



COUNCIL MINUTES

for the meeting

Tuesday, 9 August 2022

in the Council Chamber, Adelaide Town Hall

© 2022 CITY OF ADELAIDE. ALL RIGHTS RESERVED.



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

1 Acknowledgement of Country

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

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

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

2 Acknowledgement of Colonel William Light

The Lord Mayor stated:

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

3 Prayer

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

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

4 Memorial Silence

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

5 Apologies and Leave of Absence

Nil

6 Item 6 - Confirmation of Minutes

Moved by Deputy Lord Mayor (Councillor Abrahamzadeh),
Seconded by Councillor Khera -

That the Minutes of the meeting of the Council held on 12 July 2022 and the Minutes of the Special meeting of the Council held on 2 August 2022, be taken as read and be confirmed as an accurate record of proceedings.

Carried

7 Deputations

8 Item 7.1 - Deputation - Mrs Stephanie Hamra - Parking alteration on Palmer Place, North Adelaide

Mrs Stephanie Hamra, Registrar at Aquinas College, addressed the Council:

- In relation to the proposed parking alteration in Palmer Place, North Adelaide.

The Lord Mayor thanked Mrs Hamra for her deputation.

9 Item 7.2 - Deputation - Andy Wong - Regulation to Short term Accommodations

Mr Andy Wong, addressed the Council:

- In relation to the lack of regulation around short term accommodation in Adelaide.

The Lord Mayor thanked Mr Wong for his deputation.

10 Item 7.3 - Deputation - Miss Terri Mak - West Franklin Stage 3

Miss Terri Mak, addressed the Council:

- In relation to the overshadowing that will result from the West Franklin Stage 3 development.
- To table information for Council Members.

The Lord Mayor thanked Miss Mak for her deputation.

Please see attached at the conclusion of the minutes, the tabled information.

11 Petitions**12 Item 8.1 - Petition - 5-9 Prospect Place**

Moved by Deputy Lord Mayor (Councillor Abrahamzadeh),
Seconded by Councillor Khera -

THAT COUNCIL

1. Receives the petition containing 36 signatories, distributed as a separate document to Item 8.1 on the Agenda for the meeting of the Council held on 9 August 2022, asking Council to investigate the property at 5-9 Prospect Place with particular focus on the fact that the property has been assessed as an important part of the City's history.

Carried

The Lord Mayor advised the meeting that a petition had been received on short term accommodation after the publication of the agenda, therefore it would be included in the next meeting's agenda.

13 Items Adopted En Bloc

Discussion ensued

It was then -

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

That the following Items 10.3, 10.4, 10.6, 10.8, 10.11, 10.14, 10.15, 10.17, 10.19, 10.20, 10.21, 10.23, 10.24, 10.25, 10.26 be adopted as presented, namely:

14 Item 10.3 - Indenture 9-13 Hocking Court, Adelaide**THAT COUNCIL**

1. Approves entering into an Indenture Agreement with SYC Ltd. for the occupation and management of the residential housing facility at 9-13 Hocking Court, Adelaide.
2. Authorises the Chief Executive Officer to finalise the Indenture negotiations between the Corporation of City of Adelaide and SYC Ltd. and execute the Indenture Agreement and associated documentation.
3. Authorises the Chief Executive Officer to sign and affix as necessary the Common Seal with the signature of the Lord Mayor to all legal documentation to give effect to the above-mentioned decisions.

15 Item 10.4 - Residential Street Powerline Undergrounding Pilot Project**THAT COUNCIL**

1. Notes that an Undergrounding Strategy will be developed to provide strategic guidance and transparency around the prioritisation and planning of all future undergrounding in City Streets, Residential Streets and the Park Lands and will be presented to Council for consideration.

2. Approves West Pallant Street in North Adelaide as the location to pilot an undergrounding project with the 2022/23 budget allocation.

16 Item 10.6 - Recommended Levels of Service for Urban Elements Asset Management Plan

THAT COUNCIL

1. Notes the results of the community consultation undertaken to benchmark current user satisfaction for urban elements assets.
2. Approves the development of the Urban Elements Asset Management Plan based on the planning principles and recommended management strategies presented within this report and Attachment A to Item 10.6 on the Agenda for the meeting of the Council held on 9 August 2022.

17 Item 10.8 - Lease for Experience Adelaide Visitor Centre

THAT COUNCIL

1. Authorises the Chief Executive Officer or their delegate to negotiate the terms and conditions for a lease for the Experience Adelaide Visitor Centre with the Libraries Board of South Australia for the location within the State Library on North Terrace.
2. Delegates to the Chief Executive Officer the authority to execute the Memorandum of Lease and associated documentation.
3. Authorises the Lord Mayor and Chief Executive Officer to affix the Common Seal of the Council to the Memorandum of Lease and associated documentation.

18 Item 10.11 - Draft Cultural Policy

THAT COUNCIL

1. Approves the draft Cultural Policy for community consultation as set out in Attachment A to Item 10.11 on the Agenda for the meeting of the Council held on 9 August 2022.
2. Approves the content in the draft Cultural Policy as the basis of a City of Adelaide submission as engagement towards the development of a new Australian Government Cultural Policy.

19 Item 10.14 - Interactive Urban Forest Map Tool

THAT COUNCIL

1. Approves the development of a City of Adelaide Interactive Urban Forest Map Tool.

20 Item 10.15 - Draft Climate Action Plan

THAT COUNCIL

1. Approves for public consultation the draft *Climate Action Plan 2022-2025* as included in Attachment A to Item 10.15 on the Agenda for the meeting of the Council held on 9 August 2022.
2. Authorises the Chief Executive Officer to make minor amendments to the draft *Climate Action Plan 2022- 2025* as part of the graphic design process that do not substantively change the intent.
3. Notes the following actions from the draft *Climate Action Plan 2022-2025* will commence in 2022/2023:
 - 3.1. Facilitate a mechanism for city businesses to collectively purchase renewable electricity (eg through a power purchase agreement or other platform).
 - 3.2. Certify UPark as a carbon neutral service to deliver a unique and environmentally conscious offer for customers.
 - 3.3. Develop a new Urban Greening Strategy and implement \$1 million of greening.
 - 3.4. Investigate carbon offset pathways for Council and community emissions, in collaboration with other South Australian councils.

- 3.5. Identify key sector growth areas and the unique advantage for the green economy opportunities in the City of Adelaide.

21 Item 10.17 - Grant of Easement for public lighting at 73-85 Pirie Street, Adelaide

THAT COUNCIL

1. Approves, pursuant to section 190 of the Local Government Act 1999 (SA) and section 96 of the Real Property Act 1886 (SA), accepting a Grant of Easement (for the purposes of installation and maintenance of public lighting infrastructure) over portions of the land located at 73-85 Pirie Street, including:
 - 1.1 The land that is coloured green in Attachment A to Item 10.17 on the Agenda for the meeting of the Council held on 9 August 2022.
 - 1.2 Portions of the building located on the land.
2. Authorises the Chief Executive Officer to negotiate the terms of the Grant of Easement, including its extent.
3. Authorises the Chief Executive Officer and Lord Mayor to execute and affix the Common Seal of the Council to the Grant of Easement and any other documents to give effect to Council's resolution.

22 Item 10.19 - Partnership Opportunities

THAT COUNCIL

1. Notes the report including the mechanisms for assessing and formalising future partnerships.
2. Notes the current partnerships and future opportunities as outlined in Attachments A & B in Item 10.19 on the Agenda for the meeting of the Council held on 9 August 2022.

23 Item 10.20 - 2021/22 Quarterly Business Update Q4

THAT COUNCIL

1. Notes the 2021-22 Preliminary Financial Position and notes results are estimates only at this stage.
2. Notes the Capital Works Quarter 4 Review as presented in Attachment A to Item 10.20 on the Agenda for the meeting of the meeting of the Council held on 9 August 2022.
3. Notes the Commercial Operations Quarter 4 Review as presented in Attachment B to Item 10.20 on the Agenda for the meeting of the meeting of the Council held on 9 August 2022.
4. Notes the Adelaide Economic Development Agency Quarter 4 Review as provided in Attachment C to Item 10.20 on the Agenda for the meeting of the meeting of the Council held on 9 August 2022.
5. Notes the Adelaide Central Market Authority Quarter 4 Review as provided in Attachment D to Item 10.20 on the Agenda for the meeting of the meeting of the Council held on 9 August 2022.
6. Notes the Kadaltilla / Park Lands Authority Quarter 4 Review as provided in Attachment E to Item 10.20 on the Agenda for the meeting of the meeting of the Council held on 9 August 2022.
7. Notes the Brown Hill Keswick Creek Quarter 4 Review as provided in Attachment F to Item 10.20 on the Agenda for the meeting of the meeting of the Council held on 9 August 2022.

24 Item 10.21 - Strategic Plan 2020-2024 - Year 2 Update

THAT COUNCIL

1. Notes the progress updates provided for year two (2021-2022) of the City of Adelaide 2020-2024 Strategic Plan as Attachment A to Item 10.21 on the Agenda for the meeting of the Council held on 9 August 2022.
2. Authorises the Chief Executive Officer to make any necessary changes to the final Strategic Plan Year Two Update documents arising from this meeting, together with any editorial amendments and finalisation of the document's formatting and graphic design.

25 Item 10.23 - End of Term Function ProposalTHAT COUNCIL

1. Approves an End of Term Function to be hosted at the Adelaide Town Hall as outlined in Item 10.23 on the Agenda for the meeting of the Council held on 9 August 2022.

26 Item 10.24 - Significant Decisions during Caretaker periodTHAT COUNCIL

1. Notes the report.
2. Approves the Administration and Adelaide Economic Development Agency to continue to consider and approve funding applications in accordance with delegated authority and Council approved business plans and budgets for:
 - 2.1 Sustainability Incentives Scheme.
 - 2.2 Heritage Incentives Scheme.
 - 2.3 Rundle Mall Public Place Organics Recycling Pilot Business Incentives Program.
 - 2.4 Strategic Events Fund.

27 Item 10.25 - Nominations for LGA PresidentTHAT COUNCIL

1. Approves the nomination of a person for the position of LGA President, subject to the acceptance of the nominee.

28 Item 10.26 - Progress of Motions by Council MembersTHAT COUNCIL

1. Notes the report.

Carried

29 Item 10.22 - Code of Conduct - Outcome

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

THAT COUNCIL

1. Notes the Final Investigation Report as per Attachment A to Item 10.22 on the Agenda for the meeting of the Council held on 9 August 2022.
2. Notes that following the investigation into alleged breaches of the Code of Conduct for Council Members, it has been found the actions of Cr Khera have resulted in a breach of the following clauses of the Code:
 - '2.3 Act in a reasonable, just respectful and non-discriminatory way when dealing with people.
 - 2.9 Endeavour to establish and maintain a respectful relationship with all Council Members, regardless of differences of views and opinions.
 - 2.10 Not bully or harass other Council members.'
3. Notes that, due to the minor nature of the breaches, Council will take no further action.

Councillor Moran declared a material conflict of interest in Item 10.22 [Code of Conduct – Outcome], pursuant to Sections 73 & 74 of the Local Government Act 1999 (SA), because she was named in the report, withdrew her chair and left the Council Chamber at 5.57pm.

Councillor Khera declared a material conflict of interest in Item 10.22 [Code of Conduct – Outcome], pursuant to Sections 73 & 74 of the Local Government Act 1999 (SA), because he was named in the report, withdrew his chair and left the Council Chamber at 5.57pm.

The motion was then put and carried

Councillors Moran and Khera re-entered the Council Chamber at 5.58pm.

30 Advice from Kadaltilla / Park Lands Authority & Advice/Recommendations of the Audit and Risk/Reconciliation Committee

31 Item 9.1 - Advice of Kadaltilla / Park Lands Authority - 28 July 2022

Discussion ensued

It was then -

Moved by Deputy Lord Mayor (Councillor Abrahamzadeh),
Seconded by Councillor Donovan -

THAT COUNCIL NOTES THE FOLLOWING ADVICE OF KADALTILLA / PARK LANDS AUTHORITY:

1. Advice 1 – Golden Wattle Park / Mirnu Wirra (Park 21W) Community Sports Hub

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

That Kadaltilla / Park Lands Authority:

1. Supports the Community Sports Building Concept Plan for Golden Wattle Park/Mirnu Wirra (Park 21W) as shown in Attachment A to Item 6.1 on the Agenda for the Board meeting of Kadaltilla / Park Lands Authority held on 28 July 2022, subject to:
 - 1.1. The existing building being removed and returned to park land within six months of finalising construction of the new building.
 - 1.2. Rationalisation of the proposed path network to minimise the impact on existing trees.
2. Notes that the Community Sports Building Concept Plan will be implemented in stages as more funding becomes available.
3. Supports Council negotiating a lease agreement with the Adelaide Community Sports and Recreation Association over for the new building and associated playing fields in Golden Wattle Park/Mirnu Wirra (Park 21W) that considers:
 - 3.1. A maximum lease term of 21 years.
 - 3.2. Lease conditions to enable optimal utilisation by the broader community of the building as well as associated playing fields.
 - 3.3. A requirement to hold an electricity contract with an all-renewable electricity retailer or for accredited green power.
2. Advice 2 – Review of Adelaide Park Lands Community Land Management Plan

THAT THE ADELAIDE PARK LANDS AUTHORITY ADVISES COUNCIL:

That Kadaltilla / Park Lands Authority:

1. Supports, for the purposes of public and stakeholder consultation, the consolidated draft Community Land Management Plan for the Adelaide Park Lands under the care, control and management of the City of Adelaide presented as Attachment A to Item 6.2 on the agenda of the Board Meeting of Kadaltilla / Park Lands Authority held on 28 July 2022.
3. Advice 3 – Gladys Elphick Park / Narnungga (Park 25) – Eastern Mound Redevelopment

THAT THE ADELAIDE PARK LANDS AUTHORITY ADVISES COUNCIL:

That Kadaltilla / Park Lands Authority:

1. Supports the proposed Eastern Mound Redevelopment at Gladys Elphick Park / Narnungga (Park 25) by the South Australian Cricket Association (SACA) as shown in the Concept Plan at Attachment A to Item 6.3 of the Agenda for the Board meeting of Kadaltilla / Park Lands Authority held on 28 July 2022.
2. Notes the changes made from the previous concept to the revised proposal based on feedback from Kadaltilla and Council that include:
 - 2.1. Reduction in use of concrete terraces.
 - 2.2. Change from black bitumen to a lighter and cooler exposed aggregate path, consistent with other paths surrounding the pavilion.

- 2.3. DDA viewing areas.
- 2.4. Additional shade structure.
- 2.5. Maintaining public access and use of the improved area.
3. Notes that Council and SACA will enter into a Maintenance Agreement which sets out SACA's obligations for the Eastern Mound Redevelopment with respect to the construction and ongoing maintenance of the area.
4. Notes that, other than when public access to the main oval and surrounds is restricted as part of an official event or during maintenance works, SACA must continue to ensure that the current public access to the area is maintained at all times.

Carried

32 Item 9.2 - Audit and Risk Committee Report - 4 August 2022

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

THAT COUNCIL**1. Report of the Audit and Risk Committee – 4 August 2022**THAT COUNCIL

1. Notes the report of the meeting of the Audit and Risk Committee held on 4 August 2022.

2. Value Methodology Report AssessmentTHAT COUNCIL

1. Notes the review of valuation methodology and associated report undertaken in 2017 provided in Attachment A to Item 6.1 on the Agenda for the meeting of the Audit and Risk Committee held on 4 August 2022.
2. Notes the retention of the Assessed Annual Value methodology as per Rating Policy adopted by Council.

3. Strategic Internal Audit PlanTHAT COUNCIL

1. Approves the City of Adelaide one-year Internal Audit Plan, contained in Attachment A to Item 6.5 on the Agenda for the meeting of the Audit Committee held on 4 August 2022.

Carried

33 Reports for Council (Chief Executive Officer's Reports)**34 Item 10.1 - Adelaide Zero Project - Partnership Opportunity**

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

THAT COUNCIL

1. Authorises the Chief Executive Officer, to extend the current partnership with the Australian Alliance to End Homelessness until June 2024 to the value of \$335,301 for the backbone coordination of the Adelaide Zero Project (AZP), subject to further commitment from the State Government to the South Australian Alliance to End Homelessness.
2. Endorses a 50/50 funding contribution between the City of Adelaide and the State Government to support a Homelessness Conference in 2023, up to the value of \$75,000.
3. Notes that a budget impact of \$127,301 will need to be considered at the 2022/23 Quarter 1 budget review.

Discussion ensued

The motion was then put and carried unanimously

35 Item 10.2 - Gladys Elphick Park / Narnungga (Park 25) - Eastern Mound Redevelopment

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

THAT COUNCIL

1. Approves the Eastern Mound Redevelopment at Gladys Elphick Park / Narnungga (Park 25) by the South Australian Cricket Association (SACA) as shown in the Landscape Concept Design, Attachment A to Item 10.2 on the Agenda for the meeting of the Council held on 9 August 2022.
2. Notes the changes made from the previous concept to the revised proposal based on feedback from Kadaltilla and Council that include:
 - 2.1. Reduction in use of concrete terraces.
 - 2.2. Change from black bitumen to a lighter and cooler exposed aggregate path, consistent with other paths surrounding the pavilion.
 - 2.3. DDA viewing areas.
 - 2.4. Additional shade structure.
 - 2.5. Maintaining public access and use of the improved area.
3. Notes that consultation with Kurna Yerta Aboriginal Corporation (KYAC) and the Gladys Elphick family has commenced and SACA will continue engaging with an Aboriginal artist / consultant regarding the final details of the cultural and interpretation elements.
4. Notes that Council and SACA will enter into a Maintenance Agreement which stipulates that SACA is responsible for maintaining this area for the remaining tenure of their lease agreement.
5. Notes that, other than when public access to the main oval and surrounds is restricted as part of an official event or during maintenance works, SACA must continue to ensure that the current public access to the area is maintained at all times.

Discussion ensued

The motion was then put and carried

Councillor Martin requested that a division be taken on the motion

Division**For (7):**

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

Against (3):

Councillors Martin, Moran and Snape.

The division was declared in favour of the motion

36 Item 10.5 - Palmer Place On-Street Parking

Moved by Councillor Martin,
Seconded by Councillor Moran -

THAT COUNCIL

1. Approves the change to the 3-hour on-street parking within Palmer Place to a 2-hour time limit and leave the unrestricted parking unaltered as detailed in Attachment A to Item 10.5 on the Agenda for the meeting of the Council held on 9 August 2022.

Discussion ensued, during which Councillor Khera left the Council Chamber at 6.21pm, re-entered at 6.25pm, left at 6.26pm and re-entered at 6.26pm.

The motion was then put and carried unanimously

37 Item 10.7 - City Plan Engagement Approach

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

THAT COUNCIL

1. Approves further focussed stakeholder engagement exploring the themes identified in the 'City Plan Story' which have been identified through internal research of relevant local and global trends to inform external communications and engagement as included in Attachment A to Item 10.7 on the Agenda for the meeting of the Council held on 9 August 2022.

Discussion ensued

The motion was then put and carried unanimously

38 Item 10.9 - Main Streets Concept Options

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

THAT COUNCIL

1. Approves the proposed key deliverables for the State Government's funding of \$3 million for Hutt Street as detailed in Attachment A to Item 10.9 on the Agenda for the meeting of the Council held on 9 August 2022:
 - 1.1. Delivering an entry statement which will welcome residents and visitors to the city through Hutt Street, that echoes a similar treatment/ artwork piece in the village "Heart of Hutt".
 - 1.2. Wayfinding and lighting improvements between South Terrace and Halifax Street.
 - 1.3. Increasing greening and amenity through newly planted trees, entry statement plantings and landscape treatments.
 - 1.4. Creating a shared path along Hutt Road, formalising the Park Lands edge and increased amenity.
 - 1.5. Creating meeting places for locals and visitors.
2. Approves the proposed key deliverables for the State Government's funding of \$1 million for Melbourne Street as detailed in Attachment B to Item 10.9 on the Agenda for the meeting of the Council held on 9 August 2022:
 - 2.1. Rationalisation and refurbishment of the flag poles including an illuminated public art gateway to the precinct.
 - 2.2. Rationalisation and refurbishment of non-fixed and fixed street furniture (including planter boxes).
 - 2.3. Installation of a pedestrian crossing to facilitate a safe crossing point for Ronald MacDonald House patrons and surrounding businesses.
3. Notes the draft Concept Plans for Melbourne Street and Hindley Street as detailed in Attachment B and C, to Item 10.9 on the Agenda for the meeting of the Council held on 9 August 2022.
4. Notes that further concept plans on Hutt Street, Melbourne Street and Hindley Street will be presented to Council in March 2023 to allow for consultation ahead of the 2023/24 Business Plan & Budget process.

Discussion ensued, during which Councillor Hou left the Council Chamber at 6.43pm and re-entered at 6.45pm.

The motion was then put and carried unanimously

39 Item 10.10 - Illuminate Adelaide 2022 Public Art

Moved by Councillor Couros,
Seconded by Councillor Snape -

THAT COUNCIL

1. Notes the City of Adelaide has commissioned a multi-piece permanent light-based public artwork by Carla O'Brien which will be announced as part of Illuminate Adelaide 2022, as shown in Attachment A to Item 10.10 on the Agenda for the meeting of the Council held on 9 August 2022.

2. Requests Administration brings back the final artwork concept designs to Council for approval.

Discussion ensued

The motion was then put and carried

40 Item 10.12 - Moonta Street Roof Installation Feasibility

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

THAT COUNCIL

1. Notes previous consultation was undertaken and identified key goals from the Chinatown Reinvigoration Plan and Our Market District strategy.
2. Notes the Chinatown Reinvigoration Plan identified a potential canopy in the central area of Moonta Street and suspended lighting. This was delivered through the Moonta Street Lighting Upgrade which included a wave canopy.
3. Notes that \$4m Moonta Street upgrade was completed in October 2021.
4. Notes that a feasibility study and structural assessment would require \$50,000 in additional funding to be applied for through the 2023/24 Business Plan & Budget process to inform future design and construction resourcing requirements and timeframes.
5. Funds the feasibility report as part of the 22-23 budget reconsideration.

Discussion ensued, during which with the consent of the mover, seconder and the meeting the motion was varied to read as follows:

'THAT COUNCIL

1. Notes previous consultation was undertaken and identified key goals from the Chinatown Reinvigoration Plan and Our Market District strategy.
2. Notes the Chinatown Reinvigoration Plan identified a potential canopy in the central area of Moonta Street and suspended lighting. This was delivered through the Moonta Street Lighting Upgrade which included a wave canopy.
3. Notes that \$4m Moonta Street upgrade was completed in October 2021.
4. Notes that a feasibility study and structural assessment would require \$50,000 in additional funding through the 22-23 Q1 budget reconsideration process to inform future design and construction resourcing requirements and timeframes.'

Discussion continued

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

41 Item 10.12 - CEO Undertaking - Moonta Street Roof Installation Feasibility

In response to queries from Councillor Hyde, the CEO gave an undertaking to ensure the public consultation would take place on the Moonta Street Roof Installation.

42 Item 10.13 - Draft Climate Policy

Moved by Councillor Martin
Seconded by Councillor Snape -

THAT COUNCIL

1. Approves the draft Climate Policy for community consultation as set out in Attachment A to Item 10.13 on the Agenda for the meeting of the Council held on 9 August 2022, subject to the inclusion of the following:

Purpose – at the end of the 3rd paragraph, inserting the words – 'Noting that the City of Adelaide has declared a climate emergency'.

Statement - end of paragraph 7, including the words 'City of Adelaide will, by the end of June 2023, complete a procurement plan for all vehicles to be low or zero emission.'

Discussion ensued

The motion was then put and lost

Councillor Snape requested that a division be taken on the motion

Division

For (3):

Councillor Martin, Moran and Snape.

Against (7):

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

The division was declared against the motion

It was then –

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

THAT COUNCIL

1. Approves the draft Climate Policy for community consultation as set out in Attachment A to Item 10.13 on the Agenda for the meeting of the Council held on 9 August 2022.

Carried unanimously

Councillor Khera left the Council Chamber at 7.30pm.

43 Item 10.16 - Review of Adelaide Park Lands Community Land Management Plan

Discussion ensued, during which:

- Councillor Hyde left the Council Chamber at 7.31pm and re-entered at 7.32pm.
- Councillor Khera re-entered the Council Chamber at 7.32pm.

It was then -

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

THAT COUNCIL

1. Approves the consolidated draft Community Land Management Plan for the Adelaide Park Lands under the care, control and management of the City of Adelaide presented as per Attachment A to Item 10.16 on the Agenda for the meeting of the Council held on 9 August 2022, being released for statutory consultation, subject to consultation with the Minister for Planning.

It was then –

Moved by Councillor Hyde,
Seconded by Councillor Moran -

That the motion be put.

Carried

The motion was then put and carried

Councillor Martin requested that a division be taken on the motion

Division

For (9):

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

Against (1):

Councillor Martin.

The division was declared in favour of the motion

44 Item 10.18 - Rating Policies

Moved by Councillor Hyde,

Seconded by Deputy Lord Mayor (Councillor Abrahamzadeh) -

THAT COUNCIL

1. Adopts the updated Rating Policy per Attachment A to Item 10.18 on the Agenda for the meeting of the Council held on 9 August 2022, to include elements of the Separate Rate Policy, noting that the recommended changes do not constitute significant change requiring public consultation.
2. Approves the revocation of the Separate Rate Policy per Attachment B to Item 10.18 on the Agenda for the meeting of the Council held on 9 August 2022, and associated guidelines on the basis that content is appropriately covered in the Rating Policy.
3. Adopts the updated Rate Rebate Policy as per Attachment C to Item 10.18 on the Agenda for the meeting of the Council held on 9 August 2022.
4. Adopts the updated Debt Collection Policy as per Attachment D to Item 10.18 on the Agenda for the meeting of the Council held on 9 August 2022.
5. Notes the financial impact summary of rates and rebates per Attachment E to Item 10.18 on the Agenda for the meeting of the Council held on 9 August 2022.
6. Notes the proposed changes included in Attachment F to Item 10.18 on the Agenda for the meeting of the Council held on 9 August 2022.

Discussion ensued, during which Councillor Knoll left the Council Chamber at 7.35pm.

Amendment –

‘That the motion be amended to read as follows:

THAT COUNCIL

1. Adopts the updated Rating Policy per Attachment A to Item 10.18 on the Agenda for the meeting of the Council held on 9 August 2022, to include elements of the Separate Rate Policy.
2. Approves the revocation of the Separate Rate Policy per Attachment B to Item 10.18 on the Agenda for the meeting of the Council held on 9 August 2022, and associated guidelines on the basis that content is appropriately covered in the Rating Policy.
3. Adopts the updated Rate Rebate Policy as per Attachment C to Item 10.18 on the Agenda for the meeting of the Council held on 9 August 2022.
4. Adopts the updated Debt Collection Policy as per Attachment D to Item 10.18 on the Agenda for the meeting of the Council held on 9 August 2022.
5. Asks the administration to conduct a consultation on the reintroduction of the pensioner and self funded retiree rebate on the same terms and conditions as applied prior to its scrapping in 2021.
6. Requests the administration to provide advice on the likely adjustment to financial and other documents included in the agenda for the meeting of the Council held on 9 August 2022.
7. Notes the financial impact summary of rates and rebates per Attachment E to Item 10.18 on the Agenda for the meeting of the Council held on 9 August 2022.
8. Notes the proposed changes included in Attachment F to Item 10.18 on the Agenda for the meeting of the Council held on 9 August 2022.’

Much discussion ensued, during which:

- Councillor Knoll re-entered the Council Chamber at 7.37pm.
- Councillor Donovan left the Council Chamber at 7.58pm

- Councillor Hyde left the Council Chamber at 8.00pm and re-entered at 8.02pm.

The amendment was then put and lost

Councillor Snape requested that a division be taken on the amendment

Division

For (3):

Councillors Martin, Moran and Snape.

Against (6):

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

The division was declared against the amendment

The motion was then put and carried

Councillor Donovan re-entered the Council Chamber at 8.06pm.

45 Item 10.25 - Nominations for LGA President

The Lord Mayor called for nominations for the position of LGA President.

The Lord Mayor nominated Mayor Clare McLaughlin (Whyalla City Council – Spencer Gulf Cities Region).

It was then –

Moved by Deputy Lord Mayor (Councillor Abrahamzadeh),
Seconded by Councillor Hou -

That the Council nominates Mayor Clare McLaughlin (Whyalla City Council – Spencer Gulf Cities Region) for the position of LGA President, subject to the acceptance of the nominee.

Carried

Adjournment

The meeting **adjourned at 8.08pm** for a 20 minute break **and reconvened at 8.33pm** with the following Council Members present -

Sandy Verschoor (Lord Mayor) (Presiding)

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

46 Exclusion of the Public

In accordance with sections 90(2),(3) and (7) of the *Local Government Act 1999 (SA)* Council considered whether to discuss in confidence the reports contained within sections 12 & 13 of the Agenda.

47 Item 11 - Order to Exclude for Item 12.1

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

THAT COUNCIL

1. Having taken into account the relevant consideration contained in section 90(3) (b) & (d) and section 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 9 August 2022 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 12.1 [Advice of Kadaltilla / Park Lands Authority in Confidence to Note – 28 July 2022] listed on the Agenda in a meeting open to the public would on balance be contrary to the public interest.

Grounds and Basis

This Item contains commercial information (not being a trade secret) of a confidential nature which the proponent has requested be considered in confidence on the grounds that the proposal details their intellectual property, and the release of this information prematurely may be contrary to public interest. The disclosure of information in this report could reasonably be expected to prejudice the commercial position and negotiations of the Council and proponent with external parties.

Public Interest

Kadaltilla was satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the disclosure of this information may result in release of information prior to the finalisation of 'commercial in confidence' negotiations between the proponent and their suppliers and may materially and adversely affect the financial viability of the proponent in relation to contract negotiations which on balance would be contrary to the public interest.

- Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this meeting of the Council dated 9 August 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 12.1 [Advice of Kadaltilla / Park Lands Authority in Confidence to Note – 28 July 2022] listed in the Agenda, on the grounds that such item of business, contains information and matters of a kind referred to in section 90(3) (b) & (d) of the Act.

Discussion ensued, during which Councillor Khera re-entered the Council Chamber at 8.34pm.

The motion was then put and carried

48 Item 11 - Order to Exclude for Item 12.2

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

THAT COUNCIL

- Having taken into account the relevant consideration contained in section 90(3) (b) & (i) and section 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 9 August 2022 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 12.2 [Confidential Audit and Risk Committee Report – 4 August 2022] 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 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.

The Audit and Risk 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 relates to actual litigation of Council.

- Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this meeting of the Council dated 9 August 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 12.1 [Confidential Audit and Risk Committee Report – 4 August 2022] 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) & (i) of the Act.

Discussion ensued, during which Councillors Couros and Hyde re-entered the Council Chamber at 8.34pm.

The motion was then put and carried

49 Item 11 - Order to Exclude for Item 13.1

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

THAT COUNCIL

1. Having taken into account the relevant consideration contained in section 90(3) (b) & (d) and section 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 9 August 2022 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 13.1 [North Adelaide Railway Station – Expression of Interest Results] listed on the Agenda in a meeting open to the public would on balance be contrary to the public interest.

Grounds and Basis

This Item contains commercial information (not being a trade secret) of a confidential nature which the proponent has requested be considered in confidence on the grounds that the proposal details their intellectual property, and the release of this information prematurely may be contrary to public interest. The disclosure of information in this report could reasonably be expected to prejudice the commercial position and negotiations of the Council and proponent with external parties.

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 between the proponent and their suppliers and may materially and adversely affect the financial viability of the proponent in relation to contract negotiations which on balance would be contrary to the public interest.

2. Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this meeting of the Council dated 9 August 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 13.1 [North Adelaide Railway Station – Expression of Interest Results] listed in the Agenda, on the grounds that such item of business, contains information and matters of a kind referred to in section 90(3) (b) & (d) of the Act.

Discussion ensued

The motion was then put and carried

50 Item 11 - Order to Exclude for Item 13.2

Moved by Councillor Knoll,

Seconded by Deputy Lord Mayor (Councillor Abrahamzadeh) -

THAT COUNCIL

1. Having taken into account the relevant consideration contained in section 90(3) (b) & (d) and section 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 9 August 2022 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 13.2 [Award of Contract (August)] listed on the Agenda in a meeting open to the public would on balance be contrary to the public interest.

Grounds and Basis

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

Public Interest

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

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 increases the heightened legal and reputational risk exposure. This is in accordance with Council's Procurement Policy and seeks to protect the commercial interests of the participants in the tender process.

- Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this meeting of the Council dated 9 August 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 13.2 [Award of Contract (August)] listed in the Agenda, on the grounds that such item of business, contains information and matters of a kind referred to in section 90(3) (b) & (d) of the Act.

Discussion ensued

The motion was then put and carried

51 Item 11 - Order to Exclude for Item 13.3

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

THAT COUNCIL

- Having taken into account the relevant consideration contained in section 90(3) (b) & (d) and section 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 9 August 2022 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 13.3 [Expression of Interest Process] 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 confidential information (not being a trade secret) the disclosure of which could reasonably be expected to confer a commercial advantage on a person which 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 with respect to its commercial dealings with the land as well as prejudice the commercial position of parties who have supplied intellectual property and commercial in confidence information.

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 circumstance given that the information in this report, including certain financial information and further direction, may prejudice Council's future commercial dealings with regard to its strategic land holding. In addition, information within this report contains the intellectual property and commercial in confidence information of parties who have supplied information which if released could negatively impact Council. On this basis, the disclosure of such information may severely prejudice the City of Adelaide's ability to influence the proposal for the benefit of the City of Adelaide and community in this matter.

- Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this meeting of the Council dated 9 August 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 13.3 [Expression of Interest Process] listed in the Agenda, on the grounds that such item of business, contains information and matters of a kind referred to in section 90(3) (b) & (d) of the Act.

Discussion ensued

The motion was then put and carried

Councillors Martin, Moran and Snape and members of the public and Corporation staff present not directly involved with Items 12.1, 12.2, 13.1, 13.2 and 13.3 left the Council Chamber at 8.43pm.

Councillor Couros left the Council Chamber and re-entered at 8.44pm.

- 52 **Confidential Advice from Kadaltilla / Park Lands Authority & Advice/Recommendations of the Audit and Risk/Reconciliation Committee**
- 53 **Item 12.1 - Advice of Kadaltilla / Park Lands Authority in Confidence to Note - 28 July 2022** [s 90(3) [(b), (d)]]
- 54 **Item 12.2 - Confidential Audit and Risk Committee Report - 4 August 2022** [s 90(3) [(b), (i)]]
- 55 **Confidential Reports for Council (Chief Executive Officer's Reports)**
- 56 **Item 13.1 - North Adelaide Railway Station - Expression of Interest Results** [s 90(3) [(b), (d)]]
- 57 **Item 13.2 - Award of Contract (August)** [s 90(3) [(b), (d)]]
- 58 **Item 13.3 - Expression of Interest Process** [s 90(3) [(b), (d)]]

The meeting re-opened to the public at 8.48pm.

Confidentiality Orders

Item 12.1 - Advice of Kadaltilla / Park Lands Authority in Confidence to Note - 28 July 2022

In accordance with Section 91(7) & (9) of the *Local Government Act 1999 (SA)* and because Item 12.1 [Advice of Kadaltilla / Park Lands Authority in Confidence to Note – 28 July 2022] listed on the Agenda for the meeting of the Council held on 9 August 2022 was received, discussed and considered in confidence pursuant to Section 90(3) (b) & (d) of the *Local Government Act 1999 (SA)*, this meeting of the Council, do order that:

1. The resolution, the report, the discussion and any other associated information submitted to this meeting and the Minutes of this meeting in relation to the matter remain confidential and not available for public inspection until 31 December 2029.
2. The confidentiality of the matter be reviewed in December 2023.
3. The Chief Executive Officer be delegated the authority to review and revoke all or part of the order herein and directed to present a report containing the Item for which the confidentiality order has been revoked.

Item 12.2 – Confidential Audit and Risk Committee Report - 4 August 2022

Resolution & Confidentiality Order

THAT COUNCIL

1. Notes the report of the meeting of the Audit and Risk Committee held on 4 August 2022.
2. In accordance with Section 91(7) & (9) of the *Local Government Act 1999 (SA)* and because Item 12.2 [Confidential Audit and Risk Committee Report – 4 August 2022] listed on the Agenda for the meeting of the Council held on 9 August 2022 was received, discussed and considered in confidence pursuant to Section 90(3) (b) & (i) of the *Local Government Act 1999 (SA)*, this meeting of the Council do order that:
 - 2.1. The resolution become public information and included in the Minutes of the meeting.
 - 2.2. The report, the discussion and any other associated information submitted to this meeting in relation to the matter remain confidential and not available for public inspection until 31 December 2029.
 - 2.3. The confidentiality of the matter be reviewed in December 2023.
 - 2.4. The Chief Executive Officer be delegated authority to review and revoke all or part of the order herein and directed to present a report containing the Item for which the confidentiality order has been revoked.

Item 13.1 – North Adelaide Railway Station – Expression of Interest Results

In accordance with Section 91(7) and (9) of the *Local Government Act 1999 (SA)* and because Item 13.1 [North Adelaide Railway Station – Expression of Interest Results] listed on the Agenda for the meeting of the Council held on Tuesday 9 August 2022 was received, discussed and considered in confidence pursuant to Section 90(3) (b) & (d) of the *Local Government Act 1999 (SA)*, this meeting of the Council do order that

1. The resolution, the report, the discussion and any other associated information submitted to this meeting and the Minutes of this meeting in relation to the matter remain confidential and not available for public inspection until 31 December 2029.
2. The confidentiality of the matter be reviewed in December 2023.
3. The Chief Executive Officer be delegated the authority to review and revoke all or part of the order herein and directed to present a report containing the Item for which the confidentiality order has been revoked.

Item 13.2 – Award of Contract (August)

In accordance with Section 90(3) (b) and (d) of the *Local Government Act 1999* (SA) and because Item 13.2 [Award of Contract (August)] listed on the Agenda for the meeting of the Council held on 9 August 2022 was received, discussed and considered in confidence pursuant to Section 90(3) (b) & (d) of the *Local Government Act 1999* (SA), this meeting of the Council do order that:

1. The resolution, the report, the discussion and any other associated information submitted to this meeting and the Minutes of this meeting in relation to the matter remain confidential and not available for public inspection until 31 December 2029.
2. The confidentiality of the matter be reviewed in December 2023.
3. The Chief Executive Officer be delegated the authority to review and revoke all or part of the order herein and directed to present a report containing the Item for which the confidentiality order has been revoked.

Item 13.3 – Expression of Interest Process

In accordance with Section 91 (7) & (9) of the *Local Government Act 1999* (SA) and on the grounds that Item 13.3 [Expression of Interest Process] listed on the Agenda for the meeting of the Council held on 9 August 2022 was received, discussed and considered in confidence pursuant to Section 90 (3) (b) & (d) of the *Local Government Act 1999* (SA), the meeting of Council do order that:

1. The resolution, the report, the discussion and any other associated information submitted to this meeting and the Minutes of this meeting in relation to the matter remain confidential and not available for public inspection until 31 December 2029.
2. The confidentiality of the matter be reviewed in December 2023.
3. The Chief Executive Officer be delegated the authority to review and revoke all or part of the order herein and directed to present a report containing the Item for which the confidentiality order has been revoked.

59 Item 14 - Lord Mayor's Reports

The Lord Mayor addressed the meeting as follows:

‘As you are all aware, tonight is our last deliberative Council meeting before we enter into caretaker. I’d like to thank you all for your efforts over the past four years.

This chamber has considered hundreds of reports and motions and made some fantastic decisions that will make a difference for our city for generations to come.

Three major public-private partnerships got underway with construction at Eighty Eight O’Connell finally taking place with Commercial and General, Market Square beginning work last month with ICD and the completion of the Ten Gigabit Adelaide network in partnership with TPG.

We became the first South Australian Council to be accredited carbon neutral and planted more than 1000 new trees and 300,000 plants.

More than 222,000m² of roads have been resurfaced and 70,000m² of footpaths have been renewed.

We launched our Cultural Strategic Partnerships to partner with artists to bring more arts and culture to the city. Our investment of \$450,000 brought 23 new arts and cultural projects to the city valued at nearly \$3 million.

As announced in April, we have begun work on a City Plan to determine how we strategically invest in growing our city and give certainty to stakeholders.

For the first time in more than 30 years, Council is planning where and how growth is going to be managed and how we are going to best cater for the evolution of our city and I thank councillors for having the fortitude to support its inclusion in our Strategic Plan.

I want to ensure we are a vibrant and culturally alive city where our people have the jobs, opportunities and lifestyle they want for decades to come. We will now go out for community consultation on this as a result of tonight’s decision.

We have done all of this, in the midst of a global pandemic, and while consecutively freezing the rate in the dollar and investing more than \$20 million in city recovery and bringing our budget back into the black.

Our city is better placed for the future as a result of the work we have done over the past four years and that will be this Council's legacy.

On another note, at last week's unveiling of our fourth City of Music Laneway honouring Paul Kelly, I gave an undertaking that Council will explore creating a sixth City of Music Laneway to honour Archie Roach and Ruby Hunter so I will now ask my Deputy Lord Mayor to move from the floor.

60 Item 14 - Lord Mayor's Reports - Motion without Notice - City of Music Laneway

It was then -

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

That Council:

1. Investigates and identifies one more laneway for the creation of a City of Music laneway to celebrate the music and lives of Archie Roach and Ruby Hunter, subject to the artist permission.
2. A report to be brought back to council for decision at its December 2022 meeting.

Discussion ensued

The motion was then put and carried unanimously

Lord Mayor's Report

During the Lord Mayor's address, Councillors Martin, Moran and Snape re-entered the Council Chamber at 8.50pm.

The Lord Mayor continued to addressed the meeting as follows:

'I'd like to publicly thank and acknowledge my four Deputy Lord Mayors Houssam Abiad, Alexander Hyde, Mary Couros and Arman Abrahamzadeh and all members for their contribution and representation of our city ratepayers, residents and businesses.

I'd also like to thank our CEO Clare Mockler and all of the team here at the City of Adelaide for their hard work on behalf of our city.'

It was then –

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

That the report be received and noted.

Carried

61 Councillors' Reports

62 Item 15.1 - Reports from Council Members

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

THAT COUNCIL

1. Notes the Council Member activities and functions attended on behalf of the Lord Mayor (Attachment A to Item 15.1 on the Agenda for the meeting of the Council held on 9 August 2022).
2. Notes the summary of Council Members meeting attendance (Attachment B to Item 15.1 on the Agenda for the meeting of the Council held on 9 August 2022).
3. Notes that reports from Council Members tabled at the meeting of the Council held on 9 August 2022 be included in the Minutes of the meeting.

Deputy Lord Mayor (Councillor Abrahamzadeh), addressed the meeting to present a Landscape Architecture Award, Council had received from the Australian Institute of Landscape Architects, for the Moonta Street Revitalisation Project, in the Category of Urban Design.

Acclamation

63 Item 16 - Questions on Notice

- Item 16.1 - Councillor Couros - QoN - Transparency
- Item 16.2 - Councillor Martin - QoN - New Income Generating Assets
- Item 16.3 - Councillor Martin - QoN - Botanic High Students
- Item 16.4 - Councillor Martin - QoN - Adelaide Aquatic Centre
- Item 16.5 - Councillor Martin - QoN - Adelaide Oval Canned Drinks
- Item 16.6 - Councillor Martin - QoN - Public Realm Services and Maintenance
- Item 16.7 - Councillor Martin - QoN - North South Bikeway

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

The tabled Replies for Items 16.1 – 16.7 are attached for reference at the end of the Minutes of this meeting.

64 Questions without Notice**65 Item 17 - Councillor Martin - Question without Notice - 88 O'Connell Street**

Discussion ensued

In response to the following questions from Councillor Martin, the CEO advised that the replies would be given at the next meeting of Council:

1. In regard to the Land Facilitation Agreement that was released in response to the FOI by former Senator Rex Patrick, refers to the existence of a side deed in relation to the financial arrangements associated with the project. Could the administration advise when that agreement was executed and when in the interests of transparency that document will be released?
2. In relation to 88 O'Connell Street, would the project financier assume the responsibility for any unsold apartments before the City of Adelaide?
3. The LFA reveals that C&G are required to provide regular updates to the Council on the sale of apartments for the purpose of waterfall payment arrangements. C&G claims 60% of apartments by value have been sold. What is, as a number of apartments sold and what percentage of the total number does that represent?
4. The LFA provides for the circumstance in which the developer is required to pay an Open Space Fund levy for failing to provide adequate open space and the City of Adelaide is required in that circumstance to apply for remittance and pay that to the developer. Is the administration concerned that that might create a perception that it is acting outside of the spirit of the legislation and has it taken any legal advice?

66 Motions on Notice**67 Item 18.1 - Councillor Snape - MoN - Playground Shade**

Moved by Councillor Snape,
Seconded by Councillor Moran -

That Council implement in its Q1 2022/2023 budget, both canopy tree planting and artificial shading canopy in the Princess Elizabeth Playground and the South Tce Glover Playground. Including but not limited to the sand pit areas.

Discussion ensued

The motion was then put and carried

68 Item 18.2 - Councillor Snape - MoN - Recycling Rails on Bins

Moved by Councillor Snape,
Seconded by Councillor Hou -

That the City of Adelaide install recycling rails to all public city bins, to facilitate a more sensible and dignified way to approach waste management in our city.

Discussion ensued, during which the motion was varied to read as follows:

'That the City of Adelaide install recycling rails to public city bins, where appropriate, as a six month trial, to facilitate a more sensible and dignified way to approach waste management in our city.'

The motion, as varied, was then put and carried

Councillor Snape requested that a division be taken on the motion, as varied

Division

For (7):

Councillors Couros, Donovan, Hou, Khera, Martin, Moran and Snape.

Against (3):

Deputy Lord Mayor (Councillor Abrahamzadeh) and Councillors Hyde and Knoll.

The division was declared in favour of the motion, as varied

69 Item 18.3 - Councillor Moran - MoN - Beer Cans at Adelaide Oval

Councillor Moran withdrew her motion from consideration.

70 Item 18.4 - Councillor Moran - MoN - New Years Eve

Moved by Councillor Moran,
Seconded by Councillor Snape -

That Council:

Remove any entry cost for the New Year's Eve event and replace it with a voluntary gold coin donation to be donated to the Women's and Children's Hospital Foundation.

Much discussion ensued, during which:

- Councillor Hyde left the Council Chamber at 9.34pm and re-entered at 9.37pm.
- With consent of the mover, seconder and the meeting the motion was varied to removed the words 'and replace it with a voluntary gold coin donation to be donated to the Women's and Children's Hospital Foundation.'

The motion, as varied, was then put and carried

Councillor Snape requested that a division be taken on the motion, as varied.

Division

For (7):

Councillors Donovan, Hou, Hyde, Knoll, Martin, Moran and Snape.

Against (3):

Deputy Lord Mayor (Councillor Abrahamzadeh) and Councillors Couros and Khera.

The division was declared in favour of the motion, as varied

Councillor Moran left the meeting at 9.46pm.

71 Item 18.5 - Councillor Knoll - MoN - Values and Civility in the Chamber

Moved by Councillor Knoll,
Seconded by Councillor Hyde -

That Council:

1. Notes the implementation of the new Behavioural Management Framework for the next council term, which will include a Behavioural Management Policy.
2. Requests the Chief Executive Officer consider including a workshop, as part of the induction and mandatory training program for new Council Members, which aligns to the 'Behavioural Management Standards' and 'Principles to be observed by council' prescribed in section 8 of the *Local Government*

Act 1999 (SA), to support identified standards, values and expected behaviours of all Council Members.

3. Requests the Chief Executive Officer consider whether the outcomes of the workshop form part of the Behavioural Management Policy that Council is required to adopt.

Discussion ensued

The motion was then put and carried

It was then –

Moved by Councillor Donovan,
Seconded by Councillor Snape

That the meeting be adjourned and the remaining items be carried forward to be considered next Tuesday before the meeting of The Committee.

Lost

72 Item 18.6 - Deputy Lord Mayor (Councillor Abrahamzadeh) - MoN - Prospect Place, Adelaide

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

That Council:

- Notes the concerns raised by local residents via the petition received in relation to the condition and activities taking place around the property at 5-9 Prospect Place, Adelaide (a Local Heritage Place).
- Requests administration explore different ways (including legislative powers or initiatives such as Council's Heritage Incentive Scheme) to address the concerns raised by the residents.

Discussion ensued, during which Councillor Donovan left the meeting at 10.02pm.

The motion was then put and carried unanimously

73 Item 18.7 - Deputy Lord Mayor (Councillor Abrahamzadeh) - MoN - Noise Attenuation

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

That Council:

1. Requests administration to prepare a report on the feasibility of improving the Council's current noise attenuation scheme.
2. Notes that the report should consider:
 - a. approaches for new developments that need to respond to existing live music venues, and
 - b. new venues, such as live music venues that need to respond to existing businesses and residences.
3. The report should also highlight the following:
 - a. potential costs to Council should a scheme be developed;
 - b. policy and legislative barriers (if any); and
 - c. potential opportunities and partnerships in progressing such a scheme.
4. That the feasibility report considerations be brought back in the new term of Council for further discussion at the Strategic Committee of Council.

Discussion ensued

The motion was then put and carried unanimously

74 Item 18.8 - Deputy Lord Mayor (Councillor Abrahamzadeh) - MoN - Recycling Vending Machines

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

That Council:

1. Notes the City of Adelaide's Resource Recovery (Organics, Recycling & Waste) Strategy and Action Plan 2020-2028.
2. Requests administration investigate the placement of recycling vending machines within the City of Adelaide as a pilot program, including but not limited to:
 - a. recommended location(s),
 - b. cost(s) to implement including capital and maintenance provision.
3. Considers the proposed pilot for prioritisation in 2023-24, subject to the quarterly budget review process.

Discussion ensued, during which Councillor Hou left the Council Chamber at 10.09pm.

The motion was then put and carried

Councillor Hou re-entered the Council Chamber at 10.11pm.

Councillor Martin requested that a division be taken on the motion.

Division

For (7):

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

Against (1):

Councillor Martin.

The division was declared in favour of the motion

75 Item 18.9 - Deputy Lord Mayor (Councillor Abrahamzadeh) - MoN - Design Guidelines

Moved by Deputy Lord Mayor (Councillor Abrahamzadeh),
Seconded by Councillor Khera -

That Council:

1. Notes the implementation of the new planning system in March 2021.
2. Requests administration to consult with the sector on options to increase design integrity in city development. The options should consider approaches that would leverage and incentivise the design and construction industry to further improve design integrity of built form.
3. That the initial outcomes of the consultation be brought back in the new term of Council for discussion at the Strategic Committee of Council.

Discussion ensued

The motion was then put and carried unanimously

76 Item 18.10 - Councillor Martin - MoN - Paper Agendas and Minutes

Councillor Martin withdrew his motion from consideration.

Councillor Snape left the meeting at 10.22pm.

77 Item 18.11 - Councillor Khera - MoN - Council Art Catalogue

Moved by Councillor Khera,
Seconded by Councillor Hyde -

That the Administration create a publication with a small print run containing the artists acquired in the City of Adelaide collection, including public art, over the last 20 years, with an image of each artwork and details of the artist including contact details where possible.

Discussion ensued

The motion was then put and carried unanimously

Councillor Martin left the Council Chamber at 10.25pm.

78 Item 18.12 - Councillor Khera - MoN - Heritage Tiles for Rundle Mall Fountain

Moved by Councillor Khera,
Seconded by Councillor Hyde -

That the Administration install tiles to the top and sides, of the base of the heritage Rundle Mall fountain, in a heritage colour or colours complementary to the fountain.

Discussion ensued, during which:

- Councillor Hyde withdrew his seconding and the Deputy Lord Mayor (Councillor Abrahamzadeh) seconded the motion.
- Councillor Martin re-entered the Council Chamber at 10.29pm.

The motion was then put and carried

Councillor Martin requested that a division be taken on the motion.

Division

For (5):

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

Against (2):

Councillors Couros and Martin.

The division was declared in favour of the motion.

79 Item 18.12 - CEO Undertaking - Councillor Khera - MoN - Heritage Tiles for Rundle Mall Fountain

In response to queries from Councillor Hyde, the CEO gave an undertaking to provide Council Members (via an enews) with information on the colour palette for the tiles to be installed on the base of the Rundle Mall fountain.

80 Item 18.13 - Councillor Khera - MoN - Public Art Action Plan Amendment

Moved by Councillor Khera,
Seconded by Councillor Hyde -

That the Administration replace the words "cheeky, subversive, fun, playful, thought-provoking and unexpected" under the heading "Experience" in the Statements of Intent on page 7 of the Public Art Action Plan with the words "beautiful, fun, playful, thought-provoking and unexpected".

Discussion ensued

The motion was then put and carried

81 Item 18.14 - Councillor Martin - MoN - 88 O'Connell Joint Development

Councillor Martin withdrew his motion from consideration.

82 Motions without Notice

83 Item 19 - Councillor Khera - Motion without Notice - Mercury Cinema

Moved by Councillor Khera,
Seconded by Councillor Hyde -

That Council:

1. Notes the highly possible imminent collapse of the operation of the Mercury Cinema, its vital long-standing role as the only not-for-profit repertory cinema in Adelaide and its institutional status for cinema culture, and despite the responsibility of the State Government towards keeping this institution alive,

2. Requests the Administration seek urgent avenues of assistance to the MercuryCX organisation specifically towards maintaining the cinema operations, until long term financial assistance is secured, and such that this Council assistance can be delivered within the next three months.

Discussion ensued

The motion was then put and carried unanimously

Closure

The meeting closed at 10.56 pm

Clare Mockler,
Chief Executive Officer

Sandy Verschoor
Lord Mayor

Reconsider West Franklin Stage 3

300 short term student accommodation beds

DA 020/A040/19 or Adelaide City Council, reference S10/37/2015/C



To the Lord Mayor and Councillors of the City of Adelaide,

We, residents of West Franklin Stage 1, have a very big concern on the West Franklin Stage 3 project, especially the Overshadowing issues to nearby residents.

"Apartment buildings and in particular apartment towers once built will need to last a very long time. Typically these towers are sold to hundreds of different parties each with a very small stake. This makes demolition and rebuilding virtually impossible if requirements change. Therefore we must be extremely careful about how we design these structures so that they can adapt to future needs."

The West Franklin Stage 3 has not commenced yet and the Building Rules Consent has not been granted yet. In order to

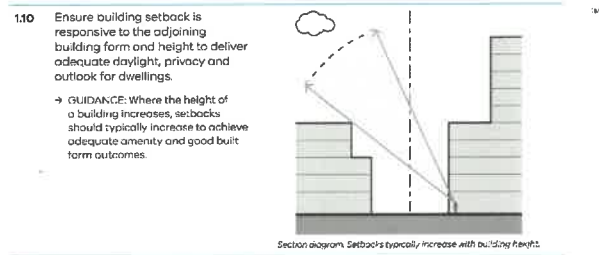
- have a more livable, sustainable & healthy living experience in Adelaide CBD,
- increase confidence and attract more long term residents and investors living and/or investing in Adelaide CBD for now and in the future,
- increase transparency about the City Development to prevent loophole for developers hiding important matters to potential buyers and/or existing residents

we like the Council urgently consider

- 1) **Revoking the rescind of LMA** as the development is not completed or even commenced yet, but may have impacts to nearby residents
- 2) **Ceasing this Stage 3 development project** especially the Overshadowing issue
- 3) **Reconsidering the building height, setback and type of use** as a whole
- 4) **Considering following " Better Apartments" policy in Victoria** (Ref #2) to improve the liveability and sustainability of apartments across Adelaide City,
- 5) **Applying the Consultations for all new Development near Residential buildings**
- 6) **Discouraging the mixture of short term residents and long term residents**

Background:

From the "Apartment Design Guidelines for Victoria ", setbacks typically increase with building height for delivering adequate daylight, privacy and outdoor for dwelling. Usually allowing min. 2 hours of sunshine into Dwelling or Private Open Space between 9am to 3pm in Winter (21 Jun) is also considered.



- Currently the height limit at the site is 43m, but the building of Stage 3 was agreed for 48m in 2015 and approved for 53m in 2019.
- The shortest total setback is around 8m.
- The entire student accommodation building is designed in a straight line without any further setback consideration in higher levels.

From the below Sun Study on 21 June, no sunshine at all in the winter for Residents facing Stage 3. If it is built, will it seem like the nearby residents are living in a "prison" - no daylight, no privacy!?



Apart from the Overshadowing issues, there may be other potential issues included but not limited to Privacy issues, Noise, Light, Wind Impact, Ventilation, Energy efficiency. Or if there is fire, will there be potentially dangerous to residents in units facing each other due to the close setback?!

Without the Consultations of the development to the Public, how would residents be aware of it and share their concerns?

* * * * *

Back in 2016, many overseas, interstate and local owners, saw the below misleading photo from the advertisement link (Ref #5) or marketing materials provided by the Greaton Development (or Zhengtang), in which there was no indication about the Stage 3 and no mention about Serviced Apartments.



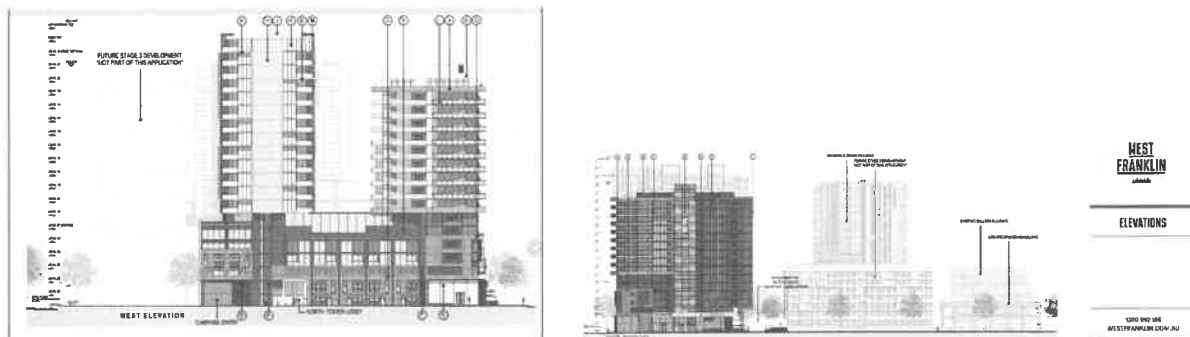
But from a recently found unofficial discussion forum (Ref 6), below photos of the approved site development (Stage 1 with 2 towers) and nearby developments (Stage 2 & Stage 3) were appearingly agreed by the Council back in 2015. The photos are inconsistent with the above marketing materials which was provided to the early stage buyers.

And it seems more than 80% of buyers, whose apartments facing Stage 3, did not receive any information or were told that the developer has approval for building a 15-story building at Stage 3 in 2015.



At later selling stage, to persuade potential Buyers considering other Apartments apart from those facing to Stage 3, below Elevation Illustrations were provided to partial potential buyers.

Without the Disclosure of the agreed Development Plans, how would buyers make the purchase decisions or the residents share their concerns? Or would they have been fallen into a deception?!



In addition, at West Franklin Stage 1, more than 40% of dwellings were approved to be converted into Serviced Apartments in May 2019, which is after the official settlement from the end of Feb 2019. Since then lots of the short term residents are mixing with the long term residents. Most of the owners, even the Management Committee, may not be aware of the approval until recently. Not sure if the Council is aware of it?

If the 300 short term Student Accommodation beds will be built next to it, would the short term students/residents in Stage 3 potentially have access to Stage 1?! Not sure if the Council is aware of it? Not sure if these mixed use developments are expected by the Council?

Understand the Adelaide City Council likes to improve the look and encouraging the mixed use development in Adelaide CBD, Would the Council

- consider following " Better Apartments" policy in Victoria (Ref 2) to improve the liveability and sustainability of apartments across Adelaide City, and
- discourage the mixture of short term residents and long term residents for building a better and happier community.

* * * * *

Adelaide is one of the top ten most liveable cities in the world, surpassing Melbourne, in third place in 2021. As the West Franklin Stage 3 has not commenced yet and the Building Rules Consent has not been granted yet, would the Council revoke the rescind of the Land Management Agreement for Stage 3 and reconsider the Stage 3 development? We do not want to see the Overshadowing issue from the West Franklin Stage 3 development be a long-term regret to the future of Adelaide City.

Thank you for all of your listening.

* * * * *

Reference :

1. Development application register for DA 020/A040/19
https://plan.sa.gov.au/development_application_register?&DevNo=020%2FA040%2F19
2. "Better Apartments" policies, which aims to improve the liveability of apartments and neighbourhoods in Victoria
<https://www.planning.vic.gov.au/policy-and-strategy/better-apartments>
3. Victoria's Push for Better Apartments (Part 1)
<https://www.urban.com.au/news/victorias-push-for-better-apartments-part-1>
4. Victoria's Push for Better Apartments (Part 2)
<https://www.urban.com.au/news/victorias-push-for-better-apartments-part-2>
5. Advertising link for West Franklin Stage 1
<https://mp.weixin.qq.com/s/26YRQtF7-oSC8nmRMgCC2A>
6. Unofficial discussion forum about development in Adelaide City
<https://www.sensational-adelaide.com/forum/viewtopic.php?t=5671&hilit=54+60+Elizabeth+Street%2C+Adelaide+SA+5000&start=15>
7. Variation to Development Application 020/A054/15 V3 - conversion of 120 dwelling apartments (of 295 dwelling apartments) to be used as serviced apartments. (Source: Adelaide City Council, reference S10/37/2015/C)
<https://www.planningalerts.org.au/applications/1249348>

QUESTION ON NOTICE

Councillor Couros will ask the following Question on Notice:

'Can the CEO please provide an update to Council on the following:

- How the City of Adelaide has changed its financial reporting and whether/how this is providing greater transparency to ratepayers?
- What measures the City of Adelaide has made to improve transparency in its reporting?'

REPLY

1. As part of its Strategic Plan 2020-2024, Council has committed to transparent decision-making based on data and evidence, and robust financial management as key enabling priorities.
2. Strong leadership and sensible financial management have seen us steadily improve our financial position, while continuing to deliver value for money for our ratepayers by not increasing rates for nine consecutive years and freezing most fees and charges. Additionally, we have invested more than \$20 million in City support programs to reignite our city – directly assisting businesses across the CBD and North Adelaide and creating compelling reasons for people to return to our streets, offices, venues, and park lands.
3. The following table demonstrates the significant improvement in our financial position during the term of Council, with a surplus budget being delivered for FY22.

Operating Surplus / Deficit During This Term of Council

\$'000s	2018-19	2019-20	2020-21	2021-22 Preliminary
Operating Surplus / (Deficit)	(21,177)	(19,540)	(6,933)	88

4. Over this period we have been consistently open and transparent about our financial position and have worked closely with our Audit and Risk Committee to ensure Council receives timely and accurate reports to support the best decision making to achieve financial sustainability.
5. We have reinforced the importance of committing to a surplus / break even budget to fund services and city shaping projects for our City residents, ratepayers, businesses, and visitors to our city.

6. To improve transparency in financial reporting we have revised the quarterly financial and performance reports for greater clarity and ease of understanding to now include capital works, subsidiary progress updates and financial reports, and commercial reports now consolidated into one report presented in public. The expansion of the Long Term Financial Plan also assists with transparency and decision making by making our long term assumptions clear.
7. We recently conducted 6 weeks extensive public consultation on the Rating Policy in excess of the minimum of the 3 weeks required.
8. Commercial fees and charges are now also considered on the public agenda.
9. All Council items are now assessed with the objective of ensuring transparency to ratepayers, while adhering to strict legislative provisions, such as those outlined in Section 90(3) of the *Local Government Act 1999 SA*, and honouring all contractual requirements.
10. In addition to increased transparency in financial reporting, procurement contracts and Board appointments have recently been included on the public agenda.
11. The following table summarises the number of times that confidentiality provisions have been used during this term of Council, 2018-2022. It shows a year-on-year improvement in the number of items being considered on the public agenda.

Number of times Confidentiality Provisions Used During This Term of Council

	2021/22 FY		2020/21 FY		2019/20 FY		2018/19 FY	
	Section 90(2)	Section 91(7)	Section 90(2)	Section 91(7)	Section 90(2)	Section 91(7)	Section 90(2)	Section 91(7)
	<i>Order to Exclude</i>	<i>Confidentiality Order</i>	<i>Order to Exclude</i>	<i>Confidentiality Order</i>	<i>Order to Exclude</i>	<i>Confidentiality Order</i>	<i>Order to Exclude</i>	<i>Confidentiality Order</i>
Council	38	36	53	53	49	56	59	67
The Committee	17	17	25	25	40	39	37	37
Audit Committee	3	3	13	13	14	14	8	8
Audit & Risk Committee	4	4	<i>renamed in 2021/22 FY</i>					
CEO Performance Review Committee	1	1	<i>established in 2021/22 FY</i>					
Total	63	61	91	91	103	109	104	112

Staff time in receiving and preparing this reply	To prepare this reply in response to the question on notice took approximately 5 hours.
--	---

- END OF REPORT -

Council Member
Councillor Martin

Public

Contact Officer:
Amanda McIlroy, Chief
Operating Officer

QUESTION ON NOTICE

Councillor Martin will ask the following Question on Notice:

'Could the Administration list the items and the contribution each will make to revenue referred to at Item 4.1 (page 44) for the Special Meeting of Council on June 28th, 2022 under the heading of Expenditure at "New Income Generating Assets \$13.4 million" and "New Community Assets \$39.7 million"?'

REPLY

1. The detailed information of the projects that make up the list of all asset expenditure for 2022-23 is provided in pages 46 to 51 of the 2022-23 Business Plan and Budget.
2. The \$13.4 million of new income generating assets relate to the Central Market Arcade Redevelopment (Market Square), of which \$11.4 million is planned to be expended in 2022-23. The remaining \$2 million relates to the development of Mini Golf (subject to engagement and business case development, construct a fairway style mini golf course).
3. The income in relation to Market Square is consistent with information provided to Council in the Prudential review and is included in the Long Term Financial Plan, starting at \$3.3 million net income in the first year increasing to over \$3.8 million in future years. This income relates to the generation of lease and rate revenue once Market Square is complete.
4. Income in relation to Mini Golf has not been included in the Business Plan and Budget or Long Term Financial Plan, as the business case is yet to be finalised. Once this is finalised, Council will be consider a business case outlining the full financial implications of an investment in Mini Golf.

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

- END OF REPORT -

QUESTION ON NOTICE

Councillor Martin will ask the following Question on Notice:

'Could the administration confirm that of the approximate 700 students to be accepted by the new Frome Street Botanic High extension is completed only 123 will be accepted from the City of Adelaide local government area?'

REPLY

1. The Department for Education (DfE) and its representatives made a presentation on the proposed expansion of the Adelaide Botanic High School to the Strategic Discussion Forum of the Committee on 17 May 2022.
2. The DfE subsequently provided responses to questions taken on notice at the 17 May 2022 meeting which was shared with Council Members on 9 June 2022.
3. DfE advised that 700 student places are needed at Adelaide Botanic High School of which approximately 123 student places are forecast to be from the City of Adelaide local government area.
4. This is an estimated figure based on forecasts which will likely vary.

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

- END OF REPORT -

QUESTION ON NOTICE

Councillor Martin will ask the following Question on Notice:

'Could the administration advise;

1. Did the City of Adelaide have any representation on the State Government established "Community Reference Group" whose final meeting was last month and which was "responsible for making recommendations to government for consideration" with regard to the preferred location and nature of the new State operated aquatic facility in the Park Lands?
2. If so, who were those representatives and did the City of Adelaide present a submission or put a position?
3. If so, will that submission or position be made available to elected members and/or to ratepayers?
4. If there was no representation on the Group, then what mechanism or mechanisms exist for the City of Adelaide to negotiate with the State Government on the location and nature of the new aquatic facility or is there none?
5. Has the Administration entered into any negotiation with the State Government to extract full compensation for the City of Adelaide's \$21 million dollar asset that will be bulldozed in the wake of the State Government decision to build and operate a new Aquatic Centre in the City?
6. Has the Administration determined less than full compensation of \$21 million is more likely or that no compensation at all is likely?'

REPLY

1. The Community Reference Group (CRG) membership established by the State Government was selected to represent the broad interests and views of a wide cross-section of the community including local residents, existing aquatic centre users, environmental associations, local businesses, cultural and community groups and other local interest groups. CRG representatives were selected from nominations received on the basis of achieving a broad community representation. The City of Adelaide did not have representation on the CRG.
2. The City of Adelaide did not present a submission to the State Government during the consultation period.
3. The City of Adelaide is working closely with the State Government to support their planning and delivery of the new Aquatic Centre through a working group which includes representatives from the Department for Infrastructure (DIT) and Transport and the Office for Sport, Recreation and Racing (ORSR). Established 27 June 2022, the working party is meeting regularly, and provides a mechanism for direct engagement and to inform future works.
4. The City of Adelaide has not entered into any formal negotiation processes, nor has it signed any legal or contractual documents such as Memoranda of Understanding.

5. The State Government is yet to provide the City of Adelaide with details of the outcome of its recent consultation and its official decision on the location for development of the new facility.
6. Once these details are communicated, consideration will be given to how this impacts any existing infrastructure, key stakeholders and users, future master planning, remediation or reinstatement works, and any financial implications.
7. Council will be briefed prior to the commencement of any formal negotiations. It will be a decision of the next term of Council to resolve its approach in these matters.
8. The Long-Term Financial Plan accounts for asset disposal and removal of operating expenses as follows:
 - 8.1. The March 2022 South Australian state election has created a change in assumption for the purposes of the LTFP with regards to the ongoing operation of the Adelaide Aquatic Centre.
 - 8.2. In June 2022 the incoming Labour Government announced that it will deliver on its election commitment and is investing \$82.4 million to build, own and operate a modern, fit-for-purpose Aquatic Centre on Adelaide's northern Park Lands – to be completed by March 2026. This facility will replace the existing City of Adelaide Aquatic Centre. Link: <https://www.premier.sa.gov.au/media-releases/news-items-2022/have-your-say-on-the-location-of-the-new-adelaide-aquatic-centre>.
 - 8.3. We have a responsibility to ensure that this information, as is best known to date, is incorporated into the LTFP.
 - 8.4. This has been done for this purpose only and the impact is an estimate of cost and timing which should be used for high level projections only and not a definitive resolution of State or Council.
9. Overall, the financial impact is:
 - 9.1. A reduction in the asset value in 2025/26 year as a result of the expected timing of the opening of the new facility.
 - 9.2. Reduction in asset renewals leading up to a level to enable the City of Adelaide Adelaide Aquatic Centre facility to continue to operate in a safe manner.
 - 9.3. Removal of all operating income and expenses post 2025/26.

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

- END OF REPORT -

QUESTION ON NOTICE

Councillor Martin will ask the following Question on Notice:

'Noting News Limited publications have reported that the City of Adelaide made a submission in 2020 to the Licencing Court advocating against an Adelaide Oval Stadium Management Authority proposal to reintroduce the sale of cans of alcohol to the Oval and then did not oppose the sale of cans of alcohol when the matter recently returned to the Licencing Court, could the Administration advise;

1. When the issue was raised with the elected body prior to 2020 and after 2020?
2. What informed the various positions taken by the Administration?
3. Whether the sale of cans will include the sale of mixed drinks such as gin and tonic and rum and coke and soft drink?'

REPLY

1. In 2019/2020, the legislation of that time provided Council with the formal opportunity to support or object in the liquor licensing application process.
2. In response to the Stadium Management Authority's (SMA) 2019/20 application to vary their liquor license conditions to allow sale via aluminium cans, we provided input that we did not support the application on the basis of an increased risk to public health and safety.
3. The SMA's liquor license has been raised over time with Council, with the focus of consultation on designated zones and times. These did not specifically address the sale of alcoholic beverages in cans.
4. Council's position was formed by an assessment of issues including safety, alignment with relevant legislation and policies and engagement with relevant stakeholders.
5. Subsequent liquor licensing reforms have diminished Council's formal role and influence in the liquor license application process. We are currently engaging with Consumer Business Services on ways to ensure Council's position is considered for future applications.
6. The varied condition on the licence refers to liquor sold or supplied in aluminium cans and does not distinguish between types of alcohol. The conditions require aluminium cans to be opened by the licensee at point of sale.
7. Note that while liquor licensing does not govern sale of non-alcoholic beverages, part of rationale for moving to cans is the push away from plastics towards more sustainable options. This is seen with the shift in water being sold in cans at such venues rather than plastic bottles.

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

- END OF REPORT -

QUESTION ON NOTICE

Councillor Martin will ask the following Question on Notice:

'For the years ending June 30th, 2020, June 30th, 2021 and June 30th, 2022, could the Administration provide a list of public realm services and maintenance, including but not limited to such services as street sweeping and cleansing, stormwater drain maintenance, leaf blowing etc that have been reduced in frequency?'

REPLY

1. The only service modification was during the height of the COVID-19 pandemic in 2020 when we reduced the requirement for temporary labour/casual staff. A reduced number of people in the city meant that service levels adapted to the changing needs and focus on keeping people safe.
2. As previously responded at the 12 July 2022 Council meeting:
 - 2.1. City Operations provides a large range of services in the city across all assets and public realm. There have been no services discontinued during the period in question.
 - 2.2. All services are scalable to increase and/or decrease based on an assessment of current and future needs. The COVID-19 global pandemic is just one case study of how services may need to increase, adjust or adapt, based on external environmental factors. The commitment of the City Operations team during this period to ensuring our City assets were clean, well presented and maintained, contributed to Adelaide being one of the first cities in the world to safely open up again after the public health restrictions.
 - 2.3. The City Operations team presented a comprehensive overview of its vision, purpose and services at the 17 May 2022 meeting of the [Committee](#) (Strategic Discussion Forum) which provides more detail and insights into service provision.
 - 2.4. The budgets for public realm services and maintenance over the last three years are provided below:

City Operations	2019 / 2020 (actual)*	2020 / 2021 (actual)**	2021 / 2022 (budget)**
Total Waste & Cleansing	\$8,320,550	\$7,257,205	\$7,873,725
Total Trade & Facilities Services	\$10,521,020	\$8,326,626	\$9,896,424
Total Infrastructure Maintenance	\$4,927,355	\$3,450,286	\$4,260,480
Total Horticulture Maintenance	\$9,944,678	\$10,115,707	\$11,259,012
Total	\$33,713,603	\$29,149,823	\$33,289,641

*COVID-19 Outbreak March 2020

** COVID-19 Restrictions in place

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

- END OF REPORT -

Council Member
Councillor Martin

Public

Contact Officer:
Tom McCready, Director City
Services

QUESTION ON NOTICE

Councillor Martin will ask the following Question on Notice:

'Noting the Administration has erected signage in Frome Street anticipating the completion of the North South bikeway works in Frome Street by now, could the Administration advise when it expects to start and when it expects to complete those works?'

REPLY

1. The project timeline (April to June 2022) has not been able to be delivered due to low contractor availability and the signs on Frome Road between Victoria Drive and Albert Bridge have been removed.
2. This has allowed us to undertake a further review of the bikeway design along this section to address the heritage of Albert Bridge, several traffic concerns which aligns to works being undertaken in Lot 14, the Botanic High School expansion and the bus stops along Frome Road.
3. Following the design review, we will continue with procurement of these sections of the North-South Bikeway.
4. Through the Department for Infrastructure and Transport, we have extended the deed until 30 June 2023.
5. The intent is to finalise the design for the remaining sections of the North-South Bikeway and commence procurement in early 2023 to advance the delivery and/or have the projects under contract by 30 June 2023.

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

- END OF REPORT -