



COUNCIL AGENDA & REPORTS

for the meeting

Tuesday 30 July 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 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 Acting 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

On Leave – Councillor Couros.

6. Confirmation of Minutes – 16/7/2019

That the Minutes of the meeting of the Council held on 16 July 2019, be taken as read and be confirmed as an accurate record of proceedings.

7. Deputations

Granted as at 25 July 2019

Nil

8. Petitions

Nil

9. Reports of The Committee, APLA and Audit Committee

9.1. Recommendations of The Committee – 23/7/2019 [2018/04062] [Page 4]

Recommendation 1	Regulated Tree Removal in Tarntanya Wama (Park 26)
Recommendation 2	Rymill Park / Murlawirrapurka (Park 14) Draft Master Plan
Recommendation 3	Hindley Street Improvement Project
Recommendation 4	2019 LGA Annual General Meeting
Recommendation 5	LGFA Annual General Meeting

- Recommendation 6 20-Year Infrastructure Strategy Discussion Paper Response
- 9.2.** Advice of the Adelaide Park Lands Authority – 25/7/2019 [2018/04062] [Page 7]
- Recommendation 1 BMX Precinct – City Dirt Master Plan
- 9.3.** Recommendations of the Audit Committee – 19/7/2019 [2018/04062] [Page 8]
- Recommendation 1 Report of the Audit Committee – 19 July 2019
- Recommendation 2 Accounting Standards Position Papers
- 10. Lord Mayor's Reports**
- 11. Councillors' Reports**
- 11.1** Reports from Council Members [2018/04064] [Page 12]
- 12. Reports for Council (Chief Executive Officer's Reports)**
- Strategic Alignment – Corporate Activities
- 12.1.** Progress of Motions by Elected Members [2018/04074] [Page 15]
- 13. Questions on Notice**
- 13.1.** Councillor Moran – Question on Notice – Definition in the Standing Orders [Page 18]
- 13.2.** Councillor Simms – Question on Notice - Facial Recognition Technology City Surveillance [2009/00851] [Page 19]
- 13.3.** Councillor Martin – Question on Notice - Park 2 and Adelaide Football Club and Blackfriars Primary School [Page 20]
- 13.4.** Councillor Abrahamzadeh – Question on Notice - Domestic Violence City of Adelaide Staff Assistance [Page 21]
- 14. Questions without Notice**
- 15. Motions on Notice**
- 15.1.** Councillor Moran – Motion on Notice – Neglected and/or Derelict Property [2019/00464] [Page 22]
- 15.2.** Councillor Simms – Motion on Notice – Contact with Developers Online Register [2019/00464] [Page 24]
- 15.3.** Councillor Hyde – Motion on Notice – City of Adelaide Men's Shed [2019/01425] [Page 25]
- 15.4.** Councillor Hyde – Motion on Notice - Management of Pollen in the City of Adelaide [2018/04236] [Page 26]
- 15.5.** Councillor Abrahamzadeh – Motion on Notice – Land Tax Proposal [2018/02883] [Page 27]
- 16. Motions without Notice**
- 17. Exclusion of the Public**
- 17.1.** Exclusion of the Public [2018/04291] [Page 28]
- For the following reports of The Committee, APLA & Audit Committee seeking consideration in confidence
- 18.1.1.** Recommendation of The Committee in Confidence – 23/7/2019
Recommendation 1 Strategic Event Matter [s 90(3) (d) & (i)]
- 18.1.2.** Advice of the Adelaide Park Lands Authority in Confidence – 25/7/2019
Recommendation 1 EOI Results - Pelzer Park / Pityarilla (Park 19) & Peppermint Park / Wita Wirra (Park 18) [s 90(3) (d)]
Recommendation 2 Rymill Park Kiosk EOI Results [s 90(3) (d)]
- 18.1.3.** Advice/Recommendations of the Audit Committee – 19/7/2019
Recommendation 1 Report of the Audit Committee – 19 July 2019 [s 90(3) (b), (d) & (i)]
- For the following reports for Council (Chief Executive Officer's Reports) seeking consideration in confidence
- 18.2.1.** Appointment of Board Members to Adelaide Central Market Authority [s 90(3) (a)]
- 18.2.2.** Appointment of Board Members to Rundle Mall Management Authority [s 90(3) (a)]

18. Confidential Reports

- 18.1.** Confidential Reports of The Committee, APLA & Audit Committee
 - 18.1.1.** Recommendation of The Committee in Confidence – 23/7/2019 [2018/04062] [Page 34]
Recommendation 1 Strategic Event Matter
 - 18.1.2.** Advice of the Adelaide Park Lands Authority in Confidence – 25/7/2019 [2018/04062] [Page 37]
Recommendation 1 EOI Results - Pelzer Park / Pityarilla (Park 19) & Peppermint Park / Wita Wirra (Park 18)
Recommendation 2 Rymill Park Kiosk EOI Results
 - 18.1.3.** Recommendation of the Audit Committee in Confidence – 19/7/2019 [2018/04062] [Page 40]
Recommendation 1 Report of the Audit Committee – 19 July 2019
- 18.2.** Confidential Reports for Council (Chief Executive Officer's Reports)
 - Strategic Alignment – Liveable**
 - 18.2.1.** Appointment of Board Members to Adelaide Central Market Authority [2015/02959] [Page 44]
 - 18.2.2.** Appointment of Board Members to Rundle Mall Management Authority [2015/02958] [Page 49]

19. Closure

Recommendations of The Committee - 23/7/2019

ITEM 9.1 30/07/2019
Council

Program Contact:
Rudi Deco, Manager Governance
8203 7422

2018/04062
Public

Approving Officer:
Mark Goldstone, Chief Executive
Officer

EXECUTIVE SUMMARY:

The Committee considered the following Items at its meeting held on 23 July 2019 and resolved to present to Council the following Recommendation for Council determination:

- Item 4.1 – Regulated Tree Removal in Tarntanya Wama (Park 26)
- Item 4.2 – Rymill Park / Murlawirrapurka (Park 14) Draft Master Plan
- Item 4.3 – Hindley Street Improvement Project
- Item 4.4 – 2019 LGA Annual General Meeting
- Item 4.5 – LGFA Annual General Meeting
- Item 4.6 – 20-Year Infrastructure Strategy Discussion Paper Response

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

RECOMMENDATION:

1. **Recommendation 1** - Regulated Tree Removal in Tarntanya Wama (Park 26)

That Council:

1. Approves in its capacity as having care and control of the land, the removal of one *Ficus macrophylla* (Moreton Bay Fig) located in Tarntanya Wama (Park 26) from the location as shown as Tree 1 in Attachment A to Item 4.1 on the Agenda for the meeting of The Committee held on 23 July 2019.

2. **Recommendation 2** - Rymill Park / Murlawirrapurka (Park 14) Draft Master Plan

That Council:

1. Approves the Rymill Park / Murlawirrapurka (Park 14) Draft Master Plan, Attachment A to Item 4.2 on the Agenda for the meeting of The Committee held on 23 July 2019, for key stakeholder and community consultation, including the vision, principles, actions and overall plan.

3. **Recommendation 3** - Hindley Street Improvement Project

That Council:

1. Notes the Quick Win projects, as shown in Part 1 as included in Attachment A to Item 4.3 on the Agenda for the meeting of The Committee held on 23 July 2019, have commenced.

2. Approves the Short-Term improvement options to be commenced in 2019-20 using current available funding sources as shown in Part 2 as included in Attachment A to Item 4.3 on the Agenda for the meeting of The Committee held on 23 July 2019.
3. Notes that a CEO Working Group has been established to support the delivery of the quick win and short-term improvements options, in alignment with key stakeholder expectations.
4. Notes that a further report will be presented to Council in Q1 2020 detailing proposed medium-term improvement options and high-level costings for its consideration in order to inform the draft 2020-21 Integrated Business Plan.

4. **Recommendation 4 - 2019 LGA Annual General Meeting**

That Council:

1. Notes the LGA Conference and Annual General Meeting are scheduled for 30 and 31 October 2019.
2. Notes that Councillor Donovan will continue as Council's standing LGA voting delegate and Councillor Hyde as deputy voting delegate for the 2019 LGA Annual General meeting on 31 October 2019.

OR

2. Appoints a new Council LGA voting delegate and / or deputy voting delegate for the 2019 LGA Annual General meeting on 31 October 2019.

5. **Recommendation 5 - LGFA Annual General Meeting**

That Council:

1. Approves the appointment of a Council representative for the 2019 Local Government Finance Authority Annual General Meeting.
2. Notes the call for notice of motions for the 2019 Local Government Finance Authority Annual General Meeting and determines whether to submit any motions for consideration.

6. **Recommendation 6 - 20-Year Infrastructure Strategy Discussion Paper Response**

That Council:

1. Endorses Attachment A (Letter to Infrastructure SA – Response to 20-year Infrastructure Strategy Discussion Paper), to Item 4.6 on the Agenda for the meeting of The Committee held on 23 July 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 Committee adopted the recommendations as presented in the Committee report under Items 4.1, 4.2, 4.3, 4.4, 4.5 and 4.6 recommendations 1 to 6 for Council determination.
--

ATTACHMENTS

Nil

- END OF REPORT -

Advice of the Adelaide Park Lands Authority - 25/7/2019

ITEM 9.2 30/07/2019
Council

Program Contact:
Rudi Deco, Manager Governance
8203 7442

2018/04062
Public

Approving Officer:
Mark Goldstone, Chief Executive
Officer

EXECUTIVE SUMMARY:

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

Future reports to Council on matters considered by APLA will include APLA's advice.

The Board of the Adelaide Park Lands Authority met (see Agenda [here](#)) on Thursday 25 July 2019.

A deliberation of the Board in relation to the

- BMX Precinct – City Dirt Master Plan

resulted in advice from the Board presented below for Council to note.

The BMX Precinct – City Dirt Master Plan matter is scheduled for presentation in a separate report to The Committee on 20 August 2019.

APLA ADVICE TO NOTE:

THAT COUNCIL NOTES THE FOLLOWING ADVICE OF THE ADELAIDE PARK LANDS AUTHORITY:

1. Advice 1 - BMX Precinct – City Dirt Master Plan

THAT THE ADELAIDE PARK LANDS AUTHORITY ADVISES COUNCIL:

That the Adelaide Park Lands Authority:

1. Notes the community engagement feedback received prior to the development of the City Dirt Master Plan as per Attachment A to Item 8.1 on the Agenda for the meeting of the Board of the Adelaide Park Lands Authority held on 25 July 2019.
2. Supports the City Dirt Master Plan in Blue Gum Park / Kurangga (Park 20) as per Attachment B to Item 8.1 on the Agenda for the meeting of the Board of the Adelaide Park Lands Authority held on 25 July 2019, including the vision, principles, actions and overall implementation plan.

- END OF REPORT -

Audit Committee Report – 19 July 2019

ITEM 9.3 30/07/2019
Council

2018/04062
Public

Program Contact:
Rudi Deco, Manager Governance
8203 7442

Approving Officer:
Mark Goldstone, Chief Executive
Officer

EXECUTIVE SUMMARY:

The Audit Committee plays a critical role supporting the Council and Chief Executive Officer in the financial reporting framework of Council, by overseeing and monitoring the participation of management and external auditors in the financial reporting process. It also addresses issues such as the approach being adopted by Council and management to address business risks, corporate and financial governance responsibilities and legal compliance.

The Audit Committee met on Friday, 19 July 2019 and is required to report to Council after every meeting to identify and present advice and recommendations.

A precis of the matters considered by the Audit Committee is presented within this report.

Following presentation of the Presiding Member's Annual Report to the Audit Committee the Presiding Member, Mr David Powell, provides a verbal update to Council. Due to Mr Powell's availability, the verbal update has been deferred to the 27 August 2019 Council meeting.

The Recommendation below is in response to the deliberation of the Audit Committee on the Accounting Standards Position Papers.

RECOMMENDATION:

1. Report of the Audit Committee – 19 July 2019

THAT COUNCIL

- Notes the report of the meeting of the Audit Committee held on 19 July 2019.

2. Accounting Standards Position Papers

THAT COUNCIL

- Adopts the proposed accounting policy changes to Leases, as contained in Attachment A to Item 4.1 on the Agenda for the meeting of the Audit Committee held on 19 July 2019.
- Adopts the proposed accounting policy changes to Income, as contained in Attachment B to Item 4.1 on the Agenda for the meeting of the Audit Committee held on 19 July 2019.

DISCUSSION

1. The Audit Committee met on Friday, 19 July 2019. The agenda with reports for the public component of the meeting can be viewed [here](#).
2. The following matters were the subject of deliberations. The Audit Committee resolved as follows for each subject:

2.1. Accounting Standards Position Papers

THAT THE AUDIT COMMITTEE RECOMMENDS TO COUNCIL

That Council:

1. Adopts the proposed accounting policy changes to Leases, as contained in Attachment A to Item 4.1 on the Agenda for the meeting of the Audit Committee held on 19 July 2019.
2. Adopts the proposed accounting policy changes to Income, as contained in Attachment B to Item 4.1 on the Agenda for the meeting of the Audit Committee held on 19 July 2019.

THAT THE AUDIT COMMITTEE

1. Notes the proposed accounting policy changes in relation to AASB 1058 *Income of Not-for-Profit Entities* will have no impact on the Council's financial statements for 2018-19.
2. Notes the proposed accounting policy changes in relation to AASB 15 *Revenue from Contracts with Customers* does not have any current impact on Council's income recognition.

2.2. External Audit Interim Management Letter

THAT THE AUDIT COMMITTEE

1. Notes the report.

2.3. Corporate Complaints Handling Operating Guidelines

THAT THE AUDIT COMMITTEE

1. Notes the Corporate Complaints Handling Operating Guideline, including the Section 270 Internal Review of Council Decisions procedure, contained within Attachment A to Item 4.3 on the Agenda for the meeting of the Audit Committee held on 19 July 2019.

2.4. Corporate Complaints Handling Operating Guidelines

THAT THE AUDIT COMMITTEE

1. Notes the Corporate Complaints Handling Operating Guideline, including the Section 270 Internal Review of Council Decisions procedure, contained within Attachment A to Item 4.3 on the Agenda for the meeting of the Audit Committee held on 19 July 2019.

2.5. Presiding Member's Annual Report

THAT THE AUDIT COMMITTEE

1. Receives and notes the Presiding Member's Annual Report for the 2018/19 financial year as included in Attachment A to Item 4.4 on the Agenda for the meeting of the Audit Committee held on 19 July 2019.

2.6. Public Interest Disclosure Operating Guideline

THAT THE AUDIT COMMITTEE

1. Notes the new Public Interest Disclosure Operating Guideline contained in Attachment A to Item 4.5 on the Agenda for the meeting of the Audit Committee held on 19 July 2019, which will replace the Whistleblowers Operating Guideline contained in Attachment B to Item 4.5 on the Agenda for the meeting of the Audit Committee held on 19 July 2019.

2.7. Confidential Report - Update on Activities of the Strategic Risk and Internal Audit Group Meetings

Considered, in confidence, pursuant to s 90(3) (i) of the *Local Government Act 1999 (SA)*.

THAT THE AUDIT COMMITTEE

1. Receives and notes the report.
2. The report is provided to the next meeting of the Council as part of the confidential report of Audit Committee meeting.
3. In accordance with Section 91(7) & (9) of the *Local Government Act 1999* and on the grounds that Item 9.1 listed on the Agenda for the meeting of the Audit Committee held on 19 July 2019 was received, discussed and considered in confidence pursuant to Section 90(3)(i) of the *Local Government Act 1999*, this meeting of the Audit Committee, do order that:
 - 3.1. The resolution becomes public information and included in the Minutes of the meeting.
 - 3.2. The report, the discussion and any other associated information submitted to this meeting and the Minutes of this meeting in relation to the matter remain confidential and not available for public inspection until 31 December 2026.
 - 3.3. The confidentiality of the matter be reviewed in December 2020.
 - 3.4. The Chief Executive Officer be delegated authority to review and revoke all or part of the order herein and directed to present a report containing the Item for which the confidentiality order has been revoked.

2.8. Confidential Report - Internal Audit Progress Update

Considered, in confidence, pursuant to s 90(3) (b) & (d) of the *Local Government Act 1999 (SA)*.

THAT THE AUDIT COMMITTEE

1. Receives and notes the report
2. In accordance with Section 91(7) and (9) of the *Local Government Act 1999 (SA)* and on the grounds that Item 9.2 listed on the Agenda for the meeting of the Audit Committee held on 19 July 2019 was received, discussed and considered in confidence pursuant to Section 90(3) (b) & (d) of the *Local Government Act 1999 (SA)*, this meeting of the Audit Committee, does order that:
 - 2.1. The resolution and report become public information and included in the Minutes of the meeting.
 - 2.2. The attachments, the discussions and any other associated information submitted to this meeting and the Minutes of this meeting in relation to the matter remain confidential and not available for public inspection under 31 December 2026.
 - 2.3. The confidentiality of the matter be reviewed in December 2020.
 - 2.4. The Chief Executive Officer be delegated by authority to review and revoke all or part of the order herein and directed to present a report containing the Item for which the confidentiality order has been resolved.

2.9. Confidential Report - Confidential Discussion with the Internal Auditor

Considered, in confidence, pursuant to s 90(3) (b) of the *Local Government Act 1999 (SA)*.

In accordance with Section 91 (7) & (9) of the *Local Government Act 1999* and on the grounds that Item 9.3 listed on the Agenda for the meeting of the Audit Committee held on 19 July 2019 was received, discussed and considered in confidence pursuant to Section 90 (3) (b) of the *Local Government Act 1999*, this meeting of the Audit Committee, do order that:

1. The discussion and the Minutes of the meeting in relation to the matter remain confidential and not available for public inspection until 31 December 2026.
2. The confidentiality of the matter be reviewed in December 2020.
3. The Chief Executive Officer be delegated the authority to review and revoke all or part of the order herein and directed to present a report containing the Item for which the confidentiality order has been received.

- END OF REPORT -

Reports from Council Members

ITEM 11.1 30/07/2019
Council

2018/04064
Public

Program Contact:
Rudi Deco, Manager Governance
8203 7442

Approving Officer:
Mark Goldstone, Chief Executive
Officer

EXECUTIVE SUMMARY:

This report is presented to:

1. Advise Council of Council Member activities and the functions that Council Members have attended on behalf of the Lord Mayor.
2. Provide a summary of Council Members meeting attendance.
3. For Council Members 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 Council Member activities and 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 30 July 2019).
 2. Notes the summary of Council Members meeting attendance (Attachment B to Item 11.1 on the Agenda for the meeting of the Council held on 30 July 2019).
 3. Notes that reports from Council Members tabled at the meeting of the Council held on 30 July 2019 be included in the Minutes of the meeting.
-

ATTACHMENTS

Attachment A – Council Member activities and functions attended on behalf of the Lord Mayor

Attachment B – Summary of meeting attendance

- END OF REPORT -

13
COUNCIL MEMBER ACTIVITIES

FUNCTIONS ATTENDED ON BEHALF OF THE LORD MAYOR:

COUNCIL MEMBER	DATE	EVENT TITLE	EVENT DETAILS
Councillor Arman Abrahamzadeh OAM	25 June 2019	Launch of the Pathways to Active Citizenship Research Report	Attended the Launch by the Governor of South Australia "Demographic Profile of SA, Refugee Youth Population"
	19 July 2019	Future Forum - Ideas of Home	Joined the panel discussion in relation to housing in Adelaide and our State
Councillor Mary Couros	22 June 2019	Friends & Residents of North Adelaide Community Dinner	Attended the Community Shared Dinner held at the North Adelaide Community Centre
	30 June 2019	Celebration of St Peter's Day	Attended the commemoration of St Peter's Cathedral 150th year since the laying of the foundation stone
Councillor Helen Donovan	23 June 2019	International Day of Yoga Art of Living	Provided the closing speech at the International Day of Yoga event held at the North Adelaide Community Centre
	18 July 2019	Clip Combat Event Screening & City of Music Documentary Premiere	Provided a welcome at the Screening of the Clip Combat finalists event and announcement of winners, along with the premiere of the 'City of Music' Documentary
	22 July 2019	Living Building Challenge - Adelaide Sustainable Building Network	Attended the Q&A event which included the participation and interaction on the theme "Living Building Challenge"
	24 July 2019	Directions in Breast Cancer	Attended the Q&A event, panel of breast cancer experts and clinical trial participants
Councillor Alexander Hyde	10 July 2019	US Independence day 2019 celebration	Attended the US Independence Day celebration hosted by the US Consulate General (Melbourne)
	11 July 2019	NAIDOC Week Event	Attended the NAIDOC Week Poster Exhibition and expert panel discussion
	15 July 2019	YMCA Youth Parliament	Attended the Opening Ceremony of the 24th sitting of SA YMCA Youth Parliament in the House of Assembly
	19 July 2019	YMCA Youth Parliament	Attended the Closing Ceremony of the 24th sitting of SA YMCA Youth Parliament in the House of Assembly
	25 July 2019	AIR Awards	Attended the Australian Independent Record Labels Association National Awards
Councillor Jessy Khera	5 July 2019	AVCon Opening	Spoke and welcomed guests at the Opening Ceremony of AVCon Anime and Video Game Festival
Councillor Franz Knoll	20 June 2019	South Australian Trail Blazers - Bank SA	Attended and heard from Inspirational Speakers, Tammy Barton - Director, MyBudget and Azadeh Afzali - Azalia Boutique Owner
	21 June 2019	Launch of Masonic Charities	Attended the celebration and launch by the Governor of SA of the Masonic Charities
	13 July 2019	City of Adelaide Pipe Band	Attended Annual dinner get-together and awards presentation for the Pipe Band
Councillor Robert Simms	22 June 2019	Refugee Week Event	Attended the Refugee Week Community Welcome Shared Lunch held at the North Adelaide Community Centre
	9 July 2019	NAIDOC in the Mall	Spoke at the official opening & decal unveiling for public celebration of NAIDOC in the Mall allowing opportunities for education, awareness, celebration and reconciliation
	12 July 2019	SA Writers Festival	Speaking opportunity to welcome local and interstate writers to Adelaide for the Winter Writing Festival





COUNCIL MEMBER MEETINGS AND EVENTS ATTENDED :

COUNCIL MEMBER	DATE	EVENT TITLE	EVENT DETAILS
Deputy Lord Mayor Houssam Abiad	20 June 2019	Adelaide Central Market Authority Board meeting	Attended as Council representative
	27 June 2019	Capital City Committee meeting	Attended as Council representative
	18 July 2019	Adelaide Central Market Authority Board meeting	Attended as Council representative
Councillor Arman Abrahamzadeh OAM	19 June 2019	Adelaide High School Governing Council Board meeting	Attended as Council representative
	29 June 2019	SA Architecture Awards and City of Adelaide Prize	Attended the City of Adelaide Prize Dinner as a judge on the jury, representing the City of Adelaide. The City of Adelaide Prize is a category within the SA Architecture Awards and recognises innovative built projects that enliven the City's public spaces and engage with the community. The City of Adelaide Prize 2019 was awarded to Karen Rolton Oval at Narnungga (Park 25) by Cox Architecture. This year the jury also decided to award a commendation to Pelzer Park/Pityarille (Park 19) Activity Hub by ASPECT Studios with City of Adelaide and The Office for Design and Architecture SA.
Councillors Abrahamzadeh and Knoll	20 July 2019	Encounter Youth Tour	Attended a tour of Hindley Street, held between 1.00am and 4.00am, organised by Encounter Youth
Councillor Couros	10 July 2019	International 3 Day Event Board meeting	Attended as Council representative
Councillor Donovan	16 - 19 June 2019	Represented COA at the ALGA National General Assembly	Represented the City of Adelaide at the Australian Local Government Association's National General Assembly held in Canberra. Both Motions presented by the City of Adelaide were carried
Councillor Knoll	24 June 2019	Rundle Mall Management Authority Board meeting	Attended as Council representative
	15 July 2019	Rundle Mall Management Authority Board meeting	Attended as Council representative

Meeting attendance

	Adelaide Park Lands Authority 20 June 2019	Strategic Planning & Development Policy Committee - Special 25 June 2019	Council 25 June 2019	Council - Special 2 July 2019	The Committee 2 July 2019	Council 16 July 2019	Audit Committee 19 July 2019	The Committee 23 July 2019	Meetings held	Meetings attended
Lord Mayor Sandy Verschoor	✓	✓	✓	✓	✓			✓	8	6
Councillor Houssam Abiad		✓	✓	✓	✓	✓		✓	6	6
Councillor Arman Abrahamzadeh		✓	✓	✓	✓	✓		✓	6	6
Councillor Mary Couros		✓	✓	✓	✓				6	4
Councillor Helen Donovan		✓	✓	✓	✓	✓		✓	6	6
Councillor Simon Hou		✓	✓	✓	✓	✓		✓	6	6
Councillor Alex Hyde	✓	✓	✓	✓	✓	✓	✓	✓	8	8
Councillor Jessy Khera		✓	✓	✓	✓	✓		✓	6	6
Councillor Franz Knoll		✓	✓	✓	✓	✓		✓	6	6
Councillor Phillip Martin							✓	✓	7	2
Councillor Anne Moran		✓	✓	✓	✓	✓		✓	6	6
Councillor Robert Simms		✓	✓	✓	✓	✓		✓	6	6
# in Attendance	2	11	11	11	11	9	2	11		

Key:

	Apology
	Leave
	Not a Member
	Proxy Member

Progress of Motions by Elected Members

ITEM 12.1 30/07/2019
Council

2018/04074
Public

Program Contact:
Rudi Deco, Manager Governance
8203 7442

Approving Officer:
Mark Goldstone, Chief Executive
Officer

EXECUTIVE SUMMARY:

This report responds to the decision of Council from 12 March 2019 to report to every second Council meeting of the month on the Progress of Motions by Elected Members.

RECOMMENDATION:

That Council:

1. Notes the report.
-

IMPLICATIONS AND FINANCIALS:

City of Adelaide 2016-2020 Strategic Plan	Strategic Alignment - Corporate Activities
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	Not as a result of this report
Opportunities	Not as a result of this report
19/20 Budget Allocation	Not as a result of this report
Proposed 20/21 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
19/20 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. On 12 March 2019, Council resolved that Council requests the Administration, at every second meeting of Council to report on 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.
2. Since the commencement of the 2018-2022 Council Term a total of 66 motions on and without notice have been carried by Council.
3. As at 23 July 2019 a total of 66 motions on or without notice remain open from the current and previous terms of Council. The current progress of these motions on and without notice can be found [here](#).
4. Council Members can review progress updates on Administration undertakings via the online Council Member portal. Council Executive can provide a verbal update on undertakings to Council Members on request.

ATTACHMENTS

Nil

- END OF REPORT -

Definition in the Standing Orders

ITEM 13.1 30/07/2019
Council

Council Member
Councillor Moran

Public

Receiving Officer:
Mark Goldstone, Chief
Executive Officer

QUESTION ON NOTICE:

Councillor Moran will ask the following Question on Notice:

'What is the definition of the word "morality" in the standing orders. Does this word occur in any other governmental standing orders?'

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 -

Facial Recognition Technology City Surveillance

ITEM 13.2 30/07/2019
Council

Council Member
Councillor Simms

Public

Receiving Officer:
Mark Goldstone, Chief
Executive Officer

QUESTION ON NOTICE:

Councillor Simms will ask the following Question on Notice:

'Can administration please advise whether facial recognition technology is being used for surveillance in the City of Adelaide or whether any trials are being considered?'

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 -

Park 2 and Adelaide Football Club and Blackfriars Primary School

ITEM 13.3 30/07/2019
Council

Council Member
Councillor Martin

Public

Receiving Officer:
Mark Goldstone, Chief
Executive Officer

QUESTION ON NOTICE:

Councillor Martin will ask the following Question on Notice:

'On July 11th, the Advertiser reported Prospect Mayor and Blackfriars Priory School spokesperson David O'Loughlin had entered into what was described as a "win-win" agreement to share Park 2 of the Park Lands with the Adelaide Football Club in the context of the Crows bid to take over the Aquatic Centre and those parts of Park 2 leased by the City of Adelaide to the School for a period of 5 years.

Given that the CEO has assured the elected body there has been no decision by Council to endorse the Crows Park Lands takeover, could the Administration advise;

1. Did Blackfriars Priory School seek the City of Adelaide's permission to enter into any discussions or agreement with Crows prior to reaching the reported agreement?
2. Did the Adelaide Football Club seek the City of Adelaide's permission to enter into any discussions or agreement with Blackfriars Priory School prior to reaching that agreement?
3. Does the School have the authority to enter into an agreement with the Crows in the absence of the explicit approval of the City of Adelaide?
4. Has the City of Adelaide communicated with the Blackfriars Priory School since the July 11th report of the agreement between the School and the Crows and, if so, did the communication convey any criticism or concern?
5. Has the Administration seen the reported agreement between Blackfriars Priory School and the Crows?
6. Have the actions of Crows in entering into discussions and/or agreement with the Blackfriars Priory School over use of Park 2 when the City of Adelaide has not approved any formal plans or proposal from the Club prejudiced their bid to take over Park Lands and the Aquatic Centre?

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 -

Domestic Violence City of Adelaide Staff Assistance

ITEM 13.4 30/07/2019
Council

Council Member
Councillor Abrahamzadeh

Public

Receiving Officer:
Mark Goldstone, Chief
Executive Officer

QUESTION ON NOTICE:

Councillor Abrahamzadeh will ask the following Question on Notice:

'What is the City of Adelaide currently doing to assist staff who may be victims or perpetrators of domestic violence?'

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 -

Neglected and/or Derelict Property

ITEM 15.1 30/07/2019
Council

Council Member
Councillor Moran

2019/00464
Public

Receiving Officer:
Mark Goldstone, Chief
Executive Officer

MOTION ON NOTICE:

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

‘That Council:

- (1) Request Administration prepare a report outlining guidelines around what would constitute a neglected and/or derelict property;
- (2) Request the Lord Mayor write to the relevant Minister seeking greater power for councils to compel landowners to clean up neglected and derelict properties.’

ADMINISTRATION COMMENT:

1. The following Acts provide mechanisms for Council to identify and address what might constitute a neglected and/or derelict property.
2. The *Local Nuisance and Litter Control Act 2016 (SA)* (LNLC Act) gives Council provisions to act on unsightly conditions on premises. Unsightly conditions on premises are defined under Section 17 (1) (c) of the LNLC Act. For Council to determine that a site is unsightly, it must be considered a ‘local nuisance’ under the LNLC Act.
 - 2.1. The aim of the LNLC Act is to provide improved community outcomes relating to local nuisance, litter control and illegal dumping. Since the Act came into effect (2016) there have been two justified unsightly conditions on premises complaints received, investigated and resolved by Council.
 - 2.2. When a complaint is received, parties are encouraged to work together to resolve their concerns. If negotiations between concerned parties are not successful, formal action such as an Abatement Notice may be taken. When proceeding with formal action, our employees (who are “Authorised Persons” as defined in the LNLC Act) are required to determine if the property is unsightly based on the definition under the LNLC Act.
 - 2.3. Unsightly conditions on premises are defined under the Act to include excessive rubbish, waste, vegetation or stockpiled items that a reasonable person would consider rubbish. Also included is graffiti and buildings in a state of disrepair, dilapidation and damage where these conditions have an adverse effect of the amenity value or are significantly out of conformity with the general appearance of neighbouring premises.
 - 2.4. A review of the LNLC Act is currently being undertaken by State Government. We will review the relevant sections and provide feedback to the State Government for possible improvements.
3. The *South Australian Public Health Act 2011 (SA)* may also be used for certain situations where the condition on premises is causing or likely to cause a risk to public health.

4. The *Development Act 1993* (SA) provides Council with various avenues for neglected and/or derelict properties.

- END OF REPORT -

Contact with Developers Online Register

ITEM 15.2 30/07/2019
Council

Council Member
Councillor Simms

2019/00464
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:

1. Supports the regular disclosure of Council Member contact with developers on an online register.
2. Requests that administration develop draft guidelines for this disclosure (with particular consideration given to City of Vincent Policy 4.2.15 – Council Member Contact with Developers) to be presented to Council by December 2019.'

ADMINISTRATION COMMENT:

1. The conflict of interest provisions under the Local Government Act provide a framework to ensure appropriate governance controls relating to Council Member activity.
2. Unlike some other states, South Australian councils operate under a Council Assessment Panel (and State Commission Assessment Panel) structure, thereby further limiting conflict of interest situations for Councillors with regard to development.
3. If this Motion is supported, a report will be brought into Council that considers:
 - 3.1. how this could be implemented in the SA legislative system
 - 3.2. requirements on conflict of interest and declaration of interests that already exist for Council members.

- END OF REPORT -

Council Member
Councillor Hyde

2019/01425
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 the Federal Government's recognition of Men's Sheds to the improvement of health outcomes for men and boys through the *National Male Health Strategy 2020-2030*.
2. Requests Administration engage community service providers, not-for-profit organisations and other entities to establish a Men's Shed in the City of Adelaide.
3. Investigates Federal Government funding and other partnership opportunities to assist in funding a Men's Shed.
4. Provides a report back to Council on potential options, locations and funding opportunities.'

ADMINISTRATION COMMENT:

1. If Council supports this Motion, we will investigate Federal Government funding and other partnership opportunities with service providers, not-for-profit organisations and other entities and provide a report back to Council on potential options, locations and funding opportunities by December 2019.

- END OF REPORT -

Management of Pollen in the City of Adelaide

ITEM 15.4 30/07/2019
Council

Council Member
Councillor Hyde

2018/04236
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. Requests Administration develop a sanitisation strategy for the management of pollen in the City of Adelaide over the months of September, October and November each year, particularly in areas where London Plane Trees are prominent features of the public realm and excluding the Park Lands.
2. Requests that this strategy be presented to Council with enough time to be approved and implemented by September 2019.’

ADMINISTRATION COMMENT:

1. A report on the findings of an investigation and any potential strategy and the associated costs for implementation for the management of pollen in the City of Adelaide, would be brought back to Council. Subject to Council feedback and associated budget considerations we would plan for an approach that can be implemented by September 2019.

- END OF REPORT -

Land Tax Proposal

ITEM 15.5 30/07/2019
Council

Council Member
Councillor Abrahamzadeh

2018/02883
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:

strongly opposes the current aggregated Land Tax proposal by the State Government and requests the Lord Mayor write to the Premier requesting that the State Government reconsiders its proposal, highlighting the significant impact this budget measure will have on the City of Adelaide Rate Payers and investment sector.'

ADMINISTRATION COMMENT:

1. The State Government has recently announced potential changes to the State Land Tax. The suggested changes include an increase to the minimum threshold at which the tax will apply which will come into effect from 1 July 2020, as well as changes to the way land tax is levied on owners of multiple properties.
2. If the motion is endorsed by Council, a letter will be prepared for the Lord Mayor to send to the Premier advising of Council's resolution.

- END OF REPORT -

Exclusion of the Public

ITEM 17.1 30/07/2019
Council

Program Contact:
Rudi Deco, Manager
Governance 8203 7442

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 reports of The Committee, APLA & Audit Committee seeking consideration in confidence

- 18.1.1.** Recommendation of The Committee in Confidence – 23/7/2019
Recommendation 1 Strategic Event Matter [s 90(3) (d) & (j)]
- 18.1.2.** Advice of the Adelaide Park Lands Authority in Confidence – 25/7/2019
Recommendation 1 EOI Results - Pelzer Park / Pityarilla (Park 19) & Peppermint Park / Wita Wirra (Park 18) [s 90(3) (d)]
Recommendation 2 Rymill Park Kiosk EOI Results [s 90(3) (d)]
- 18.1.3.** Recommendation of the Audit Committee in Confidence – 19/7/2019
Recommendation 1 Report of the Audit Committee – 19 July 2019 [s 90(3) (b), (d) & (i)]

For the following reports for Council (Chief Executive Officer's Reports) seeking consideration in confidence

- 18.2.1.** Appointment of Board Members to Adelaide Central Market Authority [s 90(3) (a)]
- 18.2.2.** Appointment of Board Members to Rundle Mall Management Authority [s 90(3) (a)]

The Order to Exclude for Item 18.1.1, 18.1.2, 18.1.3, 18.2.1 and 18.2.2:

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) & (j) and s 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 30/7/2019 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 – 23/7/2019] listed on the Agenda in a meeting open to the public would on balance be contrary to the public interest.

Grounds and Basis

This item is commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to confer a commercial advantage on a person which 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.

This item is confidential to ensure that the Council does not disclose information that has been provided in confidence by a Minister of the Crown.

Public Interest

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 could prejudice the commercial position of the State Government and/or Council in relation to current/future requests for tenders and current/future proposals prior to State Government and/or City of Adelaide evaluation and deliberation.

2. Pursuant to s 90(2) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 30/7/2019 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 – 23/7/2019] 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) (d) & (j) of the Act.

ORDER TO EXCLUDE FOR ITEM 18.1.2:

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 30/7/2019 resolves that it is necessary and appropriate to act in a meeting closed to the public for the consideration of Item 18.1.2 [Advice of the Adelaide Park Lands Authority in Confidence – 25/7/2019] listed on the Agenda.

Grounds and Basis for consideration of the EOI Results - Pelzer Park / Pityarilla (Park 19) & Peppermint Park / Wita Wirra (Park 18) in Confidence by the Board

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

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 Board was satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the disclosure of this information may result in release of information prior to the finalisation of 'commercial in confidence' negotiations between the proponent and their suppliers and may materially and adversely affect the financial viability of the proponent in relation to contract negotiations which on balance would be contrary to the public interest.

Grounds and Basis for consideration of the Rymill Park Kiosk EOI Results in Confidence by the Board

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

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 Board was satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the disclosure of this information may result in release of information prior to the finalisation of 'commercial in confidence' negotiations between the proponent and their suppliers and may materially and adversely affect the financial viability of the proponent in relation to 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 30/7/2019 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 – 25/7/2019] 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) (d) of the Act.

ORDER TO EXCLUDE FOR ITEM 18.1.3:

THAT COUNCIL:

- Having taken into account the relevant consideration contained in s 90(3) (b), (d) & (i) and s 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 30/7/2019 resolves that it is necessary and appropriate to act in a meeting closed to the public for the consideration of Item 18.1.3 [Recommendation of the Audit Committee in Confidence – 19/7/2019] listed on the Agenda.

Grounds and BasisUpdate on Activities of the Strategic Risk and Internal Audit Group Meetings - Grounds and Basis for consideration in Confidence

Consideration in confidence is sought because the report includes information disclosure of which could reasonably be expected to prejudice the outcome of Council's actual litigation.

Internal Audit Progress Update - Grounds and Basis for consideration in Confidence

Consideration in confidence is sought because the disclosure of information in this report could reasonably prejudice the commercial position of the Council in relation to the findings contained within the audit reports regarding data security.

Confidential Discussion with the Internal Auditor - Grounds and Basis for consideration in Confidence

Consideration in confidence is sought because the disclosure of information discussed may adversely impact the commercial advantage on a person with who the Council is conducting business.

- Pursuant to s 90(2) of the *Local Government Act 1999 (SA)* this meeting of the Council dated 30/7/2019 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 18.1.3 [Recommendation of the Audit Committee in Confidence – 19/7/2019] 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) (b), (d) & (i) 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) (a) and s 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 30/7/2019 resolves that it is necessary and appropriate to act in a meeting closed to the public for the consideration of Item 18.2.1 [Appointment of Board Members to Adelaide Central Market Authority] listed on the Agenda.

Grounds and Basis

This Item contains information that must be considered in confidence in order to ensure that the Council does not breach any law, any duty of confidence, or other legal obligation or duty.

The disclosure of information in this report prior to a resolution being determined by Council may implicate the personal and professional reputation of the nominees in the business community.

2. Pursuant to s 90(2) of the *Local Government Act 1999 (SA)* this meeting of the Council dated 30/7/2019 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 [Appointment of Board Members to Adelaide Central Market Authority] listed in the Agenda, on the grounds that such item of business, contains information and matters of a kind referred to in s 90(3) (a) of the Act.

ORDER TO EXCLUDE FOR ITEM 18.2.2:

THAT COUNCIL:

1. Having taken into account the relevant consideration contained in s 90(3) (a) and s 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 30/7/2019 resolves that it is necessary and appropriate to act in a meeting closed to the public for the consideration of Item 18.2.2 [Appointment of Board Members to Rundle Mall Management Authority] listed on the Agenda.

Grounds and Basis

This Item contains information that must be considered in confidence in order to ensure that the Council does not breach any law, any duty of confidence, or other legal obligation or duty.

The disclosure of information in this report prior to a resolution being determined by Council may implicate the personal and professional reputation of the nominees in the business community.

2. Pursuant to s 90(2) of the *Local Government Act 1999 (SA)* this meeting of the Council dated 30/7/2019 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 18.2.2 [Appointment of Board Members to Rundle Mall Management Authority] listed in the Agenda, on the grounds that such item of business, contains information and matters of a kind referred to in s 90(3) (a) of the Act.
-

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 – 23/7/2019:
 - 6.1.1 Is subject to an Existing Confidentiality Order dated 23/7/2019.
 - 6.1.2 The grounds utilised to request consideration in confidence is s 90(3) (d) & (j)
 - (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;
 - (j) information the disclosure of which —
 - (i) would divulge information provided on a confidential basis by or to a Minister of the Crown, or another public authority or official (not being an employee of the council, or a person engaged by the council); 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 – 25/7/2019
 - 6.2.1 Is subject to Existing Confidentiality Orders dated 25/7/2019.
 - 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 18.1.3 – Recommendation of the Audit Committee in Confidence – 19/7/2019
- 6.3.1 Is subject to an Existing Confidentiality Order dated 19/7/2019.
- 6.3.2 The grounds utilised to request consideration in confidence is s 90(3) (b), (d) & (i)
- (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;
 - (i) information relating to actual litigation, or litigation that the council or council committee believes on reasonable grounds will take place, involving the council or an employee of the council;
- 6.4 Information contained in Item 18.1.2 – Appointment of Board Members to Adelaide Central Market Authority
- 6.4.1 Is not subject to an Existing Confidentiality Order.
- 6.4.2 The grounds utilised to request consideration in confidence is s 90(3) (a)
- (a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead);
- 6.5 Information contained in Item 18.2.2 – Appointment of Board Members to Rundle Mall Management Authority
- 6.5.1 Is not subject to an Existing Confidentiality Order.
- 6.5.2 The grounds utilised to request consideration in confidence is s 90(3) (a)
- (a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead);

ATTACHMENTS

Nil

- END OF REPORT -

Confidential Item 18.1.1

Recommendation of The Committee in Confidence – 23/7/2019
Section 90 (3) (d) & (j) of the *Local Government Act (SA) 1999*
Pages 34 to 36

Confidential Item 18.1.2

Advice of the Adelaide Park Lands Authority in Confidence – 25/7/2019
Section 90 (3) (d) of the *Local Government Act (SA) 1999*
Pages 37 to 39

Confidential Item 18.1.3

Recommendation of the Audit Committee in Confidence – 19/7/2019
Section 90 (3) (b), (d) & (i) of the *Local Government Act (SA) 1999*
Pages 40 to 43

Confidential Item 18.2.1

Appointment of Board Members to Adelaide Central Market Authority
Section 90 (3) (a) of the *Local Government Act (SA) 1999*
Pages 44 to 48

Confidential Item 18.2.2

Appointment of Board Members to Rundle Mall Management Authority
Section 90 (3) (a) of the *Local Government Act (SA) 1999*
Pages 49 to 52
