



COUNCIL AGENDA & REPORTS

for the meeting

Tuesday 13 August 2019
at 6.00pm

in the Council Chamber,
Adelaide Town Hall



Members - The Right Honourable the Lord Mayor [Sandy Verschoor];
Deputy Lord Mayor (Councillor Abiad) (Presiding);
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. Apologies and Leave of Absence

On Leave:

Councillor Couros.

4. Confirmation of Minutes – 30/7/2019

That the Minutes of the meeting of the Council held on 30 July 2019, be taken as read and be confirmed as an accurate record of proceedings.

5. Deputations

Granted as at 8 August 2019

Nil

6. Petitions - Nil

7. Report of The Committee and Advice/Recommendation from Other Committees

7.1. Recommendations of The Committee – 6/82019 [2018/04062] [Page 3]

Recommendation 1 Decluttered Streets / Naked Streets Review

Recommendation 2 2018/19 Quarter 4 Finance Report

Recommendation 3 Order Making Policy

Recommendation 4 Public Notification of Category 2 Development Applications

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

Strategic Alignment – Corporate Activities

8.1. Council Assessment Panel [2017/02507] [Page 6]

9. Question on Notice

9.1. Councillor Hyde – Question on Notice - Understanding the community's need for Aquatic services [Page 10]

9.2. Councillor Martin – Question on Notice – Lord Mayoral Vehicle [Page 11]

10. Questions without Notice

11. Motions on Notice

- 11.1. Councillor Simms – Motion on Notice – Policy Investigation Gaming Machines [2019/01808] [Page 12]
- 11.2. Councillor Martin – Motion on Notice – Town Hall Catering Contract [2019/01425] [Page 13]
- 11.3. Councillor Martin – Motion on Notice – Accommodation Options [2017/04450] [Page 14]
- 11.4. Councillor Khera – Motion on Notice – Live Music Back-line Incentives Scheme [2019/01425] [Page 15]
- 11.5. Councillor Hyde – Motion on Notice – Keeping Council democracy accessible [2018/04053] [Page 16]
- 11.6. Councillor Hyde – Motion on Notice – Increasing Accessibility to North Adelaide [2019/00464] [Page 17]
- 11.7. Councillor Hyde – Motion on Notice - Understanding our most important public asset [2019/00464] [Page 18]
- 11.8. Councillor Knoll – Motion on Notice - Welcoming Environment for Young People in the City [2019/01425] [Page 19]

12. Motions without Notice

13. Exclusion of the Public

- 13.1. Exclusion of the Public [2018/04291] [Page 20]
For the following report of The Committee seeking consideration in confidence
 - 14.1.1. Recommendations of The Committee in Confidence – 6/8/2019
 - Recommendation 1 2018-19 Quarter 4 Commercial and Business Operations Report [s 90(3) (b) & (d)]
 - Recommendation 2 Rymill Park Kiosk EOI Results [s 90(3) (d)]
 - Recommendation 3 Property Matter [s 90(3) (b)]

14. Confidential Report

- 14.1. Confidential Report of The Committee
 - 14.1.1. Recommendations of The Committee in Confidence – 6/8/2019 [2018/04062] [Page 24]
 - Recommendation 1 2018-19 Quarter 4 Commercial and Business Operations Report
 - Recommendation 2 Rymill Park Kiosk EOI Results
 - Recommendation 3 Property Matter

15. Closure

Recommendations of The Committee - 6/8/2019

ITEM 7.1 13/08/2019
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 6 August 2019 and resolved to present to Council the following Recommendation for Council determination:

- Item 4.1 – Decluttered Streets / Naked Streets Review
- Item 4.2 – 2018/19 Quarter 4 Finance Report
- Item 4.3 – Order Making Policy
- Item 4.4 – Public Notification of Category 2 Development Applications

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

RECOMMENDATION:

1. **Recommendation 1 - Decluttered Streets / Naked Streets Review**

That Council:

1. Notes the principles of Naked Streets and Decluttered Streets as outlined in Item 4.1 on the Agenda for the meeting of The Committee held on 6 August 2019.
2. Notes that the Adelaide Design Manual is aligned with the principles and concepts of Naked Streets and Decluttered Streets.
3. Notes that as a result of the Council decision, the Administration reviewed 2018/19 asset renewal projects and adopted a decluttering approach to line marking where appropriate.
4. Approves that 2019/20 asset renewal projects be reviewed, and the principles of Decluttered Streets applied where appropriate.
5. Notes that the level of line-marking and signage applied to each street, will vary across the city and North Adelaide depending on:
 - 5.1. street typology, role and function.
 - 5.2. traffic volumes and parking demand.
 - 5.3. Regulatory requirements, and the ability to seek exemptions from Department of Planning, Transport and Infrastructure.
 - 5.4. community and key stakeholder concerns and issues raised.

2. Recommendation 2 - 2018/19 Quarter 4 Finance Report

That Council:

1. Notes the year to date Financial Performance for the period ended 30 June 2019, as detailed in Schedule 1 of Attachment A to Item 4.2 on the Agenda for the meeting of The Committee held on 6 August 2019.
2. Notes the year to date Treasury Report for the period ended 30 June 2019, as detailed in Schedule 2 of Attachment A to Item 4.2 on the Agenda for the meeting of The Committee held on 6 August 2019.
3. Notes the 2018-19 Proposed Quarter 4 revised Long Term Financial Plan, forecasted Key Financial Indicators, and prudential borrowing ratios as detailed in Schedules 4-6 of Attachment A to Item 4.2 on the Agenda for the meeting of The Committee held on 6 August 2019.
4. Notes the 2018-19 Uniform Presentation of Finances as detailed in Schedule 7 of Attachment A to Item 4.2 on the Agenda for the meeting of The Committee held on 6 August 2019.
5. Approves the 2018-19 proposed Quarter 4 revised forecast for Operating and Capital Projects, the Infrastructure Program, and Major Projects (City Transformation Investments) as summarised in Schedule 3 and detailed in Schedules 8-12 in Attachment A to Item 4.2 on the Agenda for the meeting of The Committee held on 6 August 2019.
6. Approves the proposed retiming for Operating and Capital Projects, the Infrastructure Program, and Major Projects (City Transformation Investments) as summarised in Schedule 3 and detailed in Schedules 8-12 in Attachment A to Item 4.2 on the Agenda for the meeting of The Committee held on 6 August 2019.
7. Notes the Quarter 4 Capital Program Report for the period ended 30 June 2019 as included in Schedule 13 in Attachment A to Item 4.2 on the Agenda for the meeting of The Committee held on 6 August 2019.
8. Approves the proposed carry forwards for the Adelaide Central Market Authority and Rundle Mall Management Authority as summarised in Schedule 15 and detailed in Schedule 16 of Attachment A to Item 4.2 on the Agenda for the meeting of The Committee held on 6 August 2019.
9. Approves the 2019-20 proposed revised forecast for Operating and Capital Projects, the Infrastructure Program, and Major Projects (City Transformation Investments) as summarised in Schedule 1 and detailed in Schedules 2-7 in Attachment B to Item 4.2 on the Agenda for the meeting of The Committee held on 6 August 2019.
10. Notes the 2019-20 revised Long Term Financial Plan and Proposed Forecast Uniform Presentation of Finances as detailed in Schedules 8 and 9 of Attachment B to Item 4.2 on the Agenda for the meeting of The Committee held on 6 August 2019.
11. Approves the changes to the 2019-20 Fees and Charges Schedule as detailed in Attachment C to Item 4.2 on the Agenda for the meeting of The Committee held on 6 August 2019.

3. Recommendation 3 - Order Making Policy

That Council:

1. Receives the consultation results as at Attachment A to Item 4.3 on the Agenda for the meeting of The Committee held on 6 August 2019.
2. Adopts the Order Making Policy as at Attachment B to Item 4.3 on the Agenda for the meeting of The Committee held on 6 August 2019.

4. Recommendation 4 - Public Notification of Category 2 Development Applications

That Council:

1. Approves the discontinuation of the current practice of placing notices in the Advertiser Newspaper and Messenger Press for Category 2 Developments.

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 and 4.4, recommendations 1 to 4 for Council determination.

ATTACHMENTS

Nil

- END OF REPORT -

Council Assessment Panel

ITEM 8.1 13/08/2019
Council

2017/02507
Public

Program Contact:
Shanti Ditter, AD Planning,
Design & Development 8203
7756

Approving Officer:
Klinton Devenish, Director Place

EXECUTIVE SUMMARY:

The Council Assessment Panel (CAP) is charged with assessing development applications in accordance with the *Planning, Development and Infrastructure Act 2016* and the CAP Terms of Reference. The term of the existing CAP concludes on 30 September 2019 and requires a new CAP in place for the term 1 October 2019 to 30 September 2021. This report seeks a Council decision on the appointment of one (1) Council Member and the appointment of a working committee to select four (4) independent members, one each of which will be appointed to the positions of Presiding Member and Deputy Presiding Member.

RECOMMENDATION:

THAT COUNCIL

1. Appoints a Council Member to Council Assessment Panel for a period of two years, from 1 October 2019 to 30 September 2021.
2. Notes the establishment of working group comprising:
 - 2.1. the Lord Mayor (or delegate)
 - 2.2. the CAP Council Member appointed in recommendation 1 of Item 8.1 on the Agenda for the meeting of the Council held on 13 August 2019.
 - 2.3. the Associate Director – Planning, Design and Development
 - 2.4. the Manager - Planning Assessment
 to shortlist, interview and recommend potential CAP members.
3. Notes that based on the recommendations of the working group, a shortlist will be brought to Council for its final consideration and selection for the appointment to Council Assessment Panel, for a period of two years in accordance with the Terms of Reference:
 - 3.1. four independent members
 - 3.2. one of the four independent members as Presiding Member and
 - 3.3. one Deputy Member.
4. Approves remuneration of \$650 per meeting for the Presiding Member or Acting Presiding Member and \$550 per meeting for other members or Deputy Member.

IMPLICATIONS AND FINANCIALS:

City of Adelaide 2016-2020 Strategic Plan	Strategic Alignment - Corporate Activities The Council Assessment Panel supports the Strategic Plan's aspirations to boost Adelaide's growth by becoming one of the world's smartest cities, a global leader in sustainability and responding to environmental change. Achieving our vision will build upon the many things people love about Adelaide and help ensure our City and State thrives into the future.
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	The formation and structure of the Council Assessment Panel is set out in the <i>Planning, Development and Infrastructure Act 2016</i> . The recommendations of the report fulfil these requirements. Section 44 of the <i>Local Government Act 1999</i> enables Council to delegate the power to appoint CAP members.
Opportunities	Not as a result of this report.
19/20 Budget Allocation	General Operation – Council Assessment Panel - \$46,800
Proposed 20/21 Budget Allocation	General Operation – Council Assessment Panel - \$46,800
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	There are no other funding sources for Council Assessment Panels.

DISCUSSION

1. The *Planning, Development and Infrastructure Act 2016* ('the PDI Act') requires Councils to establish a 'Council Assessment Panel'.
2. At its meeting on 30 May 2017, Council determined to establish a Panel comprising one (1) Council Member and four (4) independent members.
3. The Terms of Reference outline the role of the Panel, candidate's qualifications and conditions of appointment ([Link 1](#)).
4. The Panel will set its meeting schedule at its first meeting. Administration will recommend to the Panel they adopt a meeting schedule of one meeting per month (to be held on the fourth Monday of every month). This will be a reduction from the current meeting schedule of one meeting every three (3) weeks. This is recommended as several meetings have been cancelled over the past year due to lack of items and it also will provide greater meeting date certainty for applicants. There will be no undue impact on meeting statutory timeframes.
5. To counter-balance the reduction of meetings and likely increase in items considered at each meeting, it is recommended the sitting fees be increased by \$50 for each member in attendance. Sitting fees have not increased for several years due to the reduction in items considered at each meeting and a reduction in the length of meetings. The increase will assist members to cover their Accredited Professional fees. We recommend that the Presiding Member is paid a sitting fee of \$650 per meeting, and all other panel members (including the Council Member) are paid a sitting fee of \$550 per meeting. The Acting Presiding Member when sitting as the Presiding Member will be entitled to payment of a sitting fee at the Presiding Member's rate.
6. At its first meeting, the CAP will appoint an Acting Presiding Member to act when the Presiding Member is absent.

One (1) Councillor Member

7. The Act requires Council to be satisfied that the person is appropriately qualified to act as a member of the Council Assessment Panel based on the person's experience in local government. It is recommended that Council appoints the Council Member through a procedural motion. If more than one member is proposed, a ballot will be undertaken.
8. Given the receipt of a pecuniary benefit outlined in paragraph 5, the Member nominated for appointment to the Assessment Panel will be required to declare a material conflict of interest in the matter and leave the Chamber in accordance with Conflict of Interest provisions within the *Local Government Act 1999*.

Four (4) Independent Members

9. In respect to the Independent Members, we recommend that Council endorses a working committee to undertake shortlisting and interviews. We recommend that the working committee should comprise the Lord Mayor (or delegate), the Council Member appointed to the CAP, Associate Director – Planning, Design and Development and the Manager – Planning Assessment.
10. Of the independent members, the PDI Act requires Council (or delegate) to appoint the Presiding Member.

Deputy Member

11. The PDI Act enables the appointment of a Deputy Member(s). The purpose of a Deputy Member is to substitute another member when they are absent. This ensures that meetings are not cancelled due to the lack of a quorum. We recommend that one (1) Deputy Member is appointed for this purpose.

Accredited professionals

12. In future, all independent members will need to be 'Accredited Professionals'. This means members will need to meet the requirements set out by the PDI Act with 1 July 2020 as the commencement date for this provision. Independent members will be responsible for their own accreditation. Under the new Accredited Professionals Scheme, planning and building professionals (including independent CAP members) who are involved in assessing development applications will be expected to maintain minimum standards of professional practice and produce evidence that they are sufficiently qualified to make key decisions at certain levels. Ongoing training/education will need to be undertaken in order to maintain Accreditation.

ATTACHMENTS

Nil

- END OF REPORT -

Understanding the community's need for Aquatic services

ITEM 9.1 13/08/2019
Council

Council Member
Councillor Hyde

Public

Receiving Officer:
Mark Goldstone, Chief
Executive Officer

QUESTION ON NOTICE

Councillor Hyde will ask the following Question on Notice:

'Noting that the current form over time Adelaide Aquatic Centre is the product of many extensions, has there ever been a 'Needs Analysis' conducted regarding the service provisions at the Adelaide Aquatic Centre?

What is the current scope of the proposed 'Needs Analysis' for the future of the Adelaide Aquatic Centre and has this process begun?'

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 -

Lord Mayoral Vehicle

ITEM 9.2 13/08/2019
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:

'Section 82.2 of the Standing Orders provides 'The Lord Mayor shall be provided with all other assistance which is reasonable necessary to enable the Lord Mayor to carry out the role of the Lord Mayor, including:

A Council vehicle and driver for local and intrastate journeys associated with the official business of Council. The vehicle must be available for other duties when not utilised by the Lord Mayor.'

Could the Administration advise the number of occasions and the total hours the Lord Mayoral vehicle and/or driver has been used by the Lord Mayor since November 2018 and the number of occasions and the total hours it has been used for other duties in the same period?'

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 -

Policy Investigation Gaming Machines

ITEM 11.1 13/08/2019
Council

Council Member
Councillor Simms

2019/01808
Public

Receiving Officer:
Mark Goldstone, Chief
Executive Officer

MOTION ON NOTICE

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

'That Council requests that administration:

- 1) Investigates potential changes to policies relating to Council activities and events to preference venues without gaming (pokie) machines;
- 2) Investigates potential changes to Council policies to restrict, prevent or modify street advertising of gaming machines;
- 3) Reviews the opportunity to phase-out gaming machines from Council owned premises by considering *future* occupancy/lease agreements;
- 4) Provide a report to Council in relation to the above by March 2020.'

ADMINISTRATION COMMENT

1. Council has only one premise that operates with a gaming licence (20 Machines) located at 110 Pirie Street licence.
2. Council endorsed the current lease with the Golden Wattle, formerly the 'The Office Bar' on the 27 March 2018 on the following terms:
 - 2.1. The current tenant has a lease period of five ears commencing 1 October 2018, plus three terms of five years of rights to renew.
 - 2.2. The Golden Wattle has a licence for gaming machines to operate on the premise in addition to the service of food and alcohol and the provision of entertainment.
 - 2.3. At the request of Council, the current tenant re-located the gaming room to the rear of the premise and reduced its visual presence within the building.
 - 2.4. The tenant operates the gaming room in accordance with the legalisation and in keeping with the lease terms with Council; namely;
 - 2.4.1. Lease Clause 12.1 stipulates: To maintain any gaming machine licence issued in respect of the premises and to at all times observe the conditions of the gaming machines licence and all relevant obligations imposed under the *Gaming Machines Act 1992* as amended.
3. If the Motion is adopted, investigations will be undertaken and a report on the findings presented to Council.

- END OF REPORT -

Town Hall Catering Contract

ITEM 11.2 13/08/2019
Council

Council Member
Councillor Martin

2019/01425
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 report, by October, the separate and total cost under the terms of the contract between the City of Adelaide and Epicure of catering for post Council and Committee dinners, small and large civic receptions and other events where food and beverages of any description have been provided over the past year and whether cheaper alternative options are possible.'

ADMINISTRATION COMMENT

1. If this Motion is carried, a Report will be provided with the information requested, by October 2019.

- END OF REPORT -

Accommodation Options

ITEM 11.3 13/08/2019

Council

Council Member
Councillor Martin

2017/04450
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:

1. Requests a review of its current City of Adelaide accommodation at 25 Pirie Street with the investigation to include and not be limited to development options, decanting strategies, improved public facing facilities (visitor information centre) and financial feasibility.
2. Requests a report on the 25 Pirie Street site investigation be brought back to Council by the end of 2019 for its consideration.'

ADMINISTRATION COMMENT

1. The Administration is undertaking a Strategic Property Review to identify Council's under-performing assets which may be leveraged to support:
 - 1.1. Improved alignment with Council' strategic, community and financial objectives;
 - 1.2. New City shaping and income generating opportunities.
2. A Strategic Property Review status update was presented to Council Members on 23 July 2019 incorporating a preliminary review of Council's assets including the Colonel Light Centre at 25 Pirie Street.
3. An investigation of Council's Colonel Light Centre at 25 Pirie Street would consider:
 - 3.1. A detailed assessment of the asset lifecycle including capital renewal expenditure and remaining useful life;
 - 3.2. A review of the current and future workforce accommodation needs;
 - 3.3. Redevelopment options including realisation of the 'Air Rights' potential;
 - 3.4. Decanting strategies, including alternate accommodation locations, during any redevelopment of the site;
 - 3.5. Opportunities for improved public facing facilities such as customer service and visitor information;
 - 3.6. Improved alignment to Council's strategic objectives;
 - 3.7. Financial feasibility analysis and wider precinct opportunities as a result of site redevelopment.

- END OF REPORT -

Live Music Back-line Incentives Scheme

ITEM 11.4 13/08/2019
Council

Council Member
Councillor Khera

2019/01425
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

1. Noting that Adelaide is the first, and only, designated UNESCO City of Music in Australia;
2. Noting that at present the majority of bulky (backline) music equipment utilised for live music performances in the City of Adelaide is brought-to-venue by performers and musicians;
3. Investigates incentives for recurrent live music venues in the city to supply and store bulky music equipment (backline) items, such as amps and drum kits, where there is currently demand or a shortfall. The investigation will also identify if a start-up business may be able to support the desired outcome on an ongoing basis.
4. Administration provide its report to members by 10 October 2019.'

ADMINISTRATION COMMENT

1. Adelaide UNESCO City of Music celebrates our identity as a global music city and is intended to cement Adelaide's place as a world leading music city.
2. Council's Live Music Action Plan commits to celebrate our status as a City of Music by enabling our robust and diverse music industry to thrive.
3. Our strong working relationship with partner organisations across the music sector will support investigation into opportunities for musicians to access bulky music equipment, such as drum kits and amplifiers, at local venues.
4. The investigation will focus on seeking advice directly from musicians, venues and music industry about what is currently available in the market and whether the opportunity exists to support an incentive scheme and/or start-up business to provide this service.
5. A report will be brought to Council for consideration no later than 7 October 2019.

- END OF REPORT -

Council Member
Councillor Hyde

2018/04053
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. Investigates opportunities for improvements to the live streaming of Council Meetings, including developing the ability to stream live on Facebook and other social media platforms, and upgrades to audio visual recording equipment.
2. Provides the outcome of these investigations to Council by the end of September 2019.'

ADMINISTRATION COMMENT

1. Meetings of Council and The Committee are currently live streamed with the link made available on the City of Adelaide (CoA) website.
2. In addition, the link to the live streaming of the Council meetings is made available on the CoA Facebook and CoA Twitter sites.
3. Investigations into improved audio visual equipment in the Council Chamber were undertaken in 2017 and 2018 which included:
 - 3.1. Multi live stream camera angles for better aesthetics
 - 3.2. Automatic "switch" to active speaker in the live stream
 - 3.3. Council Members being able to choose "their perspective view" and have that automatically "live streamed" to their Facebook Page upon demand by the specific Council Member
 - 3.4. All audio/video to be HD (that being 1080p and HD Audio)
4. Following the above investigations, the large screen television was introduced into the Chamber to assist Council Members, the public gallery and media to view the matters for deliberation during the meeting.
5. If this motion gets carried, opportunities for upgrades to audio visual recording equipment can be investigated further and reported to Council.

- END OF REPORT -

Increasing accessibility to North Adelaide

ITEM 11.6 13/08/2019

Council

Council Member
Councillor Hyde

2019/00464
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 popularity of e-scooters in the City as part of the current trial and their continued patronage through the winter months.
2. Supports an extension of the e-scooter trial boundary to include North Adelaide.
3. Requests the Lord Mayor write to the Minister for Transport and Infrastructure seeking an extension of the e-scooter trial boundary to include North Adelaide.'

ADMINISTRATION COMMENT

1. The current e-scooter trial boundary is limited to the Adelaide CBD and commenced on 15 April 2019 and will conclude on 13 October 2019.
2. An assessment of the current trial will be presented to Council in October 2019.
3. Subject to the outcome of this Motion, Administration will work with DPTI.

- END OF REPORT -

Understanding our most important public asset

ITEM 11.7 13/08/2019
Council

Council Member
Councillor Hyde

2019/00464
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:

Administration, in order to facilitate best practice planning for the Park Lands, provide at the earliest opportunity, a report detailing as far as possible all costs and associated income for the Park Lands, including (but not limited to):

Capital projects
Planning and design
General improvements
Maintenance
Park Lands properties and leasing
Events
Car parking
Staffing'

ADMINISTRATION COMMENT

1. Should the Motion be passed, Administration will prepare a report addressing the items listed above and also including:
 - 1.1. Management costs associated with the Park Lands including asset management and ongoing maintenance as well as capital projects investment
 - 1.2. Income received including leasing and hiring.

- END OF REPORT -

Welcoming Environment for Young People in the City

ITEM 11.8 13/08/2019

Council

Council Member
Councillor Knoll

2019/01425
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,

1. Notes the Commissioner for Children and Young People's *Youthful Cities Report*.
2. Requests administration investigate opportunities for the City of Adelaide to become a more welcoming, safe and accessible environment for children and young people.'

ADMINISTRATION COMMENT

1. As part of the Safer City Action Plan and Strategy 2019-2023, Council endorsed Administration to '*work with young people to identify what assists them to feel safe in the City and to conduct pilot projects to enhance their perceptions of safety*'.
2. If this motion is successful, we will work with young people to ensure the pilot projects also:
 - 2.1. Welcome young people into the City
 - 2.2. Ensure city spaces are accessible to young people
 - 2.3. Provide amenities, for example seating, water fountains and phone charging, and;
 - 2.4. Consider the ideas of younger people in the planning and design phases, as well as decision making.
3. We will engage with the Commissioner for Children and Young People, Encounter Youth, Study Adelaide and other relevant organisations in undertaking this work, as well as exploring other relevant opportunities.
4. We will ensure that children and young people are included in a Welcoming Cities audit that is currently underway to measure how diversity and inclusion is implemented across our organisation and within our communities.
5. We will ensure that the Wellbeing of Adelaide Youth (WAY) project, which is aimed at increasing the wellbeing of all residents aged 18 to 24 years old, includes safety and social inclusion indicators, as performance measures for their work.

- END OF REPORT -

Exclusion of the Public

ITEM 13.1 13/08/2019
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 report of The Committee seeking consideration in confidence

14.1.1. Recommendations of The Committee in Confidence – 6/8/2019

Recommendation 1 2018-19 Quarter 4 Commercial and Business Operations Report [s 90(3) (b) & (d)]

Recommendation 2 Rymill Park Kiosk EOI Results [s 90(3) (d)]

Recommendation 3 Property Matter [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) (b) & (d) and s 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 13/8/2019 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 14.1.1 [Recommendations of The Committee in Confidence – 6/8/2019] listed on the Agenda in a meeting open to the public would on balance be contrary to the public interest.

Recommendation 1 - 2018-19 Quarter 4 Commercial and Business Operations Report

Grounds and Basis

This Item is confidential as it includes commercial information of a confidential nature where confidence consideration is sought to protect the commercial position of the council and the operating position of Council's business entities operating in a competitive market place prior to the effective date of 30 June 2019.

The disclosure of information in this report to competitors in advance may be to Council's commercial detriment.

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 to competitors in advance may be to Council's commercial detriment.

Recommendation 2 - Rymill Park Kiosk EOI Results

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 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 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.

Recommendation 3 – Property Matter

Grounds and Basis

This Item is commercial information of a confidential nature the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting business and prejudice the commercial position of the council.

The disclosure of information in this report could reasonably prejudice the commercial position of council because it discloses the content of negotiations between council and the owners of Featherstone Place and options for council to consider and may prejudice the opportunity to discuss or negotiate an option yet to be determined by the council at this point in time.

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 will result in the commercial position of council being compromise

2. Pursuant to s 90(2) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 13/8/2019 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 [Recommendations of The Committee in Confidence – 6/8/2019] 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) 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 – Recommendations of The Committee in Confidence – 6/8/2019:
 - 6.1.1 Are subject to Existing Confidentiality Orders dated 6/8/2019.
 - 6.1.2 Recommendation 1 – 2018-19 Quarter 4 Commercial and Business Operations Report - The grounds utilised to request consideration in confidence is s 90(3) (b) & (d)
 Recommendation 2 – Rymill Park Kiosk EOI Results - The grounds utilised to request consideration in confidence is s 90(3) (d)
 Recommendation 3 - Property Matter - 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;
 - (d) commercial information of a confidential nature (not being a trade secret) the disclosure of which —
 - (i) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and
 - (ii) would, on balance, be contrary to the public interest;

ATTACHMENTS

Nil

- END OF REPORT -

Confidential Item 14.1.1

Recommendations of The Committee in Confidence – 6/8/2019

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

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