



THE COMMITTEE AGENDA & REPORTS

for the meeting

Tuesday 21 May 2019
at 5:30 pm

in the Colonel Light Room.
Adelaide Town Hall

Members - The Right Honourable the Lord Mayor [Sandy Verschoor];
Councillor Martin (Chair)

Councillors Abiad (Deputy Lord Mayor), Abrahamzadeh, Couros, Donovan, Hou, Hyde, Khera, Knoll,
Moran (Deputy Chair) and Simms.

1. Acknowledgement of Country

At the opening of the Committee Meeting, the Chair 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. Apologies and Leave of Absence

Apologies – The Right Honourable the Lord Mayor [Sandy Verschoor] and Councillors Hyde and Knoll.

3. Confirmation of Minutes – 7/5/2019 [TC]

That the Minutes of the meeting of The Committee held on 7 May 2019, be taken as read and be confirmed as an accurate record of proceedings.

4. Items for Consideration and Recommendation to Council

Strategic Alignment – Liveable

4.1. Adelaide Archery Club Community Building Extension [2019/00211] [Page 2]

5. Discussion Forum Items

Strategic Alignment – Creative

5.1. Presentation - Information Update - Terrance Plowright Sculpture

Strategic Alignment – Smart

5.2. Permit Review [2018/00975] [Page 16]

6. Council Member Discussion Forum Items

7. Closure

Adelaide Archery Club Community Building Extension

ITEM 4.1 21/05/2019
The Committee

Program Contact:

Amy Pokoney, Manager
Wellbeing & Resilience 8203 7438

2019/00211
Public

Approving Officer:

Clare Mockler, Director
Community

EXECUTIVE SUMMARY:

This report seeks feedback and approval from The Committee on a proposal received from the Adelaide Archery Club (The Club) to expand their community sport building in Bullrush Park/Warnpangga (Park 10). The extension will facilitate an accessible toilet and storage of modern-day archery targets, enabling The Club to increase programming and participation in Archery. The building currently has a footprint of approximately 198sqm. The expansion would result in a footprint increase of approximately 38sqm.

This project was considered by the Adelaide Park Lands Authority on 21 February 2019 addressing the request to increase footprint to accommodate additional storage and accessible toilets, prior to concept designs. Adelaide Archery Club have since developed concept designs as per **Attachment A**.

Adelaide Archery Club have a lease/licence expiring in 2021 but have requested a longer tenure be negotiated if the proposed extension is approved. The building extension would result in an amendment to their current lease agreement and licensed area. The Adelaide Archery Club intend to fund the project with a combination of club funds and grant funding from the Office of Recreation, Sport and Racing.

The Committee Chair will provide opportunity for this topic to be discussed prior to seeking a motion for a recommendation for Council. The discussion will be facilitated by the CEO or Director Community.

RECOMMENDATION:

THAT THE COMMITTEE RECOMMENDS TO COUNCIL

That Council:

1. Approves the request made by the Adelaide Archery Club to undertake a building extension to their leased premises in Bullrush Park/Warnpangga (Park 10), subject to Development approval.
2. Approves the proposed building extension concept design as per Attachment A to Item 4.1 on the Agenda for the meeting of The Committee held on 21 May 2019 incorporating additional storage and upgraded amenities, and enhancements to the appearance of the existing facility as per Option 1.
3. Approves Administration to deal directly with the Adelaide Archery Club in relation to this project and notes that the Club will not be subjected to an Expression of Interest (EOI) process.
4. Authorises the CEO to enter into lease negotiations with the Adelaide Archery Club in accordance with the Park Lands Leasing and Licensing Policy and Guidelines and for a term of up to (15) years, noting that the agreement would be subject to community consultation (*Local Government Act (SA) 1999*) and being placed before both Houses of Parliament (*Adelaide Park Lands Act (SA) 2005*).

IMPLICATIONS AND FINANCIALS:

City of Adelaide 2016-2020 Strategic Plan	<p>Strategic Alignment – Liveable</p> <p>Strategic Action: Enhance the role of the Park Lands in increasing levels of physical activity and wellbeing through formal and informal sport and recreation opportunities.</p>
Policy	<p>Community Land Management Plan</p> <p>The desired future character statement within Chapter 11 of the CLMP is 'Providing space and facilities for organised recreation and sport, while meeting the wider recreational needs.'</p> <p>Park Lands Leasing and Licensing Policy Operating Guidelines;</p> <ol style="list-style-type: none"> Expression of Interest Process <ul style="list-style-type: none"> Section 16.2.2 of the Park Lands Leasing and Licensing Guidelines stipulates that when a community lease or licence is terminated or surrendered, a new lessee will be selected by way of expression of interest' - see Park Lands Lease Agreement - section. As currently drafted, the Policy is silent on what basis an EOI exemption may be considered. It would be via the resolution of Council that such decision could be made. Ownership of Improvements <ol style="list-style-type: none"> Section 15.1 of the Park Lands Leasing and Licensing Guidelines stipulates that; <p><i>"All fixed improvements constructed or installed upon the leased or licensed Community Land will vest in Council from the time that they are constructed or installed."</i></p> Section 15.2 states; <p><i>"The removal of any fixed improvements by a Lessee at the expiry or sooner determination of the lease or licence will be subject to the consent of Council being obtained prior to any removal occurring."</i></p> <p>Park Lands Building Design Guidelines</p> <p>The Adelaide Park Lands Building Design Guidelines provide guidance to new buildings or alterations to existing buildings within the Adelaide Park Lands.</p>
Consultation	If the proposed lease of fifteen (15) years is supported, the agreement would be subject to community consultation (<i>Local Government Act (SA) 1999</i>) and being placed before both Houses of Parliament (<i>Adelaide Park Lands Act (SA) 2005</i>).
Resource	We will support a grant application to the Office for Recreation, Sport and Racing (ORSR) along with other agency funding programs as identified.
Risk / Legal / Legislative	Reputational risk through not supporting a community group to make improvements to a facility that will make it more fit for purpose and DDA compliant.
Opportunities	This project presents the opportunity to upgrade an existing facility ensuring it is fit for purpose and inclusive of the needs of a diverse community.
18/19 Budget Allocation	Not as a result of this report
Proposed 19/20 Budget Allocation	Not as a result of this report
Life of Project, Service, Initiative	Not as a result of this report

or (Expectancy of) Asset	
18/19 Budget Reconsideration (if applicable)	Not as a result of this report
Ongoing Costs (eg maintenance cost)	As per the lease agreement, it is a requirement of Adelaide Archery Club to maintain facilities within its leased area.
Other Funding Sources	These works will be funded by the Adelaide Archery Club with a request for matching funding from the ORSR. We will assist The Club in identifying and requesting funding from other agencies. As the works relate to a building, The Club would not be eligible for one of Council's Recreation and Sport Community Facility Grants.

DISCUSSION

Background

1. The Adelaide Archery Club (The Club) is located on the south-west corner of War Memorial Drive and Bundy's Road, North Adelaide in Bullrush Park/Warnpangga (Park 10). They share this park with the Adelaide University (West) and the City of Adelaide Nursery (South) – see Figure 1.

Figure 1: Bullrush/Warnpangga (Park 10) Site Plan

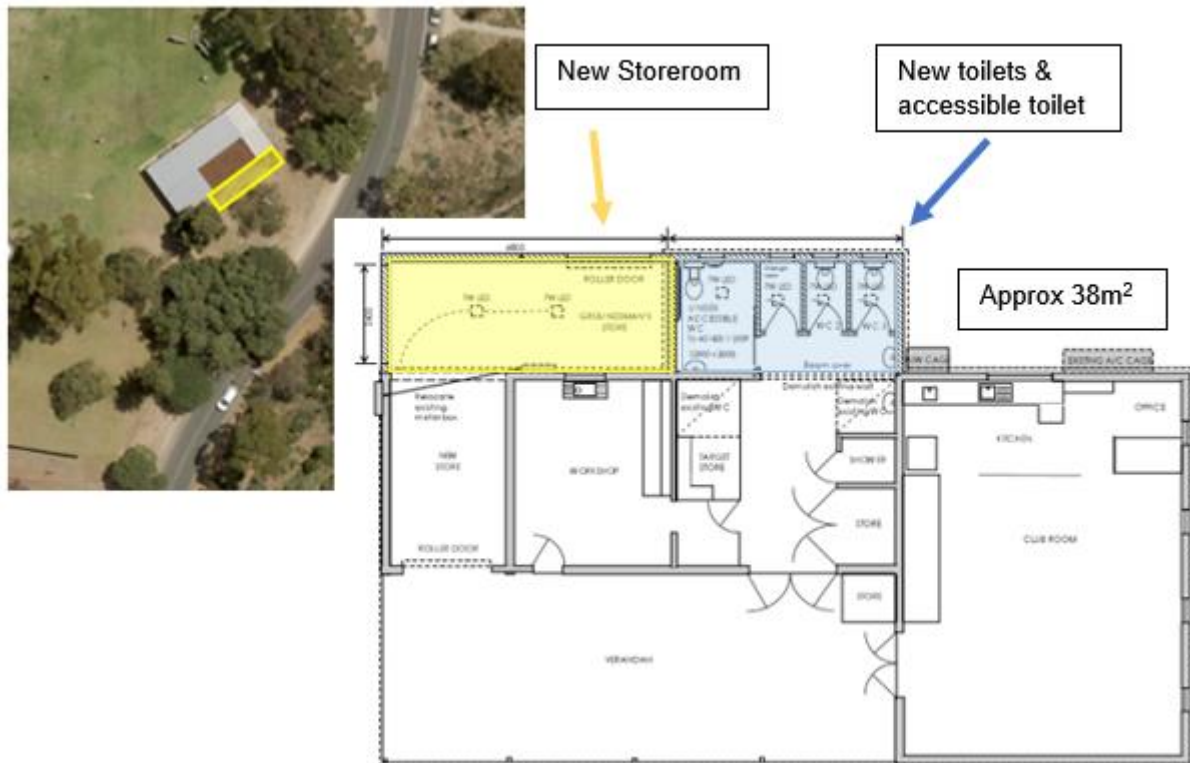


2. The Club has been based in the Adelaide Park Lands for 73 years and holds affiliations with both the National and State Archery Bodies, being Australia Archery (AA) and Archery South Australia (SA).
3. The Club is the largest archery club in the State and currently has 180 registered members aged between nine (9) years of age and 80, of which 40% are female, and 60% are male.
4. Over the years, The Club has consistently facilitated beginner development courses for juniors and adults as well as offering practice sessions, training activities and competitions. The Club has reported that over 200 students are instructed through beginner programs per year.
5. The Club also host an annual charity event for Camp Quality with over 100 children and their families attending and offer school programs and corporate come and try days throughout the year to promote archery to new participants.

Building Extension Proposal

6. The Adelaide Archery Club (The Club) approached Council in June 2018 with a proposal to extend the existing sports building in Bullrush Park/Warnpangga (Park 10), as the current facility is not fit for purpose as it lacks adequate storage space and amenities. It also does not have an accessible toilet.
7. Following feedback and advice from Administration, The Club took time to further develop a design and submitted an updated proposal on 30 August 2018 [\[Link 1\]](#). This proposal presented two options but following advice from the Adelaide Park Lands Authority (APLA), The Club have worked on one option that extends on the South Eastern Side of the existing building (see Figure 2). This means that no trees will be removed as part of the project and also allows for easier connection between the existing facility and the extension.

Figure 2 – Proposed Extension



8. Although permanent target butts are fixed assets and permanently located within the licenced area, the evolution of the sport means that modern targets are required to cater for modern day archers.
9. The Club has recently purchased mobile targets to support modern archery equipment whilst allowing for more archers to participate at the same time. These are currently being stored in the area in front of the existing toilets and store room obstructing access (see Figure 3).

Figure 3: Overflow storage area



10. This has been identified as a safety issue and an inconvenience for any visitors to the facility. There is no other place to store the mobile targets within the facility as The Club room is fully furnished and used as a social space [\[Link 2\]](#).
11. The existing store and workshop are at capacity (storing archery and support equipment) and the Veranda is not a secure option to store the mobile targets.
12. The Club have actively worked with the Administration and incorporated design advice to develop their proposal. This can be viewed in **Attachment A**, which shows the concept design for the extension as well as two (2) enhancement options to improve the appearance of the existing building. The design includes additional storage space along with upgraded toilet facilities resulting in an increased footprint of approximately 38sqm. It is Administration's recommendation that Council approve Option 1.

13. Administration requested that concept designs adhered to the following guidelines (these apply to the entire building, not just the extension requested):
 - 13.1. Materials must suit the Park Lands context and the scale of the building.
 - 13.2. Natural materials that are durable and resistant to graffiti (or easily cleanable).
 - 13.3. Hardwood timber cladding, masonry walls, or dark colourbond cladding in flat deck profile (e.g. maxline 340).
 - 13.4. Painted or clear finished compressed fibre cement sheet (not blue board) with expressed joints.
 - 13.5. Integrate the cladding of the addition, with the existing facades to minimise the 'old part and new part' appearance.
 - 13.6. Consider the existing roof pitch and design a complementary roof pitch for the new addition.
 - 13.7. Paint the entire building – walls, fascias, gutters, downpipes, trims.
 - 13.8. Any new or additional signage must be in accordance with City of Adelaide wayfinding signage strategy.
14. An undercroft has been considered but is not seen as appropriate for this project as it would require the installation of ramps to make toilets fully accessible. The targets would be required to be pushed up and down a ramp, making it impractical for volunteers. Similarly extending on top of the building would require installation of a lift and/or stair. The Club will be self-funding the project with a combination of club funds and grant funding from the Office of Recreation, Sport and Racing, these options would escalate the cost of the project which is only intended to be a small-scale enhancement rather than a renovation.
15. Opening the proposed toilets up to the public has been considered but not recommended with public amenities located a short walk across the road in Bunday's Paddock/ Tidlangga (Park 9). These facilities are flagged for renewal in the future.

Funding

16. No request has been made of Council to assist in funding this project. As the works relate to a building, The Club would not be eligible for one of Council's Recreation & Sport Community Facility Grants.
17. The Club has had a quote for the works, incorporating improvements to the rest of the building as well as the extension the project will cost approximately \$225k.
18. As membership fees are the main source of income, an outlay of \$225k is a significant investment for a club of this size. The Club have some savings (approximately \$100,000) in place to partially fund the project but will have to commit their entire savings to be matched through grant funding. The club will have to fund raise to proceed with the project. The Club has provided a copy of its audited financials [[Link 3](#)].
19. The Club intends to self-fund the extension project with a combination of club funds and grant funding from the Office of Recreation, Sport and Racing. The next funding round will be in 2020 and The Club are hopeful that all approvals are in place for them to apply for grant funding at that time. If grant funding applications are not successful, the project will not proceed.

Adelaide Parklands Authority

20. The Adelaide Park Lands Authority (APLA) considered this matter on 21 February 2019. At this stage, The Club had only provided an initial proposal as per [Link 1](#). Whilst supportive of The Club's proposal to improve its storage capacity and amenities, the Authority discussed at length:
 - 20.1. the importance of all Park Lands buildings being of high design quality and the pros and cons of extending the current building versus constructing a new fit for purpose building, recognising the financial constraints of a small not for profit club;
 - 20.2. The Club's current lease expiring in 2021, thereby limiting their potential funding opportunities; and
 - 20.3. that The Club should consider requesting a longer lease tenure based on their financial investment for this project.
21. The Club made a deputation at the meeting and answered questions from APLA. They are confident that the requested enhancement will make their facility sufficiently fit for purpose for the requirements of their member base and the sport.

Leasing and Licensing Policy and Guidelines

22. It is a requirement of the Adelaide Park Lands Leasing and Licensing Policy and Guidelines (The Policy) that an EO process be undertaken when a community lease or licence is terminated or surrendered.

23. As The Club have requested being exempt from the EOI process, if successful in this process, they would surrender their current lease to negotiate a new longer term agreement.
24. The Policy allows Community Sports Clubs (i.e. The Adelaide Archery Club) to apply for lease of up to 5+4 years (or longer by exception).
25. The Club currently occupies this site by virtue of a five (5) year Community Park Lands Lease Agreement (Lease) with Council which is due to expire in 2021.
26. Following the APLA meeting, The Club wrote to Council requesting that Council favourably consider entering into long term lease negotiations and that they be exempt from the Expression of Interest process [\[Link 4\]](#): They cite the following reasons as part of their request:
 - 26.1. Their long-term association with this park (over 70 years).
 - 26.2. Their ongoing maintenance of their licensed area.
 - 26.3. The size of the grounds is quite small and may limit the attractiveness of the area to other users.
 - 26.4. The grounds are setup as a purpose-built archery facility which may make it less attractive to other sporting groups.
 - 26.5. Unlikely that another archery club would respond to an EOI, as they would be more likely to merge with The Club (archery clubs are evenly dispersed throughout the state to suit where members live).
 - 26.6. The state regional body, Archery SA, supports this project [\[Link 5\]](#).
27. Given The Club are looking to invest over \$225k on the building extension it is recommended that Council:
 - 27.1. Exempt The Club from the EOI process; and
 - 27.2. Authorise the CEO to enter into lease negotiations of up to fifteen (15) years, noting that the agreement would be subject to community consultation (*Local Government Act (SA) 1999*) and being placed before both Houses of Parliament (*Adelaide Park Lands Act (SA) 2005*).
28. If The Club is unsuccessful in securing funding and unable to proceed with the project, then the current lease terms will remain in place and any future lease will be negotiated in accordance with The Policy.

Next Steps

29. On successfully gaining Council Landlord consent, The Club will seek to commence an application for Development Approval.
30. We will assist The Club in seeking funding from the Office of Recreation, Sport and Racing.

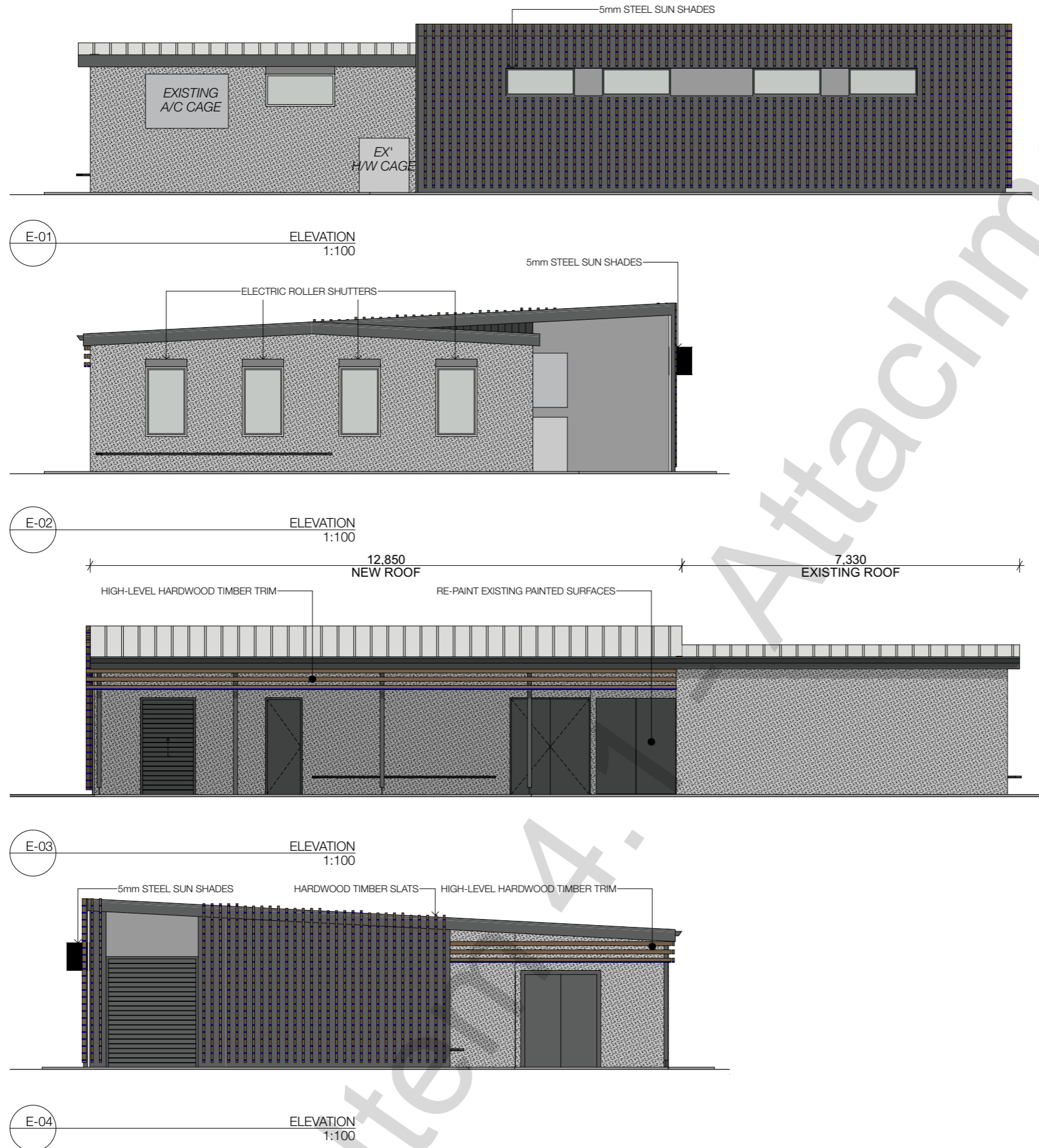
ATTACHMENTS

Attachment A – Adelaide Archery Club Inc Extension – Concept Design

- END OF REPORT -

ADELAIDE ARCHERY CLUB

AMENITIES AND STORAGE UPGRADE



PRELIMINARY

02	CLIENT REVIEW	SXD	24/4/19
01	PRELIMINARY COST ESTIMATE	MR	11/4/19
	issue	checked	date

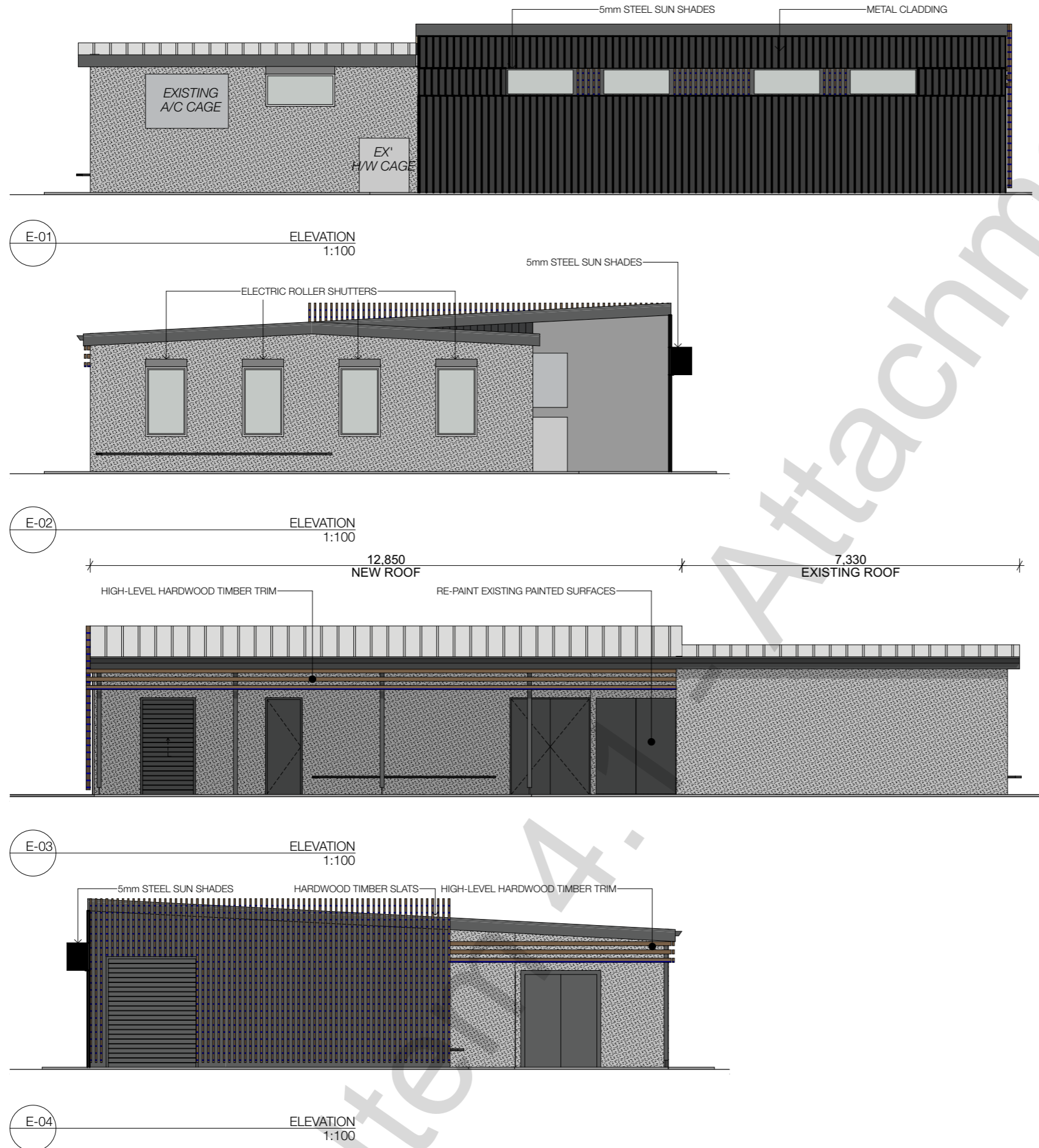
flightpath

Flightpath Architects Pty Ltd
ABN 16 085 522 014

101 Hindley Street Adelaide SA 5000
T +61 8 8211 6355
www.flightpatharchitects.com.au

ADELAIDE ARCHERY CLUB

AMENITIES AND STORAGE UPGRADE



PRELIMINARY

02_CLIENT REVIEW	SYD	24/4/19
issue	checked	date

flightpath

Flightpath Architects Pty Ltd
 ABN 16 085 522 014

101 Hindley Street Adelaide SA 5000
 T +61 8 8211 6355
 www.flightpatharchitects.com.au

ADELAIDE ARCHERY CLUB

AMENITIES AND STORAGE UPGRADE



PERSEPECTIVE 01 (OPTION 1)
1:200

PRELIMINARY

02_CLIENT REVIEW	SXD	24/4/19
issue	checked	date

flightpath

Flightpath Architects Pty Ltd
ABN 16 085 522 014

101 Hindley Street Adelaide SA 5000
T +61 8 8211 6355
www.flightpatharchitects.com.au

ADELAIDE ARCHERY CLUB

AMENITIES AND STORAGE UPGRADE

Item 4.1
Document A



PERSEPCTIVE 02 (OPTION 1)
1:200

PRELIMINARY

02_CLIENT REVIEW	SXD	24/4/19
issue	checked	date

flightpath

Flightpath Architects Pty Ltd
ABN 16 085 522 014

101 Hindley Street Adelaide SA 5000
T +61 8 8211 6355
www.flightpatharchitects.com.au

Item 4.1

ADELAIDE ARCHERY CLUB

AMENITIES AND STORAGE UPGRADE



PERSEPECTIVE 01 (OPTION 2)
1:200

PRELIMINARY

02_CLIENT REVIEW	SXD	24/4/19
issue	checked	date

flightpath

Flightpath Architects Pty Ltd
ABN 16 085 522 014

101 Hindley Street Adelaide SA 5000
T +61 8 8211 6355
www.flightpatharchitects.com.au

ADELAIDE ARCHERY CLUB

AMENITIES AND STORAGE UPGRADE

Item 4.1
Document A



PERSEPECTIVE 02 (OPTION 2)
1:200

PRELIMINARY

02_CLIENT REVIEW	SXD	24/4/19
issue	checked	date

flightpath

Flightpath Architects Pty Ltd
ABN 16 085 522 014

101 Hindley Street Adelaide SA 5000
T +61 8 8211 6355
www.flightpatharchitects.com.au

Item 4.1

PERMIT REVIEW WORKSHOP

Workshop Purpose:

To present Council Members with information and options to cut red tape for businesses specifically: a review and consolidation of permit policies and operating guidelines, and a review of the current permit fee model.

A SMART CITY WITH
A GLOBALLY
CONNECTED AND
OPPORTUNITY RICH
ECONOMY

SMART

PROGRAM: CUSTOMER

AUTHOR: Mel Carter | APPROVING OFFICER: Vanessa Godden

The Committee Meeting - Agenda - 21 May 2019

Licensed by Copyright Agency. You must not copy this work without permission.



- This workshop is in response to the 12 March 2019 decision of Council - Ongoing measures to cut red tape and the cost of doing business in the City of Adelaide, specifically point 1:
 - That Council:*
 - 1) *Investigates opportunities to consolidate permits and application processes for businesses.*
 - 2) *Removes the outdoor dining fees for complying businesses as part of the 2019-2020 budget consideration process.*
 - 3) *Investigates other cost reduction measures including waste management services & trades parking permits.*
- The workshop addresses three aspects relevant to the consolidation and review of permits and application processes:
 - Permits – the value of permits, permit categories, permit facts and figures
 - Policy – current and proposed future policy framework
 - Fees – current fee model and opportunities to explore a new fee model
- We seek to understand Council's views on your priorities and policy principles in relation to how and by whom the public realm is used and activated. We are also seeking feedback regarding the basis upon which we should be charging fees for the use of the public realm.
- Using the feedback from this workshop, we will return to Council seeking endorsement of a revised Policy and fee model for the temporary use of the public realm as a means by which we can cut red tape.

KEY QUESTION
Policy Framework

Are Members supportive of the proposed consolidated policy framework?

KEY QUESTION
Policy Principles

What are Members views on:

1. Priorities and Principles for use of the public space
2. How to manage competing tensions for use of the public space

KEY QUESTION
Fee Model

In developing a fee model, what are Members views on:

1. Why we charge fees?
2. Who should be charged fees?
3. When we should charge fees?
4. On what basis we should charge fees?

IMPLICATION	COMMENT:
Policy	The discussion will inform a review and consolidation of the current policy framework in line with the priorities and principles expressed by Members. Any proposed changes to policies will be brought back to Council for consideration and endorsement.
Consultation	Once endorsed by Council, any proposed changes to Council policies or fees will be made available for public consultation in line with Council's Community Consultation Policy.
Resource	No impact to resources at this stage
Risk / Legal / Legislative	Independent legal advice will be sought to ensure all amendments to policies, guidelines and processes regarding management of public realm permits align with Council's legislative responsibilities.
Opportunities	To improve the customer experience and remove unnecessary red tape in managing temporary use of the public realm.

IMPLICATION	COMMENT:
18/19 Budget Allocation	The review will be undertaken within the existing General Operating budget.
18/19 Budget Reconsideration (if applicable)	Not in relation to this workshop.
Proposed 19/20 Budget Allocation	Not in relation to this workshop.
Ongoing Costs (eg maintenance cost)	Not in relation to this workshop.
Life of Project or Life Expectancy of Asset	To be completed within the 2019-2020 year.
Other Funding Sources	Not in relation to this workshop.

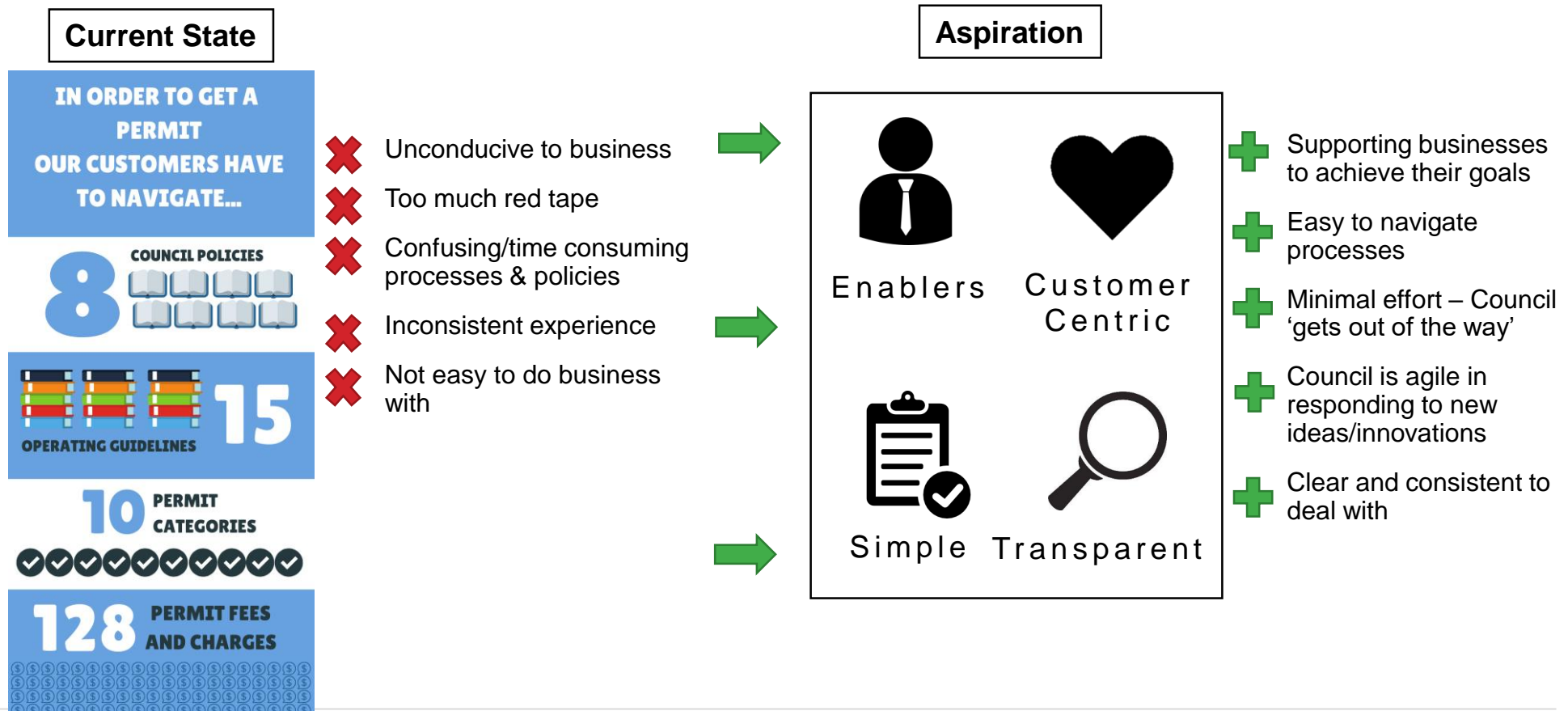
Contents

1. The Customer Experience Aspiration
2. Background – Why permits exist
3. Permit Facts and Figures
4. Policy Review – Framework and Principles
5. Permit Fee Model
6. Questions

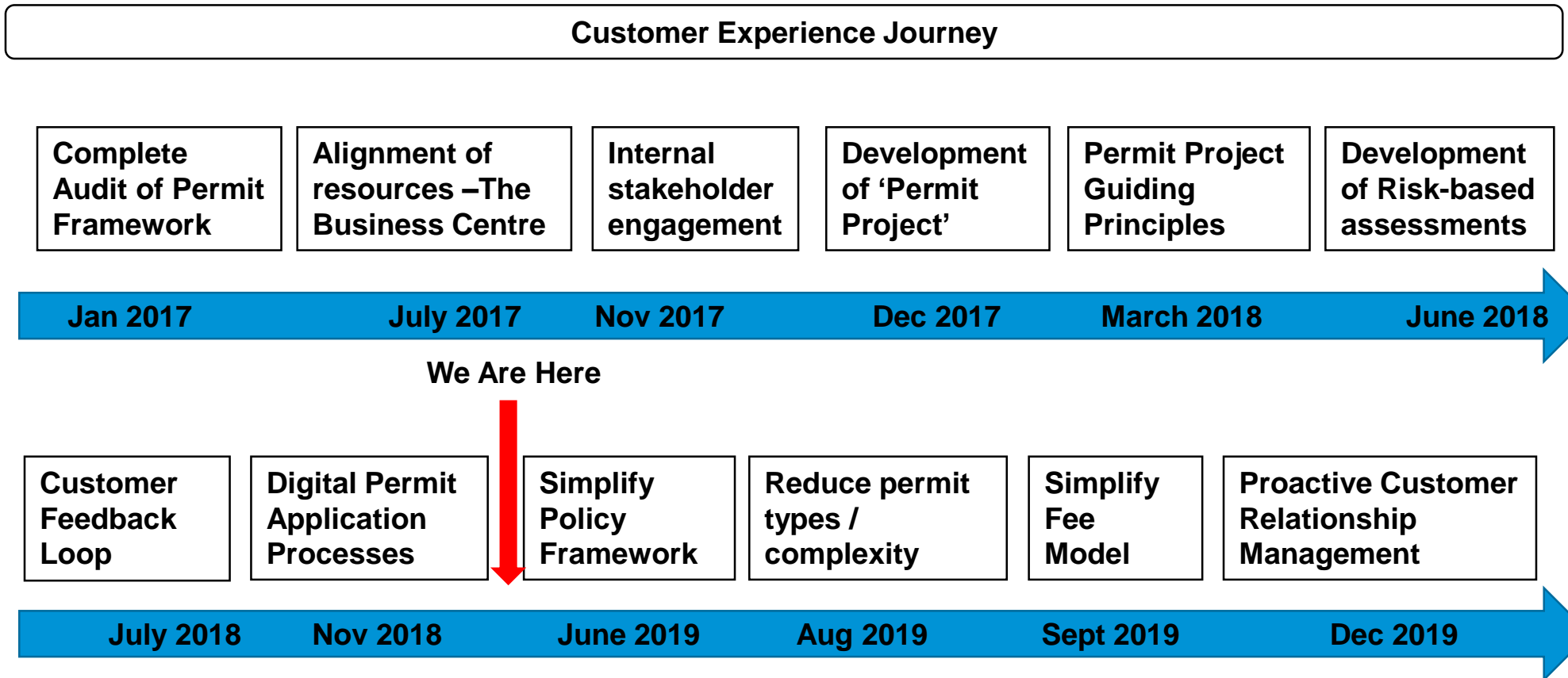
The Customer Experience Aspiration

We acknowledge the feedback of customers and Council that our permit framework & processes have significant room for improvement.

We share the aspiration to transform the customer experience by reducing red tape and making things simpler and easier. We have made some progress towards this aspiration but welcome further direction.



Our journey to improve the customer experience in relation to permits has followed a structured sequence to date to generate sustainable positive outcomes.



Since the creation of the Customer Program in July 2017, significant improvements to our approach to activating the public realm and working with our business customers have been made, including:

- The establishment of a dedicated **Business Centre** to handle the vast majority of business related service requests and permit applications across Council, resulting in a more consistent and streamlined service for customers;
- Development of enhanced online application processes for the majority of our permits, reducing the effort required by our customers to do business with Council;
- Introducing a risk based assessment of all activities which guides our approach to monitoring compliance in the field and the level of detail required by customers when applying; and

What are you looking for

Media Production/Still Photography Permit

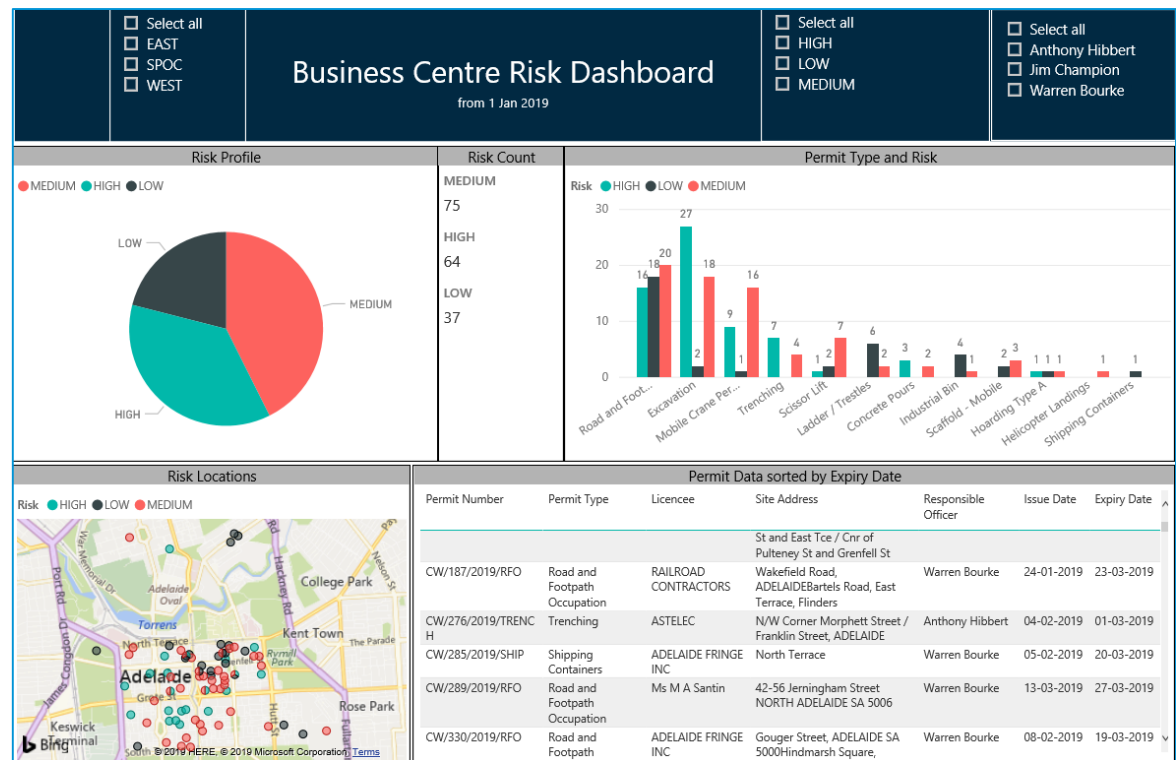
My progress: 50%

Application details

Nature of activity required

Please briefly describe your production required

Proposed start date required



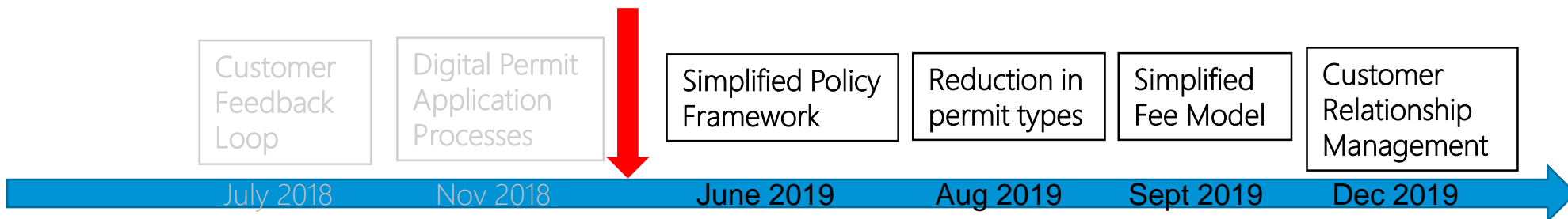
- A greater focus on the customer within the Business Centre, which now seeks feedback on the customer experience after all permits are issued so we can continue to improve our service, with positive results being seen.



Reviewing the Policy Framework is the next key enabler to further reducing red tape

- While positive steps have been made to reduce red tape, including the requirement for a permit for some low risk activities being removed altogether (e.g. A-Frames no longer require a permit) or made free (e.g. busking permits), there is significant work still to be done to improve the customer experience.
- The current policy framework lacks consistency and is so rigid in nature that the proposal of new activities that do not fit in an existing permit category require the development of a new set of guidelines, a new permit category, and a new fee.
- This often requires engagement with Council and many hours of administration resources to develop a set of 'rules' for each type of activity, as well as appearing slow to react for our customers who are requesting something new.
- Over many years this approach has resulted in a lack of consistency in fees, and a suite of guidelines that are contradictory in parts and are difficult for customers to navigate and understand.
- Through this Workshop we seek direction on how to approach reviewing the Policy Framework and the core principles to adopt.

We Are Here



Background

Why do Permits exist?

Permits are a valuable tool for customers and Council:

Permits support CoA to manage the City's infrastructure including coordinating ongoing capital and maintenance works, and maintaining quality (and safety) in relation to the City's infrastructure.



6. Manage infrastructure

Permits assist customers and CoA to identify & manage risk by including indemnity/liability terms and conditions



5. Ensure accountability for risk is clear

Permits help to facilitate a level of equity across all users in relation to access and use of the City's public realm space.



4. Equity for all users



1. Enable the City to run smoothly

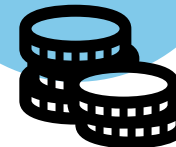
Permits enable customers to use the public realm in a coordinated & safe manner. They can also prevent space being double booked for the many varied activities, and the City continues to operate smoothly.

2. Manage public safety



Permits assist customers to utilise public realm space in an appropriate way from a public safety perspective.

3. Attribute value to the public realm



Permits enable CoA to attribute value to the City's public realm. Permits also allow for differential pricing on the public realm space.

Council also has a statutory responsibility that requires us to facilitate the use of the public realm either by authorisation (sec 221) or a permit (sec 222).

The Local Government Act 1999 Division 6 Section 221 – Alteration of Road, states that:

- (1) A person (other than the council or a person acting under some other statutory authority) must not make an alteration to a public road **unless authorised to do so by the council.**
- (2) A person makes an alteration to a public road if the person—
 - (a) alters the construction or arrangement of the road to permit or facilitate access from an adjacent property;
or
 - (b) erects or installs a structure (including pipes, wires, cables, fixtures, fittings and other objects) in, on, across, under or over the road; or
 - (c) changes or interferes with the construction, arrangement or materials of the road; or
 - (d) changes, interferes with or removes a structure (including pipes, wires, cables, fixtures, fittings or other objects) associated with the road; or
 - (e) plants a tree or other vegetation on the road, interferes with vegetation on the road, or removes vegetation from the road.

Permits issued under this section of the Act are typically for temporary activities such a 'City Works' including: hoarding, pedestrian raceways, traffic management, cranes, scaffolding, concrete pours, excavation, trenching, ladders and industrial bins. These works are generally conducted to facilitate development or maintenance activities for private developments, but require the use of public space.

The Local Government Act 1999 Division 6 Section 222 – Permits for Business Purposes, states that:

- (1) A person must not use a public road for business purposes **unless authorised to do so by a permit.**
- (1a) However, subject to the regulations, a council must grant a permit under this section for the purposes of a mobile food vending business.
- (2) A permit may grant rights of exclusive occupation in relation to part of a public road.
- (3) A permit may be granted for a particular occasion or for a term stated in the permit.
- (4) The term of a permit cannot exceed five years.
- (5) This section does not apply to a person who is simply travelling along a road.

Permits issued under this section of the Act, typically include temporary activities such as: outdoor dining, on-street activities, objects on footpaths, and mobile food vending.

The Local Government Act 1999 Division 6 Section 224 – Conditions of Authorisation or Permit states that:

- (1) A council may grant an authorisation or permit under this Division on conditions the council considers appropriate.
- (3) Without limiting subsection (2), the regulations may—
 - (a) require that certain conditions be imposed in prescribed cases; and
 - (b) prohibit the imposition of certain conditions in prescribed cases; and
 - (c) prescribe requirements in relation to conditions relating to the payment of fees.

This section of the Act is demonstrated through a number of Council policies, administrative operating guidelines, and Council's fees and charges.

Policies and guidelines serve different purposes:

- Policies are developed to endorse Council's position on a particular topic or subject. They are intended to be more strategic in nature, providing principles or a direction which is reflective of Councils and the communities expectations.
- Operating guidelines are how the policy is translated into processes and procedures and provide a more detailed description and explanation of the topic or subject. This is often where permit conditions are specified.

Under the Local Government Act 1999 Council also has the power to make By-Laws “for the good rule and government of the area, and for the convenience, comfort and safety of its community” (*Section 246 (2)*).

Council By-Laws are relevant to the permitting, regulating and control of activities not covered by the Local Government Act:

- By-Law 1 - Permits and Penalties
- By-Law 2 - Moveable Signs
- By-Law 3 - Local Government Land
- By-Law 4 - Roads
- By-Law 5 - Waste Management
- By-Law 6 – Rundle Mall
- By-Law 7 - Dogs
- By-Law 8 - Cats
- By-Law 9 - Lodging Houses

Councils legislate By-Laws to address activities and practices important to the local community, which are not provided for under existing legislation.

Activities requiring permission under the By-Laws include but are not limited to: recreational use of the Park Lands and River Torrens, busking and amplification.

Permits

Facts and Figures

- Currently customers are required to navigate 8 policies, 15 operating guidelines, 10 permit categories, 61 sub-categories and 128 fees which govern the various temporary activities and objects in the public realm that require a permit.
- Over time, new policies and guidelines have been developed to respond to new requests and trends (e.g. mobile food vending).
- With each new activity, the fees and guidelines have been developed without a consistent set of core principles.
- This reactive approach of regulating temporary activities has led to an unnecessary level of red tape for our customers, and an administrative burden.
- The framework also limits our ability to quickly and efficiently respond to new requests that do not fit into an existing permit category (e.g. drones and e-scooters). It requires Council having to regularly consider new proposals without any core principles about how the public realm should be utilised.

Council Policies (8)	Objects on Footpath Policy	Street Permit Policy			Safer City Policy (under review)	Flags and Banners Policy	On-Street Parking Policy	Encroachment Policy	Adelaide Park Lands Leasing and Licensing Policy	Adelaide Park Lands Events Policy
Operating Guidelines (15)	Objects on Footpath Operating Guidelines	Badge Days Collection of Monies Media Production Mobile Food Vending Street Trading Street Parades and Marches	Street Permit Operating Guidelines	City Works Guidelines	Outdoor Dining Guidelines	Flags and Banners Operating Guidelines	Resident and Visitor Parking Permit Guidelines	Encroachment Operating Guidelines	Park Lands Leasing and Licensing Operating Guidelines	Adelaide Park Lands Events Guidelines
Permit Categories (10)	Objects on Footpaths (4)	On-Street Activities (12)	Busking (1)	City Works (14)	Outdoor Dining (4)	Flags and Banners (1)	Vehicle Permits (15)	Encroachments (3)	Parklands Licenses (7)	Events(4)
Sub Categories (61)	<ul style="list-style-type: none"> • Display Table • Elevated Intrusion • Footpath Stickers • Moveable Signs 	<ul style="list-style-type: none"> • Badge Day • Collection of Monies • Film Shoot/ Photography • Survey/Petitions • Pedestrian Advertising • Distribution of Literature • Free Samples • Business Promotion • Trading Stand • March/Parade/Rally • Preaching • Mobile Food Vending 	<ul style="list-style-type: none"> • Monthly 	<ul style="list-style-type: none"> • Concrete Pour • Crane • Excavation • Trenching • Helicopter Landing • Hoarding A/B • Industrial Bin • Shipping Container • Ladders • Trestles • Road and Footpath Occupation • Scissor Lift • Fixed Scaffold • Mobile Scaffold 	<ul style="list-style-type: none"> • License – Capital City • Capital City • Main Street • Other Areas 	<ul style="list-style-type: none"> • Flags and Banners 	<ul style="list-style-type: none"> • Category 1 • Category 2 • Category 3 • Category 4 • Category 5 • Daily Care • Employed Disabled • Event • Central Market • Parklands • Peel Street • Rundle Mall • Special Visitors • Temporary Parking • Tindo 	<ul style="list-style-type: none"> • Above Ground Commercial • Above Ground Residential and Non Commercial • Below Ground 	<ul style="list-style-type: none"> • River Torrens Activity • Commercial Activity • Commercial Business • Fitness Activity • General Parklands • Depasturing • Sporting 	<ul style="list-style-type: none"> • Major • Medium • Minor • Weddings
Fees (128)										

Not for inclusion in this review*

* To focus the discussion to 'temporary activities and objects', certain categories/guidelines are excluded from this review.

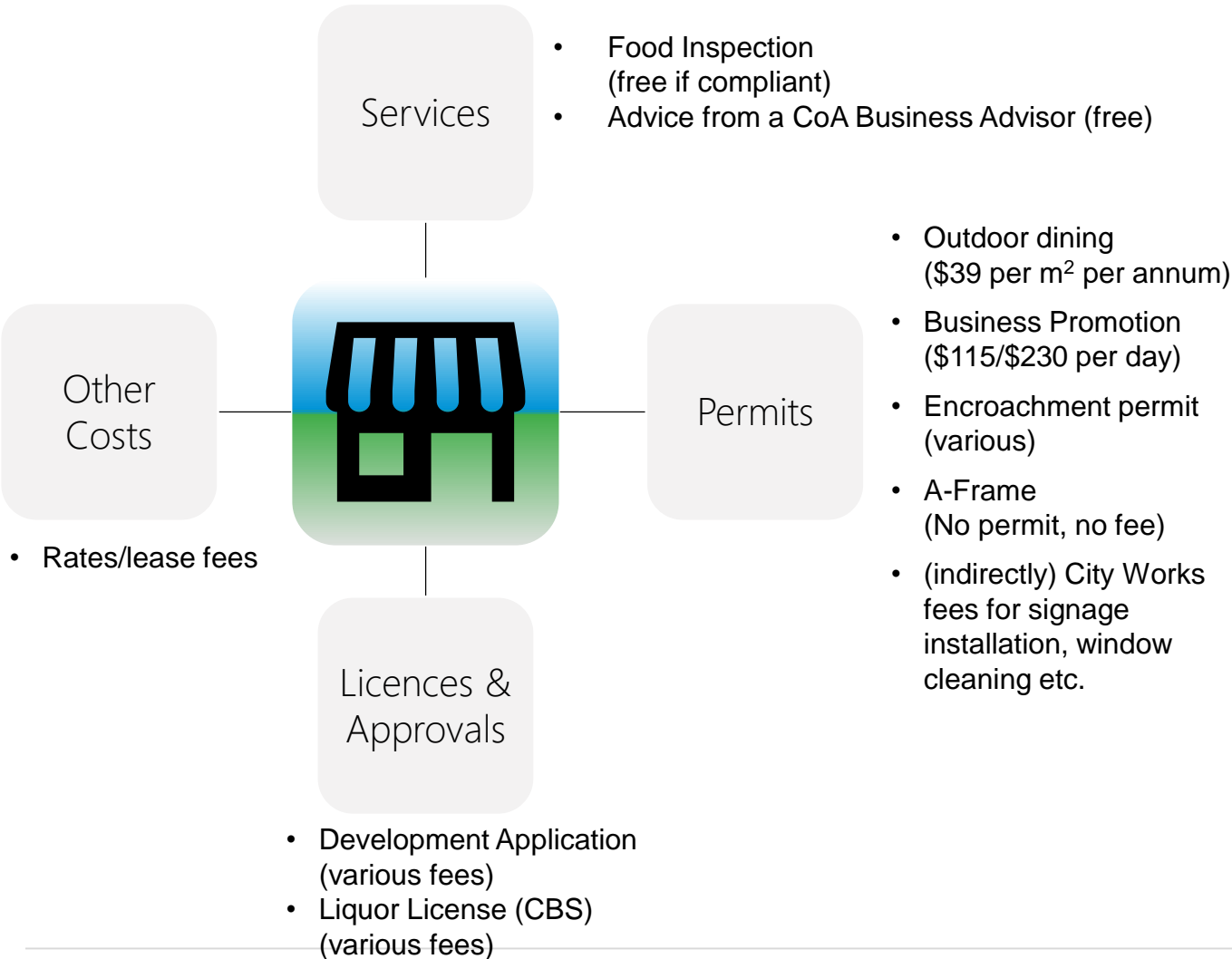
In 2017-2018 we issued 7095 permits, which generated approximately \$2.6M income.

Permit applicants can range across permit types. The following table demonstrates the number of permits issued, income generated and typical applicants for each permit category.

Permit Category	Sub-categories	Permits issued 2017-2018	Income 2017-2018*	Typical Applicant type				
				City Business	Non-City Business	Community/ Charity	Individual	Residential
City Works	14	2923	\$1,493,471	<i>May be on-charged</i>	✓			
Outdoor Dining	4	551	\$425,695	✓				
On-Street Activities	12	718	\$128,144	✓	✓	✓	✓	
Objects on Footpath	4	78	\$12,619	✓				
Encroachments	3	98	\$413,707	✓				✓
Busking	2	1624	\$0				✓	
Vehicles	15	1181	\$104,031					✓
TOTAL	54	7095	\$2,577,668					

**Income figures are based on permits invoiced for that period.*

When engaging with CoA, a typical ground floor hospitality business may experience the following services, permits, licenses, approvals and other costs in a year:



What do City businesses tell us?
 Feedback from business customers suggests that other than permit fees, the key issue for them involves their inability to undertake activities that fall outside CoA Policy. Examples include:

- A desire to have more than one A-Frame/Object on footpath/promotional device and for it not to be limited to being out the front of premises.
- Outdoor Dining fixed furniture or furniture which takes up greater footpath space than we allow.
- Short term business promotions which are not allowed due to access issues on footpaths.
- Access to A-Frames or advertising in areas which aren't currently possible.
- Undertaking activities on street which are not supported (e.g. hairdressing on footpath)

We also receive feedback about:

- Parking; in particular the impact city works have on customer patronage

Policy Review

Framework, Principles, Draft Policy

In 2017, the Business Centre committed to begin the process of reviewing and consolidating permit guidelines and streamlining processes. As part of that process, we adopted four guiding principles to ensure that any changes we made were transparent, simple, enabling and customer centric.



Transparent

Our processes are consistent, predictable and set clear expectations. Our decisions are transparent to the public and our staff.



Simple

We keep things simple and easy to understand. We make it simple for our people to assess, approve and maintain.



Enablers

Our focus is to assist in activating the City, within our jurisdiction and supporting customers to achieve their goals, while maintaining safety and amenity of our assets.



Customer Centric

We adopt a customer centric mindset, putting the customer at the heart of what we do. We put our customers first, and guide their experience across all touch points.

PERMIT REVIEW WORKSHOP

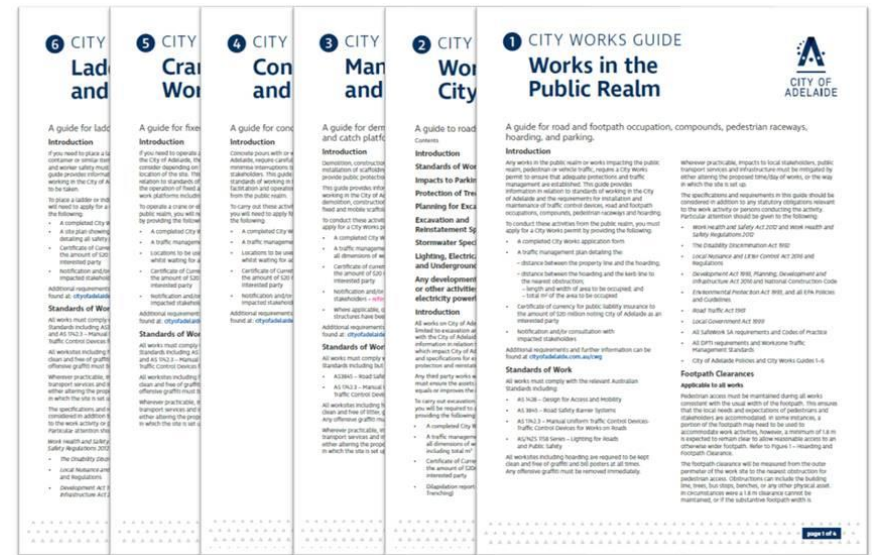
Guiding Principles in Action – City Works Review



In 2018, we commenced a review of the City Works Guidelines.

Using the guiding principles, we have been able to conduct an extensive review and consolidate the original 128 page guidelines into 6 easy to read fact sheets.

We are also in the process of developing an online application which will enable customers to estimate fees, as well as submit and extend their permits online.



My progress: 0%

Permit details

Please select all activities being carried out

- Concrete pump/pour
- Crane under 50 tonne
- Crane over 50 tonne
- Crane Truck or elevated platform
- Footpath occupation
- Road occupation
- Industrial bin/shipping container/mini skip
- Scissor Lift
- Ladder
- Scaffolding - mobile
- Scaffolding - fixed
- Hoarding
- Trenching/ excavation

Back Save

To maximise the opportunities and benefits for customers and Council, we are proposing to limit the scope of this policy review to focus only on the main permit types highlighted below. Consolidating these categories presents the most opportunities for improvement and follows a clear logic for our customers.

Everything outside of this scope will undergo regular reviews as part of business as usual processes.

In scope

Council Policies (7)	Objects on Footpath Policy	Street Permit Policy				
Operating Guidelines (15)	Objects on Footpath Operating Guidelines	Street Permit Operating Guidelines	Street Parades and Marches Operating Guidelines	Badge Days Operating Guidelines	Collection of Monies Operating Guidelines	Outdoor Dining Guidelines
		Media Production Guidelines	Street Trading Operating Guidelines	Mobile Food Vending Operating Guidelines	City Works Guides	

Out of scope

Flags and Banners Policy	On-Street Parking Policy	Encroachment Policy	Adelaide Park Lands Leasing and Licensing Policy	Adelaide Park Lands Events Policy
Flags and Banners Operating Guidelines	Resident and Visitor Parking Permit Guidelines	Encroachment Operating Guidelines	Park Lands Leasing and Licensing Operating Guidelines	Adelaide Park Lands Events Guidelines
No change proposed				

To enable the reduction of red tape for customers undertaking temporary activities in the public realm, it is proposed that the number of policies and guidelines be consolidated to focus on key themes.

Current Policy Framework



Proposed Policy Framework

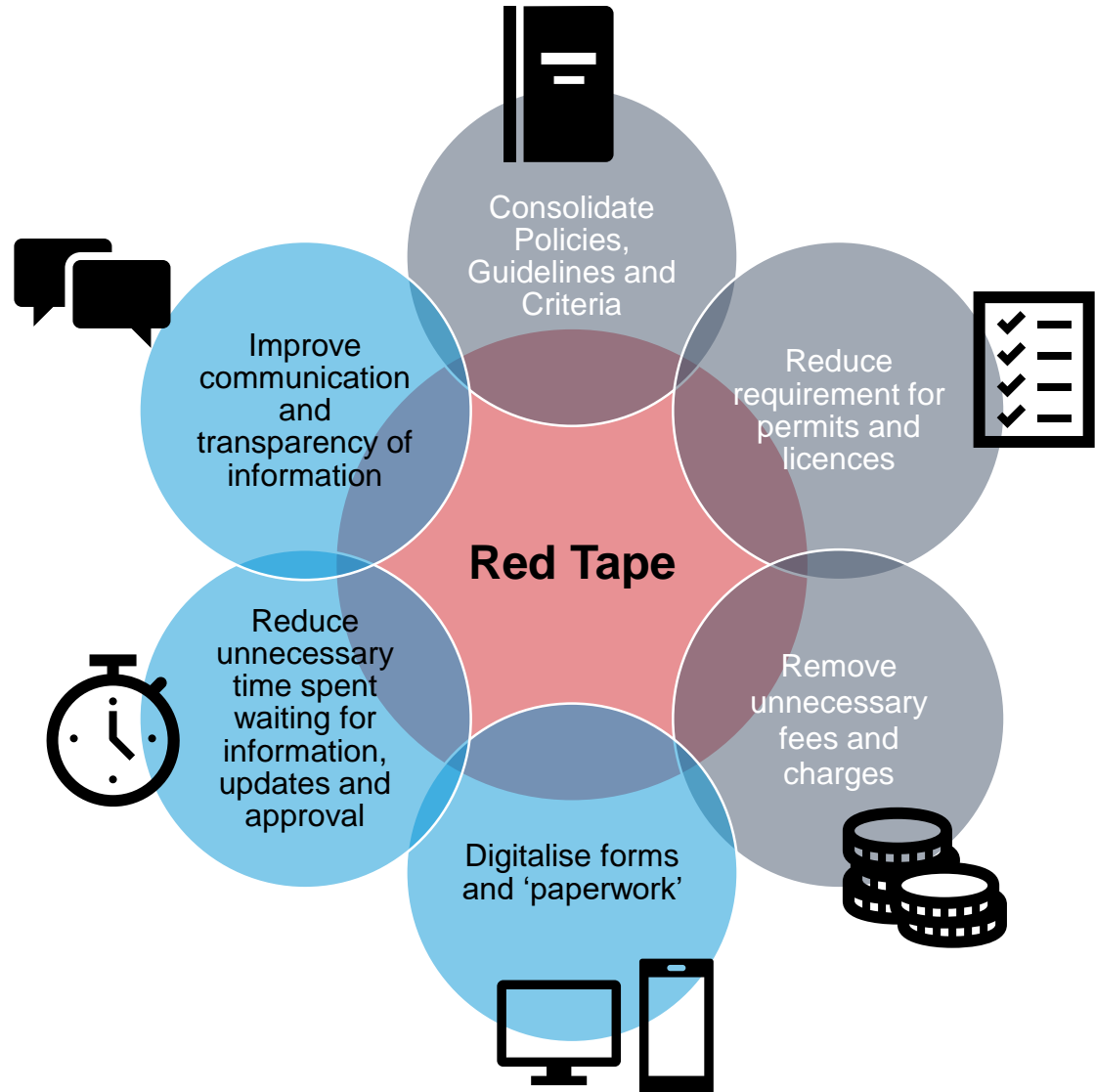


- The proposed policy framework would require the consolidation of the Objects on Footpaths and Street Permit Policies into one ‘Temporary Activities and Objects in the Public Realm Policy’.
- Due to their specific nature, we would recommend retaining the current Outdoor Dining, City Works and Mobile Food Vending Guidelines, and consolidating the remaining guidelines based on principles and criteria for either ‘activities’ or ‘objects’.

Discussion Question: Are Elected Members supportive of the proposed policy framework?

(Noting that this will be presented to Council for endorsement separately)

- Consolidating policies and guidelines is required, but that alone will not reduce red tape.
- We understand that there are a number of factors that contribute to the perception of “red tape”.



Council has a key role to play in shaping the future of how the public realm can be utilised for community and commercial purposes.

- The first step is to identify Council's core values and priorities for how the public realm should be utilised.
- There are a number of tensions and competing factors to consider when establishing policies and guidelines.

Tension 1: The balance between red tape and risk (or control) is critical in establishing Council priorities for the public realm. Whilst it is impossible to completely eliminate either factor, it is important to identify how much risk or control Council is comfortable to accept in an effort to reduce regulation and red tape, which is generally produced through processes, criteria and guidelines. This tension is relevant across all permit categories – the more control Council desires, the more conditions/processes/red tape is required.

Reduce red tape

Simple processes
Minimal rules and criteria
Less control of what occurs in public realm
'Yes' approach



Reduced risk / Strong control

Rigorous processes
Specific rules and criteria for each activity
Strong control of what happens in public realm
'Safety first' approach

Examples of this tension play out in the criteria and guidelines for outdoor dining and on-street activities. By having guidelines which govern furniture placement, and allowable locations and days for certain activities, we are able to control the amount of footpath that is utilised, and for what purpose. This is beneficial for maintaining access for pedestrians, but seen as red tape by applicants.

By removing criteria and allowing customers to utilise the public realm more freely, we reduce the effort and red tape experienced by business customers, but we lose a level of control and potentially allow other stakeholders to be impacted.



Tension 2: The balance between promoting activation & business activities in public space whilst maintaining equitable access for all users is a tension which is common across various permit types.

Promote activation & economic growth

The public realm can be used to promote business and community interests
Activation benefits the economy and community
Innovative ideas are supported



The public realm should be accessible for all

No group should have exclusive use over the public realm
Public realm should remain uncluttered/accessible
Activities in the public realm should benefit the local area

This tension plays out in the regulation of activities such as business promotions, badge days (charity), collection of monies and street trading. These are all regulated by either the days of the week (badge days); the amount of objects able to be placed on the footpath per business (one); the amount of footpath able to be used by businesses; or the purpose of the use of the footpath by a business.



Reducing regulation and allowing businesses to take up more space for advertising and promotion supports economic growth and lowers perceived red tape, but comes at a cost.

Increases in public realm activation and the de-regulation of conditions could potentially result in increasing footpath congestion, a decrease in visual amenity and the likelihood of complaints from other businesses or City visitors.

Tension 3: The balance between maintaining accessibility and traffic flow, and facilitating development is a tension directly impacting City Works permits. The difficulties of coordinating development activities in the CBD mean that the public space is required to ensure development can occur. However, the trade-off means that local stakeholders, pedestrians and traffic flow can be directly impacted.

Facilitate development and maintenance of the City

We should prioritise the needs of developers to enable the City to grow.

The more space permitted for developers to use, the quicker developments can be completed.



Maintain accessibility and traffic flow

We should minimise the impact of development work in the public realm to allow the City's traffic and pedestrian movement to flow.

It is the responsibility of the developer to implement efficient, low impact development methods.



We require stakeholders to be notified and consulted with for works which may impact them and / or their business. This can be perceived as an additional layer of red tape. However, by not requiring this, they may be unaware and unable to plan for impacts to their property or business.

Discussion Question: What are Members views on:

- 1. Priorities and Principles for use of the public space**
- 2. How to manage competing tensions for use of the public space**

Permit Fee Model

Fees and Revenue

To recap, there are currently 128 different fee rates for permits, which is confusing for our customers.

Permit fee rates have been developed on a case-by-case basis per activity over time, without the guidance of a core set of principles to govern why/how & who we charge for the use of the public realm.

The amount of variation in permit criteria and fee types creates inconsistencies in the way they are applied, and makes developing a fee for any new innovation quite difficult (e.g. e-scooters).

Permit Category	Sub-categories	Permits issued 2017-2018	Income 2017-2018*	Typical Applicant type				
				City Business	Non-City Business	Community/ Charity	Individual	Residential
City Works	14	2923	\$1,493,471	<i>May be on-charged</i>	✓			
Outdoor Dining	4	551	\$425,695	✓				
On-Street Activities	12	718	\$128,144	✓	✓	✓	✓	
Objects on Footpath	4	78	\$12,619	✓				
Encroachments	3	98	\$413,707	✓				✓
Busking	2	1624	\$0				✓	
Vehicles	15	1181	\$104,031					✓
TOTAL	54	7095	\$2,577,668					

*Income figures are based on permits invoiced for that period.

Permit Type	Category	Charge Type	Base Rate
City Works	Hoarding Road and Footpath Occ. Concrete Pump Crane >50t / <50t Ladder Skip Bin Helicopter Landing	Per sq. metre per day	\$2.40
		Per week	\$63
		Per day	\$100
		Per day	\$166 / \$132.50
		Per annum	\$164
		Per annum	\$529
		Per occasion	\$100
Outdoor Dining	Location Fixed furniture/screens First 12 months	Per sq. metre (location based) per annum.	\$34/\$39
		Further fee for fixed furniture or screens First 12 months free for new businesses/premises	\$5 Free
Objects on Footpath	Trestle tables Clothing Racks Planter Boxes	Per annum	\$140
On-Street Activities	Big Issue Distribution Pamphlet Distribution Surveys/petitions Preaching Badge Day Collection of Money Small business promotion Large business promotion	No charge	\$0
		Per day	\$42
		Per day	\$48
		Per day/month	\$2.20/\$22
		(registered charity) per day	\$23
		(un-registered charity/NFP Orgs) per day	\$29
		(small business/City based) per day; (national brand/franchise) per day	\$115 \$230
Busking		Free	\$0

This table represents a **sample** of some of the variations of fee types across permits. There are 128 individual fee types across permits.

The current fee structure is confusing for customers and difficult to govern administratively and financially.

There is little consistency between charge rates, for example, with various permits being charged based on:

- the physical space occupied
- the activity itself
- the duration (per day/week/month/year)
- on applicant type (charity/small business/large business).
- some have no charge

Inconsistencies are also present where similar activities are charged the same way but with a different value.

It is recommended that Council endorse a new fee model based on principles for temporary use of the public realm.

Council have previously endorsed fee models for Events and Park Lands Leasing and Licensing, which provides a base value of the public realm, with discounts based on attributes Council value.

Adelaide Park Lands Event Fee Model 2018-2019

Corporate/Commercial

Not for Profit/Community

Park Land Site Type	Ticketed / Non Ticketed	Season	Fee (inc gst) per 1000 ² m per day	Bump In / Out per 1000 ² m per day
Premium	Ticketed	Summer	\$66.00	\$33.00
		Winter	\$51.00	\$25.50
	Ticketed & Non Ticketed	Summer	\$63.00	\$31.50
		Winter	\$48.00	\$24.00
	Non Ticketed	Summer	\$60.00	\$30.00
		Winter	\$45.00	\$22.50
Popular	Ticketed	Summer	\$60.00	\$30.00
		Winter	\$45.00	\$22.50
	Ticketed & Non Ticketed	Summer	\$57.00	\$28.50
		Winter	\$42.00	\$21.00
	Non Ticketed	Summer	\$54.00	\$27.00
		Winter	\$39.00	\$19.50
Pilot/Potential	Ticketed	Summer	\$48.00	\$24.00
		Winter	\$33.00	\$16.50
	Ticketed & Non Ticketed	Summer	\$45.00	\$22.50
		Winter	\$30.00	\$15.00
	Non Ticketed	Summer	\$42.00	\$21.00
		Winter	\$27.00	\$13.50

Park Land Site Type	Ticketed / Non Ticketed	Season	Fee (inc gst) per 1000 ² m per day	Bump In / Out per 1000 ² m per day
Premium	Ticketed	Summer	\$48.00	\$24.00
		Winter	\$33.00	\$16.50
	Ticketed & Non Ticketed	Summer	\$45.00	\$22.50
		Winter	\$30.00	\$15.00
	Non Ticketed	Summer	\$42.00	\$21.00
		Winter	\$27.00	\$13.50
Popular	Ticketed	Summer	\$42.00	\$21.00
		Winter	\$27.00	\$13.50
	Ticketed & Non Ticketed	Summer	\$39.00	\$19.50
		Winter	\$24.00	\$12.00
	Non Ticketed	Summer	\$36.00	\$18.00
		Winter	\$21.00	\$10.50
Pilot/Potential	Ticketed	Summer	\$30.00	\$15.00
		Winter	\$15.00	\$7.50
	Ticketed & Non Ticketed	Summer	\$27.00	\$13.50
		Winter	\$12.00	\$6.00
	Non Ticketed	Summer	\$24.00	\$12.00
		Winter	\$9.00	\$4.50

The Events fee model provides a framework to apply fees to events based on a number of factors:

- Commercial vs Community organiser
- Site type
- Ticketed vs non ticketed
- Season

All Events are charged based on the same model, which reflects Council's priorities of incentivising Events that activate underutilised spaces, relieving pressure from premium sites, incentivising events during winter and takes into account the organisers potential commercial gain. The model provides a level of transparency and allows event organisers to plan for costs in advance.

Adelaide Park Lands Leasing and Licensing Fee Model (Park Lands Leasing and Licensing Operating Guidelines)

Project: Name – Location		
Base Fee per m ²		\$55
Total area (m ²)		m ²
Predicted Lease timeframe (years)		
Total fee per annum = (area (m²) x \$55)		
Total fee = (area (m²) x \$55 x time of occupation)		
	Discount Offer	
Locality of Proposed Project		
Area rarely/never used by public/Council – not manicured	40.00%	
Area rarely/never used by public/Council – manicured	20.00%	
Area used occasionally on weekends	10.00%	
Area often	0.00%	
Outcome Results in Increase City Visitation		
≥260,000	10.00%	
150,000 – 260,000	5.00%	
≤150,000	0.00%	
Area Used		
≤ 50 Sq Metres	15.00%	
50 - 100 Sq Metres	10.00%	
100 - 500 Sq Metres	5.00%	
500 - 1000 Sq Metres	2.00%	
≥ 1000 Sq Metres	0.00%	
Time of Occupation		
≤1 year	15.00%	
1-2 year	10.00%	
2-5 year	5.00%	
≥5 years	2.00%	
Project Investment		
≤ \$5 million	5.00%	
\$5 - \$20 million	10.00%	
\$20 - \$50 million	15.00%	
≥ \$50 million	20.00%	
Total Percentage discount (Maximum of 80%)		%
Total Fee to be charged (total fee – percentage discount)		
Total Fee to be charged per annum (total fee / lease timeframe)		

The Adelaide Park Lands Leasing and Licensing Fee model is based on a similar concept. A base fee of \$55 per m² of public realm space is calculated, then, certain discounts are applied depending on particular factors:

- Location
- Contribution to increasing City visitation
- Size of area used
- Time of occupation
- Project investment

The fee model reflects Council’s values for leasing and licensing in the Park Lands by incentivising activation of underutilised spaces and contributions to City visitation, reducing fees for smaller spaces and shorter leases, and recognising projects of significant financial investment.

The model also provides a transparent framework for potential lease holders to plan and predict applicable fees.

There is an opportunity to review the current fee model for temporary use of the public realm, based on a principle-led approach similar to that used for Events and Leasing and Licensing in the Park Lands.

The successful models presented on slides 35 and 36 ensure that all events/leases and licenses are charged based on consistent values. Unlike these models, the current permit fee model charges permits inconsistently.

In order to develop a fee model for temporary activities in the public realm or considering dollar values, we first need to understand the key principles and values Members identify as part of this discussion.

We will use the feedback gained from the below questions to develop fee models to present to Council at a later date.

Discussion Questions:

1. Do Members wish to move towards a consistent fee model for temporary activities in the public realm?

2. If so, to develop the principles that would underpin any proposed fee model, what are Members views on:

a. Why do we charge fees?

Commercial value of the public realm | To recover internal costs | To promote or discourage certain activities | The inconvenience of others not being able to use the public realm | To offset the cost of impact to Council assets

b. Who should be charged fees?

Commercial users v Not for profit | Ratepayers v non ratepayers | Certain customer segments

c. When should we charge fees?

Exclusive use v any passive use of public realm | Activities that meet Strategic outcomes v any use of public realm

d. On what basis should we charge fees?

By amount of space/duration used | By premium value of location | Admin cost recovery only | By commercial value generated | By size/type of customer | By risk to public safety

KEY QUESTION
Policy Framework

Are Members supportive of the proposed consolidated policy framework?

KEY QUESTION
Policy Principles

What are Members views on:

1. Priorities and Principles for use of the public space
2. How to manage competing tensions for use of the public space

KEY QUESTION
Fee Model

In developing a fee model, what are Members views on:

1. Why we charge fees?
2. Who should be charged fees?
3. When we should charge fees?
4. On what basis we should charge fees?