



# CITY FINANCE AND GOVERNANCE COMMITTEE AGENDA & REPORTS

for the meeting

Tuesday, 21 March 2023

at 5.30 pm

in the Colonel Light Room, Adelaide Town Hall

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Members – The Right Honourable the Lord Mayor, Lord Mayor, Dr Jane Lomax-Smith  
Deputy Lord Mayor, Councillor Dr Siebentritt (Chair)  
Councillors Abrahamzadeh, Couros, Davis, Elliott, Giles, Hou, Li, Martin, Noon and Snape

**1. Acknowledgement of Country**

At the opening of the City Finance and Governance Committee meeting, the Chair will state:

‘Council acknowledges that we are meeting on traditional Country of the Kurna people of the Adelaide Plains and pays respect to Elders past and present. We 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. Apologies and Leave of Absence**

On Leave -

Councillors Elliott and Snape.

**3. Confirmation of Minutes**

That the Minutes of the meeting of the City Finance and Governance Committee held on 7 February 2023, be taken as read and be confirmed as an accurate record of proceedings.

**4. Workshops**

4.1	Draft 2023/24 AEDA Business Plan and Budget	3 - 33
4.2	Draft 2023/24 ACMA Business Plan and Budget	34 - 53
4.3	Fees and Charges 2023-24	54 - 78
4.4	2023/24 Business Plan & Budget - Rating Approach and Process	79 - 102

**5. Reports for Noting**

5.1	2022/23 Q4 Quarterly Forward Procurement Report	103 - 107
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**6. Reports for Recommendation to Council**

6.1	ACMA Strategic Plan 2023–28	108 - 136
6.2	Financial Principles to Build the 2023-24 Budget	137 - 143
6.3	Cybersecurity Update	144 - 153
6.4	Meeting Procedures	154 - 183
6.5	Kadaltilla Charter Amendment	184 - 210

**7. Closure**

## Draft AEDA 2023/24 Business Plan and Budget

**Tuesday, 21 March 2023**  
**City Finance and Governance Committee**

Strategic Alignment - Enabling Priorities

**Presenter:**  
Greg Ratsch – Acting Managing Director, AEDA

Public

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## PUPOSE OF THIS WORKSHOP

To seek views of Council Members on planned actions in the draft Adelaide Economic Development Agency (AEDA) 2023/23 Business Plan and Budget.

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## KEY QUESTIONS

Do Council Members have any feedback on the planned actions in the draft AEDA 2023/24 Business Plan and Budget?

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- END OF REPORT -

# Enabling Priorities

To seek views of Council Members on planned actions in the draft AEDA 2023/24 Business Plan and Budget

Adelaide Economic Development Agency  
Greg Ratsch



CITY OF  
ADELAIDE



# Draft AEDA 2023/24 Business Plan and Budget

## Key Messages

- Clause 8(1) of Schedule 2 of the *Local Government Act 1999* (SA) states “A subsidiary must, in consultation with the council, prepare and adopt a business plan consistent with its charter.”
- The draft AEDA 2023/24 Business Plan and Budget (draft BP&B) has been prepared in accordance with Section 6.2 of the AEDA Charter which requires AEDA to produce an annual business plan and budget consistent with the Charter and to submit to Council for approval.
- The draft budget has been prepared to ensure efficient delivery of actions outlined in the draft BP&B.
- Noting that a review is being undertaken to examine AEDA’s performance against its Charter and ensure the most appropriate governance and delivery model is in place to support and accelerate economic activity in the City of Adelaide, the outcomes of the review may have implications on the nature of the activities proposed to be delivered through the Business Plan.

Insert Workshop Title  
**Key Questions**



**KEY QUESTION**

Do Council Members  
have any feedback on  
the planned actions in  
the draft AEDA  
2023/24 Business  
Plan and Budget?

# Draft AEDA 2023/24 Business Plan and Budget Implications



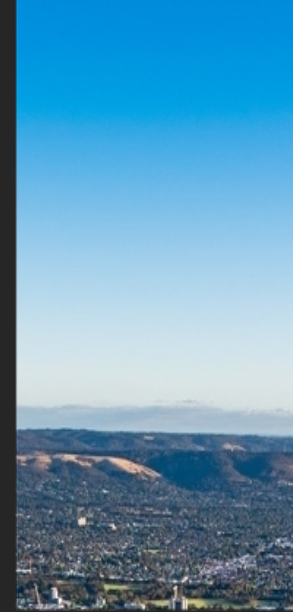
Page 7

Implication	Comment
Policy	Not as a result of this workshop
Consultation	Not as a result of this workshop
Budget Considerations	Not as a result of this workshop
Risk / Legal / Legislative	Not as result of this workshop
Opportunities	Provide feedback on the draft planned actions to be delivered by AEDA in the 2023/24 financial year

# Adelaide Economic Development Agency

Page 8

## Draft 2022 – 2023 Business Plan and Budget





# AEDA Introduction

The Adelaide Economic Development Agency (AEDA) is an initiative within the City of Adelaide 2020-2024 Strategic Plan and is set up as a fully owned subsidiary of the City of Adelaide under Section 42 of the *Local Government Act 1999 (SA)*

AEDA commenced operating on 18 January 2021

AEDA supports city, residential, student, business and visitor growth; and promotes Rundle Mall

AEDA is governed by a Charter with a skills-based Board appointed by Council

The AEDA Charter can be accessed via this [link](#).



# AEDA Overview

CoA 2020-2024 Strategic Plan - Vision

Adelaide. The most liveable city in the world.

AEDA Purpose

To accelerate growth in the city by attracting investment and supporting businesses, growing the visitor economy, supporting residential growth, growing an annual events calendar and marketing the city as a whole including Rundle Mall

Business Plan

This Business Plan outlines proposed actions within Focus Areas and measures for FY 2023/24

Budget

All actions have been budgeted for (unless noted)



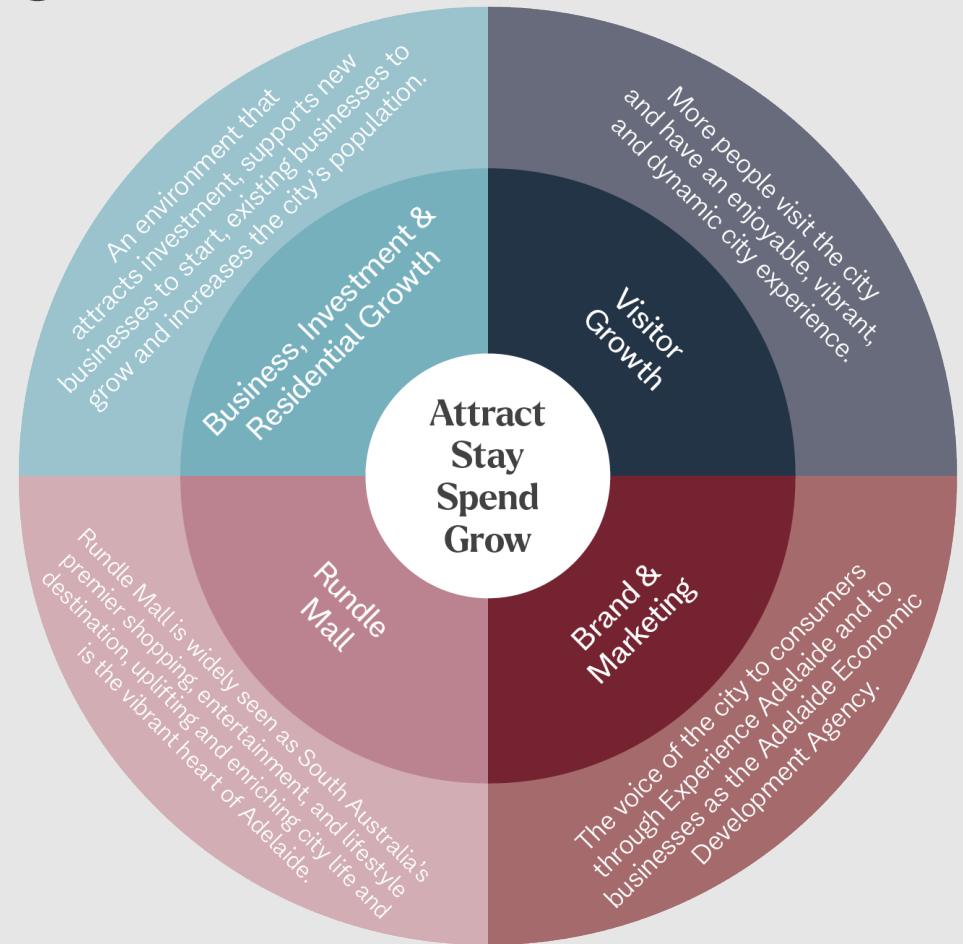
# Draft Business Plan FY 2023/24



# Objects & Purposes

The objects and purposes as outlined in the AEDA Charter are:

- To accelerate economic growth in the City of Adelaide by attracting investment and supporting businesses, festivals and events, as well as visitor, student and residential growth
- To promote the City of Adelaide as destination and ‘magnet city’ and increase its visitation and use by residents, workers, visitors and the community in general
- To position the Rundle Mall as the State’s premier retail and commercial shopping precinct in order to sustain retail, business and economic viability; and
- To ensure that the Agency operates within the terms of the Charter and Council’s Strategic Plan





# Business, Investment & Residential Growth

**An environment that attracts investment, supports new businesses to start, existing businesses to grow and increase the city's population.**

## Outcomes

- More people are working and living in the city including students
- New workers better integrate into the life of the city
- Existing businesses grow and new firms, including retailers, choose the city
- The city's innovation assets drive greater economic benefit for the city
- Enhanced partnerships with the state government, private investors and industry groups to stimulate residential and commercial development



# Business, Investment & Residential Growth

## 2023/24 Planned Actions

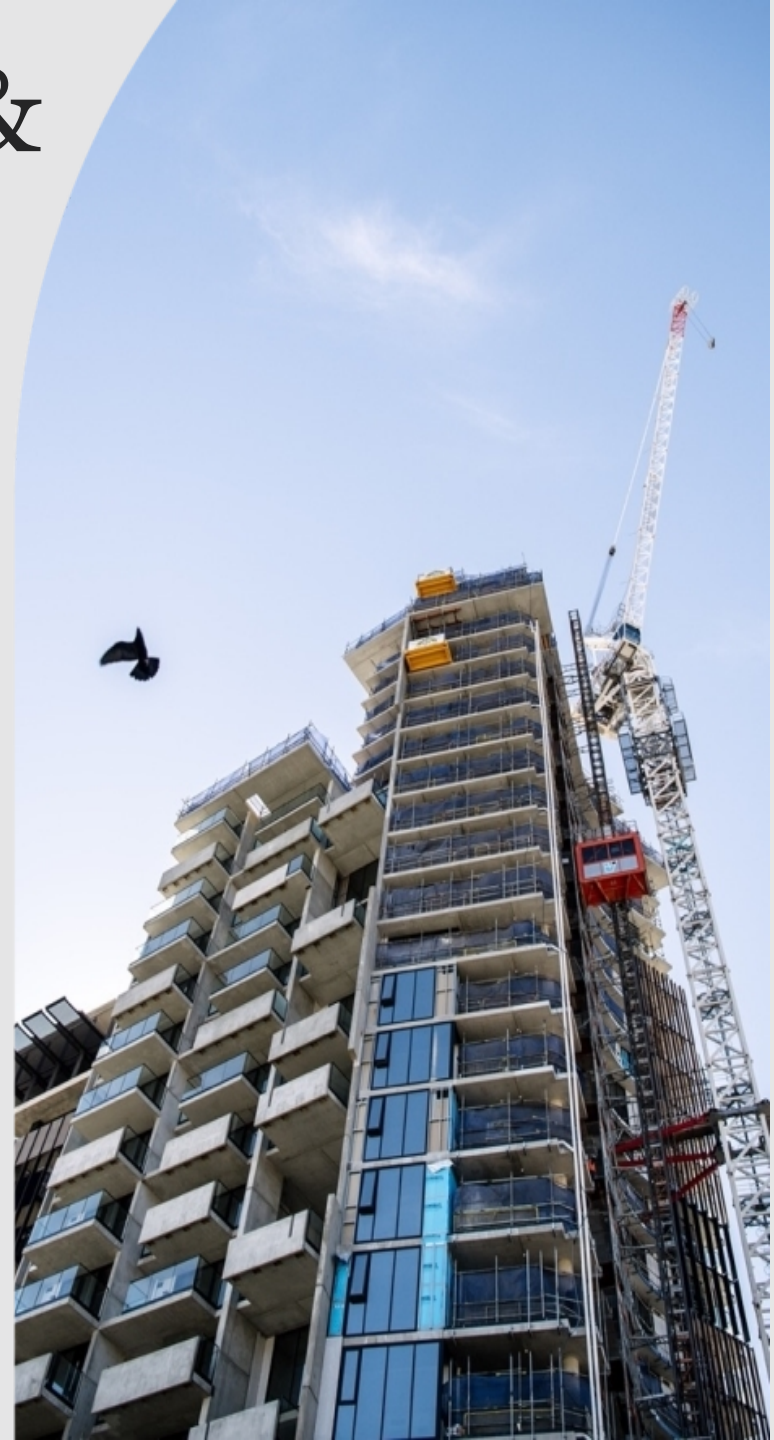
- Increase investment and the number of workers in the city by:
  - Collaborating with state government on initiatives to attract inbound investment initiatives for sectors including space, defence, health, hi tech (VFX, Gaming, FinTech, AI, Climate-Tech)
  - Directly targeting firms in industries that are large occupiers of commercial office space that can either expand or relocate into the city (business / professional / financial services)
  - Working with city-based firms to support their growth
  - Proactively seeking new investment opportunities including purpose-built student accommodation, new events and retail brands
  - Investigating development of an interstate and overseas presence to be closer to where investors are and investment decisions are made
- Work with institutional investors and developers to increase the residential product mix in the city
- Identify and progress opportunities to improve the economic performance of King William Street, mainstreets and precincts
- Provide high quality, current information and data through research, thought leadership and online platforms
- Engage with the business community through activities such as AEDA Business Summit and Data4Lunch



# Business, Investment & Residential Growth

## 2023/24 Planned Actions (cont.)

- Provide high quality, current information and data through research, thought leadership and online platforms
- Engage with the business community through activities such as AEDA Business Summit and Data4Lunch
- Engage with the business community through activities such as AEDA Business Summit and Data4Lunch
- Build on existing arrangements with organisations funded through the Strategic Partnerships Program to increase the number of students; increase, and capitalise on, business events; support a culture of entrepreneurship; activate vacant shopfronts and commercial spaces; and enhance Adelaide's festival sector
- Support the efforts of businesses to attract workers and engage new employees into the life of the city
- Progress partnership opportunities with entities including Lot Fourteen and Biomed City, the higher education sector and other organisations to enhance the city's capital city and central business district role
- Redesign the approach to supporting the growth and establishment of small businesses in the city
- Management of the Strategic Partnerships Program





# Business, Investment & Residential Growth

## Measurement

- 50 inward investment proposals / local expansions supported, with at least 10,000sqm of office space committed to
- 1,000 Welcome to Adelaide employee introduction packs distributed
- 30+ vacant shopfronts / premises activated
- Deliver AEDA Business Summit
- Deliver 3 industry briefing events



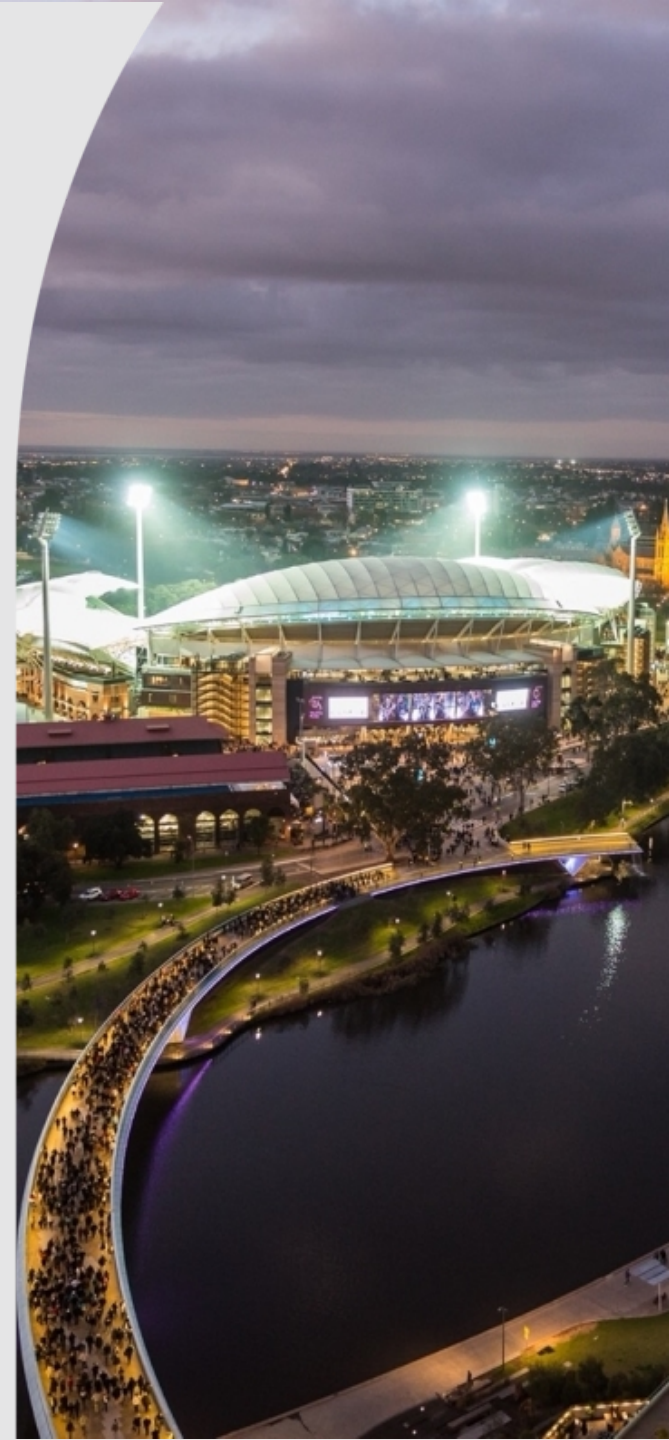


# Visitor Growth

**More people visit the city and they have an enjoyable, vibrant and dynamic city experience.**

## Outcomes

- Adelaide is a world class events city hosting a diverse range of festivals and events, including business events, spread across the city over the year
- More events, activations and experiences that bring people into the city
- Strengthened partnerships with the private and public sectors to increase awareness of the city, leading to increased bookings from regional, national and international visitors
- People are more easily able to find information about what to do in the city before they arrive and during their visit



# Visitor Growth

## 2023/24 Planned Actions

- Complete and open an innovative, technology-driven Visitor Experience Centre and city-wide digital visitor experience to replace the existing visitor information service
- Operate the Visitor Information Centre in accordance with the accredited information centre requirements
- Minimise disruption to the customer experience during transition from the current Visitor Information Centre to the new centre
- Develop product knowledge of volunteers and staff to ensure excellent customer service and accurate information at the centre
- Broaden the city's calendar of events and work with the state government to maximise the benefits for the city of major, state-led events
- Continue partnership with the South Australian Tourism Commission to market, promote and provide services to increase the number of visitors to the city
- Deliver and administer the Events and Festivals Sponsorship Program
- Manage and improve the approach taken to funding Events and Festivals
- Support and build capability of city tourism businesses to develop new commissionable products and experiences
- Leverage consumer and business events to drive promotion and sales for city businesses
- Redesign and implement a Strategic Events Fund (pending Council's budget decisions)





# Visitor Growth

## Measurement

- Delivery of the new Experience Adelaide Visitor Centre
- Maintain accreditation of the Visitor Information Centre
- 8 training sessions with VIC volunteers and staff
- 2 destination marketing campaigns or initiatives with the state government to increase the number of people visiting the city
- 20 new bookable city tourism products / experiences
- City hotel occupancy above 70%



# Rundle Mall

**Rundle Mall is widely seen as South Australia's premier shopping, entertainment and lifestyle destination, uplifting and enriching city life and is the vibrant heart of Adelaide.**

## Outcomes

- Rundle Mall is attractive to prospective premium flagship retail and hospitality businesses
- A vibrant destination that leverages exclusive city-wide events and festivals and trials new and innovative retail concepts
- An uplifted visitor experience with the introduction of new capital investment into Rundle Mall and its laneways
- Rundle Mall is an unrivalled shopping and lifestyle experience that delivers bold activations and installations





# Rundle Mall

## 2023/24 Planned Actions

- Commence implementation of key recommendations from the Rundle Mall place vision projects, focusing on key strategic opportunities that include:
  - New Rundle Mall sound system (pending Council's budget decisions)
  - Entertainment precinct development
  - Laneway vibrancy and activation projects
- Seek out new retail brands in key national markets, underpinned by development of a business-to-business attraction plan
- Work with retailers and property owners to identify and inform them of emerging strategic opportunities
- Target retail brand activations and on-Mall experiences that compliment the Rundle Mall vision
- Support Renew Adelaide to activate vacancies with retail and creative concepts that improve the tenancy mix in Rundle Mall centres, arcades, and laneways, with an emphasis on underutilised level 1 tenancies
- Deliver marketing activity that enhances the brand position of Rundle Mall and attracts more shoppers and stimulates spend, including:
  - Retail marketing highlighting precinct range, brands and products
  - Maintain engagement in digital channels
  - Progression of business-to-business strategy
  - Events & activations



# Rundle Mall

## Measurement

- 3 recommendations from Rundle Mall place vision workshop implemented
- 5 major brands committed to Rundle Mall
- Stakeholders agree that the volume and quality of communication and data / insights to stakeholders has improved over the previous 12 months
- Rundle Mall average strip vacancy rates below 8%
- 3 significant campaigns that are aligned with exclusive city events / festivals
- Uplift in foot traffic across 3 major events / festivals
- Uplift in market share across 3 major events / festivals
- MAT market share remains above 5%



# Brand & Marketing

The voice of the city to consumers through Experience Adelaide and to businesses as the Adelaide Economic Development Agency

## Outcomes

- Unified key messaging and branding of the city to an intrastate, interstate and international audience
- More workers, residents and visitors in the city
- Increased spend in the city
- AEDA is considered a valuable partner for businesses and other organisations with a mutual interest in enhancing the city's economy





# Brand & Marketing

## 2023/24 Planned Actions

- Deliver and execute an AEDA marketing strategy that will assist in achieving the actions and outcomes of each key result area
- Provide opportunities for businesses to participate in, or leverage marketing investment (including state government led projects)
- Raise awareness of AEDA's purpose and how organisations can interact and benefit from programs in the city business community
- Develop Experience Adelaide to be a known destination digitally or physically (once the new visitor centre is built) and to plan and navigate a memorable visitor experience in the city
- Partner with state government on joint marketing initiatives designed to increase the city's profile as a place to invest, work, live and visit
- Collaborate with government departments and agencies to develop a consistent approach to capital city and state promotion (across tourism, trade and investment, Department of the Premier and Cabinet)
- Enhance and grow AEDA's communication channels, platforms and tools to communicate directly with consumers and businesses about what's happening in the city and opportunities
- Deliver activations and events such as ADL Fashion Week to increase awareness and support the growth of targeted industry sectors (pending Council's budget decisions)
- Work with eligible city retail businesses to establish e-commerce capability and provide business development support through marketing campaigns and initiatives promoting byADL.com.au (digital marketplace)
- Deliver campaigns that promote the city as a destination to invest, live and visit



# Brand & Marketing

## Measurement

- Generate \$2 million in advertising space rate with reference to City of Adelaide / AEDA
- Support participating businesses to achieve 2,000 sales through byADL
- Total city expenditure above \$4.45b



# Draft Budget FY 2023/24



# Budget

The AEDA Budget has been prepared to ensure efficient delivery of actions outlined in the Draft AEDA Business Plan and received AEDA Board approval on 7 March 2023 for submission to Council as a draft budget for consultation purposes.

- \$11.7m annual budget including Rundle Mall levy equating to 5% of the City of Adelaide's annual budget
- \$7.4m is CoA appropriation which is approximately 3.4% of City of Adelaide's total budget
- AEDA has 31.6 FTE including vacancies, equating to 4.3% of the City of Adelaide's total FTE count

## Rundle Mall Levy

- Differential rate in the dollar frozen
- Levy income is based on average property valuations and a vacancy provision



# Income Summary

<b>AEDA Income Summary</b>	<b>AEDA Draft FY 2023/24 Budget</b>
Contribution from City of Adelaide	\$7,460,798
Rundle Mall Levy	\$3,920,416
Forecasted Rundle Mall revenue programs	\$360,000
<b>Total Income</b>	<b>\$11,741,214</b>

# AEDA Expenditure

<b>AEDA Expenditure Summary</b>	<b>AEDA Draft FY 2023/24 Budget</b>
Business, Investment & Residential Growth	\$2,577,950
Visitor Growth	\$3,013,542
Brand and Marketing	\$1,869,306
Rundle Mall Marketing and Activations Expenditure*	\$2,479,025
Rundle Mall Admin   Operations*	\$1,801,391
<b>Total Expenditure</b>	<b>\$11,741,214</b>

\* Further information over page



# Rundle Mall

<b>Rundle Mall Finance Summary</b>	<b>Draft FY 2023/24 Budget</b>
Rundle Mall Levy Income	(\$3,920,416)
Rundle Mall Supplementary Revenue	(\$360,000)
Admin   Operations Expenditure	\$1,801,391
Marketing   Activations	\$2,479,025

# Rundle Mall

<b>Rundle Mall Admin   Operations Expenditure</b>	<b>Draft FY 2023/24 Budget</b>
Security Retainer	\$298,648
Employee Costs	\$1,231,298
Business & Investment Support	\$181,089
Utilities, Storage Rent, Licenses, Insurance	\$90,356
<b>Total Admin   Operations Expenditure</b>	<b>\$1,801,391</b>

# Rundle Mall

<b>Rundle Mall Marketing   Activations Expenditure</b>	<b>Draft FY 2023/24 Budget</b>
Major Events & Activations (eg Christmas, Lunar New Year)	\$1,659,350
Marketing Services	\$326,115
Rundle Mall Assets Branding	\$133,120
Research & Insights	\$44,640
Placemaking & Vibrancy Opportunities	\$266,600
Other Expenditure	\$49,200
<b>Total Marketing   Activations Expenditure</b>	<b>\$2,479,025</b>

# Thank You





## Workshop - Draft 2023/24 ACMA Business Plan and Budget

**Tuesday, 21 March 2023**  
**City Finance and Governance  
Committee**

Strategic Alignment - Strong Economies

**Presenters**  
Jodie Kannane – General  
Manager ACMA

Public

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### PURPOSE OF WORKSHOP

The purpose of this workshop is to seek the views of Council Members on planned actions in the draft ACMA 2023/24 Business Plan and Budget.

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### KEY QUESTIONS

Do Council Members have any feedback on the planned actions in the draft ACMA 2023/24 Business Plan and Budget?

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- END OF REPORT -

# Enabling Priorities

To seek views of Council Members on  
planned actions in the draft ACMA  
2023/24 Business Plan and Budget

Adelaide Central Market Authority  
Jodie Kannane, General Manager

# Draft ACMA 2023/24 Business Plan and Budget

## Key Messages

- Clause 8(1) of Schedule 2 of the *Local Government Act 1999* (SA) states “A subsidiary must, in consultation with the council, prepare and adopt a business plan consistent with its charter.”
- The draft ACMA 2023/24 Business Plan and Budget (draft BP&B) has been prepared in accordance with Section 6.2 of the ACMA Charter which requires ACMA to produce an annual business plan and budget consistent with the Charter and to submit to Council for approval.
- The draft budget has been prepared to ensure efficient delivery of actions outlined in the draft BP&B.



**KEY QUESTION**

Do Council Members  
have any feedback on  
the planned actions in  
the draft ACMA  
2023/24 Business  
Plan and Budget?



# Insert Workshop Title

## Implications



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Implication	Comment
Policy	Not as a result of this workshop
Consultation	Not as a result of this workshop
Budget Considerations	Not as a result of this workshop
Risk / Legal / Legislative	Not as a result of this workshop
Opportunities	Provide feedback on the draft planned actions to be delivered by ACMA in the 2023/24 financial year

# Adelaide Central Market Authority

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Draft Business Plan and Budget  
2023/24



Adelaide Central  
Market Authority

# ACMA OVERVIEW

## STRATEGIC PLAN

The draft 2023-2028 Adelaide Central Market Authority Strategic Plan has been developed and is to be reviewed and adopted by Council. The draft Business Plan 2023/24 outlines the actions to deliver the new strategy.

## BUSINESS PLAN

This Business Plan 2023/24 outlines proposed actions within strategic pillars and measures which has been endorsed by the ACMA Board.

## BUDGET

All actions have been budgeted for (unless noted).

## OUR PURPOSE

To be a world leading food and produce market that shares enduring connection with our community.

## OUR PLAN

To operate sustainably as a thriving team of Traders, Board and Management who create unique, diverse and memorable customer experiences that enhance our precinct, city and state.

## OUR AMBITION

To grow the market by attracting more residents, visitors and workers who shop regularly.



# Strategic Pillars

## OUR CUSTOMERS

We will keep customer experiences at the heart of all decisions, every day.

- 1.1 Know our customer**
- 1.2 Engage our customer**
- 1.3 Deliver extraordinary customer experience**

## OUR TRADERS

We will work with our traders to support them in the delivery of an exceptional shopping experience.

- 2.1 Support Trader success**
- 2.2 Maintain & Grow Trader advocacy**

## OUR BUSINESS

We will take a responsible and sustainable approach to our business in pursuing positive long-term financial results.

- 3.1 Ensure our Market is financially self sufficient**
- 3.2 Deliver Retail & Leasing Strategy**
- 3.3 Deliver Marketing Strategy**
- 3.4 Ensure the Market remains safe & secure environment**
- 3.5 Treat Traders as business partners**
- 3.6 Deliver brilliant basics**
- 3.7 Focus on people and capability**

## OUR COMMUNITY

We will make a valuable contribution to the economic, social and cultural wellbeing of our precinct and community.

- 4.1 Connect with our community**
- 4.2 Contribute to the wider Market precinct**

## OUR MARKET

We will deliver infrastructure and programs that address the current and emerging needs of our customers and traders.

- 5.1 Ensure quality outcomes for our Market**
- 5.2 Review technology systems to inform decision making**





# Adelaide Central Market Authority

Draft Business Plan 2023/24

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Adelaide Central  
Market Authority

# ACMA Objects & Purposes

The objects and purposes as outlined in the ACMA Charter are:

- Oversee the management and operation of the Market
- Be responsible for maintaining and enhancing the iconic standing of the Market for the benefit of all stakeholders
- Be responsible for the Market being recognised locally and internationally as a vibrant, diverse and unique fresh produce market community that is commercially sustainable for traders and the City of Adelaide
- Contribute to the development of the wider market district
- Be financially self sufficient in terms of its operations





# Our Customers

We will keep customer experiences at the heart of all decisions, every day

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## OBJECTIVE

### KNOW OUR CUSTOMER

Update quantitative understanding of customer perception, barriers, pain points and delights

Evolve Customer Journey analysis to understand why customers haven't visited recently, bring more people to the Market and keep them coming back

Align trading hours to customer preferences

## MEASURES

Deliver trend and insights reports and action as needed

Trader group facilitation of trader lead change of core trading hours

### ENGAGE OUR CUSTOMER

Market Vibrancy: elevate events and activations

Deliver Bastille Day, Seafood & Sounds, Sauce Day, school holiday programs, live music, producer in residence

Collaborate with AEDA/SATC to connect major events

Event calendar, traffic, PIR occupancy, mutually beneficial relationships

### DELIVER EXTRAORDINARY CUSTOMER EXPERIENCES

Unique experiences: create enjoyable & unique shopping experiences

Online Market

Deliver lighting project in busy customer zone (subject to capital)

Online customer survey, investigate corporate orders, customer brochure



# Our Traders

We will work with our traders to support them in the delivery of an exceptional shopping experience

## OBJECTIVE

### SUPPORT TRADER SUCCESS

### MAINTAIN AND GROW TRADER ADVOCACY

## INITIATIVE/ACTION

Support traders with retail visual merchandiser to identify key areas of improvement

Develop new Trader induction program

Engage trader group to establish trader reward program for improved customer experience

Provide opportunities and resources for trader training

## MEASURES

Consultant recommendations actioned

Deliver program

Trader feedback and sentiment

Level of engagement with traders

Trader use of digital channels





# Our Business

We will take a responsible and sustainable approach to our business in pursuing positive long-term financial results

OBJECTIVE	ENSURE OUR MARKET IS FINANCIALLY SELF SUFFICIENT	DELIVER RETAIL & LEASING STRATEGY	DELIVER MARKETING STRATEGY
INITIATIVE/ACTION	Identify cost efficiencies  Maintain strong leasing occupancy  Update independent retail valuations and leasing framework	Curate retail mix  Develop new fit out guidelines including Market Expansion	Deliver annual marketing plan & calendar of events  Clear customer communication upon reduction of car park bays for redevelopment and open for business messaging  Leverage city events to increase Market profile and develop targeted tourism product
MEASURES	Lease occupancy %  Lease revenue  Deliver leasing valuation and framework project	Lease renewal profile  Develop and implement Design Guidelines  Customer insights and satisfaction	Event visitation  Customer feedback and insights  Deliver self guided tour



# Our Business

We will take a responsible and sustainable approach to our business in pursuing positive long-term financial results

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## OBJECTIVE

**ENSURE MARKET REMAINS SAFE & SECURE ENVIRONMENT**

**TREAT TRADERS AS BUSINESS PARTNERS**

**DELIVER BRILLIANT BASICS**

**FOCUS ON PEOPLE AND CAPABILITY**

## INITIATIVE/ACTION

Manage security contract

Establish new trader group format

Manage cleaning and waste contracts

Health and wellbeing program

Review trader communication channels

Training opportunities

## MEASURES

Number of incidents  
Regular SAPOL meetings

Level of trader engagement  
Open rate of Trader newsletter  
Trader feedback

Ongoing cleaning inspections completed  
Contractor compliance  
Customer feedback

Deliver employee program  
Staff retention and culture survey





# Our Community

We will make a valuable contribution to the economic, social and cultural wellbeing of our precinct and community

**OBJECTIVE**

**INITIATIVE/ACTION**

**CONNECT WITH OUR COMMUNITY**

Deliver Reconciliation Action Plan actions by highlighting Indigenous culture throughout the year including Reconciliation Week and NAIDOC week activations

Deliver Sustainability Strategy actions including water bottle refill station and removal of point-of-sale plastic produce bag ahead of legislation

**MEASURES**

Deliver Market initiatives from City of Adelaide Reconciliation Action Plan (RAP)

Deliver Sustainability Strategy actions

**CONTRIBUTE TO THE WIDER MARKET PRECINCT**

Develop inaugural annual plan for precinct connection and collaboration

Engage with CoA for precinct events/road closures

Improve street presence & work with CoA to create street signage in approaching streets

Attendance at precinct meetings

Stakeholder feedback

Increased street presence and visibility



# Our Market

We will deliver infrastructure and programs that address the current and emerging needs of our customers and traders

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**OBJECTIVE**

**ENSURE QUALITY OUTCOMES FOR OUR MARKET**

**MARKET EXPANSION - CONSTRUCTION PHASE**

**REVIEW TECHNOLOGY SYSTEMS TO INFORM DECISION MAKING**

**INITIATIVE/ACTION**

Investigate market shopper trolley

Review amenities based on stakeholder feedback

Collaborate with UPark to ensure parking bays are maximised for shopper use

Deliver EOI brochure for Market Expansion

Maintain Market vibrancy and business as usual trading for customers and traders throughout construction

Review people counters

Investigate tenancy coordination, CRM and POS solutions

**MEASURES**

Deliver trolley project (subject to capital)

Customer insights & trader feedback

Car park occupancy rates

Advocate for traders and customers throughout all project phases

Implement communications strategy including stakeholder and community relations

Monitor customer experience survey results

One Market approach for planning purposes

Deliver project

Collaborate with CoA for IM solutions and implementation





# Adelaide Central Market Authority

Draft Budget 2023/24

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Adelaide Central  
Market Authority

# BUDGET

The ACMA Budget has been prepared to ensure efficient delivery of actions outlined in the Draft ACMA Business Plan and received ACMA Board approval on 23 February 2023 for submission to Council as a draft budget for consultation purposes.

ACMA is in a transitional phase from a Charter model with net revenue from Central Market UPark and infrastructure to the One Market approach which will result in expanded retail footprint and efficiencies of scale for operations.

## Budget Assumptions

- ACMA Management Team 6.7 FTE
- Budget built from zero-base and includes provision for One Market resourcing
- No significant changes to trading conditions for Covid
- No significant change to electricity recovery rate or cost of purchase with CoA contract



# Finance Summary – Operational Budget 2023/24

<b>Budget \$'000</b>	<b>2021-22 Actual</b>	<b>2022-23 Budget</b>	<b>2023-24 Budget</b>
ACMA Market Complex Income	4,183	4,168	4,820
ACMA Market Complex Expenditure	(4,119)	(4,472)	(4,903)
ACMA Online Platform	(208)	(113)	(142)
One Market	-	-	(170)
<b>ACMA Net Position</b>	<b>(145)</b>	<b>(417)</b>	<b>(395)</b>



**Thank you**





## Workshop Fees and Charges 2023-24

Strategic Alignment - Enabling Priorities

Public

**Tuesday 21 March 2023**

**City Finance and  
Governance**

**Presenters**

Anthony Spartalis

Manager Finance and  
Procurement

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## PURPOSE OF WORKSHOP

As part of the preparation for the 2023-24 Draft Business Plan and Budget, the purpose of this workshop is to seek Members feedback on the following topics:

- Principles for Fees and Charges
- Considerations for setting Fees and Charges

Feedback gained from the workshop will be considered in the development of a draft Fees and Charges report to be presented to Council for adoption in April 2023.

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## KEY QUESTIONS

- Do Members support the proposed principles for fees and charges? Are there additional principles that you want considered?
  - Are there certain activities that Members would like to see approached differently in terms of increases /decreases?
  - For fees waived in recent years, how would Members seek to approach this in 2023/24? Continue to waive; reinstate previous fee rate; gradual return to previous fee rate or other?
- 

- END OF REPORT -

# Enabling Priorities

## 2023/24 Business Plan and Budget Workshop - Fees and Charges 2023-24

Corporate Services  
Anthony Spartalis – Manager, Finance & Procurement

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Attachment A

City of Adelaide

# 2023/24 Business Plan and Budget

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## Approach to Fees and Charges

21 March 2023

### Workshop Focus

- Recap on related financials
- Principles for Fees and Charges
- Considerations for setting Fees and Charges

### COUNCIL ROLE:

- Define preferred fees and charges approach



## Purpose

Fees & Charges will be presented to Council for adoption in April 2023.

To ensure that Administration recommends fees in line with Council's intent, Council Member feedback is sought on the following questions:

### KEY QUESTION

Do Council Members support the proposed principles for fees and charges?

Are there additional principles that you want considered?

### KEY QUESTION

Are there certain activities that Council Members would like to see approached differently in terms of increases /decreases?

### KEY QUESTION

For fees waived in recent years, how would Council Members seek to approach this in 2023/24?

Continue to waive; reinstate previous fee rate; gradual return to previous fee rate; other

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## Agenda

1. Recap on Financials
2. Principles for Fees and Charges
3. Considerations for setting Fees and Charges
4. Next steps

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## Recap on financials

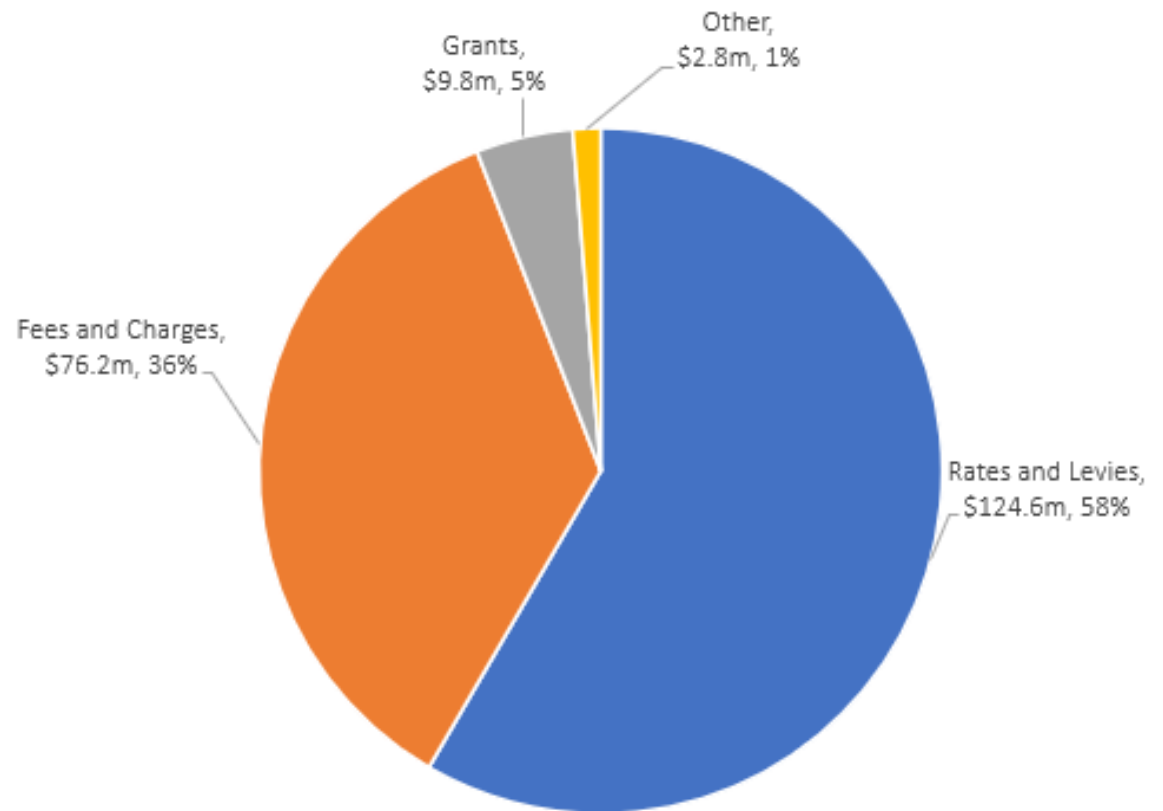
## REVIEW

1. Statutory Fees
  - Historical trends
  - Implications
2. Users Charges
  - Historical trends
  - Implications



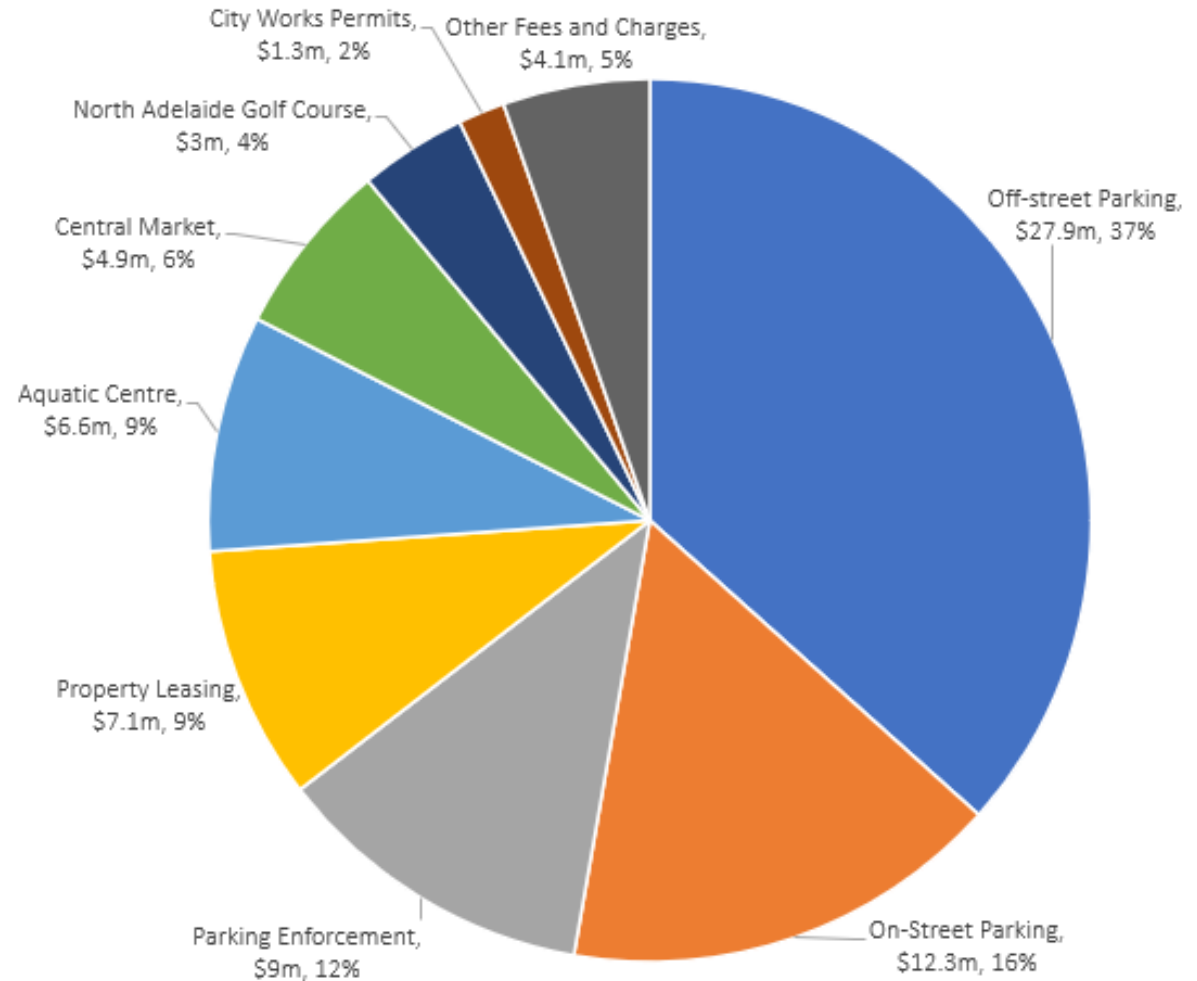
## Fees and Charges and Total Revenue

- Fees and Charges of \$76.2m make up a large proportion (36%) of total revenue
- Rates 58%, compared to 79% average all other metro councils



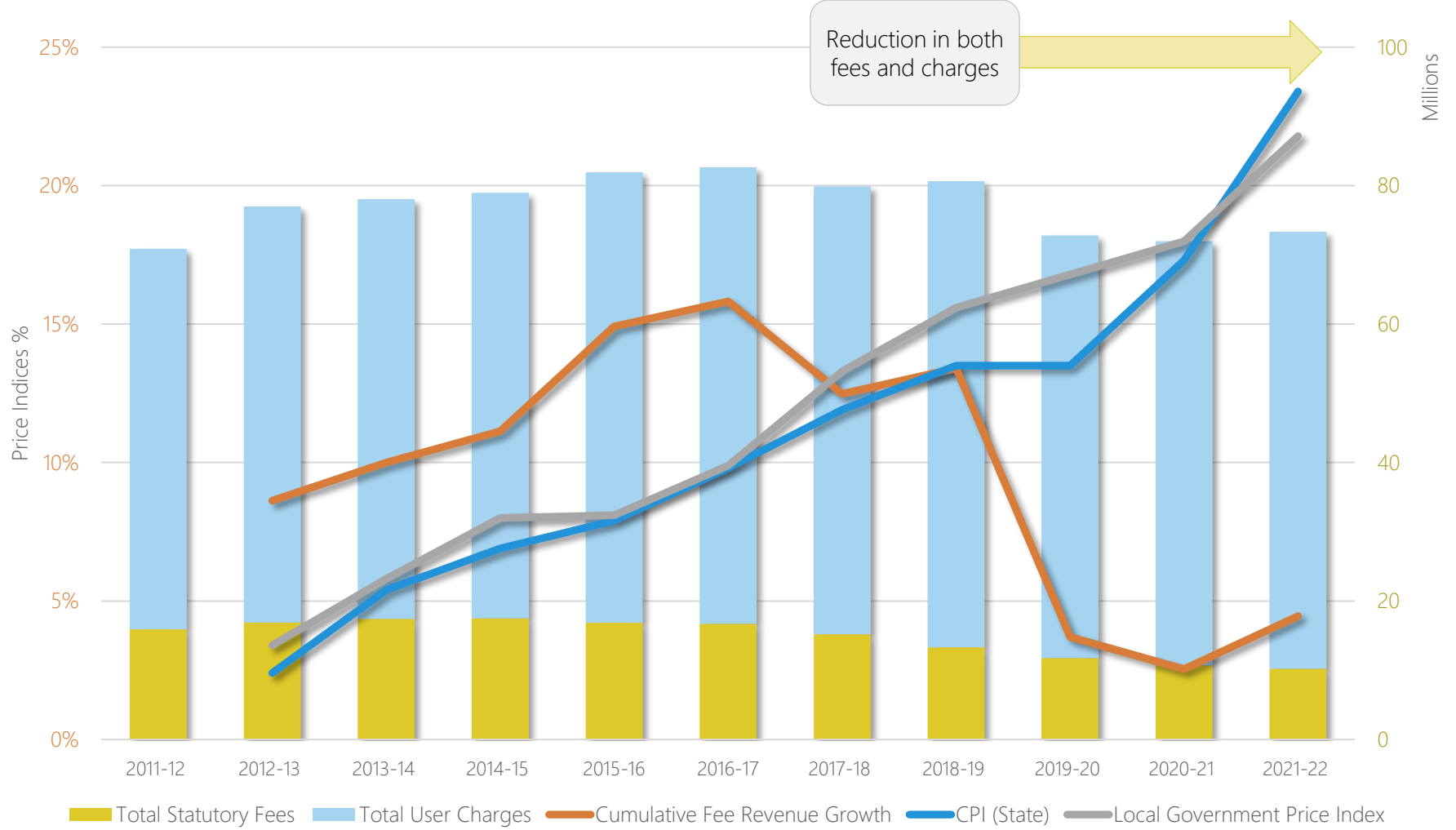
## Fees and Charges breakdown

- Statutory Charges set by State Government [Parking Enforcement, Development Fees, Animal Management, Environmental Health](#)
- User Charges set by Council and/or administration [Aquatic Centre, Parking, EV Charging, Golf Fees, EScooter Permit Fees](#)
- Total parking & related (\$49.2m or 65%) = high exposure - \$25m reduced revenue 2019/20-2020/21
- Aquatic Centre revenue offset by costs/expenses = \$1.8m loss



**REVIEW**

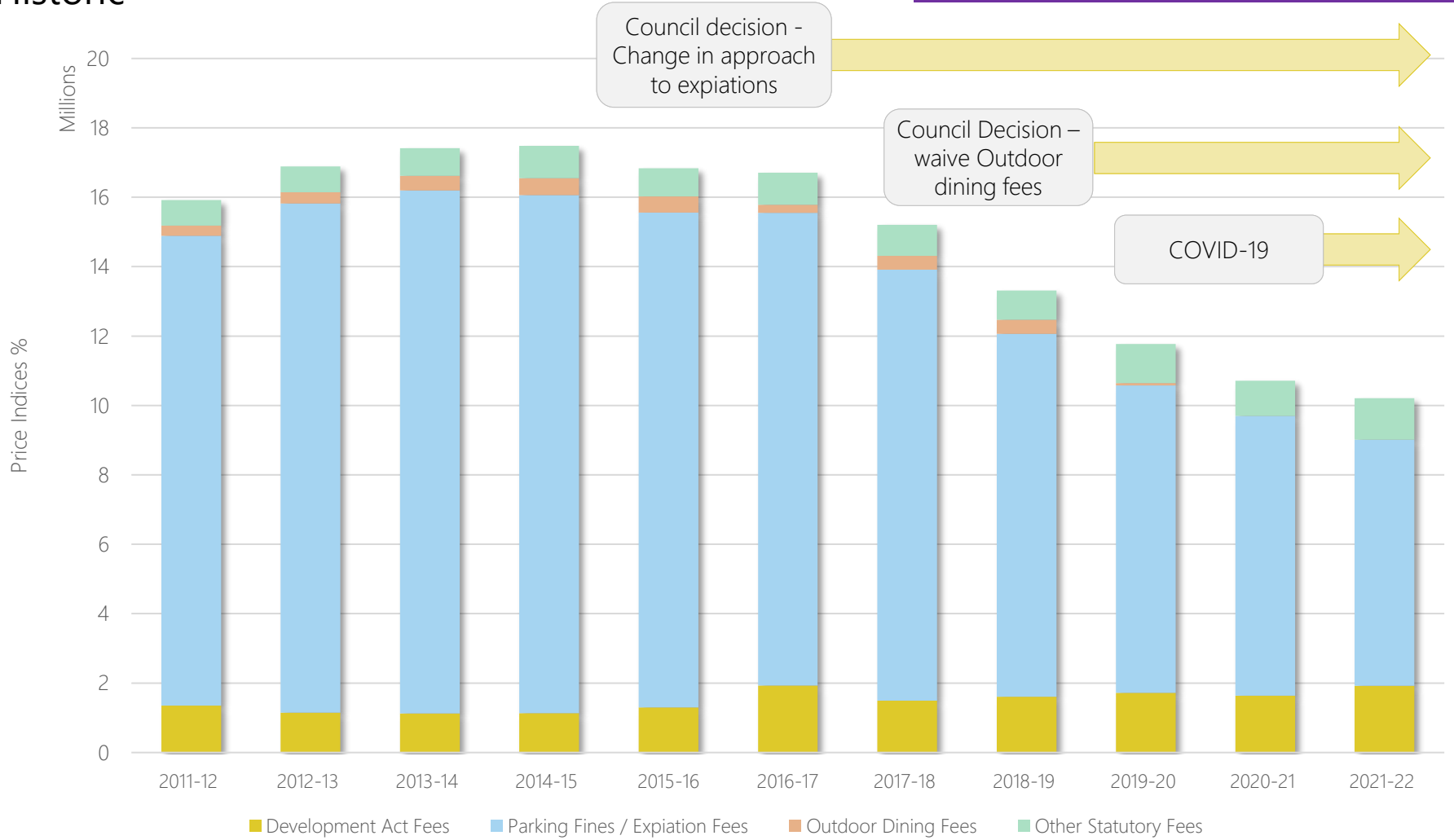
**Fee Revenue  
Historic**





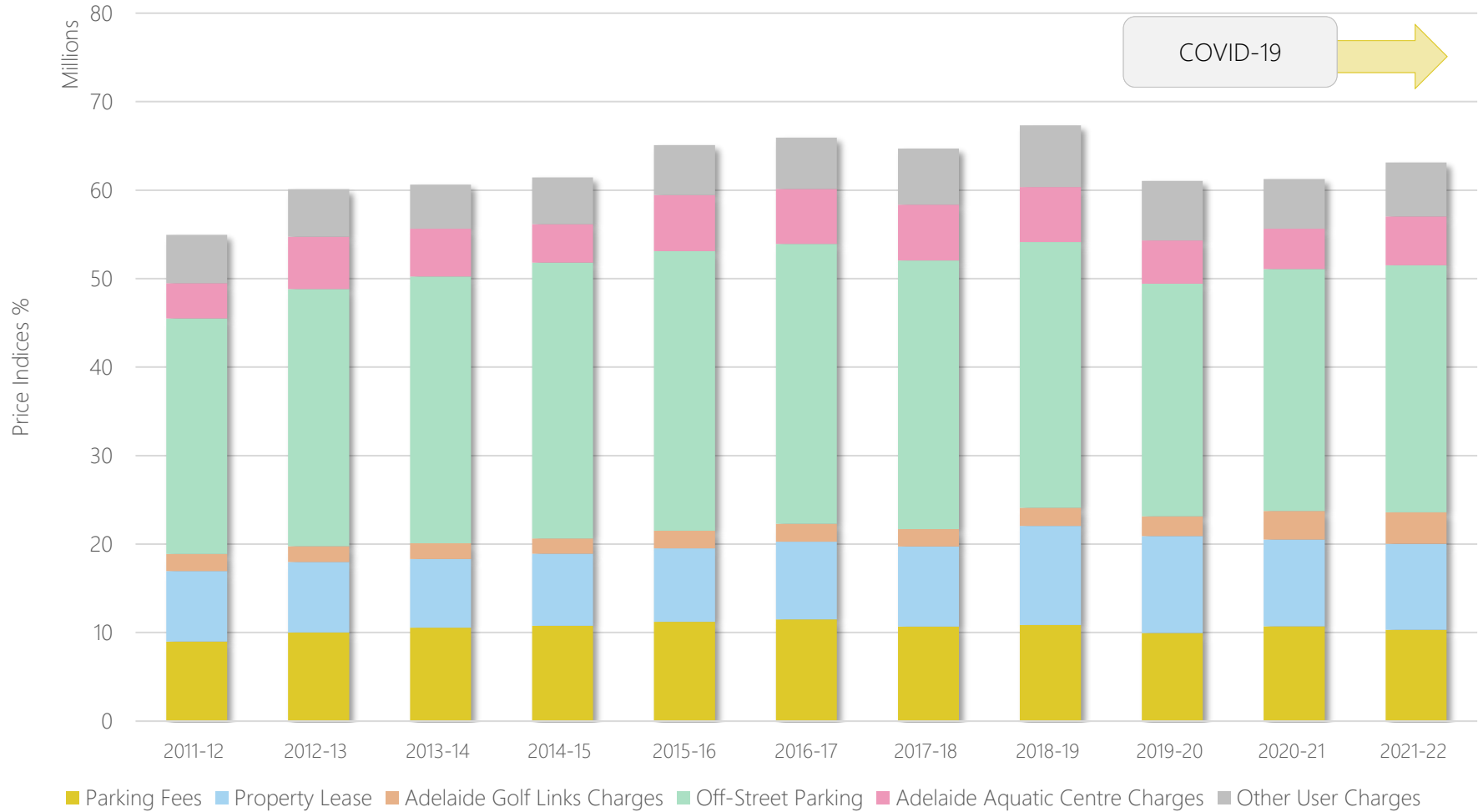
**IMPLICATIONS**

**Statutory Fee Revenue  
Historic**



IMPLICATIONS

User Charges Revenue  
Historic



## Impact of Historic Fee Waives

- Following COVID-19, Reignite Adelaide campaigns waived fees for certain activities to encourage safe & socially distanced city visitation through greater use of open space and activities on-street
- These decisions generated positive feedback from the community during this difficult time for businesses, and sparked a number of new activations still in place today, such as numerous Parklets
- Many of the fees waived following COVID-19 continue to be waived, in addition to Outdoor Dining fees being waived prior to COVID-19
- Some Councils that waived fees during COVID-19 are now reinstating, such as City of Melbourne: [Melbourne outdoor dining: Council reintroduces fees in unanimous vote \(theage.com.au\)](https://www.theage.com.au/news/melbourne-outdoor-dining-council-reintroduces-fees-in-unanimous-vote-2022-01-11).
- Council's investment in these segments had financial impacts, most notably in Outdoor Dining (approx. \$500k per annum revenue), Events on Park Lands (approx. \$650k per annum), and Parklets (approx. \$250k per annum)
- For the waived fees, a more detailed analysis of volumes, comparisons to other Councils, and the financial impact to individual businesses is shown in **Attachment A**

Financial Impact of Fee Waives  
(as at end of 31 December 2022)

Permit/ Activity Type	Period of Fee Waive	Forgone revenue
Outdoor Dining	1/7/19 to current	\$1,500,000
Parklets	1/9/21 to current	\$770,000
On Street Activities	1/8/21 to 30/9/21	\$17,840
Objects on Footpath	1/8/21 to 30/9/21	\$690
City Works	1/8/21 to 30/9/21	\$52,400
Event fees on Park Lands	1/8/21 to current	\$670,000
<b>Total</b>		<b>\$3,010,930</b>

## Benchmarking fees

### Outdoor Dining

## REVIEW

Council	Rate – per m <sup>2</sup> per year	Admin Fees	Notes
<b>Capital City A</b>	\$72.20	\$200	Waived during COVID returned in Nov. 22. 'Outside City' is \$16.60 per m <sup>2</sup>
<b>Capital City B</b>	\$150 - \$700	\$335 - \$500	Waived during COVID (ends June 23). Admin fee is for a security deposit
<b>Capital City C</b>	\$146 - \$509	\$127.70	Additional fee of \$779.10 for design assessment
<b>Capital City D</b>	\$76-\$168	\$0	
<b>Capital City E</b>	\$0	\$0	Waived since 2019. Previous rate was \$150 per m <sup>2</sup> with \$125 application fee
<b>Capital City F</b>	\$68 - \$188	\$0	
<b>Adelaide Metro A</b>	\$41 / \$69	\$0	Unlicensed / Licensed. Cost per table with four chairs
<b>Adelaide Metro B</b>	\$25-\$80 / \$80-\$121	\$0	Unlicensed / Licensed. Cost per chair.
<b>Adelaide Metro C</b>	\$23 - \$31 / \$39-\$52	\$0	Unlicensed / Licensed.
<b>Adelaide Metro D</b>	\$21	\$0	Cost per chair.
<b>City of Adelaide</b>	\$0	\$0	Waived fully since 2019, discounted since 16/17. Previously \$39-\$44.

City of Adelaide examples – individual costs to businesses:

- Standard outdoor dining permit 11m<sup>2</sup> Cost per annum: \$429 Cost per week: \$8.25
- Smallest outdoor dining permit 2.8m<sup>2</sup> Cost per annum: \$109 Cost per week: \$2.10
- Largest outdoor dining permit 154.8m<sup>2</sup> Cost per annum: \$6,192 Cost per week: \$119



## Benchmarking fees

### Parklets

## REVIEW

Council	Rate – per m <sup>2</sup> per year	Admin Fees	Notes
Capital City A	\$278	\$600	Central City rate. Outside City is \$64
Capital City B	\$0	\$0	Currently on trial to June 2023
Capital City C	N/A	-	Does not offer Parklets
Capital City D	\$350 (max)	\$0	Cost per week and depends on location and final construction.
Capital City E	N/A	-	Does not offer Parklets – however has been used for events.
Capital City F	PoA	\$1,400	Annual fee of 13% of the construction cost is charged.
Adelaide Metro A	N/A	-	
Adelaide Metro B	N/A	-	
Adelaide Metro C	N/A	-	
Adelaide Metro D	N/A	-	
City of Adelaide	\$0	\$0	Fees currently waived. Previous charge is at \$1.60 per m <sup>2</sup> per day (\$584 per annum) plus any lost parking revenue

City of Adelaide examples – individual costs to businesses:

- |                               |                  |                          |                      |
|-------------------------------|------------------|--------------------------|----------------------|
| Cheapest parklet permit       | 10m <sup>2</sup> | Cost per annum: \$5,840  | Cost per week: \$112 |
| Most expensive parklet permit | 25m <sup>2</sup> | Cost per annum: \$25,656 | Cost per week: \$493 |

## Benchmarking fees

### Objects on Footpath

## REVIEW

Council	Rate	Admin Fees	Notes
Capital City A	\$680	\$225	Annual Fee
Capital City B	\$350	\$0	Per hour Fee, Per location
Capital City C	\$649-\$1300	\$0	Per m <sup>2</sup> per year fee
Capital City D	\$64	\$0	Per m <sup>2</sup> per year fee (\$154 minimum)
Capital City E	\$100 - \$1212	\$99	Annual Fee, dependent on activity type
Capital City F	\$30	\$0	Per month fee (max \$155 per year)
City of Adelaide	\$60	\$0	Per m <sup>2</sup> per year fee

City of Adelaide examples – individual costs to businesses:

- Average retail display permit      2.3m<sup>2</sup>      Cost per annum: \$142      Cost per week: \$2.7

## Principles for Fees and Charges

FOR DISCUSSION

1. Charge for the use of public space
  - Where appropriate/possible, commercial rates for commercial uses; discounted fees for community (not for profit) uses
2. Recover costs
3. Set at market rates
4. Consider competitive neutrality
5. For fees waived in recent years: Reinstate at previous rate OR Gradually reinstate to previous rate OR Continue to waive

Do Council Members support the proposed principles for fees and charges?

Are there additional principles that you want considered?

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## Considerations

## DISCUSSION

1. Parking in the City
2. Facilitate/support new and existing businesses
3. Facilitate/support events
4. Enable access to facilities/encourage wellbeing

Are there certain activities that Council Members would like to see approached differently in terms of increases /decreases?



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## Recap on Questions

### KEY QUESTION

Do Council Members support the proposed principles for fees and charges?

Are there additional principles that you want considered?

### KEY QUESTION

Are there certain activities that Council Members would like to see approached differently in terms of increases /decreases?

### KEY QUESTION

For fees waived in recent years, how would Council Members seek to approach this in 2023/24?

Continue to waive; reinstate previous fee rate; gradual return to previous fee rate; other

# Next Steps

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March Priorities and Projects 21-Mar	March Rates, Fees and Charges 21-Mar	March Principles 21-Mar	March Projects and Budget Scenarios 28-Mar	April Fees and Charges and Draft Document 18-Apr / 26-Apr	June Community Engagement 13-Jun	June Final Document 20-Jun / 27-Jun
CEO Briefing <b>Discuss</b>	Committee - Workshop <b>Discuss</b>	Committee - Report <b>Adopt</b>	CEO Briefing	Committee / Council	Council Decision	Committee / Council
<b>Training Focus</b>	<b>Training Focus</b>	<b>Training Focus</b>	<b>Training Focus</b>	<b>Training Focus</b>	<b>Training Focus</b>	<b>Training Focus</b>
<ul style="list-style-type: none"> <li>• Prioritisation Framework</li> <li>• Project categories</li> </ul>	<ul style="list-style-type: none"> <li>• Review previous workshops on Rates, Fees and Charges</li> </ul>	N/A	<ul style="list-style-type: none"> <li>• Review previous workshops on how we build a budget</li> <li>• Understanding Services</li> </ul>	<ul style="list-style-type: none"> <li>• Community Engagement</li> </ul>	N/A	N/A
<b>Workshop Focus</b>	<b>Workshop Focus</b>	<b>Meeting Focus</b>	<b>Workshop Focus</b>	<b>Meeting Focus</b>	<b>Meeting Focus</b>	<b>Meeting Focus</b>
<ul style="list-style-type: none"> <li>• Introduction to project categories and prioritisation framework</li> <li>• Introduction to Capital Works Schedule</li> </ul>	<ul style="list-style-type: none"> <li>• Council feedback on proposed rates approach</li> <li>• Council feedback on proposed fees and charges approach</li> </ul>	<ul style="list-style-type: none"> <li>• Council adoption on proposed Principles and Parameters for Draft Business Plan and Budget</li> </ul>	<ul style="list-style-type: none"> <li>• Introduction to Strategic Projects and Service Changes</li> <li>• Council feedback on business plan and budget scenarios</li> </ul>	<ul style="list-style-type: none"> <li>• Council feedback on:                             <ul style="list-style-type: none"> <li>• Draft Business Plan and Budget, including Service Plans, Projects and Priorities</li> <li>• Draft subsidiary Business Plan and Budgets</li> <li>• Community engagement Plan</li> <li>• Input on Draft non-statutory Fees and Charges Schedule</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Consider community feedback</li> </ul>	<ul style="list-style-type: none"> <li>• Council feedback on:                             <ul style="list-style-type: none"> <li>• 2023/24 Business Plan and Budget</li> <li>• Subsidiary Business Plans and Budgets</li> <li>• Updated Long Term Financial Plan</li> </ul> </li> </ul>
<b>Council Member role</b>	<b>Council Member role</b>	<b>Council Member role</b>	<b>Council Member role</b>	<b>Council Member role</b>	<b>Council Member role</b>	<b>Council Member role</b>
<ul style="list-style-type: none"> <li>• Provide input into Draft projects</li> </ul>	<ul style="list-style-type: none"> <li>• Define preferred rates approach</li> <li>• Define preferred fees and charges approach</li> </ul>	<ul style="list-style-type: none"> <li>• Adopt Principles and Parameters to inform the Draft Business Plan and Budget build</li> </ul>	<ul style="list-style-type: none"> <li>• Provide input into Draft projects</li> <li>• Define preferred Budget Scenarios and Levels of Service to build Draft Business Plan and Budget</li> </ul>	<ul style="list-style-type: none"> <li>• Adopt the Draft 2023/24 BP&amp;B for community engagement</li> <li>• Adopt the Draft 2023/24 non-statutory Fees and Charges</li> <li>• Endorse the proposed community engagement activities</li> </ul>	<ul style="list-style-type: none"> <li>• Receive community submissions and participate in a Public Hearing</li> </ul>	<ul style="list-style-type: none"> <li>• Adopt the Final 2023/24 Business Plan and Budget, Long Term Financial Plan, Subsidiary Business Plans and Budgets, Borrowings, Valuations and Declaration of Rates</li> </ul>

# ANALYSIS ON PERMIT ACTIVITY CATEGORIES – RETAIL AND HOSPITALITY FOCUS

## Contents

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## 1. PERMIT VOLUMES AND REVENUE TRENDS

Permit volumes and fees over the years pre and post COVID can be seen in Table 1 below.

**Table 1: Permit Volume and Revenue**

Activity Type	2017/18		2018/19		2019/20		2020/21		2021/22	
	Volume	Revenue	Volume	Revenue	Volume	Revenue	Volume	Revenue	Volume	Revenue
Outdoor Dining	551	\$425,695	541	\$459,053	538	\$0	549	\$0	570	\$0
Objects on Footpath	75	\$11,664	128	\$8,386	47	\$7,494	34	\$8,249	74	\$5,808*
On Street Activities	787	\$72,277	722	\$51,407	487	\$45,629	438	\$98,773**	585	\$20,238*
Mobile Food Vending	31	\$43,971	50	\$18,149	47	\$11,550	53	\$14,678	41	\$8,773*
City Works	3159	\$1,138,9	3691	\$1,255,669	4042	\$1,360,446	3250	\$1,211,747	2620	\$1,395,051*

\*Council's new permit fee model launched in July 2021, resulting in lower revenue across many categories

\*\* The spike in On-street Activity revenue in 20/21 relates to outstanding debt collection

\*\*\* Revenue across 20/21 & 21/22 was impacted by Reignite Adelaide fee waivers

## 2. OUTDOOR DINING

### 2.1. History of Fees

- 2.1.1. Outdoor Dining fees have been waived in some format since 2016/17.
- 2.1.2. The waive was initially to encourage compliance with Council's Outdoor Dining Guidelines regarding the policy position to move away from fixed furniture, before being extended to waiving all fees.
- 2.1.3. Since the waive, the number of businesses offering outdoor dining has remained fairly consistent.
- 2.1.4. Based on the fee rate last charged, Council is forgoing approx. \$500k revenue per annum.
- 2.1.5. We know many Councils waived outdoor fees during COVID, and are now reinstating them, including the City of Melbourne as reported in September 2022: [Melbourne outdoor dining: Council reintroduces fees in unanimous vote \(theage.com.au\)](https://www.theage.com.au/news/melbourne-outdoor-dining-council-reintroduces-fees-in-unanimous-vote-2022-09-08).

### 2.2. Benchmarking

- 2.2.1. At the fee rate when last charged, City of Adelaide's fees were one of the cheapest capital cities – supporting the 'Lowest Cost Capital City' action from our 2020-24 Strategic Plan.



- 2.2.2. City of Adelaide were also comparative or cheaper than most relatable SA Metro Councils, shown in Table 2.

**Table 2: Outdoor Dining – Benchmarking Fees**

Council	Rate – per m2 per annum	Admin/Application Fee	Notes and fee waivers
Capital City A	\$72.20	\$200	Fees waived during COVID, returned in November 2022. 'Outside City' category is \$16.60 per m2.
Capital City B	\$150 – \$700	\$335 + \$500 security deposit	Waived during COVID, currently until June 2023.
Capital City C	\$146 - \$509	\$127.20 + plus \$779.10 design assessment	
Capital City D	\$76 - \$168	\$0	
Capital City E	No fee since 2019	\$0	Previous rate for 'Central City' in 2019 was \$150 per m2 with \$125 application fee
Capital City F	\$68 - \$188	\$0	
City of Adelaide	No fees since 2019 Previously \$39-\$44	\$0	Fees waived in some form since 2016/17
Adelaide Metro A	Licensed: \$69 per table & 4 chairs Unlicensed: \$41 per table & 4 chairs	\$266.50	
Adelaide Metro B	Licensed \$80 - \$121 per chair Unlicensed \$25 - \$80 per chair	\$52	
Adelaide Metro C	Licensed \$39 - \$52 Unlicensed \$23 - \$31	\$0	
Adelaide Metro D	\$21 per chair	\$0	

### 2.3. Average Cost to Businesses

- 2.3.1. The average amount of space used across the 550+ Outdoor Dining Permit holders in the City of Adelaide is between 10-12 m2.
- 2.3.2. At the previous rate, the impact of fees to an individual business is shown in Table 3 below.

**Table 3: Outdoor Dining – Cost to Individual Businesses**

	Size	Cost per annum	Cost per week
<b>Average outdoor dining permit</b>	11 m2	\$429	\$8.25
<b>Smallest outdoor dining permit</b>	2.8 m2	\$109	\$2.10
<b>Largest outdoor dining permit</b>	154.8 m2	\$6,192	\$119

### 3. PARKLETS

#### 3.1. History of Fees

- 3.1.1. In response to COVID-19 and the social distancing requirements for hospitality venues, Council's Reignite Adelaide campaign trialed a series of temporary parklets at no cost to businesses, which were well received by owners and users.
- 3.1.2. The timing coincided with a revised Parklet Program and Guideline being endorsed, with many temporary parklets now being converted to permanent arrangements following the trial.
- 3.1.3. At the time of launching the new Operating Guidelines, parklets were to be charged the standard fee rate for commercial use of public space (\$1.60 per m2), plus any lost revenue if paid parking bays were reduced.
- 3.1.4. Each business owner applying for a parklet was made aware of the fees.
- 3.1.5. During Reignite Adelaide and when setting the 2022/23 budget, Parklet fees remained waived.
- 3.1.6. While predominantly used for the same purpose as outdoor dining, parklets are considered premium value compared to standard outdoor dining given they:
  - 3.1.6.1. Reduce on-street parking
  - 3.1.6.2. Privatised the use of public space and are not removed at the end of trade.

#### 3.2. Current Approach to Parklets Fees

- 3.2.1. There are currently 14 parklets in use with more applications anticipated.
- 3.2.2. At current rates if charged, parklet permit fees would attract \$250k per annum.
- 3.2.3. On average, most parklets are 11 m2 in size and remove one on-street parking bay.
- 3.2.4. At \$1.60 per m2 per day, the annual fee is approx. \$7k, plus any paid parking impact.
- 3.2.5. A sample of 10 existing parklets and subsequent fees (if charged) is shown in Table 4, followed by the average cost to businesses in Table 5.

**Table 4: Sample of Existing Parklets and Related Fees**

Location of Business & Parklet	Size (m2)	Year of Installation	Parking spaces reduced	Annual permit fee (current rate)	Loss of ticket machine revenue 22/23*	Total cost to business per annum
Gilbert Street (a)	15	Nov 2021	1.5	\$8,760	N/A	\$8,760
Pirie Street (a)	10	Oct 2021	1	\$5,840	\$7,499	\$13,339
Pirie Street (b)	10	Oct 2021	1	\$5,840	\$7,499	\$13,339
Halifax Street	30	Oct 2021	3	\$17,520	N/A	\$17,520
Vardon Avenue	10	Sept 2021	1	\$5,840	N/A	\$5,840
Pirie Street (c)	25	Oct 2021	2.5	\$14,600	\$11,056	\$25,656
Wyatt Street (a)	12.5	2017	1.5	\$7,300	N/A	\$7,300
Wyatt Street (b)	12.5	2017	1.5	\$7,300	N/A	\$7,300
Gilbert Street (b)	15	Oct 2021	1.5	\$8,760	N/A	\$8,760
Union Street	15	2017	1.5	\$8,760	N/A	\$8,760

\*Ticket machine revenue only calculated when parklets reduce paid parking bays

**Table 5: Parklets – Avery Cost to Individual Businesses**

	Size	Cost per annum	Cost per week
<b>Cheapest parklet permit</b>	10 m2	\$5,840	\$112
<b>Most expensive parklet permit</b>	25 m2	\$25,656	\$493

### 3.3. Benchmarking

- 3.3.1. Research shows not all Councils support parklets, with fee rates differing significantly in those that do.
- 3.3.2. If applied at the current rate, City of Adelaide’s fees would be more expensive for parklets than most others, as shown in Table 6.

**Table 6: Parklets – Benchmarking Fees**

Council	Rate – per m2	Admin/Application Fee	Notes and fee waivers
<b>Capital City A</b>	Central City \$278 per annum Outside Central Area \$64 per annum	\$600	-
<b>Capital City B</b>	Currently no charge during the trial	-	Trialling free on-street dining program to June 2023
<b>Capital City C</b>	No Parklets	-	-
<b>Capital City D</b>	Up to \$350 per bay per week depending on location and final construction	-	Once off preparation of license and agreement conditions, costs vary per application
<b>Capital City E</b>	No general parklet opportunities	-	Occasionally for an event parking bays will be used
<b>Capital City F</b>	PoA	\$1,400	Annual fee of 13% of the construction cost charged
<b>City of Adelaide</b>	\$1.60 per sq metre per day (equates to \$584 per annum) + lost parking revenue Currently waived	-	Fees currently waived

## 4. RETAIL ACTIVATIONS (OBJECTS ON FOOTPATHS)

### 4.1. History of Fees

- 4.1.1. ‘Objects on Footpath’ permits include businesses staging items in front of their business premise on public land, or the use of footpath stickers promoting events.

- 4.1.2. In September 2022, Council resolved to:

*“Note Council’s continued support of the hospitality sector through the decision to waive outdoor dining permit fees for the 22/23 financial year  
Request Administration provide a report to the new Council in the current financial year outlining the benefits and impacts of providing similar support to the retail sector, through the waiving of all permit fees for fixed retail businesses (bricks and mortar) seeking to activate the footpath in front of their premises via the placement of objects (including display tables, planter boxes, flowers pots and other items requiring a permit).”*

#### 4.2. Current Approach to Retail Activations Fees

- 4.2.1. Approximately 15 permits are for annual retail displays such as flower-pots.
- 4.2.2. The financial impact of waiving fees for retail outlets in the same manner as outdoor dining is relatively low, equating to approx. \$2,100 in 21/22.
- 4.2.3. The average retail display is 2.3 m2, which equates to a cost of \$142 per annum to the business (\$2.70 per week).
- 4.2.4. Should Council continue to waive outdoor dining fees, a perceived inequity could exist between retail and hospitality businesses, with hospitality not charged for placing chairs and tables on the footpath, while retail are charged for placing their items in the same area.

#### 4.3. Benchmarking

- 4.3.1. While comparisons to other Councils are not straightforward due to descriptions differing, Table 7 below shows City of Adelaide’s rate remains cheapest in most cases.

**Table 7: Objects of Footpath – Benchmarking Fees**

Council	Rate	Admin Fee
Capital City A	\$680 annual fee	\$225
Capital City B	\$350 per hour per location	\$0
Capital City C	\$649 - \$1300 per m2 per year	\$0
Capital City D	\$60 per m2 per year (\$145 minimum)	\$0
Capital City E	\$100 - \$1212 per year, depending on activity type	\$99
Capital City F	\$30 per month	\$0
City of Adelaide	\$60 per m2 per year	\$0

#### 5. COUNCIL’S PERMIT FEE MODEL

- 5.1. The 2020-2024 Strategic Plan committed Council to streamlining permits and reducing the cost of doing business.
- 5.2. In July 2021, a new permit fee model was launched, reducing a complex 42 tier permit fee structure into eight simple fee rates.
- 5.3. Application fees were removed from all permits, supporting the new principles of basing fees purely on the **amount of space used**, and **duration**.
- 5.4. Fee rates differ for commercial and not-for-profit activities where appropriate.
- 5.5. The model has allowed for easy calculation of fees and a consistent approach.
- 5.6. The approach has been central to City of Adelaide receiving recognition at State and National level for our approach to permit management.
- 5.7. For the vast majority of activities, City of Adelaide’s permit fees are less than other Capital City Council’s and SA metro Councils.



## Workshop: Business Plan & Budget - Rating Approach and Process

Strategic Alignment - Enabling Priorities

Public

**Tuesday 21 March 2023**  
**City Finance and  
Governance**

**Presenters**  
Anthony Spartalis  
Manager Finance and  
Procurement

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## PURPOSE OF WORKSHOP

The purpose of this workshop is to provide information relating to the City of Adelaide's current approach to rating, and to seek Member feedback on specific matters that may shape future directions and Council reports. Workshop topics include:

- Rating background and policy
- Rating methodology and process
- Rating-related financials
- Rating considerations

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## KEY QUESTIONS

- Rate Revenue Required
  - What are Council Members' views on approaches to generating the required rate revenue to balance the budget?
- Special Discretionary Rebate
  - What are Council Members' views on the 10% capping?
- Separate Rates
  - What are Council Members' views on separate rates to fund projects/activities?
- Vacant Land
  - What are Council Members' views on increasing the rate in the dollar on Vacant Land to encourage development?

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- END OF REPORT -

# Enabling Priorities

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## 2023/24 Business Plan and Budget Rating Approach and Process

Corporate Services  
Anthony Spartalis – Manager, Finance & Procurement



City of Adelaide

# 2023/24 Business Plan and Budget

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## Rating Approach and Process

21 March 2023

### Workshop Focus

- Rating background and policy
- Rating methodology and process
- Rating-related financials
- Rating considerations

### COUNCIL ROLE:

- Define preferred rates approach

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## Agenda

1. Background and Policy
2. Rating methodology
3. Rating financials
4. Considerations
5. Next steps

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## Purpose

- To provide Council Members with a good understanding of the City of Adelaide's current approach to rating.
- To seek Council Member feedback on perceived issues, matters requiring more clarification and where rating for the City of Adelaide could possibly head.
- After this session, it is intended that Council Members have the facts at their disposal when responding to ratepayers, businesses and residents when approached about rates.



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## Key Questions

### KEY QUESTION

#### Rate Revenue Required

What are Council Members' views on approaches to generating the required rate revenue to balance the budget?

### KEY QUESTION

#### Special Discretionary Rebate

What are Council Members' views on the 10% capping?

### KEY QUESTION

#### Separate Rates

What are Council Members' views on separate rates to fund projects/activities?

### KEY QUESTION

#### Vacant Land

What are Council Members' views on increasing the rate in the dollar on Vacant Land to encourage development?

## Journey to date

<b>Context</b>	<input checked="" type="checkbox"/>	Onboarding training on Strategy, Finance and Assets
	<input checked="" type="checkbox"/>	Priorities, opportunities, ways of working
	<input checked="" type="checkbox"/>	How we plan and budget guide and online research library
	<input checked="" type="checkbox"/>	Functional Directory and Program Guides
<b>Building Planning Knowledge</b>	<input checked="" type="checkbox"/>	Legislative requirements
	<input checked="" type="checkbox"/>	Capital, Asset Management and Integrated Planning
	<input checked="" type="checkbox"/>	Service Planning
	<input checked="" type="checkbox"/>	Financial Planning
<b>Building Budget Knowledge</b>	<input checked="" type="checkbox"/>	Organisational Finance update (history and current state)
	<input checked="" type="checkbox"/>	Discretionary responsibilities – understanding short and long term abilities
	<input checked="" type="checkbox"/>	Operating, Capital, Revenue/Income, Expenditure breakdown
	<input checked="" type="checkbox"/>	Fees and Charges, Rates, Borrowings – utilising financial levers
<b>Building the 2023/24 Business Plan and Budget</b>	<input checked="" type="checkbox"/>	Principles and Parameters
	<b>March</b>	Consider Projects – Capital, Strategic and Service changes
	<b>March</b>	Budget scenario building - proposed rates, fees and charges
	<b>April</b>	Feedback from Audit and Risk Committee and proposed budget
	<b>April</b>	Draft budget – proposed expenditure (priorities, capital and strategic projects and services) for consultation
	<b>April</b>	Draft budget – proposed income (rates, fees and charges) for consultation
	<b>May</b>	Community Consultation and feedback
	<b>June</b>	Adoption of Final 2023/24 Business Plan and Budget

---

## Glossary of terms

**AAV** – annual assessed rental value of the property

**Ad Valorem tax** – is a tax based on the assessed value of an item such as property

**Differential Rate** – calculated on a rate in the dollar basis according to the use of the land

**Exemption** – to free from an obligation or liability to which others are subject to

**General Rate** – rate that applies to rateable land

**Landscape Levy** - State tax being recovered via council rate process

**Prescribed service** – treatment or provision of water, collection, treatment, disposal or recycling of waste

**Rebate** – an amount paid by way of reduction, return, or refund on what has already been paid or contributed

**Remission** – the cancellation of a debt, charge or penalty

**Separate Rate** – an amount levied on ratepayers in addition to general rates

## Legislation

The ability to charge rates is pursuant to Chapter 10 of the *Local Government Act 1999 (SA)* ('the Act')

- *Section 147 – Rateability of Land*

- *Specifies all land is rateable, except land with a specific exemption.*
- *Provides a list of exemption criteria.*

- *Section 151 – Basis of Rating*

Council may adopt one of three valuation methodologies to value properties in its area:

- Capital value: the value of land, buildings and other improvements
- Site value: the value of land and any improvements, but excluding the value of any buildings
- Annual value: the value of the rental potential of the property

- *Sections 159 to 165 – Rebate of Rates*

- Provides for the ability for a mandatory rebate of rates to be applied upon application.
- Specifies Rebates for specific scenarios,
  - Health Services
  - Community Services
  - Religious Purposes
  - Public Cemeteries
  - Royal Zoological Society of SA
  - Educational purposes

- *Sections 166 - Discretionary Rebate of Rates*

- Allows the ability for rebates to be applied upon application at Councils discretion for a range of circumstances.
- The consideration and application of discretionary rebates is captured in our Rate Rebate Policy and includes the use of a rebate matrix to ensure consistency of application.



## Rating Policy

City of Adelaide's Rating Policy outlines Council's approach to rating its community.

*S123 of 'the Act'* requires Council to have a rating policy that must be prepared and adopted as part of the Business Plan and Budget each financial year in conjunction with the declaration of rates. The general principles outlined in 'the Act':

- rates constitute a system of taxation for local government purposes
- rating policies should make reasonable provision with respect to strategies to provide relief from rates (where appropriate), and any such strategies should avoid narrow or unreasonably restrictive criteria and should not require ratepayers to meet onerous application requirements
- the council should, in making any decision, take into account the financial effects of the decision on future generations
- differential rates

## Policy Objectives

- Equity for our communities
- Benefit to our communities
- Economic and property development
- Taxation principles

---

## Taxation Principles

The City of Adelaide's rating policy aims to balance the five main principles of taxation:

- **Benefits received** – ratepayers who receive more benefits (services provided, or resources consumed) should pay a higher share of tax
- **Capacity to Pay** – a person who has less capacity to pay should pay less, and persons of similar means should pay similar amounts
- **Administrative simplicity** – minimise costs involved in applying and collecting the tax; how difficult it is to avoid
- **Economic efficiency** – whether or not the tax changes economic behaviour
- **Policy consistency** – taxes should be internally consistent, and based on transparent, predictable rules that are understood and accepted by ratepayers.

'Rates are  
a system of  
taxation'

---

## Exemptions (s147 LG Act)

Properties can be identified as exempt from council rates in certain circumstances:

- **Crown Land** – public properties used or held by the Crown for a public purpose
- **University Land** – properties occupied by a University
- **Recreation grounds** - properties satisfying the criteria set out in the *Recreation Grounds Rates and Taxes Exemption Act 1981*
- **Council Land** – properties occupied or held by the Council
- **Emergency Services** – properties occupied or held by an emergency services organisation under the *Fire and Emergency Services Act 2005*
- **Another Act** – properties specifically exempted from council rates by virtue of another Act (either Commonwealth or State).

With 25.6% of rates income forfeited through exemptions and rebates, the responsibility for contributing rates income to fund essential local government services is disproportionately allocated across the community.

Where exempt properties become rateable part way through the financial year, rates will be calculated and recovered.

## Exemptions 2022/23

Exemptions	AAV	Rates
Instrument of Crown Public Purpose Sec 147(2)(b)	\$ 69,373,042	\$ 9,767,724
Occupied by University Sec 147(2)(c)	\$ 55,400,600	\$ 7,800,404
Occupied or held by Council Sec 147(2)(f)	\$ 48,613,605	\$ 6,844,796
Crown Land used for public purpose Sec 147(2)(b)	\$ 36,042,519	\$ 5,074,787
Unalienated Crown Land Sec 147(2)(a)	\$ 16,330,800	\$ 2,299,377
By Virtue of another Act Sec 147(2)(h)	\$ 11,516,715	\$ 1,620,372
LG Act not binding on Crown Sec 302	\$ 5,230,000	\$ 736,384
Recreation Grounds Rates & Taxes Act Sec 147(2)(d)	\$ 3,675,505	\$ 517,511
Common property incidental use Sec 147(5)(a)(b)(c)	\$ 867,350	\$ 121,791
<b>Total</b>	<b>\$ 247,050,136</b>	<b>\$ 34,783,147</b>

Exemptions represent 22.55% of the rate base

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## Rebates (s159 LG Act)

Properties may be entitled to a rebate under the following circumstances:

- **Health Services** – hospital or health centre incorporated under the *SA Health Commission Act 1976* will be rebated at 100 per cent
- **Community Services** – a community service organisation will be rebated at 75 per cent
- **Religious purposes** - church or property used for public worship will be rebated at 100 per cent
- **Public cemeteries** – will be rebated at 100 per cent
- **Royal Zoological Society of SA** – will be rebated at 100 per cent
- **Educational purposes** – properties occupied by a government school, or accommodation provided by Universities for students will be rebated at 75 per cent
- **Discretionary rebate** – a Council may grant a rebate up to and including 100 per cent upon application. The five-year free rates scheme is an example



## Rebates 2022-23

Rebate Description	Value
Hospital/Health	\$ 1,496,895
Community Services	\$ 1,437,720
Discretionary	\$ 1,297,530
Education	\$ 1,124,047
Religious	\$ 1,068,695
Zoo	\$ 408,065
Total	\$ 6,832,952

## Special Discretionary Rebate

As per S166(l)(ii) of the *Local Government Act 1999 (SA)*

‘where the rebate is considered to be appropriate to provide relief against what would amount to a substantial change in rates due to a change to the basis on which land is valued, rapid changes in valuations, or anomalies in valuations’

The Special Discretionary Rebate is currently 10% and applies to both residential and non-residential properties.

The table shows the cumulative effect of the special discretionary rebate over the past seven years.

Year	Value of Rebate	% of Base Valuation
2016-17	\$722,908	0.3%
2017-18	\$3,173,358	3.2%
2018-19	\$1,912,766	0.6%
2019-20	\$3,266,736	4.7%
2020-21	\$1,297,614	0.1%
2021-22	\$1,008,378	0.8%
2022-23	\$438,504	0.7%
<b>TOTAL</b>	<b>\$11,820,264</b>	

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## Key rating strategies

- Valuation methodology based on Annual Assessed Value (AAV)
- Different rates for different land use categories (Differential rating)
- Special Rates – Rundle Mall Management Levy and Rural Landscape Levy
- Rate relief
  - Rebates (**State mandatory & council discretionary**)
  - Special Discretionary Rebate (rebate to mitigate bill shock but spreads cost across other ratepayers).
  - Postponement and remission of rates
  - Financial Hardship

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## Rating on occupation

The Adelaide City Council practices occupation based rating under Section 148 of the *Local Government Act 1999 (SA)* (“the Act”).

Under Section 148(1) of the Act, “rates may be assessed against any piece or section of land subject to separate ownership or occupation”

### **148—Land against which rates may be assessed**

- (1) Rates may be assessed against—
  - (a) any piece or section of land subject to separate ownership or occupation; or
  - (b) any aggregation of contiguous land subject to the same ownership or occupation.
- (2) However, decisions about—
  - (a) the division of land for the purposes of subsection (1); or
  - (b) the aggregation of land for the purposes of subsection (1),

must be made fairly and in accordance with principles and practices that apply on a uniform basis across the area of the council.

## Annual Assessed Value vs Capital Value

The City of Adelaide uses annual value. The main reasons for choosing annual value are:

- The majority of residential and non-residential properties in the City are leased (ie. not owner occupied)
- The availability of a significant amount of annual market rental information makes the annual value method more efficient to administer
- Annual value is understood by the majority of ratepayers
- This method is considered consistent with the equity, ability to pay, efficiency and simplicity principles of taxation.

Methodology	High level explanation
Capital Value (Land + improvements)	The capital amount land <u>including improvements</u> might reasonably be expected to realise upon sale.
Annual Value (Rental potential)	Three quarters of the gross annual rental of a property or 5% of the capital value if a rental value cannot be determined.



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## Mass Valuation vs Individual Valuation

### Mass valuation

Properties similar in nature, due to locality, land size, property type, year built and use, are grouped into sub-market groups. Valuations are largely dependent on these aspects.

Research and analysis is utilised to indicate how the market has performed relative to each of those sub-market groups. The result of such analysis is the adoption of an index which is applied to every property within that particular group.

### Individual valuation

A valuation specific to an actual property and includes factors such as:

- Location
- Year built
- Land use
- Building style and condition
- Street rating

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## Rates revenue & Growth

Rates income is primarily dependent upon:

- The rate in the dollar
- The increase/decrease in the valuation of the property base (based on the AAV)
- Growth from new developments and/or capital improvements.

Page 98 The rate in the dollar has been frozen for the past nine consecutive years (\$20 million revenue impact), so increases in rates income has been driven growth.

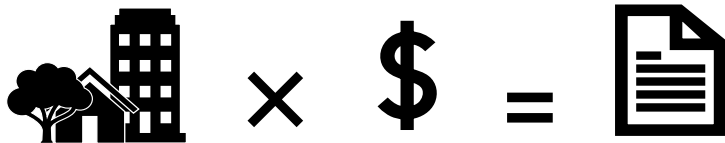
Growth occurs through the increase in property valuations driven by a capital improvement and can include:

- New Development – New building
- An addition to a property – Extension, swimming pool
- Alteration – Refurbishment, renovation

## Rating Process

### Current Process

1. Current RID x current AAVs = Rates Charged



**For example:**

\$18,000 X 0.1149 = \$2,068

**Annual  
Assessed  
Value**

*based on the  
property land use*



**Rate  
in the  
dollar**

*as set  
by Council*



**Your  
General  
Rates**

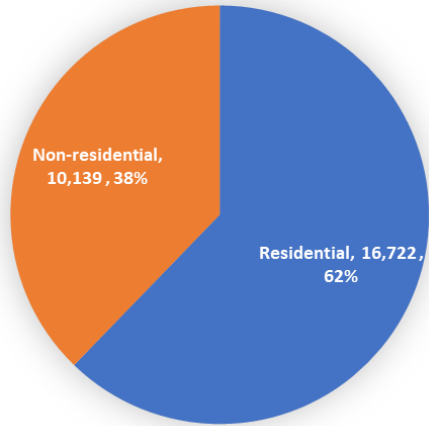
*excluding  
any levies*

### Potential change in approach

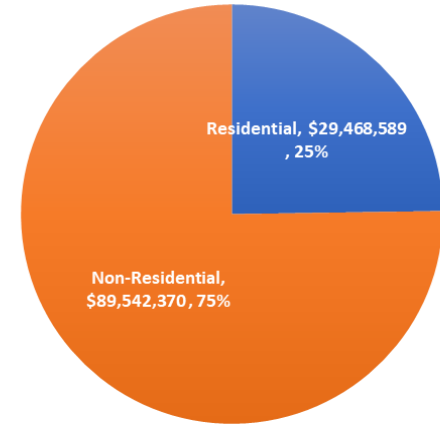
1. Rating base update
2. Draft budget
3. Determine \$ of rate revenue required (to achieve budget targets)
4. Updated AAVs x adjusted RID

# Rating Numbers

### Rateable Properties 2022-23



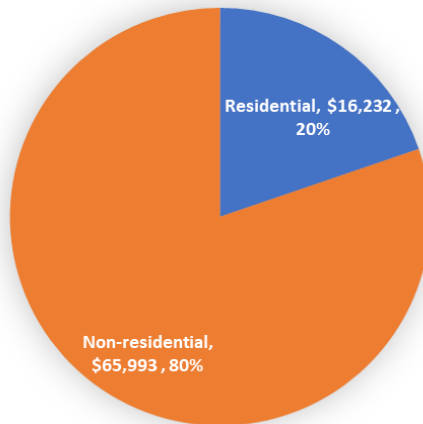
### General Rates Raised 2022-23



Residential  
Avg \$1,762

Non-Residential  
Avg \$8,831

### Average Valuation (AAV) 2022-23



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## Key questions

### KEY QUESTION

#### Rate Revenue Required

What are Council Members' views on approaches to generating the required rate revenue to balance the budget?

### KEY QUESTION

#### Special Discretionary Rebate

What are Council Members' views on the 10% capping?

### KEY QUESTION

#### Separate Rates

What are Council Members' views on separate rates to fund projects/activities?

### KEY QUESTION

#### Vacant Land

What are Council Members' views on increasing the rate in the dollar on Vacant Land to encourage development?



# Next Steps

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March Priorities and Projects 21-Mar	March Rates, Fees and Charges 21-Mar	March Principles and Parameters 21-Mar	March Projects and Budget Scenarios 28-Mar	April Fees and Charges and Draft Document 18-Apr / 26-Apr	June Community Engagement 13-Jun	June Final Document 20-Jun / 27-Jun
CEO Briefing <b>Discuss</b>	Committee - Workshop <b>Discuss</b>	Committee - Report <b>Adopt</b>	CEO Briefing	Committee / Council	Council Decision	Committee / Council
<b>Training Focus</b>	<b>Training Focus</b>	<b>Training Focus</b>	<b>Training Focus</b>	<b>Training Focus</b>	<b>Training Focus</b>	<b>Training Focus</b>
<ul style="list-style-type: none"> <li>• Prioritisation Framework</li> <li>• Project categories</li> </ul>	<ul style="list-style-type: none"> <li>• Review previous workshops on Rates, Fees and Charges</li> </ul>	N/A	<ul style="list-style-type: none"> <li>• Review previous workshops on how we build a budget</li> <li>• Understanding Services</li> </ul>	<ul style="list-style-type: none"> <li>• Community Engagement</li> </ul>	N/A	N/A
<b>Workshop Focus</b>	<b>Workshop Focus</b>	<b>Meeting Focus</b>	<b>Workshop Focus</b>	<b>Meeting Focus</b>	<b>Meeting Focus</b>	<b>Meeting Focus</b>
<ul style="list-style-type: none"> <li>• Introduction to project categories and prioritisation framework</li> <li>• Introduction to Capital Works Schedule</li> </ul>	<ul style="list-style-type: none"> <li>• Council feedback on proposed rates approach</li> <li>• Council feedback on proposed fees and charges approach</li> </ul>	<ul style="list-style-type: none"> <li>• Council adoption on proposed Principles and Parameters for Draft Business Plan and Budget</li> </ul>	<ul style="list-style-type: none"> <li>• Introduction to Strategic Projects and Service Changes</li> <li>• Council feedback on business plan and budget scenarios</li> </ul>	<ul style="list-style-type: none"> <li>• Council feedback on:                             <ul style="list-style-type: none"> <li>• Draft Business Plan and Budget, including Service Plans, Projects and Priorities</li> <li>• Draft subsidiary Business Plan and Budgets</li> <li>• Community engagement Plan</li> <li>• Input on Draft non-statutory Fees and Charges Schedule</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Consider community feedback</li> </ul>	<ul style="list-style-type: none"> <li>• Council feedback on:                             <ul style="list-style-type: none"> <li>• 2023/24 Business Plan and Budget</li> <li>• Subsidiary Business Plans and Budgets</li> <li>• Updated Long Term Financial Plan</li> </ul> </li> </ul>
<b>Council Member role</b>	<b>Council Member role</b>	<b>Council Member role</b>	<b>Council Member role</b>	<b>Council Member role</b>	<b>Council Member role</b>	<b>Council Member role</b>
<ul style="list-style-type: none"> <li>• Provide input into Draft projects</li> </ul>	<ul style="list-style-type: none"> <li>• Define preferred rates approach</li> <li>• Define preferred fees and charges approach</li> </ul>	<ul style="list-style-type: none"> <li>• Adopt Principles and Parameters to inform the Draft Business Plan and Budget build</li> </ul>	<ul style="list-style-type: none"> <li>• Provide input into Draft projects</li> <li>• Define preferred Budget Scenarios and Levels of Service to build Draft Business Plan and Budget</li> </ul>	<ul style="list-style-type: none"> <li>• Adopt the Draft 2023/24 BP&amp;B for community engagement</li> <li>• Adopt the Draft 2023/24 non-statutory Fees and Charges</li> <li>• Endorse the proposed community engagement activities</li> </ul>	<ul style="list-style-type: none"> <li>• Receive community submissions and participate in a Public Hearing</li> </ul>	<ul style="list-style-type: none"> <li>• Adopt the Final 2023/24 Business Plan and Budget, Long Term Financial Plan, Subsidiary Business Plans and Budgets, Borrowings, Valuations and Declaration of Rates</li> </ul>

## 2022/23 Q4 Quarterly Forward Procurement Report

Strategic Alignment - Enabling Priorities

Public

**Tuesday, 21 March 2023**  
**City Finance and Governance  
Committee**

**Program Contact:**  
Anthony Spartalis, Manager  
Finance & Procurement

**Approving Officer:**  
Stephen Zaluski, Acting Chief  
Operating Officer

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## EXECUTIVE SUMMARY

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

Significant procurements are defined as those with procurement expenditure estimated to be equal to or above \$2 Million, excluding GST.

This report covers Quarter 4 of the 2022/2023 financial year.

All of the procurement budgets and projects were previously approved by Council and no additional decision is sought. The report is provided for information purposes only.

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## RECOMMENDATION

### THAT THE CITY FINANCE AND GOVERNANCE COMMITTEE:

1. Notes the Procurements set out in Attachment A to Item 5.1 on the Agenda for the meeting of the City Finance and Governance Committee, held on 21 March 2023, which will be released to the market during Quarter 4 of the 2022/223 financial year.
-

## IMPLICATIONS AND FINANCIALS

City of Adelaide 2020-2024 Strategic Plan	Strategic Alignment – Enabling Priorities
Policy	This report is prepared in accordance with the requirements of Council's Procurement Policy. Council's current delegations for procurement are outlined in the Procurement Policy and Procurement and Contract Approvals Operating Guideline.
Consultation	All Programs were consulted with in respect to significant procurement activity that is anticipated to occur in the fourth quarter of the 2022/23 financial year.
Resource	Not as a result of this report
Risk / Legal / Legislative	Section 49 of the <i>Local Government Act 1999</i> (SA) outlines the principles that Council will apply to procurement.
Opportunities	Not as a result of this report
22/23 Budget Allocation	Not as a result of this report
Proposed 23/24 Budget Allocation	Not as a result of this report
Life of Project, Service, Initiative or (Expectancy of) Asset	Not as a result of this report
22/23 Budget Reconsideration (if applicable)	Not as a result of this report
Ongoing Costs (eg maintenance cost)	Not as a result of this report
Other Funding Sources	Not as a result of this report

## DISCUSSION

1. The purpose of the Quarterly Forward Procurement Report is to provide further information and visibility to Council on major procurement and contracting activity.
2. The following is an extract from the Procurement Policy, adopted by Council on 14 December 2021:  
*“The Council will have regard to the following measures in ensuring probity, accountability and transparency”*
  - *Council Members will be provided with a quarterly forward procurement plan for consideration, detailing tenders and subsequent contracts that have an estimated value of over \$2,000,000 (ex GST) or that are high risk and will require Council Member approval;*
  - *Council Members will be requested to approve the award of all contracts that exceed \$2,000,000 (ex GST).”*
3. As such, a Quarterly Forward Procurement Report is provided to Council each quarter outlining planned procurement activities with an estimated spend over \$2,000,000, ex GST.
4. The report covers Quarter 4 of the 2022/2023 financial year.
5. The Procurements listed in **Attachment A** of this report will be released to the market during Quarter 4 of the 2022/2023 financial year.
6. The Procurement Policy (Link 1 view [here](#)) requires the provision of a forward procurement plan for expected expenditure over \$150,000 be made publicly available on the City of Adelaide website. This report is prepared at the start of the financial year and represents an estimate of procurements based on the approved business plan and budget and upcoming expiring contracts. This is also available on the website.
7. All of the procurement budgets and projects were previously approved by Council and no additional decision is sought. The report is provided for information purposes only.

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## DATA AND SUPPORTING INFORMATION

**Link 1 – Procurement Policy**

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## ATTACHMENTS

**Attachment A – Quarter 4 2022/2023 Forward Procurement Report**

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- END OF REPORT -

# ATTACHMENT A

## Attachment A – Quarter 4 2022/23 Forward Procurement Report

Program	Description	Proposed Procurement Approach	Anticipated Spend per year	Expected Qtr at Market	Comments
City Operations	Cleaning Services	Open Tender	\$3m per year, propose a 5+2+2 contract term.	Q4 – April	This project will combine the current CoA cleaning contract with ACMA.
City Services (Infrastructure)	Market to Riverbank Laneways Upgrade – Pitt Street	Open Tender	\$2.3m, project budget	Q4 – June	<p>The Market to Riverbank link project is a joint investment project between the City of Adelaide and the State Government (through Renewal SA) to upgrade Bank Street, Leigh Street, Topham Mall, Bentham Street and Pitt Street.</p> <p>2023 scope: Pitt Street design and construction works. Service relocations to occur prior to onsite works scheduled to commence in July.</p>
City Services (Infrastructure)	City of Adelaide Bikeways – North Terrace to Rundle Street	Open Tender	\$2.7m project budget	Q4 - April	<p>The North-South Bikeway will build on the existing Frome Bikeway and will connect the existing Rugby/Porter Bikeway in Unley to the Braund Road Bike Boulevard in Prospect.</p> <p>2023 scope: The project entering the market is for bikeways – North Terrace to Rundle St. Project commencement scheduled for July 2023.</p>



Program	Description	Proposed Procurement Approach	Anticipated Spend per year	Expected Qtr at Market	Comments
City Services (Strategic Property & Commercial)	Replacement of car parking machines	Open Tender	\$2m capital cost + service and maintenance costs	Q4 – April	<p>CoA's parking ticket machine stock are approaching end of life. These assets operate on the 3G network, and with Telstra's 3G network closing down, there is a requirement for significant capital investment proposed during the 2023/24 BP&amp;B for replacement of the CoA's stock by June 2024.</p> <p>Service and maintenance costs will be known once RFT submissions have been received.</p>
City Services (Infrastructure)	Hutt Street Entry Statement	Open Tender	\$3m project budget	Q4 – June	<p>This project aims to deliver outcomes to enhance Hutt Street and its surrounds through undertaking main street improvement works, public realm and placemaking upgrades to revitalise the precincts. Project commencement scheduled for August 2023.</p>

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## ACMA Strategic Plan 2023–28

Strategic Alignment - Thriving Communities

Public

Tuesday, 21 March 2023

City Finance and Governance  
Committee

**Program Contact:**

Jodie Kannane, General Manager  
Adelaide Central Market Authority

**Approving Officer:**

Tom McCready, Director City  
Services

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## EXECUTIVE SUMMARY

The Adelaide Central Market Authority (ACMA) was established as a subsidiary of the City of Adelaide under section 42 of the *Local Government Act 1999*.

In accordance with section 6.1 of the ACMA Charter 2022, the Authority must prepare and adopt a Strategic Plan with an operational period of four years which sets out the goals, objectives, strategies, priorities and relevant key performance indicators of the Authority for the period.

The Strategic Plan must be aligned and consistent with the Council's current strategic management plans. The Authority must review the Strategic Plan annually in consultation with the Council.

In order to create the Strategic Plan to lead ACMA into the next five years, it was considered essential by the ACMA Board that all stakeholders were consulted with and included in developing this new Strategic Plan, including traders, market precinct, as well as our customers. Key stakeholder themes included identify and tell product providence stories, sustainability initiatives (best practice, trader initiatives, community engagement), car parking ease & cost and retail strategy. The plan encompasses the Market Expansion which is incorporated throughout the strategic initiatives and specific construction phase actions.

The draft Strategic Plan 2023-2028 was endorsed by the ACMA Board at its meeting on 12 December 2022 for approval by Council.

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## RECOMMENDATION

THAT THE CITY FINANCE AND GOVERNANCE COMMITTEE RECOMMENDS TO COUNCIL:

That Council:

1. Adopts the Adelaide Central Market Authority Strategic Plan 2023-28, as detailed in Attachment A to Item 6.1 on the Agenda for the meeting of the City Finance and Governance Committee held on 21 March 2023.

## IMPLICATIONS AND FINANCIALS

City of Adelaide 2020-2024 Strategic Plan	Strategic Alignment - Thriving Communities Consistent with the delivery of the Strategic Plan.
Policy	Consistent with the Adelaide Central Market Authority Charter 2022.
Consultation	The Authority is required to consult with the City of Adelaide (Council) when adopting its Strategic Plan. Public and stakeholder consultation has been completed.
Resource	No additional resources required.
Risk / Legal / Legislative	Approach is consistent with the Authority's Charter.
Opportunities	Approach is consistent with the Authority's Charter.
22/23 Budget Allocation	Not in relation to this report
Proposed 23/24 Budget Allocation	Not in relation to this report
Life of Project, Service, Initiative or (Expectancy of) Asset	Five years being 2023-2028.
22/23 Budget Reconsideration (if applicable)	Not in relation to this report
Ongoing Costs (eg maintenance cost)	The Authority's Business Plan and Budget process is an annual process.
Other Funding Sources	Not in relation to this report

# DISCUSSION

## Adelaide Central Market Authority Charter 2022

1. Pursuant to section 6.1.1 of its Charter (Link 1 view [here](#)), the Adelaide Central Market Authority (ACMA) must prepare and adopt a Strategic Plan with an operational period of four years which sets out the goals, objectives, strategies, priorities and relevant key performance indicators of the Authority for the period.
2. The Strategic Plan must be aligned and consistent with the Council's current strategic management plans.
3. The Authority must review the Strategic Plan annually in consultation with the Council.

## Previous Strategic Plan 2018-2022

4. Key outcomes from the previous Strategic Plan 2018-2022 include:
  - 4.1. Our Customers
    - 4.1.1. Leasing of new and innovative traders such as SiSea, Gewuzhaus & Saudade Portuguese Tarts. Highly successful Producer in Residence program for food start-ups.
    - 4.1.2. Market 150th Birthday celebrations including publishing the 486 page book Adelaide Central Market: Stories, People and Recipes.
    - 4.1.3. Development of the Community Kitchen to connect the Market with SA's multicultural community and food industry.
    - 4.1.4. Delivery of The Market Stall customer service desk on the Market floor to improve customer experience and connection.
    - 4.1.5. Delivery of vibrant Market place and unique customer experiences via a program of well-established events and promotions including Bastille Day, Refugee Week, Seafood & Sounds, live music, school holiday and family programs.
    - 4.1.6. Highlight indigenous culture through marketing and delivery of RAP actions.
    - 4.1.7. Establish and implement ongoing market research and customer experience insights program.
  - 4.2. Our Traders
    - 4.2.1. Proactive promotion and PR to reinforce the unique offer in the Market and position traders as food experts.
    - 4.2.2. Advocated on behalf of traders and delivered operations to ensure Market remained an essential service during Covid. Delivered recovery strategy to drive return and uplift visitation.
    - 4.2.3. Developed and implemented ACM Online Home Delivery program with over 45 traders and 2000 products.
  - 4.3. Our Business
    - 4.3.1. Highly effective, skills based ACMA Board and ACMA Management team of 6.7FTE.
    - 4.3.2. Completion of over \$12M capital works including escalator & lift replacements, stall structure replacements, main switchboard, HVAC, security bollards, fire & emergency systems and new toilet facilities.
    - 4.3.3. Annual operating cash position results showing Market self-sufficient in terms of operations.
    - 4.3.4. New Charter (2021) including updated business model to transition to Market Expansion.
    - 4.3.5. Collaborate with UPark to maximise parking availability for Market shoppers.
  - 4.4. Our Precinct
    - 4.4.1. Arcade redevelopment actions including relocating Haigh's, Angelakis, Real Falafel, Let Them Eat and Skala Bakery into the Central Market. Delivered 'Our Market Always' campaign highlighting Market is open for business as usual. Established Development & Property Committee with CoA.
    - 4.4.2. Developed inaugural Market Sustainability Strategy.
    - 4.4.3. Activated Market frontages with restoration of heritage facades, three new art murals at entrances, veranda lighting, trader activations and additional signage.

## Engagement Strategy

5. In order to create the Strategic Plan to lead ACMA into the next five years, it was considered essential by the ACMA Board that all key stakeholders were consulted with and included in developing this new Strategic Plan, including all traders, market precinct, as well as our customers. Significant consultation was undertaken by ACMA with a total of 10 meetings held and 92 suggestions considered.
6. The ACMA Board undertook a strategic planning session to review and approve ACMA's strategic engagement plan and develop the strategic pillars.
7. Trader group workshops were conducted over several weeks during the consultation period to discuss the key areas that Market stakeholders considered priorities for the Plan.
8. A specialist facilitator in Leadership, Team and Retail Strategy (True North Consulting) was engaged to lead the workshop sessions.
9. Workshop participants included:
  - 9.1. Traders Representative Committee
  - 9.2. Traders Advisory Group
  - 9.3. Open Trader workshops and individual sessions
  - 9.4. Adelaide Central Market Authority Management Staff
10. The draft strategic outline was published and open for public, trader and precinct consultation via Your Say Adelaide.
11. Customer experience research insights contributed to the development of the Plan.
12. Upon completion of all surveys and workshops, feedback was consolidated and prioritised, which formed the overarching initiatives of the ACMA Strategic Plan 2023-2028.
13. Further feedback was sought from ACMA Board and Traders Representative Committee in finalising.
14. The draft Strategic Plan 2023-2028 was endorsed by the ACMA Board at its meeting on 12 December 2022 for approval by Council.

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## DATA AND SUPPORTING INFORMATION

**Link 1** – ACMA Charter 2022

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## ATTACHMENTS

**Attachment A** – ACMA Strategic Plan 2023-28

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- END OF REPORT -



# Adelaide Central Market Authority

Strategic Plan 2023-28

Page 112



Version 1

Attachment A

# Our Strategy

This plan outlines the focus for the Adelaide Central Market Authority for the next 5 years and is based on the emerging themes and priorities identified by our key stakeholders as important to our iconic Market, our community, our traders, our customers and our business.

The draft Adelaide Central Market Authority Strategic Plan 2023-28 has been developed in consultation with the Market's key stakeholders.

The Strategic Plan 2023-28 identifies the Authority's goals, objectives, strategies, priorities, and relevant key performance indicators for the next 5 years.

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## OUR PURPOSE

To be a world leading food and produce market that shares enduring connection with our community.

## OUR PLAN

To operate sustainably as a thriving team of Traders, Board and Management who create unique, diverse and memorable customer experiences that enhance our precinct, city and state.

## OUR AMBITION

To grow the market by attracting more residents, visitors and workers who shop regularly.



# Strategic Pillars

## OUR CUSTOMERS

We will keep customer experiences at the heart of all decisions, every day.

- 1.1 Know our customer**
- 1.2 Engage our customer**
- 1.3 Deliver extraordinary customer experience**

## OUR TRADERS

We will work with our traders to support them in the delivery of an exceptional shopping experience.

- 2.1 Support Trader success**
- 2.2 Maintain & Grow Trader advocacy**

## OUR BUSINESS

We will take a responsible and sustainable approach to our business in pursuing positive long-term financial results.

- 3.1 Ensure our Market is financially self sufficient**
- 3.2 Deliver Retail & Leasing Strategy**
- 3.3 Deliver Marketing Strategy**
- 3.4 Ensure the Market remains safe & secure environment**
- 3.5 Treat Traders as business partners**
- 3.6 Deliver brilliant basics**
- 3.7 Focus on people and capability**

## OUR COMMUNITY

We will make a valuable contribution to the economic, social and cultural wellbeing of our precinct and community.

- 4.1 Connect with our community**
- 4.2 Contribute to the wider Market precinct**

## OUR MARKET

We will deliver infrastructure and programs that address the current and emerging needs of our customers and traders.

- 5.1 Ensure quality outcomes for our Market**
- 5.2 Review technology systems to inform decision making**





# Our Customers



# Our Customers

We will keep customer experiences at the heart of all decisions, every day.

OBJECTIVE	1.1 KNOW OUR CUSTOMERS			
INITIATIVE	1.1.1 CUSTOMER EXPERIENCE TRACKER	1.1.2 CUSTOMER JOURNEY	1.1.3 CUSTOMER INSIGHTS	1.1.4 TRADING HOURS
	Regularly update quantitative understanding of customer perception, barriers, pain points and delights	Evolve Customer Journey analysis to understand why customers haven't visited recently, bring more people to the Market and keep them coming back	Leverage customer feedback from socials and Market Stall to drive customer advocacy	Align trading hours to customer preferences
ACTION MILESTONE MEASURES	<ul style="list-style-type: none"> <li>Identify customer experience trends and satisfaction level</li> <li>Undertake regular surveys</li> <li>Monitor feedback at Market Stall and online</li> <li>Report on customer trends</li> </ul>	<ul style="list-style-type: none"> <li>Undertake annual customer journey research to underpin external marketing activities</li> <li>Identify shopper segments</li> </ul>	<ul style="list-style-type: none"> <li>Improve customer service digital tools to collate and manage customer feedback</li> </ul>	<ul style="list-style-type: none"> <li>Customer survey results</li> </ul>





# Our Customers

We will keep customer experiences at the heart of all decisions, every day.

**OBJECTIVE**

**1.2 ENGAGE OUR CUSTOMERS**

**INITIATIVE**

**1.2.1 MARKET VIBRANCY**

**1.2.2 CONNECTED CUSTOMER**

**1.2.3 CUSTOMER SERVICE**

Elevate events and activations to drive Market vibrancy and celebrates cultural diversity

Develop roadmap to connect with customers for entire journey, home to market to home

Expand customer Service Desk offering

**ACTION MILESTONE MEASURES**

- Annual event calendar
- Collaborations with cultural organisations
- Producer in Residence occupancy
- Deliver music strategy
- Improve sound system and ambience

- Digital strategy
- Work with CoA to improve car park experience and precinct wayfinding

- Investigate: digital gift card, services (mobility & accessibility), merchandise, visitor information, product directory
- Staff training
- Consider customer services desk location within expansion



# Our Customers

We will keep customer experiences at the heart of all decisions, every day.



**OBJECTIVE**

**1.3 DELIVER EXTRAORDINARY CUSTOMER EXPERIENCE**

**INITIATIVE**

**1.3.1 IN MARKET**

Create compelling common areas for customers to play and stay

**1.3.2 UNIQUE EXPERIENCES**

Create an enjoyable & unique shopping experience

**1.3.3 ONLINE MARKET**

Implement continuous improvements including personalised customer engagement journey; delivery and click & collect processes; customer rewards and leveraging online customer insights to address needs

**ACTION MILESTONE MEASURES**

- Consider interactive Trader Map
- Investigate food culture hub with event kitchen facilities

- Identify opportunities to highlight the Market’s cultural diversity through demonstrations, tastings & events
- Measure customer satisfaction
- Increase visitor numbers

- Annual customer survey and regular trend and data analysis
- Investigate delivery partners and tracking





# Our Traders



# Our Traders

We will work with our traders to support them in the delivery of an exceptional shopping experience

OBJECTIVE	2.1 SUPPORT TRADER SUCCESS			
INITIATIVE	2.1.1 UNIQUE PRODUCT	2.1.2 UNIQUE EXPERIENCES	2.1.3 CUSTOMER EXPERIENCE	2.1.4 VISITOR REVENUE
	<p>Traders to identify unique products and showcase provenance stories</p>	<p>Traders to treat each customer as special, every time and share expert produce knowledge with customers</p>	<p>Encourage “story telling” at point of sale, highlighting the stalls history &amp; tradition</p>	<p>Encourage Traders to find opportunities to cater for tourists</p> <p>Promote trader connection with event customers</p>
ACTION MILESTONE MEASURES	<ul style="list-style-type: none"> <li>• Trader improvement on social media focusing on unique products. Share content with ACMA to enable media and PR opportunities</li> <li>• Trader improvements on labelling &amp; signage to identify origin of produce</li> </ul>	<ul style="list-style-type: none"> <li>• Customer experience survey results</li> </ul>	<ul style="list-style-type: none"> <li>• Provide traders with an opportunity to spend time with a retail visual merchandiser to identify key areas for improvement.</li> <li>• Consider a trader reward program for improved customer experience</li> <li>• Encourage spruiking where possible.</li> <li>• Support tastings &amp; demonstrations</li> </ul>	<ul style="list-style-type: none"> <li>• SATC and AEDA/CoA Tourism data</li> <li>• Conversion of event customers to shopper</li> <li>• Trader participation/offers</li> </ul>



# Our Traders

We will work with our traders to support them in the delivery of an exceptional shopping experience

**OBJECTIVE**

## 2.2 MAINTAIN & GROW TRADER ADVOCACY

**INITIATIVE**

### 2.2.1 TRADER SKILLS

Support Trader engagement in business trends, retail and commercial business skills including Marketing training needs as identified by Traders

### 2.2.2 PROFILE LEADERS

Utilise Traders as ambassadors for general Marketing activity.

### 2.2.3 LEVERAGE ADELAIDE CENTRAL MARKET BRAND

ACM Brand licensing program

**ACTION MILESTONE MEASURES**

- Provide Traders with information on Lessee obligations
- Develop new Trader Induction Program
- Share periodic market research
- Provide opportunities to improve Trader social media customer engagement & digital footprint

- Create opportunities through the use of ACMA's creative & PR agencies and digital channels

- Develop brand licensing program for Market tenants





# Our Business



# Our Business

We will take a responsible and sustainable approach to our business in pursuing positive long-term financial results

## OBJECTIVE

### 3.1 ENSURE THE MARKET IS FINANCIALLY SELF SUFFICIENT

## INITIATIVE

#### 3.1.1 FINANCIAL

Work with CoA Finance to update ACMA Long Term Financial Plan

Identify cost efficiencies and revenue generating opportunities

#### 3.1.2 GOVERNANCE

Manage Market and oversight of ACMA Strategic Plan in accordance with Charter, Council's Strategic Plan and Headlease

#### 3.1.3 LEASE REVENUE

Perform annual Market rent reviews

Reduce close to open time for stalls

Maintain strong leasing occupancy

## ACTION MILESTONE MEASURES

- Financially self-sufficient operationally
- Annual financial results meet Budget
- Financial audit performed at least once per year
- Develop licensing program for merchandise and product

- ACMA Board strategic planning
- AGM
- Administer Board of Management and Committees
- Regular reporting to CoA CEO and Council

- Independent rental valuations remain up to date and relevant
- Leasing occupancy above 96%
- Total income generated
- Percentage of lease renewals





# Our Business

We will take a responsible and sustainable approach to our business in pursuing positive long-term financial results

## OBJECTIVE

### 3.2 DELIVER RETAIL & LEASING STRATEGY

## INITIATIVE

#### 3.2.1 RETAIL MIX

Establish a holistic market review and future strategy to solidify the Market as the destination for food and produce

Attract and retain traders

#### 3.2.2 FITOUT UPGRADES

Develop design and display guidelines for Tenancies, producer in residence and casual leasing

Encourage tenancies upgrades through incentive program based on annual budget

## ACTION MILESTONE MEASURES

- Actively curate and seek traders to stimulate Market Mix
- High satisfaction rate in customer survey (diversity criteria)
- Continue to contribute significantly to total volume of spend in the city

- Develop and implement Design guidelines
- Annual measure of stalls benefiting from fit out incentive program



# Our Business

We will take a responsible and sustainable approach to our business in pursuing positive long-term financial results

## OBJECTIVE

### 3.3 DELIVER MARKETING STRATEGY

## INITIATIVE

#### 3.3.1 MARKETING PURPOSE

Ensure the Market is recognised locally and internationally as a leading, vibrant, diverse and unique fresh produce market community

#### 3.3.2 TOURISM

Identify opportunities to drive tourist visitations

## ACTION MILESTONE MEASURES

- Using research data, develop an annual comprehensive, multi channel, cost effective & actionable Marketing Plan
- Provide opportunities for Trader engagement
- Review internal marketing channels and approach
- Collaboration with CoA and SATC to engage with tourism visitors and operators
- Consider targeted offer/experience for tourists
- Encourage Traders to provide special offers





# Our Business

We will take a responsible and sustainable approach to our business in pursuing positive long-term financial results

## OBJECTIVE

### 3.4 ENSURE THE MARKET REMAINS A SAFE AND SECURE ENVIRONMENT

## INITIATIVE

#### 3.4.1 SECURITY

Maintain Market security standards and seek opportunities for improvement

#### 3.4.2 PARTNERSHIPS

Strengthen relationships with emergency services

Collaborate with CoA to identify security trends in the city

## ACTION MILESTONE MEASURES

- Monitor performance of security provider to contract
- Consider broadening the scope of security contractors and how they are utilised
- Utilise technology to reduce costs
- Report on number of incidents
- Proactively share security, health and best practice trends





# Our Business

We will take a responsible and sustainable approach to our business in pursuing positive long-term financial results

## OBJECTIVE

### 3.5 TREAT TRADERS AS BUSINESS PARTNERS

## INITIATIVE

#### 3.5.1 TRADER GROUPS

Continue to develop representative committee formats to deliver best outcome for Market, including traders

#### 3.5.2 COMMUNICATION

Develop strategy for communications and trader updates to achieve highest engagement

## ACTION MILESTONE MEASURES

- Compliance with ACMA Charter
- Survey Trader satisfaction rate
- Trader communications open rates
- Provide resources and industry news to assist Traders
- Review delivery methods for communication



# Our Business

We will take a responsible and sustainable approach to our business in pursuing positive long-term financial results

## OBJECTIVE

### 3.6 DELIVER BRILLIANT BASICS

## INITIATIVE

#### 3.6.1 GENERAL CLEANLINESS

Maintain Market cleaning standards and seek opportunities for improvement

#### 3.6.2 BRILLIANT BASICS

Ensure traders comply with lease conditions including cleaning and waste management, maintenance & repair and pest control

## ACTION MILESTONE MEASURES

- Ongoing inspections completed
- Contractor compliance with contract reviewed
- Review Market rules annually to include minimum standards
- Ongoing inspections completed and remedial activities undertaken
- Actively liaise with traders and ensure compliance





# Our Business

We will take a responsible and sustainable approach to our business in pursuing positive long-term financial results

**OBJECTIVE**

**3.7 FOCUS ON PEOPLE AND CAPABILITY**

**INITIATIVE**

**3.7.1 EMPLOYEE EXPERIENCE**

**3.7.2 TEAM CAPABILITY**

Retain and attract key talent  
 Maintain and grow employee engagement

Develop Workforce Plan for Market Expansion  
 Embed role and decision clarity

**ACTION MILESTONE MEASURES**

- |   |   |
|---|---|
| <ul style="list-style-type: none"> <li>• Anecdotal feedback</li> <li>• Employee advocacy</li> <li>• Maintain and grow culture survey results</li> </ul> | <ul style="list-style-type: none"> <li>• Access to professional development and upskilling</li> <li>• Review of resourcing</li> </ul> |
|---|---|



# Our Community



# Our Community

We will make a valuable contribution to the economic, social and cultural wellbeing of our precinct and community

OBJECTIVE	4.1 CONNECT WITH OUR COMMUNITY			
INITIATIVE	4.1.1 RECONCILIATION ACTION PLAN	4.1.2 COMMUNITY ENGAGEMENT PLAN	4.1.3 SUSTAINABILITY STRATEGY	4.1.4 EDUCATION PROGRAMS
	Engage with and recognise the Kurna community and all First Nations as traditional owners	Connect with the broader community to ensure the Market continues to be inclusive and welcoming to all	Encourage socially responsible and sustainable initiatives and measures to support our local businesses, traders and customers	Enhance connection with education providers and schools
ACTION MILESTONE MEASURES	<ul style="list-style-type: none"> <li>• Deliver Market initiatives from City of Adelaide Reconciliation Action Plan (RAP)</li> <li>• Deliver Market activations and initiatives to exceed</li> </ul>	<ul style="list-style-type: none"> <li>• Develop and deliver initiatives from annual Community Engagement Plan</li> </ul>	<ul style="list-style-type: none"> <li>• Develop and deliver Market Sustainability Strategy</li> <li>• Utility consumption</li> <li>• Landfill diversion</li> <li>• Trader advocacy</li> </ul>	<ul style="list-style-type: none"> <li>• Revamp education packs and resources</li> <li>• Number of school visitations</li> <li>• Consider education centre/class room space</li> </ul>





# Our Community

We will make a valuable contribution to the economic, social and cultural wellbeing of our precinct and community

OBJECTIVE	4.2 CONTRIBUTE TO THE WIDER MARKET PRECINCT			
INITIATIVE	4.2.1 DISTRICT STRATEGY	4.2.2 COLLABORATION	4.2.3 STREET PRESENCE	4.2.4 ACTIVATE FRONTAGES
	<p>Develop a yearly plan for precinct connection and collaboration</p>	<p>Foster collaboration with a focus on innovation and community engagement</p>	<p>ACMA to explore opportunities to create on street signage including CBD to Market and approaching streets</p>	<p>Encourage traders to activate Gouger and Grote street frontages.  Develop plan to activate Laneway</p>
ACTION MILESTONE MEASURES	<ul style="list-style-type: none"> <li>Identify and plan yearly priorities, including:</li> <li>Key stakeholders and proposed programs</li> <li>City visitor segments</li> <li>Economic cultural and social objectives</li> <li>Safety considerations</li> <li>B2B opportunities</li> </ul>	<ul style="list-style-type: none"> <li>Ongoing participation at precinct meetings &amp; other meetings</li> <li>Provide Market updates and information to key stakeholders as relevant</li> <li>Support precinct initiatives and events when aligned</li> <li>Leverage the capabilities of precinct groups</li> </ul>	<ul style="list-style-type: none"> <li>Investigate signage requirements for improved customer experience</li> <li>Increase brand visibility</li> </ul>	<ul style="list-style-type: none"> <li>Work with street frontage traders and City of Adelaide to extend offering on to the street</li> <li>Link to Market to Riverbank and Her Majesty's Theatre</li> </ul>



# Our Market



# Our Market

We will deliver infrastructure and programs that address the current and emerging needs of our customers and traders

OBJECTIVE	5.1 ENSURE QUALITY OUTCOMES FOR OUR MARKET			
INITIATIVE	5.1.1 CUSTOMER AMENITIES	5.1.2 OPERATIONAL REQUIREMENTS	5.1.3 CAR PARKING	5.1.4 MARKET EXPANSION - CONSTRUCTION PHASE
	<p>Deliver solutions to make it easier for customers to utilise and navigate the Market</p>	<p>Provide ‘fit for purpose’ spaces</p>	<p>Improve the customers car parking experience</p>	<p>Maintain Market vibrancy and business as usual trading for customers and traders throughout construction</p>
ACTION MILESTONE MEASURES	<ul style="list-style-type: none"> <li>• Monitor customer experience survey results</li> <li>• Wayfinding audit &amp; style guide</li> <li>• Name aisles, define spaces, directional toilet signs, “info” sign etc</li> <li>• Enhance amenities with consideration for toilets, parent rooms, bike racks, pet zone, wifi, quiet room</li> </ul>	<ul style="list-style-type: none"> <li>• Functional loading/unloading space &amp; access to improve trader efficiencies</li> <li>• Allow adequate storage area to ensure operational capabilities &amp; efficiencies for traders</li> <li>• Ensure space allocated for Click and Collect and future services</li> <li>• Ensure Market Expansion services allow tenancies to be adapted over time such as grease trap, power, exhaust etc</li> </ul>	<ul style="list-style-type: none"> <li>• Pursue validation solution</li> <li>• Collaborate with CoA UPark to undertake regular reviews of car parking arrangements to assess pricing &amp; offers, layout &amp; operation</li> <li>• Wayfinding and ease of access</li> </ul>	<ul style="list-style-type: none"> <li>• Advocate for traders and customers throughout all project phases</li> <li>• Implement communications strategy including stakeholder and community relations</li> <li>• Monitor customer experience survey results</li> <li>• One Market approach for planning purposes</li> </ul>



# Our Market

We will deliver infrastructure and programs that address the current and emerging needs of our customers and traders

**OBJECTIVE**

**5.2 REVIEW TECHNOLOGY SYSTEMS TO INFORM DECISION MAKING**

**INITIATIVE**

**5.2.1 BUSINESS SYSTEMS**

Implement improved Technology to streamline practices and create highest levels of efficiency as possible

**ACTION  
MILESTONE  
MEASURES**

- Update lease administration software
- Investigate tenancy coordination, CRM and POS solutions
- Expand people counters
- Deliver heat mapping to understand where our customers are



**Thank You**





## Financial Principles to Build the 2023-24 Budget

Strategic Alignment - Enabling Priorities

Public

Tuesday, 21 March 2023

City Finance and Governance Committee

**Program Contact:**

Anthony Spartalis, Finance & Procurement

**Approving Officer:**

Steve Zaluski, A/Chief Operating Officer

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## EXECUTIVE SUMMARY

Council has commenced the process for developing the 2023-2024 Business Plan and Budget (BP&B).

Following input and feedback from Council received during recent training, workshops and presentations to Council spanning November to now, this report outlines the recommended Financial Principles (as at Attachment 1) to guide Council in its approach to rates, fees and charges, infrastructure and assets, projects, and services to build Council's draft 2023-2024 financial year Business Plan and Budget. Guided by these principles, Council will consider different budget scenarios to inform the Draft Budget for community consultation.

This approach supports Council's commitment to the enabling priorities of robust financial management. It also builds upon the good work already undertaken by Council to ensure Council's financial position is sustainable.

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## RECOMMENDATION

### THAT THE CITY FINANCE AND GOVERNANCE COMMITTEE RECOMMENDS TO COUNCIL

#### THAT COUNCIL

1. Adopts the financial principles to guide the preparation of the draft 2023-2024 Business Plan and Budget (BP&B) as at Attachment A to Item 6.2 on the Agenda for the meeting of the City Finance and Governance Committee held on 21 March 2023.
-

## IMPLICATIONS AND FINANCIALS

City of Adelaide 2020-2024 Strategic Plan	<b>Strategic Alignment – Enabling Priorities</b> The recommendations outlined in this report support Council's commitment to robust financial management and transparent decision making for the effective delivery of services.
Policy	Not as a result of this report
Consultation	Council is required to consult with the community for a minimum of 21 days, on a Draft Business Plan and Budget.
Resource	Not as a result of this report
Risk / Legal / Legislative	Not as a result of this report
Opportunities	The recommendations in this report support Council's long term financial sustainability and enables Council to invest in emerging priorities.
22/23 Budget Allocation	Not as a result of this report
Proposed 23/24 Budget Allocation	Not as a result of this report
Life of Project, Service, Initiative or (Expectancy of) Asset	Not as a result of this report
22/23 Budget Reconsideration (if applicable)	Not as a result of this report
Ongoing Costs (eg maintenance cost)	Not as a result of this report
Other Funding Sources	Not as a result of this report

## DISCUSSION

1. For the 2020-21 financial year, Council adopted a set of Recovery Principles in response to the impact of COVID-19 on Council's revenue and expenditure to ensure the ongoing delivery of services and projects for our community and our long term financial sustainability.
2. The Recovery Principles were for Council to utilise when making decisions related to the setting of rates, fees and charges; the utilisation of borrowings and proceeds from the sale of assets; future investment and infrastructure; government partnerships; and the review of Council's services.
3. The Financial Principles recommended in this report (as at Attachment 1) build upon the Recovery Principles and further expand them based on feedback from Council received during recent training, workshops and presentations to Council spanning November to now.
4. It is proposed that the 2023-24 Business Plan and Budget (BP&B) is developed guided by a set of principles agreed by Council.
5. These Financial Principles will guide the development of Council's next Long Term Financial Plan.
6. To date, as part of the 2023-24 Business Plan and Budget process, the following training, meetings, workshops and reports have been presented to Council, supplemented by information provided to Council through the Council Member portal:
  - 6.1. 30 November 2022 –Strategy and Finance Induction Training
  - 6.2. 24 January 2023 – Services, Assets and Priorities CEO Briefing
  - 6.3. 7 February 2023 – Finance, Principles and Long Term Financial Plan – Part 1 CEO Briefing
  - 6.4. 20 February 2023 – Finance, Principles and Long Term Financial Plan – Part 2 CEO Briefing
  - 6.5. 4 March 2023 – Principles, Program Budgets, Assets and Financial Parameters Training
  - 6.6. 14 March 2023 – Parameters CEO Briefing
  - 6.7. 21 March 2023 – Priorities and Projects, Rating, Fees and Charges CEO Briefing and workshops.
7. Adoption by Council of the Financial Principles outlined in Attachment 1 will ensure that the Administration can develop a Business Plan and Budget that meets Council's expectations, for a financially sustainable position now and into the future while delivering on priorities and objectives for the community.
8. The Financial Principles will be used to prepare a base budget, with various scenarios, for consideration by Council in conjunction with the proposed new projects/services in March and April 2023.
9. To finalise the 2023-2024 Business Plan and Budget for adoption by Council in June 2023, Council will:
  - 9.1. Review services, including service levels and community expectations
  - 9.2. Adopt a draft Business Plan and Budget for community consultation
  - 9.3. Finalise the Long Term Financial Plan
  - 9.4. Adopt business plans and budgets for each of its subsidiaries
  - 9.5. Adopt the Fees and Charges Schedule
  - 9.6. Review the Rating Policy
  - 9.7. Adopt Valuations, Declare General Rates, and Declare any Special Rates.

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## ATTACHMENTS

**Attachment A** - Financial Principles to Build the 2023-24 Budget

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- END OF REPORT -

## Attachment A: Financial Principles to build the 2023-24 Budget

# FINANCIAL PRINCIPLES

The Financial Principles have been developed giving consideration to future financial sustainability and delivering on priorities and objectives for the community. Once endorsed by Council, the Financial Principles will guide Administration in preparing the 2023-24 Budget and the Long Term Financial Plan for adoption by Council, and future decisions to be made by Council.

### Principles: General

#### **1. Council will maintain an operating surplus.**

Council's budget has over recent years transitioned from a deficit operating position to a surplus operating position. Maintaining an operating surplus ensures an improved financial sustainability position in that Council is not funding its operations from borrowings. While deficits can at times be employed to achieve certain strategic outcomes, they are not sustainable in the mid-to longer-term. Accordingly, Council has recognised the need to balance the budget and maintain an ongoing operating surplus.

### Principles: Operating Expenditure

#### **2. Council continues to deliver its current suite of services and asset maintenance at existing levels and standards**

It is recognised that outside of the current Business Plan & Budget process, ongoing reviews will be undertaken to ensure efficiencies (including potential removal of duplicated services that are, or could be better delivered by other agencies, or cost shifting from other levels of government), value for money, and alignment to community expectations and needs. Any savings will be redirected to improving services or maintenance, retiring debt, or such other purpose as may be determined by Council.

It is a reasonable position to take that the community expects, as a priority and as a minimum, for Council to continue to deliver existing services and asset maintenance in an efficient manner.

#### **3. Costs are indexed in line with Consumer Price Index (CPI) to maintain existing services.**

Following from Principle 2, it is therefore reasonable to expect that in order to maintain current services and asset maintenance, costs may need to increase.

Having said this, the budget is built from the bottom up and only the costs required to deliver existing services will be incorporated into the budget presented to Council.

In some cases, some costs may increase by CPI, some may not increase, some may increase by more or less than CPI.

**4. New or enhanced services, assets or maintenance requiring an increase in operating costs are to be funded from rate or other revenue increases and/or through savings from a reduction in other services.**

Where a rate increase is the preferred form of funding, this may potentially be managed by establishing a specific purpose rate and/or fund to provide transparency around associated expenditure.

It is acknowledged that costs may need to increase to maintain existing services and asset maintenance levels, so long as there is line of sight to the community on how the money will be spent.

### Principles: Operating Revenue

**5. Fees and charges are set, where appropriate, based on their nature and intent.**

It is acknowledged that Council's fees and charges are diverse and set based on different purposes and objectives.

It is also acknowledged certain fees and charges have previously been waived due to Council decisions and will be reviewed.

**6. Council will not seek to change the rating system for the 2023-24 Budget.**

Council ultimately decides how rates will be determined. Any significant change to the current approach triggers a detailed

and prescriptive consultation process. For this reason, it would not be possible to achieve this for the 2023-24 BP&B.

However, this does not preclude Council from seeking to revalue existing properties for the current year.

**7. Council may need to adjust rate revenue in order to achieve the desired budget (as per Principle 1), after consideration of all other budget components.**

Council has a number of financial levers to influence budget outcomes, of which rates is one. Any adjustment to rate revenue will occur only after other levers have been considered.

**8. Growth in rate revenue will be used to partly fund servicing new rateable properties and to service new borrowings.**

As our population and city grows, we need to have the right levels of services and infrastructure in place.

Borrowings is one way to provide new infrastructure without raising rate revenue and other revenues significantly. In addition, new properties, residents and businesses will require an increase in the amount of services delivered (not a change in levels and standards), increasing pressure on the budget, and need to be funded. Funding these from growth revenue generated by new properties is appropriate in this instance.



## Attachment A: Financial Principles to build the 2023-24 Budget

**9. Council will consider new and different revenue streams and the approach to our commercial businesses to reduce reliance on existing revenue sources.**

### Principles: Capital Expenditure

**10. Council recognises that new capital expenditure requires corresponding operating costs.**

Whilst new capital expenditure is likely to be funded using borrowings, there are operating costs associated with the provision of new capital assets, and these need to be funded, on an ongoing basis, from within the operating budget. These costs include, but are not limited to, depreciation, maintenance, interest and insurance.

**11. The capital renewal expenditure budget will be based on asset management plans.**

Asset management plans are based on renewal requirements, as evidenced through condition assessments, useful lives and approved service levels.

**12. Council capitalises on external funding, fast-tracking projects that attract such funding, recognising the potential need for increased borrowings in order to respond to external funding opportunities.**

**13. Council will consider the disposal, purchase and/or repurposing of property assets to unlock the potential and future prosperity of the City, without incurring a financial loss.**

This principle is underpinned by Council's Strategic Property Action Plan which Council will review.

### Principles: Borrowings (Debt)

**14. Borrowings will be used to fund new and upgrade projects (which include major projects).**

Using borrowings to fund new and upgrade projects assists intergenerational equity by spreading the cost of delivering infrastructure across the communities that will benefit from its use.

**15. Borrowings will not be used to fund operations, expenses or renewal projects.**

While using debt to fund new and upgraded projects is appropriate, using debt to fund operations is not sustainable in the medium to longer term.

## Principle: Transparency

### **16. Council will demonstrate transparency in its decision making**

Council has committed to transparent decision-making based on data and evidence, and robust financial management as key enabling priorities of its Strategic Plan. It is accountable to its ratepayers in obtaining value for money in the expenditure of public money.

It is important that Council communicates clearly to the community how it will use and manage its debt.

## Cybersecurity Update

Strategic Alignment - Enabling Priorities

Public

**Tuesday, 21 March 2023**

**City Finance and Governance  
Committee**

**Program Contact:**

Sonjoy Ghosh, Manager  
Information Management

**Approving Officer:**

Steve Zaluski, Acting Chief  
Operating Officer

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## EXECUTIVE SUMMARY

At the meeting of 28 October 2022, the Audit and Risk Committee discussed the importance of matters relating to data breaches and recognised that cyber security is an emerging key risk for Council.

Council has identified cybersecurity and related matters as a strategic risk to Council prior to 2020 and reports against key performance indicators regularly through the Strategic Risk and Internal Audit group. Since 2020 Council has progressively increased its resilience to cyber threats through the introduction of mitigating controls such as mandatory cyber security training for all system users, regular audits, incident management processes, and alignment to cybersecurity best practice.

Council has also worked closely with the Local Government Information Technology of South Australia (LGITSA) to help elevate the local government sector in cyber security awareness and capability.

This report provides an update on our approach to mitigate cyber security risk, and our plans to further improve our resilience to cyber threats. The Audit and Risk Committee have endorsed the four-year plan in Attachment A.

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## RECOMMENDATION

THAT THE CITY FINANCE & GOVERNANCE COMMITTEE RECOMMENDS TO COUNCIL:

That Council

1. Notes the cyber security principles that provide strategic guidance on how we protect our systems and data from cyber threats.
  2. Notes Council's current baseline achievement against the Essential Eight maturity model.
  3. Endorses the four-year plan in Attachment A to Item 6.3 on the Agenda for the meeting of the City Finance and Governance Committee held on 21 March 2023.
-

## IMPLICATIONS AND FINANCIALS

City of Adelaide 2020-2024 Strategic Plan	<b>Strategic Alignment – Enabling Priorities</b> To support the Council's delivery of strategic objectives by securely enabling its initiatives and operations while protecting it from threats to the availability, integrity, and confidentiality of systems and data from ongoing cyber threats.
Policy	Not as a result of this report.
Consultation	Not as a result of this report.
Resource	Not as a result of this report.
Risk / Legal / Legislative	The regular monitoring and reporting of the Council's cyber security is a key step in mitigating risks events that could impact the delivery of the Strategic Plan and Business Plan and Budget.
Opportunities	The proposed annual reporting of the Council's cyber security is a key step in maturing the organisation's overall understanding and mitigation of cyber threats.
22/23 Budget Allocation	Not as a result of this report.
Proposed 23/24 Budget Allocation	Not as a result of this report.
Life of Project, Service, Initiative or (Expectancy of) Asset	Not as a result of this report.
22/23 Budget Reconsideration (if applicable)	Not as a result of this report.
Ongoing Costs (eg maintenance cost)	Not as a result of this report.
Other Funding Sources	Not as a result of this report.

# DISCUSSION

## Background

1. Council has been improving its cyber security resilience for over 3 years, which was driven by our requirement to meet certain conditions of our transactional banking contract. Under our transactional banking contract, Council must be compliant with the Payment Card Industry (PCI) Data Security Standard (DSS). PCI-DSS introduced several new controls, both technical and non-technical to ensure, the protection of credit card details.
2. Cyber threats are increasing every year and we must create a strong organisational culture of cybersecurity. Cybersecurity is no longer just an IT issue. Everyone has a role to play to prevent a cyber incident from occurring.

## Cyber Security Risk Landscape

3. There are six key risks associated with cyber security:
  - 3.1. Disruption to service, in which criminals seek to deny access, disrupt, deface, or gain access to our systems and resources.
  - 3.2. Reputational risks which can be caused by cyber incidents being highly visible in the media and/or broadly reported and discussed.
  - 3.3. Criminals obtain valuable data that can be used for ransom, threatening to divulge information unless we pay.
  - 3.4. Potential for substantial financial impact through loss of productivity or penalties and fines.
  - 3.5. Third-party risk as we partner and collaborate with more organizations that may not be as mature in their cyber security practices.
  - 3.6. Regulatory and compliance risks if we fail to meet contractual and/or legal obligations.

## Cyber threat statistics

4. The statistics in Figure 1 below demonstrate the volume of potential cyber threats observed by the Council in the past six months.

Figure 1: Cyber threats in the past 6 months



## Four Pillars of Cyber Security Principles

5. As Council matures in its approach to cyber security, we must align to cyber security principles. The principles are to provide strategic guidance on how we can protect our systems and data from cyber threats. These cyber security principles are grouped into four key pillars:
  - 5.1. **Govern:** Identifying and managing security risks.
  - 5.2. **Protect:** Implementing controls to reduce security risks.
  - 5.3. **Detect:** Detecting and understanding cyber security events to identify cyber security incidents.
  - 5.4. **Respond and Recover:** Responding to and recovering from cyber security incidents.

## Controls that are in place now

6. Council has already implemented several controls over the past 3 years driven by the requirements of PCI-DSS.
7. A summary of the controls in place are outlined below:
  - 7.1. Mandatory cybersecurity training for all system users – ‘Be Security Smart’.
  - 7.2. Developed cybersecurity incident management operating guideline.
  - 7.3. Multi-factor authentication process

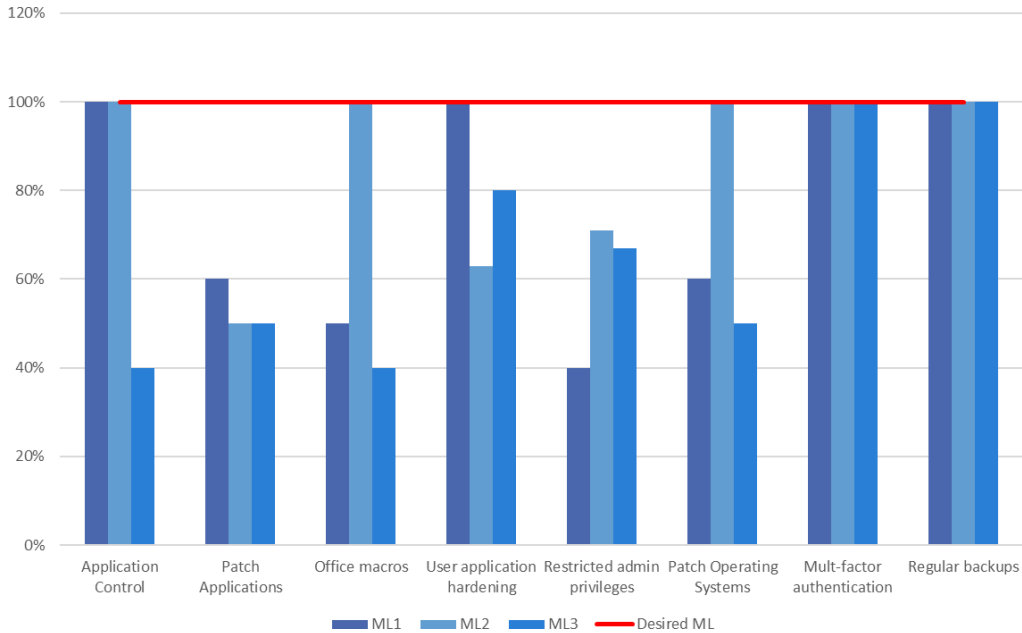


- 7.4. Ongoing implementation of server, desktop, and application hardening based on industry standards.
- 7.5. Ongoing monthly patching of all servers, network equipment, and desktop environments
- 7.6. Annual upgrades to corporate applications to ensure they are up-to-date and supported by the vendor.
- 7.7. Updated contractual terms to ensure adequate cyber and data security obligations by suppliers and vendors.
- 7.8. Established a cybersecurity analyst role within Information Management
- 7.9. Implemented quarterly vulnerability scans.
- 7.10. Implemented annual cybersecurity penetration tests.

**Essential Eight Control Strategies**

- 8. Council has aligned its approach to cyber security with the Australian Cyber Security Centre (ACSC) Essential Eight. The Essential Eight are a set of technical control strategies targeted at preventing cyber intrusions, ransomware, and other malicious events, limiting their damage, and enabling organisations to recover if they occur.
  - 8.1. The Essential Eight is a cybersecurity self-assessment maturity tool “to help organisations mitigate cyber security incidents caused by various cyber threats” and has been designed to protect Microsoft Windows-based internet-connected networks. The controls are focused on eight key mitigation areas.
  - 8.2. To assist organisations in protecting themselves from cyber threats, the ACSC developed a three-tier maturity model for the Essential Eight.
    - 8.2.1. Maturity Level Zero: Not yet aligned with the intent of the mitigation strategy.
    - 8.2.2. Maturity Level One: Partly aligned with the intent of the mitigation strategy.
    - 8.2.3. Maturity Level Two: Mostly aligned with the intent of the mitigation strategy.
    - 8.2.4. Maturity Level Three: Fully aligned with the intent of the mitigation strategy.
  - 8.3. Each of these Maturity Levels must be achieved individually.
  - 8.4. The Essential Eight is seen as the baseline of cyber security maturity and is just one part of a wider framework that agencies need to have in place.
  - 8.5. In 2022, Council conducted an external assessment against the Essential Eight model. The result of the initial assessment is provided in Figure 2 below. We are currently faring well with the target being to have all bars reached the desired Maturity Level (red bar), this will take 2 to 3 years to achieve.

*Figure 2: Essential Eight assessment results*  
Essential 8 Maturity Baseline Assessment



### **Audit and Risk Committee Advice**

9. On the 3 February 2023, the Audit and Risk Committee (ARC) met and considered this item.
10. ARC noted the cyber security principles that provide strategic guidance on how we protect our systems and data from cyber threats.
11. ARC also noted Council's current baseline achievement against the Essential Eight maturity model.
12. ARC recommended Council endorse the four-year plan which is contained in **Attachment A**.

### **Next Steps**

13. To improve our cyber security resilience, we have developed a four-year plan of activities in **Attachment A** that will improve our cyber security across all four pillars. Key activities include:
  - 13.1. Assessment against the recently released LGITSA cyber security framework. This is planned to be completed by April 2023.
  - 13.2. Development of an annual independent cyber security testing and auditing program.
  - 13.3. Review current capacity and capability and ensure efficient and effective resources are in place.
14. Continue to partner with the Government of South Australia and SA Police in improving our cyber resilience and work with the local government sector to increase cyber maturity.

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## **ATTACHMENTS**

**Attachment A** – Cybersecurity four-year plan

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- END OF REPORT -

# Enabling Priorities

## Cybersecurity four-year plan

Program of works to increase Council's cyber security resilience

Information Management  
Sonjoy Ghosh

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# Cybersecurity mission

To support CoA's strategic objective by securely enabling its initiatives and operations while protecting it from threats to the availability, integrity and confidentiality of systems and data protecting it from threats.

We will do this by establishing 4 key pillars:

Govern	Protect	Detect	Respond & Recover
<ul style="list-style-type: none"><li>• Maintain and Review our Strategies</li><li>• Consult with stakeholders</li><li>• Oversight on major initiatives</li><li>• Monitor key risks &amp; metrics</li><li>• Ensure we resource appropriately</li></ul>	<ul style="list-style-type: none"><li>• Secure our network perimeter</li><li>• Harden our devices and end points</li><li>• Mitigate phishing attacks</li><li>• Control identity and Access</li><li>• Build Awareness &amp; Education</li></ul>	<ul style="list-style-type: none"><li>• Seek external threat intelligence</li><li>• Monitor for anomalies</li><li>• Monitor systems, end points and access</li><li>• Data loss prevention</li></ul>	<ul style="list-style-type: none"><li>• Automate response and recovery where possible</li><li>• Analyse incidents</li><li>• Communicate,</li><li>• Practice recovery</li></ul>





# How we will be doing this

Govern	Protect	Detect	Respond & Recover
<ul style="list-style-type: none"> <li>• Maintain and Review our Strategies</li> <li>• Consult with stakeholders</li> <li>• Oversight on major initiatives</li> <li>• Monitor key risks &amp; metrics</li> <li>• Ensure we resource appropriately</li> </ul>	<ul style="list-style-type: none"> <li>• Secure our network perimeter</li> <li>• Harden our devices and end points</li> <li>• Mitigate phishing attacks</li> <li>• Control identity and Access</li> <li>• Build Awareness &amp; Education</li> </ul>	<ul style="list-style-type: none"> <li>• Seek external threat intelligence</li> <li>• Monitor for anomalies</li> <li>• Monitor systems, end points and access</li> <li>• Data loss prevention</li> </ul>	<ul style="list-style-type: none"> <li>• Automate response and recovery where possible</li> <li>• Analyse incidents</li> <li>• Communicate,</li> <li>• Practice recovery</li> </ul>

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- ✓ Benchmark against Essential 8
- LGITSA Cybersecurity Framework
  - Data Identification and classification of Personal Identifiable Information (PII) @ CoA
- Implement regular internal and independent cyber security testing and auditing
  - i.e. phishing attacks
- Review and reduce PCI CDE scope
- Establish Cyber security KPIs

- Update and revitalise Awareness & Education Program
- Phishing Simulation
- Review and implement Cybersecurity toolsets that enable:
  - Endpoint/identity controls
- Complete Essential 8 maturity level 3 controls

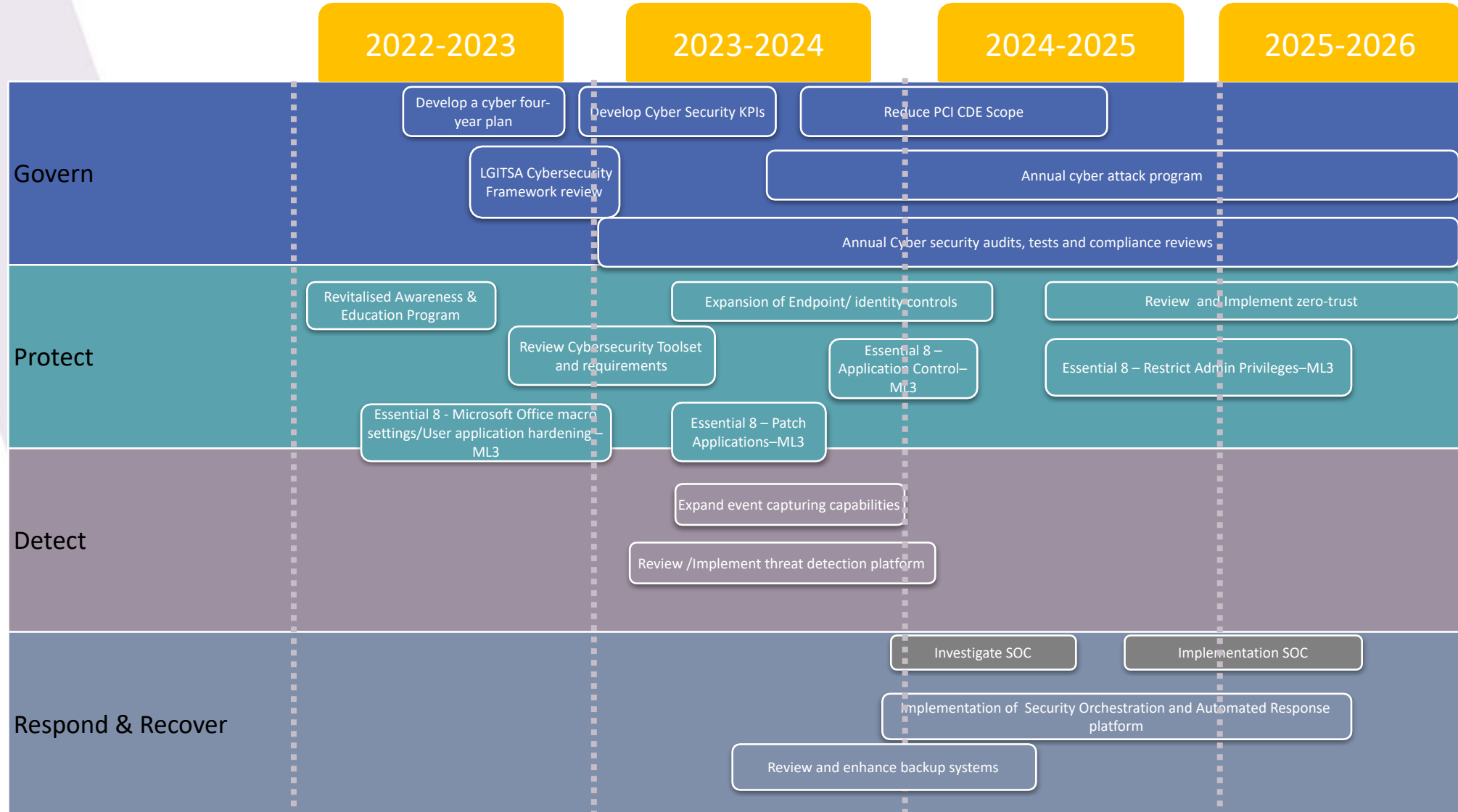
- Expand event capture and analysis capabilities
- Review and implement Cybersecurity toolsets that enable:
  - Network Threat Analytics
  - Threat Intelligence

- Review and implement Cybersecurity toolsets that enable:
  - Security Orchestration, Automation & Response (SOAR)
  - Annual cyber attack program

Investigate cyber security operations centre (SOC)



# When will we be doing this by



# Key next steps

- Continue to work through remediation activities in the program of work
- Review current capacity and capability and realign internal resources where appropriate
- Develop business case submissions for the provision of new capabilities:
  - Security Orchestration and Automated Response platform
  - Event capture
  - Zero-trust network
  - Annual cyber attack program

## Code of Practice - Meeting Procedures

Strategic Alignment - Enabling Priorities

**Program Contact:**

Alana Martin, Manager  
Governance

Public

**Approving Officer:**

Steve Zaluski, Acting Chief  
Operating Officer

## EXECUTIVE SUMMARY

The draft Code of Practice for Meeting Procedures (the Code) was developed as a result of the 24 January 2023 Council Workshop, based on feedback from members that they would like clear meeting procedures that are easier to understand and separated from the City of Adelaide Standing Orders. The draft Code of Practice is structured to mirror the timeline for meetings, providing guidelines applicable before, during, and after the meeting, and provides an overarching statement about the behavioural expectation of Council and Committee members.

For the Code of Practice for Meeting Procedures to be adopted, two thirds of the Council Members present must vote in favour of the recommendation. If adopted, relevant sections no longer required in the City of Adelaide Standing Orders are to be deleted.

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## RECOMMENDATION

### THAT THE CITY FINANCE AND GOVERNANCE COMMITTEE RECOMMENDS TO COUNCIL:

#### That Council

1. Adopts the Code of Practice for Meeting Procedures, as contained in Attachment A to Item 6.4 on the Agenda for the meeting of the City Finance and Governance Committee held on 21 March 2023.
2. Approves the deletion of the following sections of the City of Adelaide Standing Orders
  - 2.1. Chapter Six
    - 2.1.1. Part One - Council and its Committees
    - 2.1.2. Part Three - Selection of Council members to Nominated Positions
  - 2.2. Chapter Seven
    - 2.2.1. Part One - Council and its Committees
    - 2.2.2. Part Three - Selection of Council Members to Nominated Positions
    - 2.2.3. Part One - Introduction
    - 2.2.4. Part Two - Calling And Notice Of Meetings
    - 2.2.5. Part Three - Place Of Council And Committee Meetings
    - 2.2.6. Part Five – Meeting Documents section 206 only
    - 2.2.7. Part Six - Business at meetings
    - 2.2.8. Part Seven - Start of Meeting and Quorum
    - 2.2.9. Part Eight - Questions
    - 2.2.10. Part Nine - Public involvement at meetings
    - 2.2.11. Part Ten - Motions and addresses by members.
    - 2.2.12. Part 11 – Voting
    - 2.2.13. Part 12 - Meeting Interruption
3. Authorises the CEO to make any necessary typographical or syntactical revisions to the Code of Practice for Meeting Procedures

## IMPLICATIONS AND FINANCIALS

City of Adelaide 2020-2024 Strategic Plan	Strategic Alignment – Enabling Priorities
Policy	The policy replaces sections of the existing City of Adelaide Standing Orders, 2019
Consultation	A Workshop was held with Council Members on 24 January 2023 to seek their views on the direction of the Standing Orders.
Resource	Not as a result of this policy
Risk / Legal / Legislative	The <i>Local Government (Procedures at Meetings) Regulations 2013</i> allows Council to adopt a Code of Practice that establishes procedures for Council and Committee (where the Act or Regulations allow).  Two thirds of Council members in attendance must vote in favour of for the Code of Practice for Meeting Procedures to be adopted.
Opportunities	The procedures are presented in a format that is accessible to Council Members as well as members of the public.
22/23 Budget Allocation	Not as a result of this report
Proposed 23/24 Budget Allocation	Not as a result of this report
Life of Project, Service, Initiative or (Expectancy of) Asset	Not as a result of this report
22/23 Budget Reconsideration (if applicable)	Not as a result of this report
Ongoing Costs (eg maintenance cost)	Not as a result of this report
Other Funding Sources	Not as a result of this report

# DISCUSSION

## Background

1. The *Local Government (Procedures at Meetings) Regulations 2013* allows Council to adopt a Code of Practice that establishes procedures for Council and Committee meetings.
2. Currently, these procedures are included in Chapter Seven of the City of Adelaide Standing Orders, Link 1 view [here](#).
3. A workshop was held with Council Members on 24 January 2023 at which feedback was sought on the structure and content of the Standing Orders, Link 2 view [here](#).
4. Feedback provided outlined a preference for separating the document into prescribed codes and policies.
5. The draft Code of Practice has been developed with consideration given to reviewing meeting procedure documentation from other Councils.
6. The aim of the changes is to:
  - 6.1. improve decision-making and efficiency at meetings
  - 6.2. improve transparency and accessibility for the community
  - 6.3. reduce duplication and repetition of legislation
  - 6.4. streamline documentation.

## Procedure

7. To accommodate the changes requested at the workshop, the City of Adelaide's Standing Orders will remain in place throughout the transition process, with relevant provisions being deleted as new, separate policies and procedures are adopted.
8. Once Council has adopted the full suite of new policies and procedures, the Standing Orders will cease to operate.
9. As a guide, it is anticipated at least six policies will be presented to Council throughout April to July 2023, including policies for Council Member allowances and benefits, training, and aspects associated with Council Member behaviour.
10. The Code of Practice for Meeting Procedures (the Code) is the first in this series to be presented to Council and adopting the Code will require the deletion of relevant sections of the Standing Orders.
11. For the Code of Practice for Meeting Procedures to be adopted, two thirds of the members attending the Council meeting must vote in favour.

## Proposed Changes

12. While there are changes to the intent of the document and meeting procedures, the majority of changes relate to structure and layout. Such structural changes include:
  - 12.1. A table of contents has been added for ease of navigation .
  - 12.2. A statement of the commitment of the City of Adelaide to the Guiding Principles in the *Local Government (Procedures at Meetings) Regulations 2013* and a scope statement is included.
  - 12.3. Reproduction of the legislation has been removed.
  - 12.4. The document has been structured to follow the order of the meetings:
    - 12.4.1. Before the meeting
    - 12.4.2. During the meeting
    - 12.4.3. After the meeting
    - 12.4.4. Other matters
  - 12.5. Formatting and presentation has been changed to make it easier to read and understand.
13. A summary of how relevant sections of the Standing Orders are addressed and incorporated into the draft Code is provided in the table below.
14. The table and information immediately following the table also outline any significant changes to content being proposed, which reflect feedback received.



City of Adelaide Standing Orders	Proposed Meeting Procedures
1. Introduction	<ul style="list-style-type: none"> <li>• Found at Part 1 and 3</li> <li>• Contains contextual information - a statement of the commitment of the City of Adelaide to the Guiding Principles in the <i>Local Government (Procedures at Meetings) Regulations 2013</i> and a scope statement.</li> </ul>
2. Calling And Notice Of Meetings	<ul style="list-style-type: none"> <li>• Found at Part 5 - duplication of legislation is deleted.</li> <li>• Consistent with current provisions</li> </ul>
3. Place Of Council And Committee Meetings	<ul style="list-style-type: none"> <li>• Found at Part 5 - duplication of legislation is deleted.</li> <li>• Consistent with current provisions</li> </ul>
4. Items Closed To The Public	<ul style="list-style-type: none"> <li>• This section is to remain in the Standing Orders until the Code of Practice for Public Access to Meetings and Documents is approved by Council (estimated presentation to Council June 2023)</li> </ul>
5. Meeting Documents	<ul style="list-style-type: none"> <li>• The majority of this section is to remain in the Standing Orders until the Code of Practice for Public Access to Meetings and Documents is approved by Council (estimated presentation to Council June 2023)</li> </ul>
6. Business at meetings	<ul style="list-style-type: none"> <li>• The change to the structure of the Council and Committee meeting is found at Part 4.3</li> <li>• Includes provision for Council to determine if it wishes to have a prayer or other statement at the opening of meetings (this is to be done through a resolution of Council)</li> <li>• Doesn't dictate the order of the agenda under Part 9 by theme areas</li> <li>• Confidential Orders to be heard at the end of the meeting</li> <li>• Duplication of legislation is deleted</li> </ul>
7. Start of the meeting and quorum	<ul style="list-style-type: none"> <li>• Part 5.3 deals with notification to the public that the meeting is being live streamed</li> <li>• Part 5.7 deals with quorum</li> <li>• Duplication of legislation is deleted</li> </ul>
8. Questions	<ul style="list-style-type: none"> <li>• The process for submitting questions and the way questions are dealt with in the meeting are substantially dealt with in the Parts 4.5 and 5.24</li> <li>• It is noted that Council prefers that a Council Member first raises the question with the administration, before a Question on Notice is submitted</li> <li>• Duplication of legislation is deleted</li> </ul>
9. Public involvement at meetings	<ul style="list-style-type: none"> <li>• Found at Parts 4.8, 5.21 and 5.22</li> <li>• Petitions <ul style="list-style-type: none"> <li>○ The guidelines for accepting petitions have been simplified.</li> <li>○ Petitions must be received by 5.00 pm Monday before the publication of the agenda (consistent with Motions on Notice and Questions on Notice) to allow publication in the Council Agenda.</li> <li>○ Electronic petitions are explicitly allowed.</li> <li>○ The head petitioner must be named to allow the administration to communicate the results of the petition being lodged with the Council.</li> <li>○ Online petitions can be accepted provided the criteria has been met.</li> </ul> </li> <li>• Deputations <ul style="list-style-type: none"> <li>○ 3 deputees are allowed to speak at one meeting (with leave of the meeting required for more)</li> </ul> </li> </ul>

City of Adelaide Standing Orders	Proposed Meeting Procedures
	<ul style="list-style-type: none"> <li>○ For a matter not on the agenda, the request for a deputation must be received by 5.00 pm Monday prior to the publication of the agenda to allow for publication in the Council Agenda</li> <li>○ For a matter that has been listed on the agenda, a deputation request must be received 12:00 pm on the business day prior to the Council Meeting</li> <li>○ Council members can ask questions of the deputation provided they observe the guiding principles contained in the code.</li> <li>○ Material distributed to a meeting and referenced as part of the address may be attached to the Minutes for reference if the speaker agrees; this must be done through a resolution of Council. The CEO has delegation to not allow material to be published if it is defamatory, offensive or insulting in content.</li> </ul>
10. Motions and addresses by members.	<ul style="list-style-type: none"> <li>● This section is replaced with Part 5 – At the meeting, which includes all procedural requirements to be observed at a meeting. Much of this is prescribed and is consistent with the Standing Orders.</li> <li>● Part 4.4 Motion on Notice <ul style="list-style-type: none"> <li>○ It is noted that the Council prefers that Motions on Notice be dealt with at the first meeting of the month.</li> <li>○ It is preferred that a member speaks to the appropriate Director before a Motion on Notice is submitted regarding context. Councillors must consider alignment with strategic priorities as well as budget impacts.</li> </ul> </li> <li>● Part 5.27 Motions Without Notice <ul style="list-style-type: none"> <li>● Only motions relating to matters of urgency will be considered without notice by the Lord Mayor</li> <li>● All such motions are to be put in writing and given to the presiding member at the beginning of the meeting; in addition, the proposer of the motion shall include a rationale as to the urgency of the motion. The Lord Mayor will then determine whether the motion will be accepted for consideration at that meeting.</li> <li>● If the Lord Mayor accepts the motion, the rationale for the decision will be included as a notation in the minutes of the Council or Council Committee meeting.</li> </ul> </li> </ul>
11. Voting	<ul style="list-style-type: none"> <li>● Part 5.15 consistent with current Standing Orders</li> <li>● The inclusion of electronic voting for the purpose of ballots held when deciding on nominations for positions has been incorporated.</li> </ul>
12. Meeting Interruption	<ul style="list-style-type: none"> <li>● Updated to reflect the changes to the <i>Local Government Act 1999 (SA)</i>. Presiding Member has the authority to expel members from the meeting for a period of time</li> </ul>

15. Other notable additions include:

- 15.1. A simple process for 'Nomination to Positions' has been included in this document. As a result, the recommendation calls for Chapter Six Part Three of the Standing Orders to be deleted.
- 15.2. Section 5.5 includes the requirement for Council Members to fill in a declaration of interest form prior to Council and Committee Meetings. This is consistent with other South Australian Councils, and aids in the accurate recording of the conflict and how the member intends to deal with it.
- 15.3. Section 5.29 now provides for a Council Meeting finish time of 8.30 pm. Where business has not been concluded by this time, the Lord Mayor will request leave of the meeting to extend the meeting time.
- 15.4. Section 7.2 confirms which meeting procedures can be applied to Council Committees (where this is not covered by the Terms of Reference). This allows for consistency across Council Committees without unnecessary duplication in each Terms of Reference.

15.5. The Council Agenda order has also been changed to have Motions on Notice and Motions without Notice listed before Questions on Notice and Questions without Notice. This order has been changed to allow a better flow of business.

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## DATA AND SUPPORTING INFORMATION

**Link 1** - [Standing Orders](#)

**Link 2** - [Standing Orders Presentation](#)

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## ATTACHMENTS

**Attachment A** – Code of Practice for Meeting Procedures.

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- END OF REPORT -

# CODE OF PRACTICE FOR MEETING PROCEDURES

28 March 2023

## ACKNOWLEDGEMENT OF COUNTRY

The City of Adelaide acknowledges that we are located on the traditional Country of the Kaurna people of the Adelaide Plains and pays respect to Elders past, present and emerging.

We recognise and respect their cultural heritage, beliefs and relationship with the land. We also extend that respect to visitors of other Aboriginal Language Groups and other First Nations.

## DOCUMENT PROPERTIES

### Contact for enquiries and proposed changes

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

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### Record Details

**HPRM Reference:**

**HPRM Container:**

### Version History

Version	Revision Date	Revised By	Revision Description



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## 1. GUIDING PRINCIPLES

The City of Adelaide (Council) supports the guiding principle that the procedures to be observed at meetings of Council or a Council Committee should contribute to open, transparent and informed decision making, and encourage appropriate public participation in the affairs of the Council.

Meeting procedures should:

- a. be fair and contribute to open, transparent and informed decision making
- b. encourage appropriate community participation in the affairs of Council
- c. reflect levels of formality appropriate to the nature and scope of responsibilities exercised at the meeting
- d. be sufficiently certain to give the community and decision makers confidence in the deliberations undertaken at the meeting.

*Regulation 4 - Local Government (Procedures at Meetings) Regulations 2013*

## 2. SCOPE

The Code of Practice for Meeting Procedures (the Code) is written for the information of the public, members of Council, members of Council Committees and staff of the City of Adelaide.

It applies to:

- a. ordinary and Special Council meetings
- b. Council committees performing regulatory activities
- c. other Council Committees if the Council has agreed that these rules apply to that committee.

The Code of Practice has been informed by the:

- a. *Local Government Act 1999 (SA) (the Act)*
- b. *Local Government (Procedures at Meetings) Regulations 2013 (SA) (the LG Regs)*
- c. *Local Government (General) Regulations 2013 (SA)*
- d. Behavioural Standards for Council Members (as gazetted 17 November 2022)

The meeting procedures are intended to summarise the legislation and include any Council specific requirements. Where appropriate a reference to the legislation has been provided.

### 2.1 Behavioural Standards

The *Local Government Act 1999 Section 75E* requires that members observe the Behavioural Standards as determined by the Minister. The Behavioural Standards are a public declaration of the principles of good conduct and standards of behaviour that the Lord Mayor and members of Council are expected to demonstrate in the performance of their responsibilities as elected community representatives and within the Council Chamber.

### 2.2 Members of the Public

Transparency and accountability of Council decision making is a key aim of *the Local Government Act*. Public access to Council Meetings underpins this. To enable this any person attending a meeting of Council is required to:

- a. not behave in a disorderly manner

## Code of Practice for Meeting Procedures

- b. not disrupt or interrupt the meeting
- c. be respectful in their language and behaviour
- e. reserve discussion and conversation for before or after the meeting
- f. observe the protocol for electronic devices to be switched off or switched to silent
- g. limit the number of distracting activities.

The Lord Mayor, or the Presiding Member of a Council Committee, may remind any person attending a meeting of Council (as a participant or an observer) of the expectation of behaviour standards at the beginning of the meeting.

## 3. BEFORE THE MEETING

### 3.1 Frequency and Times of Meetings and Locations

Council and Committee meetings will be held at a time and frequency determined by Council.

All ordinary meetings of Council will be held in the Council Chamber, Town Hall, King William Street, Adelaide, unless determined otherwise by Council.

All ordinary meetings of Council Committees will be held in the Colonel Light Room, Town Hall, King William Street, Adelaide, unless otherwise determined by Council or the Chief Executive Officer.

All special meetings of Council, and Committees will take place in the Colonel Light Room, Town Hall, King William Street, Adelaide, unless determined otherwise by the Council, or the Chief Executive Officer (subject to any prevailing decision of the Council).

Information or briefing sessions convened by the Chief Executive Officer will generally be held in the Colonel Light Room, Town Hall, King William Street, Adelaide, or at a place open to the public unless the discussion is one that the Council or the Chief Executive Officer has declared may be held in confidence.

#### 3.1.1 Notice of Meetings

The Chief Executive Officer must, so far as is reasonably practicable, make available for inspection on the Council's website an up-to-date schedule of the dates, times and places set for meetings of the Council and Council Committees.

Notice of information or briefing sessions will also be made available on Council's website. If the briefing is to be held in confidence, the reasoning for this decision will also be communicated.

The Notice of Meetings will be published on [www.cityofadelaide.com.au](http://www.cityofadelaide.com.au).

### 3.2 Publication of the Council Agenda

An agenda for ordinary Council or Council Committee meetings will be distributed to members and published on the Council website by Friday 12:00 pm of the week before the meeting.

The agenda for every meeting will be available when the notice of meeting is issued and will identify any matters recommended to be considered in confidence. The agenda for meetings, including reports or workshop/discussion items and excluding any items recommended to be received and discussed in confidence, will be made accessible to the public via, the City of Adelaide website at [www.cityofadelaide.com.au](http://www.cityofadelaide.com.au).

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Where the nature of a matter requires that it remains confidential, the matter will be marked 'Confidential' by the Chief Executive Officer in agendas, reports and any other meeting papers dealing with the matter prior to distribution to meeting participants.

The agenda for a special meeting of Council or Committee will, wherever possible, be distributed with at least 24 hours' notice of the meeting.

**3.3 Developing the Agenda**

The Chief Executive Officer is responsible for the development and publication of Council and Committee meetings. To enable effective decision-making at the meetings of Council, members must commit to reading agendas in advance of the meetings and addressing any questions or concerns about the content to the relevant Director or to the Chief Executive Officer.

The Chief Executive Officer may change the structure of the agenda at any time.

Council may determine, by resolution, to include a prayer or other statement during the meeting.

Agenda structures for ordinary meetings of Council and meetings of Council Committees are provided below.

- o Ordinary meeting of Council:

<ol style="list-style-type: none"> <li>1. Acknowledgement of Country</li> <li>2. Welcome to Meeting</li> <li>3. Apologies and Leave of Absence</li> <li>4. Confirmation of the Minutes</li> <li>5. Deputations</li> <li>6. Petitions</li> <li>7. Lord Mayor's Reports</li> <li>8. Recommendations/Advice from Committees</li> <li>9. Reports from Council – Chief Executive Officer's Reports</li> <li>10. Council Members Reports</li> <li>11. Motions on Notice</li> <li>12. Motions without Notice</li> <li>13. Questions on Notice</li> <li>14. Questions without Notice</li> <li>15. Exclusion of the Public</li> <li>16. Confidential Reports for Council – Chief Executive Officer's reports</li> <li>17. Closure</li> </ol> <p>*Items 15 and 16 will only be listed on the agenda when an item is presented to Council with a request for consideration in a meeting closed to the public.</p>
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- o Council Committees:

<ol style="list-style-type: none"> <li>1. Acknowledgement of Country</li> <li>2. Apologies and Leave of Absence</li> <li>3. Confirmation of the Minutes</li> <li>4. Workshops</li> <li>5. Reports for recommendation to Council</li> <li>6. Reports for not in Exclusion of the Public</li> <li>7. Confidential workshops</li> <li>8. Confidential reports for noting</li> </ol>
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9. Confidential reports for recommendation to Council
10. Closure

Information and Briefing Sessions do not require agendas.

### 3.4 Motion on Notice

Members may bring forward business during a Council meeting as a Motion on Notice. The Council prefers that Motions on Notice be dealt with at the first meeting in the month.

Before a Motion on Notice is submitted, it is preferred that the member speaks to the appropriate Director regarding the context. Members should consider alignment with strategic priorities as well as budget impacts when presenting a Motion on Notice.

Motions on Notice can be submitted to the Lord Mayor via the Council Liaison Officer. To support the publication of an agenda within Council timelines, a Motion on Notice must be received by 5:00 pm on the Monday before the publication of the agenda. Any motion received after that time will be listed on the next Council Agenda.

The Lord Mayor may only accept a motion if the subject matter is within the power of the Council.

A member can circulate a proposed motion to other members prior to the meeting to contribute to fully informed decision-making, however, members should not act in a way that could be perceived as seeking a decision.

There can be no debate on the merits of the motion, which may result in a decision being obtained before the formal meeting of the Council (or a committee)

*Regulation 12 - Local Government (Procedures at Meetings) Regulations 2013*

### 3.5 Questions on Notice

To support the publication of the agenda, a Question on Notice for a Council meeting must be submitted to the appropriate Director regarding the context via the Council Liaison Officer by 5:00 pm on the Monday before the publication of the agenda.

Before a Question on Notice is submitted, it is preferred that the member speaks to the Chief Executive Officer or appropriate Director to seek an answer to the query. Questions and answers will be taken as read, unless otherwise raised with the Lord Mayor prior to the meeting.

*Regulation 9 - Local Government (Procedures at Meetings) Regulations 2013*

### 3.6 Confidential Reports

Confidential items are scheduled toward the end of the agenda to minimise disruption to the meeting and the public gallery.

To support transparency and accountability, Council prefers to receive reports in public wherever possible and any reports considered in confidence will be in line with relevant legislation.

*Section 90 and 91 Local Government Act 1999*

### 3.7 Late Items and Reports

From time to time, a report will be prepared for the consideration of Council after the compilation of reports for the preparation of the agenda. This will only occur when there is a matter of urgency that requires a timely decision of Council.

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If the late item is not able to be included in the agenda, it will be circulated to members via email and published on Council's website at the earliest opportunity.

### 3.8 Public Access to the Council

The public can present to a Council meeting via a petition or a deputation.

#### 3.8.1 Petitions

The public can communicate with Council in a meeting by presenting a petition.

A petition to the Council must:

- a. identify a head petitioner and the contact details of that person
- b. be legible
- c. set out the request or submission of the petitioners
- d. include the name and address of each person who signed the petition
- e. be addressed to the Council and delivered to the principal office of the Council.

Council will accept Electronic Petitions where the above criteria have been met.

If a petition is received, the Chief Executive Officer must ensure that the petition complies with Council specifications. The petition is then placed on the agenda for the next ordinary meeting of Council or a Council Committee as relevant.

A petition must be addressed to the Council and can be delivered via email to [CouncilBusinessTeam@cityofadelaide.com.au](mailto:CouncilBusinessTeam@cityofadelaide.com.au) in person at the Customer Service Centre at 25 Pirie Street, Adelaide.

The petition must be received by 5:00 pm on the Monday a fortnight before the Council Meeting to allow it to be included in the public agenda.

*Regulation 10 - Local Government (Procedures at Meetings) Regulations 2013*

#### 3.8.2 Submission of Petitions

If a petition is received after the deadline but prior to the next ordinary meeting of Council, verbal notification will be provided to the meeting of receipt of a petition.

#### 3.8.3 Requests for Deputations

The public can appear personally before Council to address the meeting via a deputation.

A person, or persons, wishing to appear via a deputation at a meeting must complete a Registration Form and forward it to the Council by email to [CouncilBusinessTeam@cityofadelaide.com.au](mailto:CouncilBusinessTeam@cityofadelaide.com.au).

For a matter not on the agenda, the request for a deputation must be received by 5:00pm Monday prior to the publication of the agenda to allow for publication in the Council Agenda.

A deputation for a matter on the agenda must be received by 12:00 pm on the business day before the meeting.

A deputation to a special meeting of Council must relate to the purpose of the special meeting. The registration form for a deputation to a special meeting must be lodged no later than two hours prior to the commencement of the special meeting.

Any person(s) wishing to appear via a deputation on behalf of an organisation must provide evidence that the organisation and/or body they represent has approved the deputation.

Deputation requests will be provided to the Lord Mayor, who will determine if the deputation will be heard at the meeting of Council or refused.

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### 3.8.4 Conditions for Accepting a Deputation

Whether a request for deputation is accepted is determined on a case-by-case basis and is dependent on the subject of the request. The Lord Mayor, when deciding whether to allow a deputation, will take the following considerations into account:

- a. the subject matter of the proposed deputation
- b. whether the subject matter is within the power of the Council
- c. relevance to the Council agenda for that meeting – and if not,
- d. relevance to the Council's powers, functions or role
- e. the size and extent of the agenda for the particular meeting
- f. whether the subject matter has previously been the basis of a deputation at another meeting
- g. the benefit to the Council of receiving the deputation
- h. the history of deputations from the person, i.e. the way the person or organisation has approached deputations previously, the behaviour displayed, the relevance of information presented, or the way information has been presented.

A meeting to receive deputations will provide a maximum of three speaking opportunities per scheduled meeting unless the meeting determines otherwise.

If the request for a deputation is accepted, the person requesting the deputation will be advised and provided the relevant details.

If Council has already received the maximum deputation requests allowed, the person requesting the deputation will be advised that the request must be put to the meeting. At this point the person requesting the deputation will also be given the option to put their request to the next meeting.

If the Lord Mayor refuses to allow a deputation to appear at a meeting, she or he must provide a verbal report explaining the decision to the next meeting of the Council. The meeting may overrule the decision of the Lord Mayor.

*Regulation 11 - Local Government (Procedures at Meetings) Regulations 2013*

## 4. AT THE MEETING

Where there is discretion concerning the meeting procedures to be adopted at a Meeting, the guiding principles in this Code should be applied.

Meeting procedures should:

- a. be fair and contribute to open transparent and informed decision-making;
- b. encourage appropriate participation by persons present at the meeting;
- c. reflect levels of formality appropriate to the nature and scope of the responsibilities exercised at the meeting; and
- d. be sufficiently certain to give members and other key stakeholders confidence in the deliberation undertaken at the meeting.

*Regulation 2 - Local Government (Procedures at Meetings) Regulations 2013*

## **4.1 Chair of the Meeting**

When the Lord Mayor is present at an Ordinary Council meeting, the Lord Mayor must chair the meeting. In the absence of the Lord Mayor the Deputy Mayor will chair the meeting.

If the Deputy Mayor is not available, a member of the Council is chosen by resolution of the members present.

The Chair and Deputy Chair of Council Committees are appointed by Council on an annual basis unless otherwise stated in the Committee's terms of reference.

*Section 86 - Local Government Act 1999, SA*

The Presiding Member must be fair and impartial to all in a meeting to maintain order and to ensure that the meeting processes adhere to this Code.

*Section 86 - Local Government Act 1999*

## **4.2 Nomination to Positions**

The role of the Deputy Mayor is to act in the role of the Lord Mayor when the Lord Mayor is absent.

Voting for the election of the Deputy Mayor and Chairperson of each Committee will be by secret ballot of members.

The Lord Mayor is to call for all nominations to appoint members, including, for example, Committee Chairperson, Deputy Mayor or nominations to board and committees.

Nominations do not have to be in writing, nor do they have to be seconded.

If there are more nominations than positions, a ballot will be conducted. A secret ballot may be done electronically or via a paper ballot. A record of individual votes is not retained.

- a. All present indicate which member(s) they wish to vote for via their ballot, and a senior officer conducts the count
- b. The member with the most votes will be declared the winner
- c. The Chief Executive Officer confirms the count and reports the numbers to the Lord Mayor
- d. In the case of a tied ballot, members are to cast a vote for their preferred candidate from the tied candidates. If a revote cannot determine a clear winner and there is a continuing tie, then lots must be drawn to determine which candidate(s) will be excluded
- e. The name of the candidate/s withdrawn are excluded from the ballot
- f. The Lord Mayor then announces the successful candidate
- g. The meeting makes the appointment by resolution

## **4.3 Request for Nominations for External Boards or Committees**

If an external board or committee requests a nomination from Council, a report to Council will be prepared detailing the purpose of the board or committee, the representation, meeting dates and any applicable remuneration. Additional information including qualifications or accreditation will also be included.

The process for nomination will follow the process outlined above.

Council will require any member appointed as a Council representative to an external organisation to report on their involvement in activities associated with that organisation.

## **4.4 Recording of Meetings**

Recording of meetings (including audio, photographs and/or video) by members or third parties will only be allowed with the prior approval of the Presiding Member.

If the public session of the meeting is being recorded and/or streamed live to the internet, the Presiding Member or the Chief Executive Officer will announce this at the opening of the meeting.

## **4.5 Minutes of a Meeting**

The Chief Executive Officer is responsible for ensuring that minutes are kept of the proceedings at every Council or Council Committee meeting.

The minutes of the proceedings of a meeting must include the following:

- a. the names of the members present at the meeting
- b. each motion carried at the meeting
- c. any disclosure of interest made by a member
- d. details of the making of an order under subsection (2) of section 90 of the Act (see subsection (7) of that section)
- e. a note of the making of an order under subsection (7) of section 91 of the Act in accordance with the requirements of subsection (9) of that section.

In addition to the above, the minutes will also include the following:

- a record of any undertaking given by the Chief Executive Officer
- in relation to a deputation, the identity of the speaker, and the subject and purpose of the address
- an Acknowledgment of Country

*Section 91 Local Government Act 1000 and Section 25 - Local Government (Procedures at Meetings) Regulations 2013*

## **4.6 Declaration of Interest**

The Act addresses material and general conflicts of interest and disclosure. It is the responsibility of all members to familiarise themselves with these Sections.

Members should review the agenda and supporting papers and reports prior to attending a Council or Council Committee meeting and have considered his or her potential interest in the matters to be discussed at the meeting. A copy of the Conflict of Interest form will be circulated with the agenda.

A member will fill in a Conflict of Interest form prior to the meeting to outline their conflict and how they intend to manage it. This will be submitted to [CouncilBusinessTeam@cityofadelaide.com.au](mailto:CouncilBusinessTeam@cityofadelaide.com.au) who will also provide it to the Presiding Member no later than 12:00 pm on the day of the meeting.

A member who has an interest in a matter before the Council must verbally disclose the interest to the appropriate meeting and on each occasion that the items are discussed.

A disclosure made at a Council meeting will be recorded in the minutes, including the details of whether the member remained in the meeting, and if the member remained, the way all members voted.

If a member wishes to seek advice about a possible conflict of interest before a meeting, they should contact the Manager Governance or Team Leader Council Governance. If necessary, staff will refer the matter to the Council's lawyers for advice.



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*Sections 74 and 75A, 75B, 75C and 75D - Local Government Act 1999*

### **4.6.1 Staff**

The Act addresses conflict of interest for staff. It is the responsibility of all staff to familiarise themselves with the relevant sections in the Act.

Consideration by the Council of a Chief Executive Officer's conflict of interest must occur during a meeting open to the public.

A staff member (who has declared a conflict of interest to the Chief Executive Officer) who remains entitled to act in the matter, when providing advice or making recommendations to a meeting, must also disclose the relevant interest to the meeting.

*Section 120 - Local Government Act 1999*

## **4.7 Non-Attendance at Meetings**

### **4.7.1 Leave of Absence**

If a member intends to be absent for more than three consecutive ordinary Council meetings, he/she must seek a 'leave of absence' from the meetings. Members absent for more than three consecutive Council meetings without leave may lead to declaration of a casual vacancy.

### **4.7.2 Apologies**

Apologies for non-attendance at a Council or Council Committee meeting should be forwarded to the Chief Executive Officer before the scheduled start time of the meeting. Apologies will be recorded in the minutes, and time permitting, in the agenda.

### **4.7.3 Non-Attendance at Meetings**

A member who does not attend a Council or Council Committee meeting without the benefit of a formal leave of absence or an apology will be recorded in the minutes as absent.

## **4.8 Quorum**

The quorum for a meeting is ascertained by dividing the total number of members by two, ignoring any fraction resulting from the division, and adding one. The quorum for a Council meeting is seven.

*Section 85- Local Government Act 1999*

A meeting will commence as soon after the specified start time as a quorum is present.

If the number of apologies received by the Chief Executive Officer indicates that a quorum will not be present at a meeting, the Chief Executive Officer may adjourn the meeting to an alternative specified day and time.

If, at the expiration of 30 minutes from the time specified in the notice of the meeting as the time of commencement, a quorum is not present, the Presiding Member or, in the absence of a Presiding Member, the Chief Executive Officer, will adjourn the meeting to an alternative specified day and time.

## **4.9 Adjournment of Meetings and Meeting Cancellation**

If a meeting is adjourned for want of a quorum, the Chief Executive Officer will record in the minutes the reason for the adjournment, the names of the members present, and the date and time to which the meeting is adjourned.

If a meeting is adjourned to another day, the Chief Executive Officer must:

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- a. give notice of the adjourned meeting to each member setting out the date, time and place of the meeting; and
- b. give notice of the adjourned meeting to the public by causing a notice setting out the date, time and place of the meeting to be placed on the Council's website.

### *Regulation 7 - Local Government (Procedures at Meetings) Regulations 2013*

#### 4.10 Managing Confidential Items

Confidential items are scheduled toward the end of the agenda to minimise disruption to the meeting and the public gallery.

All confidential items on the agenda are clearly identified as confidential.

A person receiving a meeting paper marked 'Confidential' must not provide that paper to any other person or discuss or disseminate information in that paper unless the meeting has resolved that the matter is not treated confidentially.

When a resolution is passed to consider an item in confidence:

- a. members of the public gallery are asked to leave the meeting room and move to a location where the meeting cannot be overheard or viewed
- b. the doors of the meeting room are closed.

A Council or Council Committee must disconnect any live stream or recording of a meeting for the period that the meeting is closed to the public.

Once the item has been considered, the meeting is re-opened, and the public are invited to return.

Members who wish to retain confidential papers for reference are required to keep them in a secure location.

#### 4.11 Speaking at the Meeting and Motions

At a Council meeting, the Principal Presiding Member will be addressed as "Lord Mayor". The Presiding Member of a Committee should be addressed as "Chair ...".

The Council or Council Committee cannot make decisions except by resolution. In the meeting, a motion is moved, seconded and debated by the members present.

The following outlines the procedural arrangements for motions and speaking to motions:

- The Presiding Member will call for a mover and seconder in respect of a notice of motion. Any member who moves the motion may speak to it at the time of moving it
- If no member seconds the motion it will lapse, and the meeting will progress to the next item of business
- A member moving or seconding a motion will speak to the motion at the time of moving or seconding the motion
- A member may only speak once to a motion except:
  - a. to provide an explanation in regard to a material part of his or her speech, but not so as to introduce any new matter;
  - b. or with leave of the meeting; or
  - c. as the mover in reply.
- A member who has spoken to a motion may not move or second an amendment to the motion at a later stage of the debate.

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- Only the mover of the original motion will be granted the right to reply (this shall close the debate). This will occur after any or all amendments have been dealt with and immediately prior to the original motion or substantive
- Only a member who has yet to speak in the debate on a question may move a formal motion.
- A member who has spoken to a motion may not move or second an amendment to the motion at a later stage of the debate.
- A member who has spoken in the debate may second a formal motion.

Once debated, the Presiding Member puts the motion to a vote and if carried by a majority of votes, it becomes a resolution of the meeting. Resolutions of the Council are implemented by the Chief Executive Officer.

The Lord Mayor can make a statement relevant to the debate prior to the member summing up a motion during Council and Council Committee meetings.

Staff will respond to questions from the floor at the invitation of the Presiding Member and will acknowledge the Presiding Member.

### 4.11.1 Formal Motion

A formal motion must be in the form set out in sub regulation (14) (and no other formal motion to a different effect will be recognised).

If the formal motion is:

- a. that the meeting proceed to the next business, then the effect of the motion, if successful, is, in the case of an amendment, that the amendment lapses and the meeting proceed with the consideration of the motion before the meeting without further reference to the amendment and, in the case of a motion, that the motion lapses and the meeting proceed to the next item of business; or
- b. that the question be put - then the effect of the motion, if successful, is that debate is terminated and the question put to the vote by the Presiding Member without further debate; or
- c. that the question lie on the table - then the effect of the motion, if successful, is that the meeting immediately moves to the next item of business, and the question can then only be retrieved at a later time by resolution (and, if so retrieved, the debate is then resumed at the point of interruption); or
- d. that the question be adjourned - then the effect of the motion, if successful, is that the question is disposed of for the time being, but debate can be resumed at a later time (at the point of interruption); or
- e. that the meeting is adjourned - then the effect of the motion, if successful, is that the meeting is brought to an end immediately without the consideration of further business.

If seconded, a formal motion takes precedence over the business at hand, and will be put by the Presiding Member without discussion unless the motion is for an adjournment (in which case discussion may occur (but only occur) on the details for resumption).

If a formal motion is lost:

- a. The meeting will be resumed at the point at which it was interrupted: and
- b. If the formal motion was put during the debate (and not at the end of the debate) on a question, then a similar formal motion (i.e. a motion to the same effect) cannot be put until at least one member has spoken on the question.

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A formal motion for adjournment must include the reason for the adjournment and the details for resumption.

Any question that lies on the table as a result of a successful formal motion lapses at the next general election.

The Chief Executive Officer must report on each question that lapses at the first ordinary meeting of the Council after the general election.

*Regulation 12- Local Government (Procedures at Meetings) Regulations 2013*

### 4.12 Adjourned Business

If a formal motion for an item to be adjourned is carried:

- a. the adjournment may either be to a later hour of the same day, to another day, or to another place; and
- b. the debate will, on resumption, continue from the point at which it was adjourned.
- c. if a debate is interrupted for want of a quorum and the meeting is then adjourned, the debate will, on resumption, continue from the point at which it was interrupted.

Business adjourned from a previous meeting must be dealt with before any new business at a subsequent meeting.

*Regulation 19 - Local Government (Procedures at Meetings) Regulations 2013*

### 4.13 Amendments to Motions

An amendment to a motion is an alteration to the wording of a motion; it is not a motion in its own right.

The amendment should not substantially change the intent of the motion nor contradict it (a direct negative). An amendment that goes beyond this is not an amendment and must be rejected by the Presiding Member.

A member who has not spoken to a motion at an earlier stage of the debate may move or second an amendment to the motion.

The following procedures apply to amendments:

- A member who has not spoken to a motion at an earlier stage of the debate may move or second an amendment to the motion
- An amendment will lapse if it is not seconded at the appropriate time
- A member who moves or seconds an amendment (and, if he or she chooses to do so, speaks to the amendment) will, in so doing, be taken to have spoken to the motion to which the amendment relates.
- If an amendment is lost, only one further amendment may be moved to the original motion.
- If an amendment is carried, only one further amendment may be moved to the original motion.

*Regulation 13- Local Government (Procedures at Meetings) Regulations 2013*

### 4.14 Variations

A mover of a motion or amendment may, with the consent of the seconder, request leave of the meeting to vary, alter or withdraw the motion or amendment.

## **Code of Practice for Meeting Procedures**

The Presiding Member must immediately put the question for leave to be granted, and no debate will be allowed on that question.

*Regulation 14- Local Government (Procedures at Meetings) Regulations 2013*

### **4.15 Addresses by Members**

A member must not speak for longer than three minutes at any one time without the leave of the meeting.

If leave is granted, a member may speak for an additional two minutes only.

A member may, with leave of the meeting, raise a matter of urgency or make a personal explanation.

The subject matter of a personal explanation may not be debated.

The contribution of a member must be relevant to the subject matter of the debate.

*Regulation 15- Local Government (Procedures at Meetings) Regulations 2013*

### **4.16 Voting**

The Presiding Member, or any other member, may ask the Chief Executive Officer to read out a motion before a vote is taken.

The Presiding Member will ask for the votes of those members in favour of the motion and then for the votes of those members against.

This process can be repeated as often as is necessary to enable the Presiding Member to determine the result of the voting and then declare the outcome.

A member who is not in his or her seat is not permitted to vote, noting that this ruling may be varied at the discretion of the Council.

*Regulation 16- Local Government (Procedures at Meetings) Regulations, 2013*

### **4.17 Divisions**

A division records the members voting for and against a decision and will be taken at the request of a member. If a division is called for, it must be taken immediately, and the previous decision of the Presiding Member as to whether the motion was carried or lost is set aside.

There is no obligation upon a member to vote in a division in the same manner that he/she voted on the immediately preceding decision.

If the meeting has moved on to the next agenda item, a division cannot be called.

The division will be taken as follows:

- a. the members voting in the affirmative will, until the vote is recorded, stand in their places
- b. the members voting in the negative will, until the vote is recorded, sit in their seats
- c. the Presiding Member will count the number of votes and then declare the outcome.

The Chief Executive Officer will record in the minutes the names of members who voted in the affirmative and the names of the members who voted in the negative in addition to the result of the vote.

*Regulation 17- Local Government (Procedures at Meetings) Regulations 2013*



#### **4.18 Division on an Amendment or Formal Motion**

A division will be taken on an amendment or on a formal motion at the request of a member. The result of the vote as to whether the amendment or formal motion was carried or lost is set aside.

#### **4.19 Tabling of Information**

A member may require the Chief Executive Officer to table any documents of the Council relating to a motion that is before a meeting. The Chief Executive Officer must then table the documents within a reasonable time or at a time determined by the Presiding Member after taking into account the wishes of the meeting. If the member who has required the tabling indicates that he or she is unwilling to vote on the motion until the documents are tabled, then the matter must not be put to the vote until the documents are tabled.

The Chief Executive Officer may, in tabling a document, indicate that the document should be dealt with confidentially.

*Regulation 18 - Local Government (Procedures at Meetings) Regulations 2013*

#### **4.20 Petitions**

If a petition is scheduled for the meeting, a report identifying the topic, the subject of the petition, the number of signatories and the purpose of the petition (being the nature of request or submission) will be presented, with a recommendation acknowledging the number of signatories and the petition to be received.

The original petition will be distributed to the Lord Mayor and members separately.

Members of the public may seek a copy of the original petition upon written request to the Chief Executive Officer.

*Regulation 18 - Local Government (Procedures at Meetings) Regulations 2013*

#### **4.21 Deputations**

A person making a deputation must not speak for longer than five minutes at any one time without leave of the meeting. If leave is granted, an additional two minutes only will be provided.

The identity of the person making the deputation, the subject, and the purpose of the address, will be recorded in the Minutes of the meeting.

Material distributed to a meeting and referenced as part of the address may be attached to the Minutes for reference if the speaker agrees; this must be done through a resolution of the Council.

The inclusion of material in the Minutes is subject to an assessment by the Chief Executive Officer as to whether the material is to be disallowed on the basis of it being defamatory, offensive or insulting in content.

Members can ask questions about the deputation provided they observe the guiding principles described in Part One.

The Presiding Member may rule the speaker ineligible to continue in a deputation if in their opinion, the subject matter is:

- a. not one in which the Council has a direct interest or responsibility
- b. not the topic outlined in the request to make a deputation
- c. one which relates to the prosecution of expiation notices, summonses or any other

## Code of Practice for Meeting Procedures

- d. litigation
- e. more appropriately addressed by other means
- f. vague, irrelevant, insulting or improper.

The Lord Mayor will write to a depute to thank them for their presentation.

### 4.22 Short-Term Suspension of Proceedings

The Act allows for short-term suspension of proceedings. If the Presiding Member considers that the conduct of a meeting would benefit from suspending the operation of all or some of the provisions of this section for a period of time in order to allow or facilitate informal discussions, the Presiding Member may, with the approval of at least two thirds of the members present at the meeting, suspend the operation of this section (or any part of this section) for a period determined by the Presiding Member.

If a suspension occurs:

- a. A note of the suspension, including the reasons for any period of suspension, must be entered in the minutes.
- b. the meeting may proceed provided that a quorum is maintained, but during the period of suspension:
  - i. the provisions of the Act must continue to be observed
  - ii. no act or discussion will have any status or significance under the provisions which have been suspended
  - iii. no motion may be moved, seconded, amended or voted on other than a motion that the period of suspension should be brought to an end
- c. the period of suspension should be limited to achieving the purpose for which it was declared
- d. the period of suspension will come to an end if:
  - i. the Presiding Member determines that the period should be brought to an end; or
  - ii. at least two thirds of the members present at the meeting resolved that the period should be brought to an end.

*Regulation 20 -Local Government (Procedures at Meetings) Regulations 2013*

### 4.23 Leave of the Meeting

When sought by the Lord Mayor or the Presiding Member of a Council Committee, in the absence of objection, leave of the meeting is granted.

Where there is an objection, the Lord Mayor, or the Presiding Member of a Council Committee, will put the matter to the meeting to vote by a majority show of hands and declare leave granted or declined.

A division may be called on whether a leave of the meeting is granted.

If a member needs to leave the Council Chamber, he or she should indicate this to the Presiding Member (e.g. by standing, facing the chair and making eye contact before leaving the meeting).

This will also provide the minute taker the opportunity to record the movement from the Council Chamber. Members should be aware that as soon as they leave their seats, they are considered to have left the meeting.

#### **4.24 Points of Order**

If the Presiding Member or a member believe that there has been a breach of the Act or Regulations and so calls a Point of Order, they must briefly state the nature of the alleged breach such that the Presiding Member can determine which if any part of the Act or Regulation has been breached. The nature of the alleged breach will be recorded in the minutes.

The Presiding Member will then make a ruling on the point of order and this will also be recorded in the minutes.

Under section 86(6b) of the Act a member of Council must not, while at a meeting:

- (a) Behave in an improper or disorderly manner or:
- (b) Cause an interruption or interrupt another member who is speaking.

*Regulation 28 -Local Government (Procedures at Meetings) Regulations 2013*

#### **4.25 Meeting Interruptions**

The Lord Mayor (or the Presiding Member of a Council Committee) may make a statement at the beginning of each meeting that sets out his/her expectations and/or the behavioural standards expected at a formal Council or Council Committee meeting, which may include his/her views about what amounts to improper or disorderly behaviour.

For these purposes, the Macquarie Dictionary definitions are used. The adjective 'proper' is defined as 'conforming to established standards of behaviour or manners, correct or decorous', and the adjective 'improper' is defined as 'not in accordance with propriety or behaviour, manners etc' or 'unsuitable, inappropriate, as for the purpose of the occasion'.

The adjective 'orderly' is defined 'observant of system or method, as persons, the mind, etc., characterised by or observant of order, rule or discipline' and the adjective 'disorderly' is defined as 'law violating, or opposed to, constituted order, contrary to public order or morality'.

It is at the discretion of the Lord Mayor (or the Presiding Member of a Council Committee), whether to control improper and/or disorderly behaviour by way of a number of warnings before resorting to reliance upon this section of the Meeting Regulations.

A member of a Council or Council Committee must not, while at a meeting—

- a. behave in an improper or disorderly manner; or
- b. cause an interruption or interrupt another member who is speaking.

This does not apply to a member who is:

- a. objecting to words used by a member who is speaking; or
- b. calling attention to a point of order; or
- c. calling attention to want of a quorum.

If the Presiding Member considers that a Member may have acted in contravention to these regulations, the member must be allowed to make a personal explanation.

The relevant member must leave the meeting while the matter is considered by the meeting.

If the remaining members resolve that a contravention has occurred, those Members may, by resolution:

- a. censure the relevant member; or
- b. suspend the member for a part, or for the remainder, of the meeting.

## **Code of Practice for Meeting Procedures**

A member who refuses to leave a meeting, or enters a meeting in contravention of a suspension, is guilty of an offence and a maximum penalty of \$1250 may apply.

The meeting will then consider the conduct and determine if it wishes to take any action against the member.

If action is to be taken, then in accordance with Regulation 29(5)(a) of the Meeting Regulations the remaining Members of the Council or Committee can censure the Member by passing a resolution that is an expression or statement of dissatisfaction with the Member's performance, conduct and/or behaviours. Such a resolution has no further effect other than as a formal, public reprimand that is expressed publicly and recorded in the Minutes of the meeting.

Suspension of the member in accordance with Regulation 29(5)(b) of the Meeting Procedures will be reserved for the most serious behaviours.

It is expected that Members will support the Lord Mayor (or the Presiding Member of a Council Committee), in his/her endeavours to maintain appropriate standards of behaviour during meetings.

*Section 86 (6b) Local Government Act 1999 Regulation 28 A 29 - Local Government (Procedures at Meetings) Regulations 2013*

### **4.26 Interruption of Meetings by Others**

Members of the public who attend meetings of a Council or Council committee must not—

- (a) behave in a disorderly manner; or
- (b) cause an interruption.

These behaviours can result in a maximum penalty of \$500.

*Regulation 30 - Local Government (Procedures at Meetings) Regulations 2013*

### **4.27 Motions Without Notice**

Only Motions relating to matters of urgency will be considered without notice by the Lord Mayor

All such Motions are to be put in writing and given to the Presiding Member at the beginning of the meeting; in addition, the proposer of the Motion shall include a rationale as to the urgency of the Motion. The Lord Mayor will then determine whether he or she is prepared to accept the motion for consideration at that meeting.

If the Lord Mayor accepts the Motion the rationale for the decision will be included as a notation in the minutes of the Council or Council Committee meeting.

*Regulation 12- Local Government (Procedures at Meetings) Regulations 2013*

### **4.28 Questions Without Notice**

A member may ask a Question without Notice at a meeting.

The Presiding Member may allow the reply to a Question without Notice to be given at the next meeting.

A Question without Notice and the reply will not be entered in the minutes of the relevant meeting unless the members present at the meeting resolve that this should occur.

The Presiding Member may rule that a Question with or without Notice is not answered.

*Section 90 - Local Government Act 1999*

## **4.29 Revoking a Council Decision**

A motion the effect of which, if carried, would be to revoke or amend a resolution passed since the last general election of the Council must be brought by written notice of motion.

If a motion is lost, a motion to the same effect cannot be brought:

- a. until after the expiration of 12 months; or
- b. until after the next general election, whichever is the sooner.

A motion will lapse if it is not seconded at the appropriate time.

## **4.30 Closure of a Meeting**

The Council will aim to determine all matters within the agenda before the close of the meeting. Council and Council Committee meetings will finish once all items have been resolved, or at 8:30 pm, whichever is met sooner.

The Lord Mayor may seek leave of the meeting to extend the time of closure of the meeting past 8:30 pm until all business has been resolved.

Any items not resolved at the meeting by midnight of that date will be adjourned until the next meeting of Council (Ordinary or Special).

# **5. AFTER THE MEETING**

## **5.1 Finalising the Minutes of a Meeting**

The Presiding Member must initial or sign the minutes. This can be done in hardcopy or electronically.

On the confirmation of the minutes, the Presiding Member will:

- a. initial each page of the minutes, which are to be consecutively numbered; and
- b. place his or her signature and the date of confirmation at the foot of the last page of the minutes.

*Regulation 8 - Local Government (Procedures at Meetings) Regulations 2013*

copies of the minutes will be provided to each member of the Council within five days after a meeting of the Council or a council committee.

Minutes of meetings of Council and Council Committees will be made available on the City of Adelaide website [www.cityofadelaide.com.au](http://www.cityofadelaide.com.au)

If an audio and or visual recording of a meeting for live streaming (excluding any portion of the meeting closed to the public) is produced, it will be available via the City of Adelaide YouTube channel, accessible on the City of Adelaide website [www.cityofadelaide.com.au](http://www.cityofadelaide.com.au)

The minutes of the proceedings at a meeting must be submitted for confirmation at the next meeting or, if that is not possible, at a subsequent meeting.

*Section 91- Local Government Act 1999*

# **6. OTHER MATTERS**

## **6.1 Special Meetings of Council Committees**

Special meetings of Council Committees may be held at any time. At least four hours



## Code of Practice for Meeting Procedures

notice is required for a Special meeting of a Council Committee.

A request for a Special meeting of a Council Committee must be made to the Chief Executive Officer.

The request may be made by:

- a. the Presiding Member of the Council Committee
- b. at least two members of the Council Committee.

*Section 90 - Local Government Act 1999*

## 6.2 Provisions that Apply to Council Committees

Council Committees will determine their own meeting procedures. These will be included in the Committee's Terms of Reference. Where these Terms of Reference are silent the following provisions of these procedures will apply.

- 4.1 Frequency and times of meetings and locations
- 4.2 Publication of the Council Agenda
- 4.3 Developing the agenda
- 4.6 Confidential reports
- 4.7 Late items and reports
- 4.8 Public access to the Council
- 5.3 Recording of Meetings
- 5.4 Minutes of a meeting
- 5.5 Declaration of interest
- 5.6 Non-attendance at meetings
- 5.7 Quorum
- 5.8 Adjournment of meetings and meeting cancellation
- 5.9 Managing confidential matters
- 5.10 Speaking at the meetings
- 5.11 Adjourned business
- 5.12 Amendments to motions
- 5.13 Variations
- 5.14 Addresses by Members
- 5.15 Voting
- 5.16 Divisions
- 5.17 Division on an Amendment or Formal Motion
- 5.21 Short-term suspension of proceedings
- 5.22 Leave the meeting
- 5.23 Points of Order
- 5.24 Meeting Interruptions
- 5.25 Interruption of meetings by others
- 6.1 Finalising the minutes of a meeting
- 7.1 Special meetings of Council Committees

## 6.3 Administrative

Parts of the Code of Practice can be varied at the discretion of Council if the provision is expressed as being capable of variation. A resolution to vary the Code of Practice must be supported by at least two-thirds of the members of the Council entitled to vote.

*Sections 86(8) and 89(1) - Local Government Act 1999*

## **Code of Practice for Meeting Procedures**

As part of Council's commitment to deliver the City of Adelaide Strategic Plan, services to the community and the provision of transparent information, all policy documents are reviewed as per legislative requirements or when there is no such provision a risk assessment approach is taken to guide the review timeframe. This Policy document will be reviewed every two years unless legislative or operational change occurs beforehand. The next review will be conducted in April 2025

Any required changes due to legislative changes will be made automatically.

## Kadaltilla Charter Amendment

Strategic Alignment - Dynamic City Culture

Public

Tuesday, 21 March 2023

**City Finance and Governance  
Committee**

**Program Contact:**

Sarah Gilmour, Associate  
Director Park Lands, Policy &  
Sustainability

**Approving Officer:**

Ilia Houridis - Director City  
Shaping

## EXECUTIVE SUMMARY

On 28 April 2022, Kadaltilla made a Board Decision to request that the Administration and Council undertake the necessary steps to implement the dual name branding that was supported at the Adelaide Park Lands Authority meeting on 26 August 2021. This dual name was Kadaltilla / Adelaide Park Lands Authority. This dual naming proposal had the support of former Adelaide Park Lands Authority Board Member Jessica Davies-Huynh, as well as the support of the Adelaide Reconciliation Committee.

On 14 September 2021, Council adopted dual naming for Kadaltilla but removed 'Adelaide' from the branding.

This report seeks to amend the 'APLA Charter' to incorporate 'Adelaide' into the Kadaltilla / Park Lands Authority branding as originally proposed by Kadaltilla.

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## RECOMMENDATION

THAT THE CITY FINANCE AND GOVERNANCE COMMITTEE RECOMMENDS TO COUNCIL:

THAT COUNCIL:

1. Approves amending clause 1.1 of the 'APLA Charter' to amend the branding of the Adelaide Park Lands Authority from 'Kadaltilla / Park Lands Authority' to 'Kadaltilla / Adelaide Park Lands Authority'.
2. Approves amending the title of the Charter from the 'APLA Charter' to the 'Kadaltilla Charter'.
3. Notes that the revised Charter, Attachment A to Item 6.5 on the Agenda for the meeting of the City Finance and Governance Committee held on 21 March 2023, will be sent to the Minister for Planning, Hon Nick Champion MP, for consultation. Following consultation, the revised Charter will require a gazettal notice to be published.
4. Notes the revised logo to be implemented pending the Charter amendment being approved by Council, the Minister for Planning, Hon Nick Champion MP, and gazettal.



## IMPLICATIONS AND FINANCIALS

City of Adelaide 2020-2024 Strategic Plan	<b>Strategic Alignment – Dynamic City Culture</b> The Kadaltilla Charter amendment supports key action 3.1 ‘ <i>Support, promote and share Aboriginal and Torres Strait Islander cultures and pay homage to the Kurna people as traditional owners</i> ’.
Policy	<b>City of Adelaide Stretch Reconciliation Action Plan 2021-2024</b> Action 16. Include Kurna language in everything that we do.
Consultation	Dual naming of the Adelaide Park Lands Authority was proposed by Kadaltilla following consultation with Jessica Davies-Huynh, then representing the Kurna Yerta Aboriginal Corporation, Aunty Yvonne Agius, Co-Chair of the City of Adelaide Reconciliation Committee, City of Adelaide Reconciliation Officer, Uncle Lewis O’Brien, and Mickey O’Brien. The choice of words for the branding was discussed at the Kurna Warra Pintyanthi (KWP) language committee at the University of Adelaide, who provided the recommendation and translation for ‘Kadaltilla’. The use of Kadaltilla / Adelaide Park Lands Authority was supported by Kadaltilla and the City of Adelaide Reconciliation Committee.
Resource	Not as a result of this report
Risk / Legal / Legislative	In accordance with the <i>Adelaide Park Lands Act 2005 (SA)</i> , should Kadaltilla recommend a change to the Charter, then both Council and the Minister for Planning, Hon Nick Champion MP, must be consulted prior to the required gazettal notice being published.
Opportunities	The <i>Adelaide Park Lands Act 2005 (SA)</i> refers to Kadaltilla as the Adelaide Park Lands Authority. Reinstating the name ‘Adelaide’ into the branding creates consistency between the legislative name and the proposed dual naming of Kadaltilla / Adelaide Park Lands Authority.
22/23 Budget Allocation	Cost of gazettal notice covered within existing budget.
Proposed 23/24 Budget Allocation	Not as a result of this report
Life of Project, Service, Initiative or (Expectancy of) Asset	Ongoing
22/23 Budget Reconsideration (if applicable)	Not as a result of this report
Ongoing Costs (eg maintenance cost)	Not as a result of this report
Other Funding Sources	Not as a result of this report



## DISCUSSION

1. The *Adelaide Park Lands Act 2005 (SA)* establishes the Adelaide Park Lands Authority as a subsidiary of the City of Adelaide under the provisions of the *Local Government Act 1999 (SA)* and as an advisory body to the City of Adelaide and the State Government.
2. The inaugural meeting of the Adelaide Park Lands Authority was held on 7 February 2007 and its first full financial year of operation was 2007–2008.
3. In October 2021, the Minister approved a change to the Authority's Charter so that it would be branded as the 'Kadaltilla / Park Lands Authority' (Kadaltilla).
4. Council has a long-standing commitment to the dual Kurna naming of city features dating back to 1997 when City of Adelaide was among the first Councils to sign a Reconciliation Statement. In this statement, Guiding Principle 5 states:
  - 4.1. "Council acknowledges the prior occupation of this land by the Kurna people, and will seek opportunities to recognise Kurna heritage through physical features of the City and by supporting community cultural activities".
  - 4.2. This resulted in the Kurna Naming Project <https://www.cityofadelaide.com.au/community/reconciliation/kurna-place-naming/>
5. Between March 2000 and May 2002, Council endorsed Kurna names for 24 Park Land areas and in March 2012, Council endorsed the dual Kurna naming of all remaining City Squares.
6. Noting dual naming for all parks within the Adelaide Park Lands, in 2021 Kadaltilla investigated incorporation of a Kurna word into its branding.

### Initial Investigations and Discussions

7. In 2021, the former Presiding Member of Kadaltilla, engaged in discussions regarding the appropriateness of using a Kurna word for the Board, and possible Kurna words or names which could be appropriately used. This included discussion and feedback from:
  - 7.1. Jessica Davies-Huynh, (then) Director on the Kurna Yerta Aboriginal Corporation
  - 7.2. Co-Chair of the City of Adelaide Reconciliation Committee, Aunty Yvonne Agius
  - 7.3. City of Adelaide's Reconciliation Officer
  - 7.4. Uncle Lewis O'Brien and Mickey O'Brien
8. On Wednesday 25 August 2021, the Kurna Warra Pintyanthi (KWP) language committee at the University of Adelaide met and discussed possible Kurna words to use which evoke the Park Lands, their meaning, and/or the connection the community has with the Park Lands.
9. "Kadaltilla" was recommended by the KWP Language Committee which translates to 'Green place/Green lands/Parklands'

### Support for Kadaltilla Branding

10. At the Adelaide Park Lands Authority Board meeting on 26 August 2021, Kadaltilla resolved to:
  - 10.1. Support that the Authority be known as, 'Kadaltilla / Adelaide Park Lands Authority'
  - 10.2. Recommend that Council approves the change to be incorporated into the Authority's Charter.
11. City of Adelaide's Reconciliation Committee discussed the resolution of Kadaltilla at their meeting on 1 September 2021 and provided their support to Kadaltilla being known as 'Kadaltilla / Adelaide Park Lands Authority'.

### Rebranding

12. At the Council meeting on 14 September 2021, Council approved amending clause 1.1 of the [Adelaide Park Lands Authority Charter](#) to reflect the inclusion of 'Kadaltilla / Park Lands Authority' for the dual branding of Kadaltilla.
13. In October 2021, the then Minister for Planning and Local Government, Hon Vickie Chapman MP, approved a change to the 'APLA Charter' so that it would be branded as the 'Kadaltilla / Park Lands Authority (Kadaltilla)'.  
14. On [28 April 2022](#), Kadaltilla made a Board Decision to advise the City of Adelaide that it:

- 14.1. Approves the interim use of the “Kadaltilla” logo contained in Item 5.2 on the Agenda for the meeting of the Board of Kadaltilla / Park Lands Authority held on 28 April 2022.
- 14.2. Requests that the administration and Council undertake the necessary steps to reinstate the dual naming branding that was supported at the Adelaide Park Lands Authority meeting on 26 August 2021, namely that the Authority be known as Kadaltilla / Adelaide Park Lands Authority, noting this version of the dual naming had the support of former Adelaide Park Lands Authority board member Jessica Davies-Huynh, as well as the support of the Adelaide Reconciliation Committee.
- 14.3. Requests that on completion of the above reinstatement process the administration amend the interim logo to incorporate both the Kadaltilla logo and the words Adelaide Park Lands Authority.
- 14.4. Supports the use of the abbreviated form “Kadaltilla” for the Kadaltilla / Adelaide Park Lands Authority.

### Requested Amendments

15. Consistent with the dual naming of the Adelaide Park Lands and city features, it is proposed that the branding of the Kadaltilla / Park Lands Authority is amended in clause 1.1 of Kadaltilla’s Charter to read ‘Kadaltilla / Adelaide Park Lands Authority’ (see Attachment A).
16. In line with the Kadaltilla Board Decision on [28 April 2022](#), a revised Kadaltilla logo has been created for adoption (see Figure 1). This revised logo is proposed to replace the ‘APLA’ logo on Page 1 of the Charter (see Attachment A).
  - 16.1. Figure 1:



17. The title of the Charter is proposed to be amended from the ‘APLA Charter’ to the ‘Kadaltilla Charter’.

### Next Steps

18. Pending a decision of the Council to reinstate the word ‘Adelaide’ into the dual naming of the Authority, the revised Charter would be sent to the Minister for Planning, Hon Nick Champion MP, for consultation.
19. Following consultation with the Minister and receipt of the Minister’s support, the revised Charter would require a gazettal notice to be published.
20. The Gazettal Notice is prepared by Council’s Administration, approved by the Chief Executive Officer and submitted to the South Australian Government Gazette for publishing. The Gazette is published weekly.

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## DATA AND SUPPORTING INFORMATION

**Link 1** – Kurna place naming webpage on the City of Adelaide website

**Link 2** – ‘APLA’ Charter

**Link 3** – Meeting documents webpage on the City of Adelaide website for the Kadaltilla / Park Lands Authority Thursday 28 April 2022 Board Meeting

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## ATTACHMENTS

**Attachment A** – Track-changed Kadaltilla Charter

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- END OF REPORT -

# Kadaltilla

## Adelaide Park Lands Authority

# Charter

## 1. INTRODUCTION

The land comprising the Adelaide Park Lands should, as far as is reasonably appropriate, correspond to the general intentions of Colonel William Light in establishing the first Plan of Adelaide in 1837.

### 1.1. Name of Authority

The name of the Subsidiary is the Adelaide Park Lands Authority (referred to as 'the Authority' in this Charter). The Authority will be branded as 'Kadaltilla / Adelaide Park Lands Authority'.

### 1.2. Establishment of Authority

The Authority is established by section 5 of the Park Lands Act and is taken to be a single council Subsidiary of the Council under section 42 of the LG Act.

### 1.3. Purpose for Which the Authority is Established

- 1.3.1. The Council and the State Government of South Australia are committed to protecting and enhancing the Adelaide Park Lands for the benefit of all South Australians.
- 1.3.2. The Adelaide Park Lands Authority is the principal advisor to both the Council and the State Government on the protection, management, enhancement and promotion of the Adelaide Park Lands.
- 1.3.3. The Council, on behalf of the communities of the City of Adelaide and the State, is committed to ensuring that the Authority delivers maximum benefit for the future of Adelaide's Park Lands as the City of Adelaide's defining feature.
- 1.3.4. In this context the Authority is established by Statute to undertake in accordance with the powers conferred by this Charter, the Functions of the Authority as set out at section 9 of the Park Lands Act.

## 2. UNDERSTANDING THIS CHARTER

### 2.1. Definitions

- 2.1.1. 'Adelaide Park Lands' means the land as defined in accordance with Part 3 of the Park Lands Act;
- 2.1.2. 'Adelaide Park Lands Plan' means the plan deposited in the General Registry Office by the Minister, as shown in Annexure One;

- 2.1.3. 'Authority' means the Adelaide Park Lands Authority established under Division 2 of the Park Lands Act;
- 2.1.4. 'Board' means the Board of Management as established under section 6 of the Park Lands Act;
- 2.1.5. 'Board Member' means each person who is currently a member of the Board and who has been appointed in accordance with clause 4.2;
- 2.1.6. 'Budget' has the meaning as defined in clause 7.6.3;
- 2.1.7. 'Business Plan' means the business plan developed for the Authority and approved in accordance with clause 7.4;
- 2.1.8. 'Community Land Management Plans' has the meaning defined in section 196 of the Local Government Act 1999;
- 2.1.9. 'Council' means the Corporation of the City of Adelaide;
- 2.1.10. 'Council CEO' means the person currently appointed as the chief executive officer of the Council;
- 2.1.11. 'Deputy' means each person who is appointed to act as a Board Member in the absence of the appointed Board Member;
- 2.1.12. 'Deputy Presiding Member' means the person appointed in accordance with clause 4.4.2 to perform that role as defined in clause 4.4.4;
- 2.1.13. 'Financial Year' means 1 July in each year to 30 June in the subsequent year;
- 2.1.14. 'Functions' means the functions of the Authority as detailed in section 9 of the Park Lands Act and expressed in clause 3.1;
- 2.1.15. 'the Fund' means the Adelaide Park Lands Fund established in accordance with section 22 of the Park Lands Act;
- 2.1.16. 'Gazette' means the South Australian Government Gazette;
- 2.1.17. 'LG Act' means the *Local Government Act 1999* and all relevant regulations made thereunder;
- 2.1.18. 'Lord Mayor' means the person currently elected and holding the office of the Lord Mayor of the City of Adelaide;
- 2.1.19. 'Minister' means the Minister responsible for administering the Park Lands Act;
- 2.1.20. 'Park Lands Act' means the *Adelaide Park Lands Act 2005* and any regulations made thereunder;
- 2.1.21. 'Presiding Member' means the person currently appointed in accordance with clause 4.4.1 to perform that role as defined in clause 4.4.4;
- 2.1.22. 'the Strategy' means the *Adelaide Park Lands Management Strategy* as set out at section 18 of the Park Lands Act;
- 2.1.23. 'State' means any agency, administrative unit or instrumentality of the Government of South Australia.

## **2.2. Local Government Act 1999**

- 2.2.1. This Charter must be read in conjunction with the LG Act and the Park Lands Act.
- 2.2.2. The Authority shall conduct its affairs in accordance with Schedule 2, Part 1 to the LG Act except to the extent that a matter is dealt with by the Park Lands Act or otherwise as modified by this Charter in a manner permitted by Schedule 2, Part 1 to the LG Act.

## **3. THE AUTHORITY**

### **3.1. Functions**

The Functions of the Authority (as set out at section 9 of the Park Lands Act and added to here) are:

- 3.1.1. to undertake a key policy role with respect to the advocacy and promotion of the values of the Park Lands and their management and protection;
- 3.1.2. to prepare and, as appropriate, to revise, the Adelaide Park Lands Management Strategy in accordance with the requirements of the Park Lands Act;
- 3.1.3. to provide comments and advice on any management plan prepared by the Adelaide City Council or a State Authority under the Park Lands Act or the LG Act that relates to any part of the Adelaide Park Lands, and to monitor and, as appropriate, to provide comments, advice or reports in relation to, the implementation or operation of any such plan;
- 3.1.4. to provide comments or advice in relation to the grant or operation of any lease, licence or other form of grant of occupation of land within the Adelaide Park Lands;
- 3.1.5. on the basis of any request, or on its own initiative, to provide advice to the City of Adelaide or to the Minister on policy, development, heritage or management issues affecting the Adelaide Park Lands;
- 3.1.6. to promote public awareness of the importance of the Adelaide Park Lands and the need to ensure that they are managed and used responsibly;
- 3.1.7. providing a forum for the discussion and consideration of topics related to the management of the Adelaide Park Lands;
- 3.1.8. to ensure that the interests of South Australians are taken into account, and that community engagement and consultation processes are established and undertaken, in relation to the strategic management of the Adelaide Park Lands;
- 3.1.9. to promote and administer the Fund; and
- 3.1.10. to undertake or support other activities that will protect or enhance the Adelaide Park Lands, or in any other way promote or advance the objects of the Park Lands Act.

### **3.2. Powers and Duties**

The powers and duties of the Authority are to be exercised in the performance of the Authority's Functions, and in accordance with the provisions of the Park Lands Act, the LG Act and this Charter and, to avoid any doubt, the Authority shall have those powers



specifically conferred upon it by the Park Lands Act and otherwise as delegated to it by the Council from time to time, which include, but are not limited to:

- 3.2.1. undertaking its Functions;
- 3.2.2. preserving and strengthening the integrity of the Adelaide Park Lands and their values as expressed in the Statutory Principles in the Park Lands Act and the values as expressed in the National Heritage Listing of the Adelaide Park Lands and City Layout (gazetted 7 November 2008);
- 3.2.3. providing advice or comment to the Council and the Minister, on its own initiative, or at the request of the Council or the Minister, on strategic and policy issues including:
  - (a) priorities and actions to facilitate, and the progress on, the transfer of State managed areas of the Adelaide Park Lands to the care, control and management of the Council;
  - (b) recognising, interpreting and protecting the significance of the Adelaide Park Lands to Aboriginal people (in consultation with the relevant Aboriginal communities);
  - (c) draft policies of Council which impact upon the Adelaide Park Lands;
  - (d) Council's draft annual business plan and budget as they relate to the Adelaide Park Lands;
  - (e) the progress of Council and the State in implementing the Strategy;
  - (f) the State's plans as they relate to the Adelaide Park Lands;
  - (g) when existing strategies and policies are silent on the matter;
  - (h) review of Community Land Management and State Management Plans;
  - (i) significant management issues concerning misuse and unauthorised occupation;
  - (j) leasing or licensing policy for sport, commercial and other use;
  - (k) the granting or renewal of leases and licences or other forms of occupation;
  - (l) sustainable use of water and other resources;
  - (m) biodiversity conservation, wildlife and other natural heritage matters;
  - (n) revegetation projects;
  - (o) water quality and use;
  - (p) riparian environments;
  - (q) significant landscaping proposals;
  - (r) significant tree removals other than those undertaken for safety reasons;
  - (s) signage plans and interpretation;
  - (t) lighting plans;
  - (u) building design and location;

- (v) community gardens;
- (w) variations to the Adelaide Park Lands Plan;
- (x) liquor licensing policy;
- (y) events, including associated signage, fencing, public access and rehabilitation issues;

but excluding:

- (z) minor building and landscaping projects such as internal building improvements or landscape renewals;

and any advice sought or provided should be managed in a prompt and timely manner so as to properly inform the decision making process of the Council and the State.

- 3.2.4. providing advice or comment at the request of the Council on business and operational issues with respect to areas of the Adelaide Park Lands under the care, control and management of the Council including:
  - (a) proposals for the installation of works of public art, memorials and monuments;
  - (b) the setting of service standards;
  - (c) major capital works proposals; and
  - (d) significant operational issues;
- 3.2.5. investing any of the money in the Fund that is not for the time being required for the purposes of the Fund:
  - (a) in a manner determined by the Authority after consultation with the Council;
  - (b) where the investment is authorised by the *Trustee Act 1936* or with the Local Government Finance Authority provided that in exercising this power of investment the Authority must exercise the care, diligence and skill that a prudent person of business would exercise in managing the affairs of other persons;

PROVIDED THAT the Authority must avoid investments that are speculative or hazardous in nature;
- 3.2.6. entering into contracts including engaging or retaining professional advisors to the Authority;
- 3.2.7. requesting staff secondment from the Council or Council to employ or engage any staff, in addition to the administrative support defined in clause 5.1 and 5.2, to facilitate a specific function of the Authority;
- 3.2.8. producing publications and maintaining a website which promotes the role and work of the Authority in relation to its Functions and powers and advocates for the environmental, cultural, recreational and social values of the Park Lands;
- 3.2.9. requesting advice or information from the Council relevant to the Authority; and

- 3.2.10. to manage risk associated with the purpose and Functions of the Authority under this Charter for the Adelaide Park Lands.

### **3.3. Property and Assets**

- 3.3.1. Other than the Fund, the Authority may only hold property or assets with the express prior written approval of the Council.
- 3.3.2. All property or assets held by the Authority is held by it on trust for and on behalf of the Council.
- 3.3.3. No person may sell, encumber or otherwise deal with any property or asset of the Authority without both the approval of the Board by way of resolution at a Board meeting and the approval of the Council by way of resolution at a formal Council meeting.

### **3.4. Committees and Delegation by the Authority**

- 3.4.1. The Board may establish one or more committees pursuant to section 11 of the Park Lands Act and this clause 3.4, and for each such committee:
- (a) each member of a committee holds their office at the pleasure of the Board;
  - (b) the Presiding Member is, ex-officio, a member of each committee; and
  - (c) the procedures to be observed in relation to the conduct of business at a meeting of a committee will be as determined by the Board or as determined by the committee where the Board has not made such a determination.
- 3.4.2. The Board may by resolution delegate any of its powers under this Charter to a committee established by the Board or to an employee of the Council, including an employee of the Council seconded to the Authority, but may not delegate:
- (a) the power to approve expenditure of money on the services or operations of the Authority not set out or included in the Budget or, where required by this Charter, as expressly approved in writing by the Council;
  - (b) the power to approve the reimbursement of expenses to members of the Board for which the Authority has not adopted a formal policy or made specific financial provision;
  - (c) the power to adopt financial estimates and reports; and
  - (d) the power to make any application or recommendation to the Council or the Minister.
- 3.4.3. A delegation by the Authority:
- (a) must be subject to conditions and limitations determined by the Authority and as otherwise specified under the Park Lands Act or the LG Act;
  - (b) is revocable at will and does not prevent the Authority from acting in a matter.

## **4. BOARD OF MANAGEMENT**

### **4.1. Role of the Board**

- 4.1.1. In accordance with clause 2(a) of Part 1 of Schedule 2 to the LG Act the Authority is a body corporate and is governed by the Board which is responsible for managing the business and other affairs of the Authority and for ensuring that the Authority acts in accordance with this Charter and all relevant legislation including the Park Land Act and the LG Act.
- 4.1.2. All meetings of the Authority shall be meetings of the Board.
- 4.1.3. The Board shall have the responsibility to manage all of the activities of the Authority ensuring that the Authority acts in accordance with this Charter and the provisions of the Park Lands Act and the LG Act.
- 4.1.4. The Board will be entitled to make decisions in accordance with the Powers of the Authority set out in this Charter and by or under the Park Lands Act.

### **4.2. Membership of the Board**

- 4.2.1. The Authority will have a board of management constituted in the manner prescribed by section 6 of the Park Lands Act as follows:
  - (a) the Authority shall have ten (10) Board Members who will be appointed in the following proportions by the Council and by the Minister:
    - (i) the Lord Mayor or, if the Lord Mayor chooses not to be a member of the Authority, a person appointed by the Council;
    - (ii) four other (4) persons appointed by the Council; and
    - (iii) five (5) persons appointed by the Minister,and each of those appointments will be made by notice in the Gazette;
  - (b) subject to clause 4.2.1.(c), the Council and the Minister must, in making appointments under this section, consult with each other in order to endeavour to achieve, in the membership of the board of management, a range of knowledge, skills and experience across the following areas
    - (i) biodiversity or environmental planning or management;
    - (ii) recreation or open space planning or management;
    - (iii) cultural heritage conservation or management;
    - (iv) landscape design or park management;
    - (v) tourism or event management;
    - (vi) indigenous culture or reconciliation;
    - (vii) financial management; and
    - (viii) local government.
  - (c) one (1) member appointed under subsection 4.2.1.(a)(iii) must be a person selected by the Minister from a panel of 3 persons nominated by an incorporated body that, in the opinion of the Minister, has demonstrated

an interest in the preservation and management of the Adelaide Park Lands for the benefit of the community and that has been invited by the Minister to make a nomination under this section (and the person so selected need not fall within the ambit of subsection 4.2.1.(b)).

- (d) The Council and the Minister must ensure that they each appoint at least one (1) woman and at least one (1) man to the membership of the board of management.

*(See Division 2, Section 6 to the Park Lands Act - Board of Management)*

4.2.2. Without derogating from the operation of section 7 of the Park Lands Act, each Board Member will hold office on conditions determined by the Council after consultation with the Minister which must include the following:

- (a) a term of office not exceeding three (3) years with such period determined by the Council and the Minister for their respective nominees who have been appointed as Board Members;
- (b) that a Board Member may be removed from their office prior to the expiry of the term of their office:
  - (i) at any time by notice from the Council given to the Authority in respect of a Board Member originally nominated by the Council;
  - (ii) at any time by notice from the Minister given to the Authority in respect of a Board Member originally nominated by the Minister; or
  - (iii) by notice to the Authority from the Council or the Minister on any one or more of the following grounds:
    - (A) for breach of, or non-compliance with, a condition of appointment;
    - (B) for mental or physical incapacity to carry out duties of office satisfactorily;
    - (C) for neglect of duty; or
    - (D) for dishonourable conduct.
- (c) that the office of a Board Member immediately becomes vacant upon:
  - (i) the death of the Board Member;
  - (ii) completion of a term of office of the Board Member where they are not reappointed;
  - (iii) the Board Member providing his/her resignation in writing to the Council or the Minister who nominated them to be appointed to the Board;
  - (iv) the Board Member becoming a bankrupt or applying for the benefit of a law for the relief of insolvent debtors; or
  - (v) the Board Member is removed from office in accordance with clause 4.2.2(b).



- 4.2.3. Neither the Authority nor the Board may remove a Board Member;
- 4.2.4. A Board Member shall, at the expiration of their then current term of office be eligible for re-appointment.
- 4.2.5. Subject to Clause 4.4, the Council and the Minister may appoint a deputy for each of their respective appointed Board Members (**Deputies**). In the absence of a Board Member their Deputy will be deemed to be the Board Member for that time and will exercise all rights, privileges and obligations of the Board Member during the absence of that Board Member and each Deputy may be removed from their position as Deputy in the same manner and on the same grounds as a Board Member may be removed from office.
- 4.2.6. If any vacancy occurs on the Board during the term of office of a Board Member, the Council or the Minister, as the case may be where the departed Board Member was originally nominated by them, will have authority to appoint at their discretion a Board Member for the remainder of the term of office of the relevant Board Member and at the end of that term the process for nomination and appointment of Board Members under clause 4.2.1 will be applied so that the Council or the Minister, as the case may be, appoints a new person to fill the role of the departed Board Member in accordance with the process under clause 4.2.1 where that departed Board Member was originally appointed by them.
- 4.2.7. At the end of the term of office of a Board Member the process for nomination and appointment of Board Members under clause 4.2.1 will be applied so that the Council or the Minister, as the case may be, appoints a new person to fill the role of the departed Board Member in accordance with the process under clause 4.2.1 where that departed Board Member was originally appointed by them.

#### **4.3. Saving Provision**

In accordance with Schedule 2, Clause 40 of the LG Act no act or proceeding of the Authority is invalid by reason of:

- 4.3.1. a vacancy or vacancies in the membership of the Board; or
- 4.3.2. A defect in the appointment of a Board Member.

#### **4.4. Presiding Member and Deputy Presiding Member of the Board**

- 4.4.1. The Presiding Member of the Board shall be the Lord Mayor or, where the Lord Mayor chooses not to be a member of the Authority, another Board Member nominated by the Council.
- 4.4.2. The Deputy Presiding Member of the Board shall be the Board Member nominated by the Minister from one of the five persons appointed by the Minister.
- 4.4.3. If the appointed Presiding Member either resigns, or is no longer eligible to act as a Board Member prior to the expiration of that persons' term, then the Deputy Presiding Member shall hold the office of Presiding Member until a new Presiding Member is appointed in accordance with clause 4.4.1 whereupon the person so appointed will hold the office of Presiding Member for the duration of the original appointment of their predecessor in that role.

- 4.4.4. At a meeting of the Board:
- (a) the Presiding Member shall preside as chair; but
  - (b) if the Presiding Member is absent, then either:
    - (i) the Deputy Presiding Member (if present) shall preside as chair; or
    - (ii) if the Deputy Presiding Member is also absent, the Board Members present shall appoint a Board Member from amongst them to preside as chair for either:
      - (A) that meeting; or
      - (B) until either the Presiding Member or the Deputy Presiding Member are present.

#### **4.5. Functions of the Board**

The Board has the following functions:

- 4.5.1. to ensure that the Authority acts in accordance with the requirements imposed upon it under the Park Lands Act and this Charter;
- 4.5.2. the formulation of strategic plans and strategies aimed at achieving the Functions of the Authority;
- 4.5.3. to provide professional input and policy direction to the Authority;
- 4.5.4. monitoring, overseeing and evaluating the performance of the Authority;
- 4.5.5. ensuring that ethical behaviour and integrity is established and maintained by the Board Members in all activities undertaken by the Authority;
- 4.5.6. subject to sub-clause 4.8.21 of this Charter, ensuring that the activities of the Authority are undertaken in an open and transparent manner;
- 4.5.7. the development of Business Plans;
- 4.5.8. exercising the care, diligence and skill that a prudent person of business would exercise in managing the affairs of other persons; and
- 4.5.9. the preparation and adoption of a code of conduct ('**Code of Conduct**') to be observed by the Board Members and to undertake a review of the Code of Conduct every four years in consultation with the Council.

#### **4.6. Remuneration of Board Members**

- 4.6.1. The Authority is entitled to pay appropriate remuneration fees to Board Members as approved by the Council, including for participation on Committees established under this Charter.
- 4.6.2. The Authority must pay to a Board Member any travelling and other expenses that are properly incurred in connection with the Authority's business and with the prior approval of the Board as recorded in the minutes of the Board meeting.
- 4.6.3. Attendance is recognised as a significant factor towards the success of the Authority and therefore the payment of remuneration fees to a Board Member will be subject to the attendance of that Board Member at meetings of the Board,

Workshops (Informal Gatherings), APLA Annual Community Forum or the relevant committee, as the case may be.

#### **4.7. Propriety of Members of the Board**

- 4.7.1. The principles regarding conflict of interest prescribed in the LG Act apply to all Board Members in the same manner as if they were elected members of a council.

*(See Chapter 5, Part 4, Division 3 of the LG Act for Conflict of Interest Provisions)*

- 4.7.2. The Board Members are not required to comply with Chapter 5, Part 4, Division 2 (Register of Interests) of the LG Act.
- 4.7.3. The Board Members will at all times act in accordance with their duties of confidence and confidentiality and individual fiduciary duties, including honesty and the exercise of reasonable care and diligence, with respect to the performance and discharge of their official functions and duties as Board Members including as required by Chapter 5, Part 4, Division 1 of the LG Act and Clause 7 of Part 1 of Schedule 2 to the LG Act.
- 4.7.4. The Authority must, in consultation with, and subject to approval of, the Council, maintain relevant policies sufficient to meet legislation applicable to the Authority, the Adelaide Park Lands, and for the effective management of the Authority. In the absence of any specific policies adopted by the Authority, relevant Council policies will apply.

#### **4.8. Meetings of the Board / Authority**

- 4.8.1. An ordinary meeting of the Board will constitute an ordinary meeting of the Authority and the Board shall administer the business of the ordinary meeting.
- 4.8.2. Subject to the Adelaide Park Lands Act 2005 and the provisions of this Charter the Board may determine its own procedures for meetings, which must be fair and contribute to free and open decision making.
- 4.8.3. Telecommunications Meeting
- (a) For the purposes of this Clause 4.8.3 the contemporary linking together by telephone, audio-visual or other instantaneous means (telecommunications meeting) between Board Members is deemed to constitute a meeting of the Board, provided that the provisions of the meetings of the Board/Authority as outlined in Clause 4.8 are satisfied.
  - (b) Subject to the provisions of Clause 4.8 a Board Member who uses telephone, audio-visual or other instantaneous means to participate in a meeting of the board is taken to be in attendance for that meeting.
  - (c) Each of the Board Members taking part in the telecommunications meeting must at all times during the telecommunications meeting be able to hear and be heard by each of the Board Members present.
  - (d) At the commencement of the meeting each Board Member must announce his/her presence to all other Board Members taking part in the meeting.
  - (e) A Board Member must not leave a telecommunications meeting by disconnecting his/her telephone, audio-visual or other communication

equipment unless that Board Member has previously notified the Presiding Member of the meeting and/or the meeting has been officially closed.

- (f) A Board Member can only use telephone, audio-visual or other instantaneous means to participate in a maximum of two meetings of the board per calendar year.

#### 4.8.4. Written Resolution

- (a) A proposed resolution in writing and given to all Board Members in accordance with procedures determined by the Board will be a valid decision of the Board where a majority of Board Members vote in favour of the resolution by signing and returning the resolution to the APLA Presiding Member and/or nominated officer of Council or otherwise giving written notice of their consent and setting out the terms of the resolution to the APLA Presiding Member and/or nominated officer of Council.
- (b) The resolution shall thereupon be as valid and effectual as if it had been passed at a meeting of the Board duly convened and held.

4.8.5. An ordinary meeting of the Board must take place at such times and places as may be fixed by the Board provided that there shall be at least one ordinary meeting of the Board held in each calendar month except in December and January.

4.8.6. Notice of ordinary meetings of the Board must be given to each Board Member not less than three clear business days prior to the date for the holding of the meeting.

4.8.7. Notice to a Board Member of any meeting of the Board must:

- (a) be in writing;
- (b) set out the date, time and place of the meeting;
- (c) contain, or be accompanied by, the agenda for the meeting; and
- (d) be accompanied by a copy of any documents or reports that are to be considered at the meeting (so far as this is practicable).

4.8.8. Notice of the times and places of meetings of the Board must be given to the public in the same manner that public notification of meetings of the Council is given in accordance with section 84 of the LG Act.

4.8.9. A copy of any document or report provided to Board Members for a Board Meeting must be available to the public:

- (a) for inspection, without charge;
- (b) by way of public display on the Council and/or the Authority's website until completion of the Board Meeting,

as soon as practicable after the time when the document or report is supplied to Board Members and provided that the document or report is not provided to Board Members or the Authority on a confidential basis.

- 4.8.10. A record of all notices of meetings of the Board must be maintained.
- 4.8.11. Any notice given under this clause 4.8 may be given to a Board Member:
- (a) personally;
  - (b) by delivering the notice (whether by post, electronic means or otherwise) to the usual place of residence of the Board Member or to another place authorised in writing by the Board Member;
  - (c) by leaving the notice for a Board Member appointed under section 6(1)(a) of the Park Lands Act at an appropriate place at the principal office of the Council; or
  - (d) by a means authorised in writing by the Board Member as being an available means of giving notice.
- 4.8.12. A notice that is not given in accordance with clause 4.8.11 will be taken to have been validly given where it is impracticable to give the notice in accordance with clause 4.8.11 and reasonable action is taken in the circumstances to bring the notice to the Board Member's attention.
- 4.8.13. The Board may hold special meetings where either the Presiding Member, the Council, the Minister or any three Board Members send a written notice to the Board setting out a proposed agenda for the special meeting and requesting that the Board send notice (in accordance with clauses 4.8.11 and 4.8.12) to all Board Members, at least 24 hours prior to the scheduled commencement of the special meeting, notifying each Board Member (or their respective Deputies) that there will be a special meeting of the Board and enclosing a copy of the request for that meeting and the proposed agenda for that meeting and copies of any supporting documents that are intended to be tabled at that special meeting.
- 4.8.14. The quorum for any meeting of the Board is six (6) Board Members (or their respective Deputies) attending either in person or remotely via telecommunications as outlined in clause 4.8.3 and no business may be transacted at a meeting of the Board unless a quorum is present.
- 4.8.15. Every Board Member, including the Presiding Member, shall have a deliberative vote. The Presiding Member shall not in the event of an equality of votes have a casting vote.
- 4.8.16. All matters will be decided by a simple majority of votes of the Board Members present. In the event of an equality of votes the matter will lapse.
- 4.8.17. Subject to the Act and this Charter each Board Member validly present at a Board meeting must vote on a matter arising for decision at that meeting.
- 4.8.18. Any meeting of the Board may be adjourned from time to time and from place to place by a majority of Board Members present at that meeting.
- 4.8.19. Meetings of the Board must be conducted in a place open to the public.
- 4.8.20. All Board Members must keep confidential all documents and any information provided to them on a confidential basis for their consideration prior to a meeting of the Board, except in those circumstances prescribed by section 12 of the Park Lands Act and clause 35 of Schedule 2 to the LG Act.

- 4.8.21. The Board may order that the public be excluded from attendance at any meeting in order to enable the Board to consider in confidence any information or matter listed in section 90(3) of the LG Act (after taking into account any relevant consideration under that section). The exercise of this power does not exclude Board Members and/or any other person permitted by the Board to remain in the room.
- 4.8.22. Where an order is made under sub-clause 4.8.21, a notice must be made in the minutes of the making of the order and of the grounds on which it was made.
- 4.8.23. Subject to sub-clause 4.8.25 a person is entitled to inspect, without payment of a fee:
- (a) agendas and minutes of a Board Meeting;
  - (b) reports to the Board received at a meeting of the Board; and
  - (c) recommendations presented to the Board in writing and adopted by resolution of the Board.
- 4.8.24. Subject to sub-clause 4.8.25, a person is entitled, on payment of a fee fixed by the Board, to obtain a copy of any documents available for inspection under sub-clause 4.8.23.
- 4.8.25. Sub-clauses 4.8.23 and 4.8.24 do not apply in relation to a document or part of a document if:
- (a) the document or part of the document relates to a matter of a kind referred to in sub-clause 4.8.21; and
  - (b) the Board orders that the document or part of the document be kept confidential (provided that in so ordering the Board must specify the duration of the order or the circumstances in which it will cease to apply or a period after which it must be reviewed).
- 4.8.26. Subject to this Charter and to any direction of the Council, the Board may determine its own procedures for voting which must be fair and contribute to free and open decision making.

#### **4.9. Minutes of Meetings**

- 4.9.1. The Board must cause minutes to be kept of the proceedings at every meeting of the Board.
- 4.9.2. The minutes must be prepared and distributed to Board Members and the Council within five (5) business days of the meeting to which they relate.
- 4.9.3. The minutes must be presented to the next ordinary meeting of the Board for confirmation and adoption.

#### **4.10. Annual Community Forum**

- 4.10.1. An Annual Community Forum shall be held by the end of October in each year at a place and time determined by resolution of the Board.
- 4.10.2. Notice of the Annual Community Forum must be given to Board Members and accessible by the public at least 21 days prior to the scheduled date.



- 4.10.3. A reasonable number of copies of any document or report supplied to Board Members for the Annual Community Forum must be available for members of the public at the forum.
- 4.10.4. The Annual Community Forum will be conducted in a place accessible to the public to discuss business of a general nature aimed at reviewing the progress and direction of the Authority.

## **5. ADMINISTRATIVE SUPPORT**

The Council will provide administrative support for the Authority for the purpose of undertaking day to day management of the Authority including, but not limited to, the exercise of the Authority's Functions, powers and duties and the preparation for and attendance at meetings of the Board and implementation of the decisions of the Board.

### **5.1. The Council CEO will ensure a senior officer manages the business of the Authority at a strategic level including but not limited to:**

- 5.1.1 Preparation and reporting against the Strategic Plan, Business Plan & Budget, Annual Report.
- 5.1.2 co-ordinating and initiating matters for the consideration of the Authority and ensuring decisions are actioned.
- 5.1.3 ensuring that the assets and resources of the Authority are properly managed and maintained.
- 5.1.4 exercising, performing or discharging other powers, functions or duties conferred on or under the LG Act or any other Act and performing other functions lawfully directed by the Authority.
- 5.1.5 achieving financial outcomes in accordance with adopted plans and budgets of the Authority.

### **5.2. The Council CEO will provide suitable administrative support including but not limited to:**

- 5.2.1 Board Member appointments.
- 5.2.2 Arranging all meetings of the Board in accordance with legislative provisions.
- 5.2.3 Preparation of Board Agenda, Minutes, and associated papers.
- 5.2.4 Attendance records at meetings and informal gatherings.
- 5.2.5 Ensuring that the Authority is complying with legislative requirements.
- 5.2.6 Keeping records of the business and financial affairs of the Authority.
- 5.2.7 Record of Delegations.
- 5.2.8 Review of this Charter at least once in every four years (refer clause 7.4.1).

## **6. FINANCIAL MANAGEMENT AND PLANNING**

### **6.1. Financial Contributions**

Financial contributions may be made to the Authority in accordance with section 22(2) of the Park Lands Act and all such contributions will be paid into the Fund.

## **6.2. Financial Management**

- 6.2.1. The Council, on behalf of the Authority, shall keep proper books of accounts in accordance with the requirements of the Local Government (Financial Management) Regulations 2011 (the Regulations).
- 6.2.2. The Authority's books of account must be available for inspection by any Board Member or authorised representative of the Council at any reasonable time on request.
- 6.2.3. The Authority has a duty to open and operate such bank accounts as may be required for the purpose of maintaining the Fund and managing the Authority and in relation to each such bank account the Authority shall:
  - (a) appoint:
    - (i) no less than two Board Members;
    - (ii) the Presiding Member; and
    - (iii) the Deputy Presiding Member,as authorised operators of the Authority's bank accounts;
  - (b) ensure that a minimum of two authorised operators are required to deal with any bank account of the Authority at any one time;
  - (c) ensure that all cheques for the Authority must be signed by two persons authorised by resolution of the Board; and
  - (d) ensure that any payments made by electronic funds transfer must be made in accordance with procedures approved by the auditor of the Authority.
- 6.2.4. The Board must act prudently in the handling of all financial transactions for the Authority and must provide quarterly financial and corporate reports to the Council.
- 6.2.5. The Authority has the power to incur expenditure only:
  - (a) in accordance with the then current Budget;
  - (b) with the express prior written approval of the Council; or
  - (c) in accordance with the LG Act in respect of expenditure not approved in the Budget, for a purpose of genuine emergency and hardship.

## **6.3. Audit**

- 6.3.1. The Council's auditor shall be the auditor of the Authority.
- 6.3.2. The auditor will have the same powers and responsibilities as set out in the LG Act in relation to the Council.
- 6.3.3. The audit of financial statements of the Authority, together with the accompanying report from the Auditor, shall be submitted to both the Board and the Council.
- 6.3.4. The books of account and financial statements shall be audited at least once per year.
- 6.3.5. The audit committee of the Council will be the audit committee for the Authority.

#### **6.4. Strategic Plan**

6.4.1. The Authority shall:

- (a) prepare a Strategic Plan, with an operational period of no less than four (4) years, linking the core business activities of the Authority to the relevant Council and State strategic, operational and organisational requirements as they relate to the Adelaide Park Lands with supporting financial projections setting out the estimates of revenue and expenditure as necessary for the period.
- (b) consult with and receive approval from the Council prior to adopting or amending the Strategic Plan and once approved by the Council that Strategic Plan becomes the current Strategic Plan for the Authority.
- (c) review the contents of the then current Strategic Plan annually in consultation with the Council.

#### **6.5. Business Plan**

6.5.1. The Authority shall:

- (a) prepare a draft annual business plan which is consistent with the Strategy, its then current Strategic Plan and this Charter, which is to apply for a period determined by the Council;
- (b) review the contents of the then current Business Plan annually; and
- (c) consult with and receive approval from the Council prior to adopting or amending the Business Plan and once approved by the Council that Business Plan becomes the current Business Plan for the Authority.

6.5.2. The Business Plan must:

- (a) identify the performance targets of the Authority;
- (b) set the performance measures that are to be used to monitor and assess the performance and achievement of targets; and
- (c) specify the financial and other resources and internal processes required to achieve the performance targets.

*(See Clause 8, Part 1, Schedule 2 to the LG Act for the contents of the Business Plan)*

#### **6.6. Budget**

6.6.1. Before the end of June, or such other date nominated by the Council, in each Financial Year a proposed budget detailing the estimated revenues and costs for the forthcoming Financial Year shall be considered by the Board and submitted to the Council for approval.

6.6.2. The proposed budget must:

- (a) deal with each principal activity of the Authority on a separate basis;
- (b) be consistent with the Business Plan, the Strategy and the Council's strategic management plans; and
- (c) comply with standards and principles prescribed by the *Local Government (Financial Management) Regulations 2011*.

- 6.6.3. Once the proposed budget has been approved by the Council, the Board must resolve to adopt that budget for the Authority (**'Budget'**).
- 6.6.4. Reports summarising the financial position and performance of the Authority against the Budget shall be prepared and presented to the Board every three calendar months.
- 6.6.5. The Budget must not be amended without reasonable consultation with, and the express prior written approval of, the Council.

*(See Clause 9, Part 1, Schedule 2 to the LG Act for the contents of the Budget)*

## **6.7. Reporting**

- 6.7.1. The Board must submit to the Council by 30 September in each Financial Year an annual report on the work and operations of the Authority detailing achievement of the aims and objectives of the Strategy, its Business Plan and its Budget and incorporating the audited financial statements of the Authority and any other information or reports required by the Council.
- 6.7.2. The financial statements supplied under clause 6.7.1 must be prepared in accordance with *Local Government (Financial Management) Regulations 2011*.
- 6.7.3. The Board must provide a copy of its annual report to the Minister at the same time as it submits it to the Council.
- 6.7.4. The Board shall present a balance sheet and full financial report to the Council at the end of each Financial Year and at such other times as the Council may require.

## **7. MISCELLANEOUS**

### **7.1. Insurance Requirements**

- 7.1.1. The Council shall register the Authority with the "Local Government Mutual Liability Scheme" and the Authority must comply with the Rules of that Scheme.
- 7.1.2. The Authority shall advise the Council of its insurance requirements including those relating to local government special risks and insurance cover for Board Members and accompanying persons when performing functions of office, and the Council will put that insurance in place.

### **7.2. Winding Up**

The Authority may be wound up by, or under, a further Act of Parliament.

### **7.3. Non-Derogation and Direction by Council**

- 7.3.1. Except to the extent of any conflict with the Park Lands Act the establishment of the Authority does not derogate from the power of the Council acting independently in relation to a matter within the jurisdiction of the Authority and the Board.
- 7.3.2. The Council may direct and control the Authority, subject to prior consultation with the Minister.

#### **7.4. Alteration and Review of Charter**

- 7.4.1. This Charter will be reviewed by the Council after consultation with the Minister and the Authority at least once in every four years.
- 7.4.2. This Charter may otherwise be reviewed at any time by the Board and Council, in liaison with the Minister.
- 7.4.3. Where the Charter is to be amended this may only occur after consulting the Minister and obtaining the approval of the Minister administering the LG Act.
- 7.4.4. Notice of the fact of the amendment to the Charter must be published in the Gazette and the amended Charter must be published on the website [www.cityofadelaide.com.au](http://www.cityofadelaide.com.au).

#### **7.5. Disputes between the Council and the Authority**

- 7.5.1. The Council and the Authority will work together in good faith to resolve any matter arising between them, whether under or from this Charter or otherwise, which requires resolution.
- 7.5.2. Where the matter is unable to be resolved within a period of two calendar months of the matter being identified as falling within this clause 8.5, it will be resolved by the maintenance of the status quo in the matter.

#### **7.6. Common Seal**

- 7.6.1. The Authority shall have a common seal upon which its corporate name shall appear in legible characters.
- 7.6.2. The common seal shall not be used without the express authorisation of a resolution of the Board and every use of the common seal shall be recorded in the minute book of the Authority.
- 7.6.3. The affixing of the common seal shall be witnessed by the Presiding Member or the Deputy Presiding Member or such other person as the Board may appoint for the purpose.
- 7.6.4. The common seal shall be kept in the custody of the Board or such other person as the Board may from time to time decide.

#### **7.7. Principal Office**

The Authority's principal office will be the principal office of the City of Adelaide unless otherwise determined by the Authority.

#### **7.8. Service of Documents**

- 7.8.1. A document to be given by the Authority to the Council, or by the Council to the Authority, may be given in a manner that Section 280 of the LG Act permits.
- 7.8.2. A written notice given by the Authority to the Council must be marked 'Attention: Chief Executive Officer'.

#### **7.9. Access to Records**

The Council (including any duly authorised representative of the Council) and a member of the Board each have a right to inspect and take copies of the books and records of the Authority.

## 7.10. Circumstances Not Provided For

- 7.10.1. If any circumstances arise about which this Charter or the Park Lands Act is silent, incapable of taking effect or being implemented according to its strict provisions, the Presiding Member may decide the action to be taken to ensure achievement of the Functions of the Authority.
- 7.10.2. The Presiding Member shall report any such decision at the next meeting of the Board and the Authority must then immediately report that decision to the Council and to the Minister.

## 7.11. Performance & Accountability of Authority

- 7.11.1. The Council may, on an ongoing basis, elect to review the performance of the Authority and the Board in the conduct of their respective activities under this Charter in consultation with the Minister.
- 7.11.2. Without limiting the Council's powers under the LG Act, if at any time the Council is of the view that either the Authority and/or the Board is not performing its duties under this Charter the Council shall be entitled to provide a notice in writing to the Board (**Council Notice**) identifying:
  - (a) those matters in respect of the performance by the Authority and/or the Board of its duties under this Charter which are not satisfactory to the Council; and
  - (b) details of any corrective action which the Council requires the Authority and/or the Board to take in order to rectify the identified performance issues,and the Council will provide a copy of that Council Notice to the Minister;
- 7.11.3. The Board must, within 30 days of receipt of the Council Notice, provide a written response to the Council as to the matters raised in the Council Notice (**Notice in Response**) which shall identify any corrective action which the Authority and/or the Board intends to undertake in order to address the issues raised in the Council Notice.
- 7.11.4. If the Authority or the Board disputes any matters raised in the Council Notice then the Notice of Response must:
  - (a) identify any matters in respect of which the Authority and/or the Board do not agree; and
  - (b) the basis upon which the Authority and/or the Board do not agree.
- 7.11.5. The Council's Chief Executive Officer and the Presiding Member of the Board shall meet within 14 days of receipt by the Council of the Notice in Response to discuss the matters raised in the Council Notice and in the Notice in Response.
- 7.11.6. The Council either:
  - (a) following the meeting held pursuant to Clause 7.11.5, and having considered the matters discussed in that meeting and the matters contained in the Council Notice and in the Notice of Response; or
  - (b) if the Board does not provide a Notice in Response,



shall be entitled to take such further action (if any) as it determines, in consultation with the Minister, with respect to the matters raised in the Council Notice which action may include, but shall not be limited to, the removal of the Board and the appointment of a replacement Board in accordance with this Charter.

## 8. REVISION HISTORY

<b>City of Adelaide</b>	<b>Minister and Gazetted</b>
11 December 2006 – Adopted	Approved by Minister for Local/State Government Relations and published in State Government Gazette 14 December 2006
28 August 2018 – Approved	Approved by the Minister for Local Government 25 March 2019 Published in the State Government Gazette 18 April 2019
11 August 2020 – Amendment to Section 4.8.2	Approved by Minister 12 November 2020 Published in State Government Gazette 19 November 2020
13 July 2021 - Amendment to various sections	Approved by Minister 20 October 2021 Published in State Government Gazette 28 October 2021
14 September 2021 - Amendment to Section 1.1	Approved by Minister 20 October 2021 Published in State Government Gazette 28 October 2021

