

# Park Lands Licence Request

ITEM 6.1 17/01/2022  
Council

Strategic Alignment - Thriving Communities

2021/02359

Confidential - s 90(3) (j) information provided in confidence with a request for consideration in confidence

**Program Contact:**

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**Approving Officer:**

Tom McCready, Acting Director City Shaping

## EXECUTIVE SUMMARY

The purpose of this report is to seek the approval of Council to provide the Minister for Human Services a licence to create a temporary support and isolation hub in the Park Lands for visitors from remote Aboriginal communities who are rough sleeping and have tested positive to COVID-19. The Hub will provide a safe and culturally supportive space for people who need to isolate but have no other appropriate place to do so.

Consideration in confidence is sought because the report contains information which, if discussed in public, could reasonably be expected to prejudice appropriate, sensitive consideration of the matter prior to the determination by Council and the State Government and negatively impact the opportunity for Council to participate in future like considerations and discussions.

## RECOMMENDATION

### That Council

1. Notes that the application from the Minister for Human Services (the Minister) for a licence to operate a camp in Wirrarninthe Park 23 West to assist with health monitoring, isolation and quarantine arrangements for Aboriginal Communities is inconsistent with the approved Community Land Management Plan (CLMP) for that section of the Park Lands.
2. Approves the Minister for Human Services (the Minister) occupying an appropriate section of the Park Lands that is to be determined to establish a temporary support and isolation hub for people from remote Aboriginal communities who are rough sleeping in Adelaide and are confirmed positive with COVID-19 or are close contacts.
3. Authorises the Chief Executive Officer to negotiate with the State Government on a Park Lands location, length of time and operational requirements of the temporary hub and to execute all documentation to give effect to the Park Land Licence Agreement.
4. In accordance with Section 91(7) and (9) of the *Local Government Act 1999 (SA)* and because Item 6.1 [Park Lands Licence] listed on the Agenda for the Special meeting of the Council held on 17 January 2022 was received, discussed and considered in confidence pursuant to Section 90(3) (j) of the *Local Government Act 1999 (SA)*, this meeting of the Council do order that
  - 4.1. The resolution, the report, the discussion and any other associated information submitted to this meeting and the Minutes of this meeting in relation to the matter remain confidential and not available for public inspection until otherwise determined by Council or 31 December 2029.
  - 4.2. The confidentiality of the matter be reviewed in December 2023.
  - 4.3. The Chief Executive Officer be delegated the authority to review and revoke all or part of the order herein and directed to present a report containing the Item for which the confidentiality order has been revoked.

## IMPLICATIONS AND FINANCIALS

City of Adelaide 2020-2024 Strategic Plan	<b>Strategic Alignment – Thriving Communities</b> Support health and housing for vulnerable people and young people
Policy	Community Land Management Plans (CLMP) do not identify the proposed land use associated with a temporary support and isolation hub.  However, in light of the Major Emergency in respect of the outbreak of the Human Disease named COVID-19 within South Australia declared on 22 March 2020, the Administration is minded to grant the application by the Minister for Human Resources to assist with health monitoring, isolation and quarantine arrangements for Aboriginal Communities.
Consultation	Not as a result of this report.
Resource	Not as a result of this report
Risk / Legal / Legislative	As a result of the declaration made on 22 March 2020 of a Major Emergency in respect of the outbreak of the Human Disease named COVID-19 within South Australia the Minister for Human Services is seeking Council's approval for a licence in the Park Lands to support vulnerable people and minimise the public health impacts of people who are COVID-19 positive and sleeping rough in the city.  The risk of adverse ramifications to Council arising out of granting a licence which is inconsistent with the relevant CLMP under these circumstances is deemed low.
Opportunities	Health, housing and cultural outcomes for vulnerable Aboriginal people visiting from remote communities and public health outcomes by providing isolation support for this cohort.
21/22 Budget Allocation	Not as a result of this report
Proposed 22/23 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
21/22 Budget Reconsideration (if applicable)	Not as a result of this report
Ongoing Costs (eg maintenance cost)	This is a State funded project where the Minister will be responsible for all project costs, including all on site cleaning, repairs, maintenance and return to Park Lands at the end of the licence period.

Other Funding Sources	Not as a result of this report
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## GROUNDS AND BASIS FOR CONSIDERATION IN CONFIDENCE

### Grounds

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

- (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

### Basis

This Item contains material provided on a confidential basis which the State Government has requested be considered in confidence on the grounds that the details of the request are sensitive and nature and the release of this information prematurely may be misleading. The disclosure of information in this report could reasonably be expected to prejudice the position and any negotiations with external parties of the State Government.

### Public Interest

The City of Adelaide 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 information may result in release of information prior to the finalisation of the matter by the State Government. The disclosure of this information may materially and adversely affect the viability of the matter and prejudice Council's ability to discuss/participate or influence a proposal for the benefit of the Council and the community in this matter which on balance would be contrary to the public interest.

## DISCUSSION

1. Since the closure of Puti on Kurna Yerta (PKY), the Remote Aboriginal Visitor Outreach and Service Hub in the South Park Lands in December 2021, we have been working closely with partners to continue to coordinate responses to remote visitors who are sleeping rough in the city and Park Lands.
2. The Department of Human Services has continued the support work from PKY by establishing a Remote Visitor Outreach Team (the Team), who have been working across the city and in metropolitan tenancies to continue to support and achieve outcomes for vulnerable people.
3. As COVID-19 cases have become more prevalent in South Australia, the Team have identified a high risk of COVID-19 infections spreading amongst this cohort who often live and socialise in large groups, use limited personal protective equipment and are living with underlying health problems.
4. Due to the overcrowding of tenancies, or people sleeping rough, it is difficult for anyone diagnosed with COVID-19 to safely and appropriately isolate from family and community members and the broader community. To address this risk, the State Government is establishing isolation facilities that will provide culturally supportive places for people to isolate and remain safe.
5. The Minister for Human Services has written to the Lord Mayor requesting Council's approval for a licence agreement to occupy an area of the Park Lands for a support and isolation hub – view [Link 1](#).
6. The site will operate along similar principles of the successful Puti on Kurna Yerta model, however, will be specifically for those who have tested positive and close contacts with a requirement that they remain at the site for their isolation period.
7. A specific location is yet to be identified, although DHS have indicated that an area in Wirrarrintheni (Park 23) would be appropriate.
8. If supported, the Chief Executive Officer will negotiate an appropriate space in the Park Lands that:
  - 8.1. Is easily accessible for services, SAPOL and maintenance requirements
  - 8.2. Has the required space for communal gathering, activities and separated spaces for families and groups
  - 8.3. Minimises disruption to other Park Lands activities or the broader community.
9. The site will include alcohol consumption while being supervised by on-site support workers. This is recognising that there is a proportion of this cohort who need to isolate while living with alcohol dependency and will need support to manage this.
10. As a committed partner of the Safety and Wellbeing Taskforce, it is recommended that City of Adelaide support the agreed response of Government agencies, non-government services and Aboriginal leaders.
11. If supported, the Chief Executive Officer will execute a licence agreement with the Minister for Human Services that contains terms similar to the previous licence agreement for Puti on Kurna Yerta.
12. A specific location and length of time is yet to be identified, however given the urgency to establish the response for public health and safety, it is requested that Council authorise the CEO to negotiate the details with the Department of Human Services. Council Members will be provided with an update when the outcomes have been decided.

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## DATA AND SUPPORTING INFORMATION

Link 1: Letter from Minister for Human Services to Lord Mayor

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## ATTACHMENTS

Nil

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- END OF REPORT -