG Act amended	Effect of amendment – based on LGA summary	LGA guidance and comments	CoA Recommended position
	conduct that involves corruption in public administration within the ICAC Act 2012 ie an integrity issue, it must be referred to the Office for Public Integrity. Consideration of the complaint is deferred until after the ICAC notifies the council or Panel that it should continue.	Panel go, where there is not corruption.	<p>Consistent with CoA decision of October 2019 to support proposal to clearly separate behavioural matters from integrity matters under a new conduct management framework.</p> <p>Do Panel appeals go to SATAC where corruption is not involved? Clarification is also sought regarding Council consideration of integrity issues in confidence.</p>
S273 Action a Minister can take on Report	<p>A Minister may, on the basis of information received from:</p> <ul style="list-style-type: none"> • ICAC • The Auditor-General • The Ombudsman • A Designated Authority under s123 • A report of the Small Business Commissioner • A report of the behavioural standards panel; or • A report of a council administrator, <p>ask council why s/he shouldn't direct the council.</p> <p>If not satisfied with the response, the Minister can direct the council to rectify or prevent recurrence of the matter, or in some circumstances, declare it to be a defaulting council and appoint an administrator.</p>	This is the clause that gives the Minister broad powers to direct a council on matters arising out of these bodies.	<p>Qualified support</p> <p>Broadly consistent with CoA decision of October 2019 in support of establishment of Behaviour Management framework.</p> <p>Inconsistent with Council opposition to provisions of section 123 (rate monitoring system).</p>

Exclusion of the Public

ITEM 5.1 04/08/2020
The Committee

Program Contact:
Rudi Deco, Manager
Governance 8203 7442

2018/04291
Public

Approving Officer:
Mark Goldstone, Chief
Executive Officer

EXECUTIVE SUMMARY

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

- 6.1. Lounders Boatshed Cafe [s 90(3) (d)]
- 6.2. E -Scooter Mobility Services [s 90(3) (d) & (h)]

The Order to Exclude for Item 6.1 & 6.2:

1. Identifies the information and matters (grounds) from s 90(3) of the *Local Government Act 1999 (SA)* utilised to request consideration in confidence.
2. Identifies the basis – how the information falls within the grounds identified and why it is necessary and appropriate to act in a meeting closed to the public.
3. In addition identifies for the following grounds – s 90(3) (b), (d) or (j) - how information open to the public would be contrary to the public interest.

ORDER TO EXCLUDE FOR ITEM 6.1

THAT THE COMMITTEE

1. Having taken into account the relevant consideration contained in s 90(3) (d) and s 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of The Committee dated 4/8/2020 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 6.1 [Lounders Boatshed Cafe] 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 commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information and confer a commercial advantage on a third party.

Public Interest

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 because the disclosure of this information may result in release of information prior to the finalisation of 'commercial in confidence' negotiations between the proponent and their suppliers and may materially and adversely affect the financial viability of the proponent in relation to contract negotiations which on balance would be contrary to the public interest.

2. Pursuant to s 90(2) of the *Local Government Act 1999 (SA)*, this meeting of The Committee dated 4/8/2020 orders that the public (with the exception of members of Corporation staff and any person permitted to remain) be excluded from this meeting to enable this meeting to receive, discuss or consider in confidence Item 6.1 [Lounders Boatshed Cafe] listed in the Agenda, on the grounds that such item of business, contains information and matters of a kind referred to in s 90(3) (d) of the Act.

ORDER TO EXCLUDE FOR ITEM 6.2

THAT THE COMMITTEE

1. Having taken into account the relevant consideration contained in s 90(3) (d) & (h) and s 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of The Committee dated 4/8/2020 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 6.2 [E - Scooter Mobility Services] listed on the Agenda in a meeting open to the public would on balance be contrary to the public interest.

Grounds and Basis

Consideration in confidence is sought because information disclosed in this report contains information provided to Council on a confidential basis. The third-party information concerns restructuring of operations as part of a sale of a business and could reasonably be expected to prejudice the commercial position of the parties who supplied the information.

This Item is confidential as it contains legal advice. It is produced for the purpose of assisting the Council with its review of the proposed novation. In order to protect the legal advice contained in this report, we recommend that the Council does not disclose the content of this report to any third party. If the report is disclosed to any third party, the Council will lose privilege in the document and it could be used in legal proceedings against the Council.

Public Interest

Release of the information is contrary to the public interest as it could jeopardise the proposed third-party business transaction or confer an advantage on a third party in competition with the parties who supplied the information.

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the disclosure of this information could be commercially damaging to the third parties involved.

2. Pursuant to s 90(2) of the *Local Government Act 1999 (SA)*, this meeting of The Committee dated 4/8/2020 orders that the public (with the exception of members of Corporation staff and any person permitted to remain) be excluded from this meeting to enable this meeting to receive, discuss or consider in confidence Item 6.2 [E - Scooter Mobility Services] listed in the Agenda, on the grounds that such item of business, contains information and matters of a kind referred to in s 90(3) (d) & (h) of the Act.

DISCUSSION

1. s 90(1) of the *Local Government Act 1999 (SA)*, directs that a meeting of a Council Committee must be conducted in a place open to the public.
2. s 90(2) of the *Local Government Act 1999 (SA)*, states that a Council Committee may order that the public be excluded from attendance at a meeting if the Council Committee considers it to be necessary and appropriate to act in a meeting closed to the public to receive, discuss or consider in confidence any information or matter listed in s 90(3).
3. s 90(3) prescribes the information and matters that a Council may order that the public be excluded from.
4. s 90(4) of the *Local Government Act 1999 (SA)*, advises that in considering whether an order should be made under s 90(2), it is irrelevant that discussion of a matter in public may:
 - 4.1 cause embarrassment to the council or council committee concerned, or to members or employees of the council or
 - 4.2 cause a loss of confidence in the council or council committee, or
 - 4.3 involve discussion of a matter that is controversial within the council area, or
 - 4.4 make the council susceptible to adverse criticism.
5. s 90(7) of the *Local Government Act 1999 (SA)* requires that an order to exclude the public:
 - 5.1 Identify the information and matters (grounds) from s 90(3) of the *Local Government Act 1999 (SA)* utilised to request consideration in confidence.
 - 5.2 Identify the basis – how the information falls within the grounds identified and why it is necessary and appropriate to act in a meeting closed to the public.
 - 5.3 In addition identify for the following grounds – s 90(3) (b), (d) or (j) - how information open to the public would be contrary to the public interest.
6. s 87(10) of the *Local Government Act 1999 (SA)* has been utilised to identify in the Agenda and on the Report for the meeting, that the following matters are submitted seeking consideration in confidence.
 - 6.1 Information contained in Item 6.1 – Lounders Boatshed Cafe
 - 6.1.1 Is not subject to Existing Confidentiality Orders.
 - 6.1.2 The grounds utilised to request consideration in confidence is s 90(3) (d)
 - (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
 - 6.2 Information contained in Item 6.2 – E -Scooter Mobility Services
 - 6.2.1 Is not subject to an Existing Confidentiality Order.
 - 6.2.2 The grounds utilised to request consideration in confidence is s 90(3) (d) & (h)
 - (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
 - (h) legal advice

ATTACHMENTS

Nil

Confidential Item 6.1

Lounders Boatshed Café

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

Pages 281 to 289

Confidential Item 6.2

E -Scooter Mobility Services

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

Pages 290 to 294
