



THE COMMITTEE - PRE- COUNCIL DISCUSSION FORUM AGENDA & REPORTS

for the meeting

Tuesday, 1st March, 2022

at 5.30 pm

in the Colonel Light Room, Adelaide Town Hall

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

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 Kaurna people of the Adelaide Plains and pays respect to Elders past and present. We recognize and respect their cultural heritage, beliefs and relationship with the land. We acknowledge that they are of continuing importance to the Kaurna people living today.

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

2. Apologies and Leave of Absence

On Leave -

Councillor Hyde

Apologies -

Nil

3. Confirmation of Minutes

That the Minutes of the meeting of The Committee held on 15 February 2022 and the Special meeting of The Committee held on 22 February 2022, be taken as read and be confirmed as an accurate record of proceedings.

4. Presentations

Nil

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

All reports in this section will be presented to Council on 8 March 2022 for consideration and determination

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7.	All reports in this section will be presented to Council in Confidence	
	All reports in this section will be presented to Council on 8 March 2022 for consideration and determination	
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Community Infrastructure Funding Recommendations

Strategic Alignment - Thriving Communities

Public

Tuesday, 1 March 2022

The Committee - Pre-Council Discussion Forum

Program Contact:

Christie Anthoney - Associate Director City Culture

Approving Officer:

Ilia Houridis - Director City Shaping

EXECUTIVE SUMMARY

The purpose of this report is to seek Council approval for grant allocations for the 2021/22 Community Impact Grants Community Infrastructure Category. The Community Infrastructure Grants are for minor infrastructure improvements, replacement and new infrastructure, and are open to community groups who are seeking to upgrade, improve or replace infrastructure that will clearly benefit the community through improved access, social inclusion, and participation.

The following recommendation will be presented to Council on 8 March 2022 for consideration

That Council

1. Approves the following 2021/22 grant allocation recommendations as per Attachment A to Item # on the Agenda for the meeting of the Council held on 8 March 2022:
 - 1.1. Drop In Care Space - \$31,465
 - 1.2. Park Terrace Community Garden - \$19,752
 - 1.3. South Australian Disc Golf - \$48,783

IMPLICATIONS AND FINANCIALS

City of Adelaide 2020-2024 Strategic Plan	<p>Strategic Alignment – Thriving Communities</p> <p>This report supports Council's vision of Adelaide as the most liveable City in the world. The Community Impact Grants support the delivery of the Thriving Communities outcomes.</p>
Policy	The recommendations in this report align with the Community Impact Grants & Strategic Partnerships Guidelines [Link 1 view here].
Consultation	Not as a result of this report
Resource	Not as a result of this report
Risk / Legal / Legislative	Grant recipients are required to provide public liability insurance, sign a grant agreement that identifies the key deliverables of the project and satisfactorily acquit their grant on project completion, inclusive of required approvals.
Opportunities	The Community Impact Grants extend the community value achieved by Council by enabling community organisations to deliver City of Adelaide's strategic priorities according to individual and community needs and opportunities.
21/22 Budget Allocation	Community Impact Grants and Strategic Partnerships budget allocation is \$746,000 in total with \$100,000 allocated for the Community Infrastructure category.
Proposed 22/23 Budget Allocation	Not as a result of this report
Life of Project, Service, Initiative or (Expectancy of) Asset	Grant recipients are funded on an annual basis and must acquit within two years.
21/22 Budget Reconsideration (if applicable)	Not as a result of this report
Ongoing Costs (eg maintenance cost)	Not as a result of this report. Physical assets created as a result of this funding are owned by the applicant who is responsible for the lifecycle costs of the asset.
Other Funding Sources	Other grant funding contributors, co-contributions and in-kind support from applicants will usually be included in applications for grants.

DISCUSSION

1. The guidelines for the new Community Impact Grants and Strategic Partnerships Program were approved by Council at its meeting on 8 June 2021.
2. The purpose of the Community Impact Grants and Strategic Partnerships Program is to provide financial support to eligible clubs, groups, educational institutions, organisations and residents to ensure the outcomes of Council's Strategic Plan 2020-2024 are realised.
3. The Community Impact Grants and Strategic Partnerships program has a budget of \$746,000 and consists of the following categories:

FUNDING CATEGORY	DESCRIPTION	AMOUNT	AVAILABILITY
Quick Response Grants	Quick turnaround grants for small scale community initiatives	Up to \$2,000	Open and assessed all year round
Community Impact Grants	Small to medium sized activities, events or programs	Up to \$25,000	Open two rounds per year (Q1 & Q3 of financial year)
Community Infrastructure Grants	Minor Infrastructure improvements available to community groups	Up to \$100,000	Open one round per year (Q2 of financial year)
Strategic Partnerships	Large innovative projects that are a mechanism for the City of Adelaide (Council) to work as a genuine and trusted partner with organisations to achieve the aspirations of Council and the partner organisation, adding flexibility and scope not available in our typical grants program	Up to \$50,000 per year for up to three years	Open one round per year (Q2 of financial year)

4. The Quick Response and Community Impact Grants program launched in August 2021. Council approved the funding recommendations for Round One of the Community Impact Grants over \$10,000, at its meeting on 14 December 2021.
5. The Community Infrastructure Grants were open between 1 December 2021 and 20 January 2022:
 - 5.1. Approximately \$100,000 total is allocated to Community Infrastructure Grants.
 - 5.2. Ten applications were received with requests totalling \$628,805. All applications were received through the new grants program Smart Grants.
 - 5.3. Applications were assessed by the Grants Coordinator and an assessment team consisting of representatives from City Lifestyle, Infrastructure Planning, Park Lands & Sustainability and City Planning & Heritage. Final recommendations were then agreed at an assessment panel.
 - 5.4. Seven applications were unsuccessful and not recommended for funding. A summary of these applications is provided here [Link 2 view [here](#)].
 - 5.5. Three applications are recommended for funding in this report (as listed in **Attachment A**).
6. A financial breakdown of the Community Impact Grants & Strategic Partnerships Program is presented in the table below as at 27 January 2022:

Grant Program	Grant Category	2021/22 Financial Year					Budget Remaining
		Budget Allocation	Approved through CEO Delegation	Council Approval (this report)	Previously endorsed by Council 21/22	Multi- year funding (previously endorsed)	
Community Impact Grants & Strategic Partnerships	Quick Response	\$746,000	\$30,426	N/A	N/A	N/A	\$288,964
	Community Impact		\$33,051		\$171,825	N/A	
	Community Infrastructure		N/A	\$100,000		N/A	
	Strategic Partnerships		February 2022	N/A	N/A	\$121,734	

7. If all recommendations in this report for the Community Infrastructure grants are approved, \$288,964 of the grants budget will be remaining. These funds will be expended through delivery of Strategic Partnerships, Community Impact Grants Round Two and Community Impact Quick Response Grants in the remainder of 2021/22 financial year.
8. The first round of Community Impact Grants received applications totalling \$397,012. To date, \$235,302 total funding has been granted to Community Impact and Quick Response Grants, and approximately \$128,266 is expected to be allocated to Strategic Partnerships, in addition to the \$121,734 pre-committed.
9. This was the first time Council has offered a Community Infrastructure grant round. The following reflections are worth noting:
 - 9.1. Recognising the significant cost that infrastructure projects can attract, the maximum of \$100,000 was offered to provide the opportunity to fund either a single larger-scale project, or several smaller projects.
 - 9.2. A total of ten applications were received. More worthy applications were received for high value infrastructure projects than anticipated, reaffirming the need for this fund. Four of the ten applications requested the maximum \$100,000 funding amount.
 - 9.3. All of the ten applications received were considered by the panel to be of high quality and the round was highly competitive, again reaffirming the need for this fund.
 - 9.4. The panel has made the difficult decision to recommend funding three smaller projects rather than one signature project.
 - 9.5. Administration will continue to investigate other funding options for the worthwhile unsuccessful applications that were not able to be funded from this grant.
 - 9.6. At the end of the 2021/22 Financial Year, the City Lifestyle team will review the breakdown of the funding across the Community Impact Grants and Strategic Partnerships program and if necessary, provide some recommendations to review allocations.

DATA AND SUPPORTING INFORMATION

Link 1 - Community Impact Grants & Strategic Partnerships Guidelines

Link 2 - Summary of Applications not recommended for Funding

ATTACHMENTS

Attachment A – 2021/22 Community Infrastructure Grant recommendations for Council endorsement.

- END OF REPORT -

ATTACHMENT A - 2021/22 Community Infrastructure Grant funding recommendations for Council endorsement

Community Impact Grants & Strategic Partnerships Grants Program

The purpose of the Community Impact Grants Program is to provide financial support to eligible clubs, groups, educational institutions, organisations and residents to ensure the outcomes of Council's Strategic Plan are realised.

Category – Community Infrastructure

LIMIT OF FUNDING

Maximum of \$100,000 per application

FUNDING OPPORTUNITIES

One round per annum

FUNDING AVAILABLE

\$100,000 is allocated to Community Infrastructure Category

PROGRAM PRIORITIES

Infrastructure improvements or new infrastructure contributing to Council's key strategic themes:

Priority	Description
Welcoming	Create opportunities for people to welcome newcomers into their local neighbourhood
Participation	Encourage residents and community groups to actively participate in their local city community
Reconciliation	Develop and strengthen Reconciliation practices. Support, promote and share Aboriginal and Torres Strait Islander cultures recognising the Kaurua people as traditional owners of the land
Social Inclusion	Deliver inclusive responses to meet the needs of isolated and marginalised groups

ATTACHMENT A - 2021/22 Community Infrastructure Grant funding recommendations for Council endorsement

Neighbourhood Connection	Create opportunities for people to connect with each other. Celebration of diverse community and collaborations
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ASSESSMENT CRITERIA

Criteria	Consideration	Weighting
Community Benefit	The application identifies a clear benefit for the community and will lead to an increase in community access and/or participation.	35%
	The application demonstrates evidence and /or clear reason for why the project was developed.	
	The application addresses an identified need, gap or deficiency in the availability of facilities in the community.	
	The application identifies a clear target group that will benefit from the project.	
	The application identifies a clear plan to measure the benefit of the project.	
Strategic Alignment	The application identifies a clear outcome/s, which is/are aligned to the City of Adelaide Strategic Plan (2020 – 2024)	25%
	The application demonstrates consideration of: <ul style="list-style-type: none"> • environmental sustainability (see Environmental Leadership outcomes in the City of Adelaide Strategic Plan 2020-2024) • inclusivity of all members of our community and accessibility for all. 	
Quality Infrastructure	The application demonstrates that the project will: <ul style="list-style-type: none"> • Increase community access • Increase a facility's carrying capacity or participation • Provide fit for purpose facilities 	20%

ATTACHMENT A - 2021/22 Community Infrastructure Grant funding recommendations for Council endorsement

	<ul style="list-style-type: none"> • Address a safety issue or disability access • Reduce the environmental footprint of the facility • Improve the aesthetic of a facility 	
Financial Risk and Project Delivery	The application outlines a clear plan for delivery – including consideration of risk, integration with other partners and resources required.	20%
	The project proposed represents good value for money and Council will receive a good return on investment.	
Total		100%

COMMUNITY INFRASTRUCTURE GRANTS – DETAILS OF RECOMMENDATIONS FOR FUNDING:

Organisation Name	Project Name	Total Cost	Amount Requested	Amount Recommended	Project Description	Recommendation & Supporting Comments	Funding Conditions
Drop In Care Space (Cnr Whitmore Sq & Sturt St)	Drop In Care Space: Accessibility Improvements	\$63,070	\$58,770	\$31,465	<p>Upgrade and improve the accessibility and facilities of their new community drop-in centre in order to meet the needs of isolated and marginalised groups, including people with disabilities, and create an inclusive community space where individuals have the opportunity to connect and participate in activities. Proposed upgrades include:</p> <ul style="list-style-type: none"> • Automatic opening front entry and rear exit doors • Accessibility improvements to make the toilet fully accessible for wheelchair users • Construction of a wheelchair accessible community garden • Kitchen renovations including adding additional bench space, a new stove and wheelchair accessible sink • Widening internal doorways 	<p>Part Funding (\$31,465) recommended. Well written application with supporting evidence of need. The Drop in Care Space is still in its infancy with a vision to establish a community drop-in centre that is accessible and welcoming to everyone aged 18+. The organisation already has a good level of community support evidenced by a successful GoFundMe campaign attracting 74 donations totalling more than \$10,000 to secure tenure of the building. They</p>	<p>Deliverables</p> <p>Funding is subject to Drop In Care Space:</p> <ol style="list-style-type: none"> 1. Agreeing and adhering to the grant schedule and key performance indicators set by the City of Adelaide 2. Purchasing and installing automatic front and rear entrance doors 3. Renovating existing toilet block to provide a wheelchair accessible toilet 4. Tracking visitation (i.e. changes to visitation) to the Drop in Care Space by people who use wheelchairs or mobility aids for 6-months post installation of the accessible doors and toilet. 5. Providing a case study to the City of Adelaide of a regular visitor to the Drop in Care Space outlining how they have benefitted from the renovations and the impact their involvement at the Drop In Care Space has had on their wellbeing

ATTACHMENT A - 2021/22 Community Infrastructure Grant funding recommendations for Council endorsement

					Community Impact Grant Priority – Social Inclusion	<p>have secured a five-year lease with an additional five-year first right of renewal, providing confidence that the investment in infrastructure will result in the intended benefits for the community. Providing easy access for people with a disability is a necessary component for this organisation to create a welcoming and inclusive space and aligns with Council's Strategic Plan and Disability Access and Inclusion Plan.</p>	<p>6. Measuring the number of City of Adelaide residents using the centre 7. Acknowledging Council grant funding on all public communications related to the renovations and improvements in accessibility 8. Providing the City of Adelaide with reports and acquittals post implementation of the program</p>
Park Terrace Community Garden Committee	Permeable Fence to Community Garden Perimeter	\$19,752	\$19,752	\$19,752	<p>The construction of a permeable fence. The total length will be 115 metres and make provision for 2 accessible gates.</p> <p>Community Impact Grant Priority - Participation</p>	<p>Full funding (\$19,752) recommended. Well written application clearing outlining the need for the project and the potential for the community garden to attract new members once the project is complete. The project gained in principle approval of Council at its meeting on 14 December 2021 and it aligns with a number of Council's strategic plan outcomes and grant priorities areas.</p>	<p>Deliverables Funding is subject to the Park Terrace Community Garden Committee:</p> <ol style="list-style-type: none"> 1. Agreeing and adhering to the grant schedule and key performance indicators set by the City of Adelaide 2. Purchasing the materials and completing construction of the permeable fence according to the design principles that have been approved by Council, with input from APLA in November 2021 3. Providing Council with an overview of a plan for future promotional and marketing activities to attract back previous members and new members once the fence has been constructed 4. Providing a case study to Council highlighting the impact of the new fence in reinvigorating enthusiasm, commitment and participation of existing members and any connection between the new fence and the

ATTACHMENT A - 2021/22 Community Infrastructure Grant funding recommendations for Council endorsement

							<p>return of previous members and/or attracting new members</p> <p>5. Acknowledging the City of Adelaide grant funding on all public communications regarding the construction of the fence</p> <p>6. Providing the City of Adelaide with reports and acquittals post implementation of the program</p>
South Australian Disc Golf	Tee Pads	\$48,783	\$48,783	\$48,783	<p>The application is for the construction of new tee pads as the current tee off sections of natural grass have been torn up from consistent use from SA Disc Golf competitors and heavy use by the public. The deterioration has created unsteady ground to throw from and has become a safety issue. SA Disc Golf have been in consultation with Council's Public Realm Team who have recommended the use of Soilbond for construction of the tee pads, a material already used in areas of the Park Lands for paths.</p> <p>Community Impact Grant Priority - Participation</p>	<p>Full funding (\$48,783) recommended. The disc golf course is easily accessible to the public, can be used casually at no cost and is a popular activity in the Park Lands. The sport of disc golf continues to grow in popularity and is a low-cost, socially inclusive sport. The disc golf course plays a key role in activation of the Park Lands, addresses many barriers to participation in physical activity and aligns with a number of Strategic Plan outcomes. The construction of the tee pads will improve both the safety and quality of the course for the community and ensure that this important asset maintains excellent condition for many years to come.</p>	<p>Deliverables</p> <p>Funding is subject to SA Disc Golf:</p> <ol style="list-style-type: none"> 1. Agreeing and adhering to the grant schedule and key performance indicators set by the City of Adelaide 2. Constructing 9 new tee pads on the existing disc golf course located in Ityamai-itypina /King Rodney Park (Park 15) as per specifications provided by the City of Adelaide 3. Continuing to work closely with Council staff throughout the delivery of the project 4. Providing a case study to the City of Adelaide which outlines how SA Disc Golf worked together with City of Adelaide staff to jointly plan and deliver the upgrade, including any learnings that may improve the effectiveness of future, similar partnerships 5. Acknowledging Council grant funding on all public communications regarding the installation of the tee pads 6. Providing the City of Adelaide with reports and acquittals post implementation of the project

Pedestrian Footpath Safety - E-Scooters and Bicycles

Strategic Alignment - Thriving Communities

Public

Tuesday, 1 March 2022

The Committee - Pre-Council Discussion Forum

Program Contact:

Geoff Regester – Acting Associate Director Infrastructure

Approving Officer:

Tom McCready, Director City Services

EXECUTIVE SUMMARY

At its meeting on 14 December 2021, Council requested that we provide advice on the legal powers available to the City of Adelaide (CoA) to monitor and moderate the behaviours of people riding e-scooters and bicycles on footpaths, particularly in relation to the safety of people walking/working on footpaths.

This report provides a summary of the actions that CoA could take in relation to managing people using e-scooters and bicycles on footpaths in the city.

The following recommendation will be presented to Council on 8 March 2022 for consideration

That Council

1. Notes the information included in this report and the options available to Council in relation to the safe use of e-scooters and bicycles on footpaths.
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IMPLICATIONS AND FINANCIALS

City of Adelaide 2020-2024 Strategic Plan	Strategic Alignment – Thriving Communities A safe, affordable, accessible and well-connected city for people of all ages and abilities, and all transport modes. Healthy and resilient communities. Safe and welcoming community spaces.
Policy	Not as a result of this report
Consultation	Ongoing consultation with the Department for Infrastructure and Transport and other Councils regarding e-scooter operations.
Resource	Not as a result of this report
Risk / Legal / Legislative	Council has a responsibility to provide a safe environment for all road/path users.
Opportunities	Opportunity to improve the safety and experience for people using city streets.
21/22 Budget Allocation	Not as a result of this report
Proposed 22/23 Budget Allocation	Not as a result of this report
Life of Project, Service, Initiative or (Expectancy of) Asset	Not as a result of this report
21/22 Budget Reconsideration (if applicable)	Not as a result of this report
Ongoing Costs (eg maintenance cost)	Not as a result of this report
Other Funding Sources	Not as a result of this report

DISCUSSION

1. At its meeting on 14 December 2021, Council resolved the following in relation to pedestrian footpath safety:
'That Council:
Requests the Administration provide advice to the February 2022 meeting of Council about the legal powers available to it to monitor and to moderate the speed and behaviours of people who ride scooters and bicycles on City of Adelaide footpaths, including potential actions Council might implement to increase safety for pedestrians on footpaths, in particular children and the aged, as well as hospitality workers who wait on tables for outdoor cafes and restaurants.'
2. At its meeting on 14 September 2021, Council resolved the following in relation to the trial of e-scooters in the city:
'That Council:
 1. *Notes the outcomes of the E-scooter trial and that the trial is considered to have been successful.*
 2. *Approves the continuation of the E-scooter trial and the expansion of the boundary to include the shared path on the northern side of Wakefield Road to facilitate travel between the City of Adelaide and City of Norwood, Payneham and St. Peters.*
 3. *Authorises the Lord Mayor to write to the Minister for Infrastructure and Transport noting the success of the trial, requesting approval to extend the trial for a further 12 months, and supporting the inclusion of E-scooters in the Australian Road Rules.*
 4. *Notes that the Administration will review and amend the permit conditions as necessary to ensure E-scooters in the City of Adelaide are operated as safely and efficiently as possible, with a specific focus on delivering the appropriate placement of E-Scooters while not in use, such as designated E-scooter parking bays.'*
3. Discussions between CoA and e-scooters providers are underway to ensure e-scooters within the city are operated as safely and efficiently as possible, including trialling initiatives that will ensure the appropriate placement of e-scooters when not in use.

Strategic context

4. Council's Strategic Plan 2020-2024 sets out a series of priorities and actions to achieve our vision for Adelaide to be the most liveable city in the world. Transforming the ways we move around is listed as one of our Strategic Priorities.
5. The Strategic Plan includes 'Thriving Communities' as an overarching outcome, and the creation of a city that is welcoming, inclusive and accessible to all, which includes:
 - 5.1. Safe and welcoming community spaces.
 - 5.2. A safe affordable, accessible, well-connected city for people for all ages and abilities, and all transport modes.
6. One of the actions of the Strategic Plan is to work with the State and Federal Governments to future proof infrastructure for emerging modes of transport, and trial smart, sustainable forms of public transport.

Summary of the issue

7. It is understood that there have been a number of complaints from members of the public relating to collisions or near-misses between people on foot and people riding e-scooters/ bicycles on footpaths.
8. Council records show that in in 2021 there were seven complaints related to a collision or near-miss with an e-scooter riding on a footpath, and two complaints related to a bicycle being ridden on a footpath
9. Data from the e-scooter operators notes that there are, on average, eight incidents a month relating to injuries, near-misses or collisions.
10. It is acknowledged that many collisions or near-misses of this nature may go unreported.

E-Scooters

11. E-scooters are an emerging mode of transport that have become popular in cities around the world. They provide a sustainable option for short journeys or the first/last leg of a longer trip when combined with another mode (such as public transport).

12. CoA is currently collaborating with the State Government to trial e-scooters within the city and North Adelaide. Based on the information currently available, it is considered that this trial is successful. The e-scooter trial was the subject of a report to Council on 14 September 2021.
13. The current trial only allows shared e-scooters that are operating subject to a business permit issued by Council to be ridden within a designated area. Personal e-scooters (i.e. those owned personally, not run by a commercial operator via our permit system) are not currently legal to use on streets and footpaths.
14. The road rules that apply to the use of shared e-scooters include the following.
15. Riders:
 - 15.1. Must be at least 18 years old.
 - 15.2. Must wear an approved bike helmet.
 - 15.3. May ride on footpaths and shared paths unless otherwise prohibited.
 - 15.4. May ride on a road only when crossing or to avoid an obstruction for up to 50 metres. If road travel is required, riders:
 - 15.4.1. Must travel less than 50 metres along the road to avoid the obstruction.
 - 15.4.2. Must keep as far to the left side as possible.
 - 15.4.3. Must obey any traffic signals.
 - 15.5. Must not ride on a road:
 - 15.5.1. With a dividing line or median strip.
 - 15.5.2. Where the speed limit is greater than 50km/h.
 - 15.5.3. Which is one-way with more than one marked lane.
 - 15.5.4. If otherwise prohibited.
 - 15.6. Must not ride in a bike lane or bus lane.
 - 15.7. Must use a warning to avert danger.
 - 15.8. Must have proper control at all times and ride with due care and reasonable consideration for other persons.
 - 15.9. Must not exceed 15 km/h or a lesser speed if required in the circumstances to stop safely to avert danger.
 - 15.10. Must not ride abreast.
16. CoA has the authority to manage conditions with the operator via the permit. However, Council does not have authority to address or enforce issues with specific individuals using e-scooters if they are breaching road rules while in motion, such as wearing a helmet, speed or perceived 'dangerous' driving. South Australian Police can take enforcement action for any breaches of the Australian Road Rules or offences that may apply.
17. Through the permit conditions, CoA works with the e-scooter operators to manage use of shared e-scooters within the city. This includes utilising the ability to geo-fence e-scooters so that they cannot be used in certain areas of the city at particular times. Currently e-scooters cannot be used in Rundle Mall at any time, or in the City West Declared Public Precinct (as defined by SAPOL) between 6:00 pm to 6:00 am on Fridays and Saturdays.
18. It is possible for CoA to amend the conditions of the permits and add further locations/streets where e-scooters cannot be ridden. Whilst this may improve safety and experience for people walking / using the footpath, it is noted that this may have other impacts such as the reduced attraction of the well-used shared e-scooters as a mode of transport.
19. The road rules state that e-scooters must not exceed 15 km/hr. If CoA is seeking to reduce e-scooters speed limits on all or some streets, the recommended approach would be to request this of the State Government at a broad level, rather than via the operator's permit which would create something that is CoA-specific and in conflict to the gazetted max speed limit. A lower maximum speed limit could be set at a permit level for the operator to abide by, however it is anticipated this would cause confusion and challenges for compliance monitoring.

20. As noted in the report to Council on 14 September 2021 (Link 1 view [here](#)), the National Transport Commission (NTC) has recently published an amendment to the Australian Road Rules to include personal mobility devices, including e-scooters. Whilst these national rules are currently a model law with no legal effect, the South Government may choose to incorporate them into the road rules (with or without amendments).
21. If this were to occur, Ministerial approval would no longer be required for the operation of e-scooters, and all devices, including shared mobility and privately owned devices, will be legal for use on public roads in every jurisdiction across the state. Under this circumstance, privately owned e-scooters could not be geo-fenced to prevent them from being ridden on specified city streets/precincts.
22. At this stage, without knowledge of how or when the road rules may change, it is not possible to determine how CoA could respond to best manage the use of e-scooters on our streets.
23. It is noted that e-scooters are also being trialled in other Australian cities, with different rules applying, including in Victoria where shared e-scooters can be ridden on bicycle lanes, shared paths and lower speed roads (up to 50 km/hr). E-scooters are not to be ridden on footpaths in Victoria. Any changes to the legislation to change the rules relating to where e-scooters can be ridden in South Australia would be determined by the state government.

Bikes on footpaths

24. People are allowed to ride bicycles on footpaths in South Australia, regardless of the age of the bike rider.
25. People riding on footpaths must adhere to the Australian Road Rules (South Australia), which include the following in relation to cycling:

250 – Riding on a footpath or shared path (part)

(2) The rider of a bicycle riding on a footpath or shared path must—

- (a) keep to the left of the footpath or shared path unless it is impracticable to do so; and*
- (b) give way to any pedestrian on the footpath or shared path.*

253 – Bicycle riders not to cause a traffic hazard

The rider of a bicycle must not cause a traffic hazard by moving into the path of a driver or pedestrian.

26. Bike riders must not ride on footpaths to which a 'No Bicycles' sign applies. Council has the authority to install 'No Bicycles' signs on footpaths within the City of Adelaide. However once installed, Council does not have the authority to enforce breaches of the signs, this is the responsibility of SAPOL.
27. The following road rule applies to 'No Bicycles' signs:

252—No bicycles signs and markings

- (1) The rider of a bicycle must not ride on a length of road or footpath to which a no bicycles sign, or a no bicycles road marking, applies.*
- (2) A no bicycles sign, or a no bicycles road marking, applies to a length of road or footpath beginning at the sign or marking and ending at the nearest of the following:*
 - (a) a bicycle path sign or bicycle path road marking;*
 - (b) a bicycle lane sign;*
 - (c) a separated footpath sign or separated footpath road marking;*
 - (d) a shared path sign;*
 - (e) an end no bicycles sign;*
 - (f) the next intersection.*

28. The speed limit for a someone riding a bike on a footpath is the same as the speed limit on the adjacent road, which, for the majority of city streets, is 50 km per hour.
29. These road rules, involving a 'moving traffic offence' are only able to be enforced by SAPOL officers. Council's Community Safety Officers are not able to enforce rules relating to people riding bikes on footpaths.
30. The State Government provide the following information for people riding on footpaths, [My Licence - Cycling Laws](#)

31. It is considered that people are more likely to ride their bike on the footpath when they believe that the adjacent road is unsafe or inconvenient (such as a one-way street). Improving the safety of our streets and providing more separated bike infrastructure will provide safe spaces for people to ride bikes and improve the safety of people on footpaths, thereby working towards our aim to create a city that is welcoming, inclusive and accessible to all.

Education and information

32. CoA provides information on our website to people moving about the city, [Etiquette when moving about the city | City of Adelaide](#)
33. The information focuses on planning ahead, obeying the road rules and paying attention to surroundings and sharing the space. Specific information is provided aimed at pedestrians, cyclists and drivers and includes written information and short videos to highlight specific issues.
34. We have also installed various informal signs / footpath decals at locations where we have known issues, such as the 'Keep Left', 'Slow' and 'Narrow Path Please Share' path decals that we have installed at specific locations around the city and Park Lands.
35. It is difficult to measure the impact of these education, information and informal signage initiatives.
36. We could review the information currently available on our website and the signage/path decals used and consider whether we could add further information or initiatives that may assist in addressing the behaviour of people riding e-scooters and bikes on footpaths. This is likely to require funding to implement any initiatives that are identified and selected for implementation.

Summary

37. There are existing road rules in place to manage the appropriate usage of e-scooters and bicycles on footpaths – however, unfortunately some users of e-scooters and bicycles do not abide by these rules. Enforcement of these road rules is the responsibility of the South Australian Police, with resources to enforce these rules being prioritised along with other policing matters.
38. Council has the authority to take a number of actions to monitor and manage the use of e-scooters and bicycles on footpaths in the city, including:
- 38.1. Monitor complaints via the e-scooter operators and through our existing communication and record keeping systems
 - 38.2. Installation of 'No Bicycles' signage on footpaths
 - 38.3. Geo-fence the operation of shared e-scooters to effectively 'ban' them for specific streets/locations at certain times of the day
 - 38.4. Implement education/information campaigns to encourage people to do the right thing and obey current laws

DATA AND SUPPORTING INFORMATION

State Government My Licence Cycling Laws

CoA website information – Etiquette when moving about the City of Adelaide

Link 1 – Report to Council – 14 September 2021

ATTACHMENTS

Nil

- END OF REPORT -

Resource Recovery Strategy Progress Report

Strategic Alignment - Environmental Leadership

Public

Tuesday, 1 March 2022

The Committee - Pre-Council
Discussion Forum

Program Contact:

Sarah Gilmore - Associate
Director Park Lands, Policy &
Sustainability

Approving Officer:

Ilia Houridis - Director City
Shaping

EXECUTIVE SUMMARY

The Resource Recovery (Organics, Recycling and Waste) Strategy 2020-2028 [Link 1 view [here](#)] and *Action Plan 2020-2028* [Link 2 view [here](#)] (the Strategy and Action Plan) was adopted by Council on 10 November 2020.

The Progress Report provides an overview of progress against the key actions listed for each Target Area in the Action Plan and project highlights for the period 10 November 2020 to 31 December 2021, and this is summarised in this report.

The following recommendation will be presented to Council on 8 March 2022 for consideration

That Council

1. Notes the Progress Report on the implementation of the Resource Recovery (Organics, Recycling and Waste) Strategy and Action Plan 2020-2028 for the period 10 November 2020 to 31 December 2021 as shown in Attachment A to Item # on the Agenda for the meeting of the Council held on 8 March 2022.

IMPLICATIONS AND FINANCIALS

City of Adelaide 2020-2024 Strategic Plan	<p>Strategic Alignment – Environmental Leadership Strategic Alignment – Enabling Priorities</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> <p>4.4 Support our community to transition to a low carbon economy through education, incentives and appropriate infrastructure</p>
Policy	Not as a result of this report
Consultation	Not as a result of this report
Resource	Not as a result of this report
Risk / Legal / Legislative	Not as a result of this report
Opportunities	Opportunities to reduce exposure to the Solid Waste Levy and achieve the City of Adelaide's long-term sustainability goals.
21/22 Budget Allocation	Not as a result of this report
Proposed 22/23 Budget Allocation	Not as a result of this report
Life of Project, Service, Initiative or (Expectancy of) Asset	The Strategy and Action Plan have an 8-year timeframe.
21/22 Budget Reconsideration (if applicable)	Not as a result of this report
Ongoing Costs (eg maintenance cost)	Not as a result of this report
Other Funding Sources	Two financial grants totalling \$93,000 (exc. GST) were awarded to the City of Adelaide by Green Industries SA for the delivery of two projects. Additional grants and partnerships will continue to be pursued during the life of this strategy.

DISCUSSION

Overview

1. The City of Adelaide (CoA) provides a range of waste and recycling services to keep the city's streets and communities clean and safe and to pursue its strategic outcomes of achieving Council's endorsed motion of becoming the first 'zero waste' city in Australia.
2. On 10 November 2020, the *Resource Recovery (Organics, Recycling and Waste) Strategy 2020* [Link 1 view [here](#)] and *Action Plan 2020-2028* [Link 2 view [here](#)].
3. The Strategy and Action Plan provide an 8-year framework to redefine the concept of waste, recover moreresources, and build a circular economy in the City of Adelaide.
4. Details surrounding the outcome of the city-wide waste audit which informed the development of the Strategyand Action Plan can be viewed at Link 3 view [here](#).
5. The attached Progress Report provides a status update against the Key Actions listed for each Target Areain the Action Plan and project highlights for the period 10 November 2020 to 31 December 2021.

Summary of Outcomes - 10 November 2020 until 31 December 2021

6. Highlights of actions delivered include:
 - 6.1. The Circular Economy Team was established through recruitment and onboarding of experts in resource recovery, circular economy, community engagement and the waste and recycling industrybetween November 2020 and May 2021.
 - 6.2. A variety of engaging and informative events were hosted by the City of Adelaide for the communitywhich included a trivia night and information sessions.
 - 6.3. A new Circular Economy category was integrated into the Carbon Neutral Adelaide Awards.
 - 6.4. New education collateral including Annual Recycling and Waste Calendars for 2021 and 2022, with astrong focus on education and how to recycle, were delivered to residents and made available online.
 - 6.5. A new Kitchen Caddy Kit and program, funded in-part by a \$21,000 grant awarded through GreenIndustries SA, delivered 59 Kitchen Caddy Kits to resident's door, and 215 Kitchen Caddy Kits to residents in multi-unit dwellings in addition to being available for collection at community centres, libraries, and the Customer Centre.
 - 6.6. A program of tailored support for multi-unit dwellings was launched in September 2021 and in 4 months reached 373 apartments/flats in 11 multi-unit dwelling buildings. The program delivers onsite, site-specific advice for building managers to ensure that the back of house systems prioritise resourcerecovery, and provides education sessions for residents that focus on how to divert green organics and use the yellow recycling bin.
 - 6.7. Building on a successful pilot in 2020, a cross-organisation business support team was established asbusiness-as-usual in 2021 comprised of Resource Recovery Officers, Environmental Health Officers and Building Compliance Officers. This initiative provides businesses across the city with multi- disciplinary, customer-centric bespoke advice on waste management and resource recovery.
 - 6.8. Successful application to Green Industries SA secured \$72,000 (ex. GST) in grant funding for the Cityof Adelaide to pilot new resource recovery infrastructure to recycle food waste and compostable materials in Rundle Mall. A 24-hour baseline waste audit was completed, and advice from a behavioural-change specialist and an infrastructure design process have commenced to inform the system and bins to be installed.
 - 6.9. A review of the business cardboard recycling program was undertaken and informed a pilot projectthat will trial a precinct-based solution to cardboard collection.

- 6.10. Roll-out of a new resource recovery program from 17 January 2022, for the City of Adelaide internal operations, businesses, and facilities, providing new separated waste bins and a re-designed 'back-end system' of waste management including a new contract for waste and recycling collections, engagement with cleaning contractors and reorganisation of waste rooms.

2022 Priorities

7. The following actions are priorities for 2022:
 - 7.1. More tools and educational resources for businesses through an online portal/ordering system and when a new service is delivered.
 - 7.2. A project to roll out RFID (radio-frequency technology) tags on kerbside collection bins to provide real-time, comprehensive data on waste collection that assists in managing contamination rates, bin assets and customer service improvements.
 - 7.3. The learnings from the Rundle Mall project will inform future public space waste and recycling systems.
 - 7.4. Innovative service models for kerbside collection will be investigated to build on a precinct-based cardboard pilot to support organics collection for businesses and/or residents.
 - 7.5. Multi-unit dwellings will continue to be a high priority with a focus on better understanding our customers and their service delivery needs.
 - 7.6. An increased focus on programs that deliver a circular economy including supporting the community and business community to keep goods and resources in circulation, longer. This may include support for a sharing economy, such as a Library of Things, or Repair Cafes.

DATA AND SUPPORTING INFORMATION

Link 1 - Resource Recovery (Organics, Recycling and Waste) Strategy 2020-2028

Link 2 - Resource Recovery (Organics, Recycling and Waste) Action Plan 2020-2028

Link 3 - Report - Item 4.1 - Workshop - Waste Audit Results & Waste and Recycling Management Strategy
Direction - The Committee - 3 December 2019

ATTACHMENTS

Attachment A – Resource Recovery (Organics, Recycling and Waste) Strategy & Action Plan 2020-2028 –
Progress Report 10 November 2021 – 31 December 2022

- END OF REPORT -



RESOURCE RECOVERY (ORGANICS, RECYCLING & WASTE) STRATEGY & ACTION PLAN 2020-2028

Progress Report

10 November 2020 - 31 December 2021



A UNIQUE TEAM CREATING AN EXTRAORDINARY CITY

The City of Adelaide acknowledges the Kaurna people as the Traditional Owners of the Country where the city of Adelaide is situated, and pays its respect to Elders past, present and emerging.

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Introduction

The City of Adelaide's *Resource Recovery (Organics, Recycling and Waste) Strategy and Action Plan 2020–2028* was adopted by Council on 10 November 2020. It provides a solid framework to redefine the concept of waste, improve resource recovery and build a circular economy in the City of Adelaide.

The City of Adelaide's *Resource Recovery Vision* is to be the first city in Australia to achieve 'zero avoidable waste to landfill' ('zero-waste'). Aligning with the State Government's target, this equates to: 'the diversion of all waste from landfill where it is technologically, environmentally and economically practicable to do so. 'Unavoidable' waste therefore refers to wastes for which no other current treatment is available including (but not limited to) asbestos, toxic and quarantine waste.'¹

This *Resource Recovery Vision* will guide the City of Adelaide through to 2028 and will promote a circular economy through reducing waste, increasing resource recovery, and delivering exceptional customer service.

The City of Adelaide's *Resource Recovery Vision* of 'zero-waste' is measured by the following:

- Divert 75 percent of residential kerbside collected waste from landfill
- Divert 90 percent of waste from City of Adelaide activities and events from landfill
- Reduce waste generation by 5 percent per capita
- Reduce contamination to below 10 percent in kerbside collected yellow co-mingled recycling
- Reduce food waste in the kerbside collected waste bin by 50 percent
- Apply the waste management hierarchy in all actions and consider material safety

This progress report provides a status update against the Key Actions listed for each Target Area in the *Resource Recovery (Organics, Recycling and Waste) Action Plan 2020-2028* and project highlights for the period 10 November 2020 to 31 December 2021. Subsequent progress reports will follow the calendar year cycle.

A timeline of illustrating milestones associated with key projects is provided in the Appendix.

¹ A Vision for A Circular Economy Waste Strategy 2020–2025 Consultation Draft, Green Industries SA, 2020.

Target Area 1: Residents & the Community

This Target Area aims to provide support to residents and the community using the residential kerbside collection to achieve zero-waste at home.

Resource Recovery Action Plan 2020-2028						
Action Item	Quick Win	20-22	23-25	26-28	Progress	Details
Priority Item 1: Eliminate food waste.						
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.	✱	✱			Complete	Online portal live in September 2021 for residents to order a Kitchen Caddy Kit for delivery to resident door. See 'Enhanced Kitchen Caddy Program' for more details.
1.1.2 Increase accessibility to green organics bins, kitchen caddies, certified compostable liner bags, education and other tools that support reduction of food waste.		✱			Complete	New Kitchen Caddy Kit completed in May 2021. See 'Enhanced Kitchen Caddy Program' for more details.
1.1.3 Develop, implement and fund projects and campaigns targeting the items that do not belong in the red waste bin (such as food waste), to increase recovery of these materials.		✱	✱		Started	Discussions commenced.
Priority Item 2: Engage, educate, and inspire.						
2.1 Develop and provide a multi-faceted, multi-lingual suite of educational resources for residents, community and community event organisers to reduce waste generation and increase resource recovery.	✱	✱	✱	✱		
2.1.1 Develop a new information and education program for residents using the three-bin kerbside system. Include collateral, signage and information sessions.	✱	✱			Complete	New education collateral created in September 2021. Inaugural 'Talkin' Trash Trivia Night' held in support of National Recycling Week for residents delivered. See 'Waste and Recycling Education & Engagement Program' below.

Resource Recovery Action Plan 2020-2028						
Action Item	Quick Win	20-22	23-25	26-28	Progress	Details
2.1.2 Develop 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.	✱	✱	✱	✱	Complete	Joint Council Contract collaboration to deliver a new organics recycling video completed in November 2021. Reoccurring meetings held with joint-council waste educators and other council waste educators.
2.1.3 Offer regular outreach, education events and information sessions and recycling tours for residents and elected members.	✱	✱	✱	✱	Started	Internal tour for some CoA staff for training purposes held in May 2021. COVID-19 resulted in a temporary hold on tours for community members.
2.1.4 Support and implement community programs targeting waste avoidance, reduction and reuse (e.g., repair cafés and lending libraries, ambassador programs).	✱	✱	✱	✱	Started	Early discussions held.
Priority Item 3: Foster innovation, new technologies, and data collection.						
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).			✱	✱	Started	Investigations have commenced into a precinct-based pilot.
3.1.2 Investigate methods to install data collection methods (for example, radio-frequency identification (RFID) tags on all City of Adelaide kerbside bins) to provide ongoing feedback and improve service outcomes, communicate feedback to residents and target resource recovery behaviours.		✱	✱		Started	RFID program in development. See 'Improving Data Through RFID Technology Project' for more details.
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).		✱	✱	✱	2022 Activity	A kerbside residential waste audit was conducted in 2019. A second audit is planned for 2022. Communication of results will be shared in upcoming reports.

Resource Recovery Action Plan 2020-2028						
Action Item	Quick Win	20-22	23-25	26-28	Progress	Details
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).		●	●	●	Started	New bins to collect batteries will be installed in conjunction with the Battery Stewardship Program in 2022.
Priority Item 4: Prioritise and centralise resource recovery.						
4.1 Increase visibility of the associated cost and volume of residential waste and of the benefits of adopting the circular economy.	●	●	●	●		
4.1.1 Investigate decoupling waste fees from rates for clarity of cost.			●		2023-2025 Activity	
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.		●	●		2022-2025 Activity	
4.1.3 Target and clarify misinformation and provide clarity regarding resource recovery.	●	●			Complete	Communications via social media posts have addressed how to recycle and other topics. See 'Waste and Recycling Education & Engagement Program' for more details.
4.1.4 Provide resources for at-home waste avoidance, reduction and management.		●	●		Started	New Kitchen Caddy Kit provided for home use. This will continue to be expanded upon. See 'Enhanced Kitchen Caddy Program' for more details.
Priority Item 5: Advocate and align policies, guidelines and practices to the circular economy.						
5.1 Drive initiatives and advocacy in our local communities to 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.	●	●	●	●	Ongoing Activity	Advocacy was provided in early 2020, however it is out of the timeline period.
5.1.2 Advocate for changes to legislation that prioritises material	●	●	●	●	Multi-year activity	

Resource Recovery Action Plan 2020-2028						
Action Item	Quick Win	20-22	23-25	26-28	Progress	Details
recovery services over waste services.						
5.1.3 Develop new City of Adelaide policy and guidelines for kerbside collection that align to this strategy.		✱	✱		Started	Review has commenced

Key Projects

Waste and Recycling Education & Engagement Program

A significant increase in waste and recycling education and engagement was delivered during the reporting period. Despite the continuation of COVID-19 impacting in-person events, a variety of engaging and informative events were hosted by the City of Adelaide for the community including “Trash Talkin’ Trivia Night” an inaugural event for community held in support of National Recycling Week and a series of Living Smart education sessions. In addition, an education and awareness raising program via the City of Adelaide’s social media channels and new education collateral was established to support and encourage residents to reduce waste and increase use of green organics and yellow recycling bins.



Image: “Talkin’ Trash Trivia Night” community event

Enhanced Kitchen Caddy Program

During the reporting year, an enhanced program supporting residents to divert food scraps and compostable materials from landfill using new Kitchen Caddy Kits and the CoA green organics kerbside collection service was developed.

The development of the new Kitchen Caddy Kit was funded in-part by a \$21,000 grant received through *Green Industries SA's SA Kerbside Performance Plus Food Organics Incentive Program, Waste and Resource Recovery Modernisation and Council Transition Package 2019-2020*. Using the grant funding and a 50% additional contribution from the City of Adelaide, a robust foundation to support this program and act as a platform for future programs was built.



Image: New Kitchen Caddy Kit with the new education pieces included.

The Kitchen Caddy Kit includes:

- A new and improved ventilated caddy design with bases made from 100% recycled content. The lime green lids which match the green organics bin for program consistency, feature embossed point-of-action custom educational visuals.
- Education material leveraging the 'Which Bin' branding are tailored to CoA residents and includes a detailed instructional brochure, colourful fridge magnet, instructions on how to get a new green bin, and a double-sided organics/recycling flyer.
- Australian Certified compostable liner bag with new custom informational wrap ties the program elements together.

An online ordering system to facilitate delivery of the Kitchen Caddy Kits to residents was launched in September 2021. The kits are delivered by the Waste and Recycling Education Coordinator to provide face-to-face support for residents. This is in addition to the existing option of collecting the Kitchen Caddy Kits from the City of Adelaide community centres, libraries, and the customer centre. Tailored support is provided to residents living in multi-unit dwellings. See *Target Area 2: Residents Living in Multi-Unit Dwellings* for more details.

Updates to the CoA website were made to support the education program and make the information accessible for culturally and linguistically diverse community members. Waste related information is dynamic and instantly translatable into over 65 different languages.

Target Area 2: Residents Living in Multi-Unit Dwellings

This Target Area aims to tailor supportive services to residential multi-unit dwellings (including apartments, low-rises and high rises) in development through to occupancy.

Resource Recovery Action Plan 2020-2028						
Action Item	Quick Win	20-22	23-25	26-28	Progress	Details
Priority Item 1: Eliminate food waste.						
1.2 Provide multi-unit dwelling building owners, managers and residents with tailored waste management solutions that target 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.		●			Started	Identification of challenges has been completed. Interventions are being considered and reviewed.
1.2.2 Increase accessibility to 'murfes' (small recycling bins), kitchen caddies, certified compostable liner bags, education and other tools specific to multi-unit dwellings.		●			Complete	On-site education sessions and delivery of educational tools and resources are being delivered to residents of multi-unit dwellings. See 'Driving Resource Recovery in Multi-Unit Dwellings Program' for more details.
1.2.3 Develop and implement projects and campaigns targeting items that do not belong in the shared bulk red waste bin (such as food waste) to increase recovery of these materials.		●	●		2022 Activity	
Priority Item 2: Engage, educate, and inspire.						
2.2 Develop and provide a multi-lingual waste management education toolkit for building managers and residents.	●	●	●	●		
2.2.1 Develop and deliver multi-lingual education toolkits and printable materials accessible on the City of Adelaide's website for residents and building personnel.	●	●			Started	Translatable collateral has been developed for residents and is available online. New landing pages will be developed for resource recovery and will include the new signage developed for multi-unit dwellings.

Resource Recovery Action Plan 2020-2028						
Action Item	Quick Win	20-22	23-25	26-28	Progress	Details
2.2.2 Support residents with at-home waste management through education information sessions for residents and building personnel.		●			Complete	Tailored on-site consultation with building managers to support back-of-house resource recovery has been developed and is being delivered weekly. See 'Driving Resource Recovery in Multi-Unit Dwellings Program' for more details.
2.2.3 Develop an ambassadors program, build relationships and recognise high achievers in waste reduction and diversion.		●	●		2022 - 2025 Activity	
Priority Item 3: Foster innovation, new technologies, and data collection.						
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.			●		Complete	A report on MUDS high contaminators has been developed and is in review. On-premise assessments occur regularly.
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.		●	●		Started	RFID program in development. See 'Improving Data Through RFID Technology Project' for more details.
Priority Item 4: Prioritise and centralise resource recovery.						
4.2 Centralise best practice 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 all new development applications so that waste management is prioritised early on in development, during build, and during occupation.		●	●	●	Started	Program investigation commenced. See 'Multi-Unit Dwelling Building Development Investigation' for more details.
4.2.2 Provide assistance for existing developments to access waste management best practises to enhance or support existing or new waste management systems.			●	●	Started	New supportive program for building managers is provided. See 'Driving Resource Recovery in Multi-Unit Dwellings Program' for more details.
4.2.3 Transition multi-unit buildings to a shared three bin system, where appropriate.		●	●	●	Complete	Tailored on-site consultation with building managers to support back-of-house resource recovery has been developed and is being

Resource Recovery Action Plan 2020-2028						
Action Item	Quick Win	20-22	23-25	26-28	Progress	Details
						delivered weekly. Several sites have been transitioned to better back-of-house bin systems. See 'Driving Resource Recovery in Multi-Unit Dwellings Program' for more details.
Priority Item 5: Advocate and align policies, guidelines and practices to the circular economy.						
5.2 Drive initiatives and advocacy for improvements to waste management for multi-unit dwellings to enable the city to be a vehicle for resource recovery.	●	●	●	●		
5.2.1 Advocate for policies and guidelines that prioritise waste avoidance and diversion and associated user behaviour in building design, occupancy and building management.	●	●	●	●	Started	'Site Service Agreements' have been reviewed and are being implemented at new sites. This will be improved in the coming year alongside the policy review.
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.	●	●	●	●	Started	Policy review is underway.

Key Projects

Driving Resource Recovery in Multi-Unit Dwellings Program

During the reporting year, bespoke support was provided to building managers and residents of multi-unit dwellings.



For building managers, onsite, tailored advice was provided to ensure that the back of house systems prioritised resource recovery. This resulted in changes in bin type, bin configuration, additional streams, and new building signage, which was provided free by the City of Adelaide.

Education sessions for residents were conducted on-site; near the bin room, in the lobby, in a neighbouring community centre or on the building verge. These sessions focused on how to divert green organics like food scraps and garden organics practically and successfully using the Kitchen Caddy Kit which was provided.

In addition, other information, like how to recycle using the yellow recycling bin and what to do with bulky goods was shared, and small yellow recycling bins for under kitchen benches were also provided.

Launched in September 2021, in only 4 months this program has already reached 373 apartments/flats in 11 multi-unit dwelling buildings.

Image: Above - Circular Economy Team delivering a new green bin and education session onsite to building managers and residents.

Multi-Unit Dwelling Building Development Investigation

While there are many opportunities to support the diversion of waste, and reduce contamination at a residential level, visual inspections of multi-unit dwellings identified that the design of the building can also impact diversion outcomes.

In the reporting year, investigations commenced to support best practice resource recovery in new residential multi-unit building developments. Further development will continue in 2022.

Target Area 3: Businesses

This Target Area aims to expand support for business, in particular those eligible for kerbside collection provided by the City of Adelaide.

Resource Recovery Action Plan 2020-2028						
Action Item	Quick Win	20 - 22	23 - 25	26-28	Progress	Details
Priority Item 1: Eliminate food waste.						
1.3 Investigate and provide a green organics collection service and tools to businesses with a City of Adelaide kerbside collection service.	🌱	🌱	🌱	🌱		
1.3.1 Explore and implement innovative solutions for green waste diversion for commercial enterprises (e.g. precinct based collection).		🌱	🌱		Started	Precinct-based opportunities were explored and development continues.
1.3.2 Support businesses to operate more sustainably, including transitioning from single use plastics to reusable containers or compostable serve-ware, and implementing a green organics service.		🌱	🌱		Started	City of Adelaide is part of the Green Industries SA Single-Use Plastic-Free Precinct Pilot Program. An incentives program for businesses is in development and will be launched in 2022. See 'Business Support Team' for more details.
Priority Item 2: Engage, educate, and inspire.						
2.3 Develop and provide multi-lingual information targeting waste management best practices for business.	🌱	🌱	🌱	🌱		
2.3.1 Consider and develop methods for incentivisation for reduction and diversion of waste.		🌱	🌱	🌱	Started	An incentives scheme to support businesses with resource recovery is underway. See 'Business Support Team' for more details.
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 Sustainability Incentives Scheme (SIS).		🌱	🌱		Complete	A cross organisation team involving Circular Economy, Community Safety Officers and Environmental Health Officers provide cross-disciplinary support and advice to businesses regarding resource recovery and bin storage and placement for optimal results. See 'Business Support Team' for more details.
2.3.3 Recognise high achievers in waste reduction and diversion.		🌱	🌱	🌱	Complete	A new Circular Economy category for the Carbon Neutral Awards was

Resource Recovery Action Plan 2020-2028						
Action Item	Quick Win	20 - 22	23 - 25	26-28	Progress	Details
						developed to recognise Carbon Neutral Adelaide businesses moving toward or contributing to a circular economy.
Priority Item 3: Foster innovation, new technologies, and data collection.						
3.3 Partner with circular economy businesses 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).			●	●	Started	A new data collection method has been established which will contribute to engagement. See 'Business Support Team' for more details.
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.		●	●	●	Complete	A new Circular Economy category for the Carbon Neutral Awards was developed to recognise Carbon Neutral Adelaide businesses moving toward or contributing to a circular economy.
Priority Item 4: Prioritise and centralise resource recovery.						
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.			●	●	2023-2028 Activity	
4.3.2 Establish protocols to evaluate businesses on their resource recovery practises based on their resource recovery plans.			●	●	2023-2028 Activity	
4.3.3 Work with businesses across the city to improve waste and waste bin amenity.		●	●	●	Complete	A cross organisation team involving Circular Economy, Community Safety Officers and Environmental Health Officers provide cross-disciplinary support and advice to businesses regarding resource recovery and bin storage and placement for optimal results. See 'Business Support Team' for more details.

Resource Recovery Action Plan 2020-2028						
Action Item	Quick Win	20 - 22	23 - 25	26-28	Progress	Details
Priority Item 5: Advocate and align policies, guidelines, and practices to the circular economy.						
5.3 Advocate for improvements in policy and legislation related to business and industry that support the circular economy.	●	●	●	●		
5.3.1 Work with and advocate for improvements to the waste system and infrastructure.	●	●	●	●	Ongoing Activity	
5.3.2 Advocate for improvements in legislation surrounding accountability in material use/design, lifecycle which support the circular economy.	●	●	●	●	Ongoing Activity	
5.3.3 Develop new policy and guidelines for waste management for kerbside collection for businesses that align to this strategy.		●	●		Started	Policy review is underway.

Key Projects

Business Support Team

Building on a successful pilot in 2020 a cross-organisation business support team has been established as business-as-usual. This initiative provides businesses across the city with multi-disciplinary, customer-centric bespoke advice on waste management, resource recovery and ultimately sees bins which are permanently stored unlawfully in the public space, removed.



The team comprises of Resource Recovery Officers, Environmental Health Officers and Building Compliance Officers which helps to address a range of topics which surround waste management.

A new data collection method via a tablet device and an online survey portal was established to facilitate on-the-ground data collection and support communication with the business community.

An opportunity to increase support for businesses was identified, which resulted in the development of an incentive program. The incentive program will be finalised and launched during the next reporting year.

During the reporting year:

- 80+ businesses supported with resource recovery advice
- 42 bins removed from permanent storage on the kerbside
- 14 business owners participated in a Council-run waste management roundtable

Image: Above - Cross-organisation team supporting businesses with resource recovery. Team members include Environmental Health Officers, Building Compliance Officers and Resource Recovery Officers.

Business Cardboard Recycling Precinct Pilot

The Business Cardboard Recycling service is a long-term and embedded program that commenced from a pilot program in 2002.

The program provides a weekly collection service where businesses can place small volumes of cardboard on the kerbside for collection and recycling by the City of Adelaide, separate to the yellow recycling bin. The service intent is small producer businesses, but in practice participation is much broader. Since the program was adopted city-wide, the program has largely maintained the same format except for consolidation of collection days from five to three days per week in 2020. This service is a value-add provision for participating businesses as there is no statutory requirement for council to deliver a dedicated cardboard collection.

The service is valued by the business community however, it continues to attract interest from various stakeholders because of presentation issues, which results in loss of street amenity, access, and public safety risks.

While there are no legislative drivers, the program remains important because it delivers on the City's commitment to *Environmental Leadership* and building *Strong Economies* where we will know we have succeeded "when more businesses think that the city is a good place to do business".

During the reporting year, a strategic and comprehensive review of the program to uncover opportunities for improvement was undertaken. This resulted in a pilot program which will ease collection amenity issues and support businesses in resource recovery through the installation of new infrastructure which will be accessible by several businesses in the pilot area. The pilot will be launched in 2022.

Improving Data Through RFID Technology Project

The delivery of the Resource Recovery Strategy relies on driving long-term and sustained improvement to resource recovery within the City of Adelaide. To inform these changes improved waste and resource recovery related data is needed. This data will assist to identify, target, and improve existing and future resource recovery efforts and Council services. This is important to inform service delivery models, particularly for businesses where additional services may be proposed, as well as to provide data on contamination, bin asset tracking, and customer service support.

Therefore, a project plan was developed in support of the application of radio-frequency technology (RFID). RFID is a small tag that when applied to bins can provide information including inventory/asset details, servicing details, like streams and collection details, which is important for communication with residents and for CoA staff to perform day-to-day tasks more efficiently.

It is expected that the results of this project will see:

- Improved customer service
- A more responsive and equitable resource recovery system supported
- Improved evidence-based decision making in resource recovery
- Innovative methods in resource recovery supported

In the upcoming year, the project will be executed through a phased approach and more information will be communicated.

Target Area 4: Public Spaces

This Target Area aims to establish public space like streets and Park Lands as conduits for resource recovery.

Resource Recovery Action Plan 2020-2028						
Action Item	Quick Win	20 - 22	23 - 25	26 - 28	Progress	Details
Priority Item 1: Eliminate food waste.						
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.			●	●	Started	New education material is in progress for dog park compostable liner dispensers. New pilot program is in place for Rundle Mall. See 'Rundle Mall Goes Green' for more details.
1.4.2 Facilitate the distribution of Australian certified compostable dog waste bags in the public space.		●	●	●	Complete	Australian certified compostable dog waste bags have replaced plastic bags in the public space.
Priority Item 2: Engage, educate, and inspire.						
2.4 Create a consumer-centric public space waste management system that is consistent with the three-stream system.	●	●	●	●		
2.4.1 Increase visibility and consistency of signage relating to waste, recycling, organics bins.		●	●		2022 Activity	
2.4.2 Facilitate unique engagement and events to support public place waste education.		●	●		2022 Activity	
Priority Item 3: Foster innovation, new technologies, and data collection.						
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.			●	●	Started	A pilot program implementing green organics collection in an innovative way for Rundle Mall is underway. See 'Rundle Mall Goes Green' for more details.
3.4.2 Execute regular data collection and auditing of innovation implementation to measure ongoing progress. Report progress publicly.			●	●	Started	A waste audit was conducted in Rundle Mall and will be shared in a report. See 'Rundle Mall

Resource Recovery Action Plan 2020-2028						
Action Item	Quick Win	20 - 22	23 - 25	26 - 28	Progress	Details
						Goes Green' for more details.
Priority Item 4: Prioritise and centralise resource recovery.						
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.			●	●	Complete	A pilot program implementing green organics collection in an innovative way for Rundle Mall is underway. See 'Rundle Mall Goes Green' for more details.
4.4.2 Prioritise projects and materials that utilise recycled content (for example, recycled roads).			●	●	Started	A criterion for the materials used in the Rundle Mall organics pilot is to contain recycled materials.
Priority Item 5: Advocate and align policies, guidelines, and practices to the circular economy.						
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.	●	●	●	●	Started	Ongoing discussions with other councils occur. More focus for public space resource recovery will occur as part of the Rundle Mall organics pilot.
5.4.2 Investigate place-based waste generation to assist with reduction at touch point (i.e. link between cafés and nearby public bins).			●		Started	Considered as part of the Rundle Mall organics pilot. See 'Rundle Mall Goes Green' for more details.

Key Project

Rundle Mall Goes Green

Rundle Mall welcomes 22 million people each year. Approximately 47 tonnes of waste and recycling material is collected from the public space annually, with 17 tonnes of this being organic material that could be composted if separated. There is significant opportunity to reduce this material by diverting green organics from landfill and turning it into nutrient rich compost.

Following a successful application for Green Industries SA's (GISA) *Council Modernisation Grant* in February 2021, the City of Adelaide is leading a collaborative and co-funded initiative to pilot new infrastructure to improve resource recovery and enable collection and recycling of food waste and compostable materials in Rundle Mall.

The pilot program planning is underway and once the new system is installed in May 2022 it will run for 12 months. After 12 months of monitoring and review, improvements may be made and the findings will inform how to effectively manage organics recycling in public spaces, positioning the City of Adelaide as a leader in this realm.

During the reporting period, a 24-hour baseline audit was completed (complimenting the 2019 city-wide waste audit), a behavioural-change specialist was engaged to drive observation and public listening activities, and a design consultancy was engaged.

This project is well-timed with new legislation in place which is expected to result in a shift of waste material to compostable material which could be diverted from landfill. From 1 March 2021 single-use plastic straws, cutlery and stirrers were prohibited from sale, supply or distribution in South Australia. From March 1, 2022, expanded polystyrene cups, bowls, plates, clamshell containers and Oxo-degradable plastic products (for example dog waste bags) will also be prohibited. Oxo-degradable plastic products have additives which enable the plastic to break down into small fragments ('microplastics') which do not completely decompose. As the regulation evolves materials for inclusion will expand and integrate more products in future years.

The new bin system and infrastructure will include green organics, yellow recycling and red waste streams, and will:

- Consider aesthetics and litter control within the precinct.
- Consider waste audit data, public behaviours, 'informal recyclers', visitor flows within adaptable event spaces and connected lane ways, and maintenance/ collection systems to ensure durability, fit-for-purpose, longer-term flexibility, and suitability for the Mall.
- Leverage the Green Industries SA's 'Which Bin' branding to provide consistent messaging across 'Work, Play and Home' making it easier for the public recover resources and minimise contamination.
- Contribute to public space research and apply learnings to other CoA public spaces.
- Anticipate an increased diversion of waste from landfill and recover organic material for processing into soil improvement products (compost).

Target Area 5: CoA Own Operations

This Target Area aims to establish the City of Adelaide's own operations, businesses and facilities as a visible leader in exceptional waste management.

Resource Recovery Action Plan 2020-2028						
Action Item	Quick Win	20-22	23-25	26-28	Progress	Details
Priority Item 1: Eliminate food waste.						
1.5 Mandate diversion of all food waste and compostable products from the City of Adelaide's own operations, buildings and tenants and provide support and services to achieve this.	●	●	●	●		
1.5.1 Facilitate and mandate diversion of all food waste from City of Adelaide's own operations, buildings and tenants.		●	●	●	Started	Back-of-house now includes organics collection for most CoA facilities. This will be expanded upon as part of the new resource recovery system. See "'Binning it Better" CoA's Internal Resource Recovery Program' for more details.
1.5.2 Ban the use of single-use plastic serve-ware and replace with alternatives such as reusable containers and Australian certified compostable serve-ware.		●	●	●	Started	Collaboration with the CoA events team resulted in the use of only compostable serve-ware at the Year End Lunch on the Green Employee event. Work continues in this space.
1.5.3 Measure, audit and assess food waste generation for food waste reduction opportunities.		●	●		Started	CoA facilities will be audited as part of the resource recovery system installation. This will take place in 2022
Priority Item 2: Engage, educate, and inspire.						
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.	●	●			Started	New education and information in the organisation's intranet was created. Work continues to create an online training model for staff.
2.5.2 Install visible and consistent bins and bin signage on public place and event bins and internally in City of Adelaide operations and community centres.		●	●		Started	New resource recovery system starting with CLC, EC and the depot has been launched. Other facilities will be installed soon. See "'Binning it Better" CoA's Internal Resource Recovery Program' for more details.

Resource Recovery Action Plan 2020-2028						
Action Item	Quick Win	20-22	23-25	26-28	Progress	Details
2.5.3 Establish a waste management program and resource recovery plan for each City of Adelaide site and facility. (Modelling from the Workplace Safety Program.)	●	●	●		Started	New resource recovery system starting with CLC, EC and the depot has been launched. Other facilities will be installed soon. See "Binning it Better" CoA's Internal Resource Recovery Program' for more details.
Priority Item 3: Foster innovation, new technologies, and data collection.						
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.			●	●	2023-2028 Activity	
3.5.2 Facilitate additional collection points for hard-to-recycle products for non-commercial users to access.		●	●	●	2022 Activity	
Priority Item 4: Prioritise and centralise resource recovery.						
4.5 Review resource recovery programs 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.			●	●	2023-2028 Activity	
4.5.2 Execute regular data collection and auditing to measure ongoing progress. Report progress to internal staff.		●	●	●	2022 Activity	Audit results from the internal resource recovery program will be shared with staff. Work has been undertaken to consolidate waste related data. A portal to share resource recovery related data will be developed in 2022.
4.5.3 Review Action Plan annually and budget for sustainability and continuity.		●	●	●	Complete	The Strategy and Action Plan are reviewed and monitored closely throughout the year for program development and budget considerations.
Priority Item 5: Advocate and align policies, guidelines and practices to the circular economy.						
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	●	●	●	●	Complete	Consolidation of contractor services and a new contractor has been

Resource Recovery Action Plan 2020-2028						
Action Item	Quick Win	20-22	23-25	26-28	Progress	Details
data collection. Review contracts regularly for fit for purpose.						established to service CoA facilities and businesses
5.5.2 Review City of Adelaide internal waste management guidelines, policies and by-laws.		●	●		Started	Policy review is underway.
5.5.3 Develop protocols to ensure procurement avoids waste, is made sustainably, can be reused, recycled or composted at end of life. Favour companies that have product stewardship or extended producer responsibility policies in place.	●	●	●	●	Started	Sustainability outcomes were integrated into the new Procurement Policy. Internal discussions surrounding integrating more sustainable materials in council procurements are ongoing.

Key Project

"Binning it Better" CoA's Internal Resource Recovery Program

A new resource recovery program has been developed for the City of Adelaide internal operations, businesses, and facilities. New, well-designed bins were purchased and a comprehensive back-end system developed to support successful and seamless diversion. Important elements to this back-end system which were addressed includes new contract for waste and recycling collections, engagement with cleaning contractors, renovation of waste rooms and reorder of kitchens. To support staff using the new system, education was developed and Ambassadors for every floor/area of each facility were recruited to help answer any staff questions or troubleshoot.

The launch of the new system began on 17 January 2022 at the Colonel Light Centre and Eagle Chambers and further City of Adelaide sites will be included over several months. An audit will take place several months after the launch to measure the impact of the new program. The results of the program will be shared in the next Annual Report.

- 8-Stream resource recovery program designed for the City of Adelaide
- 24 Ambassadors nominated from existing staff and trained to support staff recovery resources at work

Appendix:

Program Milestones - Timeline

Jan 2020

- Feedback provided to Green Industries SA regarding the Single Use Plastics and Other Plastic Products (Waste Avoidance) Bill.

June – Sept 2020

- City- Wide Waste Audit (kerbside, residents, businesses, MUDS & 4x CoA Operations)

November 19-April 2020

- CoA Waste program review research and structure development

Mar-Jun 2020

- Resource Recovery Strategy and Action Plan Drafted

Aug 2020

- Council Committee for endorsement for public consultation for draft Strategy and Action Plan

Sept 2020

- Council endorsement for public consultation for draft Strategy and Action Plan
- CoA Provided feedback to Green Industries SA regarding their new 'South Australia Waste Strategy 2020-2025' and the 'Valuing Our Food Waste' consultation drafts.

Sept – Oct 2020

- Community engagement for draft Strategy and Action Plan

November 10 2020

- Council Adoption - Resource Recovery (Organics Recycling and Waste) Strategy and Action Plan

Nov- Dec 2020

- Internal and external announcement & communications of resource recovery for Resource Recovery Strategy and Action Plan adoption

Feb-Dec 2020

- Coromandel Place Pilot (Supporting businesses in resource recovery and compliance with CoA Waste Management Bylaw)

Dec 2020

- Newly Designed residential recycling and Waste Calendars booklet delivered
- Recruitment of Waste and Recycling Education Coordinator
- Development of Resource Recovery Advisor Roles

Jan 2021

- Recruitment / onboarding new Waste and Recycling Education Coordinator Role
- Onboarding new Education Officer contractor role
- Success in application for GISA Grant Kitchen Caddies

April 2021

- Recruitment / onboarding new resource recovery Advisor #1 role
- New Educative flier completed for residents

May 2021

- Recruitment / onboarding new Resource Recovery Advisor role #2
- Recruitment / onboarding new Resource Recovery Advisor role #3
- Low Carbon & Circular Economy Team Tour to recycling facilities
- New Kitchen Caddy Kit completed with new caddy design and liners and education

June 21

- Plan & Purchase of equipment for CoA internal resource recovery system complete

July 21

- Recruitment / onboarding new waste and recycling education coordinator role
- Successful grant application for GISA Council Modernisation Funding
- MUDS development process cross-org task-force meeting held

Aug 2021

- New and updated multi-lingual resource recovery web pages

Aug- Nov 21

- 2x Multi-stakeholder workshop for Rundle Mall

Sept 2021

- Online ordering system of delivery for Kitchen Caddy Kits Live
- First of several and ongoing) education sessions delivered to MUDS residents
- Waste audit conducted in Rundle Mall
- Cross-team business roundtable facilitated for businesses regarding waste management
- Residents Forum – Resource Recovery presentation delivered
- RFID project business plan drafted

Oct 2021

- Resource Recovery reference group kick-off meeting

Nov 2021

- Inaugural *Talkin' Trash Trivia Night* for community in support of National Recycling week
- New educational videos explaining the green organics and composting system in SA completed
- Cardboard project business plan created

Dec 21

- New residential recycling and waste calendars with more education delivered
- Additional educational fliers developed
- Development of resource recovery initiatives program for businesses

Jan 21

- Roll out of new CoA Internal Resource Recovery System
- Green organics in Rundle Mall – media announcement

Quarterly Forward Procurement Report Q4

Strategic Alignment - Strong Economies

Public

Tuesday, 1 March 2022

The Committee - Pre-Council
Discussion Forum

Program Contact:

Grace Pelle - Manager Finance &
Procurement

Approving Officer:

Amanda McIlroy - Chief
Operating Officer

EXECUTIVE SUMMARY

In accordance with the Procurement Policy and Operating Guidelines, a forward Procurement Report is presented to Council every quarter outlining significant planned procurement activities for the next quarter.

On 7 December, Council resolved to update the guidelines to allow Chief Executive Officer approval of significant procurement contracts. Significant procurements are defined as those with procurement expenditure estimated to be equal to or above \$2 million.

This report covers Quarter 4 for the 2021/2022 financial year.

The following recommendation will be presented to Council on 8 March 2022 for consideration

That Council

1. Notes the Procurements set out in Attachment A to Item # on the Agenda for the meeting of the Council held on 8 March 2021 which will be released to the market during Quarter 4 of the 2021/2022 financial year.
-

IMPLICATIONS AND FINANCIALS

City of Adelaide 2020-2024 Strategic Plan	Strategic Alignment – Strong Economies This report supports the delivery of all four community outcomes and the enabling priorities outlined in Council's 2020-2024 Strategic Plan.
Policy	This report is prepared in accordance with the requirements of Council's Procurement Policy. Council's current delegations for procurement are outlined in the Procurement Policy and Procurement Approvals Operating Guideline.
Consultation	All Programs were consulted with in respect to significant procurement activity that is anticipated to occur in the fourth quarter of the 2021/22 financial year.
Resource	Not as a result of this report
Risk / Legal / Legislative	Section 49 of the <i>Local Government Act 1999 (SA)</i> outlines the principles that Council will apply to procurement.
Opportunities	Not as a result of this report
21/22 Budget Allocation	Not as a result of this report
Proposed 22/23 Budget Allocation	Not as a result of this report
Life of Project, Service, Initiative or (Expectancy of) Asset	Not as a result of this report
21/22 Budget Reconsideration (if applicable)	Not as a result of this report
Ongoing Costs (eg maintenance cost)	Not as a result of this report
Other Funding Sources	Not as a result of this report

DISCUSSION

1. The purpose of the Quarterly Forward Procurement Report is to provide further information and visibility to Council on major procurement and contracting activity.
2. The following is an extract from the Procurement Policy, adopted by Council on 8 June 2021:
“The Council will have regard to the following measures in ensuring probity, accountability and transparency”
 - Council Members will be provided with a quarterly forward procurement plan for consideration, detailing tenders and subsequent contracts that have an estimated value of over \$4,000,000 (ex GST) or that are of high risk and will require Council Member approval;
 - Council Members will be requested to approve the award of all contracts that exceed \$4,000,000 (ex GST).”
3. On December 7, 2021, Council resolved to update the Procurement policy and associated guidelines to allow Chief Executive Officer approval of contracts up to \$2,000,000 provided the expenditure is within Council approved budget, effectively amending the values in the point above.
4. As such, a Quarterly Forward Procurement Report is provided to Council each quarter outlining planned procurement activities with an estimated spend over \$2,000,000.
5. Based on the Procurement Summary Report, Council will either:
 - 5.1. Approve the proposed procurement process as required.
 - 5.2. Request the Chief Executive Officer to make amendments to the proposed procurement process, consistent with the Procurement Policy and applicable legislation.
6. This report covers Quarter 4 of the 2021/2022 financial year.
7. The Procurements listed in **Attachment A** of this report will be released to the market during Quarter 4 of the 2021/2022 financial year.
8. The Procurement Policy requires the provision of a forward procurement plan for expected expenditure over \$150,000 to be made publicly available on the City of Adelaide website. This report is prepared at the start of the financial year and represents an estimate of procurements based on the approved business plan and budget and upcoming expiring contracts. This is available via the website (Link 1 view [here](#)).

DATA AND SUPPORTING INFORMATION

Link 1 – Procurement Policy

ATTACHMENTS

Attachment A – Quarter 4 2021/22 Forward Procurement Report

ATTACHMENT A

Attachment A – Quarter 4 2021/22 Forward Procurement Report

Program	Description	Proposed Procurement Approach	Anticipated Spend per year	Expected Qtr at Market	Comments
City Culture	Revenue generating contract for the provision of catering services to the Adelaide Town Hall and wider CoA facilities.	Open Tender	\$1.25m per annum over a 5-year term.	Q4	Council will charge the hirer the fee for the Services. It is proposed the Supplier will pay to the Council a commission fee based on an agreed percentage.
Strategic Property & Commercial	Revenue generating contract for the provision of bus shelter cleaning, maintenance, and advertising.	Open Tender	\$700k per annum over a 5-10-year term.	Q4	Council is looking to enter into an Agreement for the installation, maintenance and repair of the bus shelter infrastructure and the management of advertising space on it.
City Operations	Concrete Maintenance Services	Open Tender	\$700,000 per annum over a 3-5 year term. (based on historical data)	Q4	Council is looking to enter into an Agreement for Concrete Maintenance Services to lay and form kerbing and associated concreting and form work in various locations throughout the CBD
Infrastructure	Supply of LED smart lighting for the City Deal Smart Lighting project	Open Tender	\$540,000 per annum over 3-5 year term	Q4	There is a need to secure an up to 5 year contract to supply LED lighting to primarily service the City Deal Smart LED lighting project. The supply options may also be utilised in other aspects of Council lighting solutions including renewals.

Program	Description	Proposed Procurement Approach	Anticipated Spend per year	Expected Qtr at Market	Comments
AEDA	Digital technology and software for the Experience Adelaide smart visitor centre.	Expression of Interest	Approximately \$3 million	4	As part of the City deals funding, Council are looking to enter agreement(s) with experienced suppliers to provide digital technology and software for the new Experience Adelaide smart visitor centre.

Commence Community Land Revocation - Tynte Street Car Park

Tuesday, 1 March 2022

The Committee - Pre-Council
Discussion Forum

Strategic Alignment - Enabling Priorities

Public

Program Contact:

Shaun Coulls - Acting Associate
Director Strategic Property &
Commercial

Approving Officer:

Tom McCready - Director City
Services

EXECUTIVE SUMMARY

The City of Adelaide's Strategic Plan 2020-2024 incorporates a key action to "Implement the Strategic Property Review", recognising the role that the City of Adelaide's property portfolio plays as one of the most powerful transformational levers that can shape and accelerate city liveability, growth and investment.

The Strategic Property Action Plan was received by Council in April 2020 with Council approving the Tynte Street Car Park land at 171-175 Tynte Street, North Adelaide as an asset opportunity for divestment subject to further investigations.

Subsequent investigations have confirmed that the Tynte Street Car Park land represents an under-performing asset suitable for sale with the car park providing a low return on investment, limited civic value and limited future city shaping potential.

To enable Council to proceed with divestment of the Tynte Street Car Park land, it is first necessary for Council to revoke the community land classification of the land, in accordance with the process required under the *Local Government Act 1999* (SA) ('the Act').

This report sets out the divestment approach for the Tynte Street Car Park land and recommends that Council approves to commence the process to revoke the land from its community land classification. The report also seeks Council's approval to undertake public consultation in accordance with the information at **Attachment A**.

Should Council resolve to approve the commencement of the revocation of community land process, public consultation will occur for at least 21 days, in accordance with Section 194 of the Act and Council's Public Consultation Policy. The results of the public consultation will be presented back to Council in a future report.

The following recommendation will be presented to Council on 8 March 2022 for consideration

That Council

1. Notes that the Tynte Street Car Park land at 171-175 Tynte Street has been identified as an under-performing asset suitable for sale.
 2. Approves the commencement of the process to revoke the community land classification of the Tynte Street Car Park land (171-175 Tynte Street), identified as Allotment 5 in Filed Plan 7308 comprised in Certificate of Title Volume 5497 Folio 700 and Allotment 6 in Filed Plan 7308 comprised in Certificate of Title Volume 5497 Folio 702, for the purpose of enabling its sale, pursuant to Section 194 of the *Local Government Act 1999* (SA).
 3. Approves the report provided pursuant to Section 194(2)(a) of the *Local Government Act 1999* (SA) as per Attachment A to Item # on the Agenda for the meeting of the Council held on 8 March 2022, which will be used for the purposes of public consultation on the proposed community land revocation.
 4. Notes that a further report will be presented to Council detailing the outcomes of the public consultation phase of the revocation process to enable Council to determine whether the revocation and sale should proceed.
-

IMPLICATIONS AND FINANCIALS

City of Adelaide 2020-2024 Strategic Plan	Strategic Alignment – Enabling Priorities 5.04 Implement the Strategic Property Review
Policy	The Strategic Property Action Plan supports the Acquisition and Disposal of Land and Assets Policy, which requires Council to regularly review its assets ensuring value for money and growth in community wealth. The public consultation process for the proposed community land revocation will be conducted in accordance with the requirements of Council's Public Consultation Policy.
Consultation	The proposed revocation has been considered in consultation with relevant Council Programs. Public consultation will be undertaken using a variety of mediums in accordance with Council's Public Consultation Policy.
Resource	Not as a result of this report
Risk / Legal / Legislative	The community land revocation process will be undertaken in accordance with Section 194 of the <i>Local Government Act 1999</i> (SA). The revocation of the community land classification is subject to approval by the Minister for Planning and Local Government.
Opportunities	Revocation of the community land classification of the Tynte Street Car Park land will enable the sale of an underperforming asset identified for divestment within the Strategic Property Action Plan. Proceeds from the sale of the Tynte Street Car Park land will be transferred to the City of Adelaide's Future Fund supporting income generating and city shaping opportunities.
21/22 Budget Allocation	The Strategic Property and Commercial Program's 2021/22 budget incorporates \$100,000 for the implementation of strategic property activities.
Proposed 22/23 Budget Allocation	Not as a result of this report
Life of Project, Service, Initiative or (Expectancy of) Asset	Not as a result of this report
21/22 Budget Reconsideration (if applicable)	Not as a result of this report
Ongoing Costs (eg maintenance cost)	The proposed sale of the Tynte Street Car Park land will enable operational cost savings to the City of Adelaide in the order of \$4,800 per annum (based on 2020/21 actual costs).
Other Funding Sources	Not as a result of this report

DISCUSSION

Background

1. The City of Adelaide's property portfolio is one of the most powerful transformational levers to shape and accelerate City liveability, growth and investment.
2. On 14 April 2020, Council received the Strategic Property Action Plan and approved the identified asset and city shaping opportunities, including the divestment of the Tynte Street Car Park, subject to further investigations.
3. The Strategic Property Action Plan responded to Council's legislative, strategic and policy requirements to use resources fairly, effectively and efficiently. The Action Plan required regular review of Council's land and assets with appropriate actions to improve public value or dispose where public value cannot be improved.
4. The Strategic Property Action Plan identified the Tynte Street Car Park as an underperforming asset given that it offered limited community value, a low return on investment and limited city shaping potential. The divestment of the asset was recommended, subject to further investigations and community land revocation.
5. Prior to the Strategic Property Review, on 24 July 2012 Council requested that the Administration investigate potential sale and/or redevelopment options for the Tynte Street Car Park land for the purpose of residential or mixed use development, with the options to be presented back to Council for consideration. Council also resolved that the licensee of the car park be advised that Council would not renew the licence with the tenancy to operate as a monthly arrangement. These resolutions were revoked, however, by a subsequent Motion on Notice on 23 July 2013.
6. The land is currently the subject of a Community Land Management Plan (CLMP), with the CLMP and site plan for the Tynte Street Car Park land available at Link 1 view [here](#).
7. On 19 February 2019, Council endorsed an updated CLMP for the Tynte Street and Dunn Street car parks, which reflected the granting of a licence to TPG Network Pty Ltd over a small portion of the Dunn Street Car Park to support the Ten Gigabit Adelaide project. The updated CLMP also removed the Walter Street car park following its sale in 2016.

The Site

8. The Tynte Street Car Park land currently comprises two contiguous allotments located at 171-175 Tynte Street, North Adelaide, identified as Allotment 5 in Filed Plan 7308 comprised in Certificate of Title Volume 5497 Folio 700 and Allotment 6 in Filed Plan 7308 comprised in Certificate of Title Volume 5497 Folio 702. Both of the current certificates of title are available at Link 2 view [here](#).
9. The site as a total area in the order of 785 square metres and a combined frontage of 20.73 metres to Tynte Street. Allotment 5 has been developed with a bituminised car park containing 22 car park spaces.
10. The land accommodates five trees or shrubs. None of these trees are classified as 'regulated' or 'significant' trees under the *Planning, Development and Infrastructure Act 2016* (SA).
11. The eastern allotment (Allotment 6) is subject to a registered right of way, marked 'A' on Certificate of Title Volume 5497 Folio 702. This right of way is in favour of the adjoining land at 165-169 Tynte Street (Allotment 1 in Filed Plan 4892 comprised in Certificate of Title Volume 5138 Folio 104), accommodating the former Daniel O'Connell Hotel which has been converted into a two-storey detached dwelling.
12. The registered right of way is 2.44 metres in width and 18.29 metres in length. Access to this right of way is afforded via a single vehicle width crossover to Tynte Street and the majority of the right of way is bituminised. There are three raised manhole lids within the right of way that provide access to a grease arrestor within the land, previously used by the Daniel O'Connell Hotel on the adjoining land.
13. The right of way correlates to a former private road in favour of the former hotel that was in place when the Corporation of the City of Adelaide acquired the land on 12 March 1971. The right of way is limited to rights for the adjoining owner and their visitors to pass and repass with or without vehicles.
14. The adjoining land to the east has a double doorway that opens onto Council's Tynte Street Car Park land outside of the extent of the current right of way, as well as a gate for vehicle access gate that provides access via the car park to the south owned by the strata group associated with the medical centre. As access to the double doorway is not protected by any registered right of way, this could be blocked by a future owner of the subject land if sold.

Licence Arrangements

15. The Tynte Street Car Park is subject to a non-exclusive licence agreement in favour of Strata Corporation 4166 Incorporated for car parking of 22 vehicles for the use of the adjoining North Adelaide Medical Centre during the hours of 6:00am and 6:00pm Monday to Friday. The car park is available for public use outside of these times.
16. The licence was executed on 14 May 2019 for a five-year term that commenced on 1 December 2018 and expires on 30 November 2023. The licence includes a redevelopment clause that enables Council to sell or redevelop the land upon providing at least six months prior notice to the licensee.
17. In addition to the licence over the subject car park owned by the City of Adelaide (providing 22 spaces), the medical centre has access to 39 car parks to the south and south-east that forms part of their common property.
18. The licensee contacted the Administration in November 2021 to express an interest in purchasing the land in the event that the community land classification is revoked. The adjoining owner expressed interest in purchasing the land for staff car parking noting that the adjoining owner's existing car park only provides sufficient parking for the owners of each strata unit within the North Adelaide Medical Centre.
19. The adjoining landowner to the east, has converted the former Daniel O'Connell Hotel into a two-storey detached dwelling, has also previously expressed a desire to acquire a right of way or licence over portion of the Tynte Street Car Park land in order to obtain vehicle access to the rear of their land. The creation of this right of way or licence did not proceed, primarily due to concerns at the time from Council's Horticulture Team regarding the potential impacts upon one unregulated Pepper Tree along the eastern boundary of Council's land.

Reasons for Disposal

20. The following asset assessment utilising the criteria within the Strategic Property Action Plan supports the disposal of the Tynte Street Car Park.

Criteria	Assessment
Does the asset serve an importance civic role?	<p>The land has limited civic value noting that it is licenced to the adjoining medical centre for staff parking from 6:00am to 6:00pm on weekdays and only being available for public use outside of these times.</p> <p>In addition, on-street parking time limitations in the area do not apply after 6:00pm, allowing unlimited public on-street parking outside of the licence times.</p> <p>Potential exists for the car park to continue to be used by the adjoining medical centre if sold.</p>
Does the asset currently align with the City's Strategic Pillars?	The land offers limited strategic value being primarily utilised for staff car parking associated with the adjoining medical centre.
Does the asset have potential for future alignment with Strategic Pillars, or have city shaping potential?	The land offers little city shaping potential being located within City Living Zone, North Adelaide Low Intensity Subzone and Historic Area. This includes a maximum building height guideline of two storeys and the maximum site coverage guideline of 50 percent resulting in limited development outcomes.
Is the commercial and/or community value optimised?	<p>The Tynte Street Car Park land is licensed to Strata Corporation 4166 Incorporated, which manages the adjoining medical centre. The net income to Council from the licence arrangement was \$28,946 for the 2020/21 financial year, after deducting Council's costs for water, electricity, insurance and the Emergency Services Levy. This annual income is low relative to the market value of the land.</p> <p>The community value of the site is not optimised, as the site is exclusively licenced for staff parking for the adjoining private medical centre from 6:00am to 6:00pm on weekdays. The site is only available for community use outside of these times.</p>

Community Land Revocation Process

21. As of 1 January 2000, all local government land (except roads) that is owned by Council, or is under the care, control and management of Council, is classified as community land pursuant to Section 193 of the *Local Government Act 1999* (SA) ('the Act').
22. Land that is community land cannot be disposed, sold or transferred unless it has been excluded or revoked from its classification as community land.
23. Since 1 January 2003, removal from the classification as community land can only proceed by the revocation process, as prescribed by Section 194 of the Act. The proposal to revoke the land requires Council to undertake public consultation in accordance with Council's Public Consultation Policy, with approval to be given by the Minister for Planning and Local Government before the Council can resolve to formally revoke the classification.
24. The land proposed to be revoked from its community land classification comprises of the whole of the Tynte Street Car Park land, comprising two contiguous allotments identified as Allotment 5 in Filed Plan 7308 comprised in Certificate of Title Volume 5497 Folio 700 and Allotment 6 in Filed Plan 7308 comprised in Certificate of Title Volume 5497 Folio 702. Both allotments are owned by the Corporation of the City of Adelaide
25. The necessary additional information to commence the revocation of community land process in accordance with the Act is provided at **Attachment A**.
26. The public will be provided notice of the proposed revocation and invited to make submissions for a period of not less than 21 days through the following forms of engagement:
 - 26.1. Letters sent to adjoining landowners, including the North Adelaide Medical Centre as the licensee, outlining the proposed revocation and directing them to Council's Your Say Adelaide website for further information and to make a submission.
 - 26.2. A sign installed on the land facing the Tynte Street frontage.
 - 26.3. A notice published in The Advertiser newspaper.
 - 26.4. Information about the proposal, including supporting public Council report and proposal document at **Attachment A**, made available at Council's libraries and customer centre, as well as on the City of Adelaide's Your Say website, with the public able to make submissions online.
27. The public will be able to make submissions via the City of Adelaide's Your Say website, by email or by letter sent to the City of Adelaide within the public consultation period.
28. The results from the public consultation process will be brought back to Council for its consideration.

Proposed Divestment Approach

29. The revocation of community land classification is proposed for the purpose of sale of the land to the open market given that it is an underperforming asset. The revocation process incorporates the expectation that Council will consider the revocation of community land on an objective basis and determine, on balance, what is in the best interests of the community.
30. The disposal of land is guided by the Council's Acquisition and Disposal of Land and Assets Policy (the Policy). This Policy is required ensure ethical and fair treatment of participants and probity, accountability and transparency in all disposal processes, in accordance with Section 49 of the Act.
31. To facilitate a fair and transparent process that obtains the best outcome and value for Council in accordance with the Policy, it is proposed that the land will be offered for open market sale should the revocation of community land ultimately be approved by Council.
32. Disposal of the subject land and building will remove Council's on-going financial obligations in respect to maintenance, administration of licensing, risk, insurance, graffiti management etc. associated with the Tynte Street Car Park land. The operational costs for the land were \$4,782 in the 2020/21 financial year.
33. It is proposed that the net proceeds from the sale of the subject land (subject to Council consideration of the community land revocation process outcomes) be assigned to Council's Future Fund to be used in accordance with Council's Future Fund & Investment Policy and Treasury Policy supporting income generating and city shaping opportunities.

Next Steps

34. Should Council resolve to proceed with the revocation of community land process, public consultation will be undertaken in accordance with the proposal at **Attachment A**, Council's Community Consultation Policy and Section 194(2) of the Act.
35. Following the completion of the public consultation period, a further report summarising the outcomes of public consultation and any submissions received will be presented back to Council to consider whether to proceed with the community land revocation.
36. Should Council resolve to proceed with the revocation, all public submissions and associated consultation information will be presented to the Minister for Planning and Local Government for approval to revoke the land from its community land classification.

DATA AND SUPPORTING INFORMATION

Link 1 – Off-Street Car Park Facilities Community Land Management Plan

Link 2 – Certificates of Title

ATTACHMENTS

Attachment A — Proposal to revoke the Community Land classification of the Tynte Street Car Park

- END OF REPORT -

ATTACHMENT A

City of Adelaide

**Proposal to revoke the
Community Land classification
of the Tynte Street Car Park**

March 2022

Proposal to revoke the community land classification of the Tynte Street Car Park land

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Proposal to revoke the community land classification of the Tynte Street Car Park land

1. Introduction

Land owned by a Council or under a Council's care, control and management is classified as community land pursuant to Section 193 of the *Local Government Act 1993* (SA) ('the Act'). Section 196 of the Act requires a council to manage community land in accordance with a **management plan** for the land.

The land at 171-175 Tynte Street is owned by the Corporation of the City of Adelaide and is used for the objective of providing a car park *"to support the local medical centre and to facilitate the use of the medical centre by members of the public"*. At other times, *"the car park is provided as a free community off-street car park to support the residents and visitors to the area"*.

A management plan known as the Off-Street Car Parking Facilities Community Land Management Plan (the Plan) was adopted by the City of Adelaide (the Council) on 26 February 2019. A copy of the Plan is attached at **Appendix A**.

The Tynte Street Car Park land incorporates a 22-space bituminised car park for use by the staff of the adjoining North Adelaide Medical Centre under a licence agreement from 6:00am to 6:00pm Monday to Friday. The car park is used by the public outside of 6.00am to 6.00pm, noting that there are no on-street public parking restrictions during these times.

The Tynte Street Car Park land comprises two contiguous allotments. Allotment 5 accommodates the sealed car park and has a frontage of 18.29 metres to Tynte Street and is approximately 670 square metres in area. Allotment 6 is a narrow parcel to the east of the car park with a frontage of only 2.44 metres to Tynte Street and an area of approximately 110 square metres.

Allotment 6 is subject to a free and unrestricted right of way of 18.29 metres in length in favour of the adjoining land to the east (the former Daniel O'Connell Hotel, now a private residence). Allotment 6 has also been developed with a grease arrester that is ancillary to the adjoining former pub, there are no registered or ongoing rights for this grease arrester to be constructed within Council's land.

Council is proposing the sale of both allotments comprising the Tynte Street Car Park land, recognising that the land provides an under-utilisation of the land with limited financial return and strategic benefit to the community in its current form. Sale of the Tynte Street Car Park land is proposed by an offer to the open market.

Council is proposing to revoke the community land classification of the Tynte Street Car Park land, as defined within the Off-street Car Parking Facilities Community Land Management Plan at **Appendix B**, pursuant to Section 194 of the Act for the purposes of this sale.

In broad terms the community land classification revocation process is as follows:

- Council approves the proposed revocation for community consultation;
- The proposed revocation is the subject of community consultation;
- Council reviews the consultation outcomes, amends the proposal as necessary, and then submits the proposal to the relevant Minister for approval;
- Council passes a resolution to revoke the community land classification after approval from the relevant Minister.

Section 194(2) of the Act requires the Council to consider a report on the proposal. This paper has been prepared for that purpose.

2. Context

The City of Adelaide owns the fee simple in the land at 171-175 Tynte Street, North Adelaide, which accommodates the Tynte Street Car Park. The land comprises:

- Allotment 5 in Filed Plan 7308 comprised in Certificate of Title Volume 5497 Folio 700; and
- Allotment 6 in Filed Plan 7308 comprised in Certificate of Title Volume 5497 Folio 702.

The land accommodates a 22-space bituminised car park, as well as a right of way in favour of the adjoining land to the east and a grease trap associated with the former Daniel O'Connell Hotel (now a private residence).

The licence with the adjoining medical centre, Strata Corporation 4166 Incorporated, is for a five (5) year term that commenced on 1 December 2018 and expires on 30 November 2023. The licence is subject to a redevelopment clause that enables Council to redevelop or sell the land upon giving at least six (6) months' notice to the licensee.

The licence permits the land to be used for the parking for 22 cars for the use of the North Adelaide Medical Centre during the hours of 6.00am and 6.00pm Monday to Friday. The land is available for use as a public car park outside of these times.

3. Description of the land

Common name:		Tynte Street Car Park
Address:		171-175 Tynte Street, North Adelaide
Legal Description	- Description of land:	Allotment 5 and Allotment 6 in Filed Plan 7308 in the area named North Adelaide, Hundred of Yatala
	- Volume/Folio:	Volume 5497 Folio 700 Volume 5497 Folio 702
Total area:		780 square metres
Custodian:		City of Adelaide
Owner:		The Corporation of the City of Adelaide
Lease or Licence:	- Name of Lessee/Licensee:	Strata Corporation 4166 Incorporated
	- Term:	Five years, expiring 30 November 2023
	- Purpose:	Car parking for the use of the North Adelaide Medical Centre

The Certificates of Title for the Tynte Street Car Park land are attached at **Appendix D.**

4. The Proposal

Section 194(2) of the Act requires the Council to prepare and consider a report on the proposal, addressing the following points:

- Summary of the reasons for the proposal;
- Statement of any dedication, reservation or trust to which the land is subject;
- Statement of whether revocation of the classification is proposed with a view to sale or disposal;
- Details of any government assistance given to acquire the land if it is proposed to sell the land;
- Statement of how the Council proposes to use the proceeds if it is proposed to sell the land;
- Assessment of how implementation of the proposal would affect the area and local community;
- Land ownership issues.

The details are presented in the following paragraphs.

4.1 Summary of the reasons for the proposal

The revocation of the Tynte Street Car Park land is proposed for the purpose of sale of both Allotments 5 and 6 to the open market.

The Strategic Property Action Plan, received by Council on 14 April 2020, identified the Tynte Street Car Park as being potentially suitable for disposal due to its limited civic role and city shaping potential, subject to further investigations.

Disposal of the land is proposed on the basis of the following:

Criteria	Assessment
Does the asset serve an importance civic role?	<p>The land has limited civic value noting that it is licenced to the adjoining medical centre for staff parking from 6:00am to 6:00pm on weekdays and only being available for public use outside of these times.</p> <p>In addition, on-street parking time limitations in the area do not apply after 6:00pm, allowing unlimited public on-street parking outside of the licence times.</p> <p>Potential exists for the car park to continue to be used by the adjoining medical centre if sold.</p>

Criteria	Assessment
Does the asset currently align with the City's Strategic Pillars?	The land offers limited strategic value being primarily utilised for staff car parking associated with the adjoining medical centre.
Does the asset have potential for future alignment with Strategic Pillars, or have city shaping potential?	The land offers little city shaping potential being located within City Living Zone, North Adelaide Low Intensity Subzone and Historic Area. This includes a maximum building height guideline of two storeys and the maximum site coverage guideline of 50 percent resulting in limited development outcomes.
Is the commercial and/or community value optimised?	<p>The Tynte Street Car Park land is licensed to Strata Corporation 4166 Incorporated, which manages the adjoining medical centre. The net income to Council from the licence arrangement was \$28,946 for the 2020/21 financial year, after deducting Council's costs for water, electricity, insurance and the Emergency Services Levy. This annual income is low relative to the market value of the land.</p> <p>The community value of the site is not optimised, as the site is exclusively licenced for staff parking for the adjoining private medical centre from 6:00am to 6:00pm on weekdays. The site is only available for community use outside of these times.</p>

The open market sale process, whether by expressions of interest, auction or private treaty will be determined based upon sales agent advice subject to revocation of the community land classification.

The sale of the land to the open market will be undertaken without placing conditions regarding the future development of the land, in recognition that there is likely are a wide variety of buyers who will have different intentions for the land.

It is proposed that proceeds from the sale of the Tynte Street Car Park land will be assigned to Council's Future Fund in accordance with Council's Future Fund & Investment Policy and Treasury Policy supporting income generating and city shaping opportunities.

4.2 Statement of any dedication, reservation or trust to which the land is subject

The land is not subject to any dedication, reservation or trust.

The Council is the long-term owner of the property. Both allotments are defined by a Torrens Title real property description. The Certificates of Title confirm that the land is held in fee simple by the Corporation of the City of Adelaide.

4.3 Statement of whether revocation of the classification is proposed with a view to sale or disposal

Council is proposing to offer the land for sale.

Clause 4.2 of Council's Acquisition and Disposal of Land and Other Infrastructure Assets Policy requires that:

"The process for disposal will be fair and transparent and ensure that Council obtains the best outcome and value from the disposal".

Allotment 5 and Allotment 6 are proposed to be offered by advertisement to the open market to ensure that the process is open and transparent, with the sale to be based on Council's market value as determined by independent valuation to ensure that Council obtains the best value from the disposal.

Council must revoke the community land classification of the land prior to proceeding with the sale of the Tynte Street Car Park land, in accordance with Section 201 of the Act.

4.4 Details of any government assistance given to acquire the land if it is proposed to sell the land

Historical certificates of title demonstrate that the Corporation of the City of Adelaide purchased the land from a private entity (Friendly Service Station Pty Ltd) on 12 March 1971.

An historical records search has not found any evidence that government assistance was provided to the Council to acquire the land.

4.5 Statement of how the Council proposes to use the proceeds if it is proposed to sell the land

Subject to Council's resolution, the proceeds from the sale of the Tynte Street Car Park land are proposed to be assigned to Council's Future Fund in accordance with Council's Future Fund & Investment Policy and Treasury Policy supporting income generating and city shaping opportunities.

4.6 Assessment of how implementation of the proposal would affect the area and local community

The disposal of the Tynte Street Car Park land will result in the car park no longer being available for public use. Possible redevelopment of the land will depend on the intentions of the eventual purchaser, with any redevelopment supporting investment and activation within the precinct.

More specifically, the proposal is expected to have the following affects:

- The car park will no longer be available for the use of Strata Corporation 4166 Incorporated (the adjoining North Adelaide Medical Centre), unless this party chooses to purchase the land through the open market sales process or negotiates a new lease with the eventual purchaser. Council will address such matters in accordance with the terms of the existing Licence.
- The car park will no longer be available to members of the public. In this regard, it is noted on-street parking in the area is generally not subject to time restrictions outside of the hours of 6.00am and 6:00pm, meaning that there are also numerous on-street parking options for the public outside of the licence times.
- The proceeds from the sale of the land will be assigned to Council's Future Fund, subject to Council's resolution. Proceeds of sale that are assigned to Council's Future Fund will be used in accordance with Council's Future Fund & Investment Policy Treasury Policy and support future income generating and strategic assets providing broader benefits to the community.

4.7 Land ownership

The Corporation of the City of Adelaide is the owner of the land, and therefore there are no requirements made as a condition of approving the proposed revocation.

5. Community consultation program

Section 194(2)(b) of the Act requires the Council to consult with the community on the proposal in accordance with the Council's public consultation policy.

Table 1 of the Council's Public Consultation Policy specifies the steps to be followed for the proposed revocation of classification of community land. A copy of Table 1 from Council's Public Consultation Policy that outlines the consultation required for revocations of community land classification is attached as **Appendix D**.

Council's online engagement hub "Your Say Adelaide" will be a feature of the consultation program.

In addition to the mandatory requirements of the Policy, it is proposed to notify key stakeholders affected by this proposal. This includes the adjoining landowners and North Adelaide Medical Centre in its capacity as the licensee.

The Council will further assess the proposed revocation of community land classification of the Tynte Street Car Park land following public consultation, with all submissions received from the public to be provided to Council to inform decision making about whether to proceed to seek Ministerial approval for the proposed revocation.

6. Indicative timeframe

The following table presents an indicative timeframe for the revocation process:

Milestone	2022			
	March 2022	April 2022	May 2022	June 2022
Public consultation period				
Report to Committee on public consultation results				
Council consideration and approval in response to the report on public consultation results. Includes recommendation to seek Minister's approval				
Submit proposal to Minister for community land classification revocation approval				

The Council will ultimately be required pass a resolution to revoke the community land classification following the Minister's approval. The timing of this Council resolution will depend on the timeframe for obtaining the Minister's approval.

Appendix A

Off-Street Car Parking Facilities Community Land Management Plan

OFF-STREET CAR PARKING FACILITIES

Community Land Management Plan

26 February 2019



Off-Street Car Parking Facilities

DOCUMENT PROPERTIES**Contact for enquiries and proposed changes**

If you have any questions regarding this document or if you have a suggestion for improvements, please contact:

Contact Officer: Tom McCready
 Title: Associate Director-Property
 Program: Property
 Phone: (08) 8203 7151
 Email: T.McCready@cityofadelaide.com.au

Record Details

HPRM Reference: ACC2019/18963
 HPRM Container: 2017/03832

Version History

Version	Revision Date	Revised By	Revision Description
1.0	26/01/19	Corna Kotze	Draft update-amend of CLMP
1.1	31/01/19	Paul Addle	Review-amend draft update of CLMP
1.2	31/01/19	Duncan Frazer	New CLMP template and format
1.3	31/01/19	Corna Kotze	Update to new template
1.4	01/02/19	Paul Addle	Review-settle draft CLMP



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Off-Street Car Parking Facilities

1. INTRODUCTION

Section 199 of the Local Government Act 1999 (the Act) requires a council to manage Community Land in accordance with a Community Land Management Plan (CLMP) for the land. Land owned by a council or under a council's care, control and management is classified as Community Land.

The Corporation of the City of Adelaide owns a number of properties under the care and control of the City of Adelaide (Council) used for the purposes of off-street car parking.

Section 196(2) of the Act allows a council to prepare a single management plan for one or more separate holdings of community land.

Accordingly, a single management plan was prepared and adopted by Council on 30 August 2010 for the two properties addressed in this CLMP and is referred to as the Off-Street Car Parking Facilities Community Land Management Plan. There are other Council properties classified as Community Land used for off-street car parking and these are the subject of the UPark Community Land Management Plan.

Section 196 of the Act sets out the structure and content and other matters relevant to CLMPs. This amended CLMP has been prepared in accordance with Section 196.

Section 197 of the Act specifies the public consultation process associated with the development and amendment of CLMPs, addressed in section 6 of this document.

2. COUNCIL PROPERTIES BEING USED AS CAR PARKS

The two car parks addressed in this CLMP are:

2.1.1 Dunn Street Car Park: 21-31 Dunn Street North Adelaide (Dunn Street Car Park).

2.1.2 Tynte Street Car Park: 171-175 Tynte Street North Adelaide (Tynte Street Car Park)

Referred to collectively in this CLMP as "the Car Parks"

A locality map showing the location of the two car parks is presented in Figure 1.

An aerial photograph of each car park is presented in Figure 2 and 3.



Community Land Management Plan

Figure 1: Off-Street Car Parking Facilities locality map



Off-Street Car Parking Facilities

Figure 2: Aerial photo delineating Dunn Street Car Park community land boundary



Community Land Management Plan

Figure 3: Aerial photo delineating Tynte Street Car Park community land boundary



Off-Street Car Parking Facilities

3. DETAILS OF THE COMMUNITY LAND MANAGEMENT PLAN

3.1 Property Identification (Section 196(3)(a) of the Local Government Act 1999)

Name of Property	Location	Certificates of Title
Dunn Street Car Park	21-31 Dunn Street North Adelaide	Volume 5128/Folio 277 Volume 5154/Folio 320 Volume 5907/Folio 896 Volume 5633/Folio 973
Tynte Street Car Park	171-175 Tynte Street North Adelaide	Volume 5497/Folio 700 Volume 5497/Folio 702

3.2 Owner (Section 196(4))

The Corporation of the City of Adelaide is the owner of the land on which the Car Parks are located.

3.3 Purpose for which land is held (Section 196(3)(b))

The land is held for the purpose of providing:

- 3.3.1 A free community off-street car park to support the Melbourne Street retail and commercial precinct and the North Adelaide Medical Centre, residents and visitors to the area.
- 3.3.2 Telecommunication equipment and other associated services infrastructure under licence as required, and
- 3.3.3 Other uses as determined by the Council from time to time in accordance with this CLMP.

4. DUNN STREET CAR PARK

4.1 Objectives for management of the land (Section 196(3)(c))

The objectives are to promote, encourage and provide the land for use by the public and to support the Melbourne Street retail and commercial precinct and to provide or facilitate the provision of facilities and infrastructure on the land to meet the current and future needs of the local community and of the wider public in relation to;

- Car parking, public utilities, essential services, community services and other uses as determined by the Council from time to time in accordance with this CLMP; and
- Entering into a lease, licence or other interest that may be granted in respect of the land in accordance with this CLMP.

4.2 Management arrangements (Section 196(3)(c))

The car park has parking restrictions of varying durations;

- Opening hours of car park at Council's discretion;
- Disabled parking will be provided in accordance with relevant legislative access requirements;
- Parking controls will be enforced;
- Support infrastructure consisting of drainage, lighting, landscaping;
- Electricity Transformer;
- Telecommunications equipment and services infrastructure;
- Easements and Rights of Way.

4.3 Leases and Licences Consistent with CLMP

Licence to TPG Network Pty Ltd or nominee for telecommunication equipment.

4.4 Performance targets and measures (Section 196(3)(d))

Council is responsible for keeping the car park in good condition, safe and accessible and free from graffiti. Attention is given to ensuring there is a turn-over of vehicles in accordance with the specified time limits.

Performance targets are:

- To provide a clean and well-maintained car parking facility
- To reduce the occurrence of vandalism and graffiti, and repair promptly
- To reduce the amount of littering and encourage recycling
- To ensure car parking use does not impact on the amenity of surrounding properties
- To ensure access to car park for people with disabilities
- To ensure turnover of car parks to maximise number of users
- To provide adequate lighting to ensure safe use of car park facility by the public
- To ensure parking controls installed on the land and clear and unambiguous.

Performance measures are: up-keep

- Maintain a records register of public comments in relation to the land and review annually to determine the condition of the facilities and identify any maintenance requirements for the facilities upkeep
- Survey and direct observation/inspections and audits (6 monthly)
- Issue expiation fines for any infringements of parking controls



Off-Street Car Parking Facilities

- Maintain and review regularly a register of reported incidents, investigate with SAPOL as to reported incidences on the land and respond as necessary to mitigate incidents.

4.5 Policies related to the management of the land (Section 196(3)(c))

- Access and Inclusion Strategy 2012-2016
- Adelaide (City) Development Plan
- Asset Management Policy
- Cabling and Communications Policy
- City Community Policy
- City of Adelaide 2016-2020 Strategic Plan
- Community Engagement Strategy
- On-Street Parking Policy
- The City of Adelaide Smart Move Transport and Movement Strategy 2012-22

4.6 Relevant Legislation

- Australian Road Rules 1999
- Australian Standards
- Disability Discrimination Act 1992
- Expiation of Offences Act 1996
- Local Government Act 1999
- Private Parking Areas Act 1986
- Road Traffic Act 1961

5. TYNTE STREET CAR PARK

5.1 Objectives for management of the land (Section 196(3)(c))

One of the objectives for this car park is to support the local medical centre and to facilitate the use of the medical centre by members of the public.

At other times, the car park is provided as a free community off-street car park to support the residents and visitors to the area.

5.2 Leases and Licences Consistent with CLMP

The car park is subject to a licence to Strata Corporation 4166 Incorporated for use by the North Adelaide Medical Centre at 183 Tynte Street between the hours of 6am to 6pm Monday to Friday.

5.3 Management arrangements (Section 196(3)(c))

The car park is managed in accordance with the licence.

5.4 Performance targets and measures (Section 196(3)(d))

Performance targets are:

- Ensuring compliance with lease/licence terms and conditions
- To provide a clean and well-maintained car parking facility
- To reduce the occurrence of vandalism and graffiti, and repair promptly
- To provide adequate lighting to ensure safe use of car park facility by the public.

Performance measures are:

- Audit/review of lessee/licensee compliance
- Surveys and direct observation/inspections and audits (6 monthly).

5.5 Policies related to the management of the land (Section 196(3)(c))

- Access and Inclusion Strategy 2012-2016
- Adelaide (City) Development Plan
- Asset Management Policy
- Cabling and Communications Policy
- City Community Policy
- City of Adelaide 2016-2020 Strategic Plan
- Community Engagement Strategy
- On-Street Parking Policy
- The City of Adelaide Smart Move Transport and Movement Strategy 2012-22

5.6 Relevant Legislation

- Australian Road Rules 1999
- Australian Standards
- Disability Discrimination Act 1992
- Expiation of Offences Act 1996
- Local Government Act 1999
- Private Parking Areas Act 1986



Off-Street Car Parking Facilities


- Road Traffic Act 1961

Figure 4: Certificates of Titles: Dunn Street Car Park

WARNING: BEFORE DEALING WITH THIS LAND, SEARCH THE CURRENT CERTIFICATE

CERTIFICATE OF TITLE

REAL PROPERTY ACT, 1886



South Australia



VOLUME 5128 FOLIO 277

Edition 1

Date Of Issue 23/06/1993

Authority RTD 7268098

I certify that the registered proprietor is the proprietor of an estate in fee simple (or such other estate or interest as is set forth) in the land within described subject to such encumbrances, liens or other interests set forth in the schedule of endorsements.

REGISTRAR-GENERAL

REGISTERED PROPRIETOR IN FEE SIMPLE

THE CORPORATION OF THE CITY OF ADELAIDE OF GPO BOX 2252 ADELAIDE SA 5001

DESCRIPTION OF LAND

ALLOTMENT 82 DEPOSITED PLAN 34102
IN THE AREA NAMED NORTH ADELAIDE
HUNDRED OF YATALA

EASEMENTS

TOGETHER WITH A FREE AND UNRESTRICTED RIGHT OF WAY OVER THE LAND MARKED A

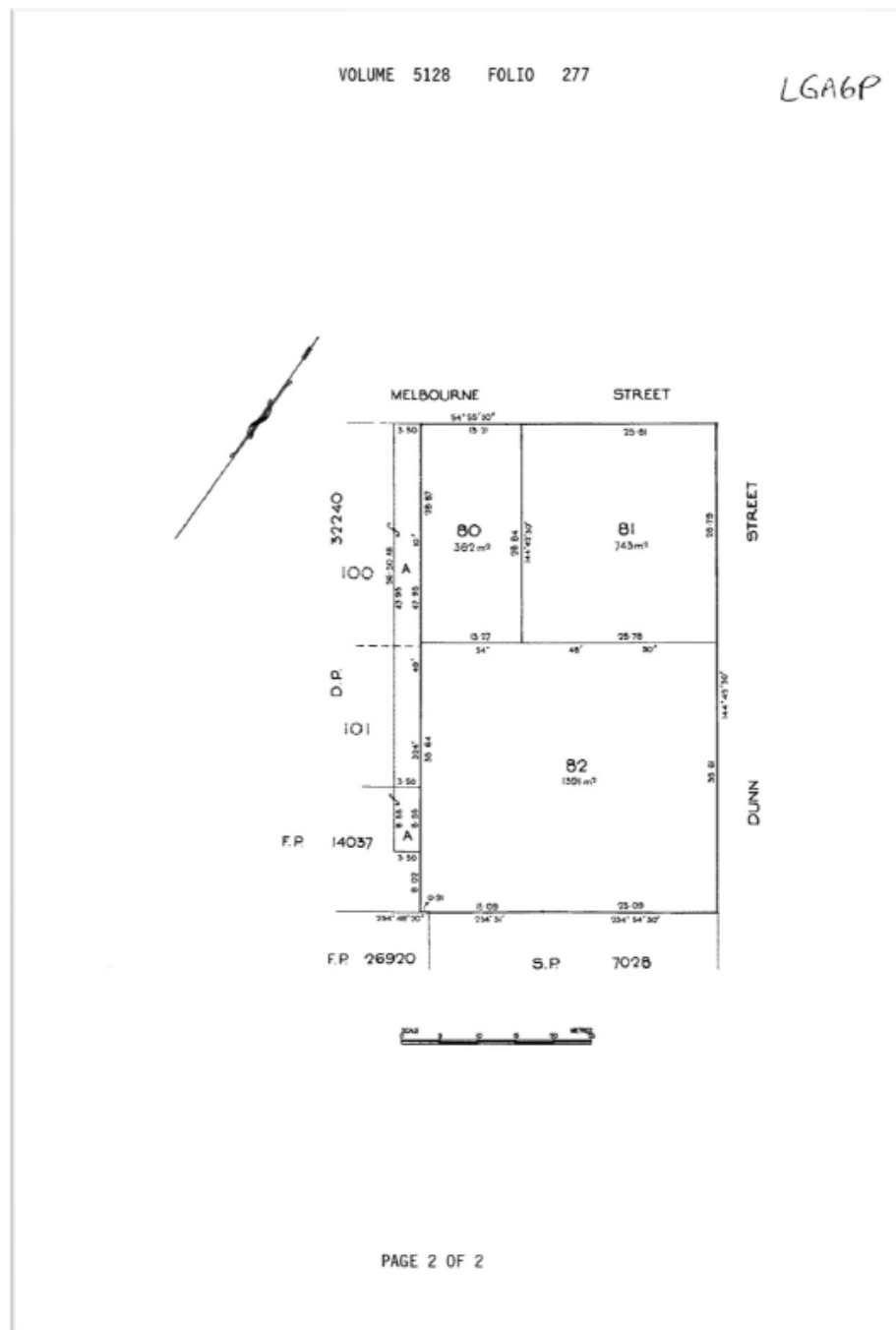
SCHEDULE OF ENDORSEMENTS

NIL

PAGE 1 OF 2

End of Text.

Figure 5:



Off-Street Car Parking Facilities

Figure 6:



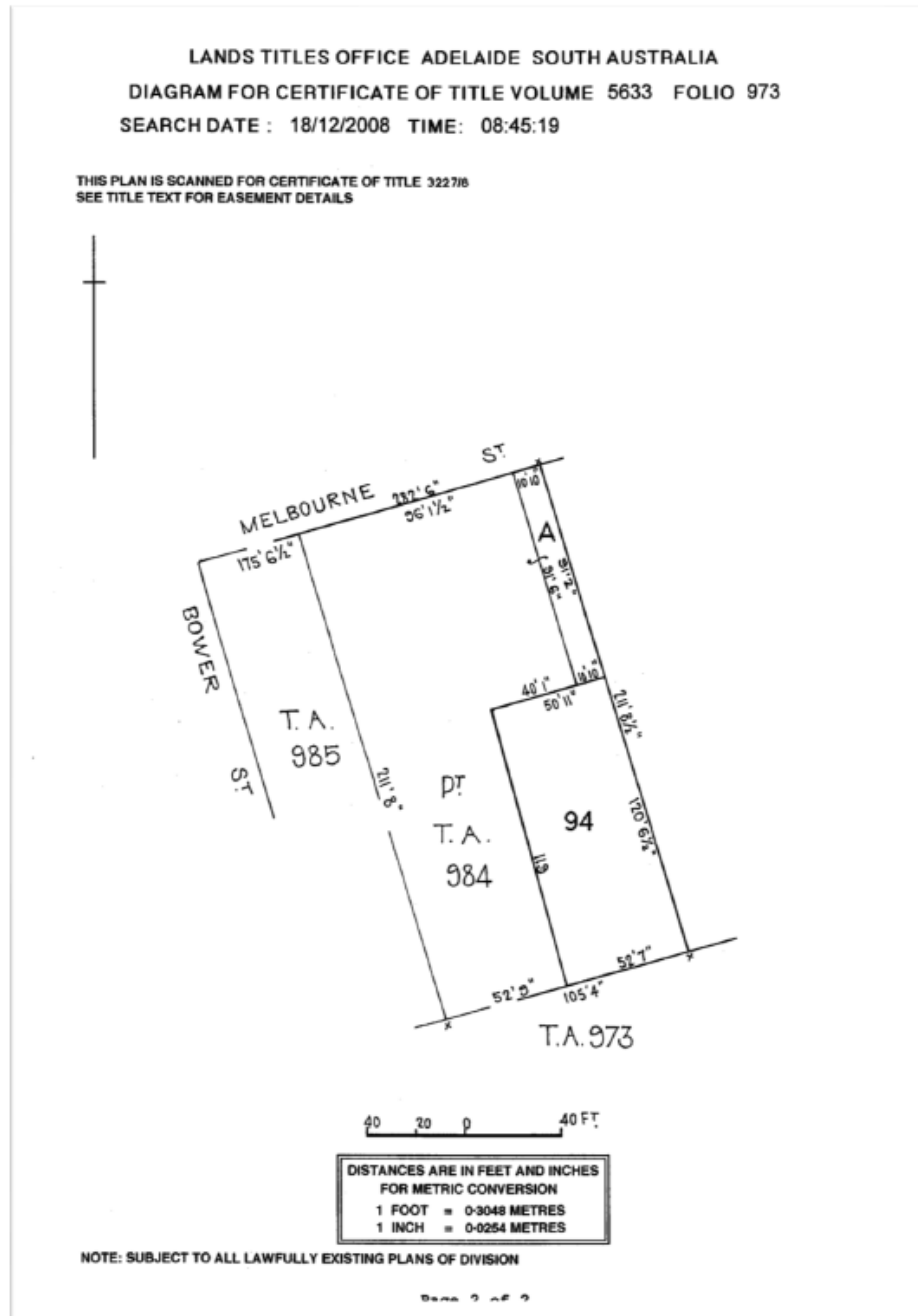
		Title Register Search LANDS TITLES OFFICE, ADELAIDE <small>For a Certificate of Title issued pursuant to the Real Property Act 1986</small>
REGISTER SEARCH OF CERTIFICATE OF TITLE * VOLUME 5633 FOLIO 973 *		
COST : \$17.40 (GST exempt) REGION : EMAIL AGENT : LGA6 BOX NO : 131 SEARCHED ON : 18/12/2008 AT : 08:45:19	PARENT TITLE : CT 3227/8 AUTHORITY : CONVERTED TITLE DATE OF ISSUE : 12/03/1999 EDITION : 1	
REGISTERED PROPRIETOR IN FEE SIMPLE ----- THE CORPORATION OF THE CITY OF ADELAIDE OF GPO BOX 2252 ADELAIDE SA 5001		
DESCRIPTION OF LAND ----- ALLOTMENT 94 FILED PLAN 213364 IN THE AREA NAMED NORTH ADELAIDE HUNDRED OF YATALA		
EASEMENTS ----- TOGETHER WITH A FREE AND UNRESTRICTED RIGHT OF WAY OVER THE LAND MARKED A		
SCHEDULE OF ENDORSEMENTS ----- NIL		
NOTATIONS ----- DOCUMENTS AFFECTING THIS TITLE ----- NIL		
REGISTRAR-GENERAL'S NOTES ----- APPROVED FILED PLAN 14037 CONVERTED TITLE-WITH NEXT DEALING LODGE CT 3227/8		
END OF TEXT.		
Page 1 of 2		
The Registrar-General certifies that this Title Register Search displays the records		
		<small>Registrar-General</small> 


Figure 7



Off-Street Car Parking Facilities



Figure 8:

CERTIFICATE OF TITLE
REAL PROPERTY ACT, 1886


South Australia

VOLUME 5907 FOLIO 896
Edition 1
Date Of Issue 03/12/2003
Authority ACT 9701795

I certify that the registered proprietor is the proprietor of an estate in fee simple (or such other estate or interest as is set forth) in the land within described subject to such encumbrances, liens or other interests set forth in the schedule of endorsements.


REGISTRAR-GENERAL 

WARNING: BEFORE DEALING WITH THIS LAND, SEARCH THE CURRENT CERTIFICATE

REGISTERED PROPRIETOR IN FEE SIMPLE
THE CORPORATION OF THE CITY OF ADELAIDE OF GPO BOX 2252 ADELAIDE SA 5001

DESCRIPTION OF LAND
ALLOTMENT 31 DEPOSITED PLAN 34629
IN THE AREA NAMED NORTH ADELAIDE
HUNDRED OF YATALA

EASEMENTS
SUBJECT TO THE EASEMENT OVER THE LAND MARKED E FOR SEWERAGE PURPOSES TO
THE SOUTH AUSTRALIAN WATER CORPORATION (TG 8048604)
SUBJECT TO THE EASEMENT OVER THE LAND MARKED E FOR WATER SUPPLY PURPOSES
TO THE SOUTH AUSTRALIAN WATER CORPORATION (TG 8046604)
SUBJECT TO EASEMENTS OVER THE LAND MARKED E (TG 7970532)
SUBJECT TO FREE AND UNRESTRICTED RIGHTS OF WAY OVER THE LAND MARKED A AND
C
TOGETHER WITH A RIGHT OF WAY OVER THE LAND MARKED X ON FP 13041
APPURTENANT ONLY TO THE LAND MARKED B HEREOF (GRO NO.257 BOOK 29 AND GRO
NO.258 BOOK 29)
TOGETHER WITH THE EASEMENT OVER THE LAND MARKED D APPURTENANT ONLY TO THE
LAND MARKED Y (RE 7206478)
TOGETHER WITH A FREE AND UNRESTRICTED RIGHT OF WAY OVER THE LAND MARKED D
APPURTENANT ONLY TO THE LAND MARKED Y

SCANNED CRU 05/02/2004 16:42:06

PAGE 1 OF 3

Cont.

Community Land Management Plan

Figure 9:

VOLUME 5907 FOLIO 896
Edition 1
Date Of Issue 03/12/2003
Authority ACT 9701795

SCHEDULE OF ENDORSEMENTS

SUBJECT TO AN ENCROACHMENT PURSUANT TO SECTION 27 OF THE COMMUNITY TITLES
ACT 1996 VIDE CP 21989

PAGE 2 OF 3

End of Text.

Off-Street Car Parking Facilities

Figure 10:

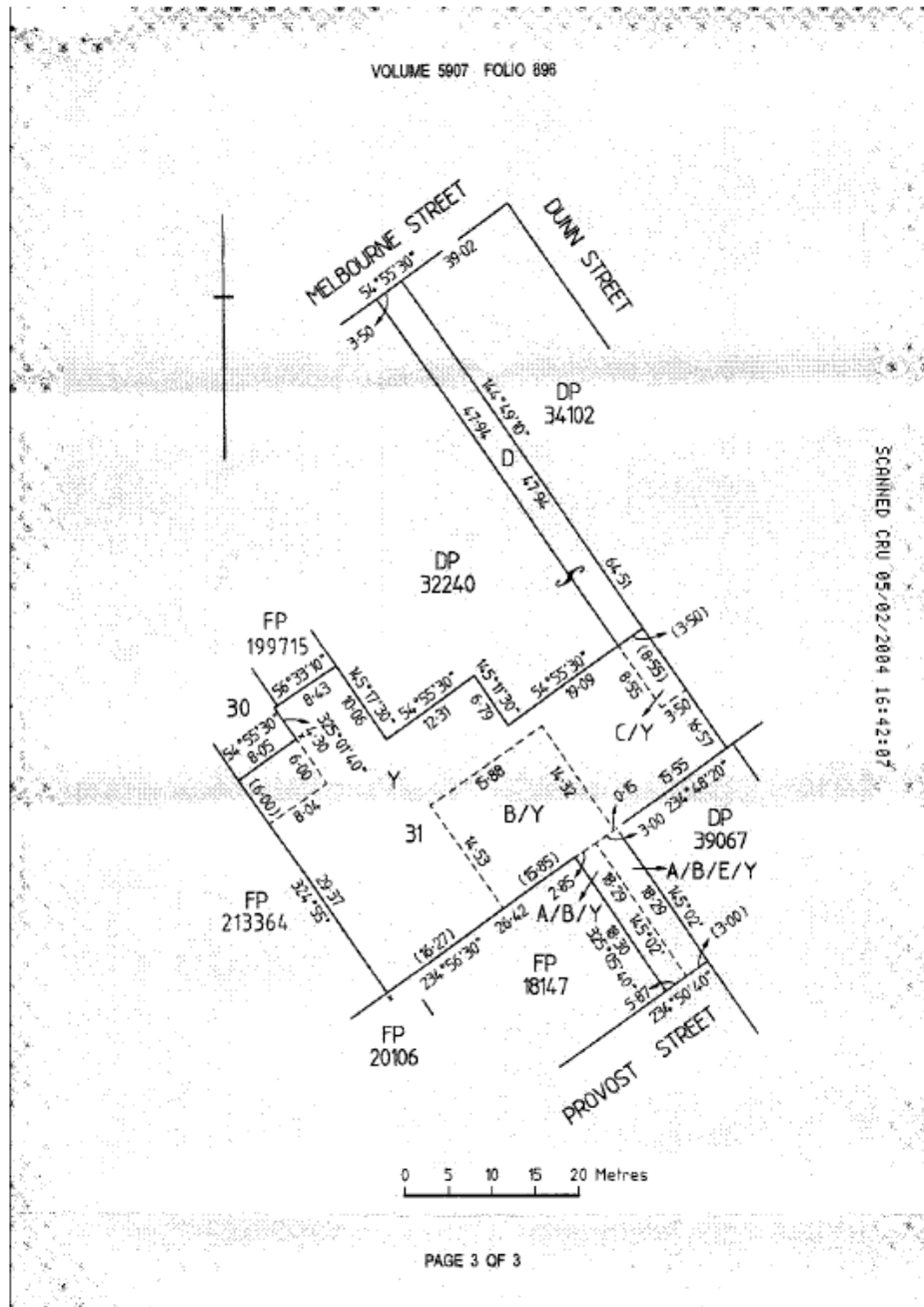



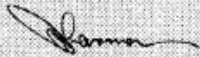

Figure 11:

CERTIFICATE OF TITLE
REAL PROPERTY ACT, 1886


South Australia

VOLUME 5154 FOLIO 320
Edition 1
Date Of Issue 10/11/1993
Authority RT 7495464

I certify that the registered proprietor is the proprietor of an estate in fee simple (or such other estate or interest as is set forth) in the land within described subject to such encumbrances, liens or other interests set forth in the schedule of endorsements.


REGISTRAR-GENERAL 

REGISTERED PROPRIETOR IN FEE SIMPLE
THE CORPORATION OF THE CITY OF ADELAIDE OF GPO BOX 2252 ADELAIDE SA 5001

DESCRIPTION OF LAND
ALLOTMENT 101 DEPOSITED PLAN 32240
IN THE AREA NAMED NORTH ADELAIDE
HUNDRED OF YATALA

EASEMENTS
SUBJECT TO THE EASEMENT FOR EAVES OVER THE LAND MARKED K (RE 7206479)
SUBJECT TO EASEMENTS OVER THE LAND MARKED V AND C (T 5008299 AND RE 7206478 RESPECTIVELY)
SUBJECT TO A FREE AND UNRESTRICTED RIGHT OF WAY OVER THE LAND MARKED V
SUBJECT TO FREE AND UNRESTRICTED RIGHTS OF WAY OVER THE LAND MARKED C
TOGETHER WITH RIGHTS OF SUPPORT OVER THE LAND MARKED L (RE 7206479)
TOGETHER WITH A FREE AND UNRESTRICTED RIGHT OF WAY OVER THE LAND MARKED D

SCHEDULE OF ENDORSEMENTS
NIL

PAGE 1 OF 2

End of Text.

WARNING: BEFORE DEALING WITH THIS LAND, SEARCH THE CURRENT CERTIFICATE

Off-Street Car Parking Facilities

Figure 12:

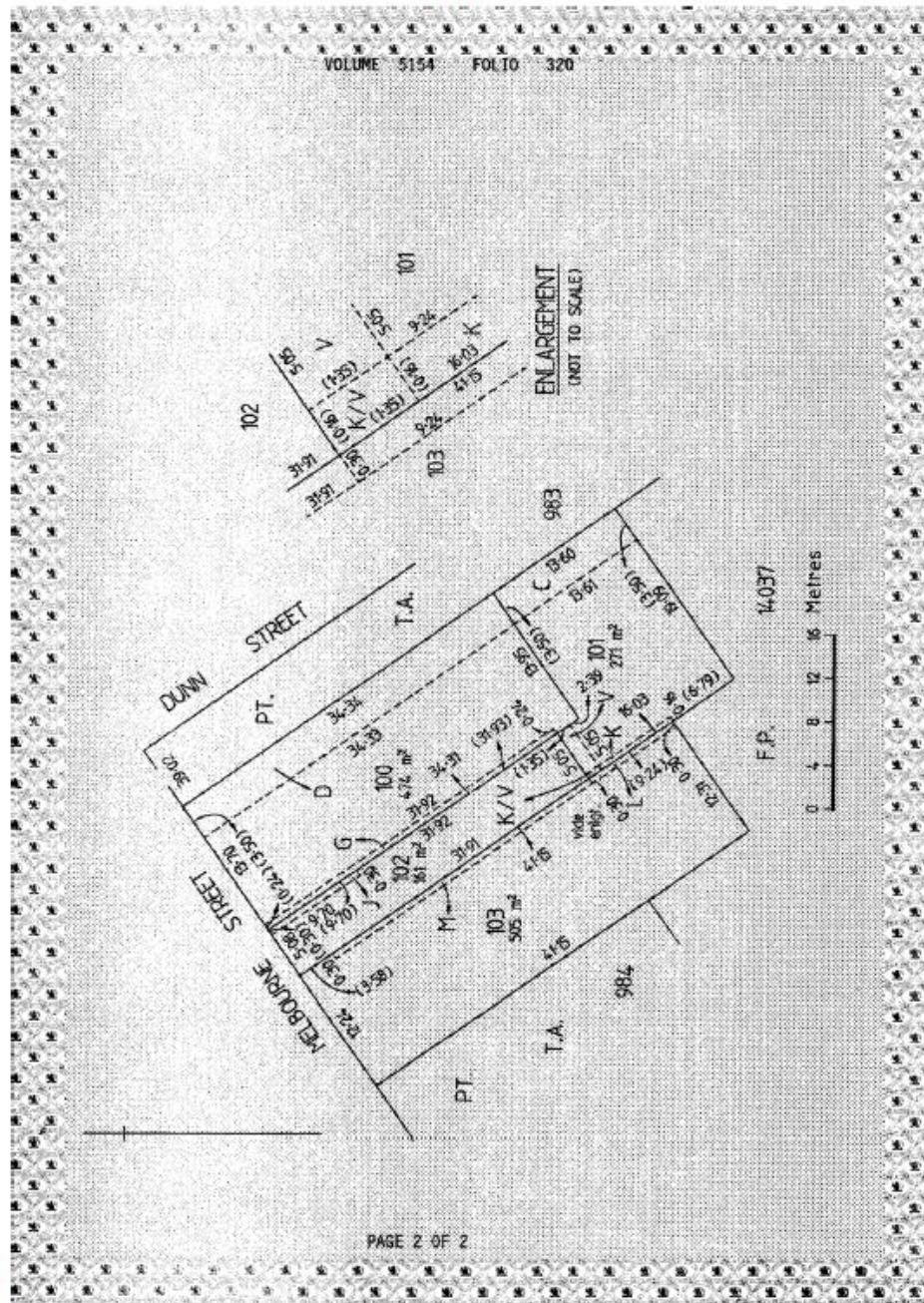




Figure 13: Certificates of Titles: Tynte Street Car Park

		Title Register Search LANDS TITLES OFFICE, ADELAIDE <small>For a Certificate of Title issued pursuant to the Real Property Act 1886</small>
REGISTER SEARCH OF CERTIFICATE OF TITLE * VOLUME 5497 FOLIO 700 *		
COST : \$16.10 (GST exempt) REGION : EMAIL AGENT : LGA6 BOX NO : 131 SEARCHED ON : 15/06/2007 AT : 09:29:42	PARENT TITLE : CT 4147/481 AUTHORITY : CONVERTED TITLE DATE OF ISSUE : 30/01/1998 EDITION : 1	
REGISTERED PROPRIETOR IN FEE SIMPLE ----- THE CORPORATION OF THE CITY OF ADELAIDE OF GPO BOX 2252 ADELAIDE SA 5001		
DESCRIPTION OF LAND ----- ALLOTMENT 5 FILED PLAN 7308 IN THE AREA NAMED NORTH ADELAIDE HUNDRED OF YATALA		
EASEMENTS ----- NIL		
SCHEDULE OF ENDORSEMENTS ----- NIL		
NOTATIONS ----- DOCUMENTS AFFECTING THIS TITLE ----- NIL		
REGISTRAR-GENERAL'S NOTES ----- APPROVED GP 1122/71 CONVERTED TITLE-WITH NEXT DEALING LODGE CT 4147/481		
END OF TEXT.		
Page 1 of 2		
The Registrar-General certifies that this Title Register Search displays the records		
		

Off-Street Car Parking Facilities

Figure 14:

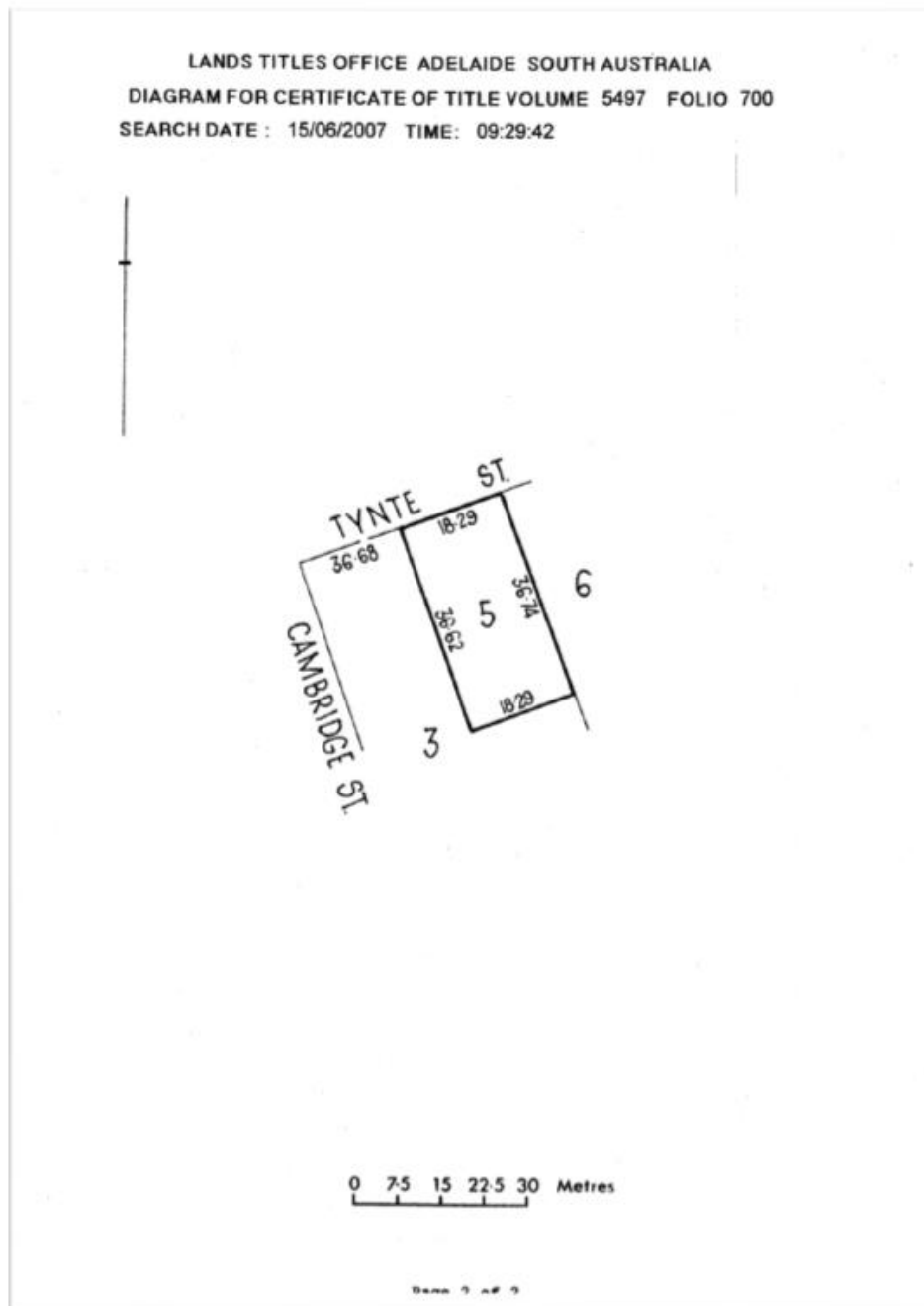


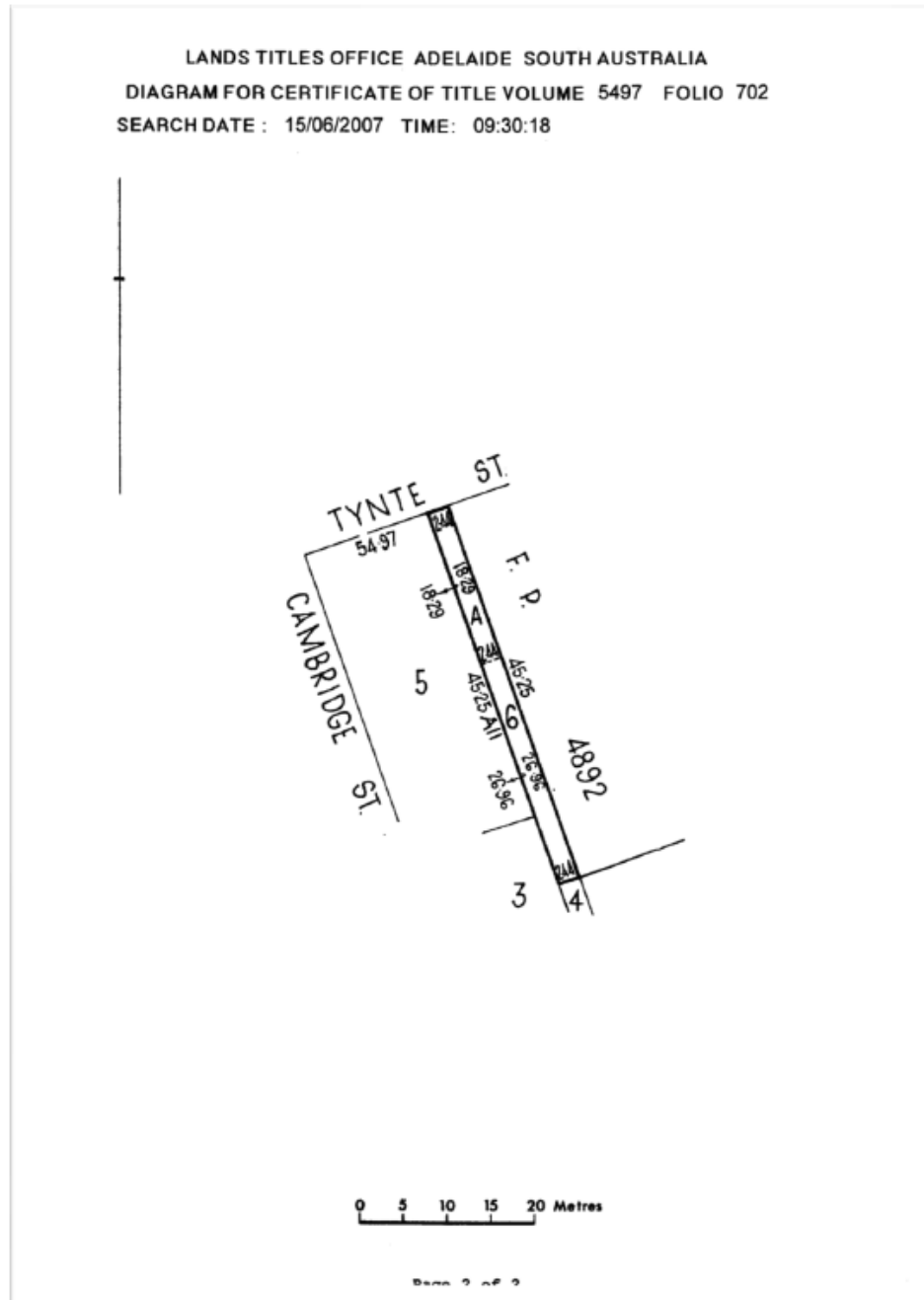


Figure 15:

		Title Register Search LANDS TITLES OFFICE, ADELAIDE <small>For a Certificate of Title issued pursuant to the Real Property Act 1886</small>
REGISTER SEARCH OF CERTIFICATE OF TITLE * VOLUME 5497 FOLIO 702 *		
COST : \$16.10 (GST exempt)		PARENT TITLE : CT 4147/482
REGION : EMAIL		AUTHORITY : CONVERTED TITLE
AGENT : LGA6 BOX NO : 131		DATE OF ISSUE : 30/01/1998
SEARCHED ON : 15/06/2007 AT : 09:30:18		EDITION : 1
 REGISTERED PROPRIETOR IN FEE SIMPLE		
<p>-----</p> <p style="text-align: center;">THE CORPORATION OF THE CITY OF ADELAIDE OF GPO BOX 2252 ADELAIDE SA 5001</p> <p>-----</p>		
DESCRIPTION OF LAND		
<p>-----</p> <p style="text-align: center;">ALLOTMENT 6 FILED PLAN 7308 IN THE AREA NAMED NORTH ADELAIDE HUNDRED OF YATALA</p> <p>-----</p>		
EASEMENTS		
<p>-----</p> <p style="text-align: center;">SUBJECT TO A FREE AND UNRESTRICTED RIGHT OF WAY OVER THE LAND MARKED A</p> <p>-----</p>		
SCHEDULE OF ENDORSEMENTS		
<p>-----</p> <p style="text-align: center;">NIL</p> <p>-----</p>		
NOTATIONS		
<p>-----</p> <p style="text-align: center;">DOCUMENTS AFFECTING THIS TITLE</p> <p>-----</p> <p style="text-align: center;">NIL</p> <p>-----</p>		
REGISTRAR-GENERAL'S NOTES		
<p>-----</p> <p style="text-align: center;">APPROVED GP 1122/71 CONVERTED TITLE-WITH NEXT DEALING LODGE CT 4147/482</p> <p>-----</p>		
END OF TEXT.		
Page 1 of 2		
<p>The Registrar-General certifies that this Title Register Search displays the records</p>		
		

Off-Street Car Parking Facilities

Figure 16:



Appendix B

Tynte Street Car Park land

City of Adelaide Community Land Management Plan
Community Land Category - Off Street Car Parking Facilities
Detail Map 1 of 3

Tynte Street Car Park
Legal Description - CT5497/700 & CT5497/702



Appendix C

Tynte Street Car Park – Certificates of Title



Government of South Australia
Department of Planning,
Transport and Infrastructure

Product	Register Search (CT 5497/700)
Date/Time	10/07/2017 04:29PM
Customer Reference	8092255
Order ID	20170710010770
Cost	\$585.00



The Registrar-General certifies that this Title Register Search displays the records maintained in the Register Book and other notations at the time of searching.



Certificate of Title - Volume 5497 Folio 700

Parent Title(s)	CT 4147/481		
Creating Dealing(s)	CONVERTED TITLE		
Title Issued	30/01/1998	Edition	1 Edition Issued 30/01/1998

Estate Type

FEE SIMPLE

Registered Proprietor

THE CORPORATION OF THE CITY OF ADELAIDE
OF GPO BOX 2252 ADELAIDE SA 5001

Description of Land

ALLOTMENT 5 FILED PLAN 7308
IN THE AREA NAMED NORTH ADELAIDE
HUNDRED OF YATALA

Easements

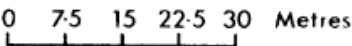
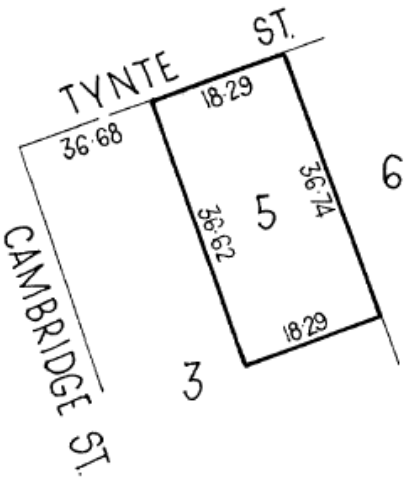
NIL

Schedule of Dealings

NIL

Notations

Dealings Affecting Title	NIL
Priority Notices	NIL
Notations on Plan	NIL
Registrar-General's Notes	
APPROVED G1122/1971	
Administrative Interests	NIL





Government of South Australia
Department of Planning,
Transport and Infrastructure

Product	Register Search (CT 5497/702)
Date/Time	10/07/2017 04:29PM
Customer Reference	8082255
Order ID	20170710010770
Cost	\$565.00

REAL PROPERTY ACT, 1986



The Registrar-General certifies that this Title Register Search displays the records maintained in the Register Book and other notations at the time of searching.



Certificate of Title - Volume 5497 Folio 702

Parent Title(s)	CT 4147/482		
Creating Dealing(s)	CONVERTED TITLE		
Title Issued	30/01/1998	Edition 1	Edition Issued 30/01/1998

Estate Type

FEE SIMPLE

Registered Proprietor

THE CORPORATION OF THE CITY OF ADELAIDE
OF GPO BOX 2252 ADELAIDE SA 5001

Description of Land

ALLOTMENT 6 FILED PLAN 7308
IN THE AREA NAMED NORTH ADELAIDE
HUNDRED OF YATALA

Easements

SUBJECT TO FREE AND UNRESTRICTED RIGHT(S) OF WAY OVER THE LAND MARKED A

Schedule of Dealings

NIL

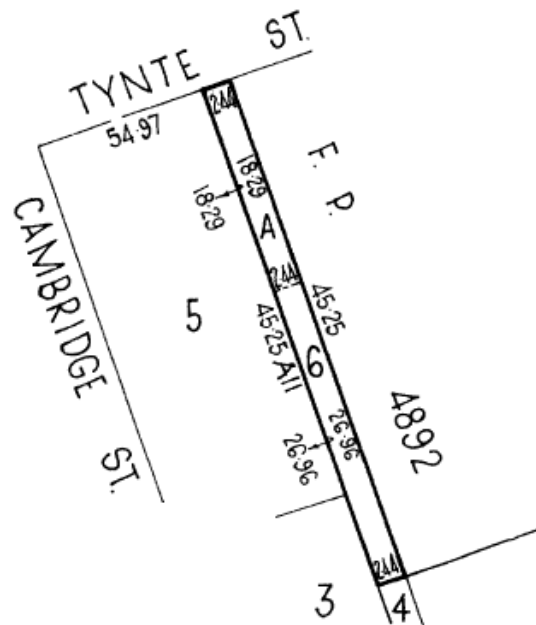
Notations

Dealings Affecting Title	NIL
Priority Notices	NIL
Notations on Plan	NIL
Registrar-General's Notes	
APPROVED G1122/1971	
Administrative Interests	NIL



Government of South Australia
Department of Planning,
Transport and Infrastructure

Product	Register Search (CT 5497/702)
Date/Time	10/07/2017 04:29PM
Customer Reference	8092255
Order ID	20170710010770
Cost	\$565.00



0 5 10 15 20 Metres

Appendix D

Community Consultation Policy

Table 1: Statutory Compliance with Local Government Act 1999

Extract of steps required for Community Land: Revocation of Classification (Section 194)

	Consultation steps	11
1	Council will provide public notice of the options for consideration.	✓
2	Information provided on a City of Adelaide corporate website.	✓
3	Council to ensure that any documents that are legislatively required to be freely available for inspection are on public display and print versions are available to purchase for a fixed fee in the customer centre; and freely available for view and/or purchase for a fixed fee in the City's libraries and community centres as required.	✓
4	Notice published in a local newspaper circulating in the City of Adelaide.	✓
5	Provide a minimum of 21 days for people to make submissions to Council (unless stated).	✓
6	Receipt of submissions by City of Adelaide.	✓
7	Submissions to be considered by Council in decision-making.	✓
8	Inform public of outcome (as per relevant section).	✓
9	Public meeting (as determined by relevant section).	
10	Provide opportunity for people who may be affected to be involved.	
11	Provide opportunity for people to attend Council meeting or Council Committee meeting.	
12	Submit report and proposal/other to Minister or Government department as required.	✓
13	Submissions to be considered in decision-making under delegation.	
14	Council may require the applicant to carry out certain consultation(s) to notify any potentially effected community and/or stakeholders of the proposal	
15	Council may request written confirmation of the consultation undertaken by the applicant in this regards to the satisfaction of the approving officer.	

Unsolicited Proposals

Strategic Alignment - Enabling Priorities

Public
2021/00122

Tuesday, 1 March 2022

The Committee - Pre-Council
Discussion Forum

Program Contact:

Grace Pelle - Manager Finance &
Procurement

Approving Officer:

Amanda McIlroy - Chief
Operating Officer

EXECUTIVE SUMMARY

In early 2020, Council had a number of discussions regarding development of significant sites in the Adelaide Parklands. During this process there were several questions regarding unsolicited proposals. At its meeting on 14 April 2020, Council resolved to suspend these Guidelines. In February 2021, a workshop was subsequently held with Council Members on the Unsolicited Proposals Guideline (the Guidelines). In order to promote good governance and manage the risks and opportunities for future unsolicited proposals submitted, we recommend that the current Guidelines are revoked, and propose a new approach for the consideration of such proposals.

It is proposed that the Strategic Risk and Internal Audit group (SRIA) is used to assess the risks and opportunities from any unsolicited proposals submitted. Given that the consideration of an unsolicited proposal is directly related to an assessment of risk, it is appropriate to utilise SRIA to ensure that unsolicited proposals are assessed from a risk management perspective. This will ensure fairness and equity in the consideration of proposals, taking into account Council's strategic priorities, its policy framework and other approved guiding documents, as well as dealing with legal risk, reputational and political implications, in accordance with the Strategic Risk Register.

.....
The following recommendation will be presented to Council on 8 March 2022 for consideration

That Council

1. Approves the revocation of the Unsolicited Proposals Guidelines.
 2. Notes that the receipt of external unsolicited proposals will be managed by SRIA and assessed using the City of Adelaide's risk framework.
-

IMPLICATIONS AND FINANCIALS

City of Adelaide 2020-2024 Strategic Plan	Strategic Alignment – Enabling Priorities Removal of guidelines that have been suspended due to their effectiveness, enables the Council to fairly and equitably consider all proposals within its existing governance and risk framework.
Policy	Revocation of the Unsolicited Proposals Guideline will remove the perception of uncertainty with regards to whether Council will consider unsolicited proposals and enable fair and equitable consideration based on risk and merit.
Consultation	Not as a result of this report
Resource	Not as a result of this report
Risk / Legal / Legislative	Utilising SRIA to ensure that consideration of unsolicited proposals are managed in accordance with the corporate risk appetite. Ensures consideration of all strategic risks and appropriate governance ensues.
Opportunities	With the suspension of guidelines, it increases the risk of perception that Council may not want to consider unsolicited proposals. Revocation of these suspended guidelines will enable Council to liaise with organisations that approach Council with these types of proposals.
21/22 Budget Allocation	Not as a result of this report
Proposed 22/23 Budget Allocation	Not as a result of this report
Life of Project, Service, Initiative or (Expectancy of) Asset	Not as a result of this report
21/22 Budget Reconsideration (if applicable)	Not as a result of this report
Ongoing Costs (eg maintenance cost)	Not as a result of this report
Other Funding Sources	Not as a result of this report

DISCUSSION

Background

1. In early 2020, Council engaged in multiple discussions regarding development of significant sites in the Adelaide Parklands. Throughout the process there were numerous questions regarding the process for consideration of unsolicited proposals.
2. Following discussions on the Guidelines and their application, Council decided to suspend the Guidelines for further consideration in the future.
3. In February 2021, Governance led a workshop with Council regarding the revision of the Unsolicited Proposals Guideline (the Guidelines).

Review

4. As a result of this, an internal review of the purpose of the guidelines was undertaken. The intent of the review was to assess the need for a policy or guideline to manage consideration of unsolicited proposals. The review looked at previous cases in this regard, including the review of the ICAC report dealing with an unsolicited approach to State Government for the sale of land at Gilman which was deemed to be maladministration.
5. Further, a review of the structures and approaches in other capital cities was also undertaken. Market comparisons support the view that such policies offer little or no value in managing proposals and any associated risks and opportunities.
6. The table below illustrates that other capital cities do not use a standalone policy or guideline. Research indicates that this is due to instances where policy has created additional red tape or application of policy has resulted in misleading advice in the consideration of such proposals.

Capital City	Stand Alone Policy/Guideline	Other Instrument
Brisbane	No	Better Brisbane Proposals
Melbourne	No	No
Sydney	No	Guide to Doing Business with Sydney
Perth	No	Investment Performance and Disposal policy enables unsolicited bids

7. For the purpose of assessing the Guidelines, unsolicited proposals were defined as any offering(s) coming from external parties that have not been received via an approved procurement method, such as open market tender or expression of interest.
8. Proposals are received at all levels from a range of interested parties including ICT companies, suppliers, property owners, developers etc. Principle area where these types of offers are received is in the property asset acquisition and disposal area. Given the recent review of the Land and Other Assets Acquisition and Disposal Policy by Council in January 2022, there is greater clarity about Council's ability to consider certain proposals.
9. *The Local Government Act 1999* (SA) addresses a concept of uniqueness to decide whether an unsolicited proposal should be considered or whether it is deferred to open market. The complexity with this is that uniqueness is subjective and difficult to address in a comprehensive manner.
10. In addition, should a proposal not be perceived as being evaluated through a robust process or in accordance with established policy or guidelines, conflicts can arise, and legal risk is increased as was illustrated by the Gilman land proposal.

Proposed approach

11. The receipt of an unsolicited proposal should be reviewed as an exploration of both opportunity and risk for the Council. Proposals ought to be reviewed constructively with a comprehensive review of the opportunity presented to Council, balanced with a risk-based approach which examines how risk can be managed.
12. The Strategic Risk and Internal Audit Group (SRIA) is a well established group that oversees and guides Council's risk management processes. SRIA's membership consists of the Executive Group and key senior leaders in the administration and as part of its role considers significant and strategic risk items, as well as developing a positive risk management culture in the organisation. Matters considered by SRIA are reported to the Audit and Risk Committee.

13. Given that the consideration of an unsolicited proposal is directly related to an assessment of risk, it is appropriate to utilise SRIA to ensure that unsolicited proposals are assessed from a risk management perspective. This will ensure fairness and equity in the consideration of proposals, taking into account Council's strategic priorities, its policy framework and other approved guiding documents, as well as dealing with legal risk, reputational and political implications, in accordance with the Strategic Risk Register.
14. SRIA's considerations will inform the best way that a proposal can be progressed so that Council receives appropriate advice to inform its considerations as a responsible and informed decision maker.
15. Proposal assessment processes will also include involvement, where appropriate, of Council's Committees to ensure relevant input is received. For instance, where a proposal involves the Park Lands then input would be sought from APLA as Council's advisory body for matters relating to the Park Lands.
16. Importantly, utilisation of SRIA also ensures that Council's Audit and Risk Committee are involved in the advisory process, providing added assurance about the robustness of the evaluation process. The SRIA Term of Reference are in the process of being reviewed to reflect the approach proposed in this report, to ensure that the evaluation process includes consideration of key elements such as:
 - 16.1. Strategic plan alignment,
 - 16.2. Relevance to existing policies
 - 16.3. Legislative compliance
 - 16.4. Providing transparency in the decision-making process
 - 16.5. Respecting, when appropriate, any confidentiality requirements to protect the interests of the City of Adelaide on behalf of ratepayers.

DATA AND SUPPORTING INFORMATION

Nil

ATTACHMENTS

Nil

- END OF REPORT -

2022 Election and Adoption of Caretaker Policy

Strategic Alignment - Enabling Priorities

Public

Tuesday, 1 March 2022

The Committee - Pre-Council Discussion Forum

Program Contact:

Mick Petrovski - Manager Governance

Approving Officer:

Amanda McIlroy - Chief Operating Officer

EXECUTIVE SUMMARY

Local Government Elections in South Australia are conducted every four years in accordance with the legislative framework in the *Local Government (Elections) Act 1999* (the Act) and regulations, and the *Local Government Act 1999* (SA). The City of Adelaide has some unique requirements as the Capital City Council in South Australia. These requirements are included in the *City of Adelaide Act 1998* and its regulations.

Section 91A of the Act, requires that each Council adopt a Caretaker Policy (the Policy), which governs the conduct of the Council through the election period. The Act requires that the Policy, as a minimum, prohibits the making of designated decisions as defined by the Act and Regulations. As a matter of good governance, the proposed Policy also prohibits the making of major policy decisions, and outlines the conduct expected of Council Members and the Administration throughout the election period.

The following recommendation will be presented to Council on 8 March 2022 for consideration

That Council

1. Adopts the Caretaker Policy as shown in Attachment A to the Item # on the Agenda for the meeting of the Council on 8 March 2022.

IMPLICATIONS AND FINANCIALS

City of Adelaide 2020-2024 Strategic Plan	Strategic Alignment – Enabling Priorities
Policy	Significant policy decisions are prohibited during the election period.
Consultation	Community consultation during the election period will be limited.
Resource	Internal resources will be utilised to communicate and implement the Caretaker Policy, however legal providers will be utilised for advice in some instances.
Risk / Legal / Legislative	The Caretaker Policy is a legislative requirement under Section 91A of the Local Government Act and must, at a minimum, prohibit the making of a designated decision. If a designated decision is made by Council during the election period, it will be an invalid decision. Any person who suffers any loss or damage as a result of acting in good faith on a designated decision made in contravention of the Act or the Policy is entitled to compensation from the Council for that loss or damage.
Opportunities	To promote fair and equitable elections for all candidates, and not make decisions which will inappropriately bind the incoming Council.
21/22 Budget Allocation	Not as a result of this report
Proposed 22/23 Budget Allocation	\$340,000 (election budget including ECSA's estimated costs)
Life of Project, Service, Initiative or (Expectancy of) Asset	Not as a result of this report
21/22 Budget Reconsideration (if applicable)	Not as a result of this report
Ongoing Costs (eg maintenance cost)	Not as a result of this report
Other Funding Sources	Not as a result of this report

DISCUSSION

Election overview

1. Local Government elections in South Australia are conducted every four years in accordance with the legislative framework provided in the *Local Government (Elections) Act 1999*.
2. The City of Adelaide has some unique requirements as the Capital City Council of South Australia. These requirements are included within the *City of Adelaide Act 1998* and its regulations.
3. The two Acts and their associated regulations together provide the foundation for the management and conduct of the City of Adelaide Elections. They provide details regarding the roles and responsibilities of the Council and the Electoral Commission of South Australia (ECSA) and qualifications regarding voting, voting entitlements, voting systems, candidates and caretaker provisions.
4. An election timetable has been provided by ECSA with the close of the voters roll at 5:00pm Friday 29 July 2022.
5. The nomination period will commence on Tuesday, 23 August 2022 and conclude at 12 noon on Tuesday, 6 September 2022. The close of nominations is the latest time by which the 'election period' can commence for the purposes of the Caretaker Policy, as required under Section 91A of the *Local Government (Elections) Act 1999*.
6. Voting packs will be posted out to eligible voters in the week commencing Friday 14 October 2022, and voting will close at 5:00pm on Thursday, 10 November 2022
7. The scrutiny and count process will begin Saturday, 12 November 2022 at 9:00am and is expected to last a few days before the conclusion of the election.
8. Following the completion of the Representation Review, and associated public consultations, the Electoral Commissioner determined and certified the City of Adelaide's representation structure, with the Council area divided into three wards, being the North Ward, Central Ward and South Ward, and constituted with 12 elected members. This structure will be in place for the 2022 election and therefore we are required to hold 5 elections as follows:
 - 8.1. The Lord Mayor elected by the representatives of the area as a whole
 - 8.2. Two Councillors elected as representatives of the area as a whole
 - 8.3. Two Councillors elected as representatives of the North
 - 8.4. Four Councillors elected as representatives of the Central Ward
 - 8.5. Three Councillors elected as representatives of the South Ward.
9. An internal project working group has been established to manage the election process, in conjunction with ECSA. The project sponsor is the Chief Operating Officer and the group is responsible for:
 - 9.1. Maintaining the voter's roll
 - 9.2. Developing and implementing an Election Strategy
 - 9.3. Ensuring legislative requirements are met
 - 9.4. Coordinating candidate information sessions
 - 9.5. Developing a marketing strategy to supplement the activities undertaken by ECSA.

Local Government Reform legislative changes

10. The 2022 Periodic Election will be managed in accordance with the new provisions provided in the Acts named earlier, which formed part of the State Government's Local Government reform project. The legislative changes commenced on 10 November 2021. Members were made aware of these changes in an e-news communication on Friday 11 February 2022. The major changes include:
 - 10.1. Removal of the requirement for a copy of the voters roll to be provided in printed form. Voters roll to be supplied electronically.
 - 10.2. Re-issuing of voting packs now will conclude before the close of voting providing ECSA/ Council staff more time to accurately re-issue them to voters.
 - 10.3. The *Electoral advertising poster* defined as a poster displaying electoral advertising relating to local government elections, made of corflute or plastic are now prohibited "*on a public road (including any structure, fixture or vegetation on a public road)*". Corflute elections signs cannot be affixed to stobie poles, traffic signs, trees, etc along a public road.

- 10.4. Previously the *City of Adelaide Act* prevented any person from holding the office of Lord Mayor for more than two consecutive terms; this restriction has been removed.
11. ECSA's responsibilities have increased to include:
 - 11.1. Publishing all candidate profiles on their website, previously this was done by the LGA.
 - 11.2. Managing the newly defined campaign donations and expenditure process at the conclusion of the election which was, previously Council's responsibility.
 - 11.3. The returning officer (ECSA) will provide each council with a list of all valid nominations relevant to the council's area and publish this information on the internet. The returning officer must do so within 24 hours after the close of nominations. As a result, no details about who has nominated for local government elections will be made publicly available until after the close of nominations.
 - 11.4. The candidate's profile must include a statement as to whether the candidate lives in the area or ward of the council in which the candidate is running for. The candidate's profile must disclose whether the candidate was at the time of their nomination (or in the 12 months leading up to that date) a member of a registered political party. If the candidate is or was a member of a registered political party during that period, they must also disclose the name of the party and (if relevant) when they ceased to be a member of that party.

Responsibilities

12. The Electoral Commission of South Australia (ECSA) is an independent Statutory Authority responsible to the Parliament of South Australia. ESCA aims to ensure that demands for electoral services and participation in the democratic processes have been met fairly, honestly and within the law. One of ECSA's main functions is to conduct State and Council elections every four years, including House of Assembly by-elections and council supplementary elections. ECSA is responsible for the conduct of the City of Adelaide periodic 2022 election.
13. The Chief Executive Officer of the City of Adelaide has delegated power under sec 12(b) of the *Local Government (Elections) Act 1999* to *'be responsible for the provision of information, education and publicity designed to promote public participation in the electoral processes for its area, to inform potential voters about the candidates who are standing for election in its area, and to advise its local community about the outcome of elections and polls conducted in its area'*. The Council made the delegation to the Chief Executive Officer to ensure neutrality in the discharge of the responsibilities described and to distance Elected Members from the process so they are not seen to be influencing the election process before the formal election period begins.

Council has also previously made a number of decisions aimed at increasing voter turnout and supporting a greater diversity of candidates nominating for the elections. These have been addressed as part of the marketing plan.

Marketing strategies overview

14. During 2022 South Australian voters will be asked to participate in three election processes, the South Australian State elections (March), the Federal elections (May), and Local Government (November)
15. Compulsory voting applies to the State and Federal elections, whereas voting in the Local Government elections is voluntary, and, because these are the final elections to take place, there is a likelihood that voter fatigue will have an impact in both numbers of candidates nominating and eligible voters exercising their vote. The marketing plan developed for the City of Adelaide elections has taken this into consideration, along with previous experience in trying to encourage the most participation in a non-compulsory voting system.
16. Key lessons from previous Election campaigns, that have helped shape the 2022 Election marketing plan include:
 - 16.1. Inconsistent messaging between the City of Adelaide campaign and the wider Local Government Association campaign caused confusion in the market.
 - 16.2. The 18–39-year-old demographic makes up 56% of our population, however in the previous election (2018) we only received 2 applications from candidates under the age of 30.
 - 16.3. In previous campaigns social media advertising has been unsuccessful in converting younger eligible ratepayers into voters. Businesses were the most engaged audience through social media advertising.

- 16.4. Marketing and promotional budget was not spread out evenly throughout the three election phases, with the nomination period only receiving 15% of the overall spend. A more even distribution of budget will be achieved by breaking down the barriers of the three phases of the election period.
- 16.5. Nominating is not a quick or straight-forward decision and early engagement with the community is crucial in increasing the number of nominees.
- 16.6. 41% of eligible voters are enrolled in the Central Ward, but only accounted for 34% of votes during the 2022 election.
17. The marketing plan has been developed to promote all stages of the election, and to align with other agencies (LGA & ECSA) who have their own marketing and promotion strategies. Our key objective during the marketing campaign is to support a fair and democratic process through clear, positive communication with the aim of:
 - 17.1. Increasing overall participation by the public of the City of Adelaide at all stages of the election program (enrolment, nomination and voting)
 - 17.2. Ensuring under-represented groups have the same access to relevant information as the broader community (including women, indigenous members of the community, young people and culturally and linguistically diverse groups)
 - 17.3. Support an increased understanding of the role of City of Adelaide and the benefits we bring to our community.
18. The project team have identified ways to increase voter turnout (from 30.6% in the 2018 election). The marketing plan includes initiatives to help achieve an increase in voting for 2022, including:
 - 18.1. A focus on community awareness, utilising Local Government Association created communications, to ensure consistency of message between all South Australian Local Government bodies and engagement with key agencies and stakeholder groups that advocate for under-represented groups in the community
 - 18.2. Development of city banners, in conjunction with the Local Government Association, to dress the city and North Adelaide in key areas in the lead up to the election and increase community awareness
 - 18.3. Direct mail communications with ratepayers on key election information
 - 18.4. Significant investment in outdoor signage, through our campaign Media Buy
 - 18.5. Targeted digital communications at 18-30 y.o. demographic through campaign Media Buy, utilising altered messaging crafted for a younger audience
 - 18.6. Strong partnership with subsidiaries (AEDA & ACMA) to ensure our business community is aware of their voting entitlements.
19. The project team have identified ways to improve diversity of candidates. The marketing plan includes initiatives to help achieve this by:
 - 19.1. Early engagement with Disability and Access Inclusion Panel to better understand barriers to nomination and overall election experiences
 - 19.2. Ongoing discussions with City of Adelaide Reconciliation Officer
 - 19.3. Targeted digital communications with the 18–30-year-old demographic through Media Buy;
 - 19.4. Utilisation of relationship with Study Adelaide to engage with our International Student community
 - 19.5. Translation tool used of City of Adelaide website to ensure all communities have access to relevant information
 - 19.6. Translated versions of outdoor signage / posters to be utilised around the city and North Adelaide.

Caretaker Policy

20. Since the 2010 Local Government Elections, Section 91A of the *Local Government (Elections) Act 1999* (the Act) has required that a Council adopt a Caretaker Policy, to govern its conduct during an election period.
21. As a minimum, the Caretaker Policy must prohibit the making of a designated decision and the use of council resources for the advantage of a particular candidate or a group of candidates during the election period.

22. The election period, as prescribed by the Act, must begin no later than the day of the close of nominations for the election. The election period concludes at the conclusion of the election, as defined by the *Local Government Act 1999 (SA)*.
23. The proposed Caretaker Policy includes discretionary provisions which are recognised as best practice to assist Council in its decision making in the lead up to the elections and ensure that the current Council does not inappropriately make decisions that will be binding on an incoming Council and therefore limit its freedom.
24. The Caretaker Policy has been prepared based on section 91A of the Act, the Local Government Association (LGA) Model Policy and other relevant legislation.
25. After council adopts the Caretaker Policy, a training and awareness campaign for staff will begin to ensure responsibilities are communicated and understood.
26. In the leadup to the election period, Members will be reminded of their responsibilities in the Caretaker Policy through e-news communications. Governance staff are also available to assist with any questions.

DATA AND SUPPORTING INFORMATION

Nil

ATTACHMENTS

Attachment A – Caretaker Policy

- END OF REPORT -

CARETAKER POLICY

Date this document was adopted

legislative

PURPOSE

In accordance with Section 91A of the *Local Government (Elections) Act 1999* (the Act), Council must adopt a caretaker policy governing the conduct of the council and its employees during the election period for a general election.

It is the intent of this Policy to ensure that the actions of Council, Council Members, and employees of the City of Adelaide do not influence the election process, provide for a fair and equitable election for all candidates, and that no decisions are made which will inappropriately bind the incoming Council.

STATEMENT

During a Local Government election period, Council will avoid actions and decisions which could be perceived as intended to affect the results of an election or otherwise to have a significant impact on or unnecessarily bind the incoming Council.

This Caretaker Policy has been designed to formalise Council's commitment to ensure that:

- The election period is managed in a manner that is ethical, fair and equitable and is publicly perceived as such;
- The incumbent Council does not inappropriately make decisions that will be binding on an incoming Council and limit its freedom to make its own decisions;
- No actions and decisions which could be perceived as intended to affect the results of an election are made by the Council;
- The day-to-day business of the Council continues efficiently and in a normal manner;
- Council resources are not diverted for, or influenced by, electoral purposes or used to improperly advantage candidates in the elections; and
- Council employees act impartially in relation to all candidates.

APPLICATION OF THIS POLICY

This Policy applies throughout the election period for a general election. For the purposes of Local Government Elections of November 2022, the election period commences on 6 September 2022 and ends at the conclusion of the election, when results have been declared.

This Policy applies to:

- Council Members; and
- [City of Adelaide employees](#)

See definitions of the above terms in the Glossary at the end of this Policy.

This Policy does not apply to:

- Supplementary elections

PROHIBITION ON DESIGNATED DECISIONS

The City of Adelaide acknowledges the Kaurna people as the Traditional Owners of the Country where the city of Adelaide is situated, and pays its respect to Elders past, present and emerging.

The Council is prohibited from making a designated decision (see glossary) during an election period.

A decision of the Council includes a decision of:

- A committee of Council; and
- A delegate of Council.

Scheduling consideration of designated decisions

The Chief Executive Officer will ensure that designated decisions are not scheduled for consideration during the election period.

A designated decision made by Council during an election period is invalid, except where an exemption has been granted by the Minister of Local Government.

Any person who suffers loss or damage as a result of acting in good faith on a designated decision made by the Council in contravention of this Policy is entitled to compensation from the Council for that loss or damage.

Application for exemption

If the Council considers that it is faced with extraordinary circumstances which require the making of a designated decision during an election period, the Council may apply in writing to the Minister for an exemption to enable the making of a designated decision that would otherwise be invalid under section 91A of the Act or this Policy.

If the Minister grants an exemption to enable the making of a designated decision that would otherwise be invalid under section 91Aa of the Act or this Policy, then the Council and City of Adelaide employees will comply with any conditions or limitations that the Minister imposes on the exemption.

TREATMENT OF OTHER SIGNIFICANT DECISIONS

So far as is reasonably practicable, the Chief Executive Officer will avoid scheduling significant decisions (including major policy decisions) for consideration during an election period and will ensure that such decisions:

- are considered by Council prior to the election period; or
- are scheduled for determination by the incoming Council.

A 'significant decision' is any major policy decision or other decision which will significantly affect the Council area or community or will bind the incoming Council.

A 'major policy' decision includes any decision (not being a designated decision):

- to spend unbudgeted monies;
- to conduct unplanned public consultation;
- to endorse a new policy;
- to dispose of Council land;
- to approve community grants;
- to progress any matter which has been identified as an election issue; and
- any other issue that is considered a major policy decision by the Chief Executive Officer.

The determination as to whether or not any decision is significant will be made by the Chief Executive Officer, after consultation with the Lord Mayor (as relevant). The Chief Executive Officer must keep a record of all such determinations and make this list available to candidates upon request.

Where the Chief Executive Officer has determined that a decision is significant, but circumstances arise that require the decision to be made during the election period, the Chief Executive Officer will report this to the Council. The aim of the Chief Executive Officer's report is to assist Council Members in assessing whether the decision should be deferred for consideration by the incoming Council.

The Chief Executive Officer's report to Council will address the following issues (where relevant):

- why the matter is considered 'significant';
- why the matter is considered urgent;
- what are the financial and other consequences of postponing the matter until after the election, both on the current Council and on the incoming Council;
- whether deciding the matter will significantly limit options for the incoming Council;
- whether the matter requires the expenditure of unbudgeted funds;
- whether the matter is the completion of an activity already commenced and previously endorsed by Council;
- whether the matter requires community engagement;
- any relevant statutory obligations or timeframes; and
- whether dealing with the matter in the election period is in the best interests of the Council area and community.

Council will consider the Chief Executive Officer's report and determine whether or not to make the decision.

PROHIBITION ON THE USE OF COUNCIL RESOURCES

The use of Council resources for the advantage of a particular candidate or group of candidates during an election period is prohibited.

Chapter 5 of the City of Adelaide Standing Orders contains provisions regarding Council Member Allowances and Benefits including the Provision of Facilities and Support and Training and Development. In this Policy those items can be read as not being able to be used to the advantage of a particular candidate or group of candidates. They may only be used and accessed by Council Members, where necessary, in the performance of their ordinary duties as a Council Member. This includes where Council Members are engaged in 'Official Business of the Corporation of the City of Adelaide', as defined in [Standing Order 50](#).

Council resources include, but are not limited to, the following:

- Mobile phones;
- Council vehicles;
- Council provided landline phones, computers and other office equipment beyond that provided to members of the public (e.g. in a public library);
- Council provided business cards;
- Requests to council employees to perform tasks which could confer an advantage on a candidate or group of candidates;
- The ability to issue invitations to council events;

- Council travel arrangements (e.g. access to Council-negotiated rates for flights, accommodation or hire cars);
- Access to areas that members of the public cannot access, including areas within the property of third parties (e.g. a 'Mayor's Parlour' at a suburban football oval);
- Councils produced promotional brochures and documents.

For clarity, neither the Act nor this Policy prohibits a council providing resources to all members of the public, which incidentally includes all candidates for election.

Access to Council information

Council Members continue to have a statutory right to access Council information relevant to the performance of their functions as a Council Member. This right should be exercised with caution and limited to matters that the Council is dealing with within the objectives and intent of this Policy. Any Council information accessed that is not publicly available must not be used for election purposes.

Any request from Council Members for information not on the public record should be directed to the Chief Executive Officer, who may delegate the request if appropriate.

COUNCIL PUBLICATIONS

Council will not print, publish or distribute any advertisement, handbill, pamphlet or notice that contains 'electoral material' during an election period. Electoral material means an advertisement, notice, statement or representation calculated to affect the result of an election or poll.

Council website

Any new material which is prohibited by this Policy will not be placed on the Council website. Any information which refers to the election will only relate to the election process by way of information, education or publicity. Information about Council Members will be restricted to names, contact details, titles, membership of committees and other bodies to which they have been appointed by the Council.

The Administration will review Council website(s) content prior to the election period commencing and ensure any precluded content is removed by the beginning of this period, including on Council social media.

Other Council publications

Insofar as any Council publications, such as the Annual Report, are required to be published during an election period, the content contained within them regarding Council Members will be restricted to that strictly required by the *Local Government Act 1999* and Regulations.

All Council media and marketing campaigns (excluding those relating to Council's commercial businesses) will be reviewed prior to the commencement of the election period to determine if such campaigns should be continued or deferred until after the election. Any advertising, marketing or media requests during the election period should be referred to the Chief Executive Officer for approval.

Council publications, such as Library newsletter articles featuring Council Members, will be prohibited during the election period.

ATTENDANCE AT EVENTS AND FUNCTIONS DURING AN ELECTION PERIOD

Council Members, in their formal capacity as a City of Adelaide Council Member, will be prohibited from attending events and functions staged by, sponsors and/ or external bodies during an election period. Council Members may attend events and functions if invited in a personal capacity and not representing Council.

Where there is a meeting of Capital City Councils Lord Mayor's Committee or the Capital City Committee during the election period, the CEO will attend.

Council events and functions

Council organised events and functions held during the election period will not involve Council Members unless this is essential (i.e. required by legislation) to the operation of the Council. Where events and functions are held and Council Members are in attendance, all candidates will be invited.

Guest lists for any event or function during the election period will be at the discretion of the Chief Executive Officer only, and invitations will be addressed as being from the Chief Executive Officer. There will be no Lord Mayor Civic events held during the election period.

Special provisions for events and functions following the close of voting, but prior to the conclusion of the election period

The Lord Mayor title will not be used in the title of any event or function planned for this period.

For any event or function that occurs after the close of voting, but before the conclusion of the election period, Council Members are permitted to speak at the function or event, as it will not be possible to influence the elections at this point.

Provisionally elected Council Members are also permitted to speak at an event or function if it takes place following the close of voting.

Publication of promotional material

In preparing any material concerning a Council organised or sponsored function or event which will be published or distributed during the election period, such preparation will be consistent with the "Council Publications' clause of this Policy.

MEDIA SERVICE

Council's media services are directly managed by or under the supervision of the Chief Executive Officer, are provided solely to promote Council activities or initiatives and must not be used in any manner that might favour, or be perceived to favour, a candidate or group of candidates during an election period.

Media advice

Any request for media advice or assistance from Council Members during an election period will be referred to the Chief Executive Officer. No media advice will be provided in relation to election issues or publicity that involves specific Council Members (other than advice as to the requirements of this Policy).

Media releases / spokespersons

Media releases will be limited to operational issues rather than policy and/or major projects.

Where it is necessary to identify a spokesperson in relation to an issue, the Chief Executive Officer will be the appropriate person, unless delegated. This provision does not override the legislative role of the Lord Mayor as the principal spokesperson of the Council. However, the Lord Mayor, in consultation with the Chief Executive Officer, should consider whether it is appropriate to exercise their legislative role when necessary. In any event, Council publicity during an election period will be restricted to communicating normal Council activities and initiatives without any variation in form or size.

Council Members

Council Members will not use their position, or their access to City of Adelaide employees and other Council resources to gain media attention in support of an election campaign.

Council employees

During an election period, no Council employee may make any public statement that relates to an election issue unless such statements have been approved by the Chief Executive Officer.

CITY OF ADELAIDE EMPLOYEES' RESPONSIBILITIES DURING AN ELECTION PERIOD

All correspondence addressed to Council Members will be answered by the Chief Executive Officer or delegate.

Activities that may affect voting

City of Adelaide employees must not undertake an activity that may affect voting in the election, except where the activity relates to the election process and is authorised by the Chief Executive Officer.

City of Adelaide employees must not authorise, use or allocate a Council resource for any purpose which may influence voting in the election, except where it only relates to the election process and is authorised by the Chief Executive Officer.

City of Adelaide employees must not assist Council Members in ways that are or could create a perception that they are being used for electoral purposes. In any circumstances where the use of Council resources might be construed as being related to a candidate's election campaign, the incident must be reported to, and advice sought from, the Chief Executive Officer.

Equity in Assistance to Candidates

Council confirms that all candidates for the Council election will be treated equally.

Candidate assistance and advice

Any assistance and advice provided to candidates as part of the conduct of the Council elections will be provided equally to all candidates.

There shall be transparency in the provision of information and advice provided to all candidates during an election period. The Council Election Liaison Officer will provide a weekly update to candidates containing all relevant information.

Election process enquiries

All election process enquiries from candidates, whether current Council Members or not, are to be directed to the Returning Officer or, where the matter is outside of the responsibilities of the Returning Officer, to the Council Election Liaison Officer.

Council branding and stationery

No Council logos, letterheads, or other Council branding or Council resources or facilities may be used for, or linked in any way with, a candidate's election campaign.

Support staff to Council Members

City of Adelaide employees who provide support to Council Members must not be asked to undertake any tasks connected directly or indirectly with an election campaign for a Council Member.

Social Media

Monitoring and management of Council Members' social media sites by City of Adelaide employees will not continue through the election period. Council owned and managed accounts in the name of the Lord Mayor will not be used during the election period.

PUBLIC CONSULTATION DURING AN ELECTION PERIOD

Discretionary public consultation i.e. consultation which is not required by legislation, will not occur during an election period unless approved by the Chief Executive Officer.

This Policy does not prevent any mandatory public consultation required by the *Local Government Act 1999* or any other Act which is required to be undertaken to enable the Council to fulfil its functions in relation to any matter or decisions which are not prohibited by law or by this Policy.

Approval for public consultation

Where public consultation is approved to occur during an election period, the results of that consultation will not be reported to Council until after the election period, except where it is necessary for the performance of functions as set out above.

Community meetings

Community meetings arranged or led by Council will not be held during an election period.

HANDLING CODE OF CONDUCT COMPLAINTS DURING AN ELECTION PERIOD

Where a Code of Conduct complaint, *prima facie*, relates to alleged conduct which gives rise to a reasonable suspicion of corruption, a Public Officer must make a report to the Office for Public Integrity in accordance with the Directions and Guidelines issued under the *Independent Commissioner Against Corruption Act 2012*.

Where a Code of Conduct complaint, *prima facie*, relates to alleged conduct which gives rise to a reasonable suspicion of misconduct or maladministration, a Public Officer should make a report to the Ombudsman in accordance with the Directions and Guidelines issued under the *Ombudsman Act 1972*.

Where a Code of Conduct complaint, *prima facie*, does not fall within the above provisions, the complaint should be dealt with in the manner set out in Council's Standing Orders, or through the employee Code of Conduct complaint process.

Any complaint against a Council Member who is also a candidate, made under the Code of Conduct during an election period, will not be heard or determined by Council during that period.

Where a complaint is made against a Council Member who is also a candidate, and made about conduct specifically in relation to this Policy, if the Chief Executive Officer considers the complaint not so serious as to warrant urgent determination, the Chief Executive Officer may defer consideration of the complaint until after the election period.

If the Council Member against whom the complaint is made is not re-elected, the complaint will lapse.

Where a complaint is made against a Council Member for a breach of this Policy which is deferred until after the election period, the Chief Executive Officer will remind the Council Member of the content of this Policy and will provide them with a copy of it.

Council recognises that the Electoral Commissioner has the role of investigating any alleged breach of the Act, including alleged illegal practices, except in circumstances which involve allegations of corruption, maladministration or misconduct in public administration by public officers.

OTHER USEFUL DOCUMENTS

Relevant legislation

- *Local Government Act 1999*
 - *Local Government (Elections) Act 1999*
-

GLOSSARY

Throughout this document, the below terms have been used and are defined as:

Chief Executive Officer: the appointed Chief Executive Officer or Acting Chief Executive Officer or nominee

City of Adelaide employee: is any employee, contractor or volunteer of the Council or a subsidiary of the Council

Council Member: an elected member of the City of Adelaide, including the Lord Mayor and the Deputy Lord Mayor

Election period: the period commencing on the day of the close of nominations for a general election and expiring at the conclusion of the general election

Designated decision: a decision—

- (a) relating to the employment or remuneration of the Chief Executive Officer, other than a decision to appoint an acting Chief Executive Officer or to suspend the Chief Executive Officer for serious and wilful misconduct;
- (b) to terminate the appointment of the Chief Executive Officer;
- (c) to enter into a contract, arrangement or understanding (other than a contract for road construction, road maintenance or drainage works) the total value of which exceeds whichever is the greater of \$100,000 or 1% of the Council's revenue from rates in the preceding financial year (\$1.18m), except if the decision:

- i. relates to the carrying out of works in response to an emergency or disaster within the meaning of the *Emergency Management Act 2004* (SA), or under section 298 of the *Local Government Act 1999* (SA);
- ii. is an expenditure or other decision required to be taken under an agreement by which funding is provided to the Council by the Commonwealth or State Government or otherwise for the Council to be eligible for funding from the Commonwealth or State Government;
- iii. relates to the employment of a particular Council employee (other than the Chief Executive Officer);
- iv. is made in the conduct of negotiations relating to the employment of Council employees generally, or a class of Council employees, if provision has been made for funds relating to such negotiations in the budget of the Council for the relevant financial year and the negotiations commenced prior to the election period; or
- v. relates to a Community Wastewater Management System scheme that has, prior to the election period, been approved by the Council.

General election: a general election of council members held:

- (a) Under section 5 of the *Local Government (Elections) Act 1999*; or
- (b) Pursuant to a proclamation or notice under the *Local Government Act 1999*

Minister: the Minister for Planning and Local Government or other minister of the South Australian Government vested with responsibility for the *Local Government (Elections) Act 1999*.

ADMINISTRATIVE

As part of Council's commitment to deliver the City of Adelaide Strategic Plan, services to the community and the provision of transparent information, all policy documents are reviewed as per legislative requirements or when there is no such provision a risk assessment approach is taken to guide the review timeframe.

This Policy document will be reviewed every **4** years unless legislative or operational change occurs beforehand. The next review is required in **2026**.

Review history:

Trim Reference	Authorising Body	Date/ Decision ID	Description of Edits
ACC2022/	Council	X March 2022	2022 periodic election
ACC2018/44919	Council	13 March 2018	2018 periodic election
ACC2014/49802	Council	25 March 2014	2014 periodic election
ACC2016/98509	Council	15 June 2010	2010 periodic election

Contact:

For further information contact the Governance Program

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Exclusion of the Public

01/03/2022

The Committee

Program Contact:

Mick Petrovski, Manager
Governance 8203 7119

2018/04291

Public

Approving Officer:

Clare Mockler, Chief
Executive Officer

EXECUTIVE SUMMARY

Section 90(2) of the *Local Government Act 1999 (SA)* (the Act), 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 section 90(3) of the Act.

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

- 7.1** Assignment of Lease [section 90(3) (b) & (d) of the Act]
- 7.2** UPark Leasing Matter [section 90(3) (i), (b) & (d) of the Act]

The Order to Exclude for Items 7.1 and 7.2

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

ORDER TO EXCLUDE FOR ITEM 7.1

THAT THE COMMITTEE

1. Having taken into account the relevant consideration contained in section 90(3) (b) & (d) and section 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of The Committee dated 1 March 2022 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 7.1 [Assignment of Lease] listed on the Agenda in a meeting open to the public would on balance be contrary to the public interest.

Grounds and Basis

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

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

Public Interest

The Committee is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the disclosure of this information prior to a determination of the Council as it may prejudice Council's further commercial dealing regarding these assets. On this basis, the disclosure of such information may severely prejudice Council's ability to influence the proposal for the benefit of the Council and the community.

2. Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this Special meeting of The Committee dated 1 March 2021 orders that the public (with the exception of members of Corporation staff and any person permitted to remain) be excluded from this meeting to enable this meeting to receive, discuss or consider in confidence Item 7.1 [Assignment of Lease] listed in the Agenda, on the grounds that such item of business, contains information and matters of a kind referred to in section 90(3) (b) & (d) of the Act.

ORDER TO EXCLUDE FOR ITEM 7.2

THAT THE COMMITTEE

1. Having taken into account the relevant consideration contained in section 90(3) (i), (b) & (d) and section 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of The Committee dated 1 March 2022 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 7.2 [UPark Leasing Matter] listed on the Agenda in a meeting open to the public would on balance be contrary to the public interest.

Grounds and Basis

This Item is confidential in nature because the report includes information on Council litigation. The disclosure of information in this report could reasonably be expected to prejudice the outcome of Council's actual litigation. There is also a risk of an express or implied waiver of legal professional privilege.

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

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

Public Interest

The 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 prior to a determination of the Council as it may prejudice Council's further commercial dealing regarding these assets. On this basis, the disclosure of such information may severely prejudice Council's ability to influence the proposal for the benefit of the Council and the community.

2. Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this Special meeting of The Committee dated 1 March 2022 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 7.2 [UPark Leasing Matter] listed in the Agenda, on the grounds that such item of business, contains information and matters of a kind referred to in section 90(3) (i), (b) & (d) of the Act.

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DISCUSSION

1. Section 90(1) of the *Local Government Act 1999 (SA)* (the Act), directs that a meeting of a Council Committee must be conducted in a place open to the public.
2. Section 90(2) of the Act, 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 section 90(3) of the Act.
3. Section 90(3) of the Act prescribes the information and matters that a Council may order that the public be excluded from.
4. Section 90(4) of the Act, advises that in considering whether an order should be made to exclude the public under section 90(2) of the Act, it is irrelevant that discussion of a matter in public may -
 - ‘(a) *cause embarrassment to the council or council committee concerned, or to members or employees of the council; or*
 - (b) *cause a loss of confidence in the council or council committee; or*
 - (c) *involve discussion of a matter that is controversial within the council area; or*
 - (d) *make the council susceptible to adverse criticism.’*
5. Section 90(7) of the Act requires that an order to exclude the public:
 - 5.1 Identify the information and matters (grounds) from section 90(3) of the Act utilised to request consideration in confidence.
 - 5.2 Identify the basis – how the information falls within the grounds identified and why it is necessary and appropriate to act in a meeting closed to the public.
 - 5.3 In addition identify for the following grounds – section 90(3) (b), (d) or (j) of the Act - how information open to the public would be contrary to the public interest.
6. Section 87(10) of the Act 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 7.1 – Assignment of Lease
 - 6.1.1 Is not subject to an Existing Confidentiality Order .
 - 6.1.2 The grounds utilised to request consideration in confidence is section 90(3) (b) & (d) of the Act
 - (b) information the disclosure of which –
 - (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or prejudice the commercial position of the council; and
 - (ii) would, on balance, be contrary to the public interest.
 - (d) commercial information of a confidential nature (not being a trade secret) the disclosure of which –
 - (i) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and
 - (ii) would, on balance, be contrary to the public interest.
 - 6.2. Information contained in Item 7.2 – UPark Leasing Matter
 - 6.2.1 Is subject to multiple Existing Confidentiality Orders.
 - 6.2.2 The grounds utilised to request consideration in confidence is section 90(3) (#) of the Act
 - (i) of the *Local Government Act 1999 (SA)*
 - (b) information the disclosure of which –
 - (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or prejudice the commercial position of the council; and
 - (ii) would, on balance, be contrary to the public interest.
 - (d) commercial information of a confidential nature (not being a trade secret) the disclosure of which –

- (i) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and
- (ii) would, on balance, be contrary to the public interest.

ATTACHMENTS

Nil

- END OF REPORT -

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