



COUNCIL AGENDA & REPORTS

for the meeting

Tuesday, 10 October 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
<p>1. Acknowledgement of Country</p> <p>The Lord Mayor will state:</p> <p>‘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.</p> <p>And we also extend that respect to other Aboriginal Language Groups and other First Nations who are present today.’</p>	
<p>2. Acknowledgement of Colonel William Light</p> <p>The Lord Mayor will state:</p> <p>‘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.’</p>	
<p>3. Prayer</p> <p>The Lord Mayor will state:</p> <p>‘We pray for wisdom, courage, empathy, understanding and guidance in the decisions that we make, whilst seeking and respecting the opinions of others.’</p>	
<p>4. Pledge</p> <p>The Lord Mayor will state:</p> <p>‘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.’</p>	
<p>5. Memorial Silence</p> <p>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.</p>	
<p>6. Apologies and Leave of Absence</p> <p>On Leave - Councillor Giles</p> <p>Apologies - Councillor Siebentritt</p>	

7. Confirmation of Minutes - 26/9/2023

That the Minutes of the meeting of the Council held on 26 September 2023, be taken as read and be confirmed as an accurate record of proceedings.

View public 26 September 2023 Minutes [here](#).

8. Declaration of Conflict of Interest

9. Deputations

Granted at time of Agenda Publication – 6/10/2023

9.1 Deputation - Ms Rhonda Avard - Funding for State Heritage listed Strata complex Kingston Tce & Stanley St North Adelaide

10. Petitions

Nil

Recommendation/Advice from Committee/s and Kadaltilla / Adelaide Park Lands Authority

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14. Reports for Council (Chief Executive Officer's Reports)

15. Lord Mayor's Reports

16. Councillors' Reports

17. Motions on Notice

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17.2 Deputy Lord Mayor (Councillor Martin) - MoN - Future Fund Name 15 - 16

18. Motions without Notice

19. Questions on Notice

19.1 Deputy Lord Mayor (Councillor Martin) - QoN - Town Hall Building Works 17

20. Questions without Notice

21. Closure

Recommendations of the City Community Services and Culture Committee – 3 October 2023

Tuesday, 10 October 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 3 October 2023 and resolved to present to Council the following recommendations for Council determination:

- Item 7.2 – South Australian Motor Sport Board VAILO Adelaide 500 Event Consultation - Declared Area and Period Amendment
- Item 7.4 – Community Buildings in the Park Lands

RECOMMENDATION

1. **Recommendation 1 – Item 7.2 - South Australian Motor Sport Board VAILO Adelaide 500 Event Consultation - Declared Area and Period Amendment**

THAT COUNCIL

1. Notes the Declaration of the amended Declared Area within Rymill Park / Murlawirrapurka (Park 14) and the change of the Declared Period to include start and finish times for the purpose of conducting the 2023 VAILO Adelaide 500 event.
2. Authorises the Lord Mayor to write to the Chief Executive Officer of the South Australian Motor Sport Board on behalf of Council noting the consultation on the changes to the Declared Area and the Declared Period for the 2023 VAILO Adelaide 500 event, and objecting to the removal of public access to the Quentin Kenihan Inclusive Playspace and seeks justification from the Board for the 16,000sqm increase to the Declared Area.
3. Notes the advice of Kadaltilla at its meeting of 28 September 2023 and that Kadaltilla will be providing a submission to the consultation.

2. **Recommendation 2 – Item 7.4 - Community Buildings in the Park Lands**

THAT COUNCIL

1. Approves the Draft Park Lands Community Buildings (Sport and Recreation) Policy, Attachment A to Item 7.4 on the Agenda for the City Community Services and Culture Committee held on 3 October 2023, for public consultation, commencing 9:00am 20 October to 5:00pm 27 November 2023 subject to the following change:
 - include an indication in each column on page 4 of the Policy that no minimum will be stated.

DISCUSSION

1. The City Community Services and Culture Committee met on Tuesday 3 October 2023. The Agenda with reports for the meeting can be viewed [here](#).
2. The following matters were the subject of deliberation:

2.1. Item 7.1 - East End Unleashed 2024 Update

THAT THE CITY COMMUNITY SERVICES AND CULTURE COMMITTEE

1. Notes the additional support that Administration will provide retailers during East End Unleashed in 2024 as contained in points 11 to 16 in the East End Unleashed 2024 Update Report, Item 7.1 on the Agenda for the meeting of the City Community Services and Culture committee held on 3 October 2023.
 2. Notes the additional information that will be created and shared through multiple channels to promote the use of public transport to the city, as well as walking, cycling and commercial e-scooter services.
- 2.2. Item 7.2 - South Australian Motor Sport Board VAILO Adelaide 500 Event Consultation - Declared Area and Period Amendment

THAT THE CITY COMMUNITY SERVICES AND CULTURE COMMITTEE RECOMMENDS TO COUNCIL

THAT COUNCIL

1. Notes the Declaration of the amended Declared Area within Rymill Park / Murlawirrapurka (Park 14) and the change of the Declared Period to include start and finish times for the purpose of conducting the 2023 VAILO Adelaide 500 event.
 2. Authorises the Lord Mayor to write to the Chief Executive Officer of the South Australian Motor Sport Board on behalf of Council noting the consultation on the changes to the Declared Area and the Declared Period for the 2023 VAILO Adelaide 500 event, and objecting to the removal of public access to the Quentin Kenihan Inclusive Playspace and seeks justification from the Board for the 16,000sqm increase to the Declared Area.
 3. Notes the advice of Kadaltilla at its meeting of 28 September 2023 and that Kadaltilla will be providing a submission to the consultation.
- 2.3. Item 7.3 - Park Lands Lease and Licence Policy

THAT THE CITY COMMUNITY SERVICES AND CULTURE COMMITTEE

1. Defers consideration of the Park Lands Lease and Licence Policy as per Attachment A to Item 7.3 on the Agenda for the meeting of the City Community Services and Culture Committee held on 3 October 2023 to the committee meeting in November 2023.
2. Asks Administration to consider the following feedback from the meeting of the City Community Services and Culture Committee held on 3 October 2023:
 - Review of the discounts currently contained within the draft Park Lands Lease and Licence Policy, which includes sub-letting arrangements
 - Remove delegation arrangements to Administration for leases and licences less than 5 years
 - Liquor licence agreements
 - Parking arrangements regarding permanent car spaces being granted per lease agreement
 - Advertising and sponsorship arrangements
 - Impact of sporting clubs making payments to their players
 - Unlocking the Park Lands and the impact this has on use for other members of the community
 - Footprint of buildings on the Park Lands
 - Commercial use of the Park Lands
 - What is the financial implications of a new Policy being adopted
 - Impact of a new lease or licence arrangement being entered into.

2.4. Item 7.4 - Community Buildings in the Park Lands

THAT THE CITY COMMUNITY SERVICES AND CULTURE COMMITTEE RECOMMENDS TO COUNCIL

THAT COUNCIL

1. Approves the Draft Park Lands Community Buildings (Sport and Recreation) Policy, Attachment A to Item 7.4 on the Agenda for the City Community Services and Culture Committee held on 3 October 2023, for public consultation, commencing 9:00am 20 October to 5:00pm 27 November 2023 subject to the following change:
 - include an indication in each column on page 4 of the Policy that no minimum will be stated.

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 – 3 October 2023

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 3 October 2023 and resolved to present to Council the following recommendations for Council determination:

- Item 7.1 – Rescind Redundant Land Management Agreement - 188-196 Grenfell Street, Adelaide
- Item 7.2 – Rescind Redundant Land Management Agreement - 192 Wakefield Street, Adelaide
- Item 7.4 - Community Land Management Plan (CLMP) Amendment for the Infrastructure at 75-79 Halifax Street
- Item 7.5 - Adelaide Park Lands Community Land Management Plan

RECOMMENDATION

1. **Recommendation 1** – Item 7.1 - Rescind Redundant Land Management Agreement - 188-196 Grenfell Street, Adelaide
THAT COUNCIL:
 1. Approves the rescission of the Land Management Agreement as per Attachment A to Item 7.1 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 3 October 2023.
 2. Authorises the Administration to undertake the necessary steps to assist the applicant in rescinding the Land Management Agreement at the applicant's cost.
2. **Recommendation 2** – Item 7.2 - Rescind Redundant Land Management Agreement - 192 Wakefield Street, Adelaide
THAT COUNCIL:
 1. Approves the rescission of the Land Management Agreement as per Attachment A to Item 7.2 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 3 October 2023.
 2. Authorises the Administration to undertake the necessary steps to assist the applicant rescinding the Land Management Agreement at the applicant's cost.
3. **Recommendation 3** – Item 7.4 - Community Land Management Plan (CLMP) Amendment for the Infrastructure at 75-79 Halifax Street
THAT COUNCIL:
 1. Approves in principle the commercial use of a portion of the community land parcel allotment 21 in deposited plan 55398 in CT vol 5861 fol 864 for storage use.
 2. Authorises administration to consult on an amended CLMP allowing a commercial lease/license for storage use of a portion of the Community Land Parcel Allotment 21 in Deposited Plan 55398 in Certificate of Title Volume 5861 Folio 864.
 3. Notes that a further report will be presented to Council with the results of the public consultation.

4. **Recommendation 4 – Item 7.5 - Adelaide Park Lands Community Land Management Plan**

THAT COUNCIL:

1. Receives the Consultation Summary Report on the draft consolidated Community Land Management Plan for the Adelaide Park Lands contained in Attachment A to Item 7.5 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 3 October 2023.
2. Notes the refinements to the draft consolidated Community Land Management Plan (including to Section 5 (Overall Purpose For Which The Adelaide Park Lands Are Held) and removal of the word “ancillary” where it relates to public facilities, furniture and amenities’) in response to the feedback detailed in the Consultation Summary Report presented in Attachment A to Item 7.5 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 3 October 2023.
3. Adopts the consolidated Community Land Management Plan for the Adelaide Park Lands under the care, control and management of the City of Adelaide presented in Attachment B to Item 7.5 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 3 October 2023.
4. Notes that public notice of the adoption of the consolidated Community Land Management Plan for the Adelaide Park Lands will be published in the Government Gazette.
5. Notes the draft mid-point review of the APLMS will be presented to Council by December 2023.

DISCUSSION

1. The City Planning, Development and Business Affairs Committee met on Tuesday, 3 October 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 7.1 - Rescind Redundant Land Management Agreement - 188-196 Grenfell Street, Adelaide
THAT THE CITY PLANNING, DEVELOPMENT AND BUSINESS AFFAIRS COMMITTEE:
THAT COUNCIL
 1. Approves the rescission of the Land Management Agreement as per Attachment A to Item 7.1 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 3 October 2023.
 2. Authorises the Administration to undertake the necessary steps to assist the applicant in rescinding the Land Management Agreement at the applicant's cost.
 - 2.2. Item 7.2 - Rescind Redundant Land Management Agreement - 192 Wakefield Street, Adelaide
THAT THE CITY PLANNING, DEVELOPMENT AND BUSINESS AFFAIRS COMMITTEE:
THAT COUNCIL
 1. Approves the rescission of the Land Management Agreement as per Attachment A to Item 7.2 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 3 October 2023.
 2. Authorises the Administration to undertake the necessary steps to assist the applicant rescinding the Land Management Agreement at the applicant's cost.
 - 2.3. Item 7.3 - Heritage Incentives Scheme Allocation over \$50,000
 - Administration recommended the following recommendation to be considered:
THAT THE CITY PLANNING, DEVELOPMENT AND BUSINESS AFFAIRS COMMITTEE
THAT COUNCIL
 1. Approves an allocation of \$113,932 for conservation works to 'Botanic Chambers', 304 North Terrace, Adelaide in accordance with the Heritage Incentives Scheme Operating Guidelines as contained in Attachment A to Item 7.3 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 3 October 2023.
 2. Approves an allocation of \$115,925 for conservation works to 'Cottage Homes', 51-60 Kingston Terrace, North Adelaide in accordance with the Heritage Incentives Scheme Operating Guidelines as contained in Attachment B to Item 7.3 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 3 October 2023.
 - While the motion received support from a mover and seconder, when the matter was put to the vote it was lost. No other decision was made by the City, Planning, Development and Business Affairs Committee in relation to this item.
 - Administration provided a commitment to the City, Planning, Development and Business Affairs Committee that a review of the Heritage Incentives Scheme Operating Guidelines would be actioned in due course. A timeframe for this review will be provided to Council in due course.
 - 2.4. Item 7.4 - Community Land Management Plan (CLMP) Amendment for the Infrastructure at 75-79 Halifax Street
THAT THE CITY PLANNING, DEVELOPMENT AND BUSINESS AFFAIRS COMMITTEE:
THAT COUNCIL
 1. Approves in principle the commercial use of a portion of the community land parcel allotment 21 in deposited plan 55398 in CT vol 5861 fol 864 for storage use.
 2. Authorises administration to consult on an amended CLMP allowing a commercial lease/license for storage use of a portion of the Community Land Parcel Allotment 21 in Deposited Plan 55398 in Certificate of Title Volume 5861 Folio 864.
 3. Notes that a further report will be presented to Council with the results of the public consultation.
 - 2.5. Item 7.5 - Adelaide Park Lands Community Land Management Plan
- Council - Agenda – Tuesday, 10 October 2023

THAT THE CITY PLANNING, DEVELOPMENT AND BUSINESS AFFAIRS COMMITTEE:

THAT COUNCIL

1. Receives the Consultation Summary Report on the draft consolidated Community Land Management Plan for the Adelaide Park Lands contained in Attachment A to Item 7.5 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 3 October 2023.
 2. Notes the refinements to the draft consolidated Community Land Management Plan (including to Section 5 (Overall Purpose For Which The Adelaide Park Lands Are Held) and removal of the word “ancillary” where it relates to public facilities, furniture and amenities’) in response to the feedback detailed in the Consultation Summary Report presented in Attachment A to Item 7.5 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 3 October 2023.
 3. Adopts the consolidated Community Land Management Plan for the Adelaide Park Lands under the care, control and management of the City of Adelaide presented in Attachment B to Item 7.5 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 3 October 2023.
 4. Notes that public notice of the adoption of the consolidated Community Land Management Plan for the Adelaide Park Lands will be published in the Government Gazette.
 5. Notes the draft mid-point review of the APLMS will be presented to Council by December 2023.
3. The City Planning, Development and Business Affairs Committee also participated in a workshop on the Economic Development Strategy Framework.

DATA AND SUPPORTING INFORMATION

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

ATTACHMENTS

Nil

- END OF REPORT -

Recommendations of the City Community Services and Culture Committee – 19 September 2023

Tuesday, 10 October 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 item at its special meeting held on 19 September 2023 and resolved to present to Council the following recommendations for Council determination.

- Item 3.1 – Adelaide Aquatic Centre Redevelopment – Consultation Results

RECOMMENDATION

THAT COUNCIL

1. **Recommendation 1 – Item 3.1 – Adelaide Aquatic Centre Redevelopment – Consultation Results**

THAT COUNCIL

1. Endorses the assessment of the community consultation findings.
2. Notes that a further report detailing the essential terms and the negotiated draft Lease Agreement will be presented to Council in November 2023.

DISCUSSION

1. A Special Meeting of the City Community Services and Culture Committee was held on 19 September 2023. The Agenda with reports for the meeting can be viewed [here](#).
2. At this meeting, the Committee resolved the following recommendation to be presented to Council at its meeting on 10 October 2023, due to timing:

- 3.1 Item 3.1 – Adelaide Aquatic Centre Redevelopment – Consultation Results

THAT THE CITY COMMUNITY SERVICES AND CULTURE COMMITTEE RECOMMENDS TO COUNCIL

THAT COUNCIL

1. Endorses the assessment of the community consultation findings.
 2. Notes that a further report detailing the essential terms and the negotiated draft Lease Agreement will be presented to Council in November 2023.
-

DATA AND SUPPORTING INFORMATION

Link 1 – City Community Services and Culture Committee Agenda

ATTACHMENTS

Nil

- END OF REPORT -

Deputy Lord Mayor (Councillor Martin) - MoN - Strategic Property Review

Tuesday, 10 October 2023
Council

Council Member

Deputy Lord Mayor, Councillor
Phillip Martin

Public

Contact Officer:

Clare Mockler, Chief Executive
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;

Asks the Administration to suspend asset sales and the disposal of existing underperforming assets approved by the previous Council as part of the Strategic Property Review pending further consideration by the current Council.'

ADMINISTRATION COMMENT

1. On 14 April 2020 Council received the Strategic Property Action Plan in confidence and approved asset and city shaping opportunities for further investigation. This detail was considered by Council in confidence and remains confidential.
2. The Strategic Property Action Plan provides a roadmap for the further investigation into Council's property assets and does not provide an approval to transact on these properties. Any transactions relating to disposal, repurposing or acquisition of property assets still requires the resolution of Council on a case-by-case basis.
3. Property assets have been actioned based on consideration and subsequent resolutions of Council.
4. The Strategic Property Action Plan is being reviewed with the future strategy and approach to the management of \$345 million of property being informed by Council Members through briefing sessions commencing 17 October 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	The forward property strategy will be the subject of external property consultant advice.
Legal advice / litigation (eg contract breach)	Not applicable

Impacts on existing projects	Not applicable on the basis that this does not impact Council approvals associated with existing projects such as the Former Bus Station site.
Budget reallocation	Not applicable
Capital investment	Not applicable
Staff time in preparing the workshop / report requested in the motion	To be determined
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 4.5 hours.

- END OF REPORT -

Deputy Lord Mayor (Councillor Martin) - MoN - Future Fund Name

Tuesday, 10 October 2023
Council

Council Member

Deputy Lord Mayor, Councillor
Phillip Martin

Public

Contact Officer:

Clare Mockler, Chief Executive
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;

Noting that there are no cash funds and never can be cash funds in the so called "Future Fund" identified in the Long Term Financial Plan, asks the Administration to seek advice on an alternative descriptor that could accurately and transparently record the value of City of Adelaide property assets sold and acquired since 2018 and whether such records should be recorded in the Long Term Financial Plan or an alternative document.'

ADMINISTRATION COMMENT

1. An "alternative descriptor" for the Future Fund should clearly reflect for the community the intent and use of the funds generated. For example the term *Strategic Investment Reserve* would reflect the strategic nature of investment-related activities, and the technical accounting treatment of the item as a Reserve (which can quarantine amounts set aside for specific purposes without having to physically represent the cash).
2. The Future Fund's transactions (timing and amount of funds received, and payments made) are accurately and transparently recorded within our accounting system, and then reflected in our Balance Sheet (refer Annual Financial Statements). All transactions are auditable. Any proceeds from the sale of assets are used to offset Council's borrowings to minimise the interest Council pays. If the funds were sitting in a bank account, it would earn less than the interest Council pays on its borrowings (currently 5.35%). It is therefore a better financial outcome to offset borrowings rather than hold cash in the bank.
3. The Long Term Financial Plan is the tool used to project out borrowings using known transactions, including those related to strategic property divestment and investment. It is not used to record actual financial transactions. This occurs through the accounting system and standard accounting instruments such as the Balance Sheet, Profit and Loss Statement etc.
4. From Quarter 1 2023/24, the intention is to report regularly on actual transactions and balances related to the Future Fund (Strategic Investment Reserve), including what our borrowings would be without the offset.
5. In summary, the intent and use of the fund, and the communication of this, is paramount. No matter what Council adopts as a name, the vehicle's intent and use needs to be consistent across this and future Council terms. A draft policy addressing the nature of the fund, its purpose, how it will be created, maintained and accessed and report to the public will be presented to City Finance and Governance Committee at its meeting on 17 October 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)	Not applicable
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	To prepare this administration comment in response to the motion on notice took approximately 4.5 hours.

- END OF REPORT -

Town Hall Building Works

Tuesday, 10 October 2023
Council

Council Member
Deputy Lord Mayor, Councillor
Martin

Public

Contact Officer:
Clare Mockler, Chief Executive
Officer

QUESTION ON NOTICE

Deputy Lord Mayor, Councillor Martin will ask the following Question on Notice:

'Could the Administration confirm that consistent with the approval of Council and an email from the then Acting CEO to elected members dated April 9th, 2021, that the current Town Hall repairs will include such works as are necessary to the Albert Tower to overcome "...subsiding causing cracking ...(that) represents a hazard to the building and King William Street" and to stabilise the Tower "..... through the integration of an internal steel frame which will prevent collapse in the event of an earthquake"'

The Lord Mayor will provide a reply at the meeting, the reply and question will be included in the Minutes of the meeting.

- END OF REPORT -