



COUNCIL AGENDA & REPORTS

for the meeting

Tuesday, 12 September 2023

at 5.30 pm

in the Council Chamber, Adelaide Town Hall

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

Agenda

Item	Pages
1. Acknowledgement of Country The Lord Mayor will state: ‘Council acknowledges that we are meeting on traditional Country of the Kaurna people of the Adelaide Plains and pays respect to Elders past and present. We recognize and respect their cultural heritage, beliefs and relationship with the land. We acknowledge that they are of continuing importance to the Kaurna people living today. And we also extend that respect to other Aboriginal Language Groups and other First Nations who are present today.’	
2. Acknowledgement of Colonel William Light The Lord Mayor will state: ‘The Council acknowledges the vision of Colonel William Light in determining the site for Adelaide and the design of the City with its six squares and surrounding belt of continuous Park Lands which is recognised on the National Heritage List as one of the greatest examples of Australia’s planning heritage.’	
3. Prayer/Pledge The Lord Mayor will state: ‘May we in this meeting speak honestly, listen attentively, think clearly and decide wisely for the good governance of the City of Adelaide and the wellbeing of those we serve.’	
4. Memorial Silence The Lord Mayor will ask all present to stand in silence in memory of those who gave their lives in defence of their Country, at sea, on land and in the air.	
5. Apologies and Leave of Absence On Leave - Councillor Giles Apologies - Councillor Li	
6. Confirmation of Minutes - 22 August 2023 That the Minutes of the meeting of the Council held on 22 August 2023, be taken as read and be confirmed as an accurate record of proceedings. View public 22 August 2023 Minutes here .	

- 7. Deputations**
 Granted at time of Agenda Publication – 7/9/2023
 Nil
- 8. Petitions**
 Nil
- 9. Reports from Committees and Kadaltilla / Adelaide Park Lands Authority**
- | | | |
|------------|---|---------|
| 9.1 | Audit and Risk Committee Report - 1 September 2023 | 4 - 8 |
| 9.2 | Recommendations of the Special City Finance and Governance Committee - 5 September 2023 | 9 - 10 |
| 9.3 | Recommendations of the City Community Services and Culture Committee - 5 September 2023 | 11 - 14 |
| 9.4 | Recommendations of the City Planning, Development and Business Affairs Committee - 5 September 2023 | 15 - 16 |
- 10. Reports for Council (Chief Executive Officer's Reports)**
 Nil
- 11. Lord Mayor's Reports**
- 12. Councillors' Reports**
- 13. Motions on Notice**
- | | | |
|-------------|---|---------|
| 13.1 | Councillor Couros - MoN - Funding Business Events Adelaide | 17 - 18 |
| 13.2 | Deputy Lord Mayor (Councillor Martin - MoN - City of Adelaide Bow Figurehead | 19 - 21 |
| 13.3 | Deputy Lord Mayor (Councillor Martin) - MoN - Support for Amendments to Legislation | 22 - 23 |
- 14. Motions without Notice**
- 15. Questions on Notice**
 Nil
- 16. Questions without Notice**
- 17. Exclusion of the Public** 24 - 26
- In accordance with sections 90(2),(3) and (7) of the *Local Government Act 1999 (SA)* Council will consider whether to discuss in confidence the reports contained within section 18 of this Agenda.
- 18. Confidential Reports from Committees and Kadaltilla / Adelaide Park Lands Authority**
- | | | |
|-------------|---|---------|
| 18.1 | Confidential Audit and Risk Committee Report - 1 September 2023 [S90(3) (b), (d)] | 27 - 30 |
|-------------|---|---------|
- 19. Closure**

Audit and Risk Committee Report - 1 September 2023

Tuesday, 12 September 2023
Council

Strategic Alignment - Enabling Priorities

Program Contact:
Alana Martin, Manager
Governance

Public

Approving Officer:
Michael Sedgman - Chief
Operating Officer

EXECUTIVE SUMMARY

The Audit and Risk Committee's role is to report to Council and provide appropriate advice and recommendations on matters relevant to its Terms of Reference in order to facilitate informed decision making in relation to discharging its legislative responsibilities and duties.

The Audit and Risk Committee is required to report to Council after every meeting. This report presents the outcomes of the Audit and Risk Committee following their meeting on 1 September 2023 (view the public component of the meeting documents at [Agenda for Audit and Risk Committee on Friday, 1st September, 2023, 8.30 am - City of Adelaide](#)).

The Audit and Risk Committee resolved to present recommendations on the following matters to Council for Council determination:

- Item 5.1 - Audit and Risk Committee Terms of Reference
- Item 5.3 - ACMA Audited Financial Statements & Report on Financial Results
- Item 5.4 - Adelaide Aquatic Centre Redevelopment – Prudential Review

RECOMMENDATION

1. **Recommendation 1** – Item 5.1 - Audit and Risk Committee Terms of Reference

THAT COUNCIL

1. Endorses the revised Terms of Reference as Attachment A to Item 5.1 on the Agenda for the meeting of the Audit and Risk Committee held on 1 September 2023 with the following addition:
 - 1.1. Reference to Kadaltilla/ Adelaide Park Lands Authority in item 2.2
2. Authorises the CEO to make any necessary typographical or syntactical revisions to the Terms of Reference for the Audit and Risk Committee.

2. **Recommendation 2** – Item 5.3 - ACMA Audited Financial Statements & Report on Financial Results

THAT COUNCIL

1. Notes the 2022-23 Financial Position as presented in Attachment A to Item 5.3 on the Agenda for the meeting of the Audit and Risk Committee held on 1 September 2023, which includes:
 - 1.1 An operating surplus of \$83,000 (deficit of \$146,000 in 2021/22)
 - 1.2 Total operating income of \$4.775 million (\$4.282 million 2021/22)
 - 1.3 Total operating expenditure of \$4.692 million (\$4.428 million 2021/22)
2. Notes the audited Adelaide Central Market Authority Financial Statements for 2022-23 as contained in Attachment A to Item 5.3 on the Agenda for the meeting of the Audit and Risk Committee held on 1 September 2023, have been reviewed by the Adelaide Central Market Authority Board at its

meeting on 24 August 2023. These financial results will be included in the Consolidated Financial Statements of the City of Adelaide.

3. Notes the Adelaide Central Market Authority Annual Completion Report for the year ended 30 June 2023 from Council's external auditors, BDO, contained in Attachment B to Item 5.3 on the Agenda for the meeting of the Audit and Risk Committee held on 1 September 2023.
4. Considers the Financial Statements for 2022-23 as contained in Attachment A to Item 5.3 on the Agenda for the meeting of the Audit and Risk Committee held on 1 September 2023 present fairly the financial position of the Adelaide Central Market Authority, and subject to minor administrative changes and subsequent balance date event adjustments, be certified by the City of Adelaide Chief Executive Officer and the Acting Chair of Adelaide Central Market Authority.
5. Considers it is appropriate that the representation letter requested by the external auditor of the Adelaide Central Market Authority, contained in Attachment C to Item 5.3 on the Agenda for the meeting of the Audit and Risk Committee held on 1 September 2023 is signed by management.
6. Notes the Certification of Auditor Independence in relation to Adelaide Central Market Authority, contained in Attachment D to Item 5.3 on the Agenda for the meeting of the Audit and Risk Committee held on 1 September 2023.
7. Notes the audited Central Market Marketing Fund (CMMF) Financial Statements for 2022-23 as contained in Attachment E to Item 5.3 on the Agenda for the meeting of the Audit and Risk Committee held on 1 September 2023, have been audited and present fairly the position of the CMMF.
8. Notes the representation letter requested by the external auditor of the Central Market Marketing Fund, contained in Attachment F to Item 5.3 on the Agenda for the meeting of the Audit and Risk Committee held on 1 September 2023, is signed by management.

3. **Recommendation 3 – Item 5.4 - Adelaide Aquatic Centre Redevelopment – Prudential Review**

THAT COUNCIL

1. Receives the BRM Advisory 'Prudential Report: Adelaide Aquatic Centre Redevelopment' August 2023' as per Attachment A to Item 5.4 on the Agenda for the meeting of the Audit and Risk Committee held on 1 September 2023 as required by the Audit and Risk Committee Terms of Reference. With the following typographical correction:
 - Page 2 Executive Summary and Page 7 of the document from "acquisition" to "disposition"
 - Include the reference to the resolution of Council on 27 June 2023 in relation to the \$20 million contribution
2. Notes that the Strategic Risks raised in the report will be monitored by the Administration through the Strategic Risk and Internal Audit Group.

DISCUSSION

1. The Audit and Risk Committee met on 1 September 2023 and considered the following items:
 - 1.1. Item 5.1 - Audit and Risk Committee Terms of Reference
 - 1.2. Item 5.2 - Q4 Report (advice to be included in report to the City Finance and Governance Committee held on 19 September 2023)
 - 1.3. Item 5.3 - ACMA Audited Financial Statements & Report on Financial Results
 - 1.4. Item 5.4 - Adelaide Aquatic Centre Redevelopment – Prudential Review
 - 1.5. Item 10.1 - Strategic Property Matter – Prudential Report, considered in confidence pursuant to Section 90(3) (b) & (d) of the *Local Government Act 1999 (SA)* (recommendation presented in the confidential Audit and Risk Report presented to this meeting of Council).

Resolutions of the Committee

2. Item 5.1 - Audit and Risk Committee Terms of Reference

THAT THE AUDIT AND RISK COMMITTEE RECOMMENDS TO COUNCIL

THAT COUNCIL

1. Endorses the revised Terms of Reference as Attachment A to Item 5.1 on the Agenda for the meeting of the Audit and Risk Committee held on 1 September 2023 for adoption by Council with the following addition:
 - 1.1 Reference to Kadaltilla/ Adelaide Park Lands Authority in Item 2.2
2. Authorises the CEO to make any necessary typographical or syntactical revisions to the Terms of Reference for the Audit and Risk Committee.
3. The Audit and Risk Committee Terms of Reference have been updated in response to the recommendation of the Audit and Risk Committee. The updated Terms of Reference are provided at Link 2 view [here](#).
4. Item 5.2 - Q4 Report
5. The advice of the Audit Committee will be included in the Q4 report to be presented to the City Finance and Governance Meeting on 19 September 2023

THAT THE AUDIT AND RISK COMMITTEE

1. Notes the 2022-23 Preliminary Financial Position as presented in Attachment A to Item 5.2 on the Agenda for the meeting of the Audit and Risk Committee held on 1 September 2023, which include:
 - 1.1. Total operating income of \$215.454 million (\$213.446 million estimated in Q3)
 - 1.2. Total operating expenditure (including depreciation) of \$213.914 million (\$213.359 million estimated in Q3)
 - 1.3. An operating surplus of \$1.54 million (\$87,000 estimated in Q3)
2. Notes results presented are subject to external audit, and therefore are estimates at this stage.
3. Notes the Capital Works Quarter 4 Review as presented in Attachment A to Item 5.2 on the Agenda for the meeting of the Audit and Risk Committee held on 1 September 2023, which include:
 - 3.1. Major Projects expenditure of \$14.19 million (\$17.1 million estimated in Q3)
 - 3.2. New and Upgrades expenditure of \$4.02 million (\$6.5 million estimated in Q3)
 - 3.3. Renewals expenditure of \$30.12 million (\$38.2 million estimated in Q3)
 - 3.4. Capital Program Management expenditure of \$8.95 million (\$9.8 million in Q3)
 - 3.5. Grant funding to support capital expenditure on new/upgraded assets of \$6.7 million (\$11.7 million in Q3).
4. Notes the Adelaide Central Market Authority Quarter 4 report 2022/23 (Attachment B to Item 5.2 on the Agenda for the meeting of the Audit and Risk Committee held on 1 September 2023).
5. Notes the Adelaide Economic Development Agency Quarter 4 report 2022/23 (Attachment C to Item 5.2 on the Agenda for the meeting of the Audit and Risk Committee held on 1 September 2023).

6. Notes the Kadaltilla / Park Lands Authority Quarter 4 report 2022/23 (Attachment D to Item 5.2 on the Agenda for the meeting of the Audit and Risk Committee held on 1 September 2023).
 7. Notes the Brown Hill Keswick Creek Quarter 4 report 2022/23 (Attachment E to Item 5.2 on the Agenda for the meeting of the Audit and Risk Committee held on 1 September 2023).
 8. Notes that at the end of this Quarter 93% of Projects were capitalised within 10 Weeks, exceeding the 70% target proposed by the Audit and Risk Committee at its meeting of 5 February 2021.
6. Item 5.3 - ACMA Audited Financial Statements & Report on Financial Results

THAT THE AUDIT AND RISK COMMITTEE RECOMMENDS TO COUNCIL

THAT COUNCIL

1. Notes the 2022-23 Financial Position as presented in Attachment A to Item 5.3 on the Agenda for the meeting of the Audit and Risk Committee held on 1 September 2023, which includes:
 - 1.4 An operating surplus of \$83,000 (deficit of \$146,000 in 2021/22)
 - 1.5 Total operating income of \$4.775 million (\$4.282 million 2021/22)
 - 1.6 Total operating expenditure of \$4.692 million (\$4.428 million 2021/22)
 2. Notes the audited Adelaide Central Market Authority Financial Statements for 2022-23 as contained in Attachment A to Item 5.3 on the Agenda for the meeting of the Audit and Risk Committee held on 1 September 2023, have been reviewed by the Adelaide Central Market Authority Board at its meeting on 24 August 2023. These financial results will be included in the Consolidated Financial Statements of the City of Adelaide.
 3. Notes the Adelaide Central Market Authority Annual Completion Report for the year ended 30 June 2023 from Council's external auditors, BDO, contained in Attachment B to Item 5.3 on the Agenda for the meeting of the Audit and Risk Committee held on 1 September 2023.
 4. Considers the Financial Statements for 2022-23 as contained in Attachment A to Item 5.3 on the Agenda for the meeting of the Audit and Risk Committee held on 1 September 2023 present fairly the financial position of the Adelaide Central Market Authority, and subject to minor administrative changes and subsequent balance date event adjustments, be certified by the City of Adelaide Chief Executive Officer and the Acting Chair of Adelaide Central Market Authority.
 5. Considers it is appropriate that the representation letter requested by the external auditor of the Adelaide Central Market Authority, contained in Attachment C to Item 5.3 on the Agenda for the meeting of the Audit and Risk Committee held on 1 September 2023 is signed by management.
 6. Notes the Certification of Auditor Independence in relation to Adelaide Central Market Authority, contained in Attachment D to Item 5.3 on the Agenda for the meeting of the Audit and Risk Committee held on 1 September 2023.
 7. Notes the audited Central Market Marketing Fund (CMMF) Financial Statements for 2022-23 as contained in Attachment E to Item 5.3 on the Agenda for the meeting of the Audit and Risk Committee held on 1 September 2023, have been audited and present fairly the position of the CMMF.
 8. Notes the representation letter requested by the external auditor of the Central Market Marketing Fund, contained in Attachment F to Item 5.3 on the Agenda for the meeting of the Audit and Risk Committee held on 1 September 2023, is signed by management.
7. Item 5.4 - Adelaide Aquatic Centre Redevelopment – Prudential Review

THAT THE AUDIT AND RISK COMMITTEE RECOMMENDS TO COUNCIL

THAT COUNCIL

1. Receives the BRM Advisory 'Prudential Report: Adelaide Aquatic Centre Redevelopment' August 2023' as per Attachment A to Item 5.4 on the Agenda for the meeting of the Audit and Risk Committee held on 1 September 2023 as required by the Audit and Risk Committee Terms of Reference. With the following typographical correction:
 - Page 2 Executive Summary and Page 7 of the document from "acquisition" to "disposition"
 - Include the reference to the resolution of Council on 27 June 2023 in relation to the \$20 million contribution
2. Notes that the Strategic Risks raised in the report will be monitored by the Administration through the Strategic Risk and Internal Audit Group.

8. The BRM Advisory 'Prudential Report: Adelaide Aquatic Centre Redevelopment' August 2023' has been updated in response to the recommendation of the Audit and Risk Committee. The updated report is provided at Link 3 view [here](#).
9. The following item was considered in confidence pursuant to Section 90(3) (b) & (d) of the *Local Government Act 1999 (SA)*
10. Item 10.1 - Strategic Property Matter – Prudential Report

Confidentiality Order:

That, in accordance with Section 91(7) and (9) of the *Local Government Act 1999 (SA)* and because Item 10.1] listed on the Agenda for the meeting of the Audit and Risk Committee on 1 September 2023 was received, discussed and considered in confidence pursuant to Section 90(3) (b) and (d) of the *Local Government Act 1999 (SA)*, this meeting of the Audit and Risk Committee do order that:

1. The resolution, the report, the discussion, and any other associated information submitted to this meeting and the Minutes of this meeting in relation to the matter remain confidential and not available for public inspection until 31 December 2030.
2. The confidentiality of the matter be reviewed in December 2024.
3. The Chief Executive Officer be delegated the authority to review and revoke all or part of the order herein and directed.

DATA AND SUPPORTING INFORMATION

Link 1 – Public component of the Audit and Risk Committee Agenda – 1 September 2023

Link 2 – Update Audit and Risk Committee Terms of Reference

Link 3 – Updated City of Adelaide Prudential Report: Adelaide Aquatic Centre Redevelopment August 2023

ATTACHMENTS

Nil

- END OF REPORT -

Recommendation of the Special City Finance and Governance Committee – 5 September 2023

Strategic Alignment - Enabling Priorities

Public

Approving Officer:
Alana Martin,
Manager, Governance

EXECUTIVE SUMMARY

The City Finance and Governance Committee considered the following Item at its Special meeting held on 5 September 2023 and resolved to present to Council the following recommendation for Council determination:

- Item 3.1 – Draft Strategic Plan 2024-2028 for Consultation

RECOMMENDATION

1. **Recommendation 1** – Item 3.1 – Draft Strategic Plan 2024-2028 for Consultation

THAT COUNCIL:

1. Defers consideration of the Draft Strategic Plan 2024-2028, Attachment A to Item 3.1 on the Agenda for the Special meeting of the City Finance and Governance Committee held on 5 September 2023 and invites the administration to resubmit the Draft Strategic Plan 2024-2028, after further discussion with Council Members.
2. Notes the Market Research provided in Attachment B to Item 3.1 on the Agenda for the Special meeting of the City Finance and Governance Committee held on 5 September 2023, as part of the evidence base of the Strategic Plan.

DISCUSSION

1. The City Finance and Governance Committee met at a Special meeting of the Committee on Tuesday 5 September 2023. The Agenda with public reports for the meeting can be viewed [here](#).
2. The following matter was the subject of deliberation:
 - 2.1. Item 3.1 – Draft Strategic Plan 2024-2028 for Consultation

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

1. Defers consideration of the Draft Strategic Plan 2024-2028, Attachment A to Item 3.1 on the Agenda for the Special meeting of the City Finance and Governance Committee held on 5 September 2023 and invites the administration to resubmit the Draft Strategic Plan 2024-2028, after further discussion with Council Members.
2. Notes the Market Research provided in Attachment B to Item 3.1 on the Agenda for the Special meeting of the City Finance and Governance Committee held on 5 September 2023, as part of the evidence base of the Strategic Plan.

DATA AND SUPPORTING INFORMATION

Link 1 – City Finance and Governance Committee Agenda

ATTACHMENTS

Nil

- END OF REPORT -

Recommendations of the City Community Services and Culture Committee – 5 September 2023

Tuesday, 12 September 2023
Council

Strategic Alignment - Enabling Priorities

Public

Approving Officer:
Alana Martin, Manager,
Governance

EXECUTIVE SUMMARY

The City Community Services and Culture Committee considered the following Items at its meeting held on 5 September 2023 and resolved to present to Council the following recommendations for Council determination:

- Item 4.1 – Hutt Street Library Lease Variation
- Item 4.2 – William Veale Tribute
- Item 4.3 – Park Lands Event Site Fees
- Item 4.4 – Library of Things

RECOMMENDATION

1. **Recommendation 1 – Item 4.1 - Hutt Street Library Lease Variation**

THAT COUNCIL:

1. Approves entering into a Deed of Extension and Variation of Lease for the Hutt Street Library between The Corporation of the City of Adelaide and GMG Enterprises Pty Ltd over 235 Hutt Street, Adelaide. The extension is for a term of five years under the current lease agreement. The variation of the lease agreement will add two five-year Rights of Renewal.
2. Authorises the Chief Executive Officer to finalise the lease variation and to execute the Deed of Extension and Variation of Lease and associated documentation.
3. Authorises the Lord Mayor and Chief Executive Officer to affix the Common Seal of the Council to the Deed of Extension and Variation of Lease and associated documentation.

2. **Recommendation 2 – Item 4.2 - William Veale Tribute**

THAT COUNCIL:

1. Notes that the City of Adelaide Memorials Operating Guidelines stipulates that the City of Adelaide does not commission memorials and that the contribution of Mr William Veale to the City is currently commemorated with two memorial plaques, a Park and a Garden named after him.
2. Notes the investigation of the process and cost of installing a memorial bust of Mr William Veale in Veale Gardens based on commissioning a recasting of an existing plaster bust from a private collection, costed at a minimum estimate of \$55,000 - \$70,000, for completion no earlier than 2024/25.

3. Recommendation 3 – Item 4.3 - Park Lands Event Site Fees

THAT COUNCIL:

1. Requests Administration to prepare a report for the October 2023, City Finance and Governance Committee meeting on fees and other conditions that would aid Council's capacity to support long term events.
2. Endorses the provision of multi-year event licences will be reinstated in 2023/24.

4. Recommendation 4 – Item 4.4 – Library of Things

THAT COUNCIL:

1. Approves that Administration undertake a community consultation process to determine the demand for a proposed expansion to the existing 'Library of Things' available within the City of Adelaide.
2. Notes that Council Members will be surveyed as part of this consultation process.
3. Notes that a report will be prepared for Council that presents the results of the community consultation and recommendations for both resources and operating model/s for a proposed expansion to the existing 'Library of Things'.
4. Notes that Administration has undertaken a Social Infrastructure Assessment which will be presented to Council in November 2023. That report considers floor space and resource capacity as well as projected population growth and the future needs of the City. A 'Library of Things' could be considered within the outcomes of this report.
5. Notes that a visual guide to the existing Library of Things resources and collections in the City of Adelaide and some metropolitan Councils in South Australia is provided as Attachment A to Item 4.4 on the Agenda for the meeting of the City Community Services and Culture Committee held on 5 September 2023.
6. Coordinates with the entities at 10.1 – 10.5, within Item 4.4 on the Agenda for the meeting of the City Community Services and Culture Committee held on 5 September 2023, with the offer to list information of the relevant services on the City of Adelaide Library website.

DISCUSSION

1. The City Community Services and Culture Committee met on Tuesday 5 September 2023. The Agenda with reports for the meeting can be viewed [here](#).
2. The following matters were the subject of deliberation:

- 2.1. Item 4.1 - Hutt Street Library Lease Variation

THAT THE CITY COMMUNITY SERVICES AND CULTURE COMMITTEE RECOMMENDS TO COUNCIL

THAT COUNCIL

1. Approves entering into a Deed of Extension and Variation of Lease for the Hutt Street Library between The Corporation of the City of Adelaide and GMG Enterprises Pty Ltd over 235 Hutt Street, Adelaide. The extension is for a term of five years under the current lease agreement. The variation of the lease agreement will add two five-year Rights of Renewal.
2. Authorises the Chief Executive Officer to finalise the lease variation and to execute the Deed of Extension and Variation of Lease and associated documentation.
3. Authorises the Lord Mayor and Chief Executive Officer to affix the Common Seal of the Council to the Deed of Extension and Variation of Lease and associated documentation.

- 2.2. Item 4.2 - William Veale Tribute

THAT THE CITY COMMUNITY SERVICES AND CULTURE COMMITTEE RECOMMENDS TO COUNCIL

THAT COUNCIL

1. Notes that the City of Adelaide Memorials Operating Guidelines stipulates that the City of Adelaide does not commission memorials and that the contribution of Mr William Veale to the City is currently commemorated with two memorial plaques, a Park and a Garden named after him.
2. Notes the investigation of the process and cost of installing a memorial bust of Mr William Veale in Veale Gardens based on commissioning a recasting of an existing plaster bust from a private collection, costed at a minimum estimate of \$55,000 - \$70,000, for completion no earlier than 2024/25.

- 2.3. Item 4.3 - Park Lands Event Site Fees

THAT THE CITY COMMUNITY SERVICES AND CULTURE COMMITTEE RECOMMENDS TO COUNCIL

THAT COUNCIL

1. Requests Administration to prepare a report for the October 2023, City Finance and Governance Committee meeting on fees and other conditions that would aid Council's capacity to support long term events.
2. Endorses the provision of multi-year event licences will be reinstated in 2023/24.

- 2.4. Item 4.4 – Library of Things

THAT THE CITY COMMUNITY SERVICES AND CULTURE COMMITTEE RECOMMENDS TO COUNCIL

THAT COUNCIL

1. Approves that Administration undertake a community consultation process to determine the demand for a proposed expansion to the existing 'Library of Things' available within the City of Adelaide.
2. Notes that Council Members will be surveyed as part of this consultation process.
3. Notes that a report will be prepared for Council that presents the results of the community consultation and recommendations for both resources and operating model/s for a proposed expansion to the existing 'Library of Things'.
4. Notes that Administration has undertaken a Social Infrastructure Assessment which will be presented to Council in November 2023. That report considers floor space and resource

capacity as well as projected population growth and the future needs of the City. A 'Library of Things' could be considered within the outcomes of this report.

5. Notes that a visual guide to the existing Library of Things resources and collections in the City of Adelaide and some metropolitan Councils in South Australia is provided as Attachment A to Item 4.4 on the Agenda for the meeting of the City Community Services and Culture Committee held on 5 September 2023.
6. Coordinates with the entities at 10.1 – 10.5, within Item 4.4 on the Agenda for the meeting of the City Community Services and Culture Committee held on 5 September 2023, with the offer to list information of the relevant services on the City of Adelaide Library website.

DATA AND SUPPORTING INFORMATION

Link 1 – City Community Services and Culture Committee Agenda

ATTACHMENTS

Nil

- END OF REPORT -

Recommendations of the City Planning, Development and Business Affairs Committee – 5 September 2023

Tuesday, 12 September 2023
Council

Strategic Alignment - Enabling Priorities

Public

Approving Officer:
Alana Martin, Governance

EXECUTIVE SUMMARY

The City Planning, Development and Business Affairs Committee considered the following Items at its meeting held on 5 September 2023 and resolved to present to Council the following recommendations for Council determination:

- Item 5.1 - Appointment of Independent Council Assessment Panel (CAP) Members
- Item 5.2 – Adelaide Park Lands Community Land Management Plan

RECOMMENDATION

1. **Recommendation 1 – Item 5.1 - Appointment of Independent Council Assessment Panel (CAP) Members**

THAT COUNCIL:

1. Endorses the establishment of a working group to manage an Expressions of Interest process for the Independent Members of CAP, comprising of:
 - 1.1. the Lord Mayor (or delegate)
 - 1.2. the Associate Director, Regulatory Services
 - 1.3. the Manager, City Development.
2. Notes that based on the recommendations of the working group, a shortlist will be brought to Council for final consideration and endorsement for the following appointments to CAP, including the term of appointments, for periods not exceeding two years in accordance with the Terms of Reference:
 - 2.1. Four Independent Members
 - 2.2. One Deputy Independent Member
 - 2.3. One of the four Independent Members as Presiding Member.
3. Approves remuneration of \$650 per meeting for the Presiding Member or Acting Presiding Member, and \$550 per meeting for all other Members (including any Council Member nominated to CAP).

2. **Recommendation 2 – Item 5.2 - Adelaide Park Lands Community Land Management Plan**

THAT COUNCIL:

1. Defers consideration of the consultation summary report and the consolidated Community Land Management Plan to a workshop and the Chair of the City Planning, Development and Business Affairs Committee be authorised to invite members of the public to attend to provide further feedback.

DISCUSSION

1. The City Planning, Development and Business Affairs Committee met on Tuesday, 5 September 2023. The Agenda with reports for the public component of the meeting can be viewed [here](#).

2. The following matters were the subject of deliberation:

2.1. Item 5.1 - Appointment of Independent Council Assessment Panel (CAP) Members

THAT THE CITY PLANNING, DEVELOPMENT AND BUSINESS AFFAIRS COMMITTEE:

THAT COUNCIL

1. Endorses the establishment of a working group to manage an Expressions of Interest process for the Independent Members of CAP, comprising of:
 - 1.1. the Lord Mayor (or delegate)
 - 1.2. the Associate Director, Regulatory Services
 - 1.3. the Manager, City Development.
2. Notes that based on the recommendations of the working group, a shortlist will be brought to Council for final consideration and endorsement for the following appointments to CAP, including the term of appointments, for periods not exceeding two years in accordance with the Terms of Reference:
 - 2.1. Four Independent Members
 - 2.2. One Deputy Independent Member
 - 2.3. One of the four Independent Members as Presiding Member.
3. Approves remuneration of \$650 per meeting for the Presiding Member or Acting Presiding Member, and \$550 per meeting for all other Members (including any Council Member nominated to CAP).

2.2. Item 5.2 - Adelaide Park Lands Community Land Management Plan

THAT THE CITY PLANNING, DEVELOPMENT AND BUSINESS AFFAIRS COMMITTEE RECOMMENDS TO COUNCIL

THAT COUNCIL

1. Defers consideration of the consultation summary report and the consolidated Community Land Management Plan to a workshop and the Chair of the City Planning, Development and Business Affairs Committee be authorised to invite members of the public to attend to provide further feedback.
- 2.3. The City Planning, Development and Business Affairs Committee also received a presentation on the Greater Adelaide Regional Plan Discussion Paper Public Consultation.

DATA AND SUPPORTING INFORMATION

Link 1 – City Planning, Development and Business Affairs Committee Public Agenda

ATTACHMENTS

Nil

- END OF REPORT -

Councillor Couros - MoN - Funding Business Events Adelaide

Tuesday, 12 September 2023
Council

Council Member
Councillor Mary Couros

Public

Contact Officer:
Clare Mockler, Chief Executive Officer

MOTION ON NOTICE

Councillor Mary Couros will move a motion and seek a seconder for the matter shown below to facilitate consideration by the Council:

'That Council:

1. Notes that funding provided by AEDA for Business Events Adelaide has decreased by \$80,000, despite rising operational costs due to rising wages and inflation.
2. Provides the AEDA with a funding increase of \$150,000 to be provided directly to Business Events Adelaide (BEA) for the purposes of increasing their activities in attracting world-leading business events to the city of Adelaide and delivering a high return on investment to the City.
3. Requests Administration incorporate this proposed increase as part of the 2023-24 Quarter 1 Budget Review, or, failing that through subsequent quarterly reviews of the 2023-24.'

ADMINISTRATION COMMENT

1. At its meeting of 27 June 2023, Council adopted the 2023/24 Business Plan and Budget for the City of Adelaide (CoA) and approved the 2023/24 Business Plan and Budget for AEDA. At its meeting of 28 March 2023 Council adopted budget repair and financial sustainability principles.
2. AEDA has an existing three-year funding agreement with Business Events Adelaide (BEA), via the Strategic Partnerships Program administered by AEDA, awarded following a rigorous and competitive assessment process. This agreement provided \$300,000 in 2022/23, with commitment to the same in 2023/24 and 2024/25.
3. The CoA 2023/24 budget reflects an operating surplus of \$1.9m, specifically targeted to enable funding the capital program also adopted by Council. Any reduction in the surplus will have a direct impact on Council's ability to service and repay any debt required to fund the City capital program.
4. Additional funding cannot be provided to AEDA without ceasing some other budgeted CoA activity. There is no unallocated funding within the AEDA budget to cover this requested increase.
5. An additional commitment of \$150,000 in 2023/24 could also be expected to be sought by BEA in the final year of its existing funding agreement with AEDA (2024/25). Such a request would be difficult for CoA to argue against should Council agree to fund the extra \$150,000 being sought in the current 2023/24 year.
6. The proposed motion for a Q1 budget review reducing the CoA operating surplus by \$150,000 is not recommended as it:
 - 6.1. is inconsistent with the budget repair and financial sustainability principles adopted by Council;

- 6.2. directly impairs Council's ability to service new debt for committed capital projects;
- 6.3. creates a precedent and signals an invitation for other external organisations to seek funding for projects and initiatives outside of the annual budget process. Such a precedent and invitation makes it hard to defend against potentially costly unbudgeted demands on limited Council resources.
- 6.4. AEDA funding for external entities is contestable. Providing funding for one particular entity outside existing governance arrangements risks reputational damage to both Council and AEDA.
7. BEA made a submission on 16 June 2023 to the public consultation on the 2023/24 Business Plan and Budget, requesting total CoA funding to BEA be increased from \$300,000 to \$450,000. The CoA reply to BEA Chief Executive Officer Mr Damian Kitto said the CoA looked forward to continuing to work with BEA "through the funding already committed to Business Events Adelaide, via the contestable Strategic Partnerships Program administered by AEDA".
8. Council should note BEA advised CoA that the State Government has recently increased its funding to BEA by \$1 million annually – from \$1.1 million in 2022/23, to \$2.1 million for 2023/24 and 2024/25.
9. BEA has also noted it has access to a State Government events bid fund which was recently increased from \$3.75 million to \$5 million annually.

Should the motion be carried, the following implications of this motion should be considered. Note any costs provided are estimates only – no quotes or prices have been obtained:	
Public consultation	Not applicable
External consultant advice	Not applicable
Legal advice / litigation (eg contract breach)	Not applicable
Impacts on existing projects	Diversion of funding from other committed funds.
Budget reallocation	Committing an additional unbudgeted \$150,000 in 2023/24 would require identifying currently budgeted CoA activity to cease. The same allocation could be expected to also be sought by BEA in the final year of the existing AEDA funding agreement with BEA (2024/25)
Capital investment	Not applicable
Other	Not applicable
Staff time in receiving and preparing this administration comment	To prepare this administration comment in response to the motion on notice took approximately 5.5 hours.

- END OF REPORT -

Deputy Lord Mayor (Councillor Martin) - MoN - City of Adelaide Bow Figurehead

Tuesday, 12 September 2023
Council

Council Member

Deputy Lord Mayor, Councillor
Phillip Martin

Public

Contact Officer:

Michael Sedgman - Chief
Operating Officer

MOTION ON NOTICE

Deputy Lord Mayor, Councillor Phillip Martin will move a motion and seek a seconder for the matter shown below to facilitate consideration by the Council:

'That Council;

Endorses an allocation of up to \$30,000 in the 24/25 Financial Year to the Clipper Ship City of Adelaide Ltd to commission figurehead carvings from and together with a replica of the City of Adelaide's coat of arms, as imagined in the drawings tabled for the meeting of Council on September 12th, 2023, to be placed on the bow of the world's oldest clipper ship which is now permanently moored and on public display at Port Adelaide.'

ADMINISTRATION COMMENT

1. Council has for many years supported the efforts to save the clipper ship City of Adelaide. In 2011-12 Council approved a contribution of \$50,000 in sponsorship for the restoration and transport of the ship to Port Adelaide, which had an estimated cost of \$3 million.
2. In 2016-17 Council funded a \$30,000 project to create 2 replicas of the original City of Adelaide Coat of Arms, with one of the replicas currently on the stern of the clipper ship, the other replica is currently in the City Archives.
3. The Clipper Ship *City of Adelaide* is the world's oldest clipper ship. Built in Sunderland, England, and launched on 7 May 1864, the ship made 23 annual return voyages from London and Plymouth to Adelaide
4. On 7 July 2023, City of Adelaide received a request from the Clipper Ship City of Adelaide Ltd (CSCOAL) seeking funding to restore and reinstate the bow figurehead and Coat of Arms, as it did for the stern.
5. CSCOAL is a volunteer run, not for profit organisation, dedicated to preserving the historic 1864 *City of Adelaide*. The original wood carving used to make the mould for casting the replica Coat of Arms in 2017 is held at City Archives in Topham Mall and could be used to make a further cast.
6. Administration recommends that it work with CSCOAL to determine the requirements and cost of restoring the coat of arms to the bow figurehead and report to Council to inform consideration of a budget item in the 2024/25 City of Adelaide Budget.

Should the motion be carried, the following implications of this motion should be considered. Note any costs provided are estimates only – no quotes or prices have been obtained:	
Public consultation	Public consultation for this project will be included as part of the 2024-25 Business Plan and Budget process.
External consultant advice	Not Applicable
Legal advice / litigation (eg contract breach)	Not Applicable
Impacts on existing projects	Not Applicable
Budget reallocation	Allocation for \$30,000 to be included as a strategic project in the 2024-25 Business Plan and Budget
Capital investment	Not Applicable
Staff time in preparing the workshop / report requested in the motion	Not Applicable
Other	Not Applicable
Staff time in receiving and preparing this administration comment	To prepare this administration comment in response to the motion on notice took approximately 5.5 hours

- END OF REPORT -



Deputy Lord Mayor (Councillor Martin) - MoN - Support for Amendments to Legislation

Tuesday, 12 September 2023
Council

Council Member
Deputy Lord Mayor, Councillor
Martin

Public

Contact Officer:
Clare Mockler, Chief Executive
Officer

MOTION ON NOTICE

Deputy Lord Mayor, Councillor Martin will move a motion and seek a seconder for the matter shown below to facilitate consideration by the Council:

'That Council;

Requests the Lord Mayor convey in writing to all members of the House of Assembly of South Australia the resolution of Council to support;

1. **The New Women's and Children's Hospital (Relocation of SA Police Facilities) Amendment Bill** which seeks to cancel that part of the legislation permitting the allocation of Park Lands to SAPOL for a new Mounted Operations Unit.
2. **The Planning Development and Infrastructure (Adelaide Park Lands) Amendment Bill 2023** that would require any State Government from rezoning Park Lands without the approval of both houses of Parliament, and
3. **The Local Government (Rateable Land) Amendment Bill** to empower the City of Adelaide to charge rates on the Walker Corporation Tower under construction and on any future casino development, including on Crown land.'

ADMINISTRATION COMMENT

1. The table below shows the purpose and status of the current private member bills.
2. Administration has not undertaken a review of the Amendment Bills in full to ascertain the impacts on the City of Adelaide if passed.
3. With regard to part 3. of the Motion, Council is currently able to charge rates for the portions of Festival Tower, currently being constructed by Walker Corporation, that will be used for commercial purposes.
4. If the Council passes the motion, letters will be prepared from the Lord Mayor to all members of the House of Assembly notifying Council's decision.

Title	Purpose	Progress of Bill
The New Women's and Children's Hospital (Relocation of SA Police Facilities) Amendment Bill	To cancel that part of the legislation permitting the allocation of Park Lands to SAPOL for a new Mounted Operations Unit	Introduced into the Legislative Council 1 st reading 28 June 2023 2 nd reading 30 August 2023 3 rd reading 30 August 2023 Passed in Legislative Council 30 August 2023

Title	Purpose	Progress of Bill
		Received in the House of Assembly 31 August 2023
The Planning Development and Infrastructure (Adelaide Park Lands) Amendment Bill 2023	If passed would limit the State Government from rezoning Park Lands without the approval of both houses of Parliament	Introduced into the Legislative Council 1 st reading 14 June 2023 2nd reading 30 August 2023 3 rd reading 30 August 2023 Passed in Legislative Council 30 August 2023 Received in the House of Assembly 31 August 2023
The Local Government (Rateable Land) Amendment Bill	If passed, will amend the Rateability of land provision (Section 147) that land on which casino premises are situated or land in the stated prescribed area in the City of Adelaide occupied wholly or partly by a body corporate are not exempt from rates.	Introduced into the Legislative Council 1 st reading 28 June 2023 2nd reading 28 June 2023

Should the motion be carried, the following implications of this motion should be considered. Note any costs provided are estimates only – no quotes or prices have been obtained:

Public consultation	Not applicable
External consultant advice	Not applicable
Legal advice / litigation (eg contract breach)	A comprehensive review of the Amendment Bills has not been undertaken to ascertain the impacts on the City of Adelaide if passed
Impacts on existing projects	Not applicable
Budget reallocation	Not applicable
Capital investment	Not applicable
Staff time in preparing the workshop / report requested in the motion	Not applicable
Other	Not applicable
Staff time in receiving and preparing this administration comment	4.5 hours

- END OF REPORT -

Exclusion of the Public

Tuesday, 12 September 2023
Council

Program Contact:
Alana Martin, Manager
Governance

2018/04291
Public

Approving Officer:
Clare Mockler, Chief
Executive Officer

EXECUTIVE SUMMARY

Section 90(2) of the *Local Government Act 1999 (SA)* (the Act), states that a Council may order that the public be excluded from attendance at a meeting if the Council considers it to be necessary and appropriate to act in a meeting closed to the public to receive, discuss or consider in confidence any information or matter listed in section 90(3) of the Act.

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

For the following Committee Report seeking consideration in confidence

- 18.1** Confidential Audit and Risk Committee Report – 1 September 2023 [section 90(3) (b) & (d) of the Act]

The Order to Exclude for Item 18.1:

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

ORDER TO EXCLUDE FOR ITEM 18.1

THAT COUNCIL:

1. Having taken into account the relevant consideration contained in section 90(3) (b) & (d) and section 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 12 September 2023 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 18.1 [Confidential Audit and Risk Committee Report – 1 September 2023] listed on the Agenda in a meeting open to the public would on balance be contrary to the public interest.

Grounds and Basis

This item contains certain information of a confidential nature (not being a trade secret) the disclosure of which could reasonably expect to confer a commercial advantage on a person with whom the Council is conducting business, prejudice the commercial position of the Council. This Item provides commercially sensitive information concerning possible negotiation positions and financial negotiation ranges.

The disclosure of information in this report could reasonably prejudice the position of Council as it includes specialist information provided to Council on a confidential basis.

Public Interest

The Audit and Risk Committee is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the disclosure of this information may result in release of information prior to the commencement and finalisation of a 'commercial in confidence' negotiation process with the vendor.

2. Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this meeting of the Council dated 12 September 2023 orders that the public (with the exception of members of Corporation staff and any person permitted to remain) be excluded from this meeting to enable this meeting to receive, discuss or consider in confidence Item 18.1 [Confidential Audit and Risk Committee Report – 1 September 2023] listed in the Agenda, on the grounds that such item of business, contains information and matters of a kind referred to in section 90(3) (b) & (d) of the Act.
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DISCUSSION

1. Section 90(1) of the *Local Government Act 1999 (SA)* (the Act) directs that a meeting of Council must be conducted in a place open to the public.
2. Section 90(2) of the Act, states that a Council may order that the public be excluded from attendance at a meeting if Council considers it to be necessary and appropriate to act in a meeting closed to the public to receive, discuss or consider in confidence any information or matter listed in section 90(3) of the Act.
3. Section 90(3) of the Act prescribes the information and matters that a Council may order that the public be excluded from.
4. Section 90(4) of the Act, advises that in considering whether an order should be made to exclude the public under section 90(2) of the Act, it is irrelevant that discussion of a matter in public may -
 - (a) *cause embarrassment to the council or council committee concerned, or to members or employees of the council; or*
 - (b) *cause a loss of confidence in the council or council committee; or*
 - (c) *involve discussion of a matter that is controversial within the council area; or*
 - (d) *make the council susceptible to adverse criticism.*
5. Section 90(7) of the Act requires that an order to exclude the public:
 - 5.1 Identify the information and matters (grounds) from section 90(3) of the Act utilised to request consideration in confidence.
 - 5.2 Identify the basis – how the information falls within the grounds identified and why it is necessary and appropriate to act in a meeting closed to the public.
 - 5.3 In addition identify for the following grounds – section 90(3) (b), (d) or (j) of the Act - how information open to the public would be contrary to the public interest.
6. Section 83(5) of the Act has been utilised to identify in the Agenda and on the Report for the meeting, that the following reports are submitted seeking consideration in confidence.
 - 6.1 Information contained in Item 19.1 – Confidential Audit and Risk Committee Report – 1 September 2023
 - 6.1.1 Is subject to an Existing Confidentiality Order dated 1/9/2023.
 - 6.1.2 The grounds utilised to request consideration in confidence is section 90(3) (b) & (d) of the Act
 - (b) information the disclosure of which –
 - (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or prejudice the commercial position of the council; and (ii) would, on balance, be contrary to the public interest.
 - (d) commercial information of a confidential nature (not being a trade secret) the disclosure of which—
 - (i) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and
 - (ii) would, on balance, be contrary to the public interest

ATTACHMENTS

Nil

- END OF REPORT -

Document is Restricted