



COUNCIL AGENDA & REPORTS

for the meeting

Tuesday 12 March 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, 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 Kaurna 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 Kaurna 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 Kaurna 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. Apologies and Leave of Absence

Nil

4. Confirmation of Minutes – 26/2/2019

That the Minutes of the meeting of the Council held on 26 February 2019, be taken as read and be confirmed as an accurate record of proceedings, subject to the closure time of the meeting being amended to read '9.00pm'.

5. Deputations

5.1. Mr Andrew Kerr – Deputation – Park 27b Toilet Facilities

5.2. Hon Tung Ngo MLC, Co-Chair of the Vietnamese Boat People Monument Association – Deputation - Vietnamese Boat People Monument in Park 12

6. Petitions

6.1. Petition – Prioritisation of Toilet Installation in the Adelaide Park Lands [2018/04073] [Page 3]

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

7.1. Recommendations of The Committee – 5/3/2019 [2018/04062] [Page 6]

Recommendation 1 North Adelaide On-Street Parking Review

Recommendation 2 Proposal for 'Skating At in Victoria Square' in Victoria Square/Tarntanyangga

Recommendation 3 Delegations under the Liquor Licensing Act 1997, Road Traffic Act 1961 and South Australian Public Health Act 2011

7.2. Advice/Recommendation of the Reconciliation Committee - 27/2/2019 [2018/04062] [Page 9]

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

8.1. E-Scooter Trial Update and Next Steps

To be distributed separately

9. Questions on Notice

9.1. Councillor Simms – Question on Notice - City Wide Speed Limit Review Project [Page 11]

9.2. Councillor Knoll – Question on Notice – Christmas Pageant [Page 12]

10. Questions without Notice

11. Motions on Notice

- 11.1. Councillor Martin – Motion on Notice – Albert Tower Bells [2018/04053] [Page 13]
- 11.2. Councillor Martin – Motion on Notice – Progress of Motions and Responses to Matters for which the Administration has Requested “Notice” [2018/04074] [Page 14]
- 11.3. Councillor Martin – Motion on Notice - Council’s 19/20 Budget [Page 15]
- 11.4. Councillor Abrahamzadeh – Motion on Notice – Rundle Road [Page 16]
- 11.5. Councillor Hyde - Motion on Notice – Homelessness [Page 17]
- 11.6. Councillor Hyde - Motion on Notice – E-Scooters [Page 18]
- 11.7. Councillor Khera - Motion on Notice – Heritage in the City [Page 19]
- 11.8. Councillor Couros - Motion on Notice – Splash Adelaide Program [Page 20]
- 11.9. Deputy Lord Mayor (Councillor Abiad) – Motion on Notice - Upark Ticket Validation [Page 21]
- 11.10. Deputy Lord Mayor (Councillor Abiad) – Motion on Notice - Greening opportunities in Central and South West precincts [Page 22]
- 11.11. Deputy Lord Mayor (Councillor Abiad) – Motion on Notice - Ongoing measures to cut red tape and the cost of doing business in the City of Adelaide [Page 23]
- 11.12. Councillor Hou – Motion on Notice – Multicultural Hub and Tourist Destination [Page 24]
- 11.13. Councillor Knoll – Motion on Notice – Rate Freeze [Page 25]

12. Motions without Notice

13. Exclusion of the Public

13.1. Exclusion of the Public [2018/04291] [Page 26]

For the following report of The Committee seeking consideration in confidence

14.1.1 Recommendation of The Committee in Confidence – 5/3/2019

Strategic Alignment – Liveable

- Recommendation 1 New Recreation Space [s 90(3) (b)]
- Recommendation 2 Strategic Property Matter [s 90(3) (b) & (d)]
- Recommendation 3 Strategic Property Matter [s 90(3) (b) & (d)]

Strategic Alignment - Creative

- Recommendation 4 City of Music Laneway Naming [s 90(3) (a) & (b)]
- Recommendation 5 Funding Submissions [s 90(3) (b)]
- Strategic Alignment - Corporate Activities
- Recommendation 6 Partnership Proposals 2019-20 [s 90(3) (b)]

14. Confidential Reports

14.1. Confidential Report of Committee

14.1.1 Recommendation of The Committee in Confidence – 5/3/2019 [2018/04062] [Page 31]

- Recommendation 1 New Recreation Space
- Recommendation 2 Strategic Property Matter
- Recommendation 3 Strategic Property Matter
- Recommendation 4 City of Music Laneway Naming
- Recommendation 5 Funding Submissions
- Recommendation 6 Partnership Proposals 2019-20

15. Closure

Petition – Prioritisation of Toilet Installation in the Adelaide Park Lands

ITEM 6.1 12/03/2019
Council

2018/04073
Public

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

Approving Officer:
Steve Mathewson, Director
Services

EXECUTIVE SUMMARY:

This report presents to Council a petition from visitors and users of the Adelaide Park Lands.

The petition contains 386 signatories encouraging Council to:

- Prioritise the installation of an appropriate, stand-alone toilet facility in close proximity to Park 27b in the Adelaide Park Lands and adjoining facilities, specifically the community garden, skate park, basketball court, tennis court, BBQ's and playspace.
- Conduct community consultation on the most appropriate toilet type and location.
- Prioritise delivery within the 2018-2019 financial year or at the latest 2019-2020 financial year.

RECOMMENDATION:

THAT COUNCIL

1. Notes the petition containing 386 signatories, distributed as a separate document to Item 6.1 on the Agenda for the meeting of the Council held on 12 March 2019, requesting prioritisation of toilet installation in close proximity to Park 27b and adjoining recreational facilities in the Adelaide Park Lands.
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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

1. A petition has been received from users and visitors of the Adelaide Park Lands relating to prioritisation of toilet installation in close proximity to Park 27b and adjoining recreational facilities in the Adelaide Park Lands.
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. Prioritise the installation of an appropriate, stand-alone toilet facility in close proximity to Park 27b in the Adelaide Park Lands and adjoining facilities, specifically the community garden, skate park, basketball court, tennis court, BBQ's and playspace.
 - 5.2. Conduct community consultation on the most appropriate toilet type and location.
 - 5.3. Prioritise delivery within the 2018-2019 financial year or at the latest 2019-2020 financial year.
6. The petition contains 386 signatories.

ATTACHMENTS

Petition distributed separately to Lord Mayor and Councillors.

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

2018/04062
Public

Approving Officer:
Steve Mathewson, Director
Services

EXECUTIVE SUMMARY:

The Committee considered the following Items at its meeting held on 5 March 2019 and resolved to present to Council a Recommendation for each for Council determination:

- Item 4.1 – North Adelaide On-Street Parking Review
- Item 4.2 – Proposal for ‘Skating At in Victoria Square’ in Victoria Square/Tarntanyangga
- Item 4.3 – Delegations under the Liquor Licensing Act 1997, Road Traffic Act 1961 and South Australian Public Health Act 2011

The Lord Mayor will seek a motion for each recommendation presented by The Committee below for determination by Council.

RECOMMENDATION:

1. Recommendation 1 - North Adelaide On-Street Parking Review

That Council:

1. Approves the installation of time limit parking controls in North Adelaide in the 10P bays and approximately half of the unrestricted parking areas with a view to reducing commuter parking as detailed in Attachment A to Item 4.1 on the Agenda for the meeting of The Committee held on 5 March 2019.
2. Approves a trial of relaxing the Residential Parking Permit Criteria within the trial area as detailed in Attachment A to Item 4.1 on the Agenda for the meeting of The Committee held on 5 March 2019.
3. Approves the \$42,500 that will be required for the notification, implementation and parking utilisation surveys with funds to be requested as part of the Q3 budget reconsideration process.
4. Notes the recommendations within the *Women’s and Children’s Health Network – Review of the Medical Centre Car Park Project Trial Report, November 2016* as at Attachment B to Item 4.1 on the Agenda for the meeting of The Committee held on 5 March 2019.
5. Approves the continuation of the Women’s and Children’s Hospital Permit zone in Mackinnon Parade, Monday to Friday from 6am-6pm, in line with the Council decision on 11 August 2015 (decision no. 15691) with the option for either party to relinquish the Agreement with 3 months’ written notice.

2. Recommendation 2 - Proposal for ‘Skating At in Victoria Square’ in Victoria Square/Tarntanyangga

That Council:

1. Notes the outcomes of the public consultation administered via Council’s Your Say website from 9-30 January 2019 as at Attachment A to Item 4.2 on the Agenda for the meeting of The Committee held on 5 March 2019.

2. Grants an event licence to Skating At Pty Ltd for delivery of the proposed 'Skating At in Victoria Square' event in June/July 2019 as per the event management approach in Attachment B to Item 4.2 on the Agenda for the meeting of The Committee held on 5 March 2019.

3. Recommendation 3 - Delegations under the Liquor Licensing Act 1997, Road Traffic Act 1961 and South Australian Public Health Act 2011

That Council:

1. In exercise of the power contained within Section 44 of the *Local Government Act 1999* hereby delegates, this 12th day of March 2019, to the person occupying the office of Chief Executive Officer, the powers and functions under the *Liquor Licencing Act 1997, Road Traffic Act 1961, South Australian Public Health Act 2011, South Australian Public Health (Legionella) Regulations 2013, South Australian Public Health (General) Regulations 2013* and *South Australian Public Health (Fees) Regulations 2018* and specified in the proposed Instruments of Delegation contained in Attachment A, B and C to Item 4.3 on the Agenda for the meeting of The Committee held on 5 March 2019, subject to the conditions and or limitations specified, contained in the proposed Instruments of Delegation.
 2. Approves that such powers and functions delegated may be further delegated by the Chief Executive Officer in accordance with Sections 44 and 101 of the *Local Government Act 1999* as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the proposed Instruments of Delegation contained in Attachment A, B and C to Item 4.3 on the Agenda for the meeting of The Committee held on 5 March 2019.
-

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

Recommendation 1 - North Adelaide On-Street Parking Review [Item 4.1]

Recommendation 2 - Proposal for 'Skating At in Victoria Square' in Victoria Square/Tarntanyangga [Item 4.2]

Recommendation 3 - Delegations under the Liquor Licensing Act 1997, Road Traffic Act 1961 and South Australian Public Health Act 2011 [4.3]

ATTACHMENTS

Nil

- END OF REPORT -

Advice/Recommendation of the Reconciliation Committee - 27/2/2019

ITEM 7.2 12/03/2019
Council

Program Contact:

Jacki Done, AD People & Governance 8203 7256

2018/04062
Public

Approving Officer:

Steve Mathewson, Director Services

EXECUTIVE SUMMARY:

The City of Adelaide Reconciliation Committee is required to recommend to Council a Reconciliation Action Plan, provide input to policy development and strategic advice and monitor the implementation of the guiding principles of Council's Reconciliation Vision Statement across Council.

The Reconciliation Committee met on Wednesday 27 February 2019. See [here](#) for the Reconciliation Committee Agenda.

The Reconciliation Committee appointed:

- Lord Mayor [Sandy Verschoor] and Ms Yvonne Agius as dual Chairpersons of the City of Adelaide Reconciliation Committee for a period of two years.
- Mr Ivan-Tiwu Copley as Deputy Chairperson of the City of Adelaide reconciliation Committee for a period of two years.

The deliberations of the Reconciliation Committee have resulted in the presentation of the following advice and recommendation Council to note in relation to:

- City of Adelaide Reconciliation Committee 2019-2022 Meetings Schedule
- Stretch RAP 2018- 2021 Implementation Plan and Progress Report.

The Lord Mayor will seek a motion to note the advice and recommendation presented by the Reconciliation Committee below.

ADVICE/RECOMMENDATION:

1. **Advice 1** - City of Adelaide Reconciliation Committee 2019 – 2022 Meetings Schedule

That Council

1. Notes the following Quarterly Meeting Schedule adopted by the City of Adelaide Reconciliation Committee

The Reconciliation Committee meetings will be held in the Colonel Light Room, Town Hall, Adelaide on Wednesdays 2.30 pm to 4.30 pm on the following dates:

2019	2020	2021	2022
27 February	26 February	24 February	23 February
1 May	6 May	5 May	4 May
4 September	2 September	1 September	7 September
4 December	2 December	1 December	7 December

2. Recommendation 1 - Stretch RAP 2018-2021 Implementation Progress Report – June to December 2018

That Council:

1. Notes the report.

ATTACHMENTS

Nil

- END OF REPORT -

City Wide Speed Limit Review Project

ITEM 9.1 12/03/2019
Council

Council Member
Councillor Simms

Receiving Officer:
Mark Goldstone, Chief Executive
Officer

Public

QUESTION ON NOTICE:

Councillor Simms will ask the following Question on Notice:

'Can administration please provide an update on the status of the City Wide Speed Limit Review Project and speed limits in the Park Lands and Squares?'

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 -

Christmas Pageant

ITEM 9.2 12/03/2019
Council

Council Member
Councillor Knoll

Receiving Officer:
Mark Goldstone, Chief Executive
Officer

Public

QUESTION ON NOTICE:

Councillor Knoll will ask the following Question on Notice:

'Noting the 11 September 2018 decision of Council which was successfully moved by Councillor Slama that reads as follows:

That:

1. Council notes that the Credit Union Christmas pageant is instrumental in kickstarting Adelaide's retail economy for the Christmas season every year and that there is potential to enhance the event to further increase its positive impact.
2. CoA work with SATC and seeks to adopt a more prolific KEY Partnership role approach – with SA Government, the key sponsor(s) of the Pageant, and the City's key Retail Precincts including Rundle Mall and Central Market and other tourist attractions eg Adelaide Zoo;
3. The strategic utilisation and financial participation of Adelaide's key assets (Rundle Mall and Central Market) should be engaged to improve visitor experience and boost pageant visitation / participation;
4. Council authorises the Lord Mayor and CEO to negotiate with the Premier, SATC, Pageant Organisers and Sponsors a strategic alignment.;
5. Council requests that the Lord Mayor write to the Premier and the Organising Committee of the Christmas Pageant encouraging the annual pageant to become a multi-day tourist attraction held from Wednesday to Sunday including the option of holding the Pageant on Sundays.

Can Administration provide an update to Council on what actions have been taken since this motion was passed?'

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 -

Albert Tower Bells

ITEM 11.1 12/03/2019
Council

Council Member
Councillor Martin

2018/04053
Public

Receiving Officer:
Mark Goldstone, Chief Executive
Officer

MOTION ON NOTICE:

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

'That Council;

Requests Administration prepare a report by the end of March on the possibility of commissioning a project to research and document the architectural and social history of the City of Adelaide's Albert Tower Bells, together with an estimate of any associated costs.'

ADMINISTRATION COMMENT:

1. Research has already been undertaken and documented, however there are still historic records in the City Archives which need to be properly explored.
2. A report was commissioned in November 2018 which documents a detailed history of the bells, along with a condition audit and cost to repair the bells and surroundings, with works planned in future asset renewal projects.
3. Should the motion be supported, a report will be prepared detailing information from the City Archives, Heritage and Infrastructure Teams, with options and associated costs for Council to consider, at its meeting on 7 May 2019.
4. It is assumed that preparation of the report will be undertaken within existing resources in the Archives, Heritage and Infrastructure Teams.

- END OF REPORT -

Progress on Motions and Responses to Matters for which the Administration has Requested “Notice”

ITEM 11.2 12/03/2019
Council

Council Member
Councillor Martin

2018/04074
Public

Receiving Officer:
Mark Goldstone, Chief Executive
Officer

MOTION ON NOTICE:

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

‘That Council requests the Administration, at every second meeting of Council;

- i) Returns to the previous practice of reporting the progress of Councillor motions with and without notice adopted by the elected body over the current and previous two terms but which have not yet been fully implemented, and
- ii) An oral or written response to matters raised at prior Committee and Council meetings to which the Administration declined to provide an answer or information at that time, undertaking instead to “take on (it) notice”.’

ADMINISTRATION COMMENT:

1. Since July 2016 reports have been presented to Council on the progress of motions by Council Members and decisions of Council and Committees.
2. In response to a Motion on Notice there was an undertaking to explore the creation of an online portal to provide Council Members and the community with the ability to search individual decisions and receive updates in real time.
3. We are now in a position to utilise the Council Member portal for the reporting on the progress of decisions and motions. The portal offers the following advantages:
 - 3.1. The ability for Council Members to search specific information including tracking their own motions.
 - 3.2. Easy addition of reporting on Chief Executive Officer undertakings.
4. The next step is to work towards a live dashboard showing all the decisions and motions with progress updates providing maximum transparency for Council Members.
5. A public version of the report and dashboard will be made available on the City of Adelaide website.

- END OF REPORT -

Council's 19/20 Budget

ITEM 11.3 12/03/2019
Council

Council Member
Councillor Martin

Public

Receiving Officer:
Mark Goldstone, Chief Executive
Officer

MOTION ON NOTICE:

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

'That Council;

Requests the Administration include in the Council's draft 19/20 budget the following initiatives for North Adelaide, along with the estimated cost of;

- i) The development of a master plan for the Melbourne Street Business Precinct
- ii) The development of a master plan for the O'Connell Street Business Precinct.'

ADMINISTRATION COMMENT:

To be distributed separately

- END OF REPORT -

Rundle Road

ITEM 11.4 12/03/2019
Council

Council Member
Councillor Abrahamzadeh

Public

Receiving Officer:
Mark Goldstone, Chief Executive
Officer

MOTION ON NOTICE:

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

'That Council

- 1) Reinstates the Rundle Road Weekend Closure and On Street Paid Parking.
- 2) Investigate alternate & improved barrier solutions for that area
- 3) To be delivered as part of the 2019-2020 Budget Consideration process.'

ADMINISTRATION COMMENT:

To be distributed separately

- END OF REPORT -

Homelessness

ITEM 11.5 12/03/2019
Council

Council Member
Councillor Hyde

Public

Receiving Officer:
Mark Goldstone, Chief Executive
Officer

MOTION ON NOTICE:

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

'That Council:

1. Notes receipt of the Institute of Global Homelessness' (IGH) report written by Dame Louise Casey recommending, among other things, increasing support for the Adelaide Zero Project's backbone work and the development of a business case to create an inner city social services hub.
2. Notes the City of Adelaide does not have the financial capacity to fully implement the recommendations of this report.
3. Budgets a further contribution of \$200,000 in the 2019-2020 budget consideration process, contingent on State Government funding the remaining requirement to implement other recommendations of the IGH report.'

ADMINISTRATION COMMENT:

To be distributed separately

- END OF REPORT -

E-Scooters

ITEM 11.6 12/03/2019
Council

Council Member
Councillor Hyde

Public

Receiving Officer:
Mark Goldstone, Chief Executive
Officer

MOTION ON NOTICE:

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

'That Council:

- Notes the success and popularity of the e-scooter share program trial over the festival period.
- Approves that a second e-scooter trial be undertaken for three months beginning immediately after the cessation of the current trial.
- Undertake an expression of interest for two e-scooter operators for the second trial, including increased provision for safety on footpaths.
- Request Administration work with DPTI to extend the current boundary of the e-scooter regulations to include the whole City of Adelaide and to investigate the viability of allowing e-scooters in bicycle lanes.'

ADMINISTRATION COMMENT:

To be distributed separately

- END OF REPORT -

Heritage in the City

ITEM 11.7 12/03/2019
Council

Council Member
Councillor Khera

Public

Receiving Officer:
Mark Goldstone, Chief Executive
Officer

MOTION ON NOTICE:

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

‘That Council:

- Acknowledges heritage properties as a significant cultural and economic driver in the City of Adelaide.
- Investigates a Heritage Rate Rebate Incentive Scheme for City of Adelaide Rate Payers who invest in and maintain their heritage listed properties
- Consider measures and incentives to promote the occupancy and restoration of vacant and dilapidated properties
- Allocate a budget for this program as part of the 2019-2020 budget considerations.’

ADMINISTRATION COMMENT:

To be distributed separately

- END OF REPORT -

Splash Adelaide Program

ITEM 11.8 12/03/2019
Council

Council Member
Councillor Couros

Public

Receiving Officer:
Mark Goldstone, Chief Executive
Officer

MOTION ON NOTICE:

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

'That Council requests Administration:

- 1) Prepare a report and present at a workshop on Council's past experiences with Splash Adelaide Program. Information provided to include a brief history, budget considerations, examples and community sentiment.
- 2) Deliver a Splash 2.0 - City Activation Program as part of the 2019-2020 budget consideration.'

ADMINISTRATION COMMENT:

To be distributed separately

- END OF REPORT -

Upark Ticket Validation

ITEM 11.9 12/03/2019
Council

Council Member
Deputy Lord Mayor (Councillor
Abiad)

Receiving Officer:
Mark Goldstone, Chief Executive
Officer

Public

MOTION ON NOTICE:

Deputy Lord Mayor (Councillor Abiad) will move a motion and seek a seconder for the matter shown below to facilitate consideration by the Council:

'That:

Council investigates an automated system for Uparks to allow City Businesses to validate customers UPark Tickets.'

ADMINISTRATION COMMENT:

To be distributed separately

- END OF REPORT -

Greening opportunities in Central and South West precincts

ITEM 11.10 12/03/2019
Council

Council Member
Deputy Lord Mayor (Councillor Abiad)

Receiving Officer:
Mark Goldstone, Chief Executive Officer

Public

MOTION ON NOTICE:

Deputy Lord Mayor (Councillor Abiad) 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 canopy of the South West and North West of the City is 11% and 9% respectively;
- 2) Endorsed the increase in the canopy to 20% by 2021;
- 3) Investigates potential partnership funding from the State Government to assist with meeting the tree canopy targets.'

ADMINISTRATION COMMENT:

To be distributed separately

- END OF REPORT -

Ongoing measures to cut red tape and the cost of doing business in the City of Adelaide

ITEM 11.11 12/03/2019
Council

Council Member
Deputy Lord Mayor (Councillor Abiad)

Receiving Officer:
Mark Goldstone, Chief Executive Officer

Public

MOTION ON NOTICE:

Deputy Lord Mayor (Councillor Abiad) will move a motion and seek a seconder for the matter shown below to facilitate consideration by the Council:

'That Council:

- 1) Investigates opportunities to consolidate permits and application processes for businesses.
- 2) Removes the outdoor dining fees for complying businesses as part of the 2019-2020 budget consideration process.
- 3) Investigates other cost reduction measures including waste management services & trades parking permits.'

ADMINISTRATION COMMENT:

To be distributed separately

- END OF REPORT -

Multicultural Hub and Tourist Destination

ITEM 11.12 12/03/2019
Council

Council Member
Councillor Hou

Public

Receiving Officer:
Mark Goldstone, Chief Executive Officer

MOTION ON NOTICE:

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

'That Council:

- 1) Recognises that Moonta, Gouger and Grote Street Precinct as the Multicultural Hub and a Tourist Destination for the City of Adelaide.
- 2) Requests that the Lord Mayor approaches the Premier to consider an increase in the State Government Funding for the Project.
- 3) Endorses the inclusion of an appropriate budget for detailed design and consultation as part of the 2019-2020 budget consideration process.'

ADMINISTRATION COMMENT:

To be distributed separately

- END OF REPORT -

Rate Freeze

ITEM 11.13 12/03/2019
Council

Council Member
Councillor Knoll

Public

Receiving Officer:
Mark Goldstone, Chief Executive
Officer

MOTION ON NOTICE:

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

'That Council:

Considers a continued freeze in the Rate in the Dollar as part of the 2019-2020 Budget Consideration Process.'

ADMINISTRATION COMMENT:

To be distributed separately

- END OF REPORT -

Exclusion of the Public

ITEM 13.1 12/03/2019
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 Report of The Committee seeking consideration in confidence:

14.1.1 Recommendation of The Committee in Confidence – 19/2/2019

Recommendation 1 - New Recreation Space [s 90(3) (b)]

Recommendation 2 - Strategic Property Matter [s 90(3) (b) & (d)]

Recommendation 3 - Strategic Property Matter [s 90(3) (b) & (d)]

Recommendation 4 - City of Music Laneway Naming [s 90(3) (a) & (b)]

Recommendation 5 - Funding Submissions [s 90(3) (b)]

Recommendation 6 - Partnership Proposals 2019-20 [s 90(3) (b)]

The Order to Exclude for Item 14.1.1:

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 14.1.1:

THAT COUNCIL:

1. Having taken into account the relevant consideration contained in s 90(3) (a), (b) & (d) and s 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 12/3/2019 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 14.1.1 [Recommendation of The Committee in Confidence – 5/3/2019] listed on the Agenda in a meeting open to the public would on balance be contrary to the public interest.

Grounds and Basis

Recommendation 1 – New Recreation Space

Disclosure of the funding strategies and associated information could reasonably prejudice the commercial position of Council in its negotiations with its funding partners, which, on balance, would be contrary to the public interest as it would likely implicate the optimisation of funding opportunities council may be able to secure through its funding negotiations.

Recommendation 2 – Strategic Property Matter

This Item is commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting business, prejudice the commercial position of the council and prejudice the commercial position of the person who supplied the information and confer a commercial advantage on a third party.

The disclosure of information in this report could reasonably prejudice the commercial position of Council as it discusses land disposal options for evaluation by Council, disclosure of which at this point in time may confer a commercial advantage on a third party, prejudice the ability for Council to undertake/participate in future discussion or negotiation and prejudice the Council's commercial position and opportunity to discuss or negotiate an option yet to be determined by the Council at this point in time.

Recommendation 3 – Strategic Property Matter

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

Recommendation 4 – City of Music Laneway Naming

The grounds for consideration in confidence are primarily associated with the personal implications for the artist/s. There is a risk to reputation and personal brand for an artist to be placed competitively among a list of peers, and their name not be selected by Council for a City of Music laneway. Consideration in confidence seeks to protect the reputation and to minimise personal disappointment of the artist/s named in the report.

The grounds for consideration in confidence are secondly that any Council decision to name a City laneway may reasonably be expected to confer a commercial advantage of one artist/s over another, particularly as provided in a competitive arrangement through the decision-making process required by this report. There will be media and public interest in the selected artist/s. Commercial exposure and performance opportunities may reasonably be seen to be advantaged by the decision of Council to name a City laneway after the artist/s.

Recommendation 5 – Funding Submissions

Disclosure of the funding strategies and associated information could reasonably prejudice the commercial position of Council in its negotiations with its funding partners, which, on balance, would be contrary to the public interest as it would likely implicate the optimisation of funding opportunities council may be able to secure through its funding negotiations.

Recommendation 6 – Partnership Proposals 2019-20

Disclosure of proposed funding strategies and associated information including anticipated capital and operating expenditure on key strategic projects could reasonably prejudice the commercial position of Council in its negotiations with its funding partners and other third parties, which, on balance, would be contrary to the public interest as it would likely undermine the optimisation of funding opportunities council may be able to secure through its funding negotiations and may result in inflated project costs.

Public Interest

Recommendation 1 – New Recreation Space

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 given that information release of such information may confer a commercial advantage on a third party and severely prejudice the Council's ability to influence proposals for the benefit of the Council and the community in this matter.

Recommendation 2 – Strategic Property Matter

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 will result in release of information in relation to the land disposal matter and because the disclosure of Council's commercial position may severely prejudice Council's ability to discuss/participate or influence a proposal for the benefit of the Council and the community in this matter.

Recommendation 3 – Strategic Property Matter

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

Recommendation 4 – City of Music Laneway Naming

The Committee 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 would involve the unreasonable disclosure of information concerning the personal affairs of the artist/s named in the report which could prejudice the commercial position and identity of the artist/s named through the receipt of a level of commercial advantage from the decision or disadvantage the personal and professional brand and reputation of artist/s named but not selected in the decision-making process by Council.

Recommendation 5 – Funding Submissions

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 given that information release of such information may confer a commercial advantage on a third party and severely prejudice the Council's ability to influence proposals for the benefit of the Council and the community in this matter.

Recommendation 6 – Partnership Proposals 2019-20

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 given that information release of such information may confer a commercial advantage on a third party and severely prejudice the Council's ability to influence proposals and efficiently deliver strategic projects for the benefit of the Council and the community in this matter.

2. Pursuant to s 90(2) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 12/3/2019 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 14.1.1 [Recommendation of The Committee in Confidence – 5/3/2019] listed in the Agenda, on the grounds that such item of business, contains information and matters of a kind referred to in s 90(3) (a), (b) & (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 report is submitted seeking consideration in confidence.
 - 6.1 Information contained in Item 14.1.1 – Recommendation of The Committee in Confidence– 5/3/2019:
 - 6.1.1 Is subject to Existing Confidentiality Orders dated 15/1/2019, 23/2/2019 & 5/3/2019.
 - 6.1.2 Recommendation 1 - The grounds utilised to request consideration in confidence is s 90(3) (b)
 - (b) information the disclosure of which—
 - (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and
 - (ii) would, on balance, be contrary to the public interest;
 - 6.1.3 Recommendation 2 – The grounds utilised to request consideration in confidence is s 90(3) (b) & (d)
 - (b) information the disclosure of which—
 - (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and
 - (ii) would, on balance, be contrary to the public interest;
 - (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;
 - 6.1.4 Recommendation 3 – The grounds utilised to request consideration in confidence is s 90(3) (b) & (d)
 - (b) information the disclosure of which—

- (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and
 - (ii) would, on balance, be contrary to the public interest;
 - (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;
- 6.1.5 Recommendation 4 – The grounds utilised to request consideration in confidence is s 90(3) (a) & (b)
- (a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead);
 - (b) information the disclosure of which—
 - (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and
 - (ii) would, on balance, be contrary to the public interest;
- 6.1.6 Recommendation 5 – The grounds utilised to request consideration in confidence is s 90(3) (b)
- (b) information the disclosure of which—
 - (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and
 - (ii) would, on balance, be contrary to the public interest;
- 6.1.7 Recommendation 6 - The grounds utilised to request consideration in confidence is s 90(3) (b)
- (b) information the disclosure of which—
 - (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and
 - (ii) would, on balance, be contrary to the public interest;

ATTACHMENTS

Nil

- END OF REPORT -

Confidential Item 14.1.1

Recommendation of The Committee – 5/3/2019

Section 90 (3) (a), (b) & (d) of the *Local Government Act (SA) 1999*

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