

## **ITEM NUMBER: 10.1**

### **CONFIDENTIAL REPORT**

### **CITY ZONE CONCEPT PLAN**

*Pursuant to Section 87(10) of the Local Government Act 1999 the Report attached to this agenda and the accompanying documentation is delivered to the Transforming Jetty Road Committee upon the basis that the Committee consider the Report and the documents in confidence under Part 3 of the Act, specifically on the basis that Committee will receive, discuss or consider:*

- 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.**

**Recommendation – Exclusion of the Public – Section 90(3)(d) Order**

1. That pursuant to Section 90(2) of the *Local Government Act 1999* Transforming Jetty Road Committee hereby orders that the public be excluded from attendance at this meeting with the exception of the Chief Executive Officer and Staff in attendance at the meeting in order to consider Report No: 302/24 City Zone Concept Plan in confidence.
  2. That in accordance with Section 90(3) of the *Local Government Act 1999* Transforming Jetty Road Committee is satisfied that it is necessary that the public be excluded to consider the information contained in Report No: 302/24 City Zone Concept Plan on the following grounds:
    - d. pursuant to section 90(3)(d) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to confer a commercial advantage on a third party.

In addition, the disclosure of this information would, on balance, be contrary to the public interest. The public interest in public access to the meeting has been balanced against the public interest in the continued non-disclosure of the information. The benefit to the public at large resulting from withholding the information outweighs the benefit to it of disclosure of the information.
  3. The Transforming Jetty Road Committee is satisfied, the principle that the meeting be conducted in a place open to the public, has been outweighed by the need to keep the information or discussion confidential.
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**Item No:** 10.1

**Subject:** CITY ZONE CONCEPT PLAN

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## Summary

This report is seeking to provide the Committee with an overview of current risk, issues and mitigation options regarding the installation of the five proposed trees in the City Zone.

Administration is seeking the Committee to note this report and endorse the recommendation to undertake dual activities and continue investing time to undertake the tree assessments outlined in this report while considering alternative public art installations as an alternative option to tree installations.

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## Recommendation

**That the Transforming Jetty Road Committee recommends to Council:**

1. **the draft City Zone Concept Design be amended to remove the four palm trees, at the eastern end of Jetty Road, and replace with public art.**

**OR**

2. **the draft City Zone Concept Design be amended to identify a location for installation of either trees or public art, pending further investigations.**

### RETAIN IN CONFIDENCE - Section 91(7) Order

3. **That having considered Agenda Item 10.1 302/24 City Zone Concept Plan in confidence under section 90(2) and (3)(d) of the *Local Government Act 1999*, the Transforming Jetty Road Committee, pursuant to section 91(7) of that Act orders that the report and minutes be retained in confidence for a period of 6 months and/or the Chief Executive Officer is authorised to release the documents when the construction contract for the City Zone is awarded and that this order be reviewed every 12 months.**
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## Background

The project has prepared draft concept plans for the City Zone in line with the scope of work that was approved by Council on 28 November 2023 (Council Report 397/23).

On 9 July 2024 (Council Report 210/24), Council approved the draft City Zone concept design and the commencement of detailed design to support the finalisation of investigations and costings.

The design investigations have commenced to ensure that key features of the design will be delivered before plans are confirmed and released to the public. A reason for undertaking this due diligence is to ensure Council is able to communicate to the community elements that are being delivered as part of the project.

An area of investigation that is currently being conducted is the viability of the trees that have been identified in the draft concept design, in particular the four palm trees as part of the entrance statement on Jetty Road, near the Brighton Road corner.

The placement of the trees needs to be given due consideration and ensure they contribute to the design of the street favourably and strategically. The current locations of the trees have been chosen to meet the following strategic outcomes:

- Environmental benefits, to improve air quality by absorbing pollutants and releasing oxygen. Assist to manage stormwater by reducing runoff and decreasing the risk of flooding. Offering shade to lower temperatures, mitigating the urban heat effect and provide greening to soften an area that is predominately hardscape materials.
- Create a pleasant and attractive public space, to enhance the entrance statement and provide an inviting and aesthetically pleasing sense of arrival at the entrance to Jetty Road.
- Provide instant impact by installing mature trees and ensuring their tree canopies clear the tram catenary system and reduce the risk of the canopies growing through tram catenary system.

To meet the aforementioned outcomes, the four palm trees are currently proposed to be located within close proximity of the street's entrance from Brighton Road, and be installed with a trunk height of nine metres to ensure the canopy is positioned above the overhead catenary system which is owned by Department of Infrastructure (DIT).

The proposed locations are close to DIT and South Australian Power Networks (SAPN) infrastructure and located within their exclusion zones. Due to the location, formal approvals are required from both parties before the trees can be installed (refer to Figure 1 for pictorial images of the site).

***DIT and Torrens Transit Requirements***

DIT and their network management contractor, Torrens Transit require risk assessments to be undertaken in addition to mitigations and maintenance plans to be prepared for their assessment. To define these risks and the associated mitigations and maintenance requirements the project is required to undertake tree deflection testing as one of the assessments.

Identifying an assessor to undertake the tree deflection test has proven difficult and the project has requested the details of an assessor directly from Torrens Transit. To date an appropriate assessor has not been identified and engaged.

Additionally, a cost report regarding the proposed maintenance requirements will be required to be tabled for consideration by Council before the assessments can be sent to DIT for consideration.

***South Australian Power Networks (SAPN)***

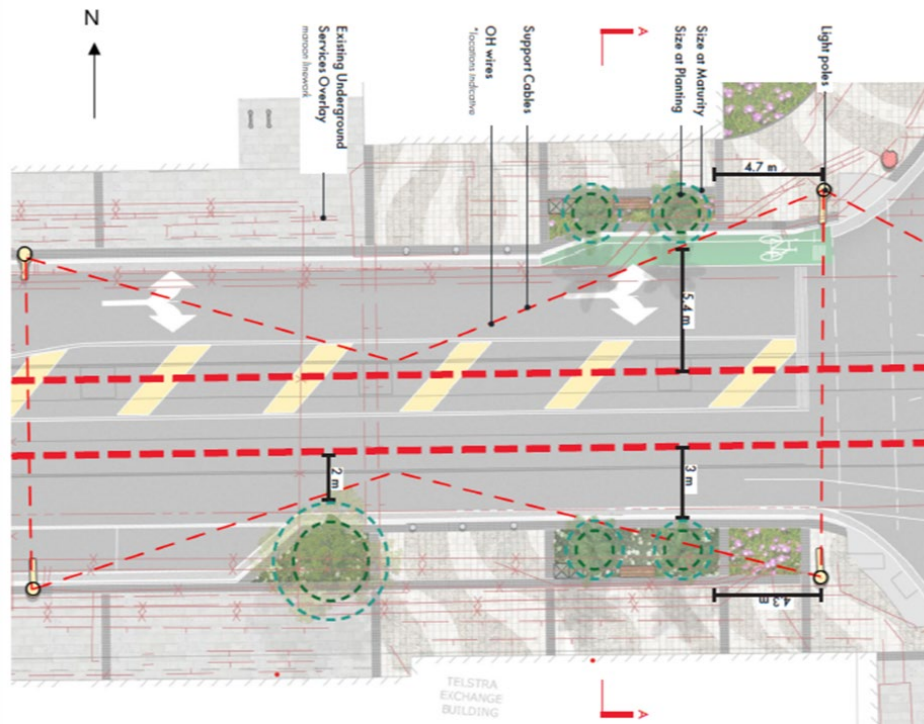
SAPN requires the project to prepare and submit a request for dispensation due to the size and location of the trees' root ball, which is some 1000mm in diameter. SAPN requires third party infrastructure to be positioned 2500mm from the centre line of their underground infrastructure. Infrastructure inside this distance is considered within the exclusion zone. The root ball size of the trees is expected to be some 1000mm in diameter due to their age and will be positioned within their exclusion zone.

There is limited space in the footpath between the kerb and SAPN's underground infrastructure as well as limited space generally on the northern side footpath, making it difficult to meet SAPN's exclusion zones requirements. There is also limited space on the southern side footpath, however the northern side footpath presents more space limitations (refer to figure 1 for pictorial images of the site).

SAPN has requested a detailed report be submitted for their consideration and indicated their assessment will take approximately two months. The project has attempted to negotiate a reduction of SAPN's timelines and have been advised that SAPN will only consider this request once a report has been submitted.

The project requires accurate physical depthing of SAPN's infrastructure to appropriately prepare the detailed report. The depthing will require hydrovac plant to be used to safely excavate the area and locate the services, to prevent damage to underground infrastructure. The equipment will need to be positioned in the tram corridor exclusion zone requiring approvals from Torrens Transit. These approvals will either involve the tram being closed or for the work to be undertaken at night when the tram is not in operation. The work approval in the tram exclusion zone can take a number of weeks to be granted and for tram monitors to be allocated to the job. This work will disrupt vehicle traffic along Jetty Road.

Figure 1 Tree Plan of the entrance to Jetty Road



## Report

The Project Team has considered the risks, impacts, and benefits of installing the palm trees as well as examined alternative options. These considerations are outlined below.

### ***Risks and Issues***

More time is required to seek approvals for the installation of the trees, putting at risk the proposed construction commencement for the City Zone in Spring 2024. This is due to the time needed to complete the investigations and activities required by the two third-party authorities. Additionally, early indications are that it is likely that two of the four trees may not be approved by the third-party authorities as currently proposed due to their proximity to their infrastructure and dispensations not being granted.

Given the trees are currently a key deliverable of the City Zone, and the community has expressed their desire to create an attractive and inviting entrance to the street, it is important that an installation can be confirmed before the plans are released to community. Confirming the design prior to it being released publicly will also ensure we communicate clear expectations about the project's deliverables. However, waiting for the necessary investigation to be completed would result in an extended delay in the commencement of construction for the City Zone and no guarantee the palm trees could be installed in the proposed location.

### ***Options***

While the Project Team is currently undertaking the work to prepare the required reports for the third parties, it has also considered alternative options for consideration by the Committee.

*Option 1: Public Art*

Remove the palm trees from the draft concept design and replace them with public art. This option would require extending the public art brief to include companion pieces to be installed in similar locations to the proposed palm trees.

The benefit of this approach is that public art is a physically static installation and will not require a deflection assessment from Torrens Transit. In addition, the footings could be designed and engineered to meet the exclusion zone's requirements, however further investigation will be required once a concept plan has been developed.

Additionally, the public art could create a more human scale interactive activity in the entrance to the street in lieu of palm trees. However, the visual impact would be lost when approaching Jetty Road from a distance.

With this option, the City Zone Concept Design would be amended to remove the four palm trees, referring to public art in that location and providing precedent images of public art to be considered. The amended concept design would be tabled for Council approval prior to public release. The amended concept design would be released to the public prior to finalisation of the design of the public art. The risk of this option is there is an expectation with businesses that have been consulted that palm trees will be used in this location.

*Option 2: Relocation and or Reduction of Trees*

The number of palm trees in the draft concept design be reduced or an alternative location be identified. Early indication from the investigation is that it is likely to be difficult to have the two palms located closest to the Brighton Road corner in the current draft concept design approved by third-party service authorities. This is due to the proximity to third-party infrastructure. Therefore, an option is to reduce the number of palms in the concept plan to two. Alternatively, the four palms could be relocated further west, further away from Brighton Road corner. The investigation work would need to continue to receive the necessary approvals from the two third-party service authorities

With this option, the City Zone Concept Design would be amended to either remove two palm trees or relocate the four palm trees further west away from Brighton Road. The amended concept design would be tabled for Council approval prior to public release. The amended concept design would be released to the public without having approval from third-party authorities for the planting of the palm trees. The risk of this option is that a concept design is released to the community and subsequent changes are required if the necessary approvals are not received.

*Option 3: Accept Reduced Risks*

The draft City Zone Concept Design could be amended to nominate areas that are being considered as locations for potential tree or public art installations. The design that is released to the public would include precedent images to communicate these potential installations, but ensure the community understood further work is being undertaken before a final decision is made on the installation in these areas. The risk is that designs released to the community are less resolved than desired, potentially still generating an expectation in the community of what will be delivered, or attracting criticism for the designs not being fully resolved.

**Recommendation**

It is suggested the Committee considers Options 1 or 3 for recommendation to Council to allow for finalisation of the City Zone Concept Design and release to the public in early October 2024. This will allow for construction of the City Zone to commence in late October 2024.

**Budget**

There are no budget implications identified at this time.

**Life Cycle Costs**

To be determined based on the outcome.

**Strategic Plan**

The Jetty Road Masterplan directly connects and delivers on all Our Place 2050+ Strategic Plan objectives for 2020 - 2030. The Masterplan principles which the concept design will be built upon, were formulated through three phases of extensive community consultation and further demonstrates the direct alignment to the Strategic Plan and ensures Jetty Road is truly considered 'Our Place'.

**Council Policy**

Not applicable

**Statutory Provisions**

Not applicable

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**Written By:** Project Manager, Transforming Jetty Road

**A/Chief Executive Officer:** Ms P Jackson