



COUNCIL AGENDA & REPORTS

for the meeting

Tuesday 29 January 2019
at 6.00pm

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.

1. Acknowledgement of Country

At the opening of the Council Meeting, the Lord Mayor will state:

'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.'

2. Acknowledgement of Colonel William Light

Upon completion of the Kurna Acknowledgment, the Lord Mayor will state:

'The Council acknowledges the vision of Colonel William Light in determining the site for Adelaide and the design of the City with its six squares and surrounding belt of continuous Park Lands which is recognised on the National Heritage List as one of the greatest examples of Australia's planning heritage.'

3. Prayer

Upon completion of the Acknowledgment of Colonel William Light by the Lord Mayor, the Chief Executive Officer will ask all present to pray -

'Almighty God, we ask your blessing upon the works of the City of Adelaide; direct and prosper its deliberations to the advancement of your glory and the true welfare of the people of this City. Amen'

4. Memorial Silence

The Lord Mayor will ask all present to stand in silence in memory of those who gave their lives in defence of their Country, at sea, on land and in the air.

5. Apologies and Leave of Absence

Nil

6. Confirmation of Minutes – 11/12/2018 & 15/1/2019

That the Minutes of the meeting of the Council held on 11 December 2018, and the Special meeting of the Council held on 15 January 2019, be taken as read and be confirmed as an accurate record of proceedings.

7. Deputations

Granted as at 24 January 2019

7.1. Deputation – Libby Hicks-Maitland – Hurtle Square Trees

7.2. Deputation – Matthew Kennedy – Hurtle Square Trees

7.3. Deputation – Maryellen Griffiths – Hurtle Square Trees

8. Petitions

8.1 Petition – Desert Ash Trees – Hurtle Square [2018/04073] [Page 4]

9. Report of Committee and Advice from Adelaide Park Lands Authority (APLA)

9.1 Recommendations of The Committee – 22/1/2019 [2018/04062] [Page 7]

Recommendation 1 Bike Share On-Street Activity Permit Application

Recommendation 2 Incentive Package to Reinstate Front Gardens through a Parking Permit Scheme

Recommendation 3	Heritage Incentives Scheme Allocation over \$50,000
Recommendation 4	City of Sydney and Melbourne - Planning and Development Initiatives
Recommendation 5	2018/19 Grant Recommendation –Recreation and Sport
Recommendation 6	Adelaide Oval – Submission to Select Committee
Recommendation 7	Section 270 Internal Review of Decision – Hurtle Square Tree Replacement
Recommendation 8	City of Adelaide Response - Labor Local Government reform package

- 9.2** Advice of the Adelaide Park Lands Authority – 24/1/2019 [2018/04062]
Advice to Note to be distributed separately

10. Lord Mayor's Reports

11. Councillors' Reports

- 11.1** Reports from Council Members [2014/04844] [Page 10]

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

Strategic Alignment – Smart – Nil

Strategic Alignment – Green - Nil

Strategic Alignment – Liveable

- 12.1.** West Franklin Stage One – Rescind Land Management Agreement [2014/01897-5] [Page 13]

Strategic Alignment – Creative – Nil

Strategic Alignment - Corporate Activities

- 12.2.** Adelaide Park Lands Authority Annual Report 2017/18 [2010/03030] [Page 19]

- 12.3.** Appointment of the Official Partner of the Lord Mayor [2018/04515] [Page 55]

13. Questions on Notice

- 13.1.** Councillor Martin – Question on Notice – Confidential Orders [Page 58]

14. Questions without Notice

15. Motions on Notice

- 15.1.** Councillor Simms – Motion on Notice – Participatory Budgetary Processes [2016/01110] [Page 59]

- 15.2.** Councillor Simms – Motion on Notice – Disclosure of Political Party Membership and Donations [2015/03575] [Page 60]

- 15.3.** Councillor Simms – Motion on Notice – Reducing Single Use Plastics [2018/02571] [Page 61]

- 15.4.** Councillor Dr Donovan – Motion on Notice – Wattle Grove War Memorial [2018/04053] [Page 62]

16. Motions without Notice

17. Exclusion of the Public

- 17.1.** Exclusion of the Public [2018/04291] [Page 63]

For the following report of The Committee seeking consideration in confidence

- 18.1.1** Recommendation of The Committee in Confidence – 22/1/2019

Recommendation 1 New Activation Proposal – Garden of Unearthly Delights
[s90 (3) (d)]

For the following Advice of the Adelaide Park Lands Authority (APLA) seeking receipt in confidence

- 18.1.2** Advice of the Adelaide Park Lands Authority in Confidence – 24/1/2019

Advice 1 to Note – Strategic Lease Matter [s90 (3) (d)]

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

Strategic Alignment – Creative

- 18.2.1.** Strategic Lease Matter [s 90(3) (d)]

18. Confidential Reports

- 18.1.** Confidential Report of Committee and Advice from Adelaide Park Lands Authority

18.1.1 Recommendation of The Committee in Confidence– 22/1/2019 [2018/04062] [Page 67]

Recommendation 1 New Activation Proposal – Garden of Uneathly Delights

18.1.2 Advice of the Adelaide Park Lands Authority in Confidence – 24/1/2019 [2018/04062]

Advice 1 to Note Strategic Lease Matter

To be distributed separately

18.2. Confidential Reports for Council (Chief Executive Officer's Reports)

Strategic Alignment – Creative

18.2.1. Strategic Lease Matter [2017/02046]

To be distributed separately

19. Closure

Petition – Desert Ash Trees – Hurtle Square

ITEM 8.1 29/01/2019
Council

Program Contact:
Jacki Done, AD People &
Governance 8203 7256

2018/04073
Public

Approving Officer:
Steve Mathewson, Director
Services

EXECUTIVE SUMMARY:

This report presents to Council a petition from owners/residents of 2-6 and 12-14 Hurtle Square, Adelaide, apartments in the north east quadrant of Hurtle Square.

The petition contains 30 signatories encouraging Council to:

- Rescind their decision of 24 July 2018 to remove certain trees from the eastern side of the north east quadrant of Hurtle Square
- Resolve to retain the said trees in light of the Adelaide City Council's own expert arborist advice that these trees are in good health and condition (Council meeting papers, 14 June 2018)
- Maintain its succession planning approach to tree and streetscape garden renewal whereby plantings, whether street trees or shrubs, are replaced only as recommended by the Council's own expert advisers, and in an orderly and systematic fashion
- Maintain providing habitats for native fauna as a priority in its decision making about tree removal and replacement.

RECOMMENDATION:

THAT COUNCIL:

1. Receives and notes the petition containing 30 signatories, distributed as a separate document to Item 8.1 on the Agenda for the meeting of the Council held on 29 January 2019 requesting that Council:
 - 1.1. Rescind their decision of 24 July 2018 to remove certain trees from the eastern side of the north east quadrant of Hurtle Square.
 - 1.2. Resolve to retain the said trees in light of the Adelaide City Council's own expert arborist advice that these trees are in good health and condition (Council meeting papers, 14 June 2018).
 - 1.3. Maintain its succession planning approach to tree and streetscape garden renewal whereby plantings, whether street trees or shrubs, are replaced only as recommended by the Council's own expert advisers, and in an orderly and systematic fashion.
 - 1.4. Maintain providing habitats for native fauna as a priority in its decision making about tree removal and replacement.

IMPLICATIONS AND FINANCIALS:

City of Adelaide 2016-2020 Strategic Plan	Not as a result of this report.
Policy	Not as a result of this report.
Consultation	Not as a result of this report.
Resource	Not as a result of this report.
Risk / Legal / Legislative	Petition presented for receipt in accordance with Standing Orders and the <i>Local Government (Procedures at Meetings) Regulations 2013</i>
Opportunities	Not as a result of this report.
18/19 Budget Allocation	Not as a result of this report.
Proposed 19/20 Budget Allocation	Not as a result of this report.
Life of Project, Service, Initiative or (Expectancy of) Asset	Not as a result of this report.
18/19 Budget Reconsideration (if applicable)	Not as a result of this report.
Ongoing Costs (eg maintenance cost)	Not as a result of this report.
Other Funding Sources	Not as a result of this report.

DISCUSSION

Petition

1. A petition has been received from owners/residents of 2-6 and 12-14 Hurtle Square, Adelaide, apartments in the north east quadrant of Hurtle Square relating to the removal of trees from the eastern side of the north east quadrant of Hurtle Square.
2. If a petition is received the Chief Executive Officer must ensure the petition is placed on the agenda for the next ordinary meeting of Council. If not urgent, a petition can be held over to the second ordinary meeting of the month. The petition itself will be distributed to the Lord Mayor and Elected Members separately. Members of the public may seek a copy of the full petition upon written request to the Chief Executive Officer.
3. To determine that a document presented is a petition under the Regulations, the following matters in conjunction with the requirements of Standing Orders (*Regulation 10 Local Government (Procedures at Meetings) Regulations 2013 SA*) are assessed prior to the presentation of a petition to the Council:
 - 3.1 *What is a Petition?*
A 'petition' is commonly defined as 'a formal document which seeks the taking of specified action by the person or body to whom it is addressed' or 'a written statement setting out facts upon which the petitioner bases a prayer for remedy or relief.'
 - 3.2 *Does the Petition contain original signatures accompanied by an address?*
A petition being a document of a formal nature must contain original signatures or marks (not copies) and those signatures must be accompanied by an address.
 - 3.3 *Does each page of the Petition identify what the signature is for?*
Each signature must be on a true page of the petition which sets out the prayer for relief as part of that page - a sheet which contains signatures but not the prayer cannot be accepted as valid as there is no evidence as to what the signatories were attesting to.
 - 3.4 *Language in the Petition?*
It is usual for the prayer to be written in temperate language and not to contain material that may objectively be regarded as defamatory in content.
4. To meet the requirements of *Regulation 10 of Local Government (Procedures at Meetings) Regulations 2013 SA* a petition must:
 - 4.1 be legibly written or typed or printed;
 - 4.2 clearly set out the request or submission of the petitioners;
 - 4.3 include the name and address of each person who signed or endorsed the petition; and
 - 4.4 be addressed to the Council and delivered to the principal office of the Council.
5. The petition requests Council to:
 - 5.1 Rescind their decision of 24 July 2018 to remove certain trees from the eastern side of the north east quadrant of Hurtle Square
 - 5.2 Resolve to retain the said trees in light of the Adelaide City Council's own expert arborist advice that these trees are in good health and condition (Council meeting papers, 14 June 2018)
 - 5.3 Maintain its succession planning approach to tree and streetscape garden renewal whereby plantings, whether street trees or shrubs, are replaced only as recommended by the Council's own expert advisers, and in an orderly and systematic fashion
 - 5.4 Maintain providing habitats for native fauna as a priority in its decision making about tree removal and replacement.
6. The petition contains 30 signatories.

ATTACHMENTS

Petition - distributed separately to Lord Mayor and Councillors.

Recommendations of The Committee

- 22/1/2019

ITEM 9.1 29/01/2019
Council

Program Contact:
Jacki Done, AD People &
Governance 8203 7256

Approving Officer:
Steve Mathewson, Director
Services

2018/04062
Public

EXECUTIVE SUMMARY:

The Committee considered the following Items at its meeting held on 22 January 2019 and resolved to present to Council a Recommendation for each for Council determination:

- Item 5.1 - Bike Share On-Street Activity Permit Application
- Item 5.2 - Incentive Package to Reinstate Front Gardens through a Parking Permit Scheme
- Item 5.3 - Heritage Incentives Scheme Allocation over \$50,000
- Item 5.4 - City of Sydney and Melbourne - Planning and Development Initiatives
- Item 5.5 - 2018/19 Grant Recommendation –Recreation and Sport
- Item 5.6 - Adelaide Oval – Submission to Select Committee
- Item 5.7 - Section 270 Internal Review of Decision – Hurtle Square Tree Replacement
- Item 5.8 - City of Adelaide Response - Labor Local Government reform package

RECOMMENDATION:

THAT COUNCIL ADOPTS THE FOLLOWING RECOMMENDATIONS OF THE COMMITTEE

1. Recommendation 1 - Bike Share On-Street Activity Permit Application

That Council:

1. Approves the Bike Share On-Street Activity Permit application for AirBike to commence a dockless bike sharing scheme in Adelaide.
2. Authorises the CEO to negotiate with AirBike on the launch of the dockless bike share scheme including the number of bikes for the City and North Adelaide.

2. Recommendation 2 - Incentive Package to Reinstate Front Gardens through a Parking Permit Scheme

That Council:

1. Notes the report and the Discussion Paper, Attachment A, to Item 5.2 on the Agenda for the meeting of The Committee held on 22 January 2019.

3. Recommendation 3 - Heritage Incentives Scheme Allocation over \$50,000

That Council:

1. Approves an allocation of \$76,098.50 for conservation work as contained in Attachment A to Item 5.3 on the Agenda for the meeting of The Committee held on 22 January 2019 for St Margaret's, 21 -26 Brougham Place North Adelaide in accordance with the Heritage Incentives Scheme Operating Guidelines.

4. Recommendation 4 - City of Sydney and Melbourne - Planning and Development Initiatives

That Council:

1. Notes the report and Discussion Papers, Attachment A and Attachment B to Item 5.4 on the Agenda for the meeting of the Committee held on 22 January 2019.

5. Recommendation 5 - 2018/19 Grant Recommendation –Recreation and Sport

That Council:

1. Endorses the following 2018/19 grant recommendation for *Pushing Performance 'Activate Adelaide'* of \$28k over two (2) years; \$14k in 2018/19 and \$14k in 2019/20, Attachment A, to Item 5.5 on the Agenda for the meeting of The Committee held on 22 January 2019.
2. Notes the 2018/19 recommendations for grants under \$10k that have been approved under CEO delegation to date, Attachment B to Item 5.5 on the Agenda for the meeting of The Committee held on 22 January 2019.

6. Recommendation 6 - Adelaide Oval – Submission to Select Committee

That Council:

1. Approves the submission (and covering letter) to the Select Committee established by the South Australian Legislative Council to 'inquire into and report on a redeveloped Adelaide Oval' included as Attachment A to Item 5.6 on the Agenda for the meeting of The Committee held on 22 January 2019 with commentary added to the matrix beginning at page 73. The comments should include at:
 3. a list of matters where proposed activities in the leased and licensed areas have been the subject of requests for confidentiality orders and the consequent impacts on Council's communication with neighbouring residents and businesses.
 6. specific reference to the briefing provided to Elected Members on the afternoon of Saturday November 25th, 2018, the fact that Council had not been previously consulted, the Stadium Management Authority's advice in the briefing the City of Adelaide had no role in the process associated with the Hotel proposal and the publication of the details of the Hotel development on the News Limited website 2 hours later.
 9. acknowledge that Council has sought and received a legal opinion in regards to the proposal and the reasons Council is unable to disclose the details publicly.
 10. further senior counsel advice to be sought.

7. Recommendation 7 - Section 270 Internal Review of Decision – Hurtle Square Tree Replacement

That Council:

1. Notes the report and resolves to rescind the decision of the previous Council.
[Decision of the previous Council - 24 July 2018 titled Item 15.1 – Councillor Antic – Motion on Notice – Replacement of Trees – North Eastern Quadrant of Hurtle Square]

8. Recommendation 8 - City of Adelaide Response - Labor Local Government reform package

That Council:

1. Notes the report and discussion on potential impacts of the Local Government (Ratepayer and Related Measures) Amendment Bill 2018 as set out in Attachment A to Item 5.8 on the Agenda for the meeting of The Committee held on 22 January 2019.
2. Adopts the proposed responses as set out in Attachment A to Item 5.8 on the Agenda for the meeting of The Committee held on 22 January 2019, in relation to the reforms proposed in the Local Government (Ratepayer and Related Measures) Amendment Bill 2018.
3. Authorises the Lord Mayor to provide a written response on behalf of Council to the Local Government Association of South Australia in relation to the Local Government (Ratepayer and Related Measures) Amendment Bill 2018.
4. Authorises the Lord Mayor to provide a written response on behalf of Council to the Government of SA and Parliament in relation to the Local Government Association of South Australia Local Government (Ratepayer and Related Measures) Amendment Bill 2018.

DISCUSSION

1. The table below summarises the deliberations of The Committee that resulted in recommendations to Council for Council determination.

The Committee Agenda with reports for the public component of the meeting of The Committee can be viewed [here](#)

The following recommendation of The Committee for Council determination revised the recommendation presented in the Committee Report

Recommendation 6 - Adelaide Oval – Submission to Select Committee [Item 5.6]

Recommendation 7 - Section 270 Internal Review of Decision – Hurtle Square Tree Replacement [Item 5.7]

Recommendation 8 - City of Adelaide Response - Labor Local Government reform package [Item 5.8]

The following recommendation of The Committee for Council determination adopted the recommendation as presented in the Committee Report

Recommendation 1 - Bike Share On-Street Activity Permit Application [Item 5.1]

Recommendation 2 - Incentive Package to Reinstate Front Gardens through a Parking Permit Scheme [Item 5.2]

Recommendation 3 - Heritage Incentives Scheme Allocation over \$50,000 [Item 5.3]

Recommendation 4 - City of Sydney and Melbourne - Planning and Development Initiatives [Item 5.4]

Recommendation 5 - 2018/19 Grant Recommendation – Recreation and Sport [Item 5.5]

2. Note for Recommendation 6 – Adelaide Oval – Submission to Select Committee

The Adelaide Park Lands Authority has been invited to make a submission to the Select Committee and considered its submission at its Board meeting held on 24/1/2019.

Refer to Item 9.2 on the Agenda for this meeting of Council for the advice of the Authority.

3. Note for Recommendation 7 - Section 270 Internal Review of Decision – Hurtle Square Tree Replacement

The previous decision of Council to be rescinded referenced in The Committee recommendation is below.

Council Decision – 24 July 2018

Item 15.1 - Councillor Antic – Motion on Notice – Replacement of Trees - North Eastern Quadrant of Hurtle Square [2014/04937] [C]

That:

Council requests Administration to replace all of the trees along the eastern side of the North Eastern quadrant of Hurtle Square with 'matching, same size trees ensuring consistency of growth and enhancement of the panoramic vista of the area' as requested in the petition from the owner / occupiers of 12-14 Hurtle Square tabled at Item 6.1 of the Council Agenda dated 12 June 2018.

ATTACHMENTS

Nil

- END OF REPORT -

Reports from Council Members

ITEM 11.1 29/01/2019
Council

Program Contact:

Jacki Done, AD People &
Governance 8203 7256

2018/04064
Public

Approving Officer:

Steve Mathewson, Director
Services

EXECUTIVE SUMMARY:

This report is presented to:

1. Advise Council of the functions that Council Members have attended on behalf of the Lord Mayor.
2. Provide a summary of Council Members meeting attendance for the period 27 November 2018 to 15 January 2019.
3. For Council Member who are representing Council on external Boards or Committees, provide information on the activities being undertaken by the relevant Board and Committee.

Council Members can table reports at the Council meeting and these reports will be included in the Minutes of the meeting.

RECOMMENDATION:

THAT COUNCIL

1. Notes the functions attended on behalf of the Lord Mayor (Attachment A to Item 11.1 on the Agenda for the meeting of the Council held on 29 January 2019).
2. Notes the summary of Council Members meeting attendance for the period 27 November 2018 to 15 January 2019 (Attachment B to Item 11.1 on the Agenda for the meeting of the Council held on 29 January 2019).
3. Notes that reports from Council Members tabled at the meeting of the Council held on 29 January 2019 be included in the Minutes of the meeting.

ATTACHMENTS

Attachment A – Functions attended

Attachment B – Summary of meeting attendance

- END OF REPORT -

FUNCTIONS ATTENDED ON BEHALF OF THE LORD MAYOR

11/12/2018 – 29/01/2019

ELECTED MEMBER	EVENT	INFORMATION
DLM Abiad	18/12/2018 Committee for Adelaide	End of Year Celebration for the work carried out in 2018 by the Committee for Adelaide





ELECTED MEMBER	EVENT	INFORMATION
Cr Hyde	28/12/2018	182 nd Proclamation Day Commemoration – held at the Old Gum Tree Reserve, Glenelg North

ELECTED MEMBER	EVENT	INFORMATION
Cr Simms	14/12/2018	Graduation Ceremony for Recruit Course 53/2018 of the SA Metropolitan Fire Service

Member Meeting Attendance

	NAME	27/11/2018 - Council	10/12/2018 - Council Assessment Panel	11/12/2018 - Council	15/1/2019 - The Committee - Special	15/1/2019 - Council - Special	21/1/2019 - Council Assessment Panel	22/1/2019 - The Committee	Meetings held	Meetings attended
1	Lord Mayor Sandy Verschoor	✓		✓	✓		✓	5	5	
2	Councillor Houssam Abiad	✓		✓	✓		✓	5	5	
3	Councillor Arman Abrahamzadeh OAM	✓		✓	✓		✓	5	5	
4	Councillor Mary Couros	✓		✓	✓		✓	5	5	
5	Councillor Dr Helen Donovan	✓		✓	✓		✓	5	5	
6	Councillor Simon Hou	✓		✓	✓		✓	5	5	
7	Councillor Alex Hyde	✓		✓	✓		✓	5	5	
8	Councillor Jessy Khera	✓		✓	✓		✓	5	5	
9	Councillor Franz Knoll	✓		✓	✓		✓	5	5	
10	Councillor Phillip Martin	✓		✓	✓		✓	5	5	
11	Councillor Anne Moran	✓	✓	✓	✓	✓	✓	7	7	
12	Councillor Robert Simms	✓		✓	✓		✓	5	5	
	# in Attendance:	12	1	12	12	12	1	12		

Key:

	Apology
	Leave
	Not a Member
	Proxy Member

West Franklin Stage One – Rescind Land Management Agreement

ITEM 12.1 29/01/2019
Council

Program Contact:

Tom McCready, AD Property
8203 7313

2014/01897-5
Public

Approving Officer:

Ian Hill, Director Growth

EXECUTIVE SUMMARY:

Council initiated the Balfours/Bus Station redevelopment in 2003 covering an area of approximately two (2) hectares. In 2012 re-negotiations with the developer, (West Central Pty Ltd) allowed Council to take back the rights to the former Bus Station and Affordable Housing site (Mellor Street land).

A Land Management Agreement (LMA) was put in place across all remaining parcels of land to protect the master plan and minimum densities previously endorsed by Council and to protect Council's strategic interests when the remaining Balfours land was sold to another developer.

Zhengtang Pty Ltd (Zhengtang) purchased the land from West Central Pty Ltd and reconfigured the arrangement of the allotments to create West Franklin Stage One (1) comprising a portion of the former Balfours Stage Three (3) land and the 'Sitters and Fisher' site, Stage Two (2), remains the former 'Loft' Land and Stage Three (3) comprises the remaining former Balfours Stage Three (3).

West Franklin Stage One (1) received vendor approval in June 2015. At that time, Council also agreed to vary the development criteria as outlined in the LMA.

The purpose of this report is to seek Council approval to rescind the LMA and extinguish easements in favour of Council (rights of way) over those portions of land that comprise West Franklin Stage One (1) and the consequent use of the Common Seal on the relevant documentation to allow for the Community land division to occur.

The content of this report has no bearing on previous and ongoing discussions and considerations relating to Stage Two (2) of the development and the LMA associated with that part of land.

Zhengtang Pty Ltd, through their Solicitors, Commercial & Legal, have requested urgent consideration of this matter to allow Settlement to take place in mid-February 2019. It is recognised that ordinarily this matter would be processed through committee however given the request for urgent consideration from the developer this matter has been referred directly to Council.

RECOMMENDATION:

THAT COUNCIL

1. Approves the rescission of the Land Management Agreements registered over the land contained in Certificates of Title Volume 6195 Folios 473, 474, 475, 476, 477, 478 and 479.
2. Approves the Extinguishment of easements contained with Certificate of Title Volume 6151 Folios 362, 742 and 745.
3. Authorises the Lord Mayor and Chief Executive Officer to affix the Common Seal of Council to the "Certificate of Consent for the Deposit of a Plan of Community Division" (Attachment A to Item 12.1 on the Agenda for the meeting of the Council held on 29 January 2019) to give effect to the above recommendation.

IMPLICATIONS AND FINANCIALS:

City of Adelaide 2016-2020 Strategic Plan	Strategic Alignment – Liveable The development a high density, mixed use building comprising new commercial and residential land uses which supports the Strategic Plan's Liveable agenda. Rescinding the LMA's will allow for the land division to occur and settlement to take place.
Policy	Not in relation to this report.
Consultation	Not in relation to this report.
Resource	Not in relation to this report.
Risk / Legal / Legislative	Council is a party to the LMA's and is the holder of a registered easement for "rights of way" over portions of West Franklin Stage One (1) land. The rescission of the LMA and extinguishment of easements (situated on land that now comprise the building) is a required step to allow for the Deposit of Community Plan and the subsequent creation of the community strata titles which will allow for settlement to take place. Administration have negotiated the retention of the right of way over the portion of land that connects Ranelagh Street to Franklin Street as anticipated in the original master plan.
Opportunities	Development that aligns with Council's Strategic Plan.
18/19 Budget Allocation	Not in relation to this report
Proposed 19/20 Budget Allocation	Not in relation to this report
Life of Project, Service, Initiative or (Expectancy of) Asset	Not in relation to this report
18/19 Budget Reconsideration (if applicable)	Not in relation to this report
Ongoing Costs (eg maintenance cost)	Not in relation to this report
Other Funding Sources	Not in relation to this report

DISCUSSION

1. The Balfours site, which originally formed part of the project known as the Balfours/Bus Station redevelopment, is located on Franklin Street, between Morphett and Elizabeth Streets with an area of approximately 4,800m².
2. West Central Joint Venture Pty Ltd (WCJV) was unable to commence the project prior to the required Sunset date of 8 August 2011 and therefore was in breach of the Project Development Agreement (PDA).
3. A 'Notice of Default' was served on WCJV, and a 'Deed of Variation' (DOV) to the existing Project Development Agreement (PDA) was negotiated and executed by Council under Common Seal on 13 April 2012.
4. Key components of the DOV;
 - 4.1 WCJV relinquished rights over the old Bus Station and Affordable Housing sites;
 - 4.2 WCJV to retained rights over the Balfours Stage Three (3) land with the ability to re-assign the purchase of Stage Three (3) land to a third party, with a Land Management Agreement registered on the title in favour of Council.
 - 4.3 WCJV remained liable for Balfours Stage Two (2) and Three (3) environmental soil remediation costs onsite, Council remains liable for groundwater risks.
 - 4.4 Sunset dates removed from the contract and replaced with price escalation arrangements for settlement of the balance of land.
5. In accordance with the terms of the DOV, WCJV assigned the remainder of the undeveloped site (known as Balfours Stage Three (3)) to Zhengtang Pty Ltd. (Zhengtang).
6. A full summary of the stages associated with the Balfours/West Franklin redevelopment can be seen [here](#).
7. On 30 June 2015, Council awarded vendor approval for a new design scheme and agreed to the sale of the 'Sitters and Fisher' site to Zhengtang.
8. This allowed Zhengtang to consolidate its land holdings and at this time, Council also agreed to vary the development criteria contained within the LMA so as to align with West Franklin Stage One (1). In September 2015 Development Plan Consent was issued by the Development Assessment Commission (DAC).
9. West Franklin Stage One (1) is nearing completion. In late December 2018, Council received notification of the 'Application for Deposit of a Plan of Community Division' with supporting information received via an email on 17 January 2019 – view [here](#).
10. As part of this process, Council is required to execute a 'Certificate of Consent for the Deposit of a Plan of Community Division' (**Attachment A**). This consent is for the following:
 - 10.1 Rescission of relevant Land Management Agreements over West Franklin Stage One (1) land;
 - 10.2 Extinguishment of certain easements over West Franklin Stage One (1) land;
11. This consent will allow for the Primary Community Division (Residential and Commercial Lots) to take place and the subsequent Secondary Community Division (the individual apartments). The land division is required to ensure Settlement timelines are met.
12. Through discussions with the applicant, it has been agreed to retain the existing 'right of way' over that parcel of land that connects Ranelagh Street to Franklin Street. This is consistent with the original master plan.
13. There are no implications to Council in rescinding the LMA's as they were put in place to protect the master plan and minimum densities previously endorsed by Council and did not contain any on-going management requirements over the land. As the development of West Franklin Stage One (1) is now complete, the LMA's are no longer relevant.
14. However, LMA's will be retained over West Franklin Stage Two (2) (the former Loft Land) and West Franklin Stage Three (3) land. This process does not impact upon the discussions that Council has had with the Developer throughout 2018 in relation to West Franklin Stage Two (2) (the former Loft Land).

ATTACHMENTS

Attachment A – Certificate of Consent for the Deposit of a Plan of Community Division

- END OF REPORT -

CERTIFICATE OF CONSENT FOR THE DEPOSIT OF A PLAN OF COMMUNITY DIVISION

CONSENTING PARTY (Full Name and Address)

The Corporation of the City of Adelaide of GPO Box 2252, Adelaide SA 5000

NATURE OF ESTATE OR INTEREST HELD

A party to Land Management Registration Number AG12226659, AG12226638, AG12226653, AG12507381 and AG12226709

STATEMENT OF EFFECT ON ESTATES OR INTERESTS OF CONSENTING PARTIES

ESTATE / INTEREST AFFECTED	EFFECT ON ESTATE OR INTEREST HELD OR CLAIMED	CONSIDERATION / VALUE
AG12226659, AG12226638, AG12226653 and AG12507381	Rescission of Land Management Agreement Registration Number AG12226659, AG12226638, AG12226653, AG12507381 on Certificates of Title Volume 6195 Folios 473, 474, 475, 476, 477, 478 and 479 and also creation and extinguishment of easements as set out on the accompanying plan / Mode of Issue	Nil
AG12226659	Creation of easement "N" as set out on the accompanying plan / Mode of Issue	Nil
AG12226659	Variation of AG12226659 to cover the easement "N"	Nil
AG12226709	Creation of easement "M" as set out on the accompanying plan / Mode of Issue	Nil
AG12226709	Variation of AG12226709 to cover the easement "M"	Nil

** Strike through the inapplicable*

***Insert relevant effect on estate or interest*

We the consenting party

- (1) certify our consent to the deposit of the accompanying plan of community division in the Lands Titles Registration Office and for the accompanying schedule of lot entitlements to be annexed to the plan.
- (2) acknowledge that the deposit of the plan will affect our estate or interest to the extent set out in the above Statement of Effect panel.

DATED THE _____ DAY OF _____ 20____

EXECUTION BY CONSENTING PARTY

I, _____ of _____
 certify that the requirements of section 57(2) of the *Development Act 1993* (SA) to rescind Land Management Agreement AG12226659, AG12226638, AG12226653 and AG12507381 have been complied with.

CERTIFICATE OF CONSENT FOR THE DEPOSIT OF A PLAN OF COMMUNITY DIVISION

CONSENTING PARTY (Full Name and Address)

The Corporation of the City of Adelaide of GPO Box 2252, Adelaide SA 5000

NATURE OF ESTATE OR INTEREST HELD

An estate in fee simple as the registered proprietor of the whole of the land in Certificates of Title Volume 6151 Folios 362, 742 and 745 and Volume 6153 Folio 146

STATEMENT OF EFFECT ON ESTATES OR INTERESTS OF CONSENTING PARTIES

ESTATE / INTEREST AFFECTED	EFFECT ON ESTATE OR INTEREST HELD OR CLAIMED	CONSIDERATION / VALUE
Certificates of Title Volume 6151 Folios 362, 742 and 745	*Extinguishment*/Variation*/Creation* of easements as set out on the accompanying plan	Nil
Certificate of Title Volume 6153 Folio 146	*Extinguishment*/Variation*/Creation* of easements as set out on the accompanying plan	Nil

** Strike through the inapplicable*

***Insert relevant effect on estate or interest*

We the consenting party

- (1) certify our consent to the deposit of the accompanying plan of community division in the Lands Titles Registration Office and for the accompanying schedule of lot entitlements to be annexed to the plan.
- (2) acknowledge that the deposit of the plan will affect our estate or interest to the extent set out in the above Statement of Effect panel.

DATED THE _____ DAY OF _____ 20____

EXECUTION BY CONSENTING PARTY

Adelaide Park Lands Authority Annual Report 2017/18

ITEM 12.2 29/01/2019
Council

Program Contact:
Daniel Bennett, AD Strategy &
Design 8203 7295

2010/03030
Public

Approving Officer:
Beth Davidson-Park, Director
Operations

EXECUTIVE SUMMARY:

Attached is the draft Annual Report on the work and operations of the Adelaide Park Land Authority (the Authority) during 2017/18. As a subsidiary of the City of Adelaide, the Authority is required to submit an Annual Report to both the City of Adelaide and the Hon Stephan Knoll, Minister for Planning (the Minister), responsible for the *Adelaide Park Lands Act 2005*.

The Authority's Annual Report has been incorporated in the City of Adelaide's Annual Report.

RECOMMENDATION:

THAT COUNCIL:

1. Receives the Adelaide Park Lands Authority's Annual Report for the 2017/18 financial year (**Attachment A** to Item 12.2 on the Agenda for the meeting of Council held on 29 January 2019).
-

IMPLICATIONS AND FINANCIALS:

City of Adelaide 2016-2020 Strategic Plan	There are no implications for the Strategic Plan.
Policy	In accordance with its Charter, the Adelaide Park Lands Authority must submit to both Council and the Minister, responsible for the Adelaide Park Lands Act 2005, an Annual Report on its work and operations during the preceding financial year.
Consultation	Consultation is not required.
Resource	No resource implications.
Risk / Legal / Legislative	In preparing its Annual Report, the Authority meets its legislative obligations under the <i>Adelaide Park Lands Act 2005</i> .
Opportunities	For Council to be informed about the activities of the Adelaide Park Lands Authority.
18/19 Budget Allocation	No implications for the City of Adelaide's 18/19 Budget.
Proposed 19/20 Budget Allocation	No implications for the City of Adelaide's proposed 19/20 Budget.
Life of Project, Service, Initiative or (Expectancy of) Asset	An annual project and ongoing record.
18/19 Budget Reconsideration (if applicable)	Not as a result of this report.
Ongoing Costs (eg maintenance cost)	Not as a result of this report.
Other Funding Sources	Not as a result of this report.

DISCUSSION

Background

1. In accordance with its Charter, the Adelaide Park Lands Authority must submit to both the City of Adelaide and the Minister, responsible for the *Adelaide Park Lands Act 2005*, an Annual Report on its work and operations during the preceding financial year.
2. The Annual Report must detail the Authority's achievements against the aims and objectives of its Business Plan for that year and incorporate the Audited Financial Statement of the Authority and any other reports required by the City of Adelaide.

Supporting Information

3. The Authority's Annual Report for 2017/18 (**Attachment A**) demonstrates that the requirements of the Authority's 2017/18 Business Plan (based on the *Adelaide Park Lands Act 2005* and the Authority's Charter) have been satisfactorily addressed. The Authority's Annual Report focusses on its:
 - 3.1. 'Core Responsibility' of providing advice to both Council and the State Government on matters of strategic importance to the Adelaide Park Lands
 - 3.2. 'Supporting Responsibilities' including maintenance of appointments and preparation of reports.
4. Of note this year was the Authority's:
 - 4.1. Consideration of three large enhancement projects for the western and southern Park Lands
 - 4.2. Input into a master plan for Denise Norton Park / Pardipardinyilla (Park 2) and Yam Daisy Park / Kantarilla (Park 3) and also for Whitmore Square / Iparrityi
 - 4.3. Review of its Charter
 - 4.4. Decision to establish a committee to investigate World Heritage Listing for the Park Lands and City plan.
5. As required, the Annual Report incorporates the Audited Financial Statement of the Authority for 2017/18.
6. A copy of the Annual Report (incorporating the Audited Financial Statement) will also be submitted to the Minister responsible for the *Adelaide Park Lands Act 2005*.
7. The finalised version of the Annual Report has been incorporated as an appendix in the City of Adelaide's Annual Report.
8. The Board of the Adelaide Park Lands Authority adopted its 2016/17 Annual Report subject to minor amendments (now incorporated) at its meeting on 18 October 2018.

ATTACHMENTS

Attachment A – Annual Report 2017/18 – Adelaide Park Lands Authority

- END OF REPORT -

ment A



Adelaide Park Lands Authority Annual Report 2017-2018



The Adelaide Park Lands Authority acknowledges the Kurna people as the traditional owners of the Adelaide Plains and pays respect to Elders past and present. The Authority recognises and respects the cultural heritage, beliefs and relationship which the Kurna people have with the land and acknowledges that they are of continuing importance to the Kurna people living today.

The Authority extends that respect to other Aboriginal Language Groups and other First Nations.

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The Adelaide Park Lands Authority is the principal advisor to both the Council and the State Government on the protection, management, enhancement and promotion of the Adelaide Park Lands.

The Authority was established by the *Adelaide Park Lands Act 2005* as a subsidiary of the City of Adelaide under the provisions of the *Local Government Act 1999*.

The inaugural meeting of the Authority was held on 7 February 2007 and its first full financial year of operation occurred during 2007/08.

This document reports on the work undertaken by the Authority during its eleventh financial year from 1 July 2017 through 30 June 2018.

Cover image courtesy of the Adelaide Park Lands Preservation Association

Message from the Presiding Member



It is probably not well known that Adelaide as a City, with Park Lands and Squares was conceived of, notionally, well before Colonel Light laid out his plan in the new colony in early 1837.

In England, in the early 1800s, there was a growing social reform movement which greatly influenced the South Australian Colonization Commissioners in their early thinking about how the new City of Adelaide should look, feel and serve its inhabitants. Unlike towns in England, the Commissioners decided Adelaide should be open, easy to navigate and provide for the health and recreation of its people.

The Colonization Commission had a 'Plan of Town' prepared by its survey team in 1835. This notional plan was used to raise funds through preliminary purchases of town acres.

Colonel Light, upon his appointment as Surveyor General in 1836 was instructed to "When you have determined the site of the first town you will proceed to lay it out in accordance with the Regulations..." and 'you will make the streets of ample width, and arrange them with reference to the convenience of the inhabitants, and the beauty and salubrity of the town; and you will make the necessary reserves for squares, public walks and quays"

Our National Heritage Listed Park Lands were born this way and they have been preserved by South Australians ever since. We know that they not only enrich our day-to-day lives but also have world-wide planning significance.

Many early examples of parks in England were not truly public in nature because they were royal lands or privately owned and admitted people through a fee (for example Hyde Park opened in 1652 on a fee-paying basis) or the imposition of dress standards.

Other early planned cities such as Philadelphia (1687), Savannah (1733) and Toronto (1788) included squares and 'common ground' but these plans either didn't eventuate or didn't survive. Canberra of course, as a planned city, came much later.

Krakow in Poland has an almost intact ring of Park Lands but only by virtue of the removal of the medieval town walls. It was not planned as such.

Other parks such as Moor Park in Preston, England and Boston Common in the US started life around the same time but evolved out of degraded common ground, entering the public domain by accident.

So it seems that Adelaide was probably the first city that included a planned, public system of parks which, importantly, has survived, largely intact and in public ownership.

This is why the work of the Adelaide Park Lands Authority, in advising both the City of Adelaide and the Government of South Australia about caring for this invaluable legacy, is so important.

Adelaide is a living example of why publicly owned Parks are so important to a City and I thank the members of the Authority for their input into its valuable work.

This year, the work of the Authority illuminated the following highlights in the Park Lands:

- The creation of a brilliant new \$4.5m, multi-faceted park in the south Park Lands
- \$3.2m of expanded and redeveloped netball courts in Josie Agius Park / Wikaparntu Wirra (Park 22)
- A \$6.6m enhancement of Gladys Elphick Park / Narningga (Park 25) opposite the new Royal Adelaide Hospital
- A new sporting facility in Ellis Park / Tampawardli (Park 24) serving the soccer and athletics communities
- The creation of an exciting high ropes course in the tree tops of the beautiful stand of trees near the corner of Greenhill and Unley Rd.

I have had the great pleasure of conducting five community Park Lands Rambles this year as follows:

- The North Park Lands
- Victoria Park / Pakapakanthi (Park 16) and Tuthangga (Park 17)
- The historic West Terrace Cemetery and surrounds
- Botanic Park and River Torrens / Karrawirra Pari
- Bonython Park / Tulya Wardli (Park 27) which also included the Golf Course.

These were well attended and, with guest contributions regarding the natural and cultural history, made for a relaxing and informative morning in our wonderful Parks. More are planned for next year.

Martin Haese,
Lord Mayor, City of Adelaide
Presiding Member, Adelaide Park Lands Authority



The Board of the Adelaide Park Lands Authority. From left to right, Councillor David Slama, Councillor Priscilla Corbell-Moore, Kirsteen Mackay, Sally Smith (Deputy Presiding Member), Martin Haese, Lord Mayor of Adelaide and Presiding Member of the Authority, Councillor Sandy Wilkinson, Councillor Anne Moran, Anita Allen, Stephanie Johnston and Roger Zubrinich

The Year in Summary

The Adelaide Park Lands are always changing.

Not only do the Park Lands change throughout the seasons and through the many events and sporting activities that take place. They also change through the annual plantings and ongoing horticultural work as well as the enhancements that occur each year.

Enhancements in the South Park Lands

2017/18 saw the \$4.5m redevelopment (funded by the State Government) of a large portion of Pelzer Park / Pityarilla (Park 19), including two dog parks, an expanded playspace, new lighting, courts and play opportunities in an upgraded natural creek setting.

The netball courts in Josie Agius Park / Wikaparntu Wirra (Park 22), used by more than 188,000 people annually, have been expanded and redeveloped through \$3.2m in funding provided by the State Government.

Also of note in the southern Park Lands is the creation of a high ropes climbing course in the tree tops of the beautiful stand of trees near the corner of Greenhill and Unley Rd, an exciting experience for the Park Lands.

Enhancements in the Western Park Lands

This financial year also saw the commencement of extensive redevelopment works in Gladys Elphick Park / Narnungga (Park 25) through \$6.6m of funding from the State Government and \$600k of funding from the City of Adelaide. These enhancements complement the new sports facility provided by the South Australian Cricket Association.

Ellis Park / Tampawardli (Park 24) is the setting for a new sports facility that will serve the soccer and athletics communities. The new building will replace three old buildings and not only meet modern sporting needs but also complement the Park setting.

Other enhancements – North Park Lands and Squares

The Authority supported a concept plan for enhancing the northern Park Lands either side of Prospect Road, which came about through the collaborative efforts of the City of Adelaide, the State Government and the City of Prospect.

The Authority also provided input into the early stages of a Master Plan for Whitmore Square / Iparrityi.

Review of the Adelaide Park Lands Authority's Charter

In 2017/18 the Authority commenced a review of its Charter, the document which governs the work the Authority performs and its operations. This is an important piece of work to ensure the Authority meets its mandate provided in the *Adelaide Park Lands Act 2005*.

Important changes are likely to be the requirement for a strategic plan, which will give the Board an opportunity to express its ambitions, and an annual community forum to enable greater interaction with those who have an expressed interest in the Park Lands.

Much of the Authority's work this year focussed on the consideration of redevelopment proposals for six different sporting facilities across the Park Lands. These proposals seek to replace old outdated facilities which no longer meet the needs of young people, particularly women.

The Year in Review

World Heritage Listing

The possibility of World Heritage Listing for Adelaide's Park Lands and City Plan has long been recognised and discussed by those passionate about Adelaide's planning heritage. This year, the Authority resolved to establish a committee to pursue this prospect, which will not only build on the existing National Heritage status but secure a place for the City and Park Lands on the world stage, bringing with it many economic and tourism benefits.

Deliberations by the Board

Matters affecting the Park Lands are often complex in nature. Consideration of these matters requires lengthy preparation by Board Members and often involves robust debate.

When deliberating on proposals and policies for the Park Lands, Board Members must consider and balance the many competing interests facing the Park Lands identified in the Adelaide Park Lands Management Strategy, including:

- Meeting the needs of modern day recreational and sporting activity while minimising built form on the Park Lands
- Enhancing the liveability of a growing and diversifying City
- Balancing sporting use, event activity, general recreation needs and access rights for the general community
- Accommodating biodiversity and other natural values
- Enhancing the landscape amenity of the Park Lands
- Ensuring sustainable practices are followed and climate change is addressed
- Preserving the heritage and integrity of the Park Lands and being cognisant of their original purpose.

During 2017/18 the Authority considered a range of matters relating to its core responsibility of providing advice to Council and the State Government on Park Lands policy, management and projects.

The following matters considered by the Authority demonstrate the breadth of its activity and are grouped under the five key outcomes from the Park Lands Strategy.

- Dynamic, Active and Tranquil Places
- Connected Places and Spaces
- Welcoming and Attractive Places
- Sustainable and Enduring Places
- Memorable and Distinctive Places.

Dynamic, Active and Tranquil Places

Redevelopment of Gladys Elphick Park / Narnungga (Park 25)

In July 2017, the Authority supported the proposed enhancement of Park 25 by the City of Adelaide with \$6.6m State Government funding.

The Authority also supported the proposed realignment of the access road into Park 25 from West Terrace to Glover Avenue to link with the central car park, through \$200k in funding from the City of Adelaide.

Park Lands Events Management Plan (PLEMP)

In July 2017 the Authority supported proposed amendments to the PLEMP, including:

- Minor changes such as event site names and procedural changes for booking events
- Operating hours for Victoria Square / Tarntanyangga
- Changes to event fencing requirements

Josie Agius Park / Wikaparntu Wirra (Park 22) – redevelopment of netball facilities and proposed hockey development

In August 2017, the Authority supported the \$3.2m expansion and redevelopment of the netball courts in Park 22, as funded by the State Government.

At the same meeting in August 2017, the Authority supported development of a concept plan for Park 22 with sporting infrastructure that would service both hockey and netball. This concept plan recognises the interests of the parking needs for the Royal Show. This consideration included a deputation from Mr Tom Game representing the Hockey Clubs involved in the proposal.

At its December 2017 meeting, in relation to the proposed redevelopment of Park 22, the Authority supported:

- A redevelopment option for a shared central pavilion for netball and hockey that is two levels and incorporates an undercroft design and a shared satellite pavilion adjacent the netball courts for netball and Council's Horticulture staff (support was subject to the ground building footprint not exceeding 940 sq m)
- Car parking being formalised to accommodate 580 vehicles and bus and vehicle pick up/drop off zones subject to the design of the parking being sensitive to the Park Lands environment with appropriate plantings and a permeable surface
- Administration working with the Royal Agricultural and Horticultural Society of South Australia to determine alternate ways in which the parking allocation, as specified in Royal Adelaide Show Parking Deed, can be accommodated in the future.

In relation to this matter the Authority considered delegations from:

- Mr John Rothwell Chief Executive, Royal Agricultural & Horticultural Society of SA
- Mr Daryl Chown – South Australian United Church Netball Association Committee

Adelaide 500 - 2018 event declaration consultation

In August 2017, the Authority considered the declarations which the South Australian Tourism Commission makes each year for its area of occupation, event period occupation and the annual works period for the annual Adelaide 500 car race.

The Authority resolved to support the City of Adelaide's continued work with the South Australian Tourism Commission to deliver operational requirements to ensure the ongoing protection of Adelaide's Park Lands.

Concept plan for the improvement of Denise Norton Park / Pardipardinyilla (Park 2) and Yam Daisy Park / Kantarilla (Park 3)

In August 2017, the Authority supported the progression of a State Government funded Concept Plan between the City of Adelaide and the City of Prospect for the improvement of Denise Norton Park / Pardipardinyilla (Park 2) and Yam Daisy Park / Kantarilla (Park 3) in the northern Park Lands.

At its November 2017 meeting, following the initial consideration in August, the Authority supported a project prospectus for the Northern Activity Hub in Park 2 and Prospect Road Gateway.

Denise Norton Park / Pardipardinyilla (Park 2) – sporting facilities

At its November 2017 meeting, the Authority considered expressions of interest for the sporting facilities in Park 2. The Authority resolved that it was satisfied that the submission by Blackfriars Priory School demonstrated the desired outcomes for community sport in the Adelaide Park Lands and went on to support negotiations with Blackfriars Priory School regarding its future tenure arrangements and use of Park 2.

Sports Hub redevelopment for Ellis Park / Tampawardli (Park 24)

In September 2017, the Authority supported a concept design for a new community sports building in Park 24, including associated landscaping features. The Authority also:

- Supported public consultation on the draft lease agreement between Council and the Adelaide Comets Football Club for the facilities
- Noted the findings of traffic, access and landscaping studies along the central access spine of Park 24 and that a separate report with a design concept would be presented to the Authority and Council in early 2018.

Tennis Australia Anchor Project

In September 2017, the Authority supported the Tennis Australia Anchor Project redevelopment proposal to upgrade and enhance the tennis facilities along War Memorial Drive, including two new single storey pavilions plus two smaller shed structures within the current lease areas.



Urban Beach and Fringe Club

In September 2017, the Authority supported the granting of a one-year event licence to Renewal SA for the Urban Beach activation on Pinky Flat (northern side of the Torrens Lake).

The Authority also supported the granting of a one-year event licence to Adelaide Fringe for the use of Rymill Park/Murlawirrapurka (Park 14) for the Fringe Club 2018.

Blue Gum Park / Kurangga (Park 20) – sporting facilities

In October 2017, through an open expressions of interest process, the Authority supported negotiations with Pulteney Grammar School and Adelaide Harriers Amateur Athletic Club regarding their future tenure arrangements in Park 20.

The Authority considered the need of these organisations to redevelop the existing sports buildings in the Park to meet contemporary player needs, particularly those of women.

In considering a proposal at its June 2017 meeting from Pulteney Grammar School and Adelaide Harriers Athletic Club to redevelop the sporting facilities in Park 20, the Authority heard from the following people:

- Mrs Anne Dunstan, Principal of Pulteney Grammar School (also representing Adelaide Harriers Athletic Club)
- Mr Shane Sody, President, Adelaide Park Lands Preservation Association.

The Authority then:

- Provided in-principle support for the consolidation of existing facilities and for the locations of two proposed buildings
- Requested that Pulteney Grammar School and Adelaide Harriers Athletic Club further refine the concept design to reduce the size and impact of the design on the Park Lands and provide two alternative concept proposals for the buildings

- Noted that further reports will be presented in relation to the proposed buildings as the design progresses and that the report consider building configuration, bulk scale and height, pedestrian safety and connectivity, relationship to context, architectural expression and materiality
- Requested advice from Council Administration prior to detailed design which:
 - Includes details of staged community consultation
 - Demonstrates how principles of access and inclusion to the broader South Australian community will be practiced and how broader community and casual use of the proposed facilities and “greater community benefit” will be facilitated
 - Demonstrates the most efficient layout of the built form to minimise the impact on the Park Lands.

Bundeys Paddock / Tidlangga (Park 9) – sports building proposal

In October 2017, in response to a proposal from the Prince Alfred Old Collegians’ Football Club to redevelop the sporting facilities in Park 9, the Authority:

- Heard two deputations regarding this matter, from
 - » Mr Tim Hall (Vice-Chairman of the Prince Alfred Old Collegians’ Football Club)
 - » Dr Ross Sweet, on behalf of a group of residents of McKinnon Parade east
- Noted the findings of the community engagement for a new sports building in Park 9
- Supported the removal of the existing change rooms and maintenance shed and establishment of a minimum sized, fit for purpose, local community club sports facility, including the provision of a small community space and public toilets to service the adjacent community activity hub



- Noted that to address concerns raised in the community engagement, a detailed building concept, a draft lease agreement with Prince Alfred College and information on minor landscape and access improvements will be tabled with the Authority and Council for the purposes of seeking advice and approval to undertake community engagement on the draft lease agreement
- Provided support for reconfiguring Bundeys Road on the facility side to its previous condition.

Golden Wattle Park / Mirnu Wirra (Park 21W) sporting facilities

In November 2017, the Authority noted two submissions were received following an open expressions of interest process for the use of existing sporting facilities in Park 21W.

The Authority resolved that it was satisfied that the submission by the Adelaide Lutheran Sports and Recreation Association demonstrated the desired outcomes for broad community benefit and community sport in the Park Lands and supported lease negotiations with that organisation for its continued use of those facilities.

Blue Gum Park / Kurangga (Park 20) - City Tree Climb Lease

At its December 2017 meeting, the Authority considered a proposal to establish a recreational business in the south-eastern corner of Park 20 which provides an upper canopy tree experience on a high ropes course. The Authority:

- Noted the consultation submissions
- Supported the proposed eight-year lease agreement
- Noted that prior to the business commencing, the City of Adelaide will commission a Fauna Impact Assessment to inform the course design.

Special Music Event Request – Adelaide Oval No.2

At its June 2017 meeting, the Authority:

- Noted the request from the Adelaide Oval Stadium Management Authority to hold a special music event in November 2019 on Oval No. 2, adjacent the stadium
- Noted the alternative options provided and supported the use of Adelaide Oval No. 2 for a special music event for one night in November 2019.

Adelaide Oval – Extension of Liquor Licence

The Authority held a Special Meeting on 13 November 2017 to consider a requested redefinition of the Adelaide Oval's existing liquor licence area on the northern and eastern sides of the Stadium.

During the meeting Mr Vagg (an adjacent resident) addressed the Board, as did Mr Andrew Daniels, Chief Executive Officer, Adelaide Oval Stadium Management Authority.

On this occasion the Board was unable to reach a position on the matter due to an equality of votes.

Helipad proposal

In July 2017, the Authority considered a proposal to establish a helipad adjacent the River Torrens in the Park Lands just west of the Morphett Street bridge. The Authority received three deputations on the matter from the following people:

- Damien Mugavin on behalf of Adelaide Parklands Preservation Association Inc
- Mark Parnell MLC
- Susan & Jeffrey Collins on behalf of the City's South West Community

The Authority:

- Noted the community consultation results
- Supported leasing a portion of the Park 27 west of Morphett Street Bridge to a commercial helipad operator and subsequent amendment to the Bonython Park / Tulya Wardli (Park 27) Community Land Management Plan to reflect this land use and tenure
- Recommended that Council review this use after 24 months of its operation, on the basis that there is a 12-month break clause in any final lease agreement.

The Authority again considered the helipad proposal in October 2017, this time in relation to a proposal to amend the relevant Community Land Management Plan to accommodate the facility. In doing so the Authority heard a deputation from Ms Susan Collins, Chair of the South West City Community Association.

The Authority then:

- Noted the community consultation submissions
- Supported an amendment to the Bonython Park / Tulya Wardli (Park 27) Community Land Management Plan to include an additional management direction that reads "Subject to relevant conditions agreed by Council, support the development and operation of a commercial helipad" and identification of the preferred location on the related park map
- Added that it would relinquish its support if at the end of 24 months the relevant conditions agreed by Council are not met.

Festival Pontoon on the River Torrens / Karrawirra Pari

In July 2017, the Authority considered a request to retain and improve a large pontoon on the River Torrens as part of the Adelaide Festival program of entertainment and received two deputations on the matter from the following people:

- Ms Chris Braham, interested community member
- Rob Brookman from the Adelaide Festival.

The Authority endorsed the removal of the Pontoon and advised Council to assist the Adelaide Festival Corporation with further exploration of alternative methods of removal.

Connected Places and Spaces

Car Parking arrangements in Gladys Elphick Park / Narnungga (Park 25)

At its meeting on 16 November 2017, the Authority supported a six-month trial of parking control alterations to the two public car parks within Park 25. These alterations are aimed at providing for the users of the facility and preventing commuter parking.

Car park management – Rymill Park / Murlawirrapurka (Park 14)

At its March 2018 meeting, the Authority supported a 12-month trial of new parking arrangements for the public car park in Rymill Park, aimed at balancing general public access for use of the Park with the requirements of the adjacent Adelaide Bowling Club.

Festival Plaza construction licence

In September 2017, the Authority supported the continued occupation under the Construction Licence issued by the City of Adelaide to the Minister for Transport and Infrastructure for the areas adjacent the Festival Plaza redevelopment.

In the event of further delays, the Authority supported the grant of an additional licence for any remaining reduced areas that may need to be occupied for up to six months.

Welcoming and Attractive Places

O-Bahn City Access and Torrens Junction Rail projects

In August 2017, the Authority received presentations regarding the progress of the O-Bahn City Access project in Rymill Park / Murlawirrapurka (Park 14) and the grade separation of the two northern rail lines through the north Park Lands. These updates focussed on precinct connectivity, landscaping and urban design elements.

Magarey Grove relocation

In August 2017, the Authority supported the relocation of Magarey Grove (a series of plaques recognising great football players) from West Lakes to the plane tree avenue north of Adelaide Oval.

Riverbank Lighting

In September 2017, the Authority supported the State Government's proposal to enhance the Torrens Riverbank Precinct with 15 feature lighting installations.

Uniting a Nation, public art work by Terrance Plowright

At its January 2018 meeting, the Authority considered a proposal to install a major new artwork in the River Torrens / Karrawirra Pari at Pinky Flat. The Authority:

- Noted key stakeholder consultation and supported the proposed location for the artwork as it enables reflective views of the sculpture from all aspects
- Indicated in the event that the Pinky Flat location is not feasible that other water-based options should be explored, in consultation with Kaurna people.

Sustainable and Enduring Places

Carbon-offset planting demonstration site

In August 2017, the Authority supported a proposal from the Department of Environment and Water for a revegetation proposal adjacent to Adelaide High School off Glover Avenue. The site demonstrates the value of carbon offset plantings and how they feature in the landscape.

Victoria Park Pakapakanthi (Park 16) Vegetation Management Plan

In October 2017, the Authority supported a draft Remnant Vegetation Management Plan and the preparation of a Site Maintenance Plan for an area of important remnant native vegetation at the southern end of the playing fields in Victoria Park.

Park Lands Partnering framework

In August 2017, the Authority supported a Park Lands Partnering Framework aimed at cooperative and consultative arrangements with adjoining Councils and the State Government for proposed projects in Denise Norton Park / Pardipardinyilla (Park 2) and Yam Daisy Park / Kantarilla (Park 3) only.

The Authority also requested that the Partnering Framework be brought back for further discussion.

The Authority further discussed the Park Lands Partnering Framework at its November 2017 meeting and resolved that should amendments to the framework be required, support will be sought from the Authority prior to reporting to Council.

Memorable and Distinctive Places

Park Lands Naming Project

In August 2017, the Authority supported a list of new Park Lands names for Parks without English names and for areas which required further identification. In doing so the Authority supported:

- The retention of the name Barr Smith Walk for the area in front of the Convention Centre
- The area north of Adelaide Oval being known as Stella Bowen Park
- That female names be used in full.

Committee to explore World Heritage Listing

At its May 2018 meeting, the Authority resolved to establish a committee to explore the feasibility of, and possible options for, mounting a World Heritage nomination for the Adelaide Park Lands and City Layout and to develop support for the project.

Such a project is consistent with the supportive position in the Adelaide Park Lands Management Strategy for securing commitment, and developing a case for, World Heritage listing of the Adelaide Park Lands and City Layout.



Attendance at World Urban Parks and Parks and Leisure Australia Conference

At its meeting in May, the Authority recommended that a City of Adelaide staff member attend the 'World Urban Parks and Parks and Leisure Australia Conference' in Melbourne in October 2018.

Participation at this conference will occur within the context of the Adelaide Park Lands Management Strategy's vision for the Adelaide Park Lands to be globally recognised and the Strategy's objective to secure a commitment to pursue World Heritage listing. Attendance will afford opportunities to network with urban park organisations from across the globe.

State of the Park Lands

At the Authority's February 2018 meeting the Board expressed an interest in being provided with maps which identify areas of the Park Lands which:

- Are alienated from public use
- Remain in public use
- Were previously alienated areas but had been returned to public use.

At its June 2018 meeting, the Authority received the first of a series of planned annual reports titled 'State of the Park Lands' aimed at identifying how the extent of the Park Lands has changed over time.

The Authority requested that the current methodology be further developed to document changes in built form footprint on the Park Lands and the combined extent of built and non-built areas on the park lands that alienate or exclude access to the general public.

Performance against the objectives of the 2017/18 Business Plan

Performance Target	Performance Measures	Achievements
Provide advice as required to Council and the State Government on key matters relating to the Adelaide Park Lands.	<p>At least 12 ordinary meetings of the Authority held per year.</p> <p>Advice provided to Council and State Government in a timely manner.</p> <p>Receive at least two presentations on Park Lands planning and management related matters per year.</p> <p>Undertake at least one Park Lands field trip per year to facilitate greater understanding of Park Lands projects, facilities and activities.</p>	<p>The Authority held 12 ordinary meetings and one special meeting in the 2017/18 financial year.</p> <p>A forward agenda was maintained by the Executive Officer and 32 reports considered by the Authority.</p> <p>Five presentations were provided on matters including the O-Bahn and Torrens Junction projects and enhancements including the new Pelzer Park / Pityarilla (Park 19) and Whitmore Square Master Plan.</p> <p>No field trips occurred in the 2017/18 year.</p>
Finalisation of the Adelaide Park Lands Management Strategy.	<p>Draft Strategy has been endorsed by Adelaide City Council and is under consideration by State Government.</p> <p>Dissolve or continue the Project Advisory Group in a modified format.</p>	<p>The Strategy was adopted by the State Government in August 2017.</p> <p>The Advisory Group for this project has been discontinued.</p>
<p>Promotion of the Park Lands which focuses on:</p> <ul style="list-style-type: none"> • Raising public awareness of their values and importance; • Increased, appropriate use; and • Responsible management. 	<p>Review existing marketing activities.</p> <p>Specific work performed by the Authority's Naming Committee established to advise on the dual-naming of named parks and naming of un-named areas of the Park Lands.</p> <p>Support for the Adelaide Park Lands Art Prize.</p>	<p>Members requested improvements to the Authority's web presence. These were subsequently provided as a specific web-page identifying governance arrangements for the Park Lands, Board membership and meeting information.</p> <p>The naming project was finalised through Council's adoption of a series of new names in September 2017.</p> <p>Through an allocation by the City of Adelaide, the Authority supported the Adelaide Park Lands Art Prize by contributing \$10k to its operation by the Adelaide Park Lands Preservation Association.</p>

Performance Target	Performance Measures	Achievements
Business Plan and Budget is in place	New Business Plan is adopted prior to the expiry of that currently in operation	The Authority adopted its Business Plan and Budget for 2018/19 in March 2018.
Operation of General Purpose Accounts	Council's accounting procedures met	Maintained by Council staff
Quarterly Financial Reports	Reports adopted and presented to Council	Financial updates provided as required
Operation of the Adelaide Park Lands Fund which currently contains \$1000.00	Monies are received and expended according to the provisions of the Authority's Charter	Administered by Council staff Maintained by Authority
Auditing required by the Authority's Charter	Council's external auditor and Audit Committee is satisfied the requirements are met	Council's external auditor and Audit Committee performs the necessary tasks
Preparation of Annual Report	Annual Report is submitted to Council by 30 September each financial year	Prepared by Council staff and incorporated in Council's Annual Report. Copy provided to Minister responsible for the Adelaide Park Lands Act 2005
Insurance Requirements	The Local Government Mutual Liability Scheme insures the Authority	Maintained by Council staff

Work undertaken in support of the Authority's Business Plan

Annual Report and Charter review workshop

At its October 2017 meeting, the Authority adopted its Annual Report for the 2016/17 year and requested a workshop be held to review the Authority's Charter.

Charter Review

At its February 2018 meeting, the Authority reviewed its Charter and endorsed a revised document which:

- Provides greater clarity of the Authority's role through a more detailed set of 'powers and duties' section

- Includes provisions for a strategic plan and a community forum
- Clarifies the responsibilities of the Authority's Executive Officer.

Annual Business Plan

At its March 2018 meeting, the Authority approved its Business Plan and Budget for 2018/19.

Membership and Meeting Attendances

Membership

Pursuant to section 6 of the *Adelaide Park Lands Act 2005*, membership of the Adelaide Park Lands Authority comprises:

- The Lord Mayor (unless the Lord Mayor elects not to accept the position – in which case Council appoints someone else)
- Four members appointed by Council
- Five members appointed by the Minister responsible for the *Adelaide Park Lands Act 2005*.

Change in Membership

A change in membership occurred following the resignation of Mr Chris Kwong on 9 November 2017. The Minister subsequently appointed Ms Kirsteen Mackay, Government Architect, as Mr Kwong's replacement, with a commencement date of 6 February 2018.

The following people served as Members of the Authority during the 2017/18 year:

1 July 2017 to 30 June 2018

The Right Honourable the Lord Mayor, Martin Haese

Ministerial Appointees

Ms Sally Smith, Deputy Presiding Member Appointed 2 February 2017 to 31 December 2018.

Ms Anita Allen Appointed 2 February 2017 to 31 December 2018.

Mr Chris Kwong Appointed 2 February 2017 to 31 December 2018. Resigned 9 November 2017.

Kirsteen Mackay Appointment commenced 6 February 2018 to 31 December 2018.

Mr Roger Zubrinich Appointed 2 February 2017 to 31 December 2018.

Previously appointed 31 October 2013 to 12 February 2016 and 18 February 2016 to 31 December 2016.

Ms Stephanie Johnston Appointed 2 February 2017 to 31 December 2018. Previously appointed 31 October 2013 to 12 February 2016 and 18 February 2016 to 31 December 2016 (as Deputy to Emeritus Professor Damien Mugavin).

Professor Emeritus Damien Mugavin (Deputy to Ms Stephanie Johnston)

Appointed 2 February 2017 to 31 December 2018.

Council Appointees

Councillor Anne Moran Appointed 1 January 2017 to 31 December 2018. Councillor Moran was first appointed to the Authority on 14 December 2006 and has served continuously since.

Councillor Priscilla Corbell-Moore Re-appointed 1 January 2017 to 31 December 2018.

Councillor David Slama Appointed 1 January 2017 to 31 December 2018.

Councillor Sandy Wilkinson Appointed 1 January 2017 to 31 December 2018.

Meeting Attendances

The Authority held 12 ordinary meetings and 1 special meeting during the 2016/17 financial year. Attendance at meetings was recorded as follows:

1 July 2017 to 30 June 2018		
Authority Member	Meetings Eligible to Attend	Meetings Attended
Presiding Member, Lord Mayor Martin Haese	13	10
Sally Smith (Dep. Presiding Member)	13	11
Anita Allen	13	10
Chris Kwong (resigned 9 Nov 2017)	4	4
Stephanie Johnston	13	11
Professor Emeritus Damien Mugavin (Deputy for Stephanie Johnston)	2	2
Mr Roger Zubrinich	13	10
Ms Kirsteen Mackay (commenced 6 February 2018)	5	4
Councillor Anne Moran	13	10
Councillor Priscilla Corbell-Moore	13	9
Councillor David Slama	13	8
Councillor Sandy Wilkinson	13	13

The role of APLA in the governance of the Park Lands

The Adelaide Park Lands Authority was established by the *Adelaide Park Lands Act 2005* as a subsidiary of the City of Adelaide under the *Local Government Act 1999*. The Governance Framework for the Adelaide Park Lands within which the Authority operates is shown on the following page.

The Authority and its Board are the same entity.

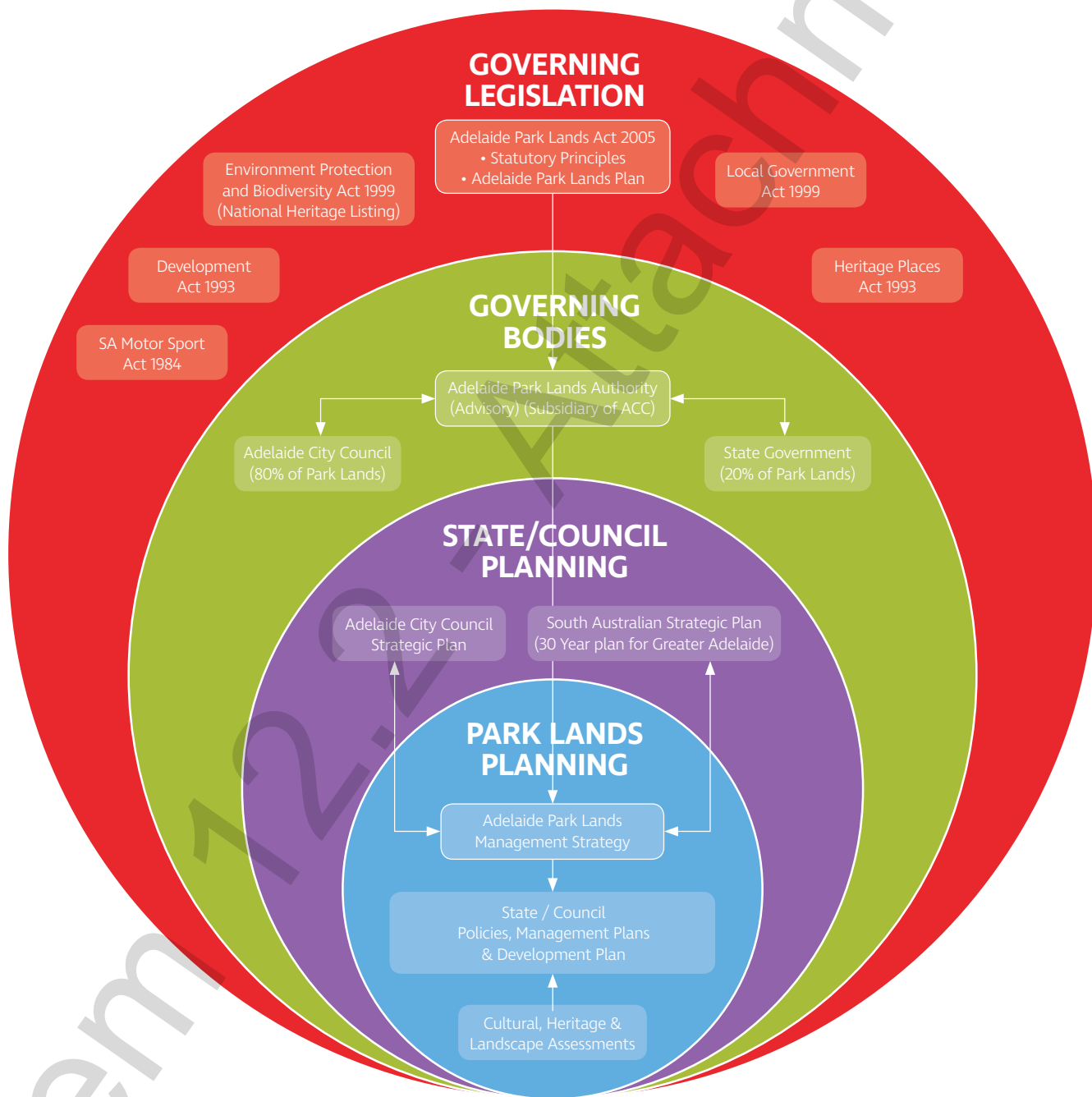
The Authority is the principal advisor to both the Council and the State Government on the protection, management, enhancement and promotion of the Adelaide Park Lands.

The Council, on behalf of the communities of the City of Adelaide and the State, is committed to ensuring that the Authority delivers maximum benefit for the future of Adelaide's Park Lands as the City of Adelaide's defining feature.

Within the Governance and Planning Framework, the Authority was established to undertake the following Functions, as set out in the *Adelaide Park Lands Act 2005*:

1. to undertake a key policy role with respect to the management and protection of the Adelaide Park Lands;
2. to prepare, and as appropriate, to revise the Adelaide Park Lands Management Strategy in accordance with the requirements of the *Adelaide Park Lands Act 2005*;
3. to provide comments and advice on any management plan prepared by the Adelaide City Council or a State Authority under the *Adelaide Park Lands Act 2005* or the *Local Government Act 1999* that relates to any part of the Adelaide Park Lands; and to monitor and, as appropriate, to provide comments, advice or reports in relation to the implementation or operation of any such plan;
4. to provide comments or advice in relation to the operation of any lease, licence or other form of grant of occupation of land within the Adelaide Park Lands;
5. on the basis of any request or on its own initiative, to provide advice to the Adelaide City Council or to the Minister on policy, development, heritage or management issues affecting the Adelaide Park Lands;
6. to promote public awareness of the importance of the Adelaide Park Lands and the need to ensure that they are managed and used responsibly;
7. to ensure that the interests of South Australians are taken into account, and that community consultation processes are established, in relation to the strategic management of the Adelaide Park Lands;
8. to administer the Adelaide Park Lands Fund; and
9. to undertake or support other activities that will protect or enhance the Adelaide Park Lands, or in any other way promote or advance the objects of the Adelaide Park Lands Act.

Governance Framework for the Adelaide Park Lands





Adelaide Park Lands Authority Financial Statements

ADELAIDE PARK LANDS AUTHORITY
General Purpose Financial Statements
for the year ended 30 June 2018

Certification of Financial Statements

We have been authorised by the Council to certify the financial statements in their final form.

In our opinion:

- the accompanying financial statements comply with the *Local Government Act 1999*, *Local Government (Financial Management) Regulations 2011* and *Australian Accounting Standards*,
- the financial statements present a true and fair view of the Council's financial position at 30 June 2018 and the results of its operations and cash flows for the financial year,
- internal controls implemented by the Council provide a reasonable assurance that the Council's financial records are complete, accurate and reliable and were effective throughout the financial year,
- the financial statements accurately reflect the Council's accounting and other records.



Martin Haese

LORD MAYOR

Date: 9th October 2018

Statement of Comprehensive Income

for the year ended 30 June 2018

\$ '000	Notes	2018	2017
INCOME			
Grants, Subsidies and Contributions	2	188	159
Total Income		188	159
EXPENSES			
Materials, Contracts & Other Expenses	3	188	159
Total Expenses		188	159
OPERATING SURPLUS / (DEFICIT)		-	-
TOTAL COMPREHENSIVE INCOME		-	-

This statement is to be read in conjunction with the attached notes.

Statement of Financial Position

for the year ended 30 June 2018

\$ '000	Notes	2018	2017
ASSETS			
Current Assets			
Cash & Cash Equivalents	5	1	1
Total Current Assets		1	1
Total Assets		1	1
NET ASSETS		1	1
EQUITY			
Accumulated Surplus		1	1
TOTAL EQUITY		1	1

This statement is to be read in conjunction with the attached notes.

Statement of Changes in Equity

for the year ended 30 June 2018

\$ '000	Accumulated Surplus	Total Equity
2018		
Balance at the end of previous reporting period	1	1
Net Surplus / (Deficit) for Year	-	-
BALANCE AT THE END OF PERIOD	1	1
2017		
Balance at the end of previous reporting period	1	1
Net Surplus / (Deficit) for Year	-	-
BALANCE AT THE END OF PERIOD	1	1

This statement is to be read in conjunction with the attached notes.

Statement of Cash Flows

for the year ended 30 June 2018

\$ '000	2018	2017
CASH FLOWS FROM OPERATING ACTIVITIES		
Receipts		
Operating Receipts	188	159
Payments		
Operating Payments to Suppliers & Employees	(188)	(159)
Net Cash provided by (or used in) Operating Activities	-	-
Net Increase (Decrease) in Cash Held	-	-
CASH & CASH EQUIVALENTS AT END OF PERIOD	1	1
TOTAL CASH, CASH EQUIVALENTS & INVESTMENTS	1	1

This statement is to be read in conjunction with the attached notes.

Notes to and forming part of the Financial Statements

for the year ended 30 June 2018

Note 1: Summary of Significant Accounting Policies

The principal accounting policies adopted by Adelaide Park Lands Authority in the preparation of these consolidated financial statements are set out below.

These policies have been consistently applied to all the years presented, unless otherwise stated.

1 Basis of Preparation

1.1 Compliance with Australian Accounting Standards

This general purpose financial report has been prepared in accordance with Australian Accounting Standards as they apply to not-for-profit entities, other authoritative pronouncements of the Australian Accounting Standards Board, Interpretations and relevant South Australian legislation.

The financial report was authorised for issue by certificate under regulation 14 of the *Local Government (Financial Management) Regulations 2011* dated 1 May 2011.

1.2 Historical Cost Convention

Except as stated below, these financial statements have been prepared in accordance with the historical cost convention.

1.3 Rounding

All amounts in the financial statements have been rounded to the nearest thousand dollars (\$'000).

2 Income Recognition

Income is measured at the fair value of the consideration received or receivable. Income is recognised when the Authority obtains control over the assets comprising the income, or when the amount due constitutes an enforceable debt, whichever first occurs.

Where grants, contributions and donations recognised as incomes during the reporting period were obtained on the condition that they be expended in a particular manner or used over a particular period, and those conditions were undischarged as at the reporting date, the amounts subject to those undischarged conditions are disclosed in these notes.

Also disclosed is the amount of grants, contributions and receivables recognised as incomes in a previous reporting period which were obtained in respect of the Authority's operations for the current reporting period.

3 Cash, Cash Equivalents and other Financial Instruments

Cash Assets include all amounts readily convertible to cash on hand at the Authority's option with an insignificant risk of changes in value with a maturity of three months or less from the date of acquisition.

All receivables are reviewed as at the reporting date and adequate allowance made for amounts the receipt of which is considered doubtful.

All financial instruments are recognised at fair value at the date of recognition.

4 Infrastructure, Property, Plant & Equipment

The Authority did not procure any non-current assets during the reporting period and does not hold any non-current assets as at the reporting date.

5 Employee Benefits

The Authority does not have any employees. All employees are employed through the parent entity, the City of Adelaide.

6 GST Implications

In accordance with UIG Abstract 1031 "Accounting for the Goods & Services Tax"

- Receivables and Creditors include GST receivable and payable.
- Except in relation to input taxed activities, revenues and operating expenditures exclude GST receivable and payable.
- Amounts included in the Statement of Cash Flows are disclosed on a gross basis.

7 New accounting standards and UIG Interpretations

Certain new (or amended) accounting standards and interpretations have been published that are not mandatory for reporting periods ending 30 June 2018.

Adelaide Park Lands Authority (APLA) has not applied any Australian Accounting Standards and Interpretations that have been issued but are not yet effective.

The Authority has not adopted any of the following standards early.

Effective for periods commencing 1 January 2017:

- AASB 2014-5 *Amendments to Australian Accounting Standards arising from AASB 15*
- AASB 2015-8 *Amendments to Australian Accounting Standards – Effective Date of AASB 15*
- AASB 2016-2 *Amendments to Australian Accounting Standards – Disclosure Initiative: Amendments to AASB 107*
- AASB 2016-7 *Amendments to Australian Accounting Standards - Deferral of AASB 15 for Not-for-Profit Entities*

Effective for annual reporting periods beginning on or after 13 February 2017

- AASB 2017-2 *Amendments to Australian Accounting Standards - Further Annual Improvements 2014- 16 Cycle*

Effective for annual reporting periods beginning on or after 1 January 2018

- AASB 9 *Financial Instruments (December 2009)*
- AASB 15 *Revenue from Contracts with Customers*
- AASB 2010-7 *Amendments to Australian Accounting Standards arising from AASB 9 (December 2010)*
- AASB 2014-1 *Amendments to Australian Accounting Standards (Part E)*

- AASB 2014-7 *Amendments to Australian Accounting Standards arising from AASB 9 (December 2014) AASB 1057 Application of Australian Accounting Standards*
- AASB 2016-3 *Amendments to Australian Accounting Standards – Clarifications to AASB 15*
- AASB 2016-6 *Amendments to Australian Accounting Standards - Applying AASB 9 Financial Instruments with AASB 4 Insurance Contracts*

Effective for annual reporting periods beginning on or after 1 January 2019

- AASB 16 *Leases*
- AASB 16 *Leases (Appendix D)*
- AASB 2016-8 *Amendments to Australian Accounting Standards – Australian Implementation Guidance for Not-for-Profit Entities*
- AASB 1058 *Income of Not-for-Profit Entities*
- AASB 2016-8 *Amendments to Australian Accounting Standards - Australian Implementation Guidance for Not-for-Profit Entities*

Effective for periods commencing 1 January 2017:

- AASB 2014-5 *Amendments to Australian Accounting Standards arising from AASB 15*
- AASB 2015-8 *Amendments to Australian Accounting Standards – Effective Date of AASB 15*

8 Comparative Figures

To ensure comparability with the current reporting period's figures, some comparative period line items and amounts may have been reclassified or individually reported for the first time within these financial statements and/or the notes.

9 Disclaimer

Nothing contained within these statements may be taken to be an admission of any liability to any person under any circumstance.

Note 2: Income

\$ '000	2018	2017
GRANTS, SUBSIDIES, CONTRIBUTIONS		
Other Grants, Subsidies & Contributions	188	159
TOTAL GRANTS, SUBSIDIES, CONTRIBUTIONS	188	159
Sources of grants		
Other - City of Adelaide	188	159
TOTAL	188	159

Note 3: Expenses

\$ '000	2018	2017
MATERIALS, CONTRACTS AND OTHER EXPENSES		
Prescribed Expenses		
Auditor's Remuneration	1	1
Subtotal - Prescribed Expenses	1	1
Other Materials, Contracts and Expenses		
Contractors	139	127
Advertising	0	1
Insurance	17	14
Sitting Fees	7	6
Sponsorship	10	-
Legal Expenses	11	9
Sundry	2	2
Subtotal - Other Material, Contracts & Expenses	187	158
TOTAL MATERIALS, CONTRACTS AND OTHER EXPENSES	188	159

Note 4: Current Assets

\$ '000	2018	2017
CASH & CASH EQUIVALENTS		
Cash on Hand at Bank	1	1
TOTAL CASH & CASH EQUIVALENTS	1	1

Note 5: Reconciliation to Cash Flow Statement

Cash Assets Comprise highly liquid investments with short periods to maturity subject to insignificant risk of changes of value. Cash at the end of the reporting period as shown in the Cash Flow Statement is reconciled to the related items in the Balance Sheet.

\$ '000	Notes	2018	2017
(A) RECONCILIATION OF CASH			
Total Cash & Cash Equivalents	4	1	1
BALANCES AS PER CASH FLOW STATEMENT		1	1
(B) RECONCILIATION OF CHANGE IN NET ASSETS TO CASH			
Net Surplus (Deficit)		-	-
NET CASH PROVIDED BY (OR USED IN) OPERATIONS		-	-

Note 6: Uniform Presentation of Finances

The following is a high level summary of both operating and capital investment activities of the Adelaide Park Lands Authority prepared on a simplified Uniform Presentation Framework basis. All Councils in South Australia have agreed to summarise annual budgets and long-term financial plans on the same basis. The arrangements ensure that all Councils provide a common 'core' of financial information, which enables meaningful comparisons of each Council's finances.

\$ '000	2018	2017
Income	188	159
less Expenses	(188)	(159)
OPERATING SURPLUS / (DEFICIT)		-
NET LENDING / (BORROWING) FOR FINANCIAL YEAR		-

Note 7: Related Party Transactions

Key Management Personnel

The Key Management Personnel of the Adelaide Park Lands Authority Authority include all of the Board members.

\$ '000	2018
The compensation paid to Key Management Personnel comprises:	
Allowances and other short-term benefits paid by APLA to KMP	6,372

Amounts paid as direct reimbursement of expenses incurred on behalf of APLA have not been included above.

Other Related Party Transactions

Adelaide Park Lands Authority contracts staff from the City of Adelaide with the on-charge totalling \$130,331 for the year. The City of Adelaide provides an annual contribution to APLA matching the total expenditure incurred during the financial year.



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INDEPENDENT AUDITOR'S REPORT TO THE PRINCIPAL MEMBER OF THE ADELAIDE PARK LANDS AUTHORITY

Report on the Audit of the Financial Report

Opinion

We have audited the financial report of the Adelaide Park Lands Authority ('the Authority'), which comprises the statement of financial position as at 30 June 2018, the statement of comprehensive income, the statement of changes in equity and the statement of cash flows for the year then ended, and notes to the financial report, including a summary of significant accounting policies, and the certification of the financial statements.

In our opinion the financial report of the Adelaide Park Lands Authority, presents fairly, in all material respects, the Authority's financial position as at 30 June 2018 and its financial performance for the year ended on that date in accordance with Australian Accounting Standards, the *Local Government Act 1999*, and the *Local Government (Financial Management) Regulations 2011*.

Basis for opinion

We conducted our audit in accordance with Australian Auditing Standards. Our responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Report* section of our report. We are independent of the Authority in accordance with the *Local Government Act 1999* and the ethical requirements of the Accounting Professional and Ethical Standards Board's *APES 110 Code of Ethics for Professional Accountants* (the Code) that are relevant to our audit of the financial report in Australia. We have also fulfilled our other ethical responsibilities in accordance with the Code.

We confirm that the independence declaration required by the *Local Government Act 1999*, which has been given to the Authority, would be in the same terms if given to the Authority as at the time of this auditor's report.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

The Authority's responsibility for the Financial Report

The Authority's officers are responsible for the preparation and fair presentation of the financial report in accordance with Australian Accounting Standards, the *Local Government Act 1999* and the *Local Government (Financial Management) Regulations 2011* and for such internal control as the Authority's officers determine is necessary to enable the preparation and fair presentation of the financial report that is free from material misstatement, whether due to fraud or error.

In preparing the financial report, the Authority's officers are responsible for assessing the Authority's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the Authority's officers either intend to liquidate the Authority or to cease operations, or has no realistic alternative but to do so.

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Auditor's responsibilities for the audit of the Financial Report

Our objectives are to obtain reasonable assurance about whether the financial report as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the Australian Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of this financial report.

A further description of our responsibilities for the audit of the financial report is located at the Auditing and Assurance Standards Board website (<http://www.auasb.gov.au/Home.aspx>) at: http://www.auasb.gov.au/auditors_responsibilities/ar4.pdf

This description forms part of our auditor's report.

A handwritten signature in blue ink that reads 'BDO'.

BDO Audit (SA) Pty Ltd

A handwritten signature in blue ink that reads 'Andrew Tickle'.

Andrew Tickle
Director

Adelaide, 9 October 2018



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 AUSTRALIA

CERTIFICATION OF AUDITOR INDEPENDENCE

I confirm that, for the audit of the financial statements of the Adelaide Park Lands Authority for the year ended 30 June 2018, I have maintained my independence in accordance with the requirements of APES 110 - Code of Ethics for Professional Accountants, Section 290, published by the Accounting Professional and Ethical Standards Board, in accordance with the Local Government Act 1999 and the Local Government (Financial Management) Regulations 2011 made under that Act.

This statement is prepared in accordance with the requirements of Regulation 22 (5) Local Government (Financial Management) Regulations 2011.

Andrew Tickle
 Director

BDO Audit (SA) Pty Ltd

Adelaide, 29 August 2018

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ADELAIDE PARK LANDS AUTHORITY
General Purpose Financial Statements
 for the year ended 30 June 2018

Certification of Auditor Independence

To the best of our knowledge and belief, we confirm that, for the purpose of the audit of City of Adelaide for the year ended 30 June 2018, the Council's Auditor (DO) has maintained its independence in accordance with the requirements of the Local Government Act 1998 and the Local Government (Financial Management) Regulations 2011 made under that Act.

This statement is prepared in accordance with the requirements of Regulation 22(3) Local Government (Financial Management) Regulations 2011.



Mark Siddons
CHIEF EXECUTIVE OFFICER



David Powell
PRESIDING MEMBER, AUDIT COMMITTEE

Date: 10 September 2018

Appointment of the Official Partner of the Lord Mayor

ITEM 12.3 29/01/2019
Council

2018/04515
Public

Program Contact:
Kerry Loughhead, EM CEO
Office 8203 7014

Approving Officer:
Mark Goldstone, Chief Executive
Officer

EXECUTIVE SUMMARY:

The City of Adelaide Standing Orders provide for the Lord Mayor to appoint a person to hold the title of either Lady Mayoress or the Official Partner of the Lord Mayor for their term of office. As per Standing Order 2.13, the Lord Mayor has selected her husband, Mr Gregg Mitchell to hold the title of the Official Partner of the Lord Mayor for the 2018-2022 term of office, to support the Lord Mayor and the City of Adelaide.

RECOMMENDATION:

THAT COUNCIL:

1. Notes the appointment of Mr Gregg Mitchell as the Official Partner of the Lord Mayor for the 2018-2022 term of office, pursuant to the Standing Orders of the City of Adelaide (2.13).
-

IMPLICATIONS AND FINANCIALS:

City of Adelaide 2016-2020 Strategic Plan	Rather than contributing directly to, this appointment seeks to support elements of the Strategic Plan potentially within the themes of Liveable and Creative City.
Policy	The role of Lady Mayoress or Official Partner of the Lord Mayor is detailed in Standing Order 2.13.
Consultation	Not as a result of this report.
Resource	The Official Partner of the Lord Mayor is entitled to the use of a dedicated room and administrative support (Standing Order 9.5).
Risk / Legal / Legislative	Not as a result of this report
Opportunities	For the Official Lord Mayoral Partner to support and work with the City of Adelaide to increase community awareness of Council programs and initiatives.
18/19 Budget Allocation	The Official Partner of the Lord Mayor has access to an annual budget of \$5000
Proposed 19/20 Budget Allocation	The Official Partner of the Lord Mayor has access to an annual budget of \$5000
Life of Project, Service, Initiative or (Expectancy of) Asset	Term of office of the Lord Mayor (2018 -2020)
18/19 Budget Reconsideration (if applicable)	Not as a result of this report
Ongoing Costs (eg maintenance cost)	Not as a result of this report.
Other Funding Sources	Not as a result of this report

DISCUSSION

1. The role of the Official Partner of the Lord Mayor or Lady Mayoress plays a significant role in civic responsibilities and supporting the Lord Mayor.
2. The Lord Mayor has selected her husband, Mr Gregg Mitchell as the Official Partner of the Lord Mayor for the 2018-2022 term of office.
3. The Official Partner of the Lord Mayor will support the Lord Mayor in undertaking her civic duties including accompanying the Lord Mayor to events, international delegations and attendance at functions in his own right where appropriate.
4. Mr Gregg Mitchell has particular interest in the areas of Men's Health, Art in the City and Cycling and accordingly is keen to explore opportunities relating to these focus areas.
5. Activities would include working closely in connecting and supporting the Community on various projects as required and where appropriate, supporting charitable city-based organisations and assisting with profile raising and fundraising and partnership or collaboration opportunities such as Patron and Ambassadorial roles as required.
6. The Administration will support Mr Mitchell to investigate opportunities relating to his areas of interest and assist facilitation of external connections where appropriate.
7. Updates and any activities by the Official Partner of the Lord Mayor will be provided to Council monthly via the Lord Mayor verbal report.
8. Regular progress meetings will be held between the Official Partner, the Lord Mayor and the CEO.

ATTACHMENTS

Nil

- END OF REPORT -

Confidential Orders

ITEM 13.1 29/01/2019
Council

Council Member
Councillor Martin

Receiving Officer:
Mark Goldstone, Chief Executive
Officer

Public

QUESTION ON NOTICE:

Councillor Martin will ask the following Question on Notice:

'On October 23rd 2018 Council reviewed confidentiality orders (Agenda Item 12.1, '2018 Review of Confidentiality Orders'). However, the information provided did not appear to distinguish the application of in-confidence orders by the Adelaide Park Lands Authority.

Has APLA ever publicly released a summary of matters about which it made 'in-confidence' orders since first meeting in early 2007?

Could the Authority provide Council with a breakdown of matters declared confidential;

- a) The total number per calendar year, each topic/subject, and number of pages per subject.
- b) The grounds under the Local Government Act, s90(3) cited for each topic/subject declared as confidential
- c) Whether each in-confidence order related to a whole or part document (including any document that formed part of a presentation or workshop or other briefing session).
- c) The period of confidentiality to apply for each.
- d) Whether the Authority has ever released whole or part documents from confidential status, and the date of each release (each identified by subject matter) and the agenda or minute reference (date and item) which contained that release.
- e) Whether any APLA matters or APLA documents or advices remain subject to in-confidence orders and, if so, what were the topics, original dates of application of confidentiality status and the review dates that determined continuation of order).

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 -

Council Member
Councillor Simms2016/01110
Public**Receiving Officer:**
Mark Goldstone, Chief Executive
Officer

MOTION ON NOTICE:

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

'That Council requests that administration prepare a report on the potential to utilise participatory budgetary processes for the 2019-20 budget with particular regard to the experience of the City of Melbourne.'

ADMINISTRATION COMMENT:

1. Participatory Budgeting has various definitions but broadly it refers to the process of involving citizens in decision making regarding the distribution of public funds.
2. To meet the criteria of a participatory budget process there must be an allocation of funds to be distributed, citizen or representative participation in deciding how the funds are spent and project implementation based on the views of the voting public.
3. There are varying approaches and levels of participatory budgeting, in terms of who is involved, degree of control, method of involvement and scale of budget being decided upon.
4. The potential benefits of participatory budgeting will depend on the approach taken. Where it is a less participative approach it can derive the benefit of informing and educating participants, increasing confidence in the public sector and increasing local engagement. Where it is used to empower decision making in citizens, the benefits tend to be enhanced with the additional benefit of strengthening good governance through transparency and accountability and reduced perceptions of clientelism, patronage and corruption.
5. If the Motion on Notice is resolved, a report will be prepared outlining options for the 2019-20 and future budget cycles.

- END OF REPORT -

Disclosure of Political Party Membership and Donations

ITEM 15.2 29/01/2019
Council

Council Member
Councillor Simms

2015/03575
Public

Receiving Officer:
Mark Goldstone, Chief Executive Officer

MOTION ON NOTICE:

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

'That Council:

- notes that the State Government will soon be reviewing the Local Government Act
- supports the disclosure of political party memberships and donations received (above the value of \$500) by candidates seeking election to local council, on an online register before commencement of the voting period
- requests that the Lord Mayor write to the Local Government Minister, detailing Council's support for this reform and encouraging the Government to consider this as part of its review of the Local Government Act.'

ADMINISTRATION COMMENT:

1. The Office of Local Government is intending to work with the Electoral Commission of South Australia to review the operation of the 2018 local government general election, as it did following the 2014 local government general election (a copy of the 2014 Review Discussion Paper is available on request). Council is advised that this review will be undertaken in consultation with the Local Government Association of South Australia (LGA).
2. In addition, the Minister for Local Government, the Honourable Stephan Knoll MP, outlined at the 2018 Annual General Meeting of the LGA that the State Government plans to undertake a comprehensive review of the *Local Government Act 1999*, including election and representation provisions.
3. If Council resolves to support the Motion on Notice correspondence will be prepared to this effect for the Lord Mayor to send to the Minister for Local Government, on behalf of Council.

Local Government (Ratepayer and Related Measures) Amendment Bill 2018

4. Council Members are also advised that a separate report will be brought to Council on 29 January 2019 regarding the Local Government (Ratepayer and Related Measures) Amendment Bill 2018 (the Bill).
5. The Bill was introduced and passed in the Legislative Council in late 2018. In order to pass the House of Assembly and commence operation, the Bill would require the support of Government Members, which has not been forthcoming to date.
6. At the time of its passage in the Legislative Council, the Bill did not contain provisions relating to the disclosure of political or other affiliations or donations.
7. Should Council resolve to support the Motion on Notice, the Lord Mayor could also request inclusion of requirements for all candidates to disclose political memberships and donations in her correspondence to the LGA providing Council's comments on the Bill.

- END OF REPORT -

Reducing Single Use Plastics

ITEM 15.3 29/01/2019
Council

Council Member
Councillor Simms

2018/02571
Public

Receiving Officer:
Mark Goldstone, Chief Executive
Officer

MOTION ON NOTICE:

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

‘That Council:

- notes that the State Government has recently released two discussion papers on reducing single-use plastics and expanding the container deposit scheme;
- notes that feedback on these papers must be received by the 22nd of February 2019;
- requests that administration prepare a submission on these papers for endorsement by Council at its meeting of 12 February 2019.

ADMINISTRATION COMMENT:

1. The Minister for Environment and Water launched the “Turning the Tide on Single-Use Plastic Products” and “Improving South Australia’s Recycling Makes Cents” discussion papers on 13 January 2019.
2. Both discussion papers include a number of questions to help guide feedback on matters raised in the discussion papers. In turn, the submissions will help inform the State Government on areas of potential reform as well as any potential, unintended impacts that may arise from any government intervention.
3. The Environment Protection Authority and Green Industries SA have provided an extension to the submission deadlines until Friday 1 March 2019.
4. Given the extension until 1 March 2019 and the time required to review the two discussion papers and prepare draft submissions, a report could be prepared for consideration by Council at its meeting on 26 February 2019.

- END OF REPORT -

Council Member
Councillor Dr Donovan2018/04053
PublicReceiving Officer:
Mark Goldstone, Chief Executive
Officer

MOTION ON NOTICE:

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

'That Council:

1. Notes that the Australasian Soldiers Dardanelles Cenotaph, the first war memorial in Australia, has been relocated from Golden Wattle Park / Mirnu Wirra to the Anzac Memorial Walk.
2. Requests that a design project be identified in the 2019-20 draft Integrated Business Plan to explore opportunities to create a commemorative location and community destination in the south Park Lands, to consider:
 - 2.1. Both the original location of the Cenotaph in Wattle Grove adjacent Sir Lewis Cohen Avenue and the later location of Lundie Gardens;
 - 2.2. Reinstating the grove of wattle trees in Wattle Grove adjacent Sir Lewis Cohen Avenue; and
 - 2.3. Options for a new memorial in one of these locations to commemorate a significant wartime event.
3. Authorises the CEO or delegate to negotiate with Veterans SA, the Veteran's Advisory Council and other similar bodies to seek design advice and request potential funding assistance.'

ADMINISTRATION COMMENT:

1. The Australasian Soldiers Dardanelles Cenotaph originally stood in Wattle Grove, just south of South Terrace in Golden Wattle Park / Mirnu Wirra (Park 21W) and was unveiled in 1915. In 1940, the Cenotaph was relocated to Lundie Gardens in the north-west area of the same park.
2. As part of the Anzac Centenary Memorial Walk project, in late 2017 the State Government relocated the Australasian Soldiers Dardanelles Cenotaph to the southernmost point of the Walk.
3. If resolved we will include a design project in the draft 2019-20 Integrated Business Plan for Council consideration, which will explore the opportunity to enhance both of the locations in Golden Wattle Park / Mirnu Wirra (Park 21W) and as part of this project we would engage with both the south-west community and the City of Unley.
4. If resolved we will commence discussions with Veterans SA and the Veteran's Advisory Council to both determine available financial support and gain their input into the proposed project.

- END OF REPORT -

Exclusion of the Public

ITEM 17.1 29/01/2019
Council

Program Contact:

Jacki Done, AD People &
Governance 8203 7256

2018/04291
Public

Approving Officer:

Mark Goldstone, Chief
Executive Officer

EXECUTIVE SUMMARY:

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

For the following Recommendation of The Committee seeking consideration in confidence:

18.1.1. Recommendation 1 – New Activation Proposal – Garden of Uneathly Delights [s 90(3) (d)]

For the following Advice of the Adelaide Park Lands Authority (APLA) seeking receipt in confidence:

18.1.2 Advice 1 to Note – Strategic Lease Matter [s 90(3) (d)]

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

Strategic Alignment – Creative

18.2.1 Strategic Lease Matter [s 90(3) (d)]

The Order to Exclude for Items 18.1.1, 18.1.2 and 18.2.1:

1. Identifies the information and matters (grounds) from s 90(3) of the *Local Government Act 1999 (SA)* utilised to request consideration in confidence;
2. Identifies the basis – how the information falls within the grounds identified and why it is necessary and appropriate to act in a meeting closed to the public; and
3. In addition identifies for the following grounds – s 90(3) (b), (d) or (j) - how information open to the public would be contrary to the public interest.

ORDER TO EXCLUDE FOR ITEM 18.1.1:

THAT COUNCIL:

1. Having taken into account the relevant consideration contained in s 90(3) (d) and s 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 29/1/2019 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 18.1.1 [Recommendation of The Committee in Confidence – Recommendation 1 – New Activation Proposal – Garden of Uneathly Delights] 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 would divulge information provided on a confidential basis by a third party – Gardeners of Uneathly Delights. This information has been provided to Council on the basis that the commercial in confidence will be maintained.

The Gardeners of Uneathly Delights have formally requested that the information be considered in confidence and the proposal remains confidential. Disclosure of the information in this report prior to any determination or public announcement is likely to prejudice the event and marketing opportunities.

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. Third parties may determine not to pitch new ideas and projects to Council if Council will not take into account concerns regarding protection of its ideas and information. This may have the impact that Council does not maximise opportunities with partners.

- Pursuant to s 90(2) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 29/1/2019 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 18.1.1 [Recommendation of The Committee in Confidence – Recommendation 1 – New Activation Proposal – Garden of Unearthly Delights] 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) (d) of the Act.

ORDER TO EXCLUDE FOR ITEM 18.1.2:

THAT COUNCIL:

- Having taken into account the relevant consideration contained in s 90(3) (d) and s 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 29/1/2019 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 18.1.2 [Advice of the Adelaide Park Lands Authority in Confidence – Advice 1 – Strategic Lease 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 Item contains commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information and confer a commercial advantage on a third party.

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 the release of information prior to the finalisation of 'commercial in confidence' negotiations between the proponents and may materially and adversely affect the contract negotiations which on balance would be contrary to the public interest.

- Pursuant to s 90(2) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 29/1/2019 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 18.1.2 [Advice of the Adelaide Park Lands Authority in Confidence – Advice 1 – Strategic Lease 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) (d) of the Act.

ORDER TO EXCLUDE FOR ITEM 18.2.1:

THAT COUNCIL:

- Having taken into account the relevant consideration contained in s 90(3) (d) and s 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 29/1/2019 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 18.2.1 [Strategic Lease 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 Item contains commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information and confer a commercial advantage on a third party.

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 the release of

information prior to the finalisation of 'commercial in confidence' negotiations between the proponents and may materially and adversely affect the contract negotiations which on balance would be contrary to the public interest.

2. Pursuant to s 90(2) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 29/1/2019 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 18.2.1 [Strategic Lease 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) (d) of the Act.

DISCUSSION

1. s 90(1) of the *Local Government Act 1999 (SA)*, directs that a meeting of Council must be conducted in a place open to the public.
2. s 90(2) of the *Local Government Act 1999 (SA)*, states that a Council may order that the public be excluded from attendance at a meeting if Council considers it to be necessary and appropriate to act in a meeting closed to the public to receive, discuss or consider in confidence any information or matter listed in s 90(3).
3. s 90(3) prescribes the information and matters that a Council may order that the public be excluded from.
4. s 90(4) of the *Local Government Act 1999 (SA)*, advises that in considering whether an order should be made under s 90(2), it is irrelevant that discussion of a matter in public may:
 - 4.1 cause embarrassment to the council or council committee concerned, or to members or employees of the council; or
 - 4.2 cause a loss of confidence in the council or council committee.'
 - 4.3 involve discussion of a matter that is controversial within the council area; or
 - 4.4 make the council susceptible to adverse criticism.
5. s 90(7) of the *Local Government Act 1999 (SA)* requires that an order to exclude the public:
 - 5.1 Identify the information and matters (grounds) from s 90(3) of the *Local Government Act 1999 (SA)* utilised to request consideration in confidence;
 - 5.2 Identify the basis – how the information falls within the grounds identified and why it is necessary and appropriate to act in a meeting closed to the public; and
 - 5.3 In addition identify for the following grounds – s 90(3) (b), (d) or (j) - how information open to the public would be contrary to the public interest.
6. s 83(5) of the *Local Government Act 1999 (SA)* has been utilised to identify in the Agenda and on the Report for the meeting, that the following reports are submitted seeking consideration in confidence.
 - 6.1 Information contained in Item 18.1.1 – Recommendation of The Committee in Confidence - 22/1/2019 - Recommendation 1 – New Activation Proposal – Garden of Unearthly Delights:
 - 6.1.1 Is subject to an Existing Confidentiality Order 22/1/2019.
 - 6.1.2 The grounds utilised to request consideration in confidence is s 90(3) (d)
 - (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;
 - 6.2. Information contained in Item 18.1.2 - Advice of the Adelaide Park Lands Authority in Confidence– 24/1/2019 – Advice 1 to Note – Strategic Lease Matter:
 - 6.2.1 Is subject to an Existing Confidentiality Order 24/1/2019.
 - 6.2.2 The grounds utilised to request consideration in confidence is s 90(3) (d)

- (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;
- 6.3 Information contained in Item 18.2.1 – Strategic Lease Matter:
- 6.3.1 Is subject to an Existing Confidentiality Order 24/1/2019.
 - 6.3.2 The grounds utilised to request consideration in confidence is s 90(3) (d)
 - (d) commercial information of a confidential nature (not being a trade secret) the disclosure of which—
 - (i) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and
 - (ii) would, on balance, be contrary to the public interest;

ATTACHMENTS

Nil

- END OF REPORT -

Confidential Item 18.1.1

Recommendation of The Committee – 22/1/2019

Recommendation 1- New Activation Proposal – Garden of Uneathly Delights

Section 90 (3) (d) of the *Local Government Act (SA) 1999*

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