



THE COMMITTEE AGENDA & REPORTS

for the meeting

Tuesday 7 September 2021
at 5:30 pm

in the Colonel Light Room
Adelaide Town Hall



Members - The Right Honourable the Lord Mayor, Sandy Verschoor
Deputy Lord Mayor, Councillor Couros (Chair)
Councillors Abrahamzadeh, Donovan, Hou, Hyde, Khera, Knoll,
Mackie, Martin, Moran and Snape.

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

On Leave -

The Right Honourable the Lord Mayor, Sandy Verschoor
Councillor Mackie

3. Confirmation of Minutes – 17/8/2021 [TC]

That the Minutes of the meeting of The Committee held on 17 August 2021, be taken as read and be confirmed as an accurate record of proceedings.

4. Presentations

Nil

5. All reports in this section will be presented to Council

All reports in this section will be presented to Council on 14 September 2021 for consideration and determination

Strategic Alignment – Thriving Communities

- 5.1. Car Share Support [2021/00966] [Page 3]
- 5.2. Traffic Signals Deed of Agreement [2021/01807] [Page 7]
- 5.3. E-Scooter Trial Evaluation [2019/00296] [Page 24]
- 5.4. Safer City Action Plan Annual Report [2019/00184] [Page 29]
- 5.5. Adelaide Zero Project Partnership [2021/00738] [Page 33]

Strategic Alignment – Strong Economies

- 5.6. City Street Activation Review - Parklets [2021/00874] [Page 38]
- 5.7. Quarterly Forward Procurement Report Q2 2021/2022 [2020/00150] [Page 47]

Strategic Alignment – Enabling Priorities

- 5.8. 2020-21 Quarter 4 Commercial Operations Report [2021/00850] [Page 51]

6. Exclusion of the Public

6.1. Exclusion of the Public to Consider in Confidence [2018/04291] [Page 61]:

- 7.1 Advocacy and Funding Opportunities [s 90(3) (b)]
- 7.2 2020-21 Quarter 4 Confidential Commercial Operations Report [s 90(3) (b)]
- 7.3 Strategic Property Review and Investigations (Status Update) [s 90(3) (b) & (d)]

7. All reports in this section will be presented to Council in Confidence

All reports in this section will be presented to Council on 14 September 2021 for consideration and determination

Strategic Alignment – Thriving Communities

7.1. Advocacy and Funding Opportunities [2020/00536] [Page 66]

Strategic Alignment – Enabling Priorities

7.2. 2020-21 Quarter 4 Confidential Commercial Operations Report [2021/00850] [Page 85]

7.3. Strategic Property Review and Investigations (Status Update) [2017/04450] [Page 108]

8. Closure

Car Share Support

ITEM 5.1 07/09/2021
The Committee

Strategic Alignment - Thriving Communities

Program Contact:

Garry Herdegen, Acting Associate
Director, Infrastructure 8203 7132

2021/00966

Public

Approving Officer:

Klinton Devenish, Director
Services, Infrastructure &
Operations

EXECUTIVE SUMMARY

In response to a decision of Council on 9 March 2021, we have investigated opportunities to support car share.

A car share scheme has operated in Adelaide since 2009, expanding from an initial two vehicles to the current 13 on-street vehicles. In 2021 RAA entered the market with its Flexicar service, replacing GoGet, which withdrew from South Australia. A permit fee applying to car share was introduced at the beginning of the 2021/22 financial year, in line with the approach in other cities.

Since the introduction of car share, we have worked with the sole car share operator to facilitate expansion where appropriate and have engaged with other operators interested in entering the Adelaide market. The biggest impediment to expansion is demand, as the City's population-to-parking ratio results in high levels of car ownership for residents and car use for businesses. We are currently in discussions with a new car share operator interested in entering the Adelaide market.

Our investigation has concluded that the City of Adelaide's current approach to car share is appropriate to accommodate the level of demand from users and operators.

The following recommendation will be presented to Council on 14 September 2021 for consideration

That Council

1. Notes the report.

IMPLICATIONS AND FINANCIALS

City of Adelaide 2020-2024 Strategic Plan	Strategic Alignment – Thriving Communities A safe, affordable, accessible, well-connected city for people of all ages and abilities, and all transport modes.
Policy	Not as a result of this report
Consultation	Not as a result of this report
Resource	Not as a result of this report
Risk / Legal / Legislative	Not as a result of this report
Opportunities	Opportunity to facilitate an increase in car share provision in the City of Adelaide.
20/21 Budget Allocation	Not as a result of this report
Proposed 21/22 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
20/21 Budget Reconsideration (if applicable)	Not as a result of this report
Ongoing Costs (eg maintenance cost)	Not as a result of this report
Other Funding Sources	Not as a result of this report

DISCUSSION

Background

1. At its meeting on 9 March 2021, Council requested a brief report on opportunities to support carshare in the future.'
2. Car share operator GoGet entered the Adelaide market in 2009 and remained as the sole car share operator until April 2021, when they withdrew from the South Australian market.
3. When they entered the Adelaide market, GoGet commenced with two vehicles. The number of vehicles and locations was expanded a number of times to a total of 13 on-street vehicles across the city and North Adelaide. A further two vehicles were located in Bowden, in the City of Charles Sturt, and vehicles were for a time located in an off-street parking station. Each vehicle is linked to a designated parking bay.
4. In August 2020, the RAA expressed an interest in entering the Adelaide car share market with its Flexicar service. The Administration had been working to facilitate their entry prior to GoGet's departure. When GoGet announced their withdrawal, Flexicar opted to occupy all 13 existing car share bays. Flexicar Car share also operates in the Cities of Charles Sturt, Holdfast Bay, Marion, Mitcham and West Torrens.
5. Historically, there was no charge for the operation of car share in the City of Adelaide, including the permanent allocation of on-street parking bays. A charge was introduced at the beginning of the 2021/22 financial year, with the fee based on Council's new public space permit fee. A discount has been applied to the fee in recognition of the contribution of car share towards the goals of the Strategic Plan and to bring the fee in line with those charged in other capital cities.
6. We remain open to new operators interested in entering the Adelaide market and engages with all enquiries. We are currently in discussions with a new car share operator interested in entering the Adelaide market.

Existing Expansion Approach and Issues

7. Since the introduction of car share to the City of Adelaide, the Administration has worked with operators to expand provision. The number of on-street vehicles was periodically increased throughout GoGet's period of operation.
8. Compared to other cities in which car share operates, Adelaide has a low population to parking ratio, with relatively low population and population density, and a high level of parking provision at a relatively low cost. These factors lead to increased private vehicle ownership and use and discourage car share demand. Consequently, while there is some demand for car share expansion, it is relatively minimal. The projected increase in apartment living and population density in the city are anticipated to increase demand for car share, but this is expected to be a longer-term trend.
9. Car share expansion typically follows the standard City of Adelaide process for a change of on-street parking control. Existing local area parking provision and utilisation are assessed, local stakeholders are consulted and unless there is a legitimate objection, the on-street parking control is changed to car share.
10. Historically, user data was not provided to City of Adelaide by the operator. User data helps to identify whether there is sufficient demand to warrant the provision of car share vehicles in different areas and whether additional vehicles may be required to meet demand. It could also help to identify if car share vehicles are underutilised and should be removed or relocated. Other Australian cities use demand data to assess and plan for car share expansion and this requirement is included in the current car share permit. We now receive user data from the car share operator and this can be used as part of future assessment.

Possible Approaches to Support Car Share

11. Due to the demographic and parking situation described in paragraph 8, it is not recommended that car share expansion targets are adopted. In cities with higher population to parking ratios, expansion targets typically act as caps on uncontrolled expansion, whereas in Adelaide the lower ratio means that targets may not reflect demand and risk creating an oversupply of car share vehicles. Instead, it is recommended that expansion is considered based on existing use and operator request.
12. Currently the City of Adelaide permits a fixed-base car share model, where drivers start and end trips from the same parking bay. This is the most common car share approach globally. An alternative model is free-floating car share, where vehicles are not tied to a single parking bay but can be parked in any bay within a designated area. Free-floating car share has not yet been employed in Australia and having discussed the matter with interstate council areas where car share demand is greater, it is not recommended that a free-floating model is pursued at this time.

13. Another model, which does not currently operate in Adelaide, is peer-to-peer car share. Under this scheme, private vehicles are employed for car share. Should such a scheme enter the Adelaide market, it will be considered separately to fixed-base and free-floating models, as the use of private vehicles could complicate parking enforcement.
14. Rather than assessing car share applications solely as parking change requests, it is recommended that assessment is more data-driven, including aspects such as:
 - 14.1. Usage data for existing car share bays, particularly those closest to the proposed location. High levels of usage can act as an indicator of potential demand.
 - 14.2. Parking provision and occupancy levels in the vicinity, using data from smart parking sensors where available, to help determine if the provision of a dedicated car share bay would impact local accessibility.
15. If other councils are considering the introduction of car share, the City of Adelaide will share learnings to facilitate their decision making.

Next Steps

16. We will continue to work with the current car share operator to facilitate expansion where appropriate. We will engage with any operators interested in entering the Adelaide market.

ATTACHMENTS

Nil

- END OF REPORT -

Traffic Signals Deed of Agreement

ITEM 5.2 07/09/2021
The Committee

Strategic Alignment - Thriving Communities

Program Contact:

Garry Herdegen, Acting Associate
Director, City Operations 8203
7132

Approving Officer:

Klinton Devenish, Director
Services, Infrastructure &
Operations

2021/01807

Public

EXECUTIVE SUMMARY

Traffic signals in the City of Adelaide are owned by the City of Adelaide (CoA) and since 2005 have been operated on our behalf by the Department for Infrastructure and Transport (DIT). The current Deed of Agreement for Traffic Management Services which governs the management of traffic signals expires on 10 October 2021. A new Deed is required for the continuation of traffic signals management and the Chief Executive of DIT has issued a Deed of Agreement to cover the period from 11 October 2021 to 10 October 2026.

As part of the agreement, we work closely with DIT to ensure the efficient management and movement of traffic in the city. Traffic flow issues are promptly identified and addressed or mitigated. The agreement is considered to operate successfully, and continuation is recommended.

.....

The following recommendation will be presented to Council on 14 September 2021 for consideration

That Council

1. Authorises entering into the Deed of Agreement for Traffic Management Services between the City of Adelaide and the Department for Infrastructure and Transport contained in Attachment A to Item # on the Agenda for the meeting of the Council held on 14 September 2021.
 2. Authorises the Lord Mayor and Chief Executive Officer to affix the Common Seal of the Council to execute the Deed of Agreement for Traffic Management Services as contained in Attachment A to Item # on the Agenda for the meeting of the Council held on 14 September 2021.
-

IMPLICATIONS AND FINANCIALS

City of Adelaide 2020-2024 Strategic Plan	Strategic Alignment – Thriving Communities A safe, affordable, accessible, well-connected city for people of all ages and abilities, and all transport modes.
Policy	Not as a result of the report
Consultation	Not as a result of the report
Resource	Not as a result of the report
Risk / Legal / Legislative	Entering into a Deed of Agreement is a legal requirement for the continuation of traffic signals management by DIT.
Opportunities	Not as a result of the report
21/22 Budget Allocation	\$374,000
Proposed 22/23 Budget Allocation	To be confirmed
Life of Project, Service, Initiative or (Expectancy of) Asset	The Deed of Agreement covers a 5 year period from 11 October 2021 to 10 October 2026. The Deed includes a clause allowing for a 5 year extension subject to the agreement of both parties.
21/22 Budget Reconsideration (if applicable)	Not as a result of the report
Ongoing Costs (eg maintenance cost)	The annual fee is subject to Industry Standard Indexation (currently 3.55%)
Other Funding Sources	Not as a result of the report

DISCUSSION

Background

1. In 2005 CoA and the then Minister for Transport (now Minister for Infrastructure and Transport) entered into a Deed of Agreement for Traffic Management Services (the Deed), whereby the Minister agreed to provide traffic management services to CoA. Under the agreement, CoA's traffic signals would be operated by DIT. A copy of the original Deed can be viewed at Link 1 view [here](#).
2. The objectives of the agreement were to:
 - 2.1. Implement and maintain the coordination of traffic signals within (and across) the CoA boundary to improve traffic flow, in particular where roads managed by DIT meet those managed by CoA.
 - 2.2. Provide a 24 hours a day, seven days a week single point of contact for road users, including fault, queue and accident reporting.
 - 2.3. Monitor and control CoA's traffic signals during incidents, road works and other events.
 - 2.4. Provide a single point of contact for traffic management for major events such as Adelaide Fringe and the Tour Down Under.
 - 2.5. Program traffic signal controllers for signals upgrades.
3. Since the initial agreement, the Deed has been extended on three occasions. Prior to each extension period, the agreement was reviewed and amended where necessary to take account of strategic documents such as CoA's Smart Move Strategy 2012-2022 and State Government's Operation Moving Traffic (now Operation Keeping Metro Traffic Moving).
4. CoA's transport planners are in frequent contact with DIT on traffic signal matters and both parties work collaboratively to improve signal coordination, plan for future road works and network changes and to identify and address issues.
5. The current arrangements are considered to operate successfully and it is proposed to enter into a further extension, ending in 2026.

New Deed of Agreement for Traffic Management Services

6. While the fundamentals of the previous Deed remain unchanged, minor modifications have been made to reflect changes in policies and operating practices since the drafting of the previous agreement.
7. The new Deed of Agreement covers the period from 11 October 2021 to 10 October 2026 and can be viewed at **Attachment A**.
8. The Deed was prepared by the Crown Solicitor's Office, with input from CoA and DIT.
9. CoA will be required to pay the Minister a management fee of \$374,000 per annum, subject to Industry Standard Indexation, over the course of the contract.
10. The 2021/22 Business Plan and Budget has \$374,000 allocated for the provision of traffic management services.

DATA AND SUPPORTING INFORMATION

Link 1 – Original Deed of Agreement for Traffic Management Services

ATTACHMENTS

Attachment A – Deed of Agreement for Traffic Management Services

- END OF REPORT

DEED OF EXTENSION & AMENDMENT
Of
DEED OF AGREEMENT FOR TRAFFIC MANAGEMENT SERVICES (No. 2)

Between

MINISTER FOR INFRASTRUCTURE AND TRANSPORT
("Minister")

And

THE CORPORATION OF THE CITY OF ADELAIDE
(ABN: 20 903 762 572)
("CoA")



CROWN SOLICITOR
(within the Department for Infrastructure and Transport)
Level 7, 77 Grenfell Street
ADELAIDE SA 5001

DEED OF EXTENSION & AMENDMENT

This **DEED** is made the _____ day of _____

Between:

MINISTER FOR INFRASTRUCTURE AND TRANSPORT (formally the Minister for Transport and Infrastructure) a body corporate under the *Administrative Arrangements Act 1994* (SA) of 136 North Terrace, Adelaide, in the State of South Australia.....(**“Minister”**)

And

THE CORPORATION OF THE CITY OF ADELAIDE (ABN: 20 903 762 572) a body corporate pursuant to the *Local Government Act 1999* (SA) of 25 Pirie Street, Adelaide in the State of South Australia.....(**“CoA”**)

BACKGROUND:

- A. By deed of agreement dated 10 October 2005 the Minister agreed to operate traffic light signals in the City of Adelaide on behalf of the CoA.
- B. By deed of agreement dated 24 October 2006 (**“Principal Deed”**) the parties agreed to renew the terms and conditions for the ongoing operation of the traffic light signals in the City of Adelaide until 10 October 2011 which was further extended by agreements of the parties to expire on 10 October 2021.
- C. The parties have agreed to further extend and amend the Principal Deed on the terms and conditions contained in this deed (this **“Deed”**).

It is agreed:

1. EXTENSION AND AMENDMENT

- 1.1 The Principal Deed is extended for a further term to expire on 10 October 2026 on the same terms and conditions as are expressed or implied in the Principal Deed subject to the following subclause 1.2 to subclause 1.10.
- 1.2 All references in the Principal Deed (and in all Schedules to that Deed) to the term “Department of Planning, Transport and Infrastructure” and acronym “DPTI” are replaced with the term Department for Infrastructure and Transport and acronym “DIT”.
- 1.3 Subclause 7.5 of the Principal Deed is replaced in its entirety with:
“The Steering Committee shall meet as required.”
- 1.4 Subclause 9.3 of the Principal Deed is replaced in its entirety with:
“The Fee for the year commencing 10 October 2021 and for each subsequent year of the Term shall be:
Current Year Fee = Previous Year Fee x (1+ CPI / 100)

Where “CPI” = the previous year annual percentage increase of the Consumer Price Index for South Australia as published by the Australian Bureau of Statistics.”

1.5 The following new subclause 9.4 is inserted:

“It is acknowledged and agreed that:

9.4.1 the Fee is for the provision of the Routine Services as described in item 2.5 of Schedule 2 exclusive of any Additional Services described item 2.6 of Schedule 2; and

9.4.2 any provision of Additional Services is on condition that the Council must (in addition to the Fee) pay to the Minister the full costs and expenses the Minister incurs arising from the provision of those Additional Services.

1.6 “Schedule 1-General” forming Schedule 1 to the Principal Deed is replaced in its entirety by “Schedule 1-General” forming Attachment A to this Deed.

1.7 “Schedule 2-Services” forming Schedule 2 to the Principal Deed is replaced in its entirety by “Schedule 2-Services” forming Attachment B to this Deed.

1.8 In all other respects the parties confirm and ratify the terms and conditions of the Principal Deed and agree to perform and observe such terms and conditions.

2. APPLICABLE LAW

The law in force in South Australia applies to this Deed and the parties submit to the jurisdiction of the Supreme Court of South Australia in Adelaide in respect of matters arising under this Deed.

3. COSTS

Each party must bear its own costs in relation to the preparation, negotiation and execution of this Deed.

EXECUTED as a DEED

**THE COMMON SEAL of the)
MINISTER FOR INFRASTRUCTURE AND TRANSPORT)**

was hereunto affixed on:)

.....)
(Insert Date above))

in the presence of:)

(Affix seal above)

.....
Witness

[Print Name:]

**THE COMMON SEAL of)
THE CORPORATION OF THE CITY OF)
ADELAIDE)**

(ABN: 20 903 762 572))

was hereunto affixed on:)

.....)
(Insert Date above))

(Affix seal above)

.....
Lord Mayor

.....
Chief Executive Officer

Item 10.2 - Attachment A

**ATTACHMENT A – REPLACEMENT OF SCHEDULE 1 - GENERAL
SCHEDULE 1 - GENERAL**

ITEM 1

Fee The Fee for the year commencing 10 October 2021 is
THREE HUNDRED AND FIFTY THOUSAND (\$350,000)
per annum (excluding GST).

This Fee is subject to variations in accordance with
clause 9.

Representatives

Minister's Representative:
Manager, Traffic Operations.

CoA's Representative:
Director, Services, Infrastructure & Operations

ITEM 2

Delegates

From DPTI:
(a) Manager, Traffic Operations
(b) Unit Manager, Traffic Management Centre
(c) Representative of the Planning and Transport
Policy, Directorate of DPTI

From CoA
(a) Associate Director, Infrastructure
Transport Planner, Strategic Asset Management

ITEM 3

Notices

For the Minister:
Postal Address: Manager Traffic Operations
Department for Infrastructure and Transport
PO Box 1633
ADELAIDE SA 5001
Facsimile: 08 8343 2630

For CoA:
Postal Address: Director, Services, Infrastructure &
Operations
City of Adelaide
GPO Box 2252
ADELAIDE SA 5001
Facsimile: 08 8203 7600

ATTACHMENT B – REPLACEMENT OF SCHEDULE 2 - SERVICES

SCHEDULE 2 –SERVICES

1. PREAMBLE

- 1.1 CoA is responsible for the operation of traffic control devices [as that term is defined in the *Road Traffic Act 1961* (SA) (“**RT Act**”)] in the City of Adelaide pursuant to section 17 of that Act.
- 1.2 CoA has asked the Minister to operate the traffic signals in the City of Adelaide in accordance with clause 2 of this Schedule 2 (“**the Services**”).
- 1.3 It is acknowledged by the parties that a primary purpose of traffic signal management is to maximize the efficient flow of vehicular traffic, pedestrians and cyclists.
- 1.4 The Minister has agreed to direct the Commissioner of Highways (“**Commissioner**”) pursuant to section 18 of the RT Act, to provide the Services on the Minister’s behalf. The parties acknowledge that the Services are to be provided on behalf of the Minister by the Commissioner through the Department for Infrastructure and Transport (“**DIT**”) and do not include the installation, alteration, maintenance or removal of CoA’s traffic signals in the City of Adelaide, unless otherwise agreed in writing pursuant to the terms of this Deed.
- 1.5 The Minister employs the Sydney Coordinated Adaptive Traffic System (“**SCATS**”) (a software product developed by the New South Wales Roads and Traffic Authority) to centrally monitor and operate traffic signals within the CoA area and across South Australia.
- 1.6 The Minister has developed the **Addinsight** system to monitor vehicular travel times and which uses Bluetooth beacons located at selected traffic signal controllers and other roadside locations in order to source data on vehicular travel times and to broadcast traffic alert messages to mobile devices equipped with the Addinsight mobile application.
- 1.7 Objectives
- 1.7.1 The aim of the Services is to provide the following benefits to road users:
- (a) maintain and improve the coordination of traffic signals within (and across) the CoA boundary to improve movement, in particular where roads managed by DPTI meet those managed by CoA;

- (b) provide a 24 hours per day, seven days per week single point of contact for road users, including fault reporting, for traffic within and across the City of Adelaide boundary;
 - (c) provide a single point of traffic management for major events (e.g. Adelaide Fringe, Tour Down Under) within (and across) the City of Adelaide boundary;
 - (d) provide route pre-emption control for emergency services operating within (and across) the City of Adelaide boundary and where agreed from time to time by the parties;
 - (e) enhance the effectiveness of any existing and future intelligent transport systems applications (including Addinsight) in (and around) the City of Adelaide, particularly for achieving the Minister's and CoA's joint objectives of Adelaide becoming a carbon neutral city and a "smart" city.
- 1.8 The Minister shall undertake the above objectives in a way that maximises the efficient flow of traffic, cognisant of CoA's and the Minister's current and emerging strategic plans.
- 1.9 CoA will continue to install traffic control devices as it determines and in accordance with the RT Act, including new traffic signals and changes to traffic signal turn control.
- 1.10 CoA will seek and consider the advice of the Representatives and / or Delegates in regard to proposals for the installation of new traffic signals, changes to traffic signal turn control or removal of traffic signals where the operation of adjacent traffic signal sites will be affected.
- 1.11 The Services will be provided from DIT's Traffic Operations Section, which includes the Traffic Management Centre ("**TMC**") operating on a 24 hour/7 days a week basis and currently located at 37-41 The Parade, Norwood, South Australia, or such other location that the CoA is notified of by DIT.

2. **SERVICES PROVIDED BY THE MINISTER**

- 2.1 The Commissioner, on the Minister's behalf, will provide the following Services to CoA:
- 2.1.1 Routine Services as described in item 2.5 set out below; and
 - 2.1.2 if agreed, the Additional Services as described in item 2.6 set out below.

- 2.2 The provision of any Additional Services by the Minister will be subject to all required approvals being given and will be subject to the prior agreement of the Steering Committee in writing which must have had regard to the availability of the Minister's resources.
- 2.3 The Fee payable annually by CoA to the Minister is for the provision by the Commissioner (through DIT) of the Routine Services.
- 2.4 The full costs and expenses incurred by the Minister undertaking any Additional Services will be payable by CoA to the Minister and will be additional to the Fee, unless otherwise agreed by the Minister. Where the Additional Services are directly associated with road or public transport work being undertaken by the Minister, such agreement by the Minister to waive charging of costs to CoA will not be unreasonably withheld.
- 2.5 Description of Routine Services
- 2.5.1 The Commissioner, on the Minister's behalf, will provide the following Routine Services to CoA:
- (a) receive any communication from the public regarding the operation, condition or faults of CoA traffic signals and record the relevant information;
 - (b) refer the operational, condition or fault information to the appropriate areas in CoA, in accordance with a contact list provided by CoA;
 - (c) monitor and determine the management, coordination and synchronisation of the operation of traffic light signals within the city of Adelaide to maximise the efficient flow of traffic (the Commissioner must notify the CoA of any significant modification to the operation of traffic light signals unless the Commissioner considers that immediate action is required);
 - (d) monitor and control CoA's traffic signals via SCATS including (without limiting) during traffic incidents and emergencies, to assist emergency services and minimise traffic impacts, including liaison with emergency services;
 - (e) monitor and control CoA's traffic signals via SCATS during pre-planned events (including prior preparation of traffic operational plans) and ensuring seamless traffic management within (and across) the City of Adelaide boundary;

- (f) provide traffic signal programming services for established CoA traffic signal sites;

The Minister will prepare programs on compatible media (supplied by CoA) ready for installation in traffic signal controllers by CoA.

It is acknowledged that the Fee is calculated on the basis of 12 month forward estimates of the expected programming costs.

If the actual programming cost exceeds (or is likely to exceed) the forward estimate within a 12 month period then this is a matter that may be raised by DPTI for resolution by the Steering Committee.

- (g) provide necessary information to CoA to enable CoA to maintain the currency and accuracy of engineering plans of CoA road infrastructure at traffic signal sites;
- (h) provide traffic flow and SCATS analysis services to maintain and improve the coordination of CoA traffic signals in accordance with the strategies determined by the Steering Committee;
- (i) monitor CoA's Closed Circuit Television ("**CCTV**") for traffic congestion, incident management and event management, in accordance with protocols to be established between DIT, CoA and the South Australia Police Department ("**SAPOL**");
- (j) on receipt of a request from CoA for data from SCATS or Addinsight for a particular date and time, provide such data to the CoA within a reasonable time and in a format reasonably agreed by the parties;
- (k) provide, on the CoA SCATS computers and associated ICT firewall and routing equipment:
- technical advice on maintenance and support;
 - remote configuration services; and
 - installation of SCATS software upgrades so as to maintain software version alignment with DIT SCATS computers;

- (l) configuration of Addinsight for new, altered, improved or removed Bluetooth beacons and associated equipment, and
- (m) undertake the services described in this Schedule having reference to CoA's and the Minister's current and emerging strategic plans.

2.5.2 The Minister shall provide performance reports to CoA when required on:

- (a) traffic signal coordination changes implemented by the Minister
- (b) delivery of traffic signal programs on compatible media within eight weeks of receipt of approved traffic control plans from COA.

2.5.3 CoA shall inform the Minister of all the contact details for all CoA Personnel necessary to receive, without limitation, referrals of traffic signals information, including reports of traffic signal faults, complaints and requests from the Minister. CoA shall inform the Minister of any updated contact details as soon as practicable.

2.5.4 The Minister shall inform CoA of all the contact details for DPTI's Personnel necessary to receive traffic signals information, including confirmations of fault repairs. The Minister shall inform CoA of any updated contact details as soon as practicable.

2.6 Description of Additional Services

2.6.1 Subject to agreement of the parties, the Minister may undertake, if resources permit:

- (a) traffic signal programming services where the total cost of prior traffic signal programming services within a 12 month period has exceeded the 12 month forward estimate of the expected programming costs. The Minister will prepare programs on compatible media (supplied by CoA) ready for installation in traffic signal controllers by CoA.
- (b) maintenance tasks on CoA traffic signals.
- (c) maintenance tasks requiring attendance at CoA for work on CoA SCATS computers and associated ICT firewall and routing equipment (except for installation of SCATS software upgrades so as to maintain software version alignment with DIT SCATS computers).
- (d) installation of Bluetooth beacons and associated equipment for functioning with Addinsight (except that any installation of a

Bluetooth beacon arising from a DIT project is not to be treated as an Additional Service to be paid for by CoA).

3 COA CONTINUED SERVICES

CoA will continue to:

- 3.1 maintain and repair CoA traffic signals and CCTV equipment, including without limitation, all routine maintenance, bulb replacement, detector repairs and replacements and repair of equipment faults;
- 3.2 install, alter, improve and remove CoA traffic signals, CCTV, Bluetooth beacons and equipment as required and including connection of new CoA traffic signals to SCATS;
- 3.3 answer written enquiries from the public regarding traffic signal operating policies, with input requested and provided by the Minister as necessary;
- 3.4 answer written enquiries from insurance companies (or their investigators) regarding motor vehicle accidents and the status of traffic signals, with input requested and provided by the Minister as necessary;
- 3.5 keep the master engineering plans of CoA road and traffic signal infrastructure, and receive update information for traffic signal sites from the Minister and update plans accordingly, and promptly provide copies of amended master engineering plans to DIT; and
- 3.6 program and undertake necessary repairs and maintenance to CoA traffic signals currently connected to SCATS such that they are in full working order for SCATS operation as soon as practicable.

4. COSTS

- 4.1 The Minister will be responsible for meeting the costs in relation to the following:
 - 4.1.1 the installation and on-going rental costs of a high bandwidth telecommunication link to CoA computer and CCTV system, together with additional computer interfacing hardware;

- 4.1.2 the merged CoA and Minister's SCATS license, including updates and new releases;
 - 4.1.3 the provision on an annual basis of traffic signal programming services up to the amount of the 12 month forward estimate of programming costs; and
 - 4.1.4 traffic flow and SCATS analysis services to maintain and improve the coordination of CoA traffic signals.
- 4.2 CoA will be responsible for meeting the costs in relation to the following:
- 4.2.1 the existing and future telecommunications installations and maintenance costs, rentals, call charges and other telecommunications service provider charges for CoA traffic signals connection to the SCATS computer located at the CoA Premises servicing the traffic signals within the City of Adelaide boundary;
 - 4.2.2 the existing and future electrical power costs for the operation of CoA traffic signals and the SCATS computer located at the CoA Premises;
 - 4.2.3 the maintenance and repair of CoA traffic signals, including programmed works for full SCATS operability;
 - 4.2.4 upgrades for unconnected CoA traffic signals to be connected to SCATS if viable;
 - 4.2.5 the installation, alteration or removal of CoA traffic signals;
 - 4.2.6 existing and future telecommunications costs, rentals, call charges and other telecommunications service provider charges for CoA Bluetooth beacons connection to the TMC servicing Bluetooth Beacons functioning for Addinsight within the City of Adelaide boundary (except to the extent that the Minister may agree to pay for the costs for any 3G or 4G connection for the purposes of the operation of Addinsight);
 - 4.2.7 the existing and future electrical power costs for the operation Bluetooth Beacons functioning for Addinsight within the City of Adelaide boundary; and

- 4.2.8 the installation, alteration or removal of Bluetooth Beacons functioning for Addinsight within the City of Adelaide boundary (except if any such installation, alteration or removal of a Bluetooth beacon arises from a DPTI project).

5. TELECOMMUNICATION LINKS

5.1 SCATS

- 5.1.1 In order to provide the Services, the parties acknowledge that the Minister requires continued access to CoA's SCATS system in the City of Adelaide.
- 5.1.2 The Minister has upgraded CoA's SCATS licence and merged it with DPTI's SCATS licence.
- 5.1.3 The Minister has established a high bandwidth telecommunications link between the TMC and the CoA SCATS computer at CoA's Premises at 25 Pirie Street, Adelaide, South Australia.
- 5.1.4 CoA will use reasonable endeavours to ensure that appropriate firewall and access protections are in place to ensure the security of CoA's computer network, if the CoA SCATS computer is connected to the CoA computer network.
- 5.1.5 DPTI will use reasonable endeavours to ensure that appropriate firewall and access protections are in place to ensure the security of DPTI's TrafficNet computer network.

5.2 CCTV

- 5.2.1 In order to provide the Services, the parties acknowledge that the Minister requires continued access to CoA's CCTV in the City of Adelaide insofar as they relate to the performance of the Services for the purposes of this Deed.
- 5.2.2 CoA's CCTV images are monitored by SAPOL via CoA's own conduit network. SAPOL monitors the CCTV images and the parties recognize that SAPOL has the right of over-riding control of the CCTV cameras and images.
- 5.2.3 The Minister has established a high bandwidth telecommunications link between the TMC and the SAPOL CCTV monitoring centre.

Item 5.2
Draft Council/Committee Report
Attachment A

E-Scooter Trial Evaluation

ITEM 5.3 07/09/2021
The Committee

Strategic Alignment - Thriving Communities

Program Contact:

Garry Herdegen, Acting
Associate Director, City
Operations 8203 7132

Approving Officer:

Klinton Devenish, Director
Services, Infrastructure &
Operations

2019/00296

Public

EXECUTIVE SUMMARY

The City of Adelaide (CoA) has been operating an E-scooter trial since February 2019. The current trial period is set to expire on 31 October 2021.

In the first six months of 2021, over 460,000 E-scooter trips were undertaken, covering over 630,000 km and averaging over 2,500 trips per day.

E-scooters also operate in the City of Norwood, Payneham and St. Peters, and travel between council areas continues to increase. The City of Unley plans to commence a trial by the end of 2021, subject to Ministerial approval.

CoA has received 395 items of feedback regarding E-scooters, with almost half received in the first six months of the trial in 2019. Rider behaviour and improper E-scooter placement were the most commonly raised issues. In the first six months of 2021, 50 items of feedback have been received, primarily relating to improper E-scooter placement. Based on feedback, rider behaviour has improved.

Since January 2020, there have been 68 reported incidents involving crashes, with eight requiring medical treatment. In 2021, there have been 5 crashes in the first six months of 2021 requiring medical treatment, a casualty crash rate of 0.79 crashes per 100,000 km travelled.

The operators have been found to be prompt in addressing E-scooter issues, in compliance with the conditions of the permit. In response to customer feedback, the operators have prevented parking in some narrower streets.

Overall, the trial is considered to be successful, with high levels of use and decreasing complaints and incidents regarding E-scooters. It is recommended that E-scooter operations in the city continue.

.....

The following recommendation will be presented to Council on 14 September 2021 for consideration

That Council

1. Notes the outcomes of the E-scooter trial and that the trial is considered to have been successful.
 2. Approves the continuation of the E-scooter trial and the expansion of the boundary to include the shared path on the northern side of Wakefield Road to facilitate travel between the City of Adelaide and City of Norwood, Payneham and St. Peters.
 3. Authorises the Lord Mayor to write to the Minister for Infrastructure and Transport noting the success of the trial, requesting approval to extend the trial for a further 12 months, and supporting the inclusion of E-scooters in the Australian Road Rules.
 4. Notes that the Administration will review and amend the permit conditions as necessary to ensure E-scooters in the City of Adelaide are operated as safely and efficiently as possible.
-

IMPLICATIONS AND FINANCIALS

City of Adelaide 2020-2024 Strategic Plan	Strategic Alignment – Thriving Communities A safe, affordable, accessible, well-connected city for people of all ages and abilities, and all transport modes.
Policy	Not as a result of this report
Consultation	Ongoing consultation with DIT and other participating councils regarding E-scooter operation
Resource	Not as a result of this report
Risk / Legal / Legislative	Not as a result of this report
Opportunities	Opportunity to formalise E-scooter operation in the City of Adelaide
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	Subject to the outcomes of this report.
21/22 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	E-scooter operators pay a permit fee to operate in the City of Adelaide.

DISCUSSION

Background

1. The City of Adelaide (CoA) first commenced an E-scooter trial in February 2019, for a four week period during the festival season. Following the success of the initial trial, two expression of interest (EOI) processes have been undertaken, with the permit conditions modified each time based on information and feedback received. The current permit can be viewed at Link 1 view [here](#).
2. The current operators are Neuron and Beam, both of whom hold permits until 30 April 2022, subject to the continuation of the trial. Each operator is permitted to deploy up to 800 E-scooters. The number of devices on-street typically fluctuates in accordance with demand, with more devices deployed in summer and fewer in winter.
 - 2.1. Neuron entered the Adelaide market in January 2020, having been successful in the second EOI process.
 - 2.2. Beam entered the Adelaide market in October 2020, having acquired Ride, who had been successful in the second EOI process.
3. The E-scooter trial is permitted through Ministerial approval under Section 161A of the *Road Traffic Act 1961*. For E-scooter operation to continue beyond 31 October 2021, an extension will need to be requested from the Minister for Transport and Infrastructure. Details on the approval and future regulations are provided in the following section.
4. The Administration attends monthly meetings with the Department for Infrastructure and Transport (DIT), SA Police (SAPOL) and more recently the City of Norwood, Payneham and St. Peters (NPSP) to share information regarding the E-scooter trial.

E-Scooter Regulations

5. E-scooters, or electric personal transporters, are not currently legislated for use in Australia. The trial is permitted through Ministerial approval under Section 161A of the *Road Traffic Act 1961*, under Road Traffic (Electric Personal Transporters) Notice no. 4 of 2020 in Government Gazette no. 85 2020, published on 29 October 2020. A copy of the Notice can be viewed at Link 2 view [here](#). This notice allows the continued trial of e-scooters in CoA until 31 October 2021.
6. For E-scooters to continue to operate in CoA beyond 31 October it will be necessary to request approval for an extension from the Minister for Transport and Infrastructure.
7. In 2019 the National Transport Commission (NTC) undertook a project to review the Australian Road Rules to identify regulatory barriers preventing safe and legal use of personal mobility devices such as E-scooters. The project had input from transport departments in each state and territory, including DIT. Findings from CoA's E-scooter trial helped to inform input to the project from DIT.
8. The NTC has recently published an amendment to the Australian Road Rules to include personal mobility devices, including E-scooters. A copy of the amendment can be viewed at Link 3 view [here](#).
9. These national rules are a model law and have no legal effect. They will need to be adopted into the road rules of each state and territory to have legal effect, with each state having the ability to apply specific regulations on use.
10. Should South Australia incorporate E-scooters into the road rules, Ministerial approval will no longer be required for the operation of E-scooters. All devices, including shared mobility and privately owned devices, will be legal for use on public roads in every jurisdiction across the state.
11. A permit will still be required for shared mobility E-scooters to be offered for hire in the city, but shared mobility and private devices will be able to be ridden in the city.

E-Scooter Use

12. User data indicates that E-scooters are well-used, with approximately 700,000 trips taken from the issuing of the current permits in January 2020 to the end of June 2021. Total distance travelled was over 1,000,000 km, with an average trip distance of 1.5 km. A monthly breakdown of E-scooter trips can be viewed at Link 4 view [here](#).
13. It is noted that this figure is an under-representation of demand, as E-scooters were removed from service during the initial COVID-19 outbreak in South Australia in early 2020, due to the risk of surface transmission. Furthermore, data for Beam is only available from their entry to the market in October 2020.

14. Data for the first six months of 2021 provides a more accurate indication of use, as both operators have been well-established throughout this period and there were no interruptions to service. During this period, more than 450,000 trips were taken, almost 2,200 trips per day. Total distance travelled in this period was over 560,000 km, with an average trip distance of 1.3 km.
15. March was the busiest month, with usage increasing during festival season. In March 2021, almost 110,000 trips were recorded, covering nearly 145,000 km.
16. The CBD is the most popular usage area, but demand is dispersed throughout CoA. All major routes experience high levels of demand, with lower use on minor streets. Smaller residential streets experience minimal use. A heatmap illustrating E-scooter use on all CoA roads can be viewed at Link 5 view [here](#).

Service Expansion

17. The original E-scooter trial area included the city only. In January 2020, the boundary was extended to include North Adelaide and the adjoining Park Lands. Maps illustrating the original and expanded boundaries can be viewed at Link 6 view [here](#).
18. In May 2021 NPSP commenced an E-scooter trial, which will run for an initial six month period. E-scooters are permitted to cross between council areas where the trial boundaries overlap.
19. Prior to the commencement of the NPSP trial, trips were commonly ended at the edge of the CoA boundary, suggesting a demand to travel between council areas. Since the commencement of the trial, the number of trips ended on the boundary has progressively decreased, while the number of inter-council trips has progressively increased.
20. Currently, Park 15 Ityamai-Itpina is outside of the CoA boundary. While this exclusion is supported due to the presence of playing fields, skate park and disc golf course, inclusion of the shared path on the northern side of Wakefield Road would facilitate travel between CoA and NPSP. However, it should not be permitted to end a trip in this area, to avoid obstruction of the shared path.
21. The City of Unley (CoU) is currently preparing a use case submission for an E-scooter trial. The trial is expected to commence near the end of the year.
22. Following a decision of Council to facilitate the CoU trial, the Administration wrote to the Minister for Infrastructure & Transport to request that the boundary of the current CoA E-Scooter Trial be extended to the Greenhill Road edge of the South Park Lands, between Goodwood Road and Beaumont Road. The extension will facilitate uninterrupted E-scooter trips between the council areas.
23. Should Council decide to continue with the E-scooter trial and should the Minister agree, the trial boundary will be extended from 1 November 2021 through a new gazette notice. It is recommended that at this time, the boundary is extended to include the shared path on the northern side of Wakefield Road.

Reported Incidents

24. The current operators have recorded 82 incidents from commencement of operation in January 2020 to the end of June 2021 (noting that data for Lime's period of operation is unavailable). 68 of these were crashes and 20 involved a third party individual or property. Eight incidents required medical treatment.
25. The operators have reported 37 incidents recorded in the first six months of 2021. Of these, 31 were crashes, 10 of which involved a third party. Five incidents required medical treatment.
26. In the first six months of 2021, there was a crash rate of 4.9 crashes per 100,000 km, or one crash for every 15,033 trips. The casualty crash rate, where some level of medical treatment was required, was 0.79 per 100,000km, or one casualty crash for every 93,207 trips. Due to the absence of trip data for the period covering Lime's operation in the market, it is not possible to provide accurate crash rates for the entire trial period.
27. As the operator involved in the original trial in 2019 is no longer present in the Adelaide market, comprehensive data for this period is unavailable. However, data collected by CoA indicates that 50% of all incidents between February 2019 and June 2021 occurred during the original trial in 2019.
28. SAPOL have advised that the most common issues encountered with E-scooter riders are users failing to wear helmets, riding with a passenger and under-aged riders.
29. Recording of incidents by operators has been inconsistent, which poses a challenge comparative analysis. More prescribed reporting requirements would ensure consistency of reporting, allowing for more thorough assessment.

Customer Feedback

30. Since the commencement of the E-scooter trial in February 2019, CoA has received 395 items of feedback regarding E-scooters.

- 30.1. 180 items, over 45% of all feedback, was received in the first six months of operation in 2019. During this period, much of the feedback related to rider behaviour
- 30.2. In the first six months of 2021, 66 items have been received. 55 related to improperly placed E-scooters, two related to poor rider behaviour, four provided positive feedback and five were general enquiries about the trial.
31. Contacting the E-scooter operators directly is the most efficient way to have an improperly located device removed, with the operators subject to response time requirements as part of their permit conditions. Both operators have been found to respond promptly to customer requests
32. When customers contact CoA directly, the issue is logged and relayed to the relevant operator to be actioned.
33. In response to resident feedback, E-scooter parking has been prohibited on a number of smaller residential streets, where there is a greater risk of devices obstructing footpaths or driveways.

Designated Parking Areas

34. In late 2020 the E-scooter operators commenced a trial of designated parking areas. Specific footpath areas were allocated for the pick-up and drop-off of E-scooters by customers who are incentivised to use these areas with the offer of reduced-price trips. The intent of the designated parking areas is to minimise the improper placement of E-scooters when users end their trips and to facilitate location of devices to commence trips.
35. Multiple designated parking areas are located throughout the city to maximise the likelihood of use by riders. Data indicates that the designated areas are well-used, with approximately 40% of trips started and 60% of trips ended in designated areas.

Next Steps

36. Considering the level of E-scooter usage and expansion into other council areas against the number of incidents and level of customer feedback, overall the E-scooter trial is considered to be successful.
37. It is recommended that Council support the continuation of E-scooter operation in CoA and support their inclusion within the Australian Road Rules.
38. The Administration will continue to work with the E-scooter operators to refine operation facilitate use and to minimise disruption to residents and visitors to CoA.
39. The Administration will more clearly define operator reporting requirements to ensure CoA can comprehensively assess E-scooter operation.

DATA AND SUPPORTING INFORMATION

Link 1 – Current E-Scooter Permit

Link 2 – South Australia Government Gazette Notice No. 85: Electric Personal Transporters

Link 3 – National Transport Commission Australian Road Rules Amendment

Link 4 – E-Scooter Trips Monthly Breakdown

Link 5 – E-Scooter Heatmap

Link 6 – Original and Expanded E-Scooter Boundary Map

ATTACHMENTS

Nil

- END OF REPORT -

Safer City Action Plan Annual Report

ITEM 5.4 07/09/2021
The Committee

Strategic Alignment - Thriving Communities

Program Contact:
Lara Daddow, Acting Associate
Director, Park Lands, Policy &
Sustainability 8203 7884

Approving Officer:
Tom McCready, Acting Director
City Shaping

2019/00184
Public

EXECUTIVE SUMMARY

The Safer City Policy and Action Plan 2019-2023 was approved by Council on 11 June 2019 to identify and respond to Council's role in community safety decision making, project work and service delivery. This ensures consistent and evidence-based community safety practice.

The report highlights Council's progress towards its three policy outcomes:

- Safer streets, spaces and places;
- Strong and welcoming community;
- A world renowned safe destination.

Notably it was stability factors (aligned to perceptions of safety) which make up 25% of the rationale for Adelaide's ranking as the third most liveable city in the world.

The report also provides a summary of progress against the second year of the Safer City Action Plan 2019-23 comparing progress between the first two years of operation and demonstrates that safety is a whole of Council responsibility.

.....

The following recommendation will be presented to Council on 14 September 2021 for consideration.

That Council

1. Notes the report.
-

IMPLICATIONS AND FINANCIALS

City of Adelaide 2020-2024 Strategic Plan	Strategic Alignment – Thriving Communities
Policy	The Safer City Action Plan 2019-2023 implements the principles of the Safer City Policy 2019-2023. The Safer City Policy links with other relevant policies and related documents including: the Planning and Design Code, the Adelaide Design Manual, the Encroachment Policy, the Disability Access and Inclusion Plan, and the Crime Prevention through Environmental Design Resource.
Consultation	Prior to approval in June 2019 the policy and action plan went out for public consultation via Your Say.
Resource	The actions identified in the Safer City Action Plan guides annual programming of projects and activities with safety impacts across the organisation.
Risk / Legal / Legislative	Not as a result of this report
Opportunities	A wide range of opportunities to increase perceptions of safety in response to the three outcomes are presented in the action plan annual report.
21/22 Budget Allocation	\$65,000
Proposed 22/23 Budget Allocation	\$65,000
Life of Project, Service, Initiative or (Expectancy of) Asset	2019-23
21/22 Budget Reconsideration (if applicable)	Not as a result of this report
Ongoing Costs (e.g. maintenance cost)	Not as a result of this report
Other Funding Sources	Not as a result of this report

DISCUSSION

1. The Safer City Policy and Action Plan 2019-2023 was approved by Council on 11 June 2019. The Action Plan (Link 1 view [here](#)) is the implementation framework for the Safer City Policy.
2. The Safer City Policy is underpinned by the following principles:
 - 2.1. Inclusive: all people feel comfortable and welcome in public space.
 - 2.2. Respectful: all community members have the right to feel safe and respected for who they are.
 - 2.3. Shared responsibility: working with the community encouraging residents, business, government, and key organisations to take action to support safety and wellbeing for their customers and the community.
 - 2.4. Harm-minimisation: commit to strategies that prevent or reduce alcohol and/or drug related harms. This approach supports vibrancy and activity while reducing risks to the public. It acknowledges that all members of the community have the right to walk safely and easily within the city, feeling welcome, safe, and free from harassment.
3. City of Adelaide's Strategic Plan 2020-2024 provides broad strategic direction for community safety work and the Safer City Action Plan links with a wide range of Codes, Council Policies, Guidelines and Action Plans.
4. A set of performance measures were developed to inform the potential impact of delivery. Several data sets are directly related to increasing perceptions of safety and reducing crime and anti-social behaviour in the city. These population and performance measures (Link 2 view [here](#)) demonstrate that the objectives of the policy and action plan have been met. Key outcomes include:
 - 4.1. Daytime resident perceptions of safety in their local neighbourhood have been maintained at 96.4% in 2019 and 95% in 2020.
 - 4.2. City user perceptions of safety in Adelaide by day and in the evening have been maintained over time between 98-99% by day and 93% in the evening in 2019 (not collected in 2021).
 - 4.3. While Council does not directly influence crime rates (this is SA Police core business) we also note that crime data for Adelaide and North Adelaide (from SA Police's publicly available database found on [DataSA](#)) has been maintained at a similar level. Crimes against the person (which include the various forms of assault, excluding sexual assault) reduced by 26% over the ten years of data available to Council (2010/2011 to 2019/2020).
5. In June 2021 the Economist Intelligence Unit (EIU) released their global liveability index for 2021 and Adelaide was listed as the third most liveable city in the world. This was a significant improvement from its previous listing of 10th most liveable city in the world in 2019. Every city is assigned a rating for relative comfort for over 30 qualitative and quantitative factors across five broad categories: stability, healthcare, culture and environment, education and infrastructure. The category most aligned to safety is stability (25% of the total) which addresses the prevalence of petty crime, violent crime and the threat of terror, military conflict or civil unrest. Adelaide scores well against these factors.
6. The Safer City Action Plan annual report 2019-2020 (Link 3 view [here](#)) outlines the achievements made from 1 July 2020 - 30 June 2021 against the Action Plan. It is noted that COVID-19 has impacted or delayed a number of projects.
7. Key highlights of the Safer City Action Plan 2020-2021 include:
 - 7.1. The #I'mNotOkWithThat - 'Step Up For Gender Equality' campaign commenced in May 2021 with the aim of promoting positive and respectful behaviour and increasing women's safety in Adelaide CBD and North Adelaide; further information is available on the webpage: [Step up for gender equality | City of Adelaide](#)
 - 7.2. Creation of Ngaru mulrta / Chalk Sticks, as part of the Welcoming Space for Young People Project ([Welcoming young people to the city | City of Adelaide](#)). This work was conducted in response to the research of the Commissioner for Children and Young People (2019 - Youthful Adelaide Report) to explore options which make young people feel safe, welcome, and connected in city spaces and places. Young artist, Dave Court was inspired by the city's youth to create the Ngaru mulrta / Chalk Sticks artwork. The name (selected via a social media competition) was translated by Kaurna Warra Karrpanthi. The space also includes a solar powered bench seat with two phone charging stations. Public art and phone charging are considered to be essential elements of a space that encourages active use by young people.

- 7.3. A wide range of successful community partnerships to enhance perceptions of safety e.g. SA Police and Encounter Youth support of a late-night tour of Gouger and Hindley Streets with Council Members.
- 7.4. Quarterly informal SA Police and Council Member conversations to strengthen positive relationships between Council Members and senior SA Police.
- 7.5. A series of short term outcomes to improve Hindley Street safety and amenity including planning and business engagement in preparation for a 12 month footpath extensions trial.
- 7.6. The Lord Mayor's Hutt Street Round Table was established to address safety and amenity issues. Outcomes included a lighting and safety audit leading to a shop window lighting project ([Hutt Street Shop Window Lighting Project | City of Adelaide](#)) taken up by 35 businesses and subsidised 80/20 by Council.
- 7.7. Chinatown and Market District Safety Report (December 19) safety outcomes were delivered including street lighting designs for the following streets (Coglin Lane, Market Street, Thomas Street, and a segment of Morphett Street). Construction will be completed in 2021/2022. In addition, \$20k in rebates were provided to Chinatown businesses to install CCTV to increase the safety of their businesses including the footpath area in front of their business.
<https://www.cityofadelaide.com.au/about-council/grants-sponsorship-incentives/cctv-rebate-scheme/>
8. The Safer City Action Plan 2019-2023 identified activities currently in progress or planned for implementation over the remaining three years to increase perceptions of and actual safety for residents and city users. The performance indicators suggested a continued focus on projects which address specific population groups (older residents / city visitors / young residents / international students) to prevent crimes against the person and enhance perceptions of safety. A continued focus on inequity across population groups as outlined in the #I'mNotOkWithThat - 'Step Up For Gender Equality' Campaign is planned which may include a similar focus on racial and disability discrimination.
9. A third progress report will be prepared for Council in September 2022.

DATA AND SUPPORTING INFORMATION

Link 1 – Safer City Action Plan Table 2019-2023

Link 2 – Performance Measures Safer City Action Plan

Link 3 – Safer City Action Plan 2019 – 2023 Second Annual Report

ATTACHMENTS

Nil

- END OF REPORT -

Adelaide Zero Project Partnership

ITEM 5.5 07/09/2021
The Committee

Strategic Alignment - Thriving Communities

2021/00738
Public

Program Contact:
Lara Daddow, Acting Associate
Director, Park Lands, Policy &
Sustainability 8203 7687

Approving Officer:
Tom McCready, Acting Director
City Shaping

EXECUTIVE SUMMARY

The City of Adelaide has been a major partner of the Adelaide Zero Project (AZP) since its inception in 2018 and is committed through the Strategic Plan to continue to support the Project to achieve functional zero homelessness in the city. The formal Strategic Partnership for backbone support of the AZP ended on 31 December 2020. Due to reform and changes within the Homelessness Sector, the AZP is entering into a new phase and has requested a further partnership with the City of Adelaide to maintain and build on the significant achievements of the last three years.

The AZP is currently finalising an agreement with the SA Housing Authority as a contributor to the Project.

This report outlines the request for resourcing made by the AZP. It seeks Council approval for a continued partnership with the AZP to end street homelessness in the City of Adelaide and funding reallocation to be considered as part of the 2021/22 Quarter 1 review.

.....

The following recommendation will be presented to Council on 14 September 2021 for consideration

That Council

1. Authorises the Chief Executive Officer, contingent upon a budget allocation at the 2021/22 Quarter 1 review, to enter into a partnership with the Australian Alliance to End Homelessness to the value of \$183,000 for the backbone coordination of the Adelaide Zero Project (AZP), subject to the finalisation of a funding agreement between the AZP and the SA Housing Authority.
 2. Notes the budget impact of \$183,000 will need to be considered at the 2021/22 Quarter 1 review.
-

IMPLICATIONS AND FINANCIALS

City of Adelaide 2020-2024 Strategic Plan	Strategic Alignment – Thriving Communities 1.3 Continue support for the Adelaide Zero Project and other initiatives to achieve functional zero homelessness.
Policy	Not as a result of this report
Consultation	Not as a result of this report
Resource	If budget reconsideration approved, additional staff resource for 0.4 FTE at Level 5.
Risk / Legal / Legislative	Not as a result of this report
Opportunities	Maintaining a formal partnership with the Adelaide Zero Project allows for opportunities for the City of Adelaide to build stakeholder relationships in the homelessness sector and provide localised advice to service providers and the community on responses to rough sleeping in the City.
21/22 Budget Allocation	Nil - No current budget allocation
Proposed 22/23 Budget Allocation	Not as a result of this report
Life of Project, Service, Initiative or (Expectancy of) Asset	12 months from 1 October 2021
21/22 Budget Reconsideration (if applicable)	Due to no funding being allocated, the budget impact of \$183,000 will need to be considered at the 2021/22 Quarter 1 review.
Ongoing Costs (eg maintenance cost)	Not as a result of this report
Other Funding Sources	The Adelaide Zero Project is currently finalising a funding arrangement with the SA Housing Authority for their contribution to the Project.

DISCUSSION

Background

1. In January 2018, the City of Adelaide entered into a Strategic Partnership with the Don Dunstan Foundation (Link 1 view [here](#)) to provide backbone support for the Adelaide Zero Project (AZP) to end homelessness. The financial value of this partnership over 3 years was \$383,880 made up of a combination of cash and in-kind contributions, including the secondment of a staff member at 0.6 FTE.
2. In addition to this commitment through the Strategic Partnership, Council also provided \$200,000 towards the implementation of recommendations from the Service Review Visit of Dame Louise Casey from the Institute of Global Homelessness.
3. In December 2020, the Don Dunstan Foundation wrote to the City of Adelaide advising of its decision to withdraw as the backbone organisation of the Adelaide Zero Project, coinciding with the end of the Strategic Partnership Agreement with Council.
4. As an interim measure, the Australian Alliance for Social Enterprise (TAASE) at the University of South Australia agreed to act as the backbone while the procurement process for the new homelessness alliances was undertaken by the State Government.
5. Given the reform of the homelessness sector in the first half of 2021, the Adelaide Zero Project went into a 'caretaker' mode, only maintaining the critical functions required to continue the By Name List, data reporting and individual case coordination.
6. At the completion of Council's Strategic Partnership with the Don Dunstan Foundation on 31 December 2020, there was no further request by the AZP for support from the City of Adelaide due to the uncertainty around future arrangements in the homelessness sector. However, members of Council's administration have continued to be involved in the Project through Governance frameworks such as the Project Steering Group and the Inner City Community of Practice and some project management with the AZP Backbone Team.
7. Council's Strategic Plan has an action to continue support for the Adelaide Zero Project and other initiatives to achieve functional zero homelessness, under 'Thriving Communities'.

Toward Home Alliance

8. In May 2021, the State Government announced the Toward Home Alliance, led by Lutheran Care as the successful consortium for the Southern Alliance. Lutheran Care presented at The Committee on 17 August 2021 to inform Council Members of their model of operating in the City and broader southern region.
9. The Toward Home Alliance, has committed to ensuring member agencies contribute to the Adelaide Zero Project, maintaining the momentum and focus on rough sleepers in the city for at least the next 12 months. With this commitment, the Adelaide Zero Project were in a position to seek new funding and partnerships to resource this work.

Adelaide Zero Project Resourcing 2021/22

10. On 6 July 2021, the co-chairs of the Adelaide Zero Project, Louise Miller-Frost and Graham Brown, wrote to the Lord Mayor (Link 2 view [here](#)) to request a continuation of the partnership between the City of Adelaide and the AZP. The letter outlines proposals for the resourcing of the AZP and is seeking commitment from the City of Adelaide and the SA Housing Authority.
11. Each proposal in the partnership request is detailed in the table below, including a recommendation on Council's contribution.

Proposal	Previous CoA commitment to AZP	Recommendation
1. Combined financial support totaling \$280,000 for 12 months from CoA and SAHA to sustain and enhance AZP's focus on rough sleepers in the City of Adelaide	\$60,000 in cash per annum over three years. Plus \$200,000 towards the findings of IGH report by Dame Louise Casey.	\$140,000 from City of Adelaide for 12 months to maintain a city focus and reduction of rough sleepers.

2. Re-establish a similar secondment arrangement to the previous agreement to coordinate the AZP's Inner City Community of Practice (ICCoP).	0.6FTE seconded to the Don Dunstan Foundation to work on the Inner City Community of Practice and other project areas. This arrangement ended 31 December 2020.	Continue to provide in-kind project support to the AZP's Inner City Community of Practice. The total cost of the proposed partnership includes in-kind contribution of 0.4 FTE at level 5 (equivalent to \$43,000).
3. Continued commitment of a senior representative of CoA on the AZP Project Steering Group.	As a partner of the AZP, an Associate Director has always represented CoA on the Project Steering Group.	Associate Director, Park Lands, Policy and Sustainability (or proxy) would continue to represent CoA on the Project Steering Group within current resources
4. A commitment for an appropriate and knowledgeable staff member from the City of Adelaide to co-Chair the Inner City Community of Practice with SA Housing Authority to retain the focus on the inner city.	Through the 0.6FTE secondment, a CoA staff member provided coordination and proxy chair roles for the Inner City Community of Practice.	The Team Leader, Social Planning and Reconciliation would co-chair the Inner City Community of Practice within the current job role.
5. A Memorandum of Understanding (MoU) signed between the City of Adelaide and the Adelaide Zero Project outlining these commitments.	Previous commitment was through a Strategic Partnership with the Don Dunstan Foundation.	If a new arrangement is supported by Council, a new MoU or Strategic Partnership will be entered into.

12. The Advance to Zero methodology that underpins the Adelaide Zero Project is rolled out nationally by the Australian Alliance to End Homelessness (AAEH). The AAEH will take on the role of the backbone organisation, previously undertaken by the Don Dunstan Foundation.
13. In response to a similar request from the AZP, the SA Housing Authority have indicated to the AZP Steering Group that they will provide funding and resourcing for 12 months. This agreement is currently being finalised.

Adelaide Zero Project outcomes for the city

14. Entering into a new Partnership Agreement for 12 months to continue the AZP will provide the following outcomes for the City of Adelaide:
 - 14.1. The existing Project and focus on rough sleepers in the City will be maintained under a new partnership and be complimented by new services delivered through the Toward Home Alliance as they join the Project.
 - 14.2. The AZP will continue coordinated responses and service delivery to prioritise people who are sleeping rough in the city.
 - 14.3. Continue to provide a mechanism for SAHA to provide 20 properties per month directly to rough sleepers on the By Name List, leading to outcomes for people sleeping rough in the city.
 - 14.4. Continue to refer the most complex rough sleepers to the Housing for Health program, a coordinated housing and support program between SAHA and SA Health.
 - 14.5. Utilising the data from the By Name List to understand the drivers that bring people from the regions into the City when experiencing homelessness. This can be used to advocate for opportunities for prevention to the Toward Home Alliance and State Government.

Next steps

15. If supported by Council:
 - 15.1. Administration will develop a Partnership Agreement with the Australian Alliance to End Homelessness to deliver the resourcing outlined in the above table for the backbone support of the Adelaide Zero Project. This Agreement will include planning to determine the ongoing delivery of the

Adelaide Zero Project at the end of the 12 months, including how the new Alliances will support this work and any further resourcing request to Council in 2022/23 for localised efforts.

15.2. A budget reconsideration will be sought as part of 2021/22 Quarter 1 review.

DATA AND SUPPORTING INFORMATION

Link 1 - Report Item 12.5 – New Strategic Partnership – Don Dunstan Foundation – Council 30 January 2018

Link 2 - Letter to City of Adelaide – Future of Adelaide Zero Project and Resourcing – 6 July 2021

ATTACHMENTS

Nil

- END OF REPORT -

City Street Activation Review - Parklets

ITEM 5.6 07/09/2021
The Committee

Strategic Alignment - Strong Economies

Program Contact:
 Lara Daddow, Acting Associate
 Director, Park Lands, Policy &
 Sustainability 8203 7884

2021/00874
 Public

Approving Officer:
 Tom McCready, Acting Director
 City Shaping

EXECUTIVE SUMMARY

The City Street Activation Review has been undertaken in response to a resolution of Council on 9 March 2021 requesting a review of the Parklet Operating Guidelines to facilitate businesses applying for new and/or increased outdoor dining space using on-street parking bays.

A workshop with Council Members was held on 15 June 2021 which has informed the approach to the review.

The Temporary Use of Public Space Policy, endorsed by Council in March 2020, provides guidance about how public space can be used and activated for both community and business purposes. To ensure consistency with the principles approved by Council in this Policy, we are seeking Council's approval to update the Policy to add reference to parklets.

Updating the Temporary Use of Public Space Policy will provide the necessary link to criteria for assessing and managing parklets to ensure they contribute positively to the public realm, public safety and amenity and align with Council's strategic goal of activation of main streets and laneways for economic growth whilst also providing greater opportunities for businesses impacted by COVID-19 to provide additional business space.

In addition, this will support one of the key initiatives of the recently approved Reignite Adelaide program, to waive fees for parklets for 12 months, in order to remove obstacles for businesses and encourage greater activation of spaces within the city.

.....

The following recommendation will be presented to Council on 14 September 2021 for consideration:

That Council

1. Approves an addition to the Temporary Use of Public Spaces Policy to include reference to the Parklet Operating Guidelines as contained in Attachment A to Item # on the Agenda for the meeting of the Council held on 14 September 2021.
 2. Notes fees for parklets to be determined through the annual review of fees and charges.
-

IMPLICATIONS AND FINANCIALS

City of Adelaide 2020-2024 Strategic Plan	Strategic Alignment – Strong Economies This report supports Council's desire to assist businesses and encourage economic growth
Policy	The Temporary Use of Public Space Policy approved by Council in March 2020 will be updated to reference the Parklet Operating Guidelines.
Consultation	Properties adjacent to proposed parklets will be consulted regarding the potential loss of parking.
Resource	Not as a result of this report
Risk / Legal / Legislative	If the Temporary Use of Public Space Policy is not updated to include Operating Guidelines for parklets there is a risk of inconsistent management of parklets.
Opportunities	This presents an opportunity to support businesses in attracting visitors and creating vibrancy in their recovery from COVID-19.
21/22 Budget Allocation	The Council decision on 10 August 2021 to waive fees for parklets for the first 12 months represents a potential \$300,000 investment in the hospitality industry, through forgone permit fee revenue.
Proposed 22/23 Budget Allocation	Not as a result of this report
Life of Project, Service, Initiative or (Expectancy of) Asset	The Parklet Operating Guidelines will be reviewed in 3 years to align with the review of the Temporary Use of Public Space Policy.
21/22 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	Parklets will be funded by the applicant

DISCUSSION

Background

1. At its meeting on 9 March 2021 Council requested a review of the Parklet Operating Guidelines to facilitate businesses applying for new and/or increased outdoor dining space using on-street parking bays. This opportunity is to be promoted and rebranded to encourage businesses to apply, to enable activation and bring vibrancy to city streets.
2. Following the review of parklets from a policy and implementation perspective, a workshop was held in The Committee meeting on 15 June 2021 where Council Members views were sought as detailed in the table below (Link 1 view [here](#)).

Topic	Key Discussion outcomes
Fixed structures	Generally supportive of fixed structures with the key being good design outcomes.
Private use	Generally supportive of exclusive use rights, given fees and extent of development proposed. Generally of the view that parklets should be available for public use after hours.
Fees	Generally of the view that charging fees was appropriate, in line with use of public space and given impacts on parking revenue. Tiered fees to be investigated taking into account impacts on parking revenue.

3. Council's former Parklet Program ran from 2012-2016 during which time a total of 18 parklets were established, 9 for businesses and 9 by the State Government (Bank Street).
4. Parklet Operating Guidelines were developed to support the implementation of the Parklet Program, however these lapsed with the closure of the Parklet Program in 2016.
5. Only 3 parklets remain from this original Program as most have been removed due to street upgrades and business changes. In some cases the upgrades included Outdoor Dining opportunities reflective of the success of the parklet (ie Gawler Place).
6. Since the closure of the original Program administration has continued to receive requests for parklets of various quality and has been challenged on how to provide advice without current Operating Guidelines to inform Council's position on parklets.
7. The inclusion of parklets within the Temporary Use of Public Space Policy will assist Council to provide clear and consistent advice on proposals.
8. In addition, it is proposed to seek a bank guarantee from the parklet applicant to cover the cost of removal and/or remediation should the applicant vacate the site without removing the parklet and remediating the street.
9. This will minimise the risk to Council moving forward, as in some instances under the original Program Council faced challenges with negotiating the removal of parklets, including incurring costs to undertake the work itself, where the business operator had vacated the site.

Proposed Approach

10. It is proposed that the Temporary Use of Public Space Policy adopted by Council in March 2020 will be the parent document for the new Parklet Operating Guidelines, in accordance with the City of Adelaide Policy Framework.
11. The Temporary Use of Public Space Policy provides guidance about how public space can be used and activated for both community and business purposes.
12. Activities and objects covered by the Temporary Use of Public Space Policy are found in the relevant operating guidelines referenced in the Policy.
13. To facilitate the implementation of new Parklet Operating Guidelines a reference to them has been added to the Temporary Use of Public Space Policy. Minor technical amendments to update legislation references have also been made. The updated Temporary Use of Public Space Policy is provided in **Attachment A**.

Parklet Operating Guidelines

14. The Parklet Operating Guidelines will set out criteria for assessing parklet applications. The draft Operating Guidelines are provided in Link 2 view [here](#).
15. It is important to provide guidance on design and quality requirements so parklets can seek to:
 - 15.1. Enable increased physical distancing in line with COVID-19 requirements
 - 15.2. Support businesses to promote vibrancy and activations
 - 15.3. Test future permanent changes to street configuration
16. In particular criteria for the following key matters are proposed:
 - 16.1. Location/size
 - 16.2. Design/materials
 - 16.3. Structural and safety requirements
 - 16.4. Furniture and structures
17. Whilst there is no legislated requirement for consultation under the *Local Government Act 1999 (SA)*, it is proposed that consultation with adjacent property owners and occupiers (including tenants on all levels in multistorey buildings) will be undertaken for each parklet proposal.
18. Details of the responsibilities of the applicant and procedures regarding assessment, consultation, maintenance, cleaning, insurance and removal of the structure are included.
19. It is proposed that applicants will be required to provide Council with a bank guarantee to ensure the timely cleaning and maintenance of the parklet as well as cover the cost of removal of the parklet and any remediation, should the applicant default on maintenance/management or vacate the site without notice.
20. The applicant must also hold public liability insurance, listing the City of Adelaide as an interested party.
21. Given the potential for substantial investment in parklets, applicants may seek approval for exclusive use rights to their parklet during the operating hours of their business. If approved, the parklet will be available for public use outside of these hours.
22. Notwithstanding the above, the applicant is solely responsible for the maintenance of the parklet, undertaking regular cleaning to ensure that the parklet is fit for purpose.
23. The opportunity to seek approval for a parklet permit by expression of interest will be promoted to businesses and the community via social media, Council's website and other community and business information channels, such as the City Business Newsletter.

Fees

24. As outlined above, at The Committee workshop on 15 June 2021 Council Members appeared generally supportive of fees being charged in recognition of the loss of public parking spaces and impacts on parking revenue. A tiered approach to fees, based on impacts on parking revenue was also identified to be investigated.
25. On 10 August 2021 Council resolved to waive fees for parklets for the first 12 months in order for businesses to leverage their return on investment, whilst benefiting from the potential for additional outdoor space to offset the impacts of COVID-19 capacity restrictions.
26. In preparation for fees being charged for parklets after this time, the administration proposes tiered fees for parklets to be based on:
 - 26.1. The permit fee model.
 - 26.2. A paid parking bay fee, to reflect the impact on parking revenue.
27. These fees will be determined as part of the annual review of fees and charges.

Next Steps

28. If Council approves the addition to the Temporary Use of Public Space Policy administration will finalise the Operating Guidelines and launch them to enable businesses and the community to seek approval for parklet permits.
29. Administration to undertake a review of Council Policies and Operating Guidelines relating to the Public Realm to bring together as a single entity. The outcomes of this review and any updated policy will be brought to Council for approval as required.

DATA AND SUPPORTING INFORMATION

Link 1 - City Street Activation Workshop

Link 2 – Draft Parklet Operating Guidelines

ATTACHMENTS

Attachment A – Temporary Use of Public Space Policy (updated)

- END OF REPORT -

TEMPORARY USE OF PUBLIC SPACE POLICY

Approved by Council 10 March 2020

PURPOSE

This Policy provides guidance about how public space can be used and activated for both community and business purposes.

Council recognises the vital contribution our community make in helping to meet our Strategic Plan objectives of being a Smart, Green, Liveable and Creative City. Council also acknowledges the ability to use public space has a significant social, cultural and economic value to our community. This is balanced with our need to provide a quality City environment, which showcases a high degree of economic vitality, creativity, accessibility, equity, amenity, presentation and safety.

Use of public space is guided by principles that aim to harness the character and liveability of the City of Adelaide. These principles demonstrate Council's commitment to enabling our community and economy to grow both sustainably and creatively. Council recognises that there is a balance to be achieved in supporting innovative ideas, activations and City development, whilst maintaining the accessibility and flow of movement throughout the City.

This Policy applies to activities and objects in public spaces that are temporary and removable. Council issues permits and approvals for the use of public space within this Policy under Sections 200, 221 & 222 of the Local Government Act. The legislative provisions and Council's guiding principles are then implemented through guidelines defining more specific requirements which will help our community to plan activities. Activities and objects covered by this policy can be found in the relevant guidelines.

This policy does not apply to leases and licenses as defined in the Adelaide Park Lands Leasing and Licensing Policy, or events as defined in the Adelaide Park Lands Event Management Plan.

STATEMENT

Guiding Principles

1. Public Good

Public space is a valuable asset. We have a responsibility in the management of the public space within the City of Adelaide to ensure fair and equitable access and that it is used for the public good.

2. Economic Growth

We will enable our business community to explore new ways to grow and prosper. We encourage businesses to think of new and innovative ways to activate public spaces. We want to see our economy growing and thriving in a sustainable way that provides consumer choice and makes a positive contribution to our City.

3. Creativity

We will support creative activation that promotes social, cultural and economic growth and diversity. We recognise public spaces are an important source of cultural significance, connection, relaxation, health, wellbeing and entertainment. Use of public space should make a positive contribution to the local community and support a sense of belonging, diversity and ambience.

4. Access and Inclusion

We will advocate for the accessibility, inclusivity and amenity of public spaces. We are committed to making the City a welcoming and inclusive place for all people to enjoy, and we are continually working toward demonstrating best practice in access and inclusion planning which includes use of public spaces and removing barriers to participation for all people.

5. Communication and Engagement

Our role is to be a facilitator and enable use of the public space. We will consider the needs of all stakeholders and ensure that disruption is minimised wherever possible. We expect our community to do the same, to be good neighbours, consult with each other when required, and consider the impacts of their activities to those who may be affected by them.

6. Character and Identity

Use of public space should complement and strengthen the character and identity of the City. Activities and objects in public spaces should be fit for purpose, sustainable, suitable to the area and enhance the user experience of our City.

7. Sustainable and Responsible

We will manage the use of Council assets to promote sustainable and responsible use of public infrastructure. Activities and objects should result in little to no impact to footpaths, roads and Park Lands. Temporary use of public space requires the space to be returned and if required remediated back to its original condition once the activation is finished.

8. Safe

We will uphold high safety standards that ensure a welcoming and safe City for everyone. We believe everyone should be able to enjoy the City's offerings with confidence and assurance in their surroundings.

OTHER USEFUL DOCUMENTS

Related documents

- **Outdoor Dining Guidelines**
- **City Works Guides**
- [Parklet Operating Guidelines](#)
- **Mobile Food Vending Guidelines**
- **Objects on Footpath Operating Guidelines**
- **Street Permit Operating Guidelines**
- **Media Production Operating Guidelines**
- **Street Parade and Marches Operating Guidelines**
- **Street Trading Operating Guidelines**
- **Badge Days Operating Guidelines**
- **Collection of Monies Operating Guidelines**
- **Adelaide Design Manual**

- City of Adelaide Disability Access and Inclusion Plan 2019-2022
- City of Adelaide Strategic Plan 2016-2020
- Health/Fitness Groups and Personal Trainers Application Information and Operating Guidelines
- Liquor Licencing Policy
- Live Music Action Plan 2017-2020
- [Planning and Design Code](#)
- Safer City Policy 2019-2023
- Smart Move Transport and Movement Strategy 2012-2022

Relevant legislation

▪ [Adelaide \(City\) Development Plan 2019](#)

- Australian Standards
- City of Adelaide Act 1998
- City of Adelaide By-Laws
- Disability Discrimination Act 1992
- Food Act 2001/ Food Safety Standards/ Food Regulations 2017
- Liquor Licensing (Liquor Review) Amendment Act 2017, The General Code of Practice & Late-Night Code of Practice
- Local Nuisance & Litter Control Act 2016/ Regs 2017
- Planning, Development and Infrastructure Act 2016
- Public Assemblies Act 1972
- Road Traffic Act 1961
- The Local Government Act 1999: Sec 200, 221, Sec 222

GLOSSARY

Throughout this document, the below terms have been used and are defined as:

Activity: *the state of action; doing.*

Business Purposes: as defined in the Local Government Act 1999: *for the purposes of this Act, land may be used for a business purpose even if it is not intended to make a profit.*

Object: *something that may be perceived by the senses, especially by sight or touch; a visible or tangible thing.*

Public Space: see Public Place as defined in the Local Government Act 1999: *means a place (including a place on private land) to which the public has access, but does not include any part of a community parcel divided by a plan of community division under the Community Titles Act 1996;*

Removable: *capable of being removed.*

Temporary: *any part of a day, for a period up to but not exceeding 5 years.*

DOCUMENT NAME**ADMINISTRATIVE**

As part of Council's commitment to deliver the City of Adelaide Strategic Plan, services to the community and the provision of transparent information, all policy documents are reviewed as per legislative requirements or when there is no such provision a risk assessment approach is taken to guide the review timeframe.

This Policy document will be reviewed every 4 years unless legislative or operational change occurs beforehand. The next review is required in 2024.

Review history:

Trim Reference	Authorising Body	Date/ Decision ID	Description of Edits
			Add Parklet Operating Guidelines to Related Documents Update legislative references

Contact:

For further information contact the Customer and People Program

City of Adelaide
25 Pirie ST, Adelaide, SA
GPO Box 2252 ADELAIDE SA 5001
+61 8 8203 7203
city@cityofadelaide.com.au

Quarterly Forward Procurement Report Q2 2021/2022

ITEM 5.7 07/09/2021
The Committee

Strategic Alignment - Strong Economies

Program Contact:
Grace Pelle, Manager, Finance &
Procurement 8203 7343

2020/00150
Public

Approving Officer:
Amanda McIlroy, Chief Operating
Officer, Corporate Services

EXECUTIVE SUMMARY

In accordance with the Procurement Policy and Operating Guidelines, a forward Procurement Report will be presented to Council every quarter outlining significant planned procurement activities for the next quarter. Council may elect to call in a particular procurement activity to be considered by Council prior to commencing planned procurement activities. Significant procurements are defined as those with procurement expenditure estimated to be equal to or above \$1 million and high value / high criticality / risk procurements as assessed by Council's tiering tool as Tier 1 or 2.

This report covers Quarter 2 for the 2021/2022 financial year.

.....

The following recommendation will be presented to Council on 14 September 2021 for consideration

That Council

1. Notes the Procurements set out in Attachment A to Item # on the Agenda for the meeting of the Council held on 14 September 2021 which will be released to the market during Quarter 2 of the 2021/2022 financial year.
-

IMPLICATIONS AND FINANCIALS

City of Adelaide 2020-2024 Strategic Plan	Strategic Alignment – Strong Economies This report supports the delivery of all four community outcomes and the enabling priorities outlined in Council's 2020-2024 Strategic Plan.
Policy	This report is prepared in accordance with the requirements of Council's Procurement Policy. Council's current delegations for procurement are outlined in the Procurement Policy and Procurement Approvals Operating Guideline. There are no other policy implications.
Consultation	All Programs were consulted with in respect to significant procurement activity that is anticipated to occur in the second quarter of the 2021/22 financial year.
Resource	Not as a result of this report
Risk / Legal / Legislative	Section 49 of the <i>Local Government Act 1999 (SA)</i> outlines the principles that Council will apply to procurement.
Opportunities	Not as a result of this report
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)	Not as a result of this report
Other Funding Sources	Not as a result of this report

DISCUSSION

1. The purpose of the Quarterly Forward Procurement Report is to provide further information and visibility to Council of major procurement and contracting activity. In addition, this process provides opportunity for Council to call in a particular procurement activity to be considered by Council.
2. The following is an extract from the Procurement Policy, adopted by Council on 8 June 2021:
“The Council will have regard to the following measures in ensuring probity, accountability and transparency”
 - Council Members will be provided with a quarterly forward procurement plan for consideration, detailing tenders and subsequent contracts that have an estimated value of over \$4,000,000 (ex GST) or that are of high risk and will require Council Member approval;
 - Council Members will be requested to approve the award of all contracts that exceed \$4,000,000 (ex GST).”
3. Further, the Procurement Approvals Operating Guideline provides that Council Members will also be given details of procurement activities which have been assessed as Tier 1 or 2 Procurement Activity. Such Procurement Activity is considered high criticality and/or high risk.
4. Following receipt of the Quarterly Forward Procurement Report, the Council may elect to “call in” a particular procurement activity to be considered by Council. All procurement activities that are not “called in” will be undertaken as planned without any additional involvement from the Council except as otherwise specified in the Procurement Policy or Operating Guidelines.
5. For those procurement activities that are called into Council, a report may be provided to Council outlining the following:
 - 5.1. Specification of goods or services to be procured.
 - 5.2. The proposed evaluation criteria and weighting for the procurement activity.
 - 5.3. The proposed evaluation team.
 - 5.4. The proposed procurement approach and, if a select tender, the proposed companies that will be invited to submit a bid (*Procurement Summary Report*).
6. Based on the Procurement Summary Report, Council will either:
 - 6.1. Approve the proposed procurement process as required.
 - 6.2. Request the Chief Executive Officer to make amendments to the proposed procurement process, consistent with the Procurement Policy and applicable legislation.
7. This report covers Quarter 2 of the 2021/2022 financial year.
8. The Chief Executive Officer currently has delegated authority for up to \$4,000,000 under the Procurement Policy, provided the expenditure is within Council approved budget. From 1 July 2019 (for the Quarter 1 report of the 2019/20 financial year) the Chief Executive Officer determined to refer Contract Award of all Contracts where the value of the Contract exceeds \$1,000,000 for Council’s approval, except where it is a Purchasing Co-Operative Contractual arrangement, in which case approval of Contract Award is by the Chief Executive Officer.
9. As such, a Quarterly Forward Procurement Report is now presented to Council every quarter outlining planned procurement activities which meet the following thresholds:
 - 9.1. Procurement activities with an estimated spend over \$1,000,000.
 - 9.2. Procurement activities with an estimated spend under \$1,000,000 which have been assessed as a Tier 1 and 2 procurement activity. Such procurement activity is considered high criticality and/or high risk.
10. In accordance with the above discussion, the Procurements set out in **Attachment A** of this report will be released to the market during Quarter 2 of the 2021/2022 financial year.

ATTACHMENTS

Attachment A – Quarter 2 2021/22 Forward Procurement Report

Attachment A – Quarter 2 2021/22 Forward Procurement Report

Program	Description	Proposed Procurement Approach	Anticipated Spend	Tier	Expected Qtr at Market	Comments
Infrastructure	City Bikeways	Open Tender	Above CEO Delegation	1	2	10 Packages of work to enhance City Bikeways 50% state government funded.
City Operations	Traffic Management	Open Tender	Above CEO Delegation	3	2	Period contract for the supply of traffic management services for use by City Operations and Events.
Infrastructure	Gawler U-Park Facade	Expression of Interest	Above CEO Delegation	1	2	Expression of Interest for maintenance work.

2020-21 Quarter 4 Commercial Operations Report

ITEM 5.8 07/09/2021
The Committee

Strategic Alignment - Enabling Priorities

Program Contact:
Shaun Coulls, Acting AD
Strategic Property & Commercial

2021/00850
Public

Approving Officer:
Tom McCready, Acting Director
City Shaping

EXECUTIVE SUMMARY

Council's commercial operations generated a full year operating surplus of \$31.9m which was \$2.7m favourable to budget. The \$2.7m variance comprised of favourable results in Parking (includes On-Street and UPark) of \$1.1m, Property of \$1.0m and Aquatic Centre of \$0.6m.

The following recommendation will be presented to Council on 14 September 2021 for consideration

That Council:

1. Notes the 2020-21 Quarter 4 commercial operations report as detailed in Attachment A to Item # on the Agenda for the meeting of the Council held on 14 September 2021.
-

IMPLICATIONS AND FINANCIALS

City of Adelaide 2020-2024 Strategic Plan	Strategic Alignment – Enabling Priorities Council has the financial capacity to meet its long-term commitments
Policy	Not as a result of this report
Consultation	Not as a result of this report
Resource	Not as a result of this report
Risk / Legal / Legislative	Not as a result of this report
Opportunities	Not as a result of this report
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)	Not as a result of this report
Other Funding Sources	Not as a result of this report

DISCUSSION

1. This report is prepared quarterly and provides a summary of the year to date financial and operating performance for Council's commercial operations as detailed in **Attachment A**.

ATTACHMENTS

Attachment A - 2020-2021 - Quarter 4 Commercial Operations Report

- END OF REPORT -

2020-21 Quarter 4 Commercial Operations Report

Item 5.8 - Attachment A



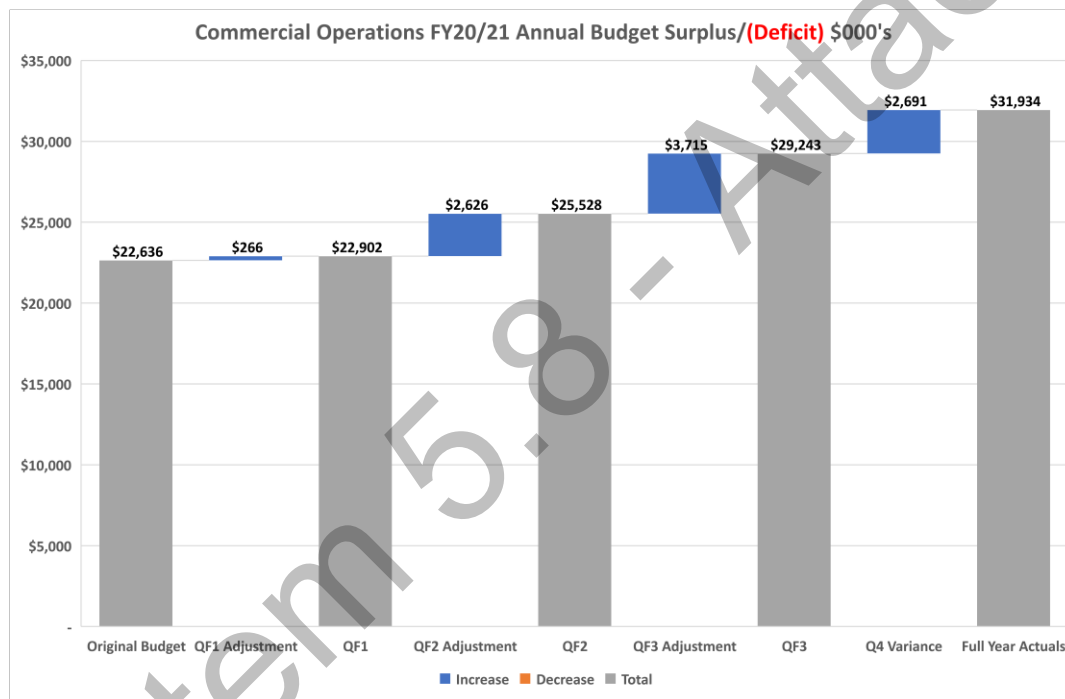
Commercial Operations Overview

Overview

\$'000	Full Year Results			Prior Year Actuals	
	Actual	Budget	Variance	2018/19	2019/20
Parking	22,942	21,830	1,111	24,580	20,865
Aquatic Centre	(862)	(1,544)	683	(1,116)	(1,226)
North Adelaide Golf Course	2	40	(38)	(699)	(473)
Adelaide Town Hall	(343)	(314)	(30)	547	141
Property Services	10,196	9,231	965	10,907	9,155
Program Teams Net Position	31,934	29,243	2,691	34,219	28,462

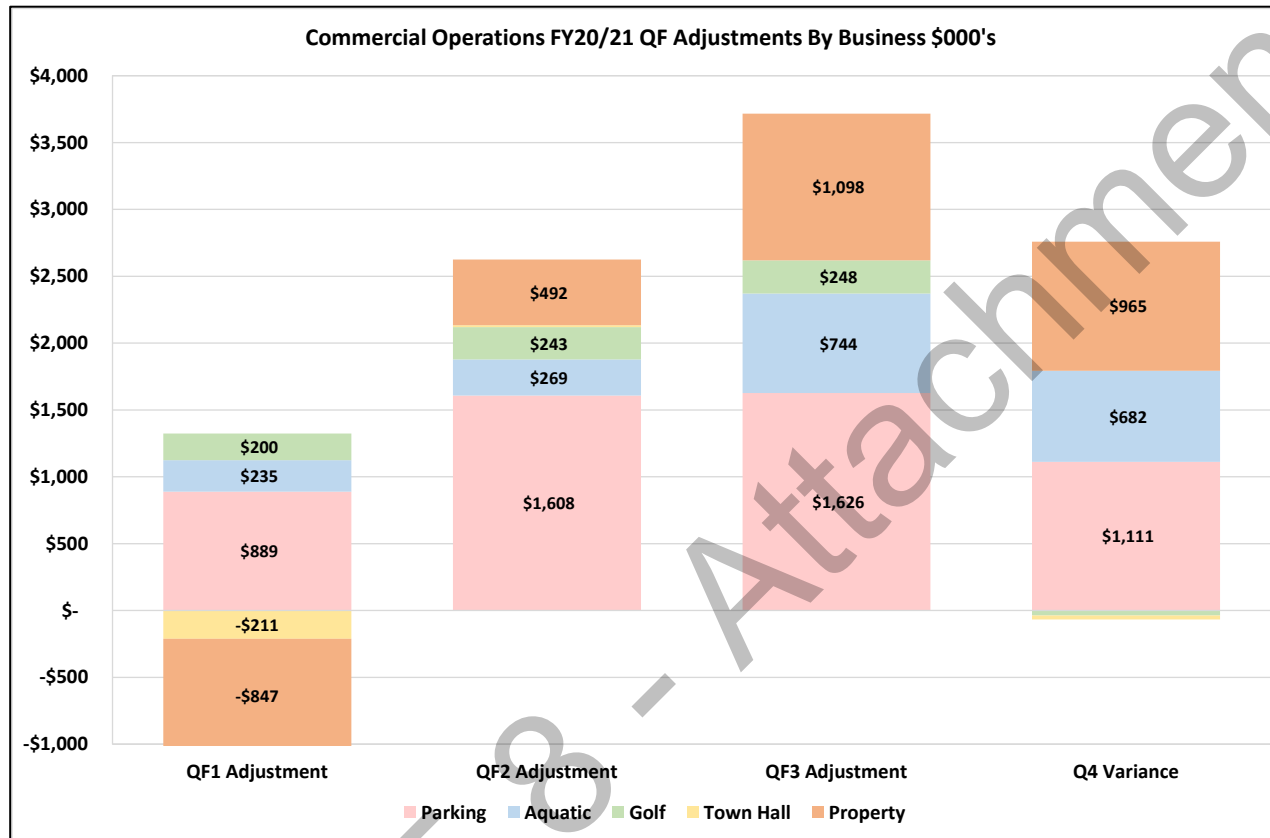
2020-21 Performance: \$31.9m full year surplus, \$2.7m favourable to budget

- **Parking \$22.9m surplus, \$1.1m favourable to budget.** Parking revenue during Q4 was better than budget. Full year revenue below 2018/19 however Q4 performance was similar to Q4 2018/19.
- **Aquatic Centre (\$0.9m) deficit, \$0.7m favourable to budget.** Revenue held to forecast in Q4 with favourable utility and maintenance expenses contributing to favourable variance.
- **Golf Course \$0.0m surplus, (\$38k) unfavourable to budget.** Surplus achieved compared to deficits of (\$699k) in 2018/19 and (\$473k) in 2019/20.
- **Adelaide Town Hall (\$0.3m) deficit, (\$30k) unfavourable to budget.** Continues to be impacted by COVID and density restrictions.
- **Property Services \$10.2m surplus, \$1.0m favourable to budget.** Rental income and CMA revenue better than expected.



Commercial Operations Overview

Overview



- QF1 Adjustment \$0.3m**, Parking \$889k and Aquatic \$235k better than expected as COVID restrictions were lifted. Golf outperformed prior years due to increase in participation \$200k. Town Hall impacted by restrictions not lifted (eg weddings) (\$211k). Property reduction to reflect reductions in Adshel and turnover rents (\$847k).
- QF2 Adjustment \$2.5m**, Parking \$1.6m and Aquatic \$269k continued to improve with fewer restrictions and greater confidence in performance post-COVID. Golf participation continued to be strong \$243k. Property budget adjusted \$492k to recognise favourable rents.
- QF3 Adjustment \$3.7m**, Parking \$1.6m and Aquatic \$744k continued to improve with fewer restrictions and greater confidence in performance post-COVID. Golf participation continued to be strong \$248k. Property budget adjusted \$1.1m to recognise favourable rents.
- Q4 Variance \$2.7m**, Parking \$1.1m and Aquatic \$682k continued improvement due to fewer restrictions. Property \$965k with income from CMA and rental properties better than expected.

Commercial Operations Overview

Overview

Parking Highlights

- In May UPark were awarded the Local Government Excellence Award for "Outstanding Customer Experience or Service" for the UPark Plus product.
- At the end of June 2021 there over 20k active UPark Plus Customers. With the customer data obtained we have been able to continue analysis of customer behaviour and develop information on the impact of price changes and develop customer retention strategies.
- Transitioning of existing monthly account customers to UPark Plus has continued, with only UPark Topham and Wyatt to be completed. Part of the functionality provides the payment option of direct debit to a credit card. This not only provides 'set and forget' convenience for the customer but has greatly reduced the time required for collection and debt recovery.
- UPark and ACMA partnered to promote the sign up to UPark Plus for Market Lovers who wanted to retain first hour free parking when visiting Adelaide Central Market. From 1 July a fee of \$2 was to apply for the first hour at the gate. As of 30 June 2021 2,293, Market Lovers had signed up to UPark Plus.

Parking Upcoming

- Ongoing refresh and rebrand of internal car park painting and signage.
- Promotion of parking for AFL Football season at Adelaide Oval, including leveraging of UParks Port Adelaide Sponsorship.
- New 127 space open Air Car Park "UPark Andrews St" due to open August 2021.
- During the Lockdown in late July car park patronage dropped 90% for the lockdown period, which has been consistent through previous lock downs. Immediately following the safe, touch free parking benefit of UPark Plus was promoted to both new and existing customers. In the two weeks since patronage has steadily increased close to pre lockdown numbers. It is anticipated any further lockdowns will result in a similar impact.
- The cancellation of the Royal Adelaide Show will negatively impact UPark's revenue budget, with no requirement for the provision of associated Park Land Parking.

Commercial Operations Overview

Overview

North Adelaide Golf Course Highlights

- No closure of carts to course for the first time under such high levels of rainfall as a result of the high quality of maintenance over the last 3 years lifting course conditions;
- Improved engagement with course members including introduction of additional Season Pass holder events to increase retention. This will further enhance the number of course Season Pass holders which has continued to grow;
- Installation of customer improvements such as decking replacement, new furniture and customer screens displaying tee times.

North Adelaide Golf Course Season Pass Holder Events

- Providing regular social and golfing opportunities for Season Pass holders.
- Provide specific tee times for Season Pass competitions.

North Adelaide Golf Course Upcoming

- Installation of automated Irrigation of over 50% of North Course has commenced;
- Upgrade to Par 3 Café kitchen preparation area and external look/functionality has commenced;
- Improved customer facing facilities in and around the Pro Shop;
- Improvement to the quality and quantity of menu offerings that will further enhance non golf income

Commercial Operations Overview

Overview

Aquatic Centre Highlights

- Swim School demand has seen numbers hold at approximately 2500+ participants heading into the cooler months.
- New exercise bikes replacing dated equipment have now been installed.
- Memberships at 1,656 which is an increase in excess of 20% when compared to 18/19.
- Strength for life program for over 50's growing and has exceeded pre-COVID participation rates.

Aquatic Centre Upcoming

- Expand Swim School operational year from 45 weeks to 47 weeks to fall in-line with other perpetual programs.
- Investigate and add a CALD (Culturally and Linguistically Diverse) arm to our Swim School to engage further with our multicultural community groups.
- Investigate new opportunities in the Fitness Centre to diversify offering and attract new members.
- Scheduled capital expenditure - lane rope renewal for 50m pool, pin loaded gym equipment and stainless steel access lifter replacements.
- Facilitate activities that tie in to Wellbeing Month and Christmas in the City.
- Upgrade Point of Sale system to improve service efficiency and customer experience including online booking capabilities.

Commercial Operations Overview

Overview

Town Hall Upcoming

- Negotiating the return of the **Adelaide Symphony Orchestra** to the Town Hall in the new financial year
- COVID-19 restrictions levels for indoor venues and licenced venues change at short notice. Currently the venue is restricted to 75% capacity and was 50% for most of July. Ongoing postponement, re-bookings and negotiations with event organisers is anticipated for the remainder of the year.

Property Highlights

- Continuing close monitoring of business activity within the commercial property portfolios. Connecting businesses with City Business Support Package.
- Some businesses are still finding their feet as they adjust to the end of Jobkeeper.
- Hospitality reporting patchy trading conditions with 25% of CBD office workforce working from home despite easing of restrictions over the last quarter.
- Central Market Arcade ongoing revenue beyond the pre-development forecast closure of the property.
- Commercial vacancy rate declined down from 11% to 8% since last reporting. Renew Adelaide commitment has assisted providing short term leasing solutions for start-up incubator business opportunities.
- Commercial debtors over 60 days are 6.7% of annual revenue (March 2020 2.7%) of this 89% is from only 10 tenants out of a total 124.

Exclusion of the Public

ITEM 6.1 07/09/2021
The Committee

Program Contact:
Mick Petrovski, Manager
Governance 8203 7119

2018/04291
Public

Approving Officer:
Clare Mockler, Chief
Executive Officer

EXECUTIVE SUMMARY

Section 90(2) of the *Local Government Act 1999 (SA)* (the Act), states that a Council Committee may order that the public be excluded from attendance at a meeting if the Council Committee 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 section 90(3) of the Act.

It is the recommendation of the Chief Executive Officer that the public be excluded from this Committee meeting for the consideration of information and matters contained in the Agenda.

- 7.1** Advocacy and Funding Opportunities [section 90(3) (b) of the Act]
- 7.2** 2020-21 Quarter 4 Confidential Commercial Operations Report [section 90(3) (b) of the Act]
- 7.3** Strategic Property Review and Investigations (Status Update) [section 90(3) (b) & (d) of the Act]

The Order to Exclude for Items 7.1, 7.2 and 7.3:

1. Identifies the information and matters (grounds) from section 90(3) of the Act 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.
3. In addition, identifies for the following grounds – section 90(3) (b), (d) or (j) of the Act - how information open to the public would be contrary to the public interest.

ORDER TO EXCLUDE FOR ITEM 7.1

THAT THE COMMITTEE

1. Having taken into account the relevant consideration contained in section 90(3) (b) and section 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of The Committee dated 7 September 2021 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 7.1 [Advocacy and Funding Opportunities] listed on the Agenda in a meeting open to the public would on balance be contrary to the public interest.

Grounds and Basis

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

Public Interest

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the disclosure of this information may confer a commercial advantage on a third party and severely prejudice the Council's ability to influence proposals for the benefit of the Council and the community in this matter.

- Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this meeting of The Committee dated 7 September 2021 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 7.1 [Advocacy and Funding Opportunities] listed in the Agenda, on the grounds that such item of business, contains information and matters of a kind referred to in section 90(3) (b) of the Act.

ORDER TO EXCLUDE FOR ITEM 7.2

THAT THE COMMITTEE

- Having taken into account the relevant consideration contained in section 90(3) (b) and section 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of The Committee dated 7 September 2021 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 7.2 [2020-21 Quarter 4 Confidential Commercial Operations Report] listed on the Agenda in a meeting open to the public would on balance be contrary to the public interest.

Grounds and Basis

This Item is 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 31 March 2021.

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

Public Interest

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the disclosure of this information to competitors in advance may be to Council's commercial detriment.

- Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this meeting of The Committee dated 7 September 2021 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 7.2 [2020-21 Quarter 4 Confidential Commercial Operations Report] listed in the Agenda, on the grounds that such item of business, contains information and matters of a kind referred to in section 90(3) (b) of the Act.

ORDER TO EXCLUDE FOR ITEM 7.3

THAT THE COMMITTEE

- Having taken into account the relevant consideration contained in section 90(3) (b) & (d) and section 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of The Committee dated 7 September 2021 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 7.3 [Strategic Property Review and Investigations (Status Update)] listed on the Agenda in a meeting open to the public would on balance be contrary to the public interest.

Grounds and Basis

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

The disclosure of information in this report could reasonably prejudice the commercial position of the Council including its future commercial dealings given that it contains financial information and future direction with regard to Council assets and strategic land holdings.

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 given that the information in this report, including certain financial information and further direction, may prejudice its future commercial dealings with regard to its assets and strategic land holdings. On this basis, the disclosure of such information may severely prejudice the City of Adelaide's ability to influence the proposal for the benefit of the City of Adelaide and the community in this matter.

2. Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this meeting of The Committee dated 7 September 2021 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 7.3 [Strategic Property Review and Investigations (Status Update)] listed in the Agenda, on the grounds that such item of business, contains information and matters of a kind referred to in section 90(3) (b) & (d) of the Act.
-

DISCUSSION

1. Section 90(1) of the *Local Government Act 1999 (SA)* (the Act), directs that a meeting of a Council Committee must be conducted in a place open to the public.
2. Section 90(2) of the Act, states that a Council Committee may order that the public be excluded from attendance at a meeting if the Council Committee 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 section 90(3) of the Act.
3. Section 90(3) of the Act prescribes the information and matters that a Council may order that the public be excluded from.
4. Section 90(4) of the Act, advises that in considering whether an order should be made to exclude the public under section 90(2) of the Act, it is irrelevant that discussion of a matter in public may -
 - (a) *cause embarrassment to the council or council committee concerned, or to members or employees of the council; or*
 - (b) *cause a loss of confidence in the council or council committee; or*
 - (c) *involve discussion of a matter that is controversial within the council area; or*
 - (d) *make the council susceptible to adverse criticism.'*
5. Section 90(7) of the Act requires that an order to exclude the public:
 - 5.1 Identify the information and matters (grounds) from section 90(3) of the Act 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.
 - 5.3 In addition identify for the following grounds – section 90(3) (b), (d) or (j) of the Act - how information open to the public would be contrary to the public interest.
6. Section 87(10) of the Act has been utilised to identify in the Agenda and on the Report for the meeting, that the following matters are submitted seeking consideration in confidence.
 - 6.1 Information contained in Item 7.1 – Advocacy and Funding Opportunities
 - 6.1.1 Is not subject to an Existing Confidentiality Order.
 - 6.1.2 The grounds utilised to request consideration in confidence is section 90(3) (b) of the Act
 - (b) information the disclosure of which—
 - (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and
 - (ii) would, on balance, be contrary to the public interest.
 - 6.2 Information contained in Item 7.2 - 2020-21 Quarter 4 Confidential Commercial Operations Report
 - 6.2.1 Is not subject to an Existing Confidentiality Order.
 - 6.2.2 The grounds utilised to request consideration in confidence is section 90(3) (b) of the Act
 - (b) information the disclosure of which—
 - (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and
 - (ii) would, on balance, be contrary to the public interest.
 - 6.3 Information contained in Item 7.3 – Strategic Property Review and Investigations (Status Update)
 - 6.3.1 Is subject to Existing Confidentiality Orders 23/7/2019, 7/4/2020, 14/4/2020, 1/5/2020
 - 6.3.2 The grounds utilised to request consideration in confidence is section 90(3) (b) & (d) of the Act
 - (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 7.1

Advocacy and Funding Opportunities

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

Pages 66 to 84

Confidential Item 7.2

2020-21 Quarter 4 Confidential Commercial Operations Report

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

Pages 85 to 107

Confidential Item 7.3

Strategic Property Review and Investigations (Status Update)

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

Pages 108 to 121
