



COUNCIL MINUTES

for the Special meeting

Tuesday 15 January 2019

in the Council Chamber,
Adelaide Town Hall



Members - The Right Honourable the Lord Mayor [Sandy Verschoor] (Presiding);
Deputy Lord Mayor (Councillor Abiad)
Councillors Abrahamzadeh, Couros, Dr Donovan, Hou, Hyde, Khera, Knoll,
Martin, Moran and Simms.

Acknowledgement of Country

At the opening of the Council Meeting, the Lord Mayor stated:

'Council acknowledges that we are meeting on traditional Country of the Kurna people of the Adelaide Plains and pays respect to Elders past and present. We recognise and respect their cultural heritage, beliefs and relationship with the land. We acknowledge that they are of continuing importance to the Kurna people living today.

And we also extend that respect to other Aboriginal Language Groups and other First Nations who are present today.'

Acknowledgement of Colonel William Light

The Lord Mayor stated:

'The Council acknowledges the vision of Colonel William Light in determining the site for Adelaide and the design of the City with its six (6) 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.'

Apologies and Leave of Absence

Nil

Reports for Council (Chief Executive Officer's Reports)

1. **Item 4.1 – Proposal for trading extension for Archie's Clubhouse on the Pontoon, adjacent Elder Park [2018/02864] [C]**

Moved by the Deputy Lord Mayor (Councillor Abiad),
Seconded by Councillor Moran -

THAT COUNCIL:

1. Authorises the Chief Executive Officer to enter into appropriate arrangements to grant the right of use to the Adelaide Pontoon Corporation Pty Ltd to hold the proposed 'Archie's Clubhouse' event at the Pontoon on the River Torrens / Karrawirra Pari, adjacent Elder Park during January 2019 as per the Event Management Approach as included in Attachment A to Item 4.1 on the Agenda for the Special meeting of Council held on 15 January 2019.
2. Approves the 'Archie's Clubhouse' event to operate beyond 12 Midnight and until 2am on Friday and Saturday nights during the event period.

Discussion ensued, during which the Lord Mayor left the Council Chamber at 6.17pm whereupon the Deputy Lord Mayor (Councillor Abiad) took the Chair. The Lord Mayor re-entered the Council Chamber at 6.21pm, whereupon she retook the Chair.

The motion was then put and carried

2. **Item 4.2 – Civic Recognition Working Group [2018/00985] [C]**

Moved by Councillor Martin,
Seconded by the Deputy Lord Mayor (Councillor Abiad) -

THAT COUNCIL:

1. Notes that the Civic Recognition Working Group (CRWG) established by the Chief Executive Officer will continue in the 2018-2022 municipal term and in 2019 will review Terms of Reference for the CRWG and the Civic Recognition Operating Guidelines.

2. Notes that Council Members who wish to participate in the CRWG January 2019 to January 2020 will nominate themselves to the Chief Executive Officer by 18 January 2019.

Carried

3. Item 4.3 – City Deal [2013/01266] [C]

Item 4.3, distributed separately, was before Council Members.

It was then -

Moved by the Deputy Lord Mayor (Councillor Abiad),
Seconded by Councillor Hyde -

THAT COUNCIL

1. Notes the Adelaide City Deal update.
2. Notes the CEO will keep Council informed of negotiations as they progress.

Carried

Item 4.3, distributed separately to the Agenda is attached for information at the conclusion of the Minutes of this meeting.

Exclusion of the Public

4. Item 5.1 – Exclusion of the Public from the Meeting to Consider [2017/00571] [C]

For the following Chief Executive Officer Report seeking consideration in confidence:

Strategic Alignment – Corporate Activities

- 6.1.1. 2019 Citizen of the Year Awards [s 90(3) (a)]
- 6.1.2. Strategic Property Matter [s 90(3) (b) & (d)]
- 6.1.3. City Deal [s 90(3) (b), (d) & (g)]

ORDER TO EXCLUDE FOR ITEM 6.1.1:

Moved by the Deputy Lord Mayor (Councillor Abiad),
Seconded by Councillor Moran -

THAT COUNCIL:

1. Having taken into account the relevant consideration contained in s 90(3) (a) and s 90(2) & (7) of the *Local Government Act 1999 (SA)*, this Special meeting of the Council dated 15/1/2019 resolves that it is necessary and appropriate to act in a meeting closed to the public for the consideration of Item 6.1.1 [2019 Citizen of the Year Awards] listed on the Agenda.

Grounds and Basis

The Item contains information of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead). Disclosure of the information in this report is considered inappropriate if released to the public prior to the official awarding of the City of Adelaide Citizen of the Year Awards on 25 January 2019. Once the Awards have been issued the intent is to lift the Order in its entirety.

2. Pursuant to s 90(2) of the *Local Government Act 1999 (SA)* this meeting of the Council dated 15/1/2019 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 6.1.1 [2019 Citizen of the Year Awards] listed in the Agenda, on the grounds that such item of business, contains information and matters of a kind referred to in s 90(3) (a) of the Act.

Carried

ORDER TO EXCLUDE FOR ITEM 6.1.2:

Moved by Councillor Dr Donovan,
Seconded by Councillor Knoll -

THAT COUNCIL:

1. Having taken into account the relevant consideration contained in s 90(3) (b) & (d) and s 90(2) & (7) of the *Local Government Act 1999 (SA)*, this Special meeting of the Council dated 15/1/2019 resolves that it is necessary and appropriate to act in a meeting closed to the public for the consideration of Item 6.1.2 [Strategic Property Matter] listed on the Agenda in a meeting open to the public would on balance be contrary to the public interest.

Grounds and Basis

This Report details commercial information of a strategic property matter the disclosure of which could reasonably be expected to prejudice the commercial position and identity of the proponent who supplied 'commercial in confidence' information containing business directions/strategy. The disclosure of information contained in this report may prejudice the commercial position of the third party by disclosing the identity and content of the information at this point in time. Disclosure of this information may prejudice the ability to undertake/participate in any future process and or negotiations on any proposal and prejudice the Council's commercial position and opportunity for Council to participate in future like considerations or discussions.

Public Interest

Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances. The private sector may determine not to pitch new ideas and projects to Council if Council will not take into account a proponents concerns regarding protection of its ideas and commercially sensitive information. This may have the impact that Council does not maximise private sector innovation and service delivery improvement opportunities. Disclosure of the information contained in this report may cause detriment to the third party who supplied information to Council at this point in time, and may materially and adversely affect Council's ability to discuss/participate or influence a proposal for the benefit of the Council and the community in this matter.

2. Pursuant to s 90(2) of the *Local Government Act 1999 (SA)* this meeting of the Council dated 15/1/2019 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 6.1.2 [Strategic Property Matter] listed in the Agenda, on the grounds that such item of business, contains information and matters of a kind referred to in s 90(3) (b) & (d) of the Act.

Carried

ORDER TO EXCLUDE FOR ITEM 6.1.3:

Moved by Councillor Moran,
Seconded by the Deputy Lord Mayor (Councillor Abiad) -

THAT COUNCIL:

1. Having taken into account the relevant consideration contained in s 90(3) (b), (d) & (g) and s 90(2) & (7) of the *Local Government Act 1999 (SA)*, this Special meeting of the Council dated 15/1/2019 resolves that it is necessary and appropriate to act in a meeting closed to the public for the consideration of Item 6.1.3 [City Deal] 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 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 person with whom the council is conducting business, prejudice the commercial position of the Council.

The disclosure of information in this report could reasonably prejudice the commercial position of Council who supplied a 'commercial in confidence' proposal for evaluation by the Commonwealth government. Disclosure of commercial in confidence negotiations may adversely impact project viability, prejudice the ability to undertake/participate in future negotiations on the proposal and prejudice the Council's commercial position and opportunity for Council to participate in future like considerations or discussions.

Council has a duty of confidence to the Commonwealth and State governments in relation to the Adelaide City Deal negotiation process. It is reasonable to assume the Commonwealth and State may expect the Council maintain the confidentiality of negotiations.

Public Interest

The Council 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 finalisation of 'commercial in confidence' negotiations with the Commonwealth government. The disclosure of this information may materially and adversely affect the Council's ability to finalise the Adelaide City Deal and may prejudice Council's ability to discuss/participate or influence the proposal for the benefit of the Council and the community in this matter.

2. Pursuant to s 90(2) of the *Local Government Act 1999 (SA)* this meeting of the Council dated 15/1/2019 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 6.1.3 [City Deal] listed in the Agenda, on the grounds that such item of business, contains information and matters of a kind referred to in s 90(3) (b), (d) & (g) of the Act.

Carried

The public and members of Corporation staff not directly involved with Items 6.1.1, 6.1.2 and 6.1.3 left the Council Chamber at 6.25pm.

Confidential Item 6.1.1
2019 Citizen of the Year Awards
Section 90 (3)(a) of the *Local Government Act (SA) 1999*
Page 5

Confidential Item 6.1.2
Strategic Property Matter
Section 90 (3) (b) & (d) of the *Local Government Act (SA) 1999*
Pages 5 to 6

Confidential Item 6.1.3
City Deal
Section 90 (3)(b), (d) & (g) of the *Local Government Act (SA) 1999*
Pages 6 to 19

The Council Chamber re-opened to the public at 7.04pm and Councillors Abrahamzadeh, Dr Donovan, Hyde and Simms re-entered the Council Chamber at 7.04pm.

Confidentiality Orders

Minute 5 - Item 6.1.1 - 2019 Citizen of the Year Awards [C]

Confidentiality Order

In accordance with Section 91(7) & (9) of the *Local Government Act 1999* (SA) and on the grounds that Item 6.1.1 [2019 Citizen of the Year Awards] listed on the Agenda for the meeting of the Council held on 15 January 2019 was received, discussed and considered in confidence pursuant to Section 90(3) (a) of the *Local Government Act 1999* (SA), this meeting of the Council, 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 after the 2019 Citizen of the Year Awards Ceremony.

Minute 6 - Item 6.1.2 - Strategic Property Matter [C]

Confidentiality Order

In accordance with Section 91(7) & (9) of the *Local Government Act 1999* (SA) and because Item 6.1.2 [Strategic Property Matter] listed on the Agenda for the Special meeting of the Council held on 15 January 2019 was received, discussed and considered in confidence pursuant to Section 90(3) (b) & (d) of the *Local Government Act 1999* (SA), this Special meeting of the Council, 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 December 2027.
2. The confidentiality of the matter be reviewed in December 2019.
3. The Chief Executive Officer be delegated the authority to review and revoke all or part of the order herein and directed to present a report containing the Item for which the confidentiality order has been revoked.

Minute 7 - Item 6.1.3 – City Deal [C]

Confidentiality Order

In accordance with Section 91(7) & (9) of the *Local Government Act 1999* (SA) and on the grounds that Item 6.1.3 listed on the Agenda for the Special meeting of Council held on 15 January 2019 was received, discussed and considered in confidence pursuant to Section 90(3) (b), (d) & (g) of the *Local Government Act 1999* (SA), this Special meeting of the Council, 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 15 January 2025;
2. The confidentiality of the matter be reviewed in December 2019; and
3. The Chief Executive Officer be delegated the authority to review and revoke all or part of the order herein and directed to present a report containing the Item for which the confidentiality order has been revoked.

Closure

The meeting closed at 7.05pm.

Mark Goldstone,
Chief Executive Officer

Sandy Verschoor,
Lord Mayor.

The document referenced in Minute 3 – Item 4.3 - City Deal is attached for reference.

2013/01266
Public

Approving Officer:
Mark Goldstone, Chief Executive
Officer

EXECUTIVE SUMMARY:

This report is provided to ensure Council is kept informed of progress in relation to the Adelaide City Deal.

A City Deal is a tripartite agreement between Federal, State and Local governments to deliver collaborative, bold and strategic programs that require significant investment.

A City Deal should be collaborative and consist of projects that can be replicated in other local government areas around Australia.

On the 12th December 2018, the Prime Minister Scott Morrison signed an Adelaide City Deal Memorandum of Understanding (MoU) with Premier Steven Marshall (**Attachment A**).

Following this announcement, the Australian Government Department for Cities requested input from the City of Adelaide for consideration in future negotiations.

Those negotiations are to be undertaken in early 2019.

RECOMMENDATION:

THAT COUNCIL

1. Notes the Adelaide City Deal update.
2. Notes the CEO will keep Council informed of negotiations as they progress.

IMPLICATIONS AND FINANCIALS:

City of Adelaide 2016-2020 Strategic Plan	There is potential for the Adelaide City Deal to be closely aligned with the City of Adelaide 2016-2020 Strategic Plan.
Policy	Not applicable to this report.
Consultation	Not applicable to this report.
Resource	Not applicable to this report.
Risk / Legal / Legislative	Both the Federal and State Governments would provide legal advice and each City Deal project will include a comprehensive risk analysis through its delivery planning. A robust governance structure will be put in place prior to signing to oversee delivery of the City Deal.
Opportunities	An Adelaide City Deal would potentially enable the progress of deliverables in the City of Adelaide Strategic Plan that in turn will provide benefits to our community.
18/19 Budget Allocation	Dependent upon negotiations with both Federal and State Governments.
Proposed 19/20 Budget Allocation	Dependent upon negotiations with both Federal and State Governments.
Life of Project, Service, Initiative or (Expectancy of) Asset	Dependent upon negotiations with both Federal and State Governments
18/19 Budget Reconsideration (if applicable)	Will be dependent upon negotiations with both Federal and State Governments.
Ongoing Costs (eg maintenance cost)	Each project will require detailed budget plans, projections and operational costings, savings, revenue and returns on the investment.
Other Funding Sources	Support from Federal and State Governments, universities, private enterprise and other key stakeholders investments.

DISCUSSION

1. The Australian Government's City Deals concept, is a collaborative funding model between the Australian Government, a state or territory government, and local governments, that will make our cities better places to live in and do business.
2. City Deals enable governments, industries and communities to develop collective plans for growth and commit to the actions, investments, reforms and governance needed to implement them.
3. Through making the most of new and existing investments of governments, City Deals set out the specific investments and reforms needed to unlock business and industry development and growth and ensure community wellbeing.
4. By bringing together all levels of government, the private sector and the community, City Deals provide a coordinated investment opportunity for a city.
5. City Deals need to demonstrate a capacity for the City Deal to effectively replicate its projects in other city and town locations around Australia.
6. The Australian Government has signed City Deals for Townsville, Launceston, Darwin and Western Sydney, with future deals having been announced for Perth, Geelong and Hobart.
7. On 22nd November 2018, CEO Mark Goldstone was invited by Minister Tudge to attend a 'City Deal Roundtable' held in Adelaide between the Premier of South Australia, the CEO's of several metropolitan Adelaide councils, Australian Government representatives and other key City Deal stakeholders.
8. On the 12th December 2018 Prime Minister Scott Morrison signed a Memorandum of Understanding (MoU) with Premier Steven Marshall for an Adelaide City Deal.
9. The Commonwealth and South Australian Government have agreed that the redevelopment of Lot 14 will form the centrepiece of the City Deal.
10. The Adelaide City Deal will contain the following priority themes:
 - 10.1. Targeted investment to deliver a precinct that drives entrepreneurship and innovation
 - 10.2. Getting the settings right to better manage population growth and city planning
 - 10.3. Enhancing Adelaide's liveability through investment in culture and the arts.
11. Following the MoU signing, the Federal Government Department for Cities requested input from CEO Mark Goldstone to progress the Adelaide City Deal.
12. It is anticipated further negotiations will be undertaken and concluded in early January 2019.

ATTACHMENTS

Attachment A – Memorandum of Understanding (MoU)

- END OF REPORT -



**Government of
South Australia**

Australian Government

**MEMORANDUM OF UNDERSTANDING
TO ESTABLISH AND IMPLEMENT CITY DEALS**

between

The Commonwealth of Australia

and

The State of South Australia

December 2018

Preamble

This Memorandum of Understanding (MoU) provides an undertaking by the Commonwealth and the State of South Australia (South Australia) to work together on City Deals.

City Deals bring together all three levels of government aligning planning, investment and governance to better manage population growth, accelerate job creation, stimulate urban renewal and drive economic reforms.

The Commonwealth and South Australia will consider all appropriate levers to give effect to City Deals. South Australia and participating local government partners will in turn align land use, policy and regulatory settings and infrastructure priorities to implement the City Deal. This will enable the full economic potential of our cities to be realised.

As a first priority, the Commonwealth and South Australia will work with relevant local governments to deliver a City Deal for Adelaide in the first quarter of 2019.

Adelaide City Deal

The City Deal will support the growth of Adelaide as a vibrant, innovative city that drives the economy forward. It will focus on fostering, attracting and retaining a skilled workforce and establishing a framework for all three levels of government to work together to achieve the city's goals of a growing population and a growing economy.

The Commonwealth and the South Australian Government have agreed that the redevelopment of the old Royal Adelaide Hospital site - Lot Fourteen - will form the centrepiece of the City Deal. The development of this world-leading innovation hub, under transformation over the next seven years, will harness the city's greatest strengths - its cultural depth, research excellence and commercial potential.

As an initial Commonwealth contribution to the Adelaide City Deal, the Australian Space Agency will be headquartered at Lot Fourteen and form the heart of its innovation ecosystem. The Space Agency is charged with working across the nation to grow a globally respected Australian space industry, inspiring the community and the next generation of space entrepreneurs. The formation of the new Space Agency in Adelaide will foster new and emerging industries, support new jobs and attract highly skilled talent to secure the city's future prosperity.

The Adelaide City Deal will also have a key focus on delivering a long-term vision for the city, supported by an integrated population plan that ensures the jobs, infrastructure, services and public spaces are in place to create a fast-growing, productive and liveable Adelaide.

Adelaide City Deal – Priority Themes

To deliver this vision, we agree to work collaboratively to develop a City Deal for Adelaide structured around the following themes:

Targeted investment to deliver a precinct that drives entrepreneurship and innovation

The centrepiece of the Adelaide City Deal will be a world-class creation and innovation precinct, catalysed through the redevelopment of the old Royal Adelaide Hospital site, known as **Lot Fourteen**. Lot Fourteen will become Adelaide's new home of innovation by attracting investment from technology-rich industries. In doing so our aim is to create new opportunities for Adelaide to establish an international reputation for excellence and innovation among the fast growing new industries such as artificial intelligence, robotics, big data and defence and space technologies and support a highly skilled and educated workforce. The South Australian Government is leading the Lot Fourteen redevelopment, and the Commonwealth will identify opportunities for co-investment.

Our commitment to Lot Fourteen will leverage other initiatives including the roll out of the **GigCity network** and the substantial Commonwealth investments under the **Naval Shipbuilding Plan**.

Getting the settings right to better manage population growth and city planning

All levels of government are working together through the Council of Australian Governments (COAG) to improve population planning and management. In South Australia, the Adelaide City Deal will be a key vehicle for supporting this process and helping reform the way the Commonwealth and South Australia plan for stronger **population growth**.

The Commonwealth will commit to working with South Australia to ensure it can access overseas workers where Australians are not available. This could include measures such as developing a Designated Area Migration Agreement to tailor temporary and permanent visa arrangements to the specific needs of the Adelaide and South Australian labour market. The Commonwealth will also work with South Australia as the pilot state for the three-year Supporting Innovation in South Australia (SISA) visa which will encourage budding foreign entrepreneurs. This will support Adelaide's aim of being a world-class destination for technology and engineering expertise and complement strategies for retaining more of its highly skilled professionals through investment in the Lot Fourteen development.

The Adelaide City Deal will put in place a new governance mechanism through which Commonwealth, State and local governments can work cooperatively to support the growth of Adelaide.

Enhancing Adelaide's liveability through investment in culture and the arts

Adelaide already has a reputation for its cultural and culinary attractions, which support a strong visitor economy and give its residents an enviable lifestyle. The Adelaide City Deal will identify opportunities for all levels of government to build on and highlight Adelaide's strengths as a **cultural, arts, education and tourism destination** including through new galleries and cultural education.

In addition to these focus areas, other projects that are consistent with the vision and objectives may also be agreed during the development of the Adelaide City Deal.

Principles for collaboration

The Commonwealth and South Australian Governments commit to the following foundational principles in support of City Deals. City Deals will:

- Involve the community and private sector in determining priorities and how they can contribute to delivery.
- Prioritise local needs within a context of nationally significant reform, including actions that drive productivity and competition.
- Take a long-term approach to achieve transformative change within the period of a City Deal, with clear short and medium term actions that provide certainty to business and the community.
- Identify the 'game-changers' and catalyst actions that will deliver a step-change in growth outcomes and then prioritise delivery.
- Be flexible to allow for changing needs and emerging priorities.
- Deliver action and reform that are additional to governments' usual operations.
- Establish streamlined governance to enable effective collaboration, coordination within and across governments and strong leadership with clear accountabilities.
- Support open access to data for transparent, evidence-based decision making, performance monitoring and smart technology solutions.
- Define measurable goals, priorities, actions and implementation timeframes to enable performance to be measured and all parties held to account.

Agreement

Through this Memorandum of Understanding the Commonwealth and South Australian Governments agree to work cooperatively and collaboratively to agree priority locations and improve South Australia's cities through the implementation of tailored City Deals.

Relevant local governments will be invited to participate in developing and implementing City Deals in South Australia.

SIGNED for and on behalf of the Commonwealth of Australia by:




The Hon Scott Morrison MP

Prime Minister
Commonwealth of Australia

12/12/2018

SIGNED for and on behalf of the State of South Australia by:



The Hon Steven Marshall MP

Premier
State of South Australia

13/12/2018