

Government of South Australia

The Hon Stephan Knoll MP Member for Schubert

Reference: SKNOLL169070

Hon S Mullighan MP Member for Lee Level 1, 62 Semaphore Road SEMAPHORE SA 5019

Dear Mr Mullighan

# INTERNAL REVIEW OF A DETERMINATION – UNDER THE FREEDOM OF INFORMATION ACT 1991

On 4 December 2018, the Office of the Minister for Transport, Infrastructure and Local Government, Minister for Planning received your initial application made pursuant to the *Freedom of Information Act 1991* (the Act) for access to –

"All minutes, briefings, notes, emails and correspondence held by Courtney Nourse, in the Office of the Minister for Transport, Infrastructure, Local Government and Planning regarding the proposed hotel development at Adelaide Oval."

On 17 January 2019 your application for internal review made pursuant to section 19 (2)(b) of the Act was received. I have reviewed the deemed refused status of your original application and I have determined to process the request as if the statutory time frame has been met.

A search of documents held by the Office of the Minister for Transport, Infrastructure and Local Government, Minister for Planning was undertaken. I wish to advise that 12 documents have been identified within the scope of your request.

Please refer to the attached schedule that describes each document and sets out my determination and reasons in summary form.

Lhave determined to grant partial access to documents 001, 002 and 004 to 012 and have removed the personal contact details within those documents that I have determined are exempt, in accordance with clause 6 (1) of the Act which states:

## 6-Documents affecting personal affairs

(1) A document is an exempt document if it contains matter the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead.)



Minister for Transport, Infrastructure and Local Government Minister for Planning I have determined to refuse access to Document 003 and the attachments of Documents 008 and 009 in accordance with clause 17 (c) of the Act which states:

### 17—Documents subject to contempt etc

A document is an exempt document if it contains matter the public disclosure of which would, but for any immunity of the Crown—

(c) infringe the privilege of Parliament.

Attached is an explanation of the provisions of the Act which details your rights to review and appeal this determination, and the process to be followed.

If you have any questions in relation to the matter, please contact Rachel Stone, Freedom of Information Officer on telephone (08) 7109 8419 or via email at rachel.stone@sa.gov.au

Yours sincerely

Jenna Phillips-Wilkinson Accredited FOI Officer Office of the Minister for Transport, Infrastructure and Local Government Minister for Planning

**3** January 2019

Encl

	SCHEDULE OF DOCUMENTS - FREI	EDOM OF INFORMA	TION APPLICATION	NUMBER Determination Release / Partial	SKNOLL169070	
Document Number	Description of Document	Date of Document	Author	Release / Refuse Access	Schedule Clause Applied	
1	Email	26/11/2018 6.50am	Minister's Office	Partial Release	6(1)	
2	Email	26/11/2018 12.16pm	Minister's Office	Partial Release	6(1)	
3	Email	26/11/2018 1.10pm	Minister's Office	Refuse Access	17(c)	
4	Email	26/11/2018 2.10pm	Minister's Office	Partial Release	6(1)	
5	Email	26/11/2018 2.26pm		Partial Release	6(1)	
6	Email	26/11/2018 2.27pm	Minister's Office	Partial Release/Refuse Access	6(1) 17(c )	
7	Email	26/11/2018 2.36pm	Minister's Office	Partial Release	6(1)	
8	Email with 1 attachment	26/11/2018, 2.37pm	Minister's Office	Partial Release/Refuse Access	6(1) 17(c )	
9	Email with 1 attachment	27/11/2018, 12.25pm	Minister's Office	Partial Release/Refuse Access	6(1) 17 (c )	
10	Email	28/11/2018 10.55am	Minister's Office	Partial Release	6(1)	
11	Email	29/11/2018 9.15am	Minister's Office	Partial Release	6(1)	
12	Email	29/11/2018 9.17am 📏	Minister's Office	Partial Release	6(1)	
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# FREEDOM OF INFORMATION ACT 1991 YOUR RIGHTS TO REVIEW

# EXTERNAL REVIEW BY THE OMBUDSMAN

If the Agency does not deal with your Internal Review application within 14 calendar days (or you remain unhappy with the outcome of the Internal Review) you are entitled to an External Review by the Ombudsman SA.

You may also request an External Review by the Ombudsman if you have no right to an Internal Review.

The application for review by the Ombudsman should be lodged within 30 days after the date of a determination. The Ombudsman's Office, at their discretion, may extend this time limit.

Investigations by the Ombudsman are free. Further information is available from the Office of the Ombudsman by telephone on 8226 8699 or toll free 1800 182 150 (within SA).

# REVIEW BY THE SOUTH AUSTRALIAN CIVIL AND ADMINISTRATIVE TRIBUNAL (SACAT)

If you are still dissatisfied with the decision made by this Agency after an Internal Review or after a review by the Ombudsman, you can request a review from SACAT.

You must exercise your right of review to SACAT within 30 calendar days after being advised of the determination or the results of any other Internal or Ombudsman Review. Any costs will be determined by SACAT, where applicable. For more information, contact;

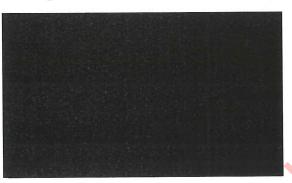
South Australian Civil and Administrative Tribunal (SACAT) Phone: 1800 723 767 Email: sacat@sacat.sa.gov.au

From:		
Sent:	Monday, 26 November 2018 6:50 AM	
То:	Knoll, Stephan (DPTI)	
Cc:	Bluck, George (DPTI);	Hill, Evan (DPTI); Nourse, Courtney (DPTI);
	Taylor, Sarah (DPTI)	
Subject:	5AA re Adelaide Oval	
Importance:	High	

### Good morning all,

Just letting you know that after 7am, 5AA will be interviewing Adelaide Oval CEO Andrew Daniels re the proposed hotel.

Kind regards,



From:	
Sent:	
To:	

Nourse, Courtney (DPTI) Monday, 26 November 2018 12:16 PM

- The Adelaide Oval Stadium Management Authority (AOSMA) will receive a loan of up to \$42 million through the SA Government Financing Authority at-a-standard market rate on a 30-year principal and interest arrangement
- This will be for the construction of a 128-room, 4-star boutique hotel within the Adelaide Oval core
- When complete, the hotel will create 120 ongoing FTE roles
- Adelaide Oval will become the first stadium in Australia to feature an integrated hotel!
- Construction is expected to commence in May 2019 and is expected to be completed in June 2020 before opening in August 2020 in time for the ICC World T20
- The Adelaide Oval is on Crown Land, the AOSMA lease it from the State Government
- The hotel will not impact the parklands. Not one bit of grass will be affected.

Document 003

### Stone, Rachel (DPTI)

From: Sent: To: Subject:

Monday, 26 November 2018 1:10 PM Nourse, Courtney (DPTI) PBN

- The Adelaide Oval Stadium Management Authority (AOSMA) will receive a loan of up to \$42 million through the SA Government Financing Authority at a standard market rate on a 30-year principal and interest arrangement
- The State Government is supporting the development of the Adelaide Oval hotel in so far as it is facilitating access to these funds
- This means that taxpayers will receive a significant benefit over the life of the loan through interest repayments which can be invested back into South Australian hospitals, roads and schools.
- The 4-star boutique 128 room hotel When complete, the hotel will create 120 ongoing FTE roles once complete
- Adelaide Oval will become the first stadium in Australia to feature an integrated hotel
- It will be a great tourism asset for South Australia and the businesses in and around North Adelaide also stand to benefit from the additional tourists staying in the area who spend money in our bars, restaurants and pubs.
- Construction is expected to commence in May 2019 and is expected to be completed in June 2020 before opening in August 2020 in time for the ICC World T20
- The Adelaide Oval is on Crown Land and the SMA lease it from the State Government.
- The hotel will not impact the parklands, not one blade of grass will be affected.
- The hotel is entirely within the Adelaide Oval 'core' and is therefore a complying development which only needs SCAP approval to proceed.



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#### Document 004

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### Stone, Rachel (DPTI)

From: Sent: To: Subject: Nourse, Courtney (DPTI) Monday, 26 November 2018 2:10 PM

Talking Points - Adelaide Oval

#### Hi

Please see below Talking Points for the MLOs when taking calls or responding to corro re Adelaide Oval.

If we could just see a draft of the response we'll have a look and approve a standard.

Courts

- The Adelaide Oval Stadium Management Authority (AOSMA) will receive a loan of up to \$42 million through the SA Government Financing Authority at a standard market rate on a 30-year principal and interest arrangement
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  opening in August 2020 in time for the ICC World T20
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#### **Courtney Nourse**

Ministerial Adviser to the Hon Stephan Knoll MP Minister for Transport, Infrastructure and Local Government Minister for Planning

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# Stone, Rachel (DPTI)

From: Sent: To: Subject:

Monday, 26 November 2018 2:26 PM Nourse, Courtney (DPTI) PBN - Adelaide Oval Hotel

For Official Use Only

### **Hi Courtney**

I've had a few requests regarding the Adelaide Oval Hotel. Can you please flick me a copy of the PBN when it's ready?

### Regards

From: Sent: To: Subject: Nourse, Courtney (DPTI) Monday, 26 November 2018 2(27 PM RE: PBN - Adelaide Oval Hotel

Hi

The Talking Points are up on the MLT sharepoint now.

The PBN is done so I'll upload that also.

See below anyway:

- The Adelaide Oval Stadium Management Authority (AOSMA) will receive a loan of up to \$42 million through the SA Government Financing Authority at a standard market rate on a 30-year principal and interest arrangement
- The State Government is supporting the development of the Adelaide Oval hotel in so far as it is facilitating access to these funds
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Courts

From: Sent: Monday, 26 November 2018 2:26 PM To: Nourse, Courtney (DPTI) Subject: PBN - Adelaide Oval Hotel

For Official Use Only

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1

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,

Regards 

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From: Sent: To: Subject:

Monday, 26 November 2018 2:36 PM Nourse, Courtney (DPTI) RE: Talking Points - Adelaide Oval

Great, thank you.

From: Nourse, Courtney (DPTI) Sent: Monday, 26 November 2018 2:10 PM To: http://www.commons.com/ Subject: Talking Points - Adelaide Oval

#### Hi James

Please see below Talking Points for the MLOs when taking calls or responding to corro re Adelaide Oval.

If we could just see a draft of the response we'll have a look and approve a standard.

Courts

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**Courtney Nourse** 

Ministerial Adviser to the Hon Stephan Knoll MP Minister for Transport, Infrastructure and Local Government Minister for Planning

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From:	Nourse, Courtney (DPTI)
Sent:	Monday, 26 November 2018 2:37 PM
То:	Knoll, Stephan (DPTI); [; Taylor, Sarah (DPTI); Hill, Evan (DPTI);
	Bluck, George (DPTI); Henderson, Cameron (DPTI)
Subject:	PBN
Attachments:	20181126 - Knoll Portfolio Briefing.pdf

Hi all,

See attached this week's PBN ahead of our last 2 week sitting block for the year!

Courts

#### **Courtney Nourse**

Ministerial Adviser to the Hon Stephan Knoll MP Minister for Transport, Infrastructure and Local Government Minister for Planning

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Document 009

# Stone, Rachel (DPTI)

From: Sent: To: Subject: Attachments: Taylor, Sarah (DPTI) Tuesday, 27 November 2018 12:25 PM Nourse, Courtney (DPTI) FW: draft PBN ADELAIDE OVAL HOTEL.docx

Sarah Taylor Chief of Staff to the Hon Stephan Knoll MP Minister for Transport, Infrastructure and Local Government Minister for Planning T 08 7109 8430 • Translation Information

#### From:

Sent: Tuesday, 27 November 2018 12:23 PM To: International Content (DPTI) Subject: draft PBN

Draft PBN

From: Sent: To: Subject: Nourse, Courtney (DPTI) Wednesday, 28 November 2018 10:55 AM Stone, Rachel (DPTI) RE: Leg Co NOM - Hunter - Adelaide Oval Redevelopment

Thanks

Courtney Nourse Ministerial Adviser to the Hon Stephan Knoll MP

From: Stone, Rachel (DPTI) Sent: Wednesday, 28 November 2018 10:54 AM To: Nourse, Courtney (DPTI) Subject: FW: Leg Co NOM - Hunter - Adelaide Oval Redevelopment Importance: High

Forgot to include you on this one.

From: Stone, Rachel (DPTI) Sent: Wednesday, 28 November 2018 10:47 AM To: Taylor, Sarah (DPTI) Subject: Leg Co NOM - Hunter - Adelaide Oval Redevelopment Importance: High

Hi Sarah – the NOM from Hunter to be moved today in the Leg Co – differs slightly from the one of Mullighan's in the House.

4. The Hon. I. K. Hunter to move - That this Council -

I. That a Select Committee of the Legislative Council be established to inquire into and report on a redeveloped Adelaide Oval, with particular reference to: -

(a) The economic and financial benefits of the redevelopment of Adelaide Oval, including to whom the benefits are accruing;

(b) The operations and financial management of the Adelaide Oval;

(c) The corporate governance of the Oval, including the Stadium Management Authority;

(d) The financial returns to the South Australian National Football League, the South

Australian Cricket Association, and the Adelaide and Port Adelaide Football Clubs;

(e) The financial contributions into the Oval infrastructure and into the broader sporting community from the Oval's operations;

(f) The proposed hotel development at the Adelaide Oval, and the process by which the Government considered the proposal and approved financing the proposed hotel development;

(g) The impacts on the hotel industry in Adelaide of the proposed hotel development;

(h) The legislative, regulatory and other legal frameworks governing the operations of the Adelaide Oval, and any opportunities for improvement;

(i) The impact of the Oval and its operations on the surrounding parklands and the legislative, regulatory and other legal frameworks governing further development in the

parklands; and

(j) Any other related matters;

II. That Standing Order No. 389 be so far suspended as to enable the Chairperson of the Committee to have a deliberative vote only.

III. That this Council permits the Select Committee to authorise the disclosure or publication, as it sees fit, of any evidence or documents presented to the Committee prior to such evidence being presented to the Council.

IV. That Standing Order No. 396 be suspended to enable strangers to be admitted when the Select Committee is examining witnesses unless the Committee otherwise resolves, but they shall be excluded when the Committee is deliberating.

#### **Rachel Stone**

Parliament, Cabinet & Freedom of Information Officer Office of the Minister for Transport, Infrastructure and Local Government Minister for Planning

Department of Planning, Transport and Infrastructure

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We acknowledge and respect Aboriginal peoples as South Australia's first peoples and nations, we recognise Aboriginal peoples as traditional owners and occupants of land and waters in South Australia and that their spiritual, social, cultural and economic practices come from their traditional lands and waters; and they maintain their cultural and heritage beliefs, languages and laws which are of ongoing importance; We pay our respects to their

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From: Sent: To: Subject: Nourse, Courtney (DPTI) Thursday, 29 November 2018 9:15 AM RE: Motion up for vote - Dec 5

Thanks we did notice it but thanks for the date heads up so that I can tell the department that something is needed.

#### **Courtney Nourse**

Ministerial Adviser to the Hon Stephan Knoll MP

#### From:

Sent: Thursday, 29 November 2018 8:54 AM To: Nourse, Courtney (DPTI) Subject: Motion up for vote - Dec 5

#### Hi Courtney,

Just had notice that the below motion from Ian Hunter will be taken to a vote next week. It was only just moved yesterday.

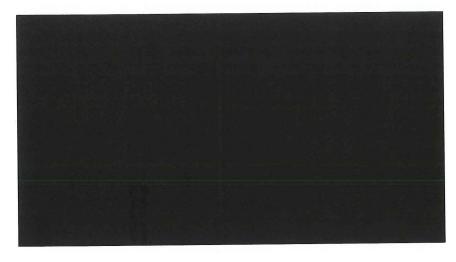
- 1. That a Select Committee of the Legislative Council be established to inquire into and report on a redeveloped Adelaide Oval, with particular reference to:
  - a. The economic and financial benefits of the redevelopment of Adelaide Oval, including to whom the benefits are accruing;
  - b. The operations and financial management of the Adelaide Oval;
  - c. The corporate governance of the Oval, including the Stadium Management Authority;
  - d. The financial returns to the South Australian National Football League, the South Australian Cricket Association, and the Adelaide and Port Adelaide Football Clubs;
  - e. The financial contributions into the Oval infrastructure and into the broader sporting community from the Oval's operations;
  - f. The proposed hotel development at the Adelaide Oval, and the process by which the Government considered the proposal and approved financing the proposed hotel development;
  - g. The impacts on the hotel industry in Adelaide of the proposed hotel development;
  - h. The legislative, regulatory and other legal frameworks governing the operations of the Adelaide Oval, and any opportunities for improvement;
    - The impact of the Oval and its operations on the surrounding parklands and the legislative, regulatory and other legal frameworks governing further development in the parklands; and
  - j. Any other related matters;
- II. That Standing Order No. 389 be so far suspended as to enable the Chairperson of the Committee to have a deliberative vote only.
- III. That this Council permits the Select Committee to authorise the disclosure or publication, as it sees fit, of any evidence or documents presented to the Committee prior to such evidence being presented to the Council.

That Standing Order No. 396 be suspended to enabled strangers to be admitted when the Select Committee is examining witnesses unless the Committee otherwise resolves, but they shall be excluded when the Committee is deliberating.

Feel free to call me if you need anything else.

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Thanks,



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	Nourse, Courtney (DPTI) Thursday, 29 November 2018 9:17 AM
To:	Stone, Rachel (DPTI); Taylor, Sarah (DPTI)
Subject:	RE: Leg Co NOM - Hunter - Adelaide Oval Redevelopment

Hi Rachel,

I've just been informed that although it was only moved the other day, Mr Hunter is bringing it to a vote on Dec 5.

Can we please let the department know speech notes are required by then.

Ideally some background like usual before 3pm tomorrow would be helpful however, I think this is one we may also be able to do ourselves.

Courtney

Courtney Nourse Ministerial Adviser to the Hon Stephan Knoll MP

From: Stone, Rachel (DPTI) Sent: Wednesday, 28 November 2018 10:54 AM To: Nourse, Courtney (DPTI) Subject: FW: Leg Co NOM - Hunter - Adelaide Oval Redevelopment Importance: High

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We acknowledge and respect Aboriginal peoples as South Australia's first peoples and nations, we recognise Aboriginal peoples as traditional owners and occupants of land and waters in South Australia and that their spiritual, social, cultural and economic practices come from their traditional lands and waters; and they maintain their cultural and heritage beliefs, languages and laws which are of ongoing importance; We pay our respects to their waters and they maintain their cultural and heritage beliefs, languages and laws which are of ongoing importance; we have our respects to their waters and they maintain their cultural and heritage beliefs, languages and laws which are of ongoing importance; we have our respects to their

ancestors and to their Elders. Information contained in this email message may be confidential and may also be the subject of legal professional privilege or public interest immunity. Access to this email by anyone else is unauthorised. If you are not the intended recipient, any use, disclosure or copying of this document is unauthorised and may be unlawful.

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Sarah Taylor Chief of Staff to the Hon Stephan Knoll MP Minister for Transport, Infrastructure and Local Government Minister for Planning T 08 7109 8430 • **International Action State** 

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RE: Motion up for vote - Dec 5

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Ministerial Adviser to the Hon Stephan Knoll MP

#### From:

Sent: Thursday, 29 November 2018 8:54 AM To: Nourse, Courtney (DPTI) Subject: Motion up for vote - Dec 5

#### Hi Courtney,

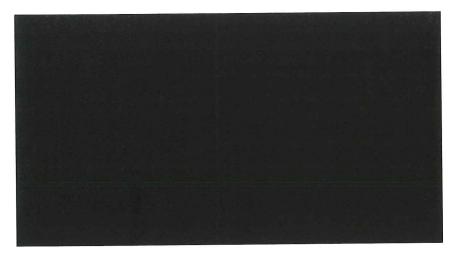
Just had notice that the below motion from Ian Hunter will be taken to a vote next week. It was only just moved yesterday.

- 1. That a Select Committee of the Legislative Council be established to inquire into and report on a redeveloped Adelaide Oval, with particular reference to:
  - a. The economic and financial benefits of the redevelopment of Adelaide Oval, including to whom the benefits are accruing;
  - b. The operations and financial management of the Adelaide Oval;
  - c. The corporate governance of the Oval, including the Stadium Management Authority;
  - d. The financial returns to the South Australian National Football League, the South Australian Cricket Association, and the Adelaide and Port Adelaide Football Clubs;
  - e. The financial contributions into the Oval infrastructure and into the broader sporting community from the Oval's operations;
  - f. The proposed hotel development at the Adelaide Oval, and the process by which the Government considered the proposal and approved financing the proposed hotel development;
  - g. The impacts on the hotel industry in Adelaide of the proposed hotel development;
  - h. The legislative, regulatory and other legal frameworks governing the operations of the Adelaide Oval, and any opportunities for improvement;
    - The impact of the Oval and its operations on the surrounding parklands and the legislative, regulatory and other legal frameworks governing further development in the parklands; and
  - Any other related matters;
- 11. That Standing Order No. 389 be so far suspended as to enable the Chairperson of the Committee to have a deliberative vote only.
- III. That this Council permits the Select Committee to authorise the disclosure or publication, as it sees fit, of any evidence or documents presented to the Committee prior to such evidence being presented to the Council.

That Standing Order No. 396 be suspended to enabled strangers to be admitted when the Select Committee is examining witnesses unless the Committee otherwise resolves, but they shall be excluded when the Committee is deliberating.

Feel free to call me if you need anything else.

Thanks,



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Document 012

#### Stone, Rachel (DPTI)

From:	Nourse, Courtney (DPTI)
Sent:	Thursday, 29 November 2018 9:17 AM
То:	Stone, Rachel (DPTI); Taylor, Sarah (DPTI)
Subject:	RE: Leg Co NOM - Hunter - Adelaide Oval Redevelopment

Hi Rachel,

I've just been informed that although it was only moved the other day, Mr Hunter is bringing it to a vote on Dec 5.

Can we please let the department know speech notes are required by then.

Ideally some background like usual before 3pm tomorrow would be helpful however, I think this is one we may also be able to do ourselves.

Courtney

**Courtney Nourse** Ministerial Adviser to the Hon Stephan Knoll MP

From: Stone, Rachel (DPTI) Sent: Wednesday, 28 November 2018 10:54 AM To: Nourse, Courtney (DPTI) Subject: FW: Leg Co NOM - Hunter - Adelaide Oval Redevelopment Importance: High

Forgot to include you on this one.

From: Stone, Rachel (DPTI) Sent: Wednesday, 28 November 2018 10:47 AM To: Taylor, Sarah (DPTI) Subject: Leg Co NOM - Hunter - Adelaide Oval Redevelopment Importance: High

Hi Sarah - the NOM from Hunter to be moved today in the Leg Co - differs slightly from the one of Mullighan's in the House.

4. The Hon. I. K. Hunter to move - That this Council -

I. That a Select Committee of the Legislative Council be established to inquire into and report on a redeveloped Adelaide Oval, with particular reference to: -

(a) The economic and financial benefits of the redevelopment of Adelaide Oval, including to whom the benefits are accruing;

(b) The operations and financial management of the Adelaide Oval;

(c) The corporate governance of the Oval, including the Stadium Management Authority;

(d) The financial returns to the South Australian National Football League, the South

Australian Cricket Association, and the Adelaide and Port Adelaide Football Clubs;

(e) The financial contributions into the Oval infrastructure and into the broader sporting community from the Oval's operations;

(f) The proposed hotel development at the Adelaide Oval, and the process by which the Government considered the proposal and approved financing the proposed hotel development;

(g) The impacts on the hotel industry in Adelaide of the proposed hotel development;

(h) The legislative, regulatory and other legal frameworks governing the operations of the Adelaide Oval, and any opportunities for improvement;

(i) The impact of the Oval and its operations on the surrounding parklands and the legislative, regulatory and other legal frameworks governing further development in the parklands; and

(j) Any other related matters;

that Standing Order No. 389 be so far suspended as to enable the Chairperson of the Committee to have a deliberative vote only.

III. That this Council permits the Select Committee to authorise the disclosure or publication, as it sees fit, of any evidence or documents presented to the Committee prior to such evidence being presented to the Council.

IV. That Standing Order No. 396 be suspended to enable strangers to be admitted when the Select Committee is examining witnesses unless the Committee otherwise resolves, but they shall be excluded when the Committee is deliberating.

#### **Rachel Stone**

Parliament, Cabinet & Freedom of Information Officer Office of the Minister for Transport, Infrastructure and Local Government Minister for Planning Department of Planning, Transport and Infrastructure

Level 12, Roma Mitchell House, 136 North Terrace, Adelaide SA 5000 • GPO Box 1533, Adelaide SA 5001 • DX 171 • www.dpti.sa.gov.au

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