



THE COMMITTEE - PRE-COUNCIL DISCUSSION FORUM

AGENDA & REPORTS

for the meeting

Tuesday, 5th April, 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

3. Confirmation of Minutes

That the Minutes of the meeting of The Committee held on 15 March 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 12 April 2022 for consideration and determination

Strategic Alignment – Strong Economies

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Exclusion of the Public to Consider in Confidence [2018/04291]:

7.1 Unnamed public road off Tom's Court Permit [s 90(3) (d) & (j)]

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

All reports in this section will be presented to Council on 12 April 2022 for consideration and determination

Strategic Alignment – Enabling Priorities

7.1 Unnamed public road off Tom's Court Permit

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8. Closure

Reignite Adelaide Update and Reallocation of Funds

Strategic Alignment - Strong Economies

Public

Tuesday, 5 April 2022

The Committee - Pre-Council Discussion Forum

Program Contact:

Bree Goodchild, Manager
Strategy & Insights

Approving Officer:

Amanda McIlroy - Chief
Operating Officer

EXECUTIVE SUMMARY

At its meeting on 21 January 2022, Council resolved to implement 24 initiatives as part of the Reignite Adelaide plan, designed to encourage visitation, economic recovery and growth across the city and North Adelaide in the wake of the Omicron variant of the COVID pandemic. This report provides a summary of each of these initiatives, current status, indicators of performance, and insights gained through their implementation.

Based on the insights gained and opportunities to review the effectiveness of the initiatives, this report recommends some reallocation of funds between initiatives for Council consideration. This will ensure that the maximum benefits are realised through Reignite Adelaide plan to support city businesses and encourage more people to return to the city and North Adelaide.

The following recommendation will be presented to Council on 12 of April 2022 for consideration

That Council

1. Notes the report.
2. Approves the following reallocation of funds from Reignite Adelaide initiatives:
 - 2.1. Streetside Activations in the amount of \$250,000 to the Mainstreet Activation Grants program.
 - 2.2. Rates Hardship Provisions in the amount of \$10,000 to the City Business Saver Grant program.
 - 2.3. Tenant Assistance in the amount of \$10,000 to the City Business Saver Grant program.

IMPLICATIONS AND FINANCIALS

City of Adelaide 2020-2024 Strategic Plan	Strategic Alignment – Strong Economies <i>Whilst the focus of COVID Recovery is supporting Strong Economies with regards to Reignite Adelaide, Council's Recovery Principles cover all pillars of Council's Strategic Plan, through supporting Thriving Communities, Dynamic City Culture, Environmental Leadership and continuing the Enabling Priorities.</i>
Policy	Not as a result of this report
Consultation	In the delivery of the Reignite Adelaide program, the needs and desires of the community have been prioritised. As such, consultation and engagement with the community and key stakeholders has occurred in line with Council's Community Engagement Policy and Framework.
Resource	The Reignite Adelaide program will continue to be delivered within existing resources and budget, and in partnership with State Government and other key partners.
Risk / Legal / Legislative	The Reignite Adelaide program seeks to manage the impacts of COVID as an economic risk. Individual risks associated with each Reignite Adelaide initiative have been identified and management actions and controls have been implemented where necessary. Key risks will be managed via the Strategic Risk and internal Audit Committee (SRIA) where necessary.
Opportunities	The opportunity to support economic recovery is the primary purpose of Reignite Adelaide. The incidental opportunities to build relationships with businesses, residents, government and visitors is significant and important and can continue to be fostered into the future. The consideration of the performance of each Reignite Adelaide initiative
21/22 Budget Allocation	Reignite Adelaide will be funded from within existing program budgets given the short-term nature of the program.
Proposed 22/23 Budget Allocation	Reignite Adelaide will be funded from within existing program budgets given the short-term nature of the program.
Life of Project, Service, Initiative or (Expectancy of) Asset	The timeline for individual Reignite Adelaide projects is within the 21/22 and 22/23 financial years as a direct and immediate response to COVID related risks to the economy. The individual schedules and timelines for delivery have been established on an individual initiative basis.
21/22 Budget Reconsideration (if applicable)	Not as a result of this report
Ongoing Costs (e.g., maintenance cost)	Not as a result of this report
Other Funding Sources	Not as a result of this report

DISCUSSION

1. At its Special meeting on 21 January 2022, Council resolved the following:

'That Council:

1. *Immediately launches a City Business Saver cash grant to small businesses in the City of Adelaide per the framework detailed in Item 10.8 on the Agenda for the Meeting of Council held on 10 November 2020, with the following amendments: -*
 - a. *Requests an update on the rollout of the program be provided to the scheduled February meeting of Council.*
 - b. *To include all businesses who pay rates from \$0 - \$15,000 with a 30% loss of revenue from 27th December 2021 to March 2022, to align with the State Government Business Support Grants (currently \$40 million).*
2. *Undertakes the following initiatives under the Reignite Adelaide 2.0 program:*
 - a. *Pedestrian crossings set to automatic for January and March 2022 request to DIT.*
 - b. *Continue to assess need for additional cleansing (extent and frequency).*
 - c. *Rates hardship provisions have been reviewed and will continue to be made available to ratepayers experiencing financial difficulty. These provisions will be promoted. (\$10K).*
 - d. *Welcome Back lunch/dinner voucher program to be delivered by AEDA (\$250k).*
 - e. *Fast track the Digital Marketplace delivered by AEDA (\$250k) subject to a briefing to elected members.*
 - f. *Extend the Reignite Adelaide temporary parklets scheme to support the hospitality industry to expand into the public realm, optimise outdoor capacity limits and attract visitation through inviting, green, safe spaces from January through to 1 June 2022 (up to \$100k from existing budget).*
 - g. *Extend the Reignite Adelaide fee free scheme for Permit and Development Applications for businesses applying for temporary activations that will support people to return to the city from January through to 1 April 2022 (foregone revenue TBC).*
 - h. *On Street Parking – free parking from 6pm weeknights and free weekends in key precincts to support a successful festival season in February through to March (foregone revenue TBC).*
 - i. *UPark Plus Campaigns: \$8 capped price parking for new and lapsed customers from January 2022 to March 2022. 20% off next 5 carparks for the existing customer base until March 2022. Central Market UPark customers will receive 2 hours free parking when they spend more than \$50 within the Central Market effective 18-31 January (foregone revenue approximately \$15k).*
 - j. *Investigate and consult with traders of Rundle Mall with a sidewalk sale event to be held in conjunction with parking offers and report back in February 2022.*
 - k. *CoA Tenant Assistance: Work with tenants across all CoA properties to leverage State Government Grants and assess support options where significant financial stress and hardship is present e.g., 30-50% decline in turnover per guidelines (foregone revenue TBC).*
 - l. *Additional promotion for the Council's subsidiaries to promote new and existing programs (\$500k). Allocating \$100,000 to ACMA and \$400,000 to AEDA.*
 - m. *Commission comprehensive independent market research of major City employers and their employees and consumers to understand drivers for workers to return to the city and spend time/money to be completed by March 2022 (\$200k).*
 - n. *Public Art – Strategic Partnership to match artists with business owners to enliven City buildings in all precincts and encourage visitation to be implemented June through to December 2022 (\$300k).*
 - o. *Double the current allocation for Friday Night Live to \$180k (additional \$90K).*
 - p. *Small business promotion campaign (\$200k Reignite Adelaide) from February 2022.*
 - q. *Request funding from the State Government for the CoA to deliver a City-Wide Activation Program (Adelaide Unleashed) to be implemented through February – April 2022 (\$1m).*
 - r. *A Streetside Activation Grant scheme of up to \$5,000 in value for business to activate immediately outside their location (\$250k).*
 - s. *A Shopfront Improvement Grant scheme grant of up to \$10,000 in value with a co-contribution of 25% from the applicant (\$700k).'*

2. With the city on its journey to recovery from the impacts of COVID, Council has invested an additional \$7.5million in 2022 into community support activities, bringing Council's total investment to \$20million. Council has allocated these funds to in a manner that encourages and welcomes people back to the city and North Adelaide by supporting:
 - 2.1. Economic development by drawing residents and visitors back to local businesses and encouraging investment.
 - 2.2. Wellbeing improvements by creating safe, interesting and active spaces and places for people to visit.
 - 2.3. Arts and cultural development by creating new or expanded events opportunities for people to enjoy and connect.
 - 2.4. Engagement by creating conversations with our community, understanding the impacts and opportunities for the future.
 - 2.5. Partnership and a shared vision for Adelaide, working with State Government and large businesses to create new ways to collaborate for the benefit of our city and its people.
 - 2.6. Red tape reduction by making it faster, easier and cheaper to engage with Council services.
 - 2.7. Successfully advocated for the state government to provide free public transport to support a thriving festival season.
3. To support our community to access Reignite Adelaide initiatives, the following marketing activities were undertaken:
 - 3.1. Business Grants Wizard – short online survey wizard developed to support businesses to assess their eligibility for any grants available and recommend opportunities that best meet their needs.
 - 3.2. Website – Reignite Adelaide webpage created on City of Adelaide website, with initiatives also showcased on the Adelaide Economic Development Agency's (AEDA's) website.
 - 3.3. Organic social media (Facebook, Twitter, Instagram, LinkedIn).
 - 3.4. Paid social media (Facebook, LinkedIn).
 - 3.5. Print advertising (The Advertiser, South Australian Business Journal).
 - 3.6. Digital Screens (various locations across city).
 - 3.7. Flyers distributed to city businesses by City of Adelaide staff.
 - 3.8. Media releases.
 - 3.9. TV, Radio and Print stories generated.
 - 3.10. State Government collaboration.
 - 3.11. Direct email marketing (City of Adelaide, AEDA, Rundle Mall).
 - 3.12. Partnerships (Business SA, Restaurant and Catering Association, Tourism Industry Council SA, Australian Hotels Association (AHA), SA Small Business Commissioner, SA Property Council).
 - 3.13. Sponsorship (Glam Adelaide and Solstice Media).
 - 3.14. Digital and radio advertising.

Insights, Observations and Learnings

4. All of the 24 initiatives are in progress, and 10 are now complete or have been incorporated into business as usual. An update on each initiative can be found at Link 1 view [here](#). The insights and key learnings are as follows:
 - 4.1. The voucher systems, such as the \$30 Eats City Dining voucher, are popular with both businesses and consumers and can be implemented efficiently.
 - 4.2. Doorknocking and visiting businesses has received positive feedback from our business community, has increased their awareness of grant funding opportunities. This an approach that will be continued for similar initiatives in the future.
 - 4.3. The reference to rates as criteria for a grants program has caused some confusion on eligibility and may detract from the intention of creating opportunities for businesses to access support.
 - 4.4. Engaging and working with State Government to facilitate and deliver COVID support has created efficiencies for our business community in the awareness of opportunities, applying for, and accessing funds.

5. Several infrastructure projects have been identified as suitable for state government support and advocacy for these has commenced as outlined in Link 2 view [here](#). A letter was sent to the Treasurer and a meeting held prior to the State election. These items will be discussed with the new Premier and relevant Ministers in coming weeks.

Recommendations to Council

6. At its Special Meeting on 22 March 2022, Council resolved to amend the conditions of the City Business Cash Saver Grant to extend the application time for an additional month, and to change the requirement of having 1-20 employees, to reflect the fact that some businesses are owner operated and do not have employees. This was an important change to reflect community needs based on insights and evidence of the operation of the grant and community interest.
7. Through the ongoing assessment of the insights, performance and interest in the Reignite Adelaide opportunities, Administration has identified several grants which are currently over and under subscribed and have made recommendations to reflect the opportunities to enhance businesses access to support.
8. Streetside Activation Grant has \$500,000 allocated with \$250,000 from CoA and \$250,000 State Government funding. Currently, there have been 18 applications received, six of which could not be approved as they did not meet the criteria. The total expenditure so far is \$24,985.
9. The Mainstreets Grants has an allocation of \$200,000 to support mainstreet businesses to activate their area. Currently, CoA have approximately \$468,000 worth of submissions for business led initiatives that have been assessed as meeting the objectives. Whilst it is excellent to see so many business-led initiatives and proposals, the current budget allocation will not enable Council to support all of these opportunities.
10. In an effort to assist these businesses, the submissions have been assessed against the existing Streetside Activation Grant (which is currently under subscribed and not anticipated to expend all allocated funds), and unfortunately, have not met the criteria. The main difference in grant schemes is the Streetside Activation Grant targets temporary activations/events/promotions, and informally is being aimed at non-hospitality businesses. The ideas submitted via Mainstreets Grants are mainly property/outdoor dining upgrades, and applications are largely hospitality businesses. Mainstreet Grants have a \$10,000 cap whilst the Streetside activation has a \$5,000 maximum grant. It is noted that equity in access to grant opportunities is important, noting that there may be a perception that those businesses located on a Mainstreet may have access to more financial assistance than others. Given the number of submissions, it is clear that the interest is higher from those businesses on Mainstreets and, therefore the perception of equity can be somewhat addressed.
11. Whilst it is noted that the intent of the grants is different, the overall intention of the Reignite Adelaide program is to support businesses to access support to continue during these challenging times. For these reasons, it is proposed that funds are redirected to the Mainstreets Grants.
12. Given that \$250,000 of the Streetside Activation fund is contributed by Council, it would seem more expedient to reallocate the Council funds. Discussions are currently underway to ensure state government understanding and support of this.
13. The Rates Hardship provision was aimed to promote the options available for ratepayers to seek support arrangements if they were experiencing financial hardship. This initiative is now complete with unspent funds remaining allocated to this initiative. It is recommended that the remaining \$10,000 be moved to the City Business Saver Grant which is wide reaching. Tenants Assistance initiative is attracting less interest than the City Business Saver Grant and often, applicants are more likely to access assistance through the latter. For this reason, \$10,000 has been recommended to be reallocated to the City Business Saver Grant.

DATA AND SUPPORTING INFORMATION

Link 1 – Reignite Initiatives Update Table

Link 2 - Infrastructure Items: Advocacy for State Government Funding

ATTACHMENTS

Nil

- END OF REPORT -

Recycling Collection for Hard-to-Recycle Items

Strategic Alignment - Environmental Leadership

Public

Tuesday, 5 April 2022
The Committee - Pre-Council Discussion Forum

Program Contact:
Sarah Gilmour, Associate Director Park Lands, Policy & Sustainability

Approving Officer:
Ilia Houridis - Director City Shaping

EXECUTIVE SUMMARY

At its meeting on 8 February 2022, Council requested a report for its consideration at the April 2022 meeting which investigates a recycling drop off point at city businesses and our community centres for hard to recycle items including blister packs, batteries, polystyrene and small electronics. The report was to consider other waste or categories of waste that may be recycled in such a way noting the City of Adelaide's recent waste audit. This report provides a summary of the investigation.

The Council also resolved that the City of Adelaide formally recognises and thanks Morag Horton for her community spirit and values in providing a blister pack recycling service. A letter from the Lord Mayor was sent to Morag Horton on 8 March 2022.

The following recommendation will be presented to Council on 12 April 2022 for consideration

That Council

1. Notes the Administration will complete assessments of recycling station(s) for hard to recycle items such as batteries, eye glasses, bubble wrap, fluorescent tubes and light globes, mobile phones and tablets, plastic bread tags, printer cartridges, x-rays and small electronics with the aim of being operational by end of August 2022.
 2. Notes the Administration will write to pharmaceutical and recovery industries Green Industries SA, Waste Management and Resource Recovery Association, and the Australian Packaging Covenant Organisation, advocating for changes to blister packaging to improve the ability to recover these items.
-

IMPLICATIONS AND FINANCIALS

<p>City of Adelaide 2020-2024 Strategic Plan</p>	<p>Strategic Alignment – Environmental Leadership</p> <p>4.2 Implement improvements to city-wide waste and recycling services to support the transition to a circular economy.</p> <p>4.3 Educate and support our community to zero-waste, water sensitive, energy efficient and adaptive to climate change.</p> <p>4.4 Support our community to transition to a low carbon economy through education, incentives and appropriate infrastructure</p> <p><i>Resource Recovery (Organics, Recycling & Waste) Strategy and Action Plan 2020-2028:</i></p> <p>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).</p>
<p>Policy</p>	<p>Not as a result of this report</p>
<p>Consultation</p>	<p>Not as a result of this report</p>
<p>Resource</p>	<p>Not as a result of this report</p>
<p>Risk / Legal / Legislative</p>	<p>Not as a result of this report</p>
<p>Opportunities</p>	<p>The report presents the opportunity to offer additional recycling services for 'hard to recycle' items.</p>
<p>21/22 Budget Allocation</p>	<p>Not as a result of this report</p>
<p>Proposed 22/23 Budget Allocation</p>	<p>Not as a result of this report</p>
<p>Life of Project, Service, Initiative or (Expectancy of) Asset</p>	<p>Not as a result of this report</p>
<p>21/22 Budget Reconsideration (if applicable)</p>	<p>Not as a result of this report</p>
<p>Ongoing Costs (eg maintenance cost)</p>	<p>Not as a result of this report</p>
<p>Other Funding Sources</p>	<p>Funding could be sought from various organisations aligned to the delivery of a circular economy (eg Green Industries SA) for this initiative as a pilot for other metropolitan councils.</p>

DISCUSSION

Background

1. The City of Adelaide's (CoA's) Resource Recovery (Organics, Recycling and Waste) Strategy and Action Plan 2020–2028 was adopted by Council on 10 November 2020.
2. CoA's Resource Recovery Vision is to be the first city in Australia to achieve 'zero avoidable waste to landfill' ('zero-waste').
3. 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.'
4. Action Item 3.1.4 of the Resource Recovery (Organics, Recycling & Waste) Action Plan 2020-2028 is to: 'Facilitate additional collection locations for hard-to-recycle items for residents to access (for example within City of Adelaide facilities and community centres)'.
5. Hard-to-recycle items are those that may be recyclable but cannot be collected via kerbside recycling services. This may be because of health and safety risks during collection/processing (eg fire), or due to the physical nature of the item (size, composite material) making it difficult for standard recycling processes.
6. City of Adelaide currently offers services for some 'hard to recycle items':
 - 6.1. E-waste collection via our Hard Waste service for residents.
 - 6.2. Battery bins at our Libraries, Community Centres and Customer Service Centre, some of which are located in staff only areas to reduce the amount of non-battery waste items which have historically been deposited.
 - 6.3. Mobile phone recycling envelopes at our Customer Service Centre.
7. A range of non-government organisations, including businesses and charities, within Council's boundaries accept a range of 'hard to recycle items' [Link 1 view [here](#)].
8. The City of Adelaide (CoA) also provides a regular kerbside collection as follows:
 - 8.1. For residents:
 - 8.1.1. General waste collected weekly
 - 8.1.2. Recyclable items collected fortnightly
 - 8.1.3. Organic waste collected fortnightly
 - 8.1.4. Hard waste – at call
 - 8.1.5. Free supportive tools like kitchen caddies/compostable liner bags
 - 8.2. For businesses (that produce similar volumes to that as a residential premise)
 - 8.2.1. Waste bin – collected weekly 140-litre (red lidded bin)
 - 8.2.2. Recycling bin – collected fortnightly 240-litre (yellow lidded bin)
 - 8.2.3. Commercial cardboard - collected weekly.
9. The CoA 2019 waste bin audits showed that 'hard to recycle items' are being placed in CoA's kerbside bins. Recorded items include batteries, mobile phones, chargers and cables, remote controls, DVD players, light globes, textiles and footwear.
10. Collection (drop-off) locations for 'hard to recycle items' was supported by the community in the Resource Recovery Strategy and Action Plan 2020-2028 Your Say Community Engagement. Respondents wanted support with 'getting rid of waste that doesn't belong in either of the red, yellow and green bin' [sic] with participants highlighting batteries, coffee pods, paint, chemicals, light bulbs and e-waste. Multiple respondents expressed a desire for more convenient collection options for these items.

Recycling stations

11. CoA is working to provide collection (drop off) points for more 'hard to recycle items' through a centralised 'recycling station' as a customer-centric approach to community diversion of materials from landfill. See Link 2 view [here](#) for examples of recycling stations offered by councils interstate.

12. There is merit in providing a consolidated collection location and collections currently offered by the CoA (eg batteries) could be incorporated into a new station for ease of use and logistics.
13. Items for possible inclusion in a 'recycling station' will be determined to reduce contamination in kerbside collection, achieve space requirements in CoA facilities and where there is local industry capability to provide a transparent and accountable process for recycling.

Possible items for a recycling station

14. Council requested investigation into four 'hard to recycle items' (blister packs, batteries, polystyrene and small electronics) and other recyclable items which may be suitable for city collection (drop off) points.
15. A summary of items considered suitable for inclusion in a 'recycling station' due to mature collection and processing facilities are included below. See Link 2 view [here](#) for examples of items collected by other councils in South Australia.
 - 15.1. Batteries – CoA can become a member of the B-cycle battery stewardship scheme supported by the Commonwealth and all State and Territory Governments, authorised by the Australian Competition and Consumer Commission, and funded by the Federal government and the battery industry.
 - 15.2. Eye glasses – can be reused by people in less economically developed countries when processed and presented by Lions Club. Some optometrists also provide a collection service. CoA is aware of an opportunity for these items to be collected and posted to Queensland.
 - 15.3. Bubble wrap – can be recycled through soft plastic recycling which is already in place in several CoA facilities.
 - 15.4. Fluorescent tubes and light globes – CoA recycles these items at London Road Depot and Adelaide Central Market. Boxes for transportation are provided by Ecocycle with items processed in Gillman, South Australia. The glass, aluminium, mercury and other materials are fully recyclable.
 - 15.5. Mobile phones and tablets - Zoos SA provide a recycling program through PhoneCycle, who manage the collection and processing of the mobile phones and devices.
 - 15.6. Plastic bread tags - a South Australian based company called Transmutation recycles bread tags into items such as bowls and serving boards with a proportion of sales going to the Aussie Bread Tags for Wheelchairs charity. The items would need to be posted but considering the lightweight nature the cost is not considered a barrier to implementation.
 - 15.7. Printer cartridges - Close the Loop has provided the collection, recycling and resource recovery operations for the Cartridges 4 Planet Ark program since its conception in 2003. This service is in place in most CoA facility printer rooms.
 - 15.8. Small electronics - items such as hair dryers and straighteners, kettles, toasters, shavers, coffee grinders and milk frothers, gaming devices and small heaters do not currently have a collection point in the city. MakerSpace did provide an Electronic Recycling Australia cage open to the public and it is hoped this will be available again in the near future. Collection of these items from a quantity and size of materials perspective is considered manageable.
 - 15.9. X-rays - films are processed in a refinery to extract the silver which is then converted into a purer silver form. There are two South Australia based companies that collect X-rays for recycling and safely and confidentially destroy any accompanying records.

Other 'hard to recycle items'

16. Other 'hard to recycle items' were investigated and deemed unsuitable for inclusion in a 'recycling station' at this time. Investigation for suitability and additional items to recover will continue in line with the Resource Recovery (Organics, Recycling and Waste) Strategy and Action Plan 2020-2028:
 - 16.1. Blister packs - 100% aluminium blister packs can be placed in yellow kerbside recycling bins if balled together with other aluminium items. It is much more difficult to recycle composite material items such as plastic and aluminium blister packs, further investigation is required to understand recycling industry processes and outcomes.
 - 16.2. Polystyrene - Clean, white and dry packaging polystyrene with no sticker or tape can be de-expanded, via heat or compression, for export and recycling into items such as photo frames, cornicing and coat hangers. The Adelaide Central Market reuses polystyrene boxes for their Market Online deliveries. The site currently has a compression machine in operation for non-reusable polystyrene. Due to the potential quantities and size of polystyrene it is not suitable for inclusion in the 'recycling station' at this time. Further investigation into pilot programs for polystyrene will continue.
 - 16.3. CDs and DVDs - No viable recycling option is known to be available in Australia at this time.

- 16.4. Shoes and textiles - New product stewardship schemes are being developed for both shoes and textiles. Investigations have commenced as to how CoA could partner with organisations such as TreadLightly, Red Cross and Vinnies, through potential pilot programs to support residents in multi-unit dwellings recover high-volume, hard-to-recycle items.

Potential locations for a 'recycling station'

17. Subject to further investigation, the Customer Service Centre and City Library may provide suitable locations for a future 'recycling station' for hard to recycle items, for the following reasons:
 - 17.1. Staff on site throughout business hours which may facilitate correct use of the 'recycling stations'
 - 17.2. Weekend access for residents is available at City Library
 - 17.3. Based on initial review sufficient space exists for a 'recycling station'
 - 17.4. System support already exists in terms of back-of-house recycling bins and some collections (ie for soft plastics and printer cartridges).

Advocacy

18. The CoA also plays an advocacy role to support improved recovery of 'hard to recycle items' including submissions to:
 - 18.1. Improving South Australia's Container Deposit Scheme
 - 18.2. Proposed Single-use Plastic Products Bans in South Australia
 - 18.3. Green Industries SA's Waste Strategy and Food Waste Strategy consultation
 - 18.4. Parliamentary Inquiry into Australia's Waste and Recycling Industries 2020
 - 18.5. Parliament of SA Inquiry into the Recycling Industry.
19. Further advocacy regarding stewardship schemes, extended producer responsibility programs, take-back programs etc will continue aligned with the delivery of the Resource Recovery (Organics, Recycling & Waste) Action Plan 2020-2028:
 - 19.1. '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'.
 - 19.2. '5.1.2 Advocate for changes to legislation that prioritises material recovery services over waste services.'
 - 19.3. '5.3.2 Advocate for improvements in legislation surrounding accountability in material use/design, lifecycle which supports a circular economy'.
20. The CoA is working to educate the community about the circular economy through social media posts about community collection locations and tips on how the community can act higher in the waste hierarchy.
21. The CoA can write to pharmaceutical and recovery industries advocating to improve the ability to recover blister pack recycling. This can include Green Industries SA, Waste Management and Resource Recovery Association, and the Australian Packaging Covenant Organisation.
22. Work is currently underway on the CoA's website to expand educational information on recovery and diversion of materials, including hard-to-recycle collection locations. This is anticipated to be completed in the financial year (2021/2022).

Next steps

23. The opportunity to establish a 'recycling station' in a CoA facility will continue to be investigated in accordance with Council's endorsed waste strategy.
24. Next steps include:
 - 24.1. Reviewing partnership and external funding opportunities.
 - 24.2. Identifying an appropriate location(s) for a 'recycling station'.
 - 24.3. Completing due diligence on industry capability to recycle 'hard to recycle' items, then organise collection or transportation for each with the best available options in accordance with procurement requirements.
 - 24.4. Commissioning an external agency to design and construct a 'recycling station' for installation.

- 24.5. Planning and implementing a communication and education plan including providing details of the items that can be collected (dropped off) at the 'recycling station', how each item will be recycled and where.
- 24.6. It is envisaged that required investigations will be completed by May 2022 and we aim to have the recycling station(s) operational by end of August 2022.
- 24.7. Finalising investigations into a trial polystyrene collection and pilot program for bulk bin collection of textiles, clothing, shoes, fashion accessories and homewares in 2022/2023.

DATA AND SUPPORTING INFORMATION

Link 1 - Drop-off locations for 'hard-to-recycle' items within the City of Adelaide

Link 2 - Review of additional recycling services offered by

ATTACHMENTS

Nil

- END OF REPORT -

Interactive Urban Forest Map Tool

Strategic Alignment - Environmental Leadership

Public

Tuesday, 5 April 2022

The Committee - Pre-Council
Discussion Forum

Program Contact:

Sarah Gilmour, Associate
Director Park Lands, Policy &
Sustainability

Approving Officer:

Ilia Houridis - Director City
Shaping

EXECUTIVE SUMMARY

At its meeting on 14 December 2021, Council requested a report on the partial or full replication of the City of Melbourne's Urban Forest Visual Map tool that allows members of the public to view and comment on every tree within the Map.

This report provides information on the City of Melbourne's (CoM) Urban Forest Visual Map and a selection of comparable urban forest visualisation tools used by South Australian local government areas.

The following recommendation will be presented to Council on 12 April 2022 for consideration

That Council

1. Notes that a subsequent report on the establishment and operating costs for delivering an Interactive Urban Forest Map Tool for the City of Adelaide is brought back to Council by August 2022 for decision.
-

IMPLICATIONS AND FINANCIALS

City of Adelaide 2020-2024 Strategic Plan	Strategic Alignment – Environmental Leadership <i>4.5 Enhance biodiversity in the Park Lands and connect our community to nature.</i> Strategic Alignment – Enabling Priorities <i>5.1 Review and improve the way we collect and present data and insights with the community.</i>
Policy	Climate Change Risk Adaptation Action Plan 2021-2026 <i>Action 4.6 Complete a full audit of trees and species planted in the public spaces within the City and its Park Lands (to be completed by June 2023)</i>
Consultation	The City of Melbourne, the City of West Torrens, the Town of Walkerville and the City of Burnside provided information that informed this report.
Resource	Not as a result of this report
Risk / Legal / Legislative	Not as a result of this report
Opportunities	There is an opportunity to improve City of Adelaide tree asset data, tree asset management, customer service and our community's connection with nature.
21/22 Budget Allocation	Not as a result of this report
Proposed 22/23 Budget Allocation	The draft 2022/2023 budget includes \$125,000 for a street and Park Lands tree audit and verification which can inform the approach to an Interactive Urban Forest Map Tool for the City of Adelaide.
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 City of Melbourne (CoM) Urban Forest Visual Map (Map) (melbourneurbanforestvisual.com.au) was launched in 2013 primarily as an educational tool and community reporting mechanism for tree management.
2. The CoM approach presents individual tree data on an interactive online map that is simple and easy to read, with individual tree data limited to:
 - 2.1. Tree Genus
 - 2.2. Common Name
 - 2.3. Tree Age Description
 - 2.4. Tree Asset ID.
3. The CoM approach provides an option for the community to email an individual tree. CoM staff estimate receiving and responding to ten emails a week. Tree emails are managed outside of the customer request system.
4. The CoM maintain the Map as an open data source which is updated every six months. The data is managed separately from the CoM's asset management system.
5. Several South Australian councils have similar visual interfaces on their websites that allows the community to obtain information about trees within their local government area.
6. Preliminary consultation with the administration at the CoM, and the City of West Torrens, Town of Walkerville and City of Burnside, has provided valuable information on concepts that could be applied for a similar outcome at the City of Adelaide (CoA).
7. The City of Marion has prepared a publicly available case study that also speaks to the benefits of an interactive visualisation tool.
8. The existing approaches are generally based on an educational-promotional visualisation tool to improve the community's connection with trees.
9. A natural evolution of these visualisation tools could be integration with customer service and asset management systems.
10. There is benefit in CoA in pursuing a visualisation tool that not only provides educational-promotional benefit but also facilitates improved management of customer requests and Council assets. This approach is more akin to the tools being used in South Australia rather than the City of Melbourne.
11. Key considerations for the CoA in delivering an interactive urban forest map tool include our asset database, reliability of existing data, and a spatial system and/or platform for the public to view the information:
 - 11.1. **Asset database** - we currently use an Asset Management System (AMS), Assetic, to record tree assets and their characteristics. An Assetic Mobile Solution (AM2) is currently out for tender and is scheduled for implementation by December 2022 to assist in field use and updating of Assetic in real time.
 - 11.2. **Reliability of existing data** - we currently have approximately 90% and 70% confidence in relation to CoA's street tree and Park Lands tree data respectively. Partial or full implementation of a visual mapping tool would be dependent on data availability and reliability.
 - 11.3. **Spatial system and/or platform** – initial investigations demonstrate that a fit for purpose tool for CoA may be available through existing CoA software capabilities or alternatively through a proprietary product (similar to other South Australian councils).
12. Several councils within the Resilient East partnership area, which comprises the Campbelltown City Council, Town of Walkerville, Cities of Adelaide, Burnside, Norwood, Payneham and St Peters, Prospect, Tea Tree Gully and Unley and the Government of South Australia, Green Adelaide, have implemented interactive visualisation tools for tree data. It would therefore be logical to explore opportunities for a regional approach as part of any next stage of investigation.
13. Next steps toward an Interactive Urban Forest Map Tool for the CoA could include:
 - 13.1. Audit of existing tree assets
 - 13.2. Verify and update CoA tree asset database
 - 13.3. Evaluate CoA existing information management system solutions and proprietary product options

- 13.4. Consult with councils in the Resilient East partnership area
 - 13.5. Identify an appropriate model and associated establishment and operating costs for delivering an Interactive Urban Forest Map Tool for the CoA
 - 13.6. Investigate creative options for the community to engage with trees such as tree naming, communicating with the trees and linking with social media
 - 13.7. Seek budget funding to support establishment and ongoing maintenance of the system.
-

ATTACHMENTS

Nil

- END OF REPORT -

Unnamed Private Road between Young Street and Eliza Street

Strategic Alignment - Enabling Priorities

Public

Tuesday, 5 April 2022

The Committee - Pre-Council Discussion Forum

Program Contact:

Geoff Regester, Associate Director Infrastructure

Approving Officer:

Tom McCready, Director City Services

EXECUTIVE SUMMARY

The owner of the property numbered 1 on Attachment A, Young Gun Collective Pty Ltd (as trustee for the Young Gun Unit Trust) (Young Gun), is proposing to refurbish the State Heritage listed building on the property, including by adding a new primary entrance to the building that is compliant with the *Disability Discrimination Act 1992 (Cth)*. Access to the new entrance would be via the unnamed private road lettered A on **Attachment A** (the Road). The Road, which is owned by a long-deceased person, is currently in an average condition and typically has vehicles parked on it.

Given that the new entrance would be the 'front door' for at least a portion of the building and that it will need to accommodate wheelchairs, Young Gun needs to ensure that the Road is in a good condition and that access is unimpeded.

This can only be achieved with long-term certainty by Council either:

1. Declaring the Road public (ie assume ownership of it); or
2. Declaring the Road public and then closing and transferring it to Young Gun (or another adjoining owner, subject to that owner being responsible for maintaining the Road).

The purpose of this Report is to request Council to resolve to undertake one of these options.

The following recommendation will be presented to Council on 12 April 2022 for consideration

That Council

1. Authorises the Chief Executive Officer to, subject to having first invited (and given due consideration to) offers from all adjoining owners of the road lettered 'A' on Attachment A to Item # on the Agenda for the meeting of the Council held on 12 April 2022 pursuant to Council's obligations under section 12(3)(b) of the *Roads (Opening & Closing) Act 1991 (SA)*, negotiate the terms of a Deed (or Deeds) with one or more adjoining owners of the road, the essential terms of which will require:
 - 1.1. Council to declare the private road lettered 'A' on Attachment A to Item # on the Agenda for the meeting of the Council held on 12 April 2022 to be a public road.
 - 1.2. Council to close and transfer the (by then) public road lettered 'A' on Attachment A to Item # on the Agenda for the meeting of the Council held on 12 April 2022 to one or more of the adjoining owners of the road pursuant to the *Roads (Opening & Closing) Act 1991 (SA)*.
2. Authorises the Chief Executive Officer and Lord Mayor to execute and affix the Common Seal to Deeds and any other documents to give effect to Council's resolution.

IMPLICATIONS AND FINANCIALS

City of Adelaide 2020-2024 Strategic Plan	Strategic Alignment – Enabling Priorities If Council decides to either declare the Road public or transfer it to an adjoining owner of the Road, it will enable Young Gun to provide access to its Building that is compliant with the <i>Disability Discrimination Act 1992 (Cth)</i> .
Policy	In deciding whether to declare the Road public or transfer it to an adjoining owner, Council must assess the proposed acquisition or disposal against its ' <i>Acquisition and Disposal of Land and Assets Policy</i> '.
Consultation	If Council resolves to authorise the Chief Executive Officer to negotiate the terms of a Deed with Young Gun (or the owner of another property adjoining the Road) to transfer the Road, we will consult with all other owners of properties abutting the Road prior to entering into a Deed, including in relation to Council's obligation to offer the Road to those property owners pursuant to section 12 of the <i>Roads (Opening & Closing) Act 1991 (SA)</i> .
Resource	If Council <i>disposes</i> of the Road, some of the administrative costs associated with closing and transferring the Road would be covered by a fee (\$12,250), which would be payable by the purchaser of the Road. We would not receive any money for the Road from the purchaser, because the value of it (as determined independently) is less than what it would cost the purchaser to upgrade it to public road standards (as we would require under the terms of a Deed).
Risk / Legal / Legislative	If Council decides to dispose of the Road, the purchaser would be responsible for the risks associated with owning it. Council has the power to acquire a private road pursuant to section 210 of the <i>Local Government Act 1999 (SA)</i> . Council has the power to close and transfer a public road to an adjoining owner pursuant to the <i>Roads (Opening & Closing) Act 1991 (SA)</i> . If Council decides to acquire the Road, it will be responsible for the normal risks associated with owning a public road.
Opportunities	If Council decides to either declare the Road public or transfer it to an adjoining owner of the Road, it will enable Young Gun to provide access to its Building that is compliant with the <i>Disability Discrimination Act 1992 (Cth)</i> .
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	If Council decides to acquire the Road, it will be upgraded to public road standards (at Young Gun's cost). Asset renewal would be in line with that for similar sized roads.
21/22 Budget Reconsideration (if applicable)	Not as a result of this report
Ongoing Costs (eg maintenance cost)	If Council decides to acquire the Road, maintenance costs would be about \$3,000/year (annualised).
Other Funding Sources	Not as a result of this report

DISCUSSION

1. The property numbered '1' on **Attachment A** (the Property) is owned by Young Gun Collective Pty Ltd (as trustee for the Young Gun Unit Trust) (Young Gun). The Property is contained within Certificate of Title Volume 6117 Folio 596.
2. The land lettered 'A' on **Attachment A** is a private road with a long-deceased owner (the Road). There are over 100 roads that have deceased owners in the City of Adelaide. The Road is 'Old System' land, so is not contained within a certificate of title.
3. The Property has a registered Right of Way over the Road, as do the three Units in Strata Corporation No. 7865 Incorporated which, together, comprise the property numbered '3' on **Attachment A**. The property numbered '2' on **Attachment A**, which is contained within Certificate of Title Volume 5221 Folio 221, does not have a registered Right of Way over the Road.
4. As can be seen on this sketch (Link 1 view [here](#)) from the Certificate of Title for the Property, the Road (which is lettered 'A' on the sketch) is irregularly shaped, being 3.48 metres wide at the western end, 3.88 metres wide at the eastern end and with a 0.30 metre step in width at the mid-point.
5. The Property is occupied by a State Heritage listed building (the Building) comprising a Basement, Ground Floor, First Floor and Second Floor. The Building, which can be seen in these Google images, (Link 2 view [here](#)) was constructed in about 1915.
6. As can be seen in this Google image (Link 3 view [here](#)) taken from Young Street, the ground floor of the Building is over a metre in height above street level.
7. The Building has a single lift (the Lift) that opens directly onto the Road (about halfway along the Road). The Lift door facing onto the Road can be seen in this photo (Link 4 view [here](#)).
8. The Road was, for many years, used as a 'loading dock' from which goods were loaded and unloaded from the Building (via the Lift and adjacent door), which is why an awning/veranda was constructed over a large portion of the Road in 1947. The awning/veranda over the Road can be seen in these photos (Link 5 view [here](#)).
9. Access for the Building does not comply with the *Disability Discrimination Act 1992 (Cth)* (DDA), because the only way to get from street level to Ground Floor is via steps. Once inside the building, the Lift provides DDA compliant access to all other floors.
10. Young Gun has lodged a Development Application to refurbish the Building, including by introducing a new primary entrance ('front door') to the Building that will provide access that is compliant with DDA. The new entrance would be located adjacent to the Lift (i.e. from the Road).
11. DDA compliance for the new entrance would be achieved by saw-cutting and removing the existing floor in the location marked with a red 'X' on this plan (Link 6 view [here](#)) and replacing it with a new floor that matches the level of the Road. Once inside the building, a person could then either walk up a small flight of steps to get up to the First Floor or use a 'chair lift' mechanism (shown on the plan) to achieve the same outcome. As discussed above, the Lift would provide DDA compliant access to all other floors once someone was inside the building. The Lift access from the Road would be bricked up.
12. Given that the proposed new entrance will be the primary entrance to the Building, it is important to Young Gun to have a level of certainty over the management of the Road, most importantly in relation to *access* and *amenity*.
13. In relation to *access*, vehicles are often parked in the Road. Whilst pedestrians would probably be able to manoeuvre around these vehicles to get to the new entrance, people in wheelchairs would find it more challenging, as would anyone trying to deliver goods to the Building.
14. Whilst Young Gun has a registered Right of Way over the Road, it is of very limited use to them because the owner of the Road is the only person that has the legal power to enforce compliance with the Right of Way (i.e. ensure free and unrestricted access along the Road for Young Gun and other adjoining owners with Rights of Way). That owner is deceased, which is obviously a problem for Young Gun as they have no other way to ensure vehicles are not parked on the Road.
15. In relation to *amenity*, given the primary entrance to the Building will be from the Road, Young Gun wants to upgrade the Road in order to make the entry to the Building more appealing to customers/clients. However, with no ongoing certainty in relation to ownership, access, and control, Young Gun is understandably reluctant to invest in that upgrade.

16. The issues associated with *access* and *amenity* can be addressed in two ways:
- 16.1 By Young Gun (or the owner of another property adjoining the Road) owning the Road (Option A); or
 - 16.2 By the City of Adelaide owning the Road (Option B).

Option A – Young Gun owning the Road

17. Option A can be achieved by Council resolving to declare the Road public (as per Option B) and then (subsequently) resolving to close and transfer the Road to Young Gun pursuant to the *Roads (Opening & Closing) Act 1991 (SA)* (ROC Act).
- 17.1. In relation to the issue of *access*, once Young Gun own the Road they would be able to stop vehicles parking on it.
 - 17.2. In relation to the issue of *amenity*, once Young Gun own the Road they would be able to upgrade it to a standard of their choosing.
 - 17.3. In relation to *maintenance*, once Young Gun own the Road they are responsible for ongoing maintenance.

Option B - City of Adelaide owning the Road

18. Option B can be achieved by Council resolving to declare the Road a public road pursuant to section 210 of the *Local Government Act 1999 (SA)* (LG Act).
- 18.1. In relation to the issue of *access*, we would install 'No Stopping' parking controls in the Road to ensure people did not park vehicles in it – as is the case in most other lanes in the City.
 - 18.2. In relation to the issue of *amenity*, we would upgrade the Road to 'public road standards' once we owned it.
 - 18.3. In relation to *maintenance*, this remains the responsibility of Council in perpetuity.
19. We believe it is in Council's interests to pursue Option A over Option B and request that Council adopt Option A by authorising the Chief Executive Officer to negotiate the terms of a Deed with Young Gun (or another prospective purchaser) that will allow the Road to be transferred.

'Short-form' easement versus 'long-form' easement

20. If Council transfers the Road to an adjoining owner (i.e. adopts Option A), the owners of the other properties abutting the Road would be entitled under the ROC Act to apply for easements over the Road (including Rights of Way).
21. In most instances the Right of Way granted over private road via a 'road process' under the ROC Act is a 'short-form' easement that simply states the Right-holder (the party with the Right of Way) is entitled to free and unrestricted access along the road. However, a Right of Way can also be in the form of a 'long-form' easement. A 'long-form' easement can be drafted in the same way as a contract, with terms that reflect the individual circumstances of each road and the rights and obligations of the owner(s) and Right-holder(s).
22. Whilst a 'short-form' easement might seem adequate, it may not serve the interests of both the owner of the road and the Right-holder(s).
23. Some of the issues that may be experienced in relation to private roads that are subject to Rights of Way that are 'short-form' easements, along with how those issues would be addressed (in relation to the Road) via 'long-form' easements are discussed at Link 7 view [here](#).
24. The advantages and disadvantages of Option A and Option B have been considered in relation to 5 criteria – financial, legal, strategic, environmental and community as identified at Link 8 view [here](#).

Acquisition and Disposal of Land and Assets Policy

25. Assuming Council chooses either Option A or Option B (Council can decide to do neither), it will either be acquiring land (by declaring it public) or disposing of land (by transferring it (having first acquired it)). As such, it will need to consider the acquisition or disposal in accordance with Council's (recently amended) '*Acquisition and Disposal of Land and Assets Policy*' (the Policy), which was adopted by Council on 27 January 2022.
26. If Council proposes to dispose of the Road (Option A), the Policy requires Council to consider the disposal in terms of the following key criteria:
- 26.1. Council's required ownership of the Land or Asset for essential civic purposes.
 - 26.2. Current and future alignment to Council's strategic directions.
 - 26.3. City shaping or public value add potential.

- 26.4. Commercial and financial value of the Land or Asset.
- 26.5. Community value of the Land or Asset.
- 27. If Council proposes to acquire the Road (Option B), the Policy requires Council to consider the acquisition in terms of the following key criteria:
 - 27.1. Alignment with Council's strategic drivers.
 - 27.2. Potential to add value and support Council's city shaping objectives.
 - 27.3. The ability to unlock supply.
 - 27.4. Creation of new commercial and financial value.
 - 27.5. Provision of community benefits and public value.
 - 27.6. Potential to consolidate Land or Assets with Council's existing holdings.
- 28. These key criteria (for both acquisition and disposal) were considered as part of the analysis undertaken in paragraph 24.

Analysis

- 29. Both Option A and Option B will allow Young Gun to provide DDA compliant access to the Building.
- 30. Young Gun has indicated that it would prefer to own the Road (i.e. Option A); but is also comfortable with the City of Adelaide owning the Road (Option B).
- 31. In summary, Council's decision to adopt either Option A or Option B should be guided by how much control it wishes to exercise over the Road into the future.

Conclusion

- 32. Taking all matters into consideration we believe that, on balance, it is in Council's interests to adopt Option A (the recommendation of this Report) because it will avoid the risks associated with owning the Road and reduce ongoing costs associated with what was a private road / laneway, whilst still protecting the interests of the owners of other properties that adjoin the Road.
- 33. This would be achieved by entering into a Deed with the prospective owner, the terms of which would require them to grant 'long-form' easements to the owners of other properties that adjoin the Road which, in turn, will minimise the potential for conflict between the parties.
- 34. As discussed, an important clause in the Deed (between the Council and the prospective purchaser of the Road) would require the prospective purchaser to pay to have it immediately upgraded to public road standards.

DATA AND SUPPORTING INFORMATION

Link 1 – Sketch from certificate of title

Link 2 – Google images of the Building

Link 3 – Google image of Building from Young Street

Link 4 – Photo of Lift door opening onto the Road

Link 5 – Photos of the Road (and awning/veranda)

Link 6 – Proposed alterations to Building to create a new primary entrance

Link 7 – Issues associated with 'short-form' easements and potential solutions via 'long-form' easements



Link 8 – Acquisition and Disposal of Land - Key Criteria

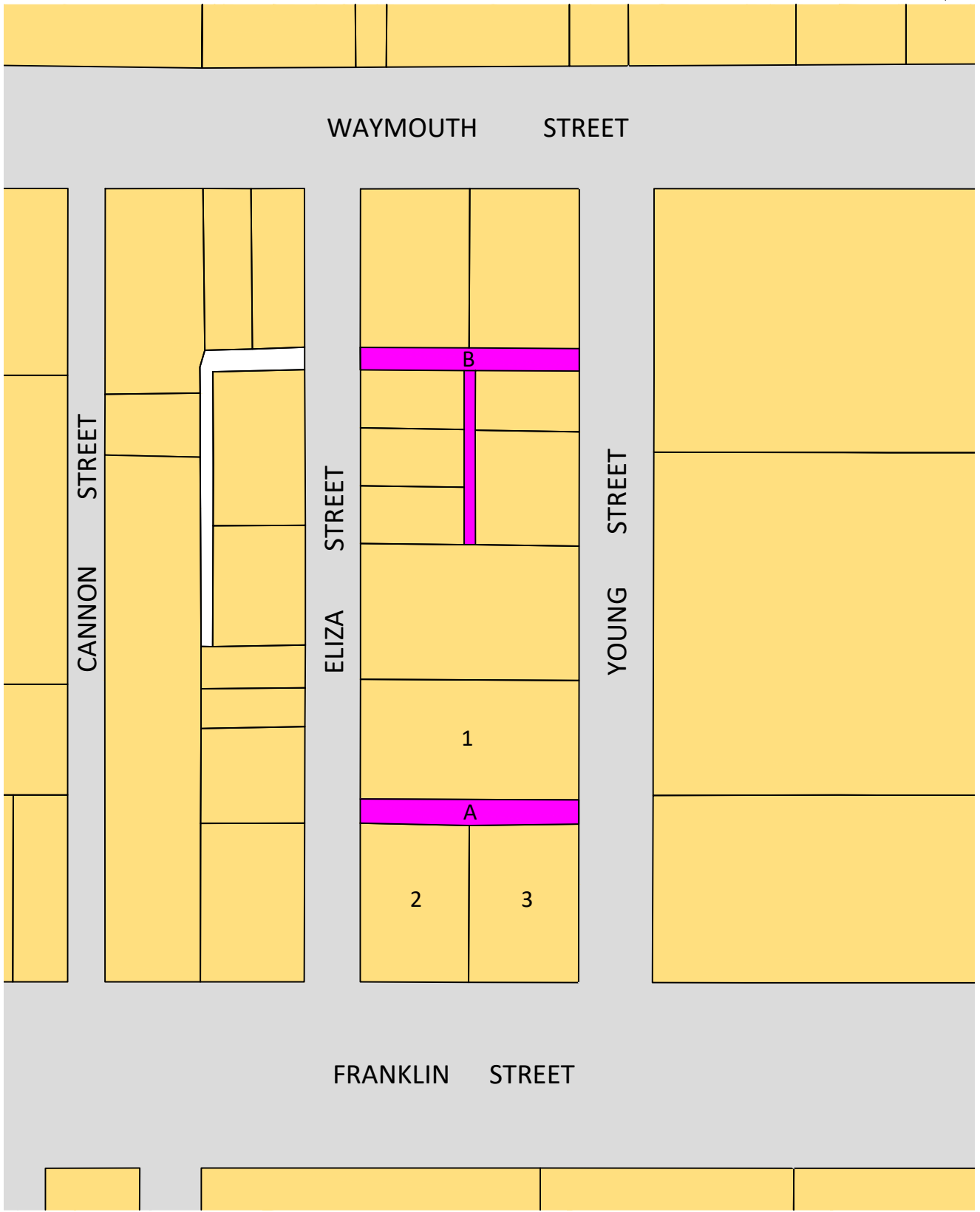
ATTACHMENTS

Attachment A – Map showing the Road and adjoining properties

Attachment A

LEGEND

-  Public Road
-  Private road (deceased owner)



Victoria Tower

Strategic Alignment - Enabling Priorities

Public

Tuesday, 5 April 2022

The Committee - Pre-Council
Discussion Forum

Program Contact:

Geoff Regester, Associate
Director Infrastructure

Approving Officer:

Tom McCready, Director Services

EXECUTIVE SUMMARY

Victoria Tower (SA) Pty Ltd has planning consent to construct a 33-storey mixed use tower on the corner of Grote Street and Penaluna Place. The proposed development relies on Penaluna Place for vehicles to be able to access a loading dock and car ramp to a multistorey car park within the proposed development.

The carriageway in Penaluna Place is not wide enough to allow simultaneous two-way traffic flow and the footpath is also not wide enough to provide safe and convenient pedestrian movement.

Victoria Tower (SA) Pty Ltd proposes to widen Penaluna Place by vesting (as public road) a 1.34 metre-wide strip of land to the City of Adelaide. This report recommends Council accept the transfer of land, pursuant to section 190 of the *Local Government Act 1999 (SA)*.

This report also recommends that Council authorises the Chief Executive Officer to negotiate the terms of an agreement with Victoria Tower (SA) Pty Ltd that would require them to transfer the strip of land to the City of Adelaide and construct road infrastructure on it to the City of Adelaide's standard.

The following recommendation will be presented to Council on 12 April 2022 for consideration.

That Council

1. Approves, pursuant to section 190 of the *Local Government Act 1999 (SA)*, acquiring as public road, the land shown as Allotment 3651 on Attachment A to Item # on the Agenda for the meeting of the Council held on 12 April 2022.
2. Authorises the Chief Executive Officer to negotiate the terms of an agreement with Victoria Tower (SA) Pty Ltd, the terms of which will require Victoria Tower (SA) Pty Ltd to:
 - 2.1 Construct, to the City of Adelaide's satisfaction, road infrastructure on Penaluna Place and the land shown as Allotment 3651 on Attachment A to Item # on the Agenda for the meeting of the Council held on 12 April 2022.
 - 2.2 Transfer, as public road, the land coloured yellow and identified as Allotment 3651 on Attachment A to Item # on the Agenda for the meeting of the Council held on 12 April 2022 to the Corporation of the City of Adelaide.
3. Authorises the Chief Executive Officer and Lord Mayor to execute and affix the Common Seal to transfer documents, agreements and any other documents to give effect to Council's resolution.

IMPLICATIONS AND FINANCIALS

City of Adelaide 2020-2024 Strategic Plan	Strategic Alignment – Enabling Priorities If Council accepts the vesting (transfer) of Allotment 3651, it will enable Victoria Tower (SA) Pty Ltd to develop its site in accordance with the planning consent granted by the State Commission Assessment Panel (SCAP) to build a 33-storey mixed use tower.
Policy	The acquisition of land is consistent with Council's ' <i>Acquisition & Disposal of Land & Assets Policy</i> ' and is therefore recommended.
Consultation	Not as a result of this report
Resource	Internal staff resources were incurred to consider the proposal and will also be incurred to oversee the delivery of the road infrastructure works. Legal costs will be incurred for reviewing the legal agreement between the City of Adelaide and Victoria Tower (SA) Pty Ltd.
Risk / Legal / Legislative	Owning Allotment 3651 (as public road) will entail legal responsibility for it and therefore the same risks associated with ownership of any public road. The draft agreement between the City of Adelaide and Victoria Tower (SA) Pty Ltd was prepared by lawyers representing Victoria Tower (SA) Pty Ltd and has been reviewed by lawyers representing the City of Adelaide. The Agreement is yet to be finalised. Council may acquire the strip of land pursuant to its powers under section 190 of the <i>Local Government Act 1999 (SA)</i> .
Opportunities	If Council accepts the vesting of Allotment 3651, it will enable Victoria Tower (SA) Pty Ltd to develop its site in accordance with the planning consent granted by SCAP to build a 33-storey mixed use tower.
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)	As per normal public road infrastructure.
Other Funding Sources	Not as a result of this report

DISCUSSION

1. On 31 August 2020 Victoria Tower (SA) Pty Ltd (the Applicant) lodged a development application (S10/56/2020) with the State Commission Assessment Panel (SCAP) to develop the land coloured red on this site map [Link 1 view [here](#)].
2. The development application proposes the demolition of existing structures on the site and the subsequent construction of a 33-storey mixed use building, comprising apartments, offices, retail and car parking. An image from the development application can be seen at Link 2 view [here](#).
3. It can be seen on **Attachment A** that Penaluna Place will be used for access to a loading dock and car ramp (that provides access to the (approximately) 164-space car park in the proposed development).
4. Penaluna Place can be seen in these photos [Link 3 view [here](#)].
5. The existing kerb-to-kerb width of Penaluna Place (approximately 4.6 metres) is insufficient to accommodate simultaneous two-way traffic movements. Additionally, the verges on both sides of the roadway are too narrow to accommodate safe and convenient pedestrian traffic. This was highlighted in a traffic survey undertaken by the Applicant which found that:
 - 5.1 Pedestrians are currently walking along the road pavement between the kerbs and not along the narrow 'footpaths'.
 - 5.2 Drivers are generally required to pull onto the narrow footpath on at least one side of the roadway in order to pass an oncoming vehicle.
6. Given the forecast additional traffic to be generated by the proposed development, the Applicant proposes to widen Penaluna Place adjacent to the subject site by vesting (transferring) as public road a strip of land to the City of Adelaide (CoA).
7. The strip of land to be vested is coloured yellow and identified as Allotment 3651 on **Attachment A**. The balance of the Applicant's land (on which the development will occur) is coloured green and identified as Allotment 3651 on **Attachment A**.
8. As can be seen on the cross-section in **Attachment A**, Allotment 3651 would be limited in height, which would allow the Applicant's building to cantilever over the top of Allotment 3651. The cantilevered building would result in a minimum of:
 - 8.1. 3.8 metres clearance above the proposed footpath.
 - 8.2. 5.0 metres clearance above the widened carriageway (including 600mm back from the kerb).
9. Cross-sections of Penaluna Place before and after the vesting of Allotment 3651 can be seen at Link 4 view [here](#). The vesting will result in the following configuration of Penaluna Place:
 - 9.1 The western kerb alignment being maintained in its current location.
 - 9.2 The eastern kerb alignment being moved further east to increase the carriageway width to 5.5 metres.
 - 9.3 A footpath width of 1.2 metres on the eastern side of Penaluna Place (adjacent to the proposed development).
10. The proposed widening of Penaluna Place would allow:
 - 10.1 Simultaneous two-way vehicle movements adjacent to and from the proposed development.
 - 10.2 Service vehicles, including waste collection vehicles up to 10 metres in length, to manoeuvre into the loading area by undertaking three-point turns in Penaluna Place.
 - 10.3 A dedicated pedestrian footpath on the eastern side of Penaluna Place (of 1.2 metres in width).

The Agreement

11. The Applicant has agreed to construct new public road infrastructure on Allotment 3651 at no cost to the CoA. The terms regarding the construction of the new road infrastructure (the Works) are contained in a draft 'Road Infrastructure Agreement' (the Agreement) between the CoA and the Applicant. The terms of the draft Agreement require the Applicant to:
 - 11.1 Undertake the Works in accordance with the CoA's requirements at no cost to the CoA.
 - 11.2 Vest Allotment 3651 to the CoA at no cost to the CoA.
12. This Report recommends Council authorise the Chief Executive Officer to negotiate the terms of the Agreement.

SCAP conditions

13. As a part of the normal planning process, CoA provided referral comments regarding the proposed development to SCAP on 8 October 2020, including a recommendation that the development application be placed on hold until agreement between the CoA and the Applicant was reached regarding the widening of Penaluna Place.
14. Rather than accept our recommendation, SCAP granted planning consent for the proposed development on 23 June 2021, but with various conditions, including:
 - 14.1 Condition 7 – Prior to the commencement of the proposed development, the Applicant must provide evidence to the State Planning Commission that it has the CoA’s consent to undertake the Works.
 - 14.2 Condition 6 - That the Works must have been completed prior to the “*occupation or use of the development*”.
15. SCAP did not require the transfer of Allotment 3651 to Council as a planning condition because the Applicant’s objectives could also have been achieved by other means. For example, the Applicant could have granted a Right of Way to the CoA over the land instead of transferring it. Indeed, other options were considered; however, we believe ownership of Allotment 3651 gives the CoA the best ongoing control over the land and therefore recommend Council resolves to accept the transfer (vesting).
16. Condition 7, as required by SCAP (refer to paragraph 14), will be satisfied if Council resolves to authorise:
 - 16.1 The Chief Executive Officer to negotiate the terms of the Agreement.
 - 16.2 The Lord Mayor and Chief Executive Officer execute the Agreement by affixing the Common Seal of Council.

Acquisition and Disposal of Land and Assets Policy

17. Council may acquire land pursuant to section 190 of the *Local Government Act 1999 (SA)*. This power has not been delegated by Council. Accordingly, the purpose of this Report is to seek Council’s approval to acquire, as public road, the land shown as Allotment 3651 on **Attachment A**.
18. In deciding whether to acquire Allotment 3651, Council should consider whether it is consistent with its ‘*Acquisition and Disposal of Land and Assets Policy*’, which requires Council to consider the acquisition of land in terms of the following key criteria:-
 - 18.1. Alignment with Council’s strategic drivers.
 - 18.2. Potential to add value and support Council’s city shaping objectives.
 - 18.3. The ability to unlock supply.
 - 18.4. Creation of new commercial and financial value.
 - 18.5. Provision of community benefits and public value.
 - 18.6. Potential to consolidate Land or Assets with Council’s existing holdings.
19. The transfer of Allotment 3651 will facilitate a major development, which is consistent with the overarching intent outlined in Council’s ‘2020 – 2024 Strategic Plan’ and is consistent with the key criteria outlined in paragraphs 18.1, 18.2 and 18.4.

DATA AND SUPPORTING INFORMATION

Link 1 – Site map

Link 2 – Image of proposed development

Link 3 – Photographs of Penaluna Place

Link 4 – Cross sections of Penaluna Place

ATTACHMENTS

Attachment A – Plan of Division

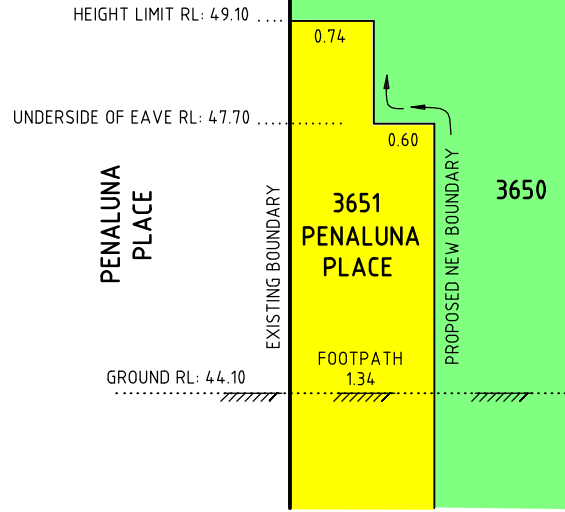
- END OF REPORT-

SHEET 1 OF 1

V01

BEARING DATUM:
DERIVATION:
TOTAL AREA:

Attachment A



CROSS SECTION A - AA
NOT TO SCALE

F16498

F181208

F181206

PENALUNA PLACE

PLACE

GROTE STREET



Alexander & Symonds Pty.Ltd.

11 KING WILLIAM STREET, KENT TOWN
P.O. BOX 1000 KENT TOWN 5071
Tel (08) 8130 1666 Fax (08) 8362 0099 A.B.N. 93 007 753 988
REFERENCE 21A1184-PROPID

LJM 14/12/2021

Exclusion of the Public

Tuesday, 5 April 2022

The Committee - Pre-Council Discussion Forum

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 Unnamed public road off Tom's Court Permit [section 90(3) (d) & (j) of the Act]

The Order to Exclude for Item 7.1:

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

ORDER TO EXCLUDE FOR ITEM 7.1

THAT THE COMMITTEE

1. Having taken into account the relevant consideration contained in section 90(3) (d) & (j) and section 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of The Committee dated 5 April 2022 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 7.1 [Unnamed public road off Tom's Court Permit] 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 due to containing information that relates directly to commercial contracts currently under negotiation by parties other than Council, including the potential dates and terms of contracts. This information was provided to Council by a third party on the basis it would be kept in confidence.

The disclosure of information in this report could reasonably impact commercial negotiations, as well as jeopardise the interests of a public authority involved in the process who have also requested the information be kept in confidence.

Public Interest

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the disclosure of this information may result in release of information prior to the finalisation of 'commercial in confidence' negotiations with the proponent and a competitor receiving the information to the detriment of the proponent who supplied the information at this point. Information released prior to conclusion of the commercial negotiations may impact the operations of the public authority which has provided information to support Council's decision making.

2. Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this meeting of The Committee dated 5 April 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 7.1 [Unnamed public road off Tom's Court Permit] listed in the Agenda, on the grounds that such item of business, contains information and matters of a kind referred to in section 90(3) (d) & (j) of the Act.
-

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 matter is submitted seeking consideration in confidence.
 - 6.1 Information contained in Item 7.1 – Unnamed public road off Tom’s Court Permit
 - 6.1.1 Is subject to an Existing Confidentiality Order 15/12/2020.
 - 6.1.2 The grounds utilised to request consideration in confidence is section 90(3) (d) & (j) of the Act
 - (d) commercial information of a confidential nature.
 - (j) information provided in confidence with a request for consideration in confidence.

ATTACHMENTS

Nil

- END OF REPORT -

Document is Restricted