



COUNCIL MINUTES

for the meeting

Tuesday, 11 October 2022

in the Council Chamber, Adelaide Town Hall

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

Deputy Lord Mayor, Councillor Abrahamzadeh

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

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

2 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

Apology:

Councillor Khera.

6 Item 6 - Confirmation of Minutes

Moved by Councillor Knoll,

Seconded by Deputy Lord Mayor (Councillor Abrahamzadeh) -

That the Minutes of the meeting of the Council held on 13 September 2022 be taken as read and be confirmed as an accurate record of proceedings.

Carried

7 Deputations

8 Item 7.1 - Deputation - Mrs Shaza Ravaji - Support for South Australian Iranian community

Ms Shaza Ravaji addressed the Council:

- To request support for the South Australian Iranian community.

The Lord Mayor thanked Ms Shaza Ravaji for her deputation.

9 Petitions

Nil

The Lord Mayor advised the meeting that Item 9.1 (Audit and Risk Committee Report) would need to be considered after 6pm and that Item 17.2 (Motion on Notice – Supporting the Iranian community) would be brought forward to be considered due to the presence of members of the public in the Council Chamber.

10 Item 17.2 - Deputy Lord Mayor (Councillor Abrahamzadeh) - MoN - Supporting the Iranian Community

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

That Council:

1. Notes the concerns from the South Australian Iranian community on the current atrocities taking place by the Iranian government against the people of Iran, particularly Iranian women.
2. States its firm support for the Iranian community in Adelaide.
3. Requests the Lord Mayor writes to relevant State and Federal Government Ministers responsible for International Relations, Trade and Immigration highlighting the points above.

Discussion ensued, during which Councillor Couros entered the Council Chamber at 5.41pm.

The motion was then put and carried unanimously

11 Advice/Recommendations of the Audit and Risk & CEO Performance Review Committee**12 Item 9.2 - Report of the Chief Executive Officer Performance Review Committee - 27 September 2022**

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

THAT COUNCIL

1. Notes the report of the meeting of the Chief Executive Officer Performance Review Committee held on 27 September 2022.

Carried unanimously

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

The Lord Mayor advised the meeting that Item 10.6 – Code of Conduct, had been withdrawn.

14 Item 10.1 - Progress of Motions by Council Members

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

THAT COUNCIL

1. Notes the report.

Discussion ensued

The motion was then put and carried

15 Item 10.2 - City of Adelaide Annual Report 2021-22

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

THAT COUNCIL

1. Adopts the City of Adelaide Annual Report 2021-2022 as provided in Attachment A to Item 10.2 on the Agenda for the meeting of the Council held on 11 October 2022.

2. Adopts the Adelaide Central Market Authority Annual Report 2021-2022 as provided in Attachment B to Item 10.2 on the Agenda for the meeting of the Council held on 11 October 2022.
3. Adopts the Adelaide Economic Development Agency Annual Report 2021-2022 as provided in Attachment C to Item 10.2 on the Agenda for the meeting of the Council held on 11 October 2022.
4. Adopts the Kadaltilla / Park Lands Authority Annual Report 2021-2022 as provided in Attachment D to Item 10.2 on the Agenda for the meeting of the Council held on 11 October 2022.
5. Adopts the Brown Hill and Keswick Creek Stormwater Board Annual Report 2021-2022 as provided in Attachment E to Item 10.2 on the Agenda for the meeting of the Council held on 11 October 2022.

Discussion ensued

The motion was then put and carried

16 Item 10.3 - Election of LGA President

Moved by Deputy Lord Mayor,
Seconded by Councillor Knoll -

THAT COUNCIL

1. Approves that the ballot paper be marked in accordance with Council's resolution to vote for one of the following nominees:
 - 1.1. Mayor Keith PARKES (Alexandrina Council)
 - 1.2. Mayor Caroline PHILLIPS (District Council of Karoonda East Murray)
 - 1.3. Mayor Brett BENBOW (Port Augusta City Council)
 - 1.4. Mayor Bill O'BRIEN (Light Regional Council)
 - 1.5. Mayor Erika VICKERY OAM (Naracoorte Lucindale Council)

Discussion ensued

The motion was then put and carried

17 Item 10.3 - Election of LGA President

The Lord Mayor called for nominations from the list of nominees for LGA President.

Councillor Moran nominated Mayor Erika Vickery OAM.

It was then -

Moved by Councillor Moran,
Seconded by Councillor Hyde -

THAT COUNCIL

1. Approves that the ballot paper be marked in accordance with Council's resolution to vote for Mayor Erika VICKERY OAM (Naracoorte Lucindale Council).

Carried

18 Item 10.4 - Election of LGFA Board Members

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

THAT COUNCIL

1. Approves that the ballot paper be marked in accordance with Council's resolution to vote for up to two of the following nominees:
 - 1.1. Nathan Cunningham (Chief Executive Officer, District Council of Yankalilla)
 - 1.2. Dr Nigel Graves (Manager Finance, Light Regional Council)
 - 1.3. Mark Gray (Manager Finance, City of Port Adelaide Enfield)

- 1.4. Annette Martin (Manager Financial Services, City of Charles Sturt)
- 1.5. Michael Sedgman (Chief Executive Officer, Rural City of Murray Bridge)
- 1.6. John Smedley (Deputy Mayor / Councillor, City of Holdfast Bay)

Discussion ensued

The motion was then put and carried

19 Item 10.4 - Election of LGFA Board Members

The Lord Mayor called for nominations from the nominees listed to the LGFA Board.

Councillor Moran nominated Annette Martin.

Deputy Lord Mayor (Councillor Abrahamzadeh) nominated Michael Sedgman.

It was then –

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

THAT COUNCIL

1. Approves that the ballot paper be marked in accordance with Council's resolution to vote for the following nominee:
 - 1.1. Annette Martin (Manager Financial Services, City of Charles Sturt)

Carried

It was then -

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

THAT COUNCIL

1. Approves that the ballot paper be marked in accordance with Council's resolution to vote for the following nominee:
 - 1.2. Michael Sedgman (Chief Executive Officer, Rural City of Murray Bridge)

Carried

20 Item 10.5 - End of Term Report

Moved by Councillor Knoll,
Seconded by Councillor Hyde -

THAT COUNCIL

1. Notes the attached End of Term Report 2018 – 2022, Attachment A to Item 10.5 on the Agenda for the meeting of the Council held on 11 October 2022.

Deputy Lord Mayor (Councillor Abrahamzadeh) left the Council Chamber at 5.56pm.

The motion was then put and carried

Councillor Hyde requested that a division be taken on the motion

Division

For (5):

Councillors Couros, Donovan, Hou, Hyde and Khera.

Against (3):

Councillors Martin, Moran and Snape.

The division was declared in favour of the motion

21 Item 9.1 - Audit and Risk Committee Report - 30 September 2022

Mr David Powell, Chair of the Audit and Risk Committee, gave his annual verbal report to the Council, during which the Deputy Lord Mayor (Councillor Abrahamzadeh) re-entered the Council Chamber at 6.00pm.

It was then –

Moved by Councillor Hyde,
Seconded by Couros -

THAT COUNCIL**1. Report of the Audit and Risk Committee – 30 September 2022****THAT COUNCIL**

1. Notes the report of the meeting of the Audit and Risk Committee held on 30 September 2022.

2. Audited Financial Statements & Report on Financial Results**THAT COUNCIL**

1. Considers that the Consolidated Financial Statements present fairly the financial position of the City of Adelaide, having reviewed the Consolidated Financial Statements for 2021-22, contained in Attachment A to Item 5.2 on the Agenda for the meeting of the Audit and Risk Committee held on 30 September 2022.
2. Receives the City of Adelaide's Consolidated Financial Statements for 2021-22, contained in Attachment A to Item 5.2 on the Agenda for the meeting of the Audit and Risk Committee held on 30 September 2022, subject to minor administrative changes and subsequent balance date event adjustments, to be certified by the Chief Executive Officer and the Lord Mayor.
3. Considers it is appropriate that the representation letter requested by the external auditor, contained in Attachment B to Item 5.2 on the Agenda for the meeting of the Audit and Risk Committee held on 30 September 2022, is signed by management.
4. Notes the Certification of Auditor Independence contained in Attachment C to Item 5.2 on the Agenda for the meeting of the Audit and Risk Committee held on 30 September 2022 by the Chief Executive Officer and the Presiding Member of the Audit and Risk Committee.
5. Notes the audited Adelaide Central Market Authority Financial Statements for 2021-22 as contained in Attachment D to Item 5.2 on the Agenda for the meeting of the Audit and Risk Committee held on 30 September 2022, have been reviewed by the Adelaide Central Market Authority Board at its meeting on 22 September 2022. These financial results have been included in the Consolidated Financial Statements of the City of Adelaide and:
 - 5.1. Considers the Financial Statements for 2021-22 present fairly the financial position of the Adelaide Central Market Authority.
 - 5.2. Considers it is appropriate that the representation letter requested by the external auditor of the Adelaide Central Market Authority, contained in Attachment F to Item 5.2 on the Agenda for the meeting of the Audit and Risk Committee held on 30 September 2022, is signed by management.
 - 5.3. Notes the Certification of Auditor Independence in relation to Adelaide Central Market Authority, contained in Attachment E to Item 5.2 on the Agenda for the meeting of the Audit and Risk Committee held on 30 September 2022 is signed by the Chief Executive Officer and the Presiding Member of the Audit and Risk Committee.
 - 5.4. Notes the representation letter requested by the external auditor of the Central Market Marketing Fund, contained in Attachment H to Item 5.2 on the Agenda for the meeting of the Audit and Risk Committee held on 30 September 2022, is signed by management.
 - 5.5. Notes the audited Central Market Marketing Fund (CMMF) Financial Statements for 2021-22 as contained in Attachment G to Item 5.2 on the Agenda for the meeting of the Audit and Risk Committee held on 30 September 2022, have been audited and present fairly the position of the CMMF.
6. Notes the Adelaide Economic Development Agency Financial Statements for 2021-22, contained in Attachment I to Item 5.2 on the Agenda for the meeting of the Audit and Risk Committee held on 30 September 2022, have been reviewed by the Adelaide Economic Development Agency Board at its meeting on 26 September 2022. These financial results are

included in the Consolidated Financial Statements of the City of Adelaide, and

- 6.1. Considers the Financial Statements for 2021-22 present fairly the financial position of the Adelaide Economic Development Agency.
 - 6.2. Notes the Certification of Auditor Independence in relation to Adelaide Economic Development Agency, contained in Attachment J to Item 5.2 on the Agenda for the meeting of the Audit and Risk Committee held on 30 September 2022 is signed by the Chief Executive Officer and the Presiding Member of the Audit and Risk Committee.
 - 6.3. Notes the representation letter requested by the external auditor of the Adelaide Economic Development Agency, contained in Attachment K to Item 5.2 on the Agenda for the meeting of the Audit and Risk Committee held on 30 September 2022, is signed by management.
7. Notes the Adelaide Park Lands Authority Financial Statements for 2021-22, contained in Attachment L to Item 5.2 on the Agenda for the meeting of the Audit and Risk Committee held on 30 September 2022, are included in the Consolidated Financial Statements of the City of Adelaide, and
 - 7.1. Considers the Financial Statements for 2021-22 present fairly the financial position of the Adelaide Park Lands Authority and can be certified by the Lord Mayor as Chair of Adelaide Park Lands Authority.
 - 7.2. Considers it is appropriate that the representation letter requested by the external auditor of the Adelaide Park Lands Authority, contained in Attachment M to Item 5.2 on the Agenda for the meeting of the Audit and Risk Committee held on 30 September 2022, is signed by management.
 - 7.3. Notes the Certification of Auditor Independence in relation to the Adelaide Park Lands Authority, contained in Attachment N to Item 5.2 on the Agenda for the meeting of the Audit and Risk Committee held on 30 September 2022, and considers it is appropriate to be signed by the Chief Executive Officer and the Presiding Member of the Audit and Risk Committee.
 8. Notes the Brown Hill and Keswick Creeks Stormwater Board's Financial Statements for 2021-22 as contained in Attachment O to Item 5.2 on the Agenda for the meeting of the Audit and Risk Committee held on 30 September 2022. Council's equity interest of 8% is included in the Consolidated Financial Statements of the City of Adelaide.
 9. Recommends the 2021-22 Consolidated Financial Statements of the City of Adelaide, and the Financial Statements of the Adelaide Park Lands Authority, Adelaide Central Market Authority and, Brown Hill and Keswick Creeks Stormwater Board be presented to Council for noting on 11 October 2022 and inclusion in the adopted Annual Report.
 10. Notes the 2021-22 Report on the financial results for the City of Adelaide and its subsidiaries, contained in Attachments P, Q, R and S to Item 5.2 on the Agenda for the meeting of the Audit and Risk Committee held on 30 September 2022.

Discussion ensued

The motion was then put and carried

Councillor Hyde requested that a division be taken on the motion

Division

For (6):

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

Against (3):

Councillors Martin, Moran and Snape.

The division was declared in favour of the motion

22 Exclusion of the Public

Nil

23 Confidential Reports for Council (Chief Executive Officer's Reports)

Nil

24 Item 13 - Lord Mayor's Reports

Councillor Hyde left the Council Chamber at 6.03pm.

The Lord Mayor addressed the meeting as follows:

‘Tonight, Council has adopted its 2022 financial result, which includes a \$977,000 operating surplus - turning an operating deficit into a surplus for the first time in nine years while freezing the rate in the dollar for the ninth consecutive year.

This is a significant achievement, especially given the impacts of COVID-19 and the more than \$20 million in support Council has provided to our businesses and community, including our extensive efforts to attract people back into the city.

I would like to thank our CEO Clare Mockler and the administration for their diligence in bringing the budget back into the black while also achieving \$24 million in savings.

This work has been done while delivering a capital program of more than \$45.2 million (up from \$32.3 million the previous financial year) and quarantining \$21 million in Council’s Future Fund for strategic investment into new revenue generating in new assets and opportunities to grow our city in the future.

Also on the agenda tonight is Council’s End of Term report and it really is remarkable how much has been achieved for our community over the past four years.

Unlike previous Councils, we have had a global pandemic to contend with and in addition to the rapid and ongoing support for our businesses, Council kept our community safe and connected during the 2020 and 2021 shutdowns and the devastating Omicron wave earlier this year.

We increased the cleansing of public spaces, automated all of our pedestrian crossings, facilitated access to vaccinations and testing as well as assisted vulnerable residents to access groceries and medication and stay connected to friends and family.

Despite the unprecedented circumstances we found ourselves in, we continued to shape our city for the future with once in a generation projects like Eighty Eight O’Connell and Market Square getting underway.

We also continued to be a city of firsts leading the way with the first Kauria Kardla Parranthi / Cultural Burn in the Adelaide Park Lands in more than 200 years and becoming the first Council in South Australia to be accredited carbon neutral.

Our city is better placed for the future as a result of the work we have done over the past four years and I’d like to thank members for their contribution and representation of our city ratepayers, residents and businesses.

For the members who aren’t running again, thank you for your service to the City of Adelaide and to those who are, I wish you the best of luck.’

It was then –

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

That the report be received and noted.

Carried

25 Councillors' Reports**26 Item 14.1 - Reports from Council Members**

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

THAT COUNCIL

1. Notes the Council Member activities and functions attended on behalf of the Lord Mayor (Attachment A to Item 14.1 on the Agenda for the meeting of the Council held on 11 October 2022).
2. Notes the summary of Council Members meeting attendance (Attachment B to Item 14.1 on the Agenda for the meeting of the Council held on 11 October 2022).
3. Notes that reports from Council Members tabled at the meeting of the Council held on 11 October 2022 be included in the Minutes of the meeting.

Councillor Hyde re-entered the Council Chamber at 6.06pm.

The motion was then put and carried

27 Item 15 - Questions on Notice**Item 15.1 – Councillor Martin – Question on Notice – Central Market Arcade Air Rights**

The Question and Reply distributed and published prior to the meeting, was taken as read.

The tabled Reply for Item 15.1 is attached for reference at the end of the Minutes of this meeting.

28 Questions without Notice

Discussion ensued

29 Motions on Notice**30 Item 17.1 - Councillor Martin - MoN - Protecting Park 27**

Moved by Councillor Martin,
Seconded by Councillor Moran -

That Council;

1. Noting the announcement by the State Government that it will develop a new Women's and Children's Hospital on the site of the Police Barracks on Park 27, resolves to request the Lord Mayor to write to each member of the Legislative Council to urge them to reject any future legislation that would lead to any development at that site and any loss of state heritage listed buildings through demolition.

Discussion ensued, during which Deputy Lord Mayor (Councillor Abrahamzadeh) left the Council Chamber at 6.14pm.

Amendment –

Moved by Councillor Hyde,
Seconded by Councillor Knoll -

That the motion be amended by the inclusion of an additional part 2 to read as follows:

- '2. Furthermore, requests the Lord Mayor include details relating to the deficiency of the Government's approach giving particular regard to a lack of consultation with the Council and Kadaltilla/Adelaide Park Lands Authority and the community. The Lord Mayor may wish to make a comparison with the previous Government's approach and consultation with Kadaltilla/Adelaide Park Lands Authority and Council.'

Discussion ensued, during which Deputy Lord Mayor (Councillor Abrahamzadeh) re-entered the Council Chamber at 6.20pm.

The amendment was then put and carried

Councillor Martin requested that a division be taken on the amendment

Division**For (5):**

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

Against (4):

Councillors Donovan, Martin, Moran and Snape.

The division was declared in favour of the amendment

With consent of the mover, seconder and the meeting, the Lord Mayor advised that the motion, as amended, would be taken in parts.

Discussion continued

Part 1 of the motion, as amended, was then put and carried unanimously

Part 2 of the motion, as amended, was then put and carried

Councillor Moran left the meeting at 6.43pm.

31 Motions without Notice

Nil

Closure

The meeting closed at 6.43 pm

Clare Mockler,
Chief Executive Officer

Sandy Verschoor
Lord Mayor

Central Market Arcade Air Rights

Tuesday, 11 October 2022
Council

Council Member
Councillor Martin

Public

Contact Officer:
Tom McCready, Director City
Services

QUESTION ON NOTICE

Councillor Martin asked the following Questions without Notice:

'Noting the Advertiser report published on August 21st 2021 and stating that Council had been paid \$28 million for the air rights above the redeveloped Central Market Arcade known as Market Square, could the Administration advise if this amount has been added to the Future Fund calculations shown on page 9 of the Council's Long Term Financial Plan under the heading Future Fund and Investment Policy and, if not, why not?'

REPLY

1. The Project Delivery Agreement (PDA) for the Central Market Arcade Redevelopment incorporates a sale of air rights.
2. The PDA stipulates that this air rights payment is to be deducted from the total cost of Council's returnable works. Therefore, there are no cash funds received from the sale of air rights, rather it is accounted for as an offset of monies owed for the returnable works portion of the contract.
3. Given this treatment, the sale of air rights is not recognised in the Future Fund. The Future Fund and Investment Policy refers to proceeds from asset sales to be deposited into the fund. Accordingly, this has not been accounted for in the Long Term Financial Plan.

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