CITY OF ADELAIDE

THE COMMITTEE

AGENDA & REPORTS

for the meeting

Tuesday 4 June 2019
at 6:00 pm

in the Colonel Light Room.
Adelaide Town Hall

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The Committee
Meeting Agenda, Tuesday 4 June 2019, at 6.00pm

Members - The Right Honourable the Lord Mayor [Sandy Verschoor];
Councillor Martin (Chair)
Councillors Abiad (Deputy Lord Mayor), Abrahimzadeh, Couros, Donovan, Hou, Hyde, Khera, Knoll, Moran (Deputy Chair) and Simms.

1. Acknowledgement of Country

At the opening of the Committee Meeting, the Chair will state:

'Council acknowledges that we are meeting on traditional Country of the Kaurna 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 Kaurna 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

Nil

3. Confirmation of Minutes – 21/5/2019 [TC]

That the Minutes of the meeting of The Committee held on 21 May 2019, be taken as read and be confirmed as an accurate record of proceedings.

4. Items for Consideration and Recommendation to Council

Strategic Alignment – Liveable

4.1. Safer City Policy and Action Plan [2019/00184] [Page 3]

4.2. Adelaide Park Lands Dry Area [2017/03662] [Page 20]

4.3. Incentive Package to Reinstate Front Gardens on Residential Properties [2017/04505] [Page 24]

4.4. Whitmore Square/Iparrityi Master Plan [2017/03690] [Page 27]

Strategic Alignment – Creative

4.5. Public Art Action Plan [2018/02734] [Page 68]

4.6. Albert Tower Bells [2018/04053] [Page 81]

Strategic Alignment – Corporate Activities

4.7. Review Public Consultation feedback and final proposed changes to the Integrated Business Plan

To be distributed separately

4.8. Standing Orders [2018/04066] [Page 84]

5. Discussion Forum Item

Strategic Alignment – Creative

5.1. Splash Adelaide 2.0 [2017/02275] [Page 198]

6. Council Member Discussion Forum Items

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7. Exclusion of the Public

7.1. Exclusion of the Public to Consider [2018/04291] [Page 223]:

For the following Discussion Forum Items in Confidence:

8.1. Strategic Property Matter [s 90(3) (b) & (d)]

8.2. CEO Verbal Update – Operational Matter [s 90(3) (a)]

8. Items for Discussion in Confidence

Strategic Alignment – Liveable

8.1. Strategic Property Matter

Strategic Alignment – Corporate Activities

8.2. CEO Verbal Update - Operational Matter

9. Closure

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Safer City Policy & Action Plan

ITEM 4.1 04/06/2019
The Committee

Program Contact:
Anne Rundle, AD Community & Culture 8203 7995

2019/00184
Public

Approving Officer:
Clare Mockler, Director Community

EXECUTIVE SUMMARY:

The Safer City Policy identifies Council's role in relation to community safety and guides decision making and service delivery to ensure consistent and evidence based practice.

The Safer City Policy 2013-2017 and associated Safer City Strategy 2013-17 were both due for review and have now been refreshed in line with the views of Council and best practice public safety policy.

A Safer City Policy 2019-23 has been developed to guide decision making regarding community safety. The Safer City Action Plan 2019-23 identifies Council's role in the delivery of a series of safety works, projects and programs.

This report outlines the outcomes of the consultation that informed the development of the Policy and Action Plan and provides the Safer City Policy & Action Plan 2019-23 for Council's approval.

RECOMMENDATION:

THAT THE COMMITTEE RECOMMENDS TO COUNCIL

That Council:

1. Notes the consultation report, Attachment A to Item 4.1 on the Agenda for the meeting of The Committee held on 4 June 2019.
2. Approves the Safer City Policy 2019-23, Attachment B to Item 4.1 on the Agenda for the meeting of The Committee held on 4 June 2019, and Safer City Action Plan 2019-23, Attachment C to Item 4.2 on the Agenda for the meeting of The Committee held on 4 June 2019.

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IMPLICATIONS AND FINANCIALS:

City of Adelaide 2016-2020 Strategic Plan	Strategic Alignment – Liveable Strategic Alignment - Corporate Activities
Policy	The Safer City Policy and Strategy 2013-17 will be replaced by the Safer City Policy and Action Plan 2019-23
Consultation	Consultation through YourSay was conducted in March 2019 (**Attachment A**) which included community drop in sessions, direct meetings with partner agencies and conversations with community groups.
Resource	No additional resources were required for the Policy review. The development of the Action Plan was supported by an internal strategic group that worked collaboratively across portfolios.
Risk / Legal / Legislative	The Policy provides a framework to support effective and consistent ways to work with the community and stakeholders to ensure that safety and wellbeing are given due consideration in the delivery of Council services.
Opportunities	Opportunity to elevate Adelaide's reputation as a safe city through the development of innovative community safety approaches responding to emerging safety issues included in the Action Plan.
18/19 Budget Allocation	Within general operating budget
Proposed 19/20 Budget Allocation	$50,000 has been included in the Integrated Business Plan and Budget 19/20 to implement new actions identified in the Action Plan 2019-20 for Council's consideration. All other actions will be funded within general operating budget.
Life of Project, Service, Initiative or (Expectancy of) Asset	2019-23
18/19 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

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DISCUSSION

1. The Safer City Policy identifies Council's role in relation to community safety and guides decision making and service delivery to ensure consistent and evidence based practice.
2. The Safer City Policy 2013-2017 and associated Safer City Strategy 2013-17 were both due for review and have now been refreshed in line with the views of Council and best practice public safety policy.
3. A Safer City Policy 2019-23 has been developed to guide decision making regarding community safety. The Safer City Action Plan 2019-23 identifies Council's role in the delivery of a series of safety works, projects and programs.
4. City of Adelaide's Strategic Plan 2016-20 will continue to provide broad strategic direction for community safety work. Building and maintaining community safety in the City environment requires a whole of community approach with residents, visitors, businesses and all levels of government working together to support a safe and inclusive environment for all. This will be considered in the development of the 2020-2024 Strategic Plan.
5. On 19 February 2019 the Committee considered the Community Safety Discussion Paper 2019 [Link 1]. The discussion paper provided context, data and case studies to inform consultation for the review. The proposed Outcomes and Principles for inclusion in the draft Policy were also provided to seek feedback from Members on our approach.
6. The draft Policy Outcomes are:
    - 6.1. Safe streets, space and places
    - 6.2. Strong and welcoming communities
    - 6.3. A world renowned safe destination
7. The process to develop these draft outcomes has included:
    - 7.1. A review of trends and expected changes to the City in the future
    - 7.2. National and international research, including a survey of best practice examples from the Capital Cities Safe Cities Network
    - 7.3. Ongoing conversations with community members and local business owners
    - 7.4. Research in preparing the Community Safety Discussion Paper
    - 7.5. Ongoing insights and feedback from key stakeholders in State Government agencies and community organisations.
    - 7.6. A formal YourSay Consultation process in March 2019.
8. Due to being addressed in other policies, strategies or projects of Council, the draft Safer City Policy 2019-23 does not address:
    - 8.1. Homelessness
    - 8.2. Dry Areas
    - 8.3. Environmental Health
    - 8.4. Climate Change
    - 8.5. Emergency and Disaster Management
    - 8.6. Road Safety
9. The process for the development of the Safer City Policy and Action Plan 2019-23 included:
    - 9.1. Input from an internal strategic reference group to define safety and policy themes (December 2018)
    - 9.2. Engagement with key stakeholders on Draft Policy and Action Plan (March 2019)
    - 9.3. Formal (YourSay) community consultation on Draft Policy and Action Plan (March 2019)
    - 9.4. Refining the Draft Policy and Action Plan (May 2019)
    - 9.5. A Committee Report to endorse the Safer City Policy and Action Plan (June 2019)
    - 9.6. Safer City Policy and Action Plan presented to Council (June 2019).
10. The consultation process identified the potential to develop new or enhanced projects or actions in the Safer City Action Plan in the following areas:

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10.1. Enhance the already positive SA Police and Council communication through identifying a single out of hours point of contact, a mechanism for Police to engage with Council on a quarterly basis and continued joint community engagement projects.

10.2. Increase safety for women through a focus on potential perpetrators of violence against women through partnerships with YWCA.

10.3. Increase Council's focus on keeping our footpaths and roadways safe (South-East Resident's association submission).

10.4. Supporting harm minimisation outcomes through facilitating links between event organisers, Drug and Alcohol Services of SA and Education Organisations.

10.5. Responding to the research of the Commissioner for Children and Young People and the Local Drug Action Team consortia to explore options which make young people feel safe, welcome and connected in City spaces and places.

ATTACHMENTS

Attachment A – Community Consultation Summary Report 2019

Attachment B – Safer City Policy 2019-2023

Attachment C – Safer City Action Plan 2019-2023

- END OF REPORT -

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CITY OF ADELAIDE

Community Engagement Summary

Safer City Policy and Action Plan 2019-2023

Introduction

The Safer City Policy 2013-2017 is due for review and the Community Safety Discussion paper was prepared to set the scene for the development of the new Safer City Policy outcomes and principles and associated Safer City Action Plan 2019-2023.
The process to develop these draft outcomes and principles was informed by:

- A scan of trends and expected changes to the City in the future, recognising community led initiatives and partner roles as important elements of safety planning.
- National and international research
- A survey of best-practice examples from other capital cities
- Face to face conversations with community members and business owners
- An internal strategic safety reference group was formed to define safety and identify policy level themes
- Preparing the attached Community Safety Discussion Paper
- Ongoing relationships and insights from key stakeholders in State Government agencies and community organisations.

Safety is the ability to pursue domestic, social and economic life without fear or hindrance of crime or disorder. Building and maintaining community safety requires a whole of community approach with residents, visitors, businesses and all levels of government working together to support a safe and inclusive environment for all.

Feelings or Perceptions of safety refers to an individual's subjective level of comfort or safety and their perception of risk. A person's perception of safety is real to them regardless of their actual risk.

Why do we have a Safer City Policy?

- To describe the policy, strategic and legislative context and identify Council's role in relation to safety initiatives and programs

Why is the Safer City Policy important?

- To serve as a basis for decision making to inform service delivery

Key Dates

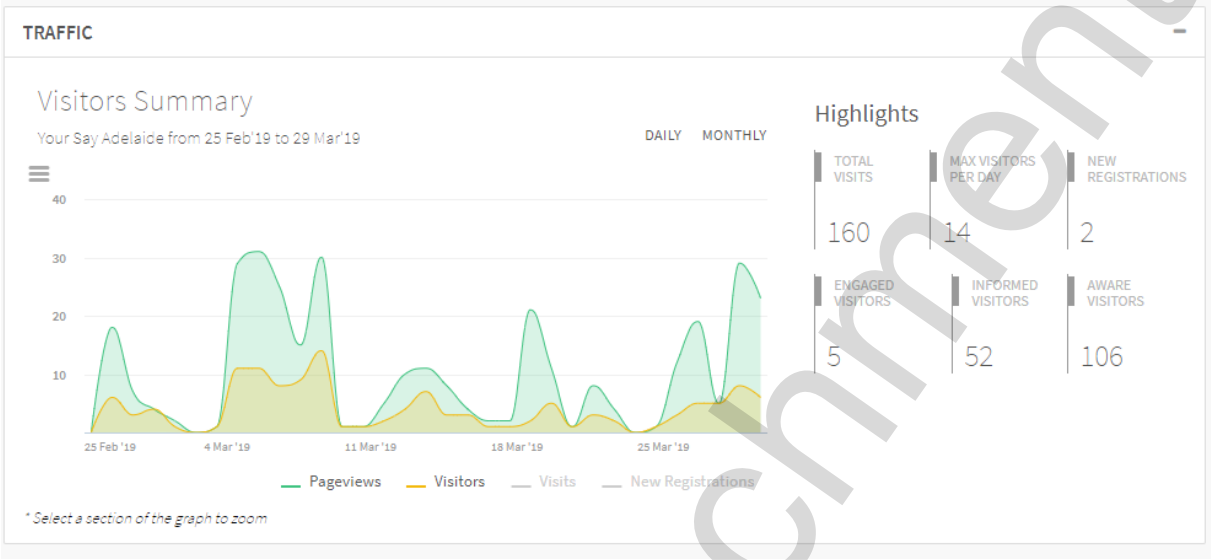
- Community Engagement Opened 26 February 2019
- Drop-in Sessions
  - South West Community Centre: ***Thurs, 14 March 9.30am-11.30am***
  - North Adelaide Community Centre: ***Tues, 19 March 2.00pm-4.00pm***

Item 4.1 - Attachment A

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- Presentation at the West End Reference Group 15 March 2019
- Community Engagement Closed 29 March 2019

Summary



Key Numbers:

- 160 Visits to the Yoursay Engagement page
- 106 unique visitors to the page
- 52 people explored further by downloading the Community Safety Discussion Paper
- Five people submitted feedback through the online engagement tools, completed a feedback form or submitting an idea.
- Four email/letters were received from individuals and organisations including:
  - South-East City Residents Association Inc
  - YWCA
  - Local Drug Action Team
  - Encounter Youth Green Team (Hindley Street Program)
- Meetings to discuss the community engagement project occurred with:
  - Supt Craig Wall and Chief Insp Matt Nairn, South Australia Polic
  - Claire Tatyzo, Manager – Advocacy, YWCA
  - Damian Creaser Senior Participation & Partnership Development Officer, Nicola Moore (title..), Commissioner for Children and Young People
  - De Brine, Programs Manager and Ryan Scott, Project & Volunteer Manager, Encounter Youth, Hindley Street Program
  - Steve Lymb, Manager, Illicit Drug Policy and Programs, Drug Policy and Population Health Division, Drug and Alcohol Services of SA
- Online submissions:
  - Taxi Council of SA

Key Findings

The following summarises the discussions and submissions from the consultation process including the range of proposed safety projects, actions and ideas made by the respondents:

SA Police were supportive of the draft policy outcomes and commented on the positive relationship between the agencies. Discussion focussed on further improving Police and Council communication through a single out of hours point of contact, providing further opportunities to engage with Councillors quarterly and continued joint work on community engagement projects.

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Item 4.1 - Attachment A

The **YWCA** outlined a range of project ideas to promote positive and respectful behaviour and increase women's perception and experience of safety in Adelaide. Some project ideas included:

- Delivering a series of Bystander Intervention Workshops to community members and venue owners in the Adelaide CBD. These workshops aim to increase understanding of gender inequality and gender-based violence (including sexual harassment) and equip participants with positive bystander intervention tools and strategies to foster safe and respectful environments. Delivering to individuals who access the city, as well as venue owners, may mobilise the Adelaide community to promote safer and more respectful spaces for everyone, in particular women.
- Rolling out a refreshed 'Rise Above the Pack' online and community-based campaign alongside the bystander intervention workshops, engaging high profile people in the Adelaide media, sporting and broader community to participate in a poster series promoting positive bystander intervention and gender equality. The campaign will target key audiences such as potential bystanders, potential perpetrators, and the broader Adelaide and online community.

The YWCA suggest that this Project may address all three Proposed Outcomes in the Safer City Policy, but in particular the Safe Streets, Spaces and Places outcome. It will aim to not only increase safety in the Adelaide CBD, but also deliver targeted messaging to potential perpetrators and bystanders as a means of preventing gender-based violence including sexual harassment and sexual assault.

The **Commissioner for Children and Young People** representatives noted that young people do not feel engaged nor specifically welcomed in any specific city spaces and places. They would like to see dedicated spaces that support their need to connect and feel safe and have positive experiences.

The **Local Drug Action Team Consortia** noted that safety is paramount to wellbeing; the more connected we are, the safer we will feel, leading to a greater willingness to support each other. This group felt that having public spaces where people – especially young people – can gather to connect and share experiences needed greater emphasis in the City (this was also supported by the Commissioner for Children and Young People research). The Local Drug Action Team consortia are working to engage with young people to discover what assists them to feel safe and what might help them to connect with the spaces and places that can better promote their safety. Once the group have collated the consultation feedback and identified focus areas a Community Action Plan will be developed to address this issue.

The **South-East Residents Association (SECRA)** provided wide ranging responses to the consultation supporting efforts to improve safety within the City. SECRA suggested that Council work in collaboration with State Government to enhance pedestrian safety through a walking and cycling plan with a citywide 40km speed limit for vehicles and increasing pedestrian walk times with traffic signals. SECRA supported a focus on strong and welcoming communities and encouraged close collaboration with SAPOL on messaging around anti-social behaviour, noting the need for greater funding for vulnerable people with complex medical and mental health issues. SECRA supported evening activation of the City and increased access to free City public transport including extending the free tram to the southern edge of the Park Lands and the frequency of the City Connector Bus. Activating city streets in the evening with a focus on Hutt Street was raised as was monitoring air quality and noise pollution particularly in relation to the Adelaide 500 race.

Encounter Youth Green Team (Hindley Street Project) provided feedback which primarily addressed their engagement work in Hindley Street. Encounter Youth (EY) noted the need to redevelop the Hindley Street public toilet. EY supported reducing the time frames that outdoor dining seating remains in place on Friday and Saturday nights in Hindley Street to increase pedestrian movement safety. EY suggested reducing the number of shisha venues in the late-night entertainment precinct. They raised a range of ways that the EY presence could be highlighted to increase young people's perception of safety including the provision of a shop front base for EY within the precinct, highlighting EY's active ambassador role in the late-night precinct through bin wraps or pavement stickers. They also noted that EY volunteers could capture data to support Council outcomes around the Safer City Action Plan.

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Item 4.1 Attachment A

The Taxi Council of SA noted their disappointment that managed taxi rank funding had been removed by the State Government and that Managed Ranks were no longer staffed. They lobbied for the reinstatement of that funding to increase perceptions of safety and ease of dispersal for city visitors.

A range of actions raised through the consultation have been included in the Safer City Action Plan:

- Enhancing the already positive SA Police and Council communication through a single out of hours point of contact, quarterly Councillor/Police informal conversations and continued community engagement projects.
- Council will explore opportunity to partner with YWCA to promote positive and respectful behaviour and women's safety.
- Advocacy will be conducted to increase free public transport and safe waiting spaces in the City.
- Supporting connection between event organisers and Drug and Alcohol Services of SA and Education Organisation to support harm minimisation initiatives.
- A project supporting the research of the Commissioner for Children and Young People and the Local Drug Action Team consortia to investigate options which make young people feel safe, welcome and connected in City spaces and places will be explored.

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CITY OF ADELAIDE

SAFER CITY POLICY 2019-2023

Draft for Committee Review June 2019 *legislative*

PURPOSE

The Safer City Policy is Council's framework for creating a safer city. The policy is executed through the Safer City Action Plan 2019-23 and the City of Adelaide Strategic Plan 2016-2020.

STATEMENT

The Policy supports Council's **Liveable** Strategic Plan objective to ensure residents have wellbeing above the global average and its associated action to *'Work with the community and other stakeholders through a range of initiatives to activate key areas to enable people to use the City safely and seek to reduce crime.'*

STRATEGIC CONTEXT

Jurisdiction	Name	Key Elements relating to Safer City Policy
National	Australia's Strategy for Protecting Crowded Places from Terrorism August 2017	• Tools and Guidelines to protect people working in, using and visiting crowded places by making these places more resilient to terrorism.
State	South Australia's Strategic Plan 2011 (to be updated in 2020)	• Urban spaces (T 1) • State-wide crime rates (T 17) • Violence against women (T 18) • Bushfire preparedness (T 20) • Healthy South Australians (T 78) • Smoking (T 80) • Alcohol consumption (T 81)
State	The Thirty-Year Plan for Greater Adelaide, 2010	• Healthy, safe and connected communities • Maintaining and improving liveability • Ensuring safe and walkable communities that incorporate Crime Prevention Through Environmental Design principles
City of Adelaide	City of Adelaide Strategic Plan 2016-20	Outcome: Liveable *Work with the community and other stakeholders through a range of initiatives to activate key areas to enable people to use the City safely and seek to reduce crime.*

Item 4.1 - Attachment B

The Committee Meeting - Agenda - 4 June 2019
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THE SAFER CITY POLICY

The Safer City Policy provides principles and outcome statements which underpin Council's contribution to creating a Safer City. It describes the role of Council, the community and key stakeholders both individually and collectively to improve perceptions of and actual safety.

What is community safety?

Community safety is the ability to pursue domestic, social and economic life without fear or hindrance of crime or disorder. Building and maintaining community safety requires a whole of community approach with residents, visitors, businesses and all levels of government working together to support a safe and inclusive environment for all.

Working together

Community safety is a complex issue and no one agency is able to tackle this issue alone. Governments, communities and businesses at all levels need to be collaborative and actively engaged to create safe communities. Council collaborates with a wide range of stakeholders to implement strategies for improving safety in our City and community. The State Government has a strong role to play in relation to safety through its responsibility for law and order, public housing, health and public transport. SA Police have a leading role in crime prevention, detection and perceptions of safety within the community. Council works to improve safety through acting as a leader, advocate, facilitator, capacity builder, partner and promoter. Council utilises both situational and social crime prevention approaches to address community safety issues in the City and North Adelaide. Council develops and implements a range of targeted community safety initiatives and supports with other stakeholders including SA Police and other agencies to achieve safer outcomes for the community. Community members are increasingly taking a more active role in community safety, including through identifying and leading community projects that increase perceptions of safety.

Policy Principles; the way we will work:

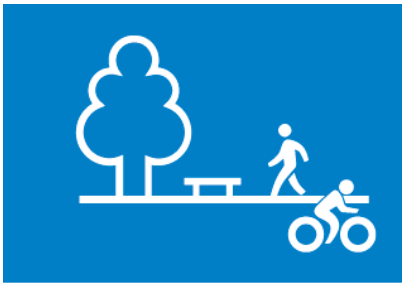
- **Inclusive**; all people feel comfortable and welcome in public space.
- **Respectful**; all community members have the right to feel safe and respected for who they are.
- **Shared responsibility**; working with the community encouraging residents, business, Government and key organisations to take action to support safety and wellbeing for their customers and the community.
- **Harm-minimisation**; this acknowledges that some people in societies will use alcohol to excess or other drugs and therefore incorporates practices which aim to prevent or reduce 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.

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OUTCOME STATEMENTS

Three outcome statements have been developed and tested with the community to guide our approach to Community Safety in the City. They set the intention for Community Safety planning and service delivery.



OUTCOME: Safe spaces, places and streets

LEAD ACTIONS:

- Design and plan spaces, places and streets which are well lit, safe and attractive to reduce opportunities for crime
- Provide the leadership, advocacy and data to ensure best practice approaches to public safety in city streets and spaces
- Work in collaboration with State Government to deliver world class infrastructure to increase actual public safety



OUTCOME: Strong and welcoming community

LEAD ACTIONS:

- Build opportunities for residents to celebrate diversity and be well connected
- Residents, businesses, Government and non-government agencies actively support the safety and wellbeing of their community
- Residents feel safe and engaged in their local communities



OUTCOME: A world renowned safe destination

LEAD ACTIONS:

- Ensure visitors to our City feel safe and welcome to experience what the City has to offer
- International students live, study, work and play safely in Adelaide
- Promote a creative and vibrant night life to reduce intoxication related anti-social behaviour

OTHER USEFUL DOCUMENTS

Related documents

- Safer City Action Plan 2019-23
- The City of Adelaide Cultural Strategy 2017-2023
- Live Music Action Plan
- Wellbeing Road Map

Relevant legislation

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- City of Adelaide Act 1998
- Adelaide (City) Development Plan 2018
- Local Government Act 1999
- Planning, Development and Infrastructure Act 2016
- Liquor Licensing (Liquor Review) Amendment Act 2017, The General Code of Practice & Late-Night Code of Practice

GLOSSARY

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

Strategic Community Safety Reference Group – an internal reference group comprising representation from all Council Programs that have community safety touch points (check names - Design, Public Realm, Planning, Community & Culture, Customer, Assets, Capital Works, Information Management, Finance).

Crime Prevention Through Environmental Design (CPTED) - principles for designing safe and welcoming spaces in the City of Adelaide are based on internationally recognised CPTED principles and should be considered at the earliest stages of planning and design.

Harm Minimisation - Harm minimisation aims to address alcohol and other drug issues by reducing the harmful effects of alcohol and other drugs (AOD) on individuals and society. Harm minimisation considers the health, social and economic consequences of AOD use on both the individual and the community as a whole.

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 for currency at least annually as part of the review of delegations. Those requiring detailed consideration are flagged in the current forward Council Policy Program.

Review history:

Trim Reference	Authorising Body	Date/Decision ID	Description of Edits

Contact:

For further information contact the

Wellbeing & Resilience Team
Community and Culture Program
City of Adelaide
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SAFER CITY ACTION PLAN TABLE 2019-2023

Outcome 1: Safe streets, spaces and places

Population Measure
- Percentage of residents who feel safe in Adelaide (Resident survey – develop baseline in 2019)
- Percentage of City users who feel safe in Adelaide (City User Profile biennial – maintain at 85%)
- Crime rates maintained at or below current levels (Adelaide and North Adelaide crime rates – Attorney General's Department)

Action 1

Design and plan places, spaces and streets which are well lit, safe and attractive to reduce opportunities for crime (Planning and Design focus)

Performance Measures:
- Number of safety audit actions implemented
- Number of projects delivered using Safety in Design process
- Counts demonstrate increased youth use of specific identified City spaces (measure to be developed)

Activities:	Responsible Program	Budget	Year Delivered	Action Monitoring
• Conduct Park Lands, West End and other district safety audits as required. (2019 -23) and deliver on associated safety audit workplans	Community and Culture	General Operating Budget	2019 2021 2023	Completed On Track At Risk
• Apply cultural lens to work with artists to encourage activation of private and Council-owned buildings, spaces and new developments with cultural activity. • Ensure engagement of artists to facilitate creative lighting in public space master planning and project delivery.	Community and Culture Customer	Public Art Budget Live Music Budget Splash Cultural Partnerships General Operating Budget	2019-2023	
• Continue to review and deliver high-quality cleansing and waste services to the community	Public Realm	General Operating Budget	2019-2023	
• Continue to incorporate the Safety in Design process in all design projects delivered	Design and Strategy Planning and Development	General Operating Budget	ongoing	
• Use culturally inclusive language, signage and symbols in City facilities, venues and parks to create and champion safe and welcoming spaces for all	Design and Strategy	General Operating Budget Projects	2019-2023	
• Work with young people to identify what assists them to feel safe in the City and to conduct pilot projects to enhance perceptions of safety (focus on spaces).	Community and Culture	Externally funded (Local Drug Action Team) Project (space based) funding	2019-21	

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Action 2

Deliver world class infrastructure to increase actual public safety (delivery focus)

Performance Measures:
- Percentage of safety lighting projects delivered in line with condition service levels
- Percentage of City Safe CCTV Network upgraded in line with CCTV Review findings
- Number of claims against Council (checking with Rudi)

Activities:	Responsible Program	Budget	Year Delivered	Action Monitoring
• Partner with SAPOL to ensure a strategic approach to city-wide CCTV coverage and monitoring	Community and Culture Information Management Infrastructure	$2,085,000	Ongoing	
• Support residents and business operators on the use of Crime Prevention through Environmental Design (CPTED) principles to reduce opportunity for crime and anti-social behaviour	Community and Culture	General Operating Budget	Ongoing	
• Develop agreed service levels for basic infrastructure	Infrastructure	General Operating Budget	?	
• Continue to deliver safety lighting projects across the City	Design and Strategy Infrastructure	Safety Lighting Budget	Ongoing	
• Continue to apply for and deliver on blackspot funding projects	Design and Strategy Infrastructure	Infrastructure Budget	Ongoing	
• U-Park Facilities are safer through continuous improvement strategies	Finance and Procurement - Commercial	General Operating Budget	Ongoing	

Action 3

Provide leadership, advocacy and data to ensure best practice approaches to public safety in city streets and spaces (policy focus)

Performance Measure:
- Number of information sessions and advocacy initiatives delivered to support best practice approaches to public safety

Activities:	Responsible Program	Budget	Year Delivered	Action Monitoring
Advocate for: • more frequent late-night public transport • safe waiting/ meeting areas • extension of public transport free zones • safe spaces in the City	Community and Culture	General Operating Budget	2019/2020	
• Work with the State Planning Commission to update the planning documents (Planning and Design Code and Design Standards) in accordance with best practice safety approaches.	Planning and Development	General Operating Budget	2020	
• Provide education and training resources for the community and development industry to support best practice urban design and safety through new development.	Planning and Development	General Operating Budget	2021	
• Use data to inform decision making to increase safety for city users (may include trip planning or access to City)	Information Management	General Operating Budget	ongoing	

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Outcome 2: Strong and Welcoming Communities

Population Measure
- Percentage of residents who feel connected to the community (Resident survey and or Participation and Inclusion data set)

Action 1

Build opportunities to celebrate diversity and be well connected

Performance Measures:
- Percentage of community members who report participation in the community (Resident survey)
- Percentage of community members who feel that people in their neighbourhood can be trusted (Resident survey)
- Number of partnerships focussed on addressing domestic and family violence and sexual assault

Activities:	Responsible Program	Budget	Year Delivered	Action Monitoring
• Collaborate with the community to implement and promote community-led safety actions including addressing the specific needs of vulnerable people, young people and women	Community and Culture YWCA (external) State Gov	General Operating Budget Project funding	2019 2021 2023	
• Work with CALD communities to deliver meaningful outcomes and connections between diverse communities	Adelaide Mosque SA Police Community and Culture	General Operating Budget	2019-23	
• Community Centre and Library programs promote active citizenship and resilience to increase safety	Community and Culture	General Operating Budget	2019-23	

Action 2

Residents, businesses, Government and non-government agencies actively support the safety and wellbeing of their community

Performance Measures:
- Number of community or industry led activities that increased perceptions of safety (Community and Culture, Customer and external data sets)
- Number of police reports made by Parking and Information Officers about potential emerging safety issues for real time response
- Number of interactions between Council SPOC and Police out of hours

Activities:	Responsible Program	Budget	Year Delivered	Action Monitoring

• Strengthen CoA and inter-agency communication.
• SAPOL specific:
  ○ Single out of hours point of contact (SPOC)
  ○ Quarterly Councillor/Police informal conversations
  ○ Continued community engagement projects
	Community and Culture
	Councillors
		General Operating Budget	Ongoing	

• Environmental Health Education Fortnight	Customer	$2000	Ongoing	
• Continue to engage with Music Industry Council and live music venues to advocate for programs supporting safety in live music venues particularly for young women	Community and Culture	General Operating Budget	Ongoing	

• Parking and Information Officer's monitor the City reporting emerging:
  ○ safety issues to Community Safety Officers or Rapid Response to manage
  ○ anti-social or criminal issues to SA Police to manage
	Customer	Operational Budget	2018/19	

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Outcome 3: A world-renowned safe destination

Population Measures:
- Number of people who feel safe in Adelaide (Crime stats, City User Profile)
- Number of citations of Adelaide as a safe destination in external publications (e.g. Lonely Planet)

Action 1

Promote a creative and vibrant night life to reduce anti-social behaviour

Performance Measures:
- Number of harm minimisation initiatives delivered (Customer data, venue/event-based initiatives, Encounter Youth engagements)
- Number of drug and alcohol related hospital admissions (Dept of Health, Drug and Alcohol Strategies of SA (DASSA))
- Number of positive, creative and nightlife-based stories including media and City of Adelaide channels
- Number of people engaged by Encounter Youth

Activities:	Responsible Program	Budget	Year Delivered	Action Monitoring
• Celebrate and build on our status as a UNESCO Creative City by delivering more music, public art and creative experiences in buildings, places & spaces	Community and Culture Customer	Live Music Budget Public Art Budget Splash Cultural Partnerships General Operating Budget	2019 – ongoing	
• Work in collaboration with Encounter Youth Hindley Street Program (Green Team) and others to support safety and connection for young people using the City	Encounter Youth	Council provides storage space to support operation	Funded externally until 2021	
• Use a harm minimisation approach to create a positive social and physical environment around events to attract patrons and help people to feel and be safe	Customer	General Operating Budget	Ongoing	
• Partner with DASSA to develop harm minimisation strategies which create a safer environment for people attending dance music venues and events in the City	DASSA Community and Culture Customer	General Operating Budget	Ongoing	
• Promote the range of evening cultural activities where alcohol is secondary to the activity itself	Community and Culture	General Operating Budget	Ongoing	
• Consider safety for Golf course users, motorists and cyclists when conducting the Golf Business Masterplan	Finance and Procurement - Commercial	TBA	2019	

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Action 2

Ensure visitors to our City feel safe and welcome to experience what the City has to offer

Performance Measures:
- Percentage of City visitors who know where to get help if they need it (add to CUP)
- Percentage of users of Council facilities and businesses who felt safe and welcome to use them (Customer satisfaction surveys)

Activities:	Responsible Program	Budget	Year Delivered	Action Monitoring
• Community Safety & Health Team BAU activities- routine, reactive, and proactive compliance and enforcement activities with various Acts and CoA By-Laws	Customer	Operational budget	Ongoing	
• Work with tourist providers to ensure in bound visitors to the City have access to safety information (City maps provided through Visitor Information Centre, tourist operators and online provide a wide range of essential and local contact information including emergency services, AEDs, public toilets etc)	Economic Development	Operational budget	Ongoing	
• Work with Council businesses to provide a safe and welcoming experience for all customers	Finance	Operating budget	ongoing	

Action 3

International students live, study, work and play safely in Adelaide

Performance Measures:
- Number of international student participants in information sessions, activities and events supported through the WAY initiatives
- Percentage of international students who feel safe in the city(survey)

Activities:	Responsible Program	Budget	Year Delivered	Action Monitoring
• Support the WAY (Wellbeing of Adelaide Youth) as a collaborative initiative focussed on improving the wellbeing of young people aged 18-24 years living in CoA.	Community and Culture	General Operating Budget	ongoing	
• Work with International students to ensure that people know where to get safety assistance should they need it	Community and Culture Economic Development	Operational budget	2020	
• Multicultural marketing campaigns targeted to international students, business groups and visitors.	Commercial and Marketing	Operating Budget	Ongoing	
• Adelaide Aquatic Centre supports and enables diverse communities to safely access their programs and services.	Commercial	Externally funded	Ongoing	

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Adelaide Park Lands Dry Area

ITEM 4.2 04/06/2019
The Committee

Program Contact:
Anne Rundle, AD Community & Culture 8203 7995

2017/03662
Public

Approving Officer:
Clare Mockler, Director Community

EXECUTIVE SUMMARY:

The purpose of this report is to present options for the future of the Park Lands Dry Area, that expires on 22 September 2019.

The Park Lands Dry Area was implemented in 2014 to address alcohol related anti-social behaviour by large groups of people congregating in the southern Park Lands and to alleviate impacts to residential amenity. Many of these people were at risk/ experiencing homelessness or otherwise vulnerable.

Many strategies and programs have been introduced to respond to the complex needs of vulnerable people and to change the way that service delivery in undertaken. This report highlights the current service environment for people at risk/ experiencing homelessness or vulnerability, including those who travel to Adelaide from remote communities.

This report recommends that the City of Adelaide applies to the State Government for the Park Lands Dry Area to be extended for a further two years.

RECOMMENDATION:

THAT COUNCIL

1. Notes that a number of programs, services and research are currently underway to facilitate better responses with people at risk/ experiencing homelessness or vulnerability including Aboriginal People who utilise the Adelaide Park Lands for socialising and conducting daily activities and that these interventions require time, resourcing and collaboration to take full effect.
2. Notes that in the time since the Park Lands Dry Area was last renewed, there has not been new evidence to indicate that a change to alcohol restrictions is warranted.
3. Approves an application to be made to the State Government to extend the current arrangements for the timed Park Lands Dry Area for a further two years. The Park Lands Dry Area will have the following arrangements:
    3.1. In effect from 8.00pm to 11.00am the following day; and
    3.2. Expires on 22 September 2021.

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IMPLICATIONS AND FINANCIALS:

City of Adelaide 2016-2020 Strategic Plan	Strategic Alignment – Liveable Work with the State Government, community leaders and community organisations to support vulnerable members of the community.
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
18/19 Budget Allocation	Not as a result of this report
Proposed 19/20 Budget Allocation	Not as a result of this report
Life of Project, Service, Initiative or (Expectancy of) Asset	Two years
18/19 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

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DISCUSSION

1. In December 2014, the State Government approved the first City of Adelaide request to trial a 12- month timed Park Lands Dry Area. The Park Lands Dry Area is in place from 8.00pm to 11.00am daily. This regulation is designed to discourage antisocial behaviour in the Parklands generated by excessive alcohol consumption. A Senior Officers' Group, consisting of executive officers from SAPOL, the Liquor Licensing and Gambling Commission, the Department of Human Services and the City of Adelaide was convened to monitor and evaluate the effectiveness of the Park Lands Dry Area. The Park Lands Dry Area regulation has been extended for various periods with support of this Senior Officer's Group.
2. Since 2017, activity relating to excessive alcohol consumption and anti-social behaviour in the Park Lands has largely remained unchanged. Use of the Adelaide Park Lands by groups of people, including Aboriginal people who may travel to Adelaide from remote communities, fluctuates in numbers and locations. SAPOL are proactive at monitoring any congregation and responding to anti-social behaviour and breaches of the Parklands Dry Area regulations. Council administration continue to work closely with SAPOL and service providers to address any public space issues that arise.
3. It has been noted that the application of regulations to the consumption of alcohol in public spaces disproportionately disadvantages people experiencing homelessness and other vulnerable people who use public space to conduct their daily activities. The implementation of a dry area has always required coordinated and multi- faceted supports for vulnerable people who often have complex needs.
4. Since 2017 a number of new programs and changes have been implemented that have significantly changed the way that homelessness services are delivered in the City.
    4.1. At the end of 2017, the State Government tendered out the Street to Home Program that had been operating as joint program of the Department for Communities and Social Inclusion and SA Health. The recently formed South Australian Housing Authority now funds Neami National to operate the Street to Home service and also a Street to Home hub in Light Square.
    4.2. The Hutt Street Centre launched its Aspire Program, a $9 million social impact bond that will work with up to 600 clients over five years.
    4.3. The Adelaide Zero Project launched with an Implementation Plan in February 2018. In May 2018, Adelaide's first Connections Week was held which identified 149 rough sleepers in the City of Adelaide. The names, needs and housing requirements forms a By Name List, which allows for triage and coordination of services to all rough sleepers based on their vulnerability.
    4.4. The change in State Government bought about a change in departmental structure and the new South Australian Housing Association. SAHA now have a mandate to deliver a Housing and Homelessness Strategy by July 2019 and are planning based on the following themes:
        4.4.1. Affordable Housing
        4.4.2. Social Housing
        4.4.3. Services and Support
        4.4.4. Aboriginal Homelessness (that will also integrate into the above three streams)
5. These new programs and initiatives are contributing to a much more responsive and outcome driven homelessness sector. The way that services are coordinated and delivered in a person-centred approach is have having far more sustainable outcomes than previous responses.
6. However, public congregation, socialising and drinking remain an issue. It is difficult to know what the impacts will be if dry area restrictions are removed at this point.
7. Any proposed changes to existing dry area restrictions, either removal or extension should be supported by evidence that those who are most likely impacted by the Park Lands Dry Area have safe and appropriate interventions to support their use of public space.
8. As part of the Adelaide Zero project, further work will be conducted into the needs of Aboriginal people who socialise in the Park Lands and/ or sleep rough, including those who travel between Adelaide and remote communities.
9. The Adelaide Park Lands have long been a location for Aboriginal people to meet and socialise. People from remote communities travel to Adelaide for many reasons, including health and hospital attendance, cultural activities, to visit family and during cultural business in communities.
10. Lack of appropriate and safe accommodation during these visits means that Aboriginal people sleep rough and use public spaces. The Adelaide Zero Project will undertake a 90 Day Change Project to specifically identify the barriers and appropriate interventions that provide safe services and accommodation for Aboriginal people.

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ATTACHMENTS

Nil

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Incentive Package to Reinstate Front Gardens on Residential Properties

ITEM 4.3 04/06/2019
The Committee

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

2017/04505
Public

Approving Officer:
Clare Mockler, Director Community

EXECUTIVE SUMMARY:

At its meeting on 14 November 2017, Council resolved for a report to be prepared on the removal of vehicle cross overs and reinstatement of front gardens. This was followed up by further advice to Committee on 22 January 2019, with a report on 29 January 2019 where Council resolved for a report to be prepared on the possibility of introducing an incentive package (to be funded through the Heritage Incentives Scheme) to reinstate front gardens of residential properties. The incentive would:

- apply only to residential heritage and historic character buildings in the City and North Adelaide;
- fund the reinstatement of appropriate front fences and other built form features such as front verandahs to heritage and historic character residential properties through the existing Heritage Incentives Scheme (HIS).

The existing Heritage Incentive Scheme facilitates the conversion of parking spaces to front gardens with the reinstatement of front fences and verandahs for heritage listed properties. As such, the adoption of a specific incentive scheme is not recommended.

RECOMMENDATION:

THAT THE COMMITTEE RECOMMENDS TO COUNCIL

That Council:

1. Notes the report to Item 4.3 on the Agenda for the meeting of The Committee held on 4 June 2019.

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IMPLICATIONS AND FINANCIALS:

City of Adelaide 2016-2020 Strategic Plan	Strategic Alignment – Liveable The package would promote our built heritage and character places through incentives and aims to support the Strategic Plan principles that relate to the promotion of heritage.
Policy	Current discussions are occurring with Council regarding on-street parking.
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	The incentive will provide a more appropriate setting for heritage or character places and safer environments for pedestrians.
18/19 Budget Allocation	$1,130,122 for HIS Grants The total HIS 18/19 budget allocation is $1,366,001 which is broken down as $1,130,122 for Grants and $235,879 for staff and marketing. No additional budget for the Heritage Incentives Scheme has been allocated in 2019/20.
Proposed 19/20 Budget Allocation	$1,079,817 for Grants The 19/20 Draft budget allocation is $1,317,000 which is broken down as $1,079,817 for Grants and $237,183 in salary costs to administer the program.
Life of Project, Service, Initiative or (Expectancy of) Asset	Not as a result of this report.
18/19 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.

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DISCUSSION

1. At its meeting on 14 November 2017, Council resolved for a report to be prepared on the removal of vehicle cross overs and reinstatement of front gardens. This was followed up by further advice to Committee on 22 January 2019 [Link 1]. At its meeting on 29 January 2019, Council resolved for a further report to be prepared on the possibility of introducing an incentive package to reinstate front gardens to heritage listed and historic character residential properties.
2. The purpose of the incentive would be to improve the appearance and setting of residential heritage and historic character buildings and their streetscapes by removing parking from the front yards.
3. Council would fund the reinstatement of appropriate fencing and other built form features (such as verandahs) in the front yards of affected properties through the existing Heritage Incentives Scheme.
4. Council's heritage staff currently provide heritage advice to owners about reinstatement of front fences, verandahs or other built form features through the existing Heritage Incentives Scheme.
5. Funding for reinstatement of front fences, verandahs or other built form features of residential heritage and historic character buildings is already available through council's existing Heritage Incentives Scheme.
6. An example of a recent front garden reinstatement supported by council's Heritage Incentives Scheme is provided as a link here. Example of Front Garden Reinstatement
7. Council currently identifies heritage listed and historic character residential properties with front yard parking through its asset renewal and street improvement works program.
8. Front yard parking could be identified on a street by street basis. Council's heritage staff could approach owners with information about the Heritage Incentives Scheme (as currently occurs) for reinstatement of front fences and other heritage works following removal of parking to the front yard.
9. As council has existing incentives through the Heritage Incentives Scheme to encourage the reinstatement and/or conservation works to front fences, facades and verandahs of affected residential places, the introduction of a new incentive package is not considered necessary.
10. Adoption of a specific incentives package is not recommended and the continued targeting of such properties will continue to be undertaken by Council's Heritage and Planning assessment staff.

ATTACHMENTS

Nil

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Whitmore Square/Iparrityi Master Plan

ITEM 4.4 04/06/2019
The Committee

Program Contact:
Keith Davis, A/AD Strategy & Design, 82037132

2017/03690
Public

Approving Officer:
Klinton Devenish, Director Operations

EXECUTIVE SUMMARY:

The preparation of a Master Plan for Whitmore Square / Iparrityi (the Square) is an action of the Adelaide Park Lands Management Strategy (APLMS) 2015-2025 and the City of Adelaide (CoA) 2017-2018 Integrated Business Plan (IBP).

The Whitmore Square / Iparrityi Master Plan (the Master Plan) was developed through a three (3) stage community engagement process undertaken in 2018.

The Master Plan **(Attachment A)** establishes a new vision and principles for the Square, outlines six (6) key actions and an overall plan. Responses received during community engagement demonstrated a high level of support for the Master Plan.

A report was prepared for support of the Master Plan by the Adelaide Park Lands Authority (APLA) at its meeting held on 21 March 2019 and for approval by the Committee at its meeting held on 16 April 2019. The Master Plan and this accompanying report have been updated to address key issues raised at these meetings.

This report seeks the Committee's support of the updated Master Plan to set the direction for the future of Whitmore Square / Iparrityi.

RECOMMENDATION:

THAT THE COMMITTEE RECOMMENDS TO COUNCIL

That Council:

1. Approves the Whitmore Square / Iparrityi Master Plan, including the vision, principles, actions and overall plan, as outlined in Attachment A to Item 4.4 on the Agenda for the meeting of The Committee held on 4 June 2019.

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IMPLICATIONS AND FINANCIALS:

City of Adelaide 2016-2020 Strategic Plan	Strategic Alignment – Liveable Open squares in each of the four City quadrants provide green space for recreation. Work with the State Government to enhance the facilities, attractions, landscapes and movement networks in the Park Lands. Enhance the role of the Park Lands by increasing levels of physical activity and wellbeing through informal recreation opportunities.
Policy	Adelaide Park Lands Management Strategy (implements). Adelaide Park Lands Event Management Plan (implements). Community Land Management Plans (due for review).
Consultation	Three stage community engagement undertaken in 2018.
Resource	Internal Strategy and Design staff to manage the consultants for the 2018-19 IBP budget of $200,000.
Risk / Legal / Legislative	Not as a result of this report.
Opportunities	Establishes a new vision and principles for the Square, supported by six (6) key actions to achieve a high-quality and multi-functional green community space.
18/19 Budget Allocation	$200,000 for ‘quick wins’ is underway to improve lighting in the Square.
Proposed 19/20 Budget Allocation	The draft 2019-20 IBP includes a budget of $800,000 to “Prepare detailed design for first stages of implementing the Whitmore Square Master Plan, including early capital works to address pedestrian safety”.
Life of Project, Service, Initiative or (Expectancy of) Asset	The Master Plan will provide strategic guidance for progressive upgrades to be undertaken to the Square in future years.
18/19 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	Potential State Government partnerships and grant funding.

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DISCUSSION

1. Project background

1.1. Undertaking the Whitmore Square / Iparrityi Master Plan was a commitment of CoA's 2017-18 Integrated Business Plan (IBP).

1.2. Preparing master plans for the city squares is one of the top ten (10) actions in the Adelaide Park Lands Management Strategy (APLMS) 2015-2025 and was also highlighted in the 2016-2020 CoA Strategic Plan.

1.3. The project is also a response to strong advocacy from local residents for improvements to the Whitmore Square / Iparrityi (the Square) over the years.

1.4. The scope of the Master Plan includes the streets and intersections surrounding the central square.

1.5. The draft Master Plan was presented to the Adelaide Park Lands Authority (APLA) on 21 March 2019. APLA provided the following advice to Council:

That the Adelaide Park Lands Authority:

1) *Supports the Whitmore Square / Iparrityi Master Plan (Attachment A to Item 8.1 on the Agenda for the meeting of the Board of the Adelaide Park Lands Authority held on 21 March 2019), including the Vision, Principles, Actions and Overall Plan,* ***subject to reconsideration of the zebra crossing and any additional permanent buildings in the Square.***
2) *Notes the quick win lighting improvements being delivered this financial year as part of the City of Adelaide 2018-19 Integrated Business Plan.*
3) *Notes the community engagement feedback received during the Master Plan process.*

1.6. A revised Master Plan document responding to APLA's advice was considered by Committee on 16 April 2019 with the decision to recommend the Master Plan to Council.

1.7. Council deferred the item at its 30 April meeting.

1.8. The Master Plan document (**Attachment A**) and this accompanying report have been further amended in response to the matters discussed at the above Committee and Council meetings.

2. Community engagement

2.1. The process of preparing the Master Plan included three (3) phases of community and stakeholder engagement undertaken in mid-2018.

2.2. In Phase One, Understanding and Exploring, the project team received community and stakeholder feedback on the types of experiences people want the Square to provide. Phase One also involved analysing and observing the Square dynamics and understanding the context and likely future changes to the precinct.

2.3. In Phase Two a draft vision and six (6) key ideas for how we could improve different parts of the Square were presented for discussion. The six (6) ideas aimed to address the key issues that came out of what the community had reported in Phase One. The project team received lots of valuable insights, perspectives and a wide range of views that strongly influenced the next phase of design thinking.

2.4. In Phase Three a draft Master Plan was presented for discussion to identify issues, concerns, areas for improvement and to gauge the level of community support or otherwise for the key proposals. There was strong support for many aspects of the draft Master Plan, but the feedback also clearly identified important areas for refinement and consideration in detailed design. For more information on this feedback please see the Summary Report [Link 1].

2.5. The centrepiece of the Phase Three engagement was a family day, 'Campfire in the Square', which was attended by approximately 600 people.

2.6. 220 survey responses were received over the three phases with around 400 attendees also having input via the face to face meetings and drop-in events.

2.7. 46% of respondents had been involved in all three (3) phases of engagement, and 79% said the engagement process had been good or excellent in their view.

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3. Key issues and opportunities the master plan addresses

3.1. Analysis of the Square in 2018, along with valuable community discussions and feedback, has identified key existing strengths as well as clear challenges to the Square to perform as a high-quality green space.

3.2. There are widely recognised aspects of the Square that are working well and are highly valued by the community. The Master Plan aims to reinforce and build upon these strengths, being:

3.2.1. The mature trees, particularly the large specimens such as the fig trees

3.2.2. The green relaxed and local atmosphere

3.2.3. The basketball half court, which creates activity and social interaction

3.2.4. The heritage buildings around the Square, which play an important role in the history and character of the Square

3.2.5. The attractive community verge garden on the north west footpath

3.2.6. The increasing mix of land uses around the Square edge, now made up of a mix of food and beverage businesses, social institutions and residential homes.

3.3. There are aspects of the current Square that aren't working well, impacting its capacity to serve its community, and in turn be well used. Understanding these challenges has been an important part of the project.

3.4. The key areas of concern in the Square in 2018 were summarised (following the community engagement) as:

3.4.1. 'Tired and worn out'

3.4.2. Road safety for pedestrian and cyclists

3.4.3. Concern about the chance of anti-social behaviour

3.4.4. Shade coverage is currently 'hit and miss'

3.4.5. Limited seating options (location and type)

3.4.6. Limited activities.

3.5. The issue of pedestrian and cyclist experience around the Square was raised, particularly as the number of pedestrians in the area grows with the recent increase in local residents and the redevelopment of the historic Whitmore Hotel as a micro-brewery venue.

3.5.1. The northern intersections of Morphett and Wright Street east in particular are recommended as priorities for upgrades to address safety concerns for all users (people walking, cycling and driving) and provide an appropriate experience for pedestrians of all mobility levels

3.5.2. There are currently a number of complex pedestrian and vehicle movements at this northern part of the Square, combined with a higher than average incidence of vehicle crashes (15 crashes in the last five (5) years) and high number of pedestrian complaints to CoA regarding safety concerns

3.5.3. The close proximity of the three northern intersections, along with the ongoing increase in pedestrians using these crossings, warrants a comprehensive redesign of these intersections (refer to action one (1) in the Master Plan).

3.6. Community feedback highlighted concerns with the chance of experiencing anti-social behaviour in the Square, particularly after sunset, and that this was impacting the number of people enjoying the Square.

3.6.1. Anti-social behaviour is often an outcome of complex issues, particularly for vulnerable people in our community who might be experiencing homelessness or problems with alcohol and other drugs

3.6.2. CoA acknowledges the complexity of issues, and the initiatives that contribute to supporting the vulnerable people in our city, and actively works in partnership with state government and not-for-profit social services sector on a number of initiatives. Refer to the social services fact sheet prepared for the project for more information [Link 2].

3.6.3. The south west of the city has a long proud history of being a key location for organisations that support vulnerable members of our community

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3.6.4. CoA recognises the importance of creating public spaces where everyone feels welcome and able to access the support of appropriately resourced and best practice models of social services that assist vulnerable people

3.6.5. The Master Plan will focus on how changes to the physical Square and streets can help encourage respectful behaviour, encourage more people to use the Square and look out for each other, and improve people's sense of personal safety through good design and upgraded infrastructure, such as lighting.

4. **Master Plan overview**

4.1. The Master Plan establishes a new vision for the Square. The Master Plan consists of the vision, principles, six (6) actions and the overall plan, as included in **Attachment A**

4.2. The vision outlines the 'big picture' statement of what we want the future Square to be like and the role we want it to play in the south west community.

4.3. The principles expand on the vision and describe people experience the Square, as well as the Square's 'look and feel' and it role in performing for its community.

4.4. The six (6) actions are the core ideas that together generate the overall Master Plan. Each is a fundamental design approach identified to work with the specifics of the Square to contribute to achieving the vision. Each of these key ideas for improving the Square have been integrated together to reinforce each other, creating the overall plan.

4.5. The overall plan depicts the overall spatial layout that bring together the six (6) actions, much like an 'artist impression'. The specific details of the plan will be developed in the future stages.

4.6. 80% of respondents supported the draft vision presented in Phase Three and 70% of respondents said that overall they supported the draft Master Plan.

4.7. The respondents' feedback also included important considerations for improving each of the above elements. This feedback has informed the refined Master Plan and will also be an important input to the brief for the next stages of detailed design.

4.8. The six (6) actions of the Master Plan are:

4.8.1. **Create a green and pedestrian friendly edge**

- Upgrade all intersections and realigning the southern roadways to improve pedestrian safety, supported by consistent greening extending the park character right to the property edges
- 83% support indicated for greening the edges and 58% support for the approach to movement in the engagement responses.

4.8.2. **Shape a variety of spaces for all**

- Adjust the path layout to create a greater variety of spaces to spend time relaxing with trees, gardens and a wide range of seating options
- 63% support indicated in the engagement responses.

4.8.3. **Provide a central hub of activity and social connections**

- Create an enticing social space around an upgraded half court, recreation facilities and amenities to encourage more people to use the square, looking out for each other, which in turn helps everyone feel safer
- 71% support indicated in the engagement responses.

4.8.4. **Cultivate trees and gardens as the key features:**

- Improve the aesthetics and function of the Square with carefully curated trees and gardens that reinforce the edge, paths and recreation opportunities
- 78% support indicated in the engagement responses.

4.8.5. **Foster inclusiveness through art and play:**

- Celebrate the Square's unique history and community through art and play elements that enthral the young and delight all ages, contributing to a high quality and well-loved park destination
- 74% support indicated in the engagement responses.

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4.8.6. **Integrated lighting for evening beauty and activity:**

- Generate an attractive night lighting character that makes the Square feel special, as well as functional to use and walk through to encourage more activity and people looking out for each other in the evenings
- 74% support indicated in the engagement responses.

5. Master Plan updates following APLA's advice

5.1. At its meeting of 21 March 2019, APLA provided support for the Master Plan subject to "*reconsideration of the zebra crossing and any additional permanent buildings in the Square*". Details of APLA's discussions regarding these two (2) items and specific updates to the Master Plan to address these concerns are provided as follows.

5.2. Reconsideration of the Zebra Crossing

APLA comment:

5.2.1. Members discussed the feasibility of a zebra crossing at the northern intersections (at Wright Street and Morphett Street) in response to community interest in this as an approach to improving pedestrian safety.

Master Plan response:

5.2.2. Action 1.1, [to] improve the safety of the Northern tri-intersections, has been updated to include an evaluation of zebra crossing(s) as an option to be explored in the next design stage, (refer **Attachment A**, p. 26). This will include investigations into if or how SA Government requirements for zebra crossings (such as one traffic lane in each direction) may be achieved in this location.

5.3. Additional permanent buildings in the Square

APLA comments:

5.3.1. Members discussed safety and anti-social behaviour matters in relation to the proposal to position a new public amenity building as part of the central hub facilities in the centre of the Square.

5.3.2. Members raised the view that any building is not to visually dominate the centre of the square or impact sightlines for evaluating personal safety.

5.3.3. There were a range of views expressed regarding the importance of public amenities to support recreation and social activity in the Square.

Master Plan responses:

5.3.4. Action 3.3, [to] 'facilitate activities with a sensitively designed amenities building', has been updated to require that any proposed building 'avoids visual impact, and complements the character of the green space, while being in an area of high activity so as to be convenient for people accessing all parts of the Square', and noting that 'the building location will be determined in a future design stage', (refer Attachment A, pp.34)

5.3.5. The overall plan has also been updated to remove any references to a specific location for the public amenities building, (refer **Attachment A**, pp. 8)

6. Master Plan update following Committee & Council Discussion

6.1. At its meeting of 16 April 2019, the Committee considered the Master Plan with a recommendation to Council to approve the Master Plan. Council deferred the item at its 30 April meeting to enable further clarification of changes made in response to the Committee discussion. Details of discussions and updates to the Master Plan to address specific concerns are provided as follows.

6.2. Public Amenities Building

6.2.1. At the Committee meeting, members raised the importance of sensitively locating and reducing the visual impact of the public amenities building.

6.2.2. Refer to section 5.3 of this report for how the Master Plan document has been updated to address these concerns. Further clarification has been provided to the Master Plan to remove the building location from its central location in the Square, (refer **Attachment A**, p. 33).

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6.3. Event Activity in the Square

6.3.1. Members queried whether the Master Plan was changing the emphasis of the Square to be more event-focused and raised the importance of the Square's primary role to facilitate informal recreation.

6.3.2. The primary focus of the Master Plan is consistent with the direction of the APLMS in supporting and enhancing the primary role of the Square as a place that provides informal passive and active recreation opportunities for its community.

6.3.3. However, the Square currently also facilitates local community-initiated activities and events, which complement its primary use as an informal recreation space.

6.3.4. The three (3) phase community engagement process which informed the development of the Master Plan, demonstrated support for the Square to continue to facilitate local events. Feedback from survey respondents is provided as follows:

- 50% of respondents rated 'regular local events' in their top 3 desired activity experiences from an upgraded Square
- 61% said it was important for the Square to support more community-based events and improve event facilities for things like outdoor cinemas, markets and gatherings, (with 30% neutral and 9% saying this was not important)
- 55% said it was important to have plug -in event infrastructure, (with 30% neutral and 23% saying this was not important)
- 60% said more night time activities and event was important, (with 33% neutral and 7% saying this was not important).

6.3.5. The preparation of the Master Plan is consistent with the direction provided by the CoA Adelaide Park Lands Events Management Plan 2016-2020 (the Events Management Plan), endorsed in 2016.

6.3.6. The Events Management Plan includes detailed criteria for use of each site across the Park Lands, including the Square.

- The Events Management Plan states that the Square is a site suitable for small to medium events, for events that provide free entry, are accessible to the general public, and is most suitable for community events held during the day. Private, ticketed exclusive use and major events are not appropriate for the Square.
- This is consistent with the range of events and regular group activities that have taken place in the square over recent years; for example, Carols in the Square, Homeless Expo, Cinema in the Square, Community group fitness classes, Orange Sky mobile laundry, St Luke's Church Christmas Lunch, Haircuts for the Homeless, and World Tai Chi Day Celebration.

6.3.7. Consistent with the Event Management Plan, the Master Plan proposes to increase convenience and affordability to hold local events in the Square. It does not, however, intend to change the status of the Square to be an event space as its primary focus.

The Master Plan proposes the following to better support local events:

- Upgrading sewer infrastructure to provide point of discharge for portable toilets as currently events needing these bare additional costs
- Co-locating power, potable water, grey water discharge and lighting management points to reduce the equipment a local group needs to source to hold an event
- Creating a flexible open lawn area (of 1500m^2) that supports a range of recreation options as well as use for events, (where currently there are only small clear areas of less 400m^2).

6.3.8. The wording in the Master Plan has been revised to ensure references to improving local event infrastructure emphasise the focus on "local community" activities and events, (refer **Attachment A**, pp. 30, 34).

7. Current works in the Square

7.1. As part of the 2018-19 IBP, $200,000 was allocated to delivering quick win improvements to the Square identified as part of the community engagement for the Master Plan.

7.2. The quick win project will deliver pedestrian lighting to the popular diagonal path route to the Central Market precinct and pilot creative lighting of several tree canopies.

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7.3. Localised programmed asset renewal works are also occurring for sections of roadway line-marking, and to address disability access issues at the central pedestrian refuge at the northern Morphett Street intersection.

7.4. We are also working to identify potential localised quick win adjustments to the northern intersection to align with the increased pedestrian activity associated with opening of Sparkke at the Whitmore (Hotel).

8. Considerations in the implementation of the Master Plan

8.1. The Master Plan establishes a clear vision and high-level ambition for the future of the Square. It is not, a detailed design, nor does it represent specific funding or staging commitments. Rather, it establishes a roadmap to guide future improvements to the Square.

8.2. Delivery of the Master Plan would be progressed over a number of years through asset renewal and succession planting, through seeking external funding for major stages, and through Council's annual budgeting process. (Refer Attachment A pp. 51-53 for further factors that may influence implementation

8.3. Preliminary cost estimate ranges and staging options are provided for information [Link 3], noting that these are indicative only, and subject to further design development and construction considerations.

9. Next Steps

9.1. Subject to support of the Master Plan by Committee, and adoption by Council, the following steps will be undertaken:

9.1.1. The draft 2019-20 IBP includes a project with funding of $800,000 to "Prepare detailed design for first stages of implementing the Whitmore Square Master Plan, including early capital works to address pedestrian safety".

9.1.2. Update participants of the community engagement on the APLA and Council decisions and next steps.

9.1.3. The Master Plan and its background research will also inform the review of the Community Land Management Plan (CLMP) for the Square as part of the overall Park Lands wide CLMP's review which is currently underway.

9.2. The implementation of the quick wins lighting improvements is in progress and on track to be delivered before July 2019.

ATTACHMENTS

Attachment A – Whitmore Square/ Iparrityi Master Plan (updated May 2019 for approval)

- END OF REPORT -

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CITY OF ADELAIDE

Whitmore Square / Iparrityi
Master Plan

Final for Committee report
May 2019



Attachment A

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Whitmore Square / Iparrityi **Master Plan** Short Guide

The Master Plan sets a clear vision for the future of the square, with principles and actions to create a cohesive, high quality square.

The south-west community, with its growing number of residents living in apartments, now more than ever needs a high quality green space. This place needs to provide a connection to nature, relaxation and creation for all ages and walks of life. The square has clear strengths as a green space, but equally, key issues that mean the square is under-performing for its community.

The Whitmore Square / Iparrityi Master Plan establishes an overall new framework for the square that contributes towards the quality and function of the square.





Vision

The green, welcoming and safe heart of the south-west community.

A place for all ages and walks of life to relax, be active and enjoy the neighbourhood.

Principles

The Master Plan sets three overarching principles to guide the future direction of the square.

- Safe, inclusive and welcoming
- Enduring green and attractive legacy
- Local community vitality day and evening



Proposed artist impression



Proposed artist impression



Proposed artist impression

Actions

1 Create a green and pedestrian friendly edge

- Improve the safety of the northern tri-intersections
- Improve the safety of the southern roadway and intersections
- Improve the aesthetics and usability of the square's edge
- Improve general street aesthetics and safety

2 Shape a variety of spaces for all

- Create functional and flexible spaces by adjusting paths
- Create open lawn areas in a range of sizes
- Encourage social activity with spaces of various configurations

3 Provide a hub for activity and social connections

- Create an attractive social heart for the square
- Facilitate increased use of the basketball half court
- Support local activities and community events with smart infrastructure

4 Cultivate trees and gardens as key features

- Preserve and cherish the historic figs
- Improve the aesthetics and function of the square with trees and gardens
- Reinforce and shade entries and paths with plants
- Define and green the edges of the square

5 Foster inclusiveness through art, interpretation and play

- Develop a holistic art strategy that places the experience of art, interpretation and play as fundamental to the square
- Deliver art that encourages interaction and play for all ages
- Add surprise and delight through art
- Integrate existing artwork

6 Integrate lighting for evening beauty and activity

- Employ lighting to delight and activate, as well as for function
- Integrate accent lighting for character and way-finding
- Ensure flexible functional lighting that works for everyday activity and local events

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Whitmore Square / Iparrityi
Master Plan
Short Guide

Overall Master Plan



A Intersection safety upgrades

B Perimeter path with trees and gardens

C Footpath greening

D Central lawns

E Central hub of facilities around a multi-purpose court

F 'Plug in' infrastructure for local events

G Garden seating/picnic areas

H Entry Gardens

I Sculptural play focus

J Realign southern roadways

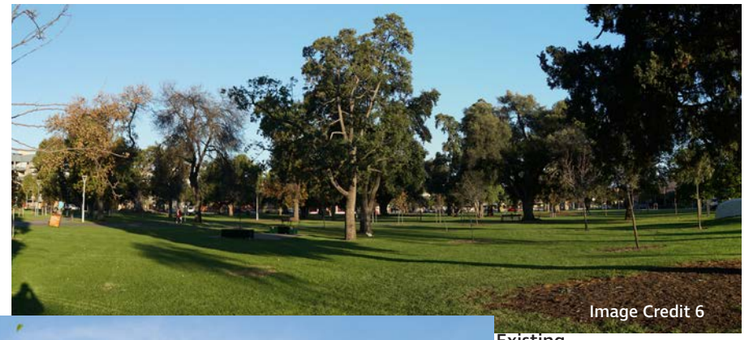
Note: Location for a public amenities building will be determined in the next design stage



Existing



Proposed artist impression



Existing



Proposed artist impression (public amenities building location to be determined)

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Adelaide.
Designed for Life.

We look after the world's only city in a park, thoughtfully and purposefully designed with people in mind. Our Park Lands and squares are essential to our neighbourhoods and communities. Whitmore Square / Iparrityi is important part of our modern-day backyard designed to enhance people's wellbeing and quality of life through culture, surrounded by nature.

Item 7.4 Attachment 1

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Whitmore Square / Iparrityi



Whitmore Square / Iparrityi

Contents

	Page
City of Adelaide Statement	5
Overview	**8**
1. Context & Consultation	**10**
2. Our Future Square	**20**
Vision	21
Principles	21
Overall Master Plan	23
3. Master Plan Actions	**25**
1 Create a green and pedestrian friendly edge	25
2 Shape a variety of spaces for all	29
3 Provide a hub for activity and social connections	33
4 Cultivate trees and gardens as key features	37
5 Foster inclusiveness through art and play	43
6 Integrate lighting for evening beauty and activity	47
4. Implementation	**51**
5. Appendices	**53**
Engagement summary Report	
Background Information	

Item 4.4 - Attachment A

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Project Credits

Master Plan development and engagement process undertaken by Oxigen Landscape Architects in partnership with City of Adelaide

Thanks to all the organisations, groups and individuals of the South West Community who generously contributed to the process.

Master Plan Community Engagement event 'Campfire in the Square

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Whitmore Square / Iparrityi

Whitmore Square / Iparrityi holds an important place in the history and future of the city of Adelaide. A square's essential role is as a hub for recreation and community events that contribute towards the liveability of the city. However, its current character and use does not align with this role.

The square reflects a different era with ageing assets that are in need of renewal. The character of the square has not evolved as necessary to meet the needs of the changing community.

The Whitmore Square / Iparrityi Master Plan illustrates a vision for the square that seeks to restore the status of the square into a memorable and functional place. The Master Plan is a framework for planning and design that will: help guide future works, help the public visualise the square's potential, and enable the City of Adelaide to plan and implement staged improvements.

The ambition of this plan is to create one of Adelaide's best urban spaces, well used and loved by its community.

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Attachment A

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Overview

The Master Plan

Vision

The green, welcoming and safe heart of the south west community. A place for all ages and walks of life to relax, be active and enjoy the neighbourhood.

The south west community, with its growing number of residents living in apartments, now more than ever needs a high quality green space. This place needs to provide a connection to nature, relaxation and creation for all ages and walks of life. The square has clear strengths as a green space, but equally, key issues that mean the square is under-performing for its community.

The Whitmore Square / Iparrityi Master Plan establishes an overall new framework for the square that contributes towards the quality and function of the square.

Principles

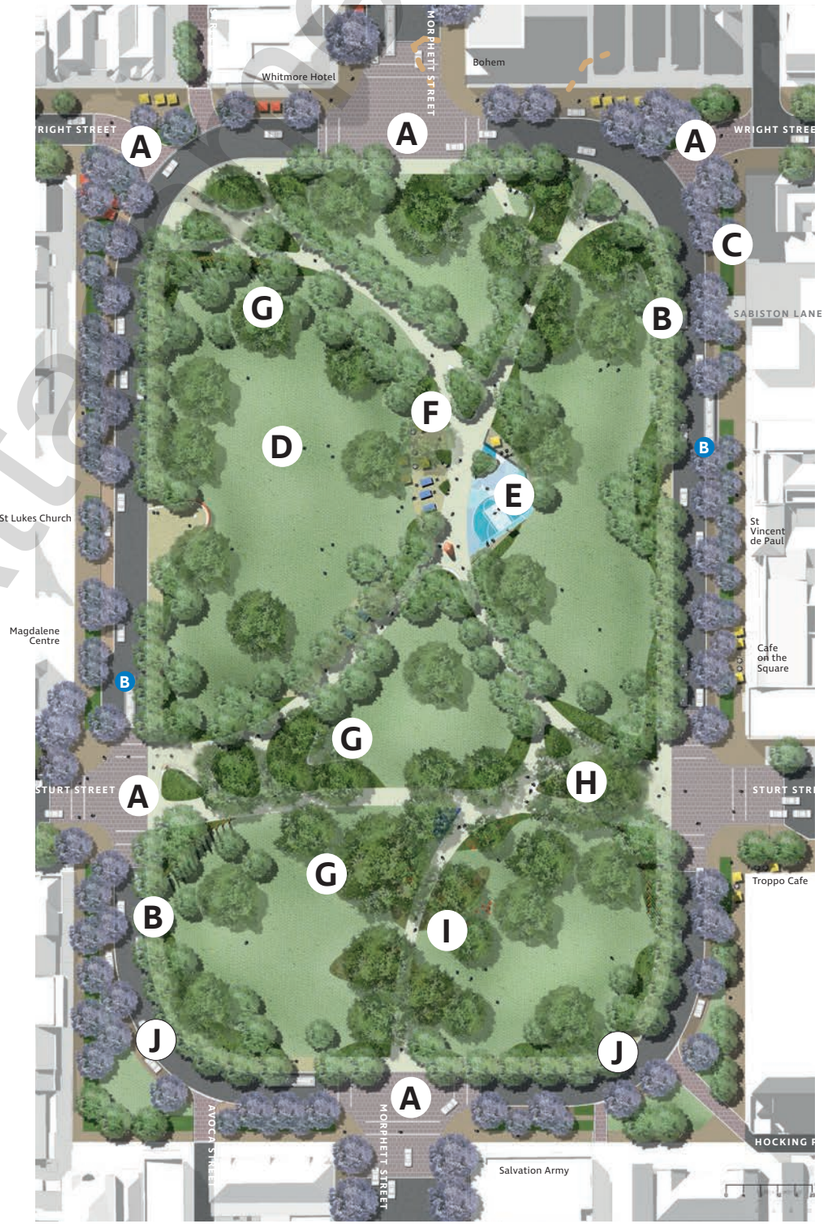
The Master Plan sets three overarching principles to guide the future direction of the square.

- Safe, inclusive and welcoming
- Enduring green and attractive legacy
- Local community vitality day and evening

Actions

1. Create a green and pedestrian friendly edge
2. Shape a variety of attractive spaces for all
3. Provide a hub for activity and social connections
4. Cultivate trees and gardens as key features
5. Foster inclusiveness through art, interpretation and play
6. Integrate lighting for evening beauty and activity

Overall Plan



- **A** Intersection safety upgrades
- **B** Perimeter path with trees and gardens
- **C** Footpath greening
- **D** Central lawn
- **E** Central hub of facilities around a multi-purpose court
- **F** Centrally locate upgraded ‘plug in’ infrastructure for local events
- **G** Garden seating/picnic areas
- **H** Entry Gardens
- **I** Sculptural play focus
- **J** Realign southern roadways

Note: Location for a public amenities building will be determined in the next design stage

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Part one

Context and Consultation



Project Background

Whitmore Square / Iparrityi is one of six squares within the City of Adelaide. The squares are a key part of the broader Adelaide Park Lands, which are defining features of the nationally heritage listed city plan by Colonel William Light. Whitmore Square / Iparrityi is 2.4ha of consolidated green space located in the heart of the city's south-west at the junctions of Morphett, Sturt and Wright Streets.

The square, along with the wider city, is located on the traditional lands of the Kaurna people. Kaurna heritage, living beliefs and relationship with the land are intrinsic parts of the unique cultural heritage of the Adelaide Plains.

The Kaurna naming of the square, Iparrityi, is after a prominent Kaurna elder said to have been the last speaker of the Kaurna language.

The Adelaide Park Lands Management Strategy 2015–2025 (APLMS) sets an exciting new vision for the future of the Adelaide Park Lands, which includes the six squares. The APLMS plans for the Park Lands to continue to provide recreational and sporting opportunities, enhance wellbeing and cement Adelaide's place as one of the world's most liveable cities.

One of ten big moves identified in the APLMS is to prepare master plans for the city's squares, including Whitmore Square / Iparrityi. The master plans will guide and prioritise enhancements that respond to growth in the city and adapt to the changing needs of users.

Increasing visitation while protecting and enhancing the unique character and features of the Park Lands are central to the City of Adelaide's wider Strategic Plan for the city. For more information on the strategic context of this project refer to the City of Adelaide Strategic Plan 2016–2020.

Attachment A
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The Community

Understanding who makes up the local south west community is essential to plan for the future of the square. People of all ages and walks of life call the city's south-west home, as this snapshot illustrates.

Local residents:

- Over 4,000 live within a five minutes walk of the square
- 50% were born overseas
- 70% speak two or more languages
- Over 60% are under 35
- Over 30% walk to work

Homes:

- Residents live in stand alone character houses, town-houses, and mid-rise and tall apartment buildings
- The majority of local residents live in an apartment with limited private green space
- Over 40% of households are car-free

Businesses and groups:

- 1,000 businesses are within a five minute walk of the square
- Over 3,000 people work in the area
- Non-profit organisations are a long standing valued part of the community
- Small and medium businesses and organisations are the bedrock of the south-west







A Growing Area

The City of Adelaide and State Government share the objective of city population growth and work strategically to welcome new residents to increase the rate of growth.

Based on current growth projections outlined in the State Government's '30 Year Plan for Greater Adelaide', an extra 2,000 residents can be anticipated in the square's neighbourhood in the next 10 years. If the overall targets of the 30 year plan are met, the neighbourhood population is expected to track towards 8,000.

It is anticipated that a significant amount of new apartment housing will be built in areas surrounding the square to accommodate the new residents, with this expanding residential community attracted to the city's lifestyle opportunities.

This growing community needs the square to:

- Provide something for everyone
- Provide opportunities to be active
- Be high quality and durable
- Be designed to provide the essential service of a central neighbourhood park







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Engagement Process

Understanding and listening to the diverse community has shaped the outcomes of the Master Plan.

Community engagement for this project was undertaken in three phases to provide opportunity for input and discussion.

Refer to the Engagement Summary Report for all background information and feedback received.

Engagement

Over **220** survey submissions

Over **400** attendees input at meetings or events

70% of respondents live in the city

2,700 Your Say web page visits

Support from respondents

70% overall supported draft master plan

79% said the engagement process has been Good or Excellent

46% were involved in all three phases



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Engagement Phases

PHASE 1

Understanding and exploring

The initial phase focused on gathering and distilling information from local residents, community groups, businesses and social service organisations that surround the square. Feedback was received from participants from all walks of life, including social service clients and students living in university accommodation.

The community shared information about their relationship with the square and what types of experiences they would like the square to provide in future.

The community provided their views on key experiences under the themes of

- Moving around the square
- Enjoying a green square
- Activities in the square

PHASE 2

Conceiving the Vision and discussing ideas

The feedback and analysis of Phase 1 enabled draft ideas and a Vision statement. These were discussed with the community in Phase 2.

Six ideas for improvement were presented for discussion:

1. A Central Plaza
2. Open Lawn
3. Green Edges
4. Gathering Spaces
5. Play, Art and History
6. Intersections and Entries

The community feedback to the Vision and ideas provided insights, perspectives and a wide range of views that strongly influenced the next stage of the project.

PHASE 3

Developing the draft Master Plan

A draft Master Plan was developed from the Phase 2 ideas and feedback. The plan was presented to the community for feedback to identify issues, concerns and areas for improvement.

The draft Master Plan focused on three key moves to improve the overall layout, and three other themes.

Key Moves:

1. Green Edges
2. Big and Small Spaces
3. Central Hub

Draft Themes:

1. Trees, Lawns and Greening
2. Lighting, Art and Play
3. Movement – pedestrians, cyclists, car and public transport

Phase 3 included a family event in the square featuring the draft master plan and opportunities for discussion.

Overall there was strong support for the draft master plan. In addition, refer to the Engagement Summary Report for further details.

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Drawing on History

Appreciation of the square's history has been key to inform a Master Plan that respects the past, while establishing a contemporary square that serves its community. The south west neighbourhood has a rich history of many cultures and significant events.

Community

Since colonisation, the area has always been a melting pot of people from many walks of life, with many waves of migrants making new homes and businesses in the area. The south west has long hosted people arriving from the country, including northern Aboriginal communities, visiting the city.

The Kaurna people have an ancient and ongoing connection to the Adelaide Plains. Well-known Kaurna families have strong relationships with community institutions such as St Lukes Church, the Sturt Street School and Baptist West Care.

The renowned Afghan Cameleers have a long association with this part of the city, funding the construction of the first Mosque in Australia in 1889.

Since the 1850s this area has always home to organisations supporting people in need, a proud history that continues today.

Layout of the Square

The physical footprint of the square as a single consolidated green space remains intact from Light's Plan, compared to the other city squares.

There are scant details on the layout of the square before the 1880s. Early photographs taken from the GPO tower in 1870 show only an open area with sapling trees.

There are five known versions of path layouts between the 1850s and 1930s, with different styles of perimeter fencing. By 1880 the path layout had moved away from Light's 1837 Sketch of sweeping paths to a more angular network.

The layout of the paths, roadways and tree plantings has changed over the decades, particularly during the introduction and then removal of the Adelaide tram network. Successive city gardener's trialled and renewed tree species and plantings over time.

The evolution of the square's landscaping design over its history, reflects the evolution of the city neighbourhood surrounding it.


Image Credit 8

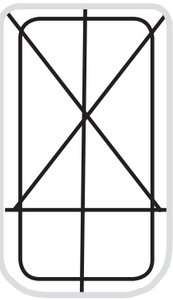
The Adelaide Plains were inhabited by the Kaurna tribe before European settlement. Adelaide now stands on 'Tarndanya', which translates as 'male red kangaroo rock'.



1837
The original sketch of the square from Colonel Light's Adelaide Plan.


Image Credit 9

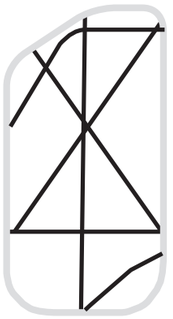
1856
St Luke's Church was the fourth church to be built in Adelaide.



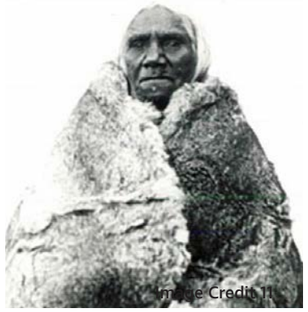
1880
The first known implemented formal plan – including a perimeter path and internal path network.


Image Credit 10

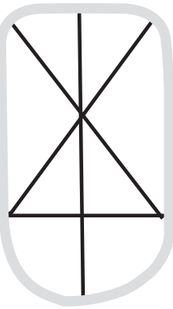
1890s
The Salvo's Bushmen's Club provided accommodation and refuge from city temptations for visiting country workers.



1920's
Reconfigured plan to cater for the 1900s Adelaide tram network.


Image Credit 11

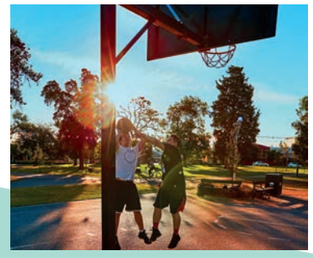
1928
Famous photo taken of Iparrityi,after which the square is co-named, in her fur skin cloak. Iparrityi is a revered Kaurna figure who's name means 'gentle, misty rain'.



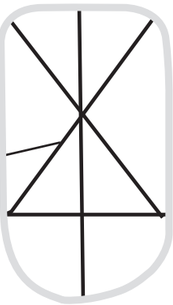
1970s
From the late 1950s to the 2000 the intersecting path layout stayed fairly consistent.


Image Credit 12

1940s
During the Second World War air raid trenches were installed for training in the square and in other places in the city.



2000s
Basketball court and public artwork, 'Voyagers', installed.



2018
Additional minor elements introduced including, new signal crossing, path and basketball courts.

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Context and Consultation

Strengths and Issues

The master plan aims to build upon valued aspects of the square today, while also addressing its shortcomings.

Analysis and community feedback identified how the square has been performing recently. By identifying the square's strengths and issues, this highlights clear areas of reinforcement and improvement.

Strengths



Nature: Mature trees provide shade and contribute to the character/identity of the square



Activity: Community activity with the basketball half court and verge gardens



Function: Green, relaxed and local atmosphere



Community: Great mix of residents, businesses and buildings with rich history

Issues



Function: Some areas feel worn out, with barren edge footpath areas and some sub-optimal trees



Activity: Limited activities and lack of infrastructure for local events



Function: Limited variety of spaces, well-positioned shade and few seating options



Safety: Concerns for safety crossing roads and chance of antisocial behaviour

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Part two

Our Future Square



The Master Plan

A Master Plan establishes an overall new framework for the square with four equally important parts.

Vision

A vision statement is the 'big picture' statement of what we want the future square to be.

Principles

The principles expand on the vision and further describe how the square will perform.

Actions

The actions are the core ideas that make the vision and principles a reality and each includes a set of key initiatives.

Overall Plan

The overall plan illustrates all actions in a proposed layout. The layout is like an 'artist impression', illustrating key moves, with specific details will be developed at a later stage.

Together these four parts generate the overall Master Plan.

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Vision

The green, welcoming and safe heart of the south-west community. A place for all ages and walks of life to relax, be active and enjoy the neighbourhood.

Principles

Safe, inclusive and welcoming

- A space where everyone feels welcome
- All ages and walks of life feel comfortable
- Reflects, acknowledges and welcomes the diverse cultures that shape the south-west

Enduring green and attractive legacy

- The beauty and comfort of living green trees and plants is the 'headline act' now and in the future
- Quality, durable and well cared for space capable of supporting high intensity of use
- Enriched by the neighbourhood's history and community celebrations

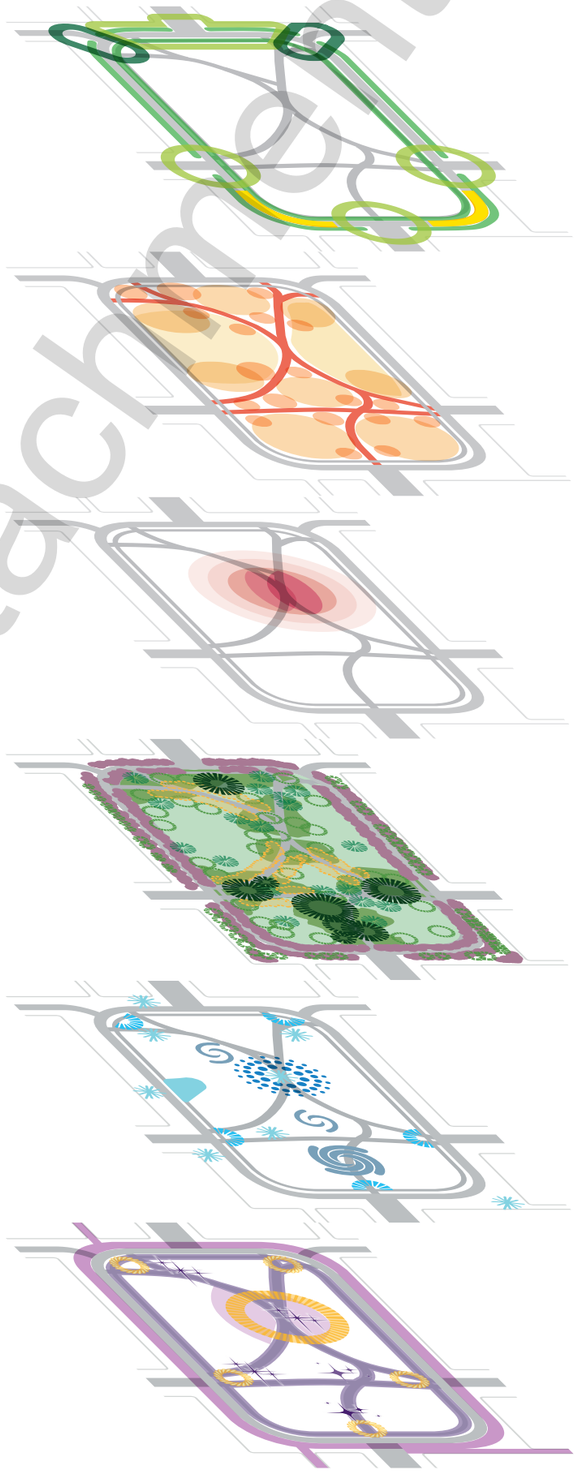
Local community vitality day and evening

- Encourages people of all ages to be active, play and enjoy greenery
- Used each day from dawn to late
- A place humming with community where neighbours can bump into each other
- The place of choice for holding local community events



Image Credit 13





Actions

1 Create a green and pedestrian friendly edge

2 Shape a variety of attractive spaces for all

3 Provide a hub for activity and social connections

4 Cultivate trees and gardens as key features

5 Foster inclusiveness through art, interpretation and play

6 Integrate lighting for evening beauty and activity

Attachment A
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Our Future Square

The square today



Safety concerns crossing roads

Sections of barren outer footpath

Current toilets are at one end of the square

Edge lawn unused as feel exposed to traffic

Limited seating options

Suboptimal service connections for events

Some paths & the half court unlit

Create large open lawn area

Not many quiet spaces away from paths

Lack of attractive gardens or seating near big figs

Lack of attractions for young children

Safety concerns crossing the roads

Overall Plan

Proposed major changes to the square

Intersection safety improvements *(in Action 1)*

Improve footpath greening *(in Action 1)*

New location to be determined in the future design stage *(in Action 3)*

Reinstate perimeter path and greening *(in Action 1)*

Improve recreation facilities & social seating *(in Action 3)*

Upgrade local event infrastructure *(in Action 3)*

Upgrade activity & creative lighting *(in Action 6)*

Create large open lawn area *(in Action 2)*

Realign paths for a variety of spaces *(Action 2)*

New gardens and trees framing seating and picnic areas *(in Action 4)*

New sculptural play focus area *(in Action 5)*

Square up the southern roadways *(in Action 1)*



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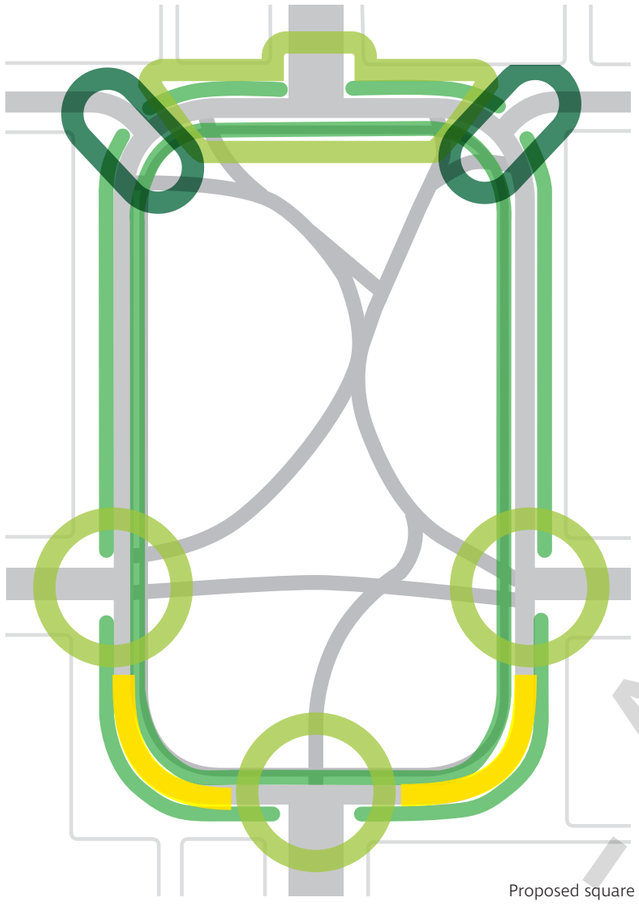
Item 4.4 - Attachment A

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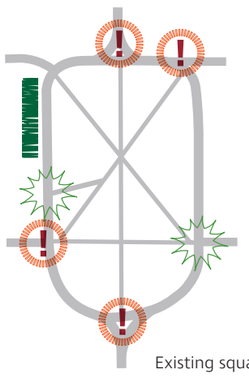
ACTION 1

Create a green and pedestrian friendly edge

to transform the surrounding street and intersections and extend the leafy character of the square out to its edges.



Proposed square



Existing square

Action 1 addresses:

- Safety: People walking and cycling often feel unsafe crossing the roadways, especially people with mobility challenges.
- Safety: The roadway feels like a roundabout that is dominated by vehicles with some drivers traveling too fast.
- Nature: While the north west edge with the community verge garden is attractive, other sections of the outer footpath feel tired and barren.

The Committee Meeting - Agenda - 4 June 2019

Item 4.4 - Attachment A

Key initiatives of Action 1 include to:

1.1 Improve the safety of the Northern tri-intersections

- Undertake investigations into an upgrade to the Morphett Street (North) intersection and two Wright Street side intersections, to evaluate two options:
  1. Zebra crossing(s); or
  2. Traffic signals to the Morphett Street main intersection
- Ensure crossing points and the northern section of the inner square perimeter path accommodates people cycling along Wright Street in a westerly direction

1.2 Improve the safety of the southern roadway and intersections

- Realign and tighten up the curves of the southern roadway to slow driver speeds and increase the size of the square
- Upgrade and signalise the Morphett Street (South) and Sturt Street (West) intersections to improve overall road safety and universal access for pedestrians
- Ensure roadway upgrades consider retention of local access and on-street parking while maintaining a green frontage to the southern properties
- Relocate St Luke's pedestrian traffic lights to the reconfigured Sturt Street intersection

1.3 Improve the aesthetics and usability of the square's edge

- Reinstate the historical perimeter path to provide flexibility for how people can use the square
- Use structured plantings and low landscape structures to give greater definition to the edge of the square and a sense of separation from the roadway
- Ensure all paths meet disability access requirements and exercise needs
- Ensure the new edge is softened with greening

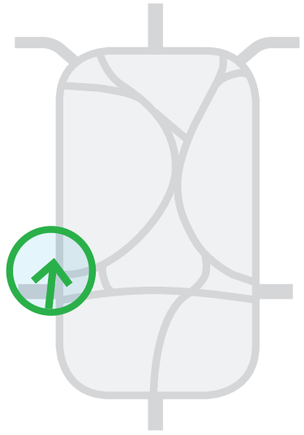
1.4 Improve general street aesthetics and safety

- Pursue new intersection configurations that improve cyclists' experiences and utilise an integrated traffic signals network to achieve efficient traffic flow and safety
- Explore alternative roadway treatments at intersections to reinforce 'street in a park' character
- Create shady treed avenues and garden beds right around the square to signify a pedestrian-friendly environment and encourage drivers to travel slower
- Reduce the width and visual dominance of the road by providing paved parking areas with roll-over kerbs, while maintaining two existing traffic lanes and bus stops

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Our Future Square: Actions

ACTION 1 Create a green and pedestrian friendly edge



View from west of the square looking north



Existing



Proposed artist impression



View from east of the square looking south



Existing



Proposed artist impression

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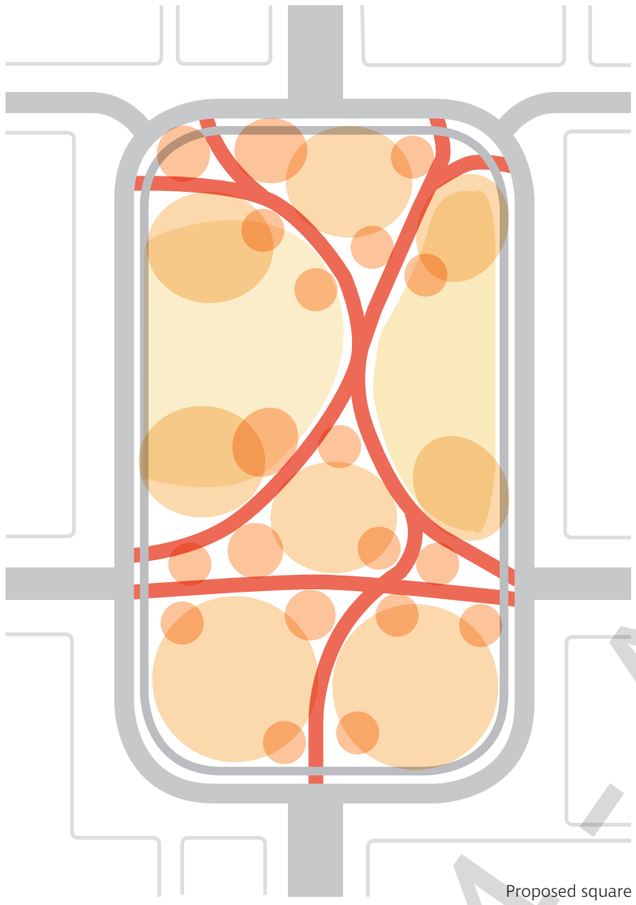
Item 7.1 Attachment A

Our Future Square: Actions

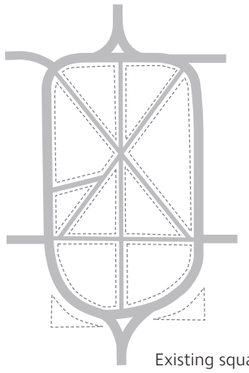
ACTION 2

Shape a variety of attractive spaces for all

to create a wide variety of spaces for all ages to relax, be social, be active and come together for local events.



Proposed square



Existing square

Action 2 addresses:

- Function: The barrel straight paths divide up the space, resulting in limited open lawn area for recreation away from through movement
- Function: Many people just pass through the square but are not enticed to stay in the space
- Function: The feeling of the square is monotonous with limited variety of space to accommodate different activities and numbers of people

Key initiatives of Action 2 include to:

2.1 Create functional and flexible spaces by adjusting paths

- Adjust the path layout to create a variety of spaces and an enjoyable and intuitive journey
- Establish several tiers of paths - shared paths, primary walking paths and smaller supporting path connections to support desired routes
- Celebrate path entries and junctions to create attractive spaces while also creating a pleasant journey through the square

2.2 Create open lawn areas in a range of sizes

- Create two central open lawn areas to provide flexibility for people to be active, hold seasonal local community events, and enjoy the winter sun
- Define the areas of open lawn with trees, gardens and seating to maximise the attractiveness, shade options and year round usability

2.3 Encourage social activity with spaces of various configurations

- Create spaces of different shapes, sizes and outlook for people to use in small and larger groups
- Utilise garden beds to define attractive spots away from the main activities
- Design spaces and a range of seating to suit use by people of all mobilities, ages and cultures

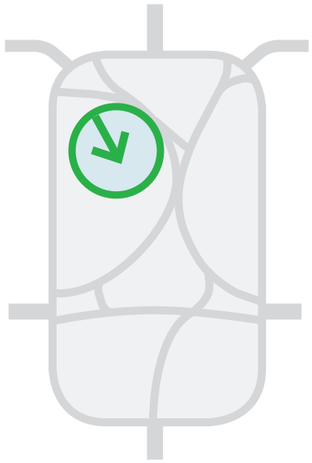
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Our Future Square: Actions

ACTION 2 Shape a variety of attractive spaces for all



View from central lawn looking south-east



Existing



Proposed artist impression (public amenities building location to be determined)



View from small garden space looking south-east



Existing



Proposed artist impression

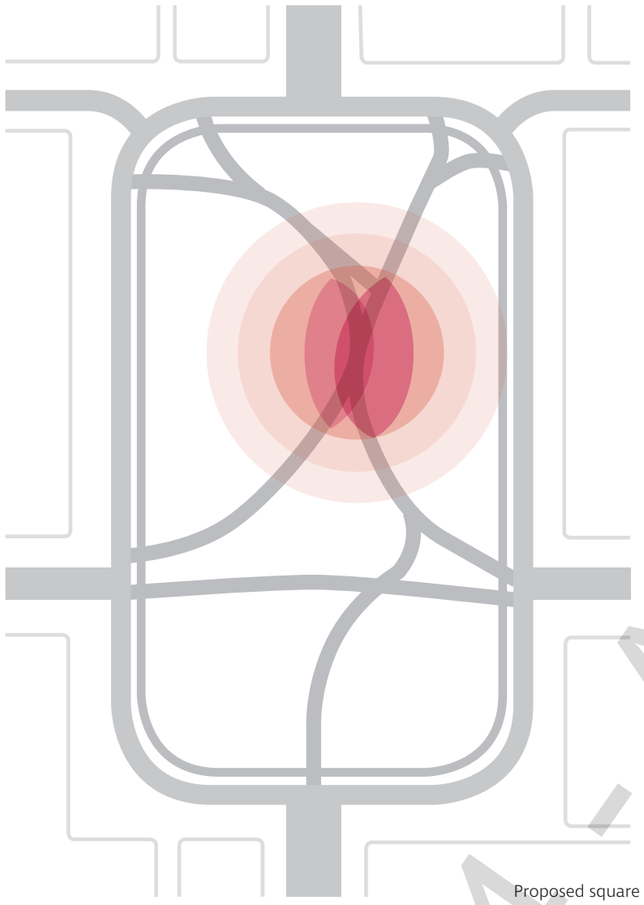
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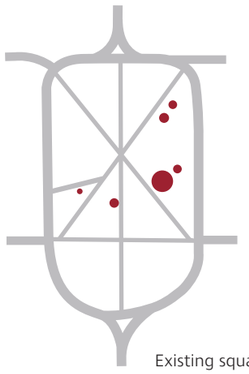
ACTION 3

Provide a central hub for activity and social connections

to create a heart within the square to meet neighbours, relax and be active.



Proposed square



Existing square

Action 3 addresses:

- Activity: Build on the success of the basketball half court and respond to requests to provide lighting for evening use
- Activity: Significant logistics are required for a local community event that needs a range of services
- Activity: Current activity equipment disconnected and limited in flexibility

Key initiatives of Action 3 include to:

3.1 Create an attractive social heart for the square

- Craft an enticing social space at the junction of the central paths, basketball half court, garden bed and trees
- Integrate art, play elements and a sculptural community bulletin board
- Thoughtfully place picnic facilities, table tennis tables and other appropriate recreation infrastructure to form a cohesive space
- Include a durable, flexible area for local community groups and local businesses to hold activities or pop-ups

3.2 Facilitate increased use of the basketball half court

- Deliver an upgraded basketball half court with lighting for active use into the evening
- Design the area to ensure sufficient buffer space between the court and any nearby paths or seating to avoid conflict between activities
- Strengthen the court's role in neighbourly interaction with tiered seating that encourages people to stay, watch and join in

3.3 Facilitate activities with a sensitively designed amenities building

- Sensitively design a high quality building to provide public toilets and essential infrastructure for local events. The building is anticipated to be between 18-25m^2 depending on inclusion of community event infrastructure and waste storage.
- Select a position for the amenities building that avoids visual impact, and complements the character of the green space, while being in an area of high activity so as to be convenient for people accessing all parts of the square.
- The building location will be determined in a future design stage.
- Ensure the facility applies best practice universal design principles, including a changing facility
- Employ Crime Prevention Through Environmental Design (CPTED) principles in the position and design of the building.

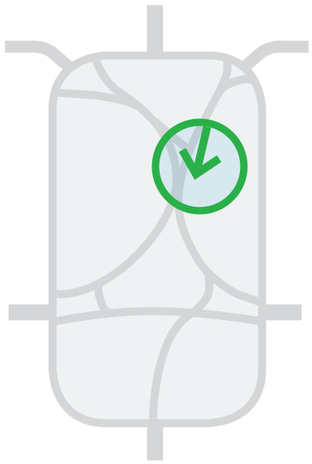
3.4 Support local activities and community events with smart infrastructure

- Integrate access to services and infrastructure to make use by local community groups and local businesses for community activites and seasonal events easier
- Investigate incorporation of elements that support sustainability practices for apartment residents
- Investigate the provision of wifi access in the central hub

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Our Future Square: Actions

ACTION 3 Provide a central hub for activity and social connections



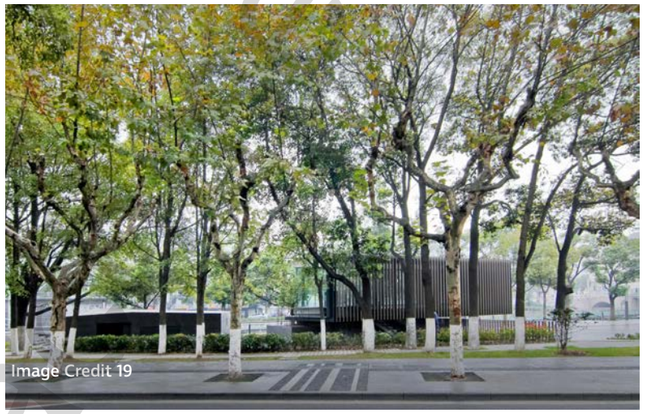
View from the basketball half court



Existing



Proposed artist impression



Inspiration

for a new amenities building









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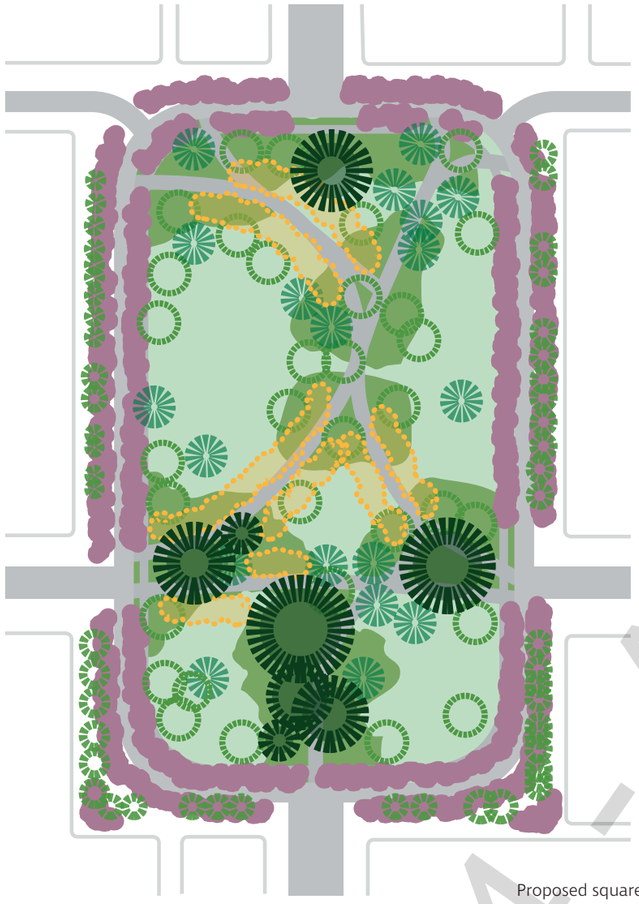
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Our Future Square: Actions

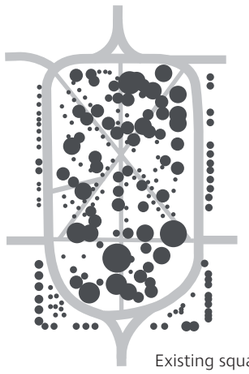
ACTION 4

Cultivate trees and gardens as key features

to nurture the magnificent trees and attractive plantings as the heroes that define the square's character.



Proposed square



Existing square

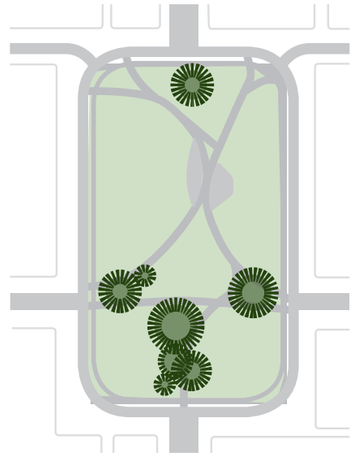
Action 4 addresses:

- Nature: The mature healthy trees are highly valued, particularly the figs
- Function: Need to strike a better balance between open lawn, well-positioned shade in summer and sunny spots in winter
- Function: There are limited opportunities for seating under shady trees
- Nature: Some existing older trees cause allergies or are in sub-optimal condition

Key initiatives of Action 4 include to:

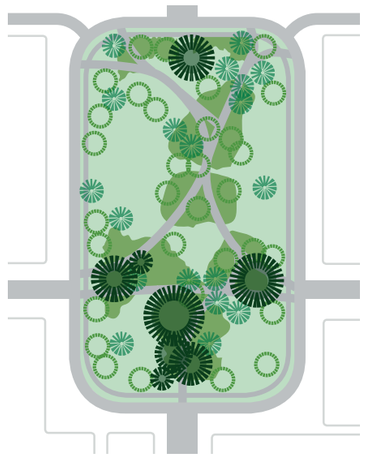
4.1 Preserve and cherish the historic figs

- Retain, protect and enhance the established fig specimens and existing succession plantings to maximise their health and longevity
- Showcase the magnificent scale of the figs both in the day and evening



4.2 Improve aesthetics and function of square with trees and gardens

- Utilise appropriate existing mature trees as features to frame the open lawns or as centrepieces of smaller spaces
- Introduce the next generation of big 'hero trees' by selecting and locating long lived species that will be nurtured to reach full scale
- Create feature garden beds of low but colourful plants to frame the Central Hub, picnic spots and smaller relaxation spaces
- Plan the staged removal of trees that are inappropriate species, under performing or are reaching end of life

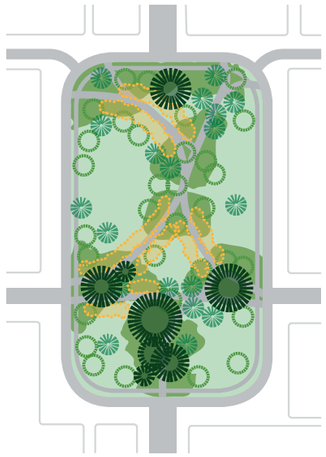


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Item 4.4, Attachment A

ACTION 4 Cultivate trees and gardens as key features

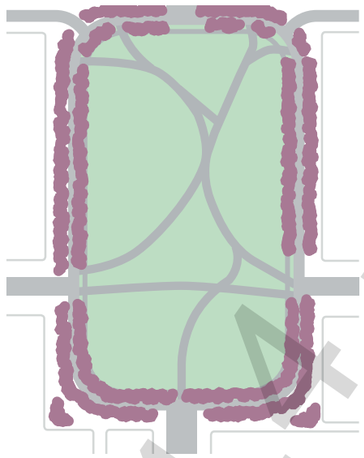


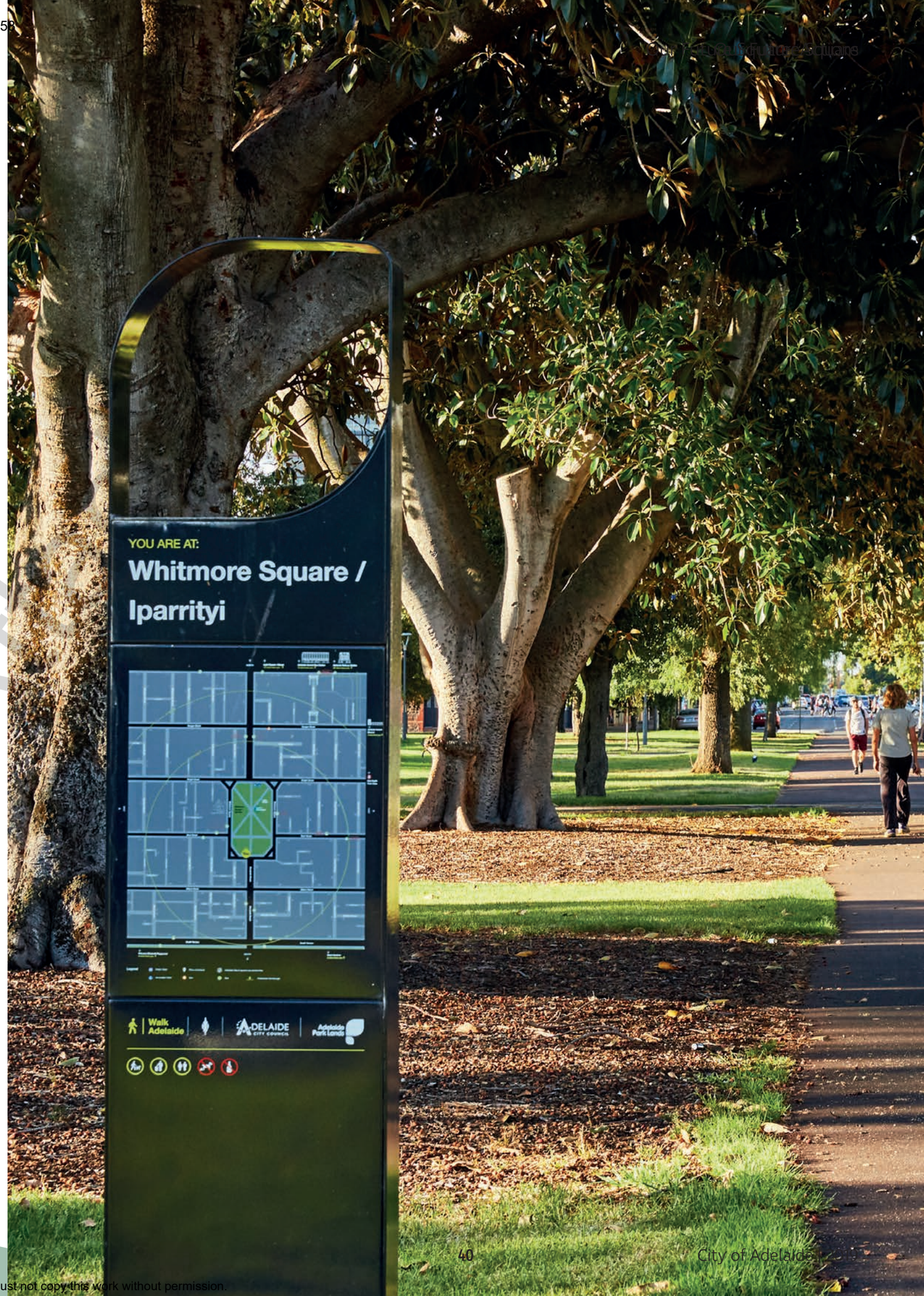
4.3 Reinforce and shade entries and paths with plants

- Carefully select species (typically deciduous) and positions for mid-size trees to edge and shade paths
- Utilise garden beds to create welcoming and green arrival points and park character

4.2 Define and green the edges of the square

- Achieve a strong avenue of trees around the edge of the square, incorporating Jacarandas to complement the existing Morphett Street plantings
- Utilise low living borders of plant to define the edges of the square
- Build on the existing admired community verge gardens by extending regular garden beds around the outer verges of the square to extend the green character of the square right out to its edges

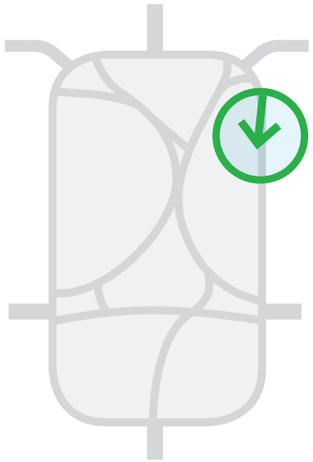




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Our Future Square: Actions

ACTION 4 Cultivate trees and gardens as key features

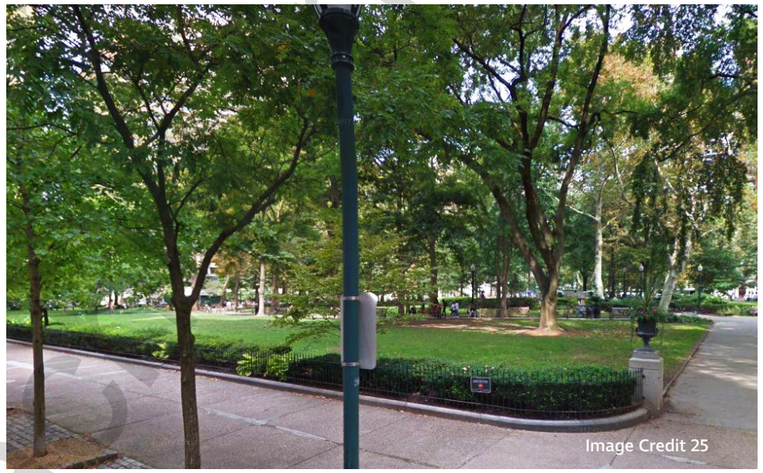


View from here edge of square



Existing

Proposed artist impression



Inspiration











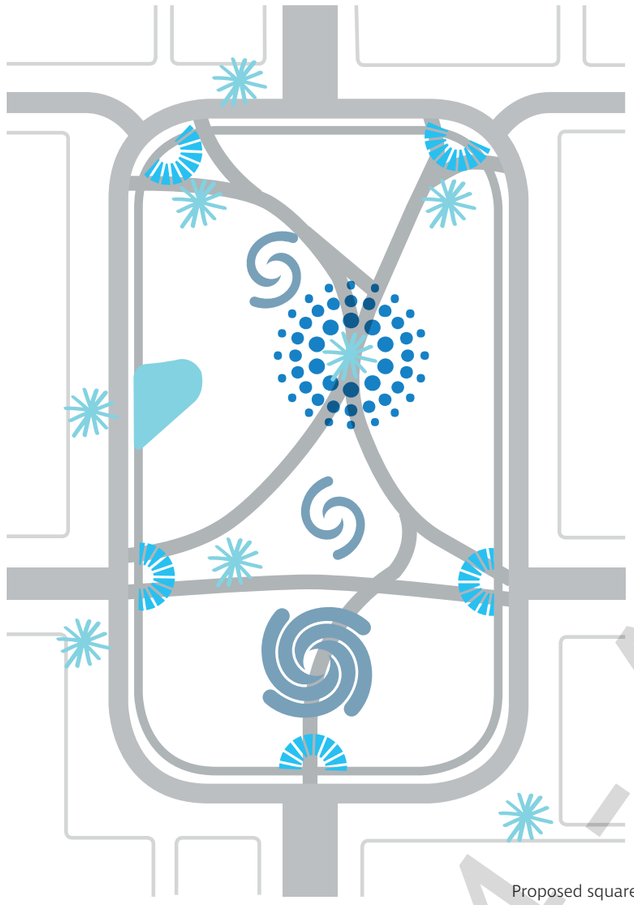
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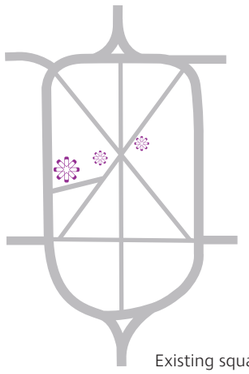
ACTION 5

Foster inclusiveness through art, interpretation and play

to celebrate what is unique about the square through surprising, engaging and delightful art and playful elements.



Proposed square



Existing square

Action 5 addresses:

- Activity: Little to engage young children but this was much desired by many
- Nature: Desire for high quality and beautiful features to elevate the experience
- Activity: Community interest including new elements that encourage exercise
- Community: Great opportunity to further celebrate the rich history and local community

The Committee Meeting - Agenda - 4 June 2019

Attachment A Item 4.4

Key initiatives of Action 5 include to:

5.1 Develop a holistic art strategy that places the experience of art, interpretation and play as fundamental to the square

- Place art at the centre of design development of the master plan
- Develop integrated art concepts that celebrate and reflect the specifics of this place, histories and communities, including Iparrityi, the Kaurna co-name for the square.
- Work from the three identified themes (refer to appendix for more information).

  Theme 1: Woven threads of many journeys

  Theme 2: Seeking welcome, offering a welcoming embrace

  Theme 3: Local and personal memories, characters and storytelling

5.2 Deliver art that encourages interaction and play for all ages

- Include elements that combine the art themes with informal imaginative play opportunities for young children
- Thoughtfully position these elements away from roadways and busier paths to cluster play and exploratory experiences
- Investigate the potential to include sculptural elements that can also be used for adult exercise such as body weight workouts

5.3 Add surprise and delight through art

- Include artistic elements at the smaller human scale to add interest to different spaces within the square
- Investigate inclusion of an interactive water feature in a suitable location that contributes to a high quality urban park experience
- Ensure all works consider their approach to night lighting

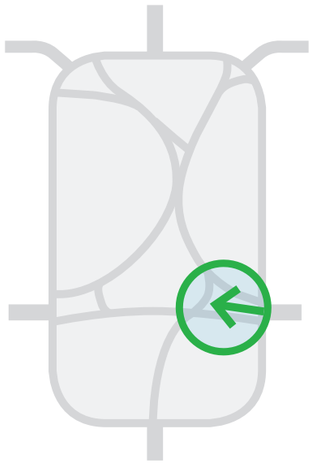
5.4 Integrate existing artwork

- Sensitively integrate the existing Voyagers artwork celebrating the Afghan Cameleers into the perimeter green edge design
- Provide opportunities for people to stay and enjoy the artwork and understand its significance

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Our Future Square: Actions

ACTION 5 Foster inclusiveness through art, interpretation and play



View from south-eastern path



Existing



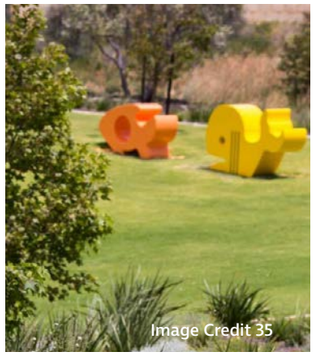
Proposed artist impression



Inspiration











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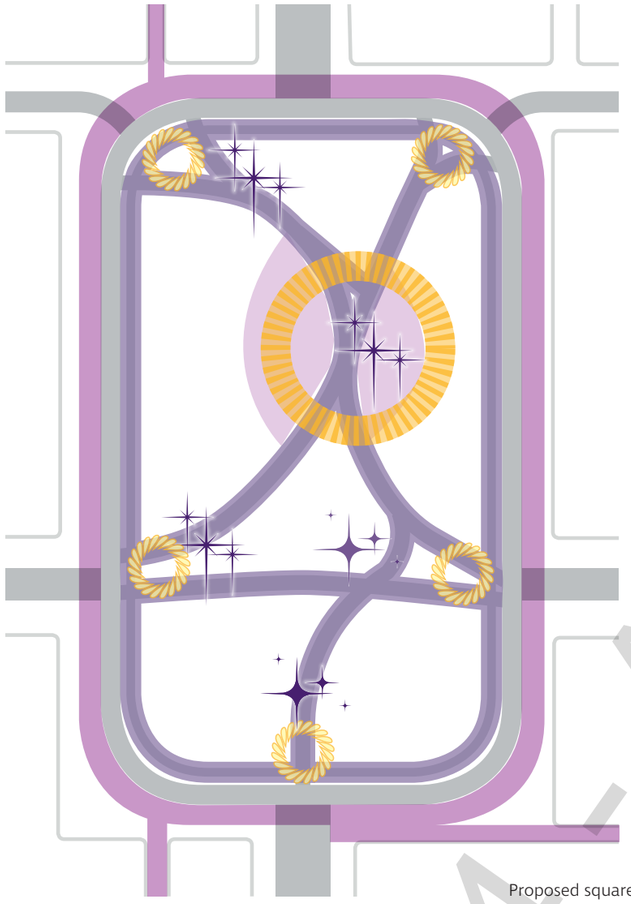
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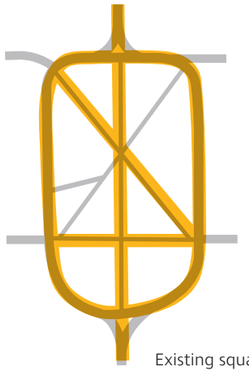
ACTION 6

Integrate lighting for evening beauty and activity

to generate an attractive character at night that makes the square feel special and encourages more activity after dark.



Proposed square



Existing square

Action 6 addresses:

- Function: Strong interest in using the popular basketball half court in the evening
- Safety: Current perceptions that the square is not a comfortable place to use or walk through after dark, which in turn reduces casual surveillance of the space
- Activity: Community appreciation of the existing summer festive lighting and desire for more lighting that improves the atmosphere

Key initiatives of Action 6 include to:

6.1 Employ lighting to delight and activate, as well as for function

- Employ an integrated approach to lighting outlined in the new Lighting Strategy (under development)where accent and creative lighting also contributes to functional light levels

6.2 Integrate accent lighting for character and way-finding

- Integrate accent and creative lighting into landscape, furniture and art elements to contribute to a welcoming space at night

6.3 Ensure flexible functional lighting that works for everyday activity and events

- Maximise the functionality and flexibility of all lighting to paths and spaces to support greater activity
- Utilise smart technology such as user-initiated timers to reflect that the use of square and to reduce energy consumption



Image Credit 38

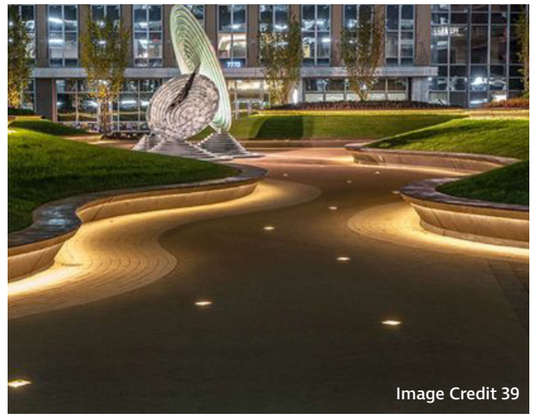


Image Credit 39



Image Credit 40

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Our Future Square: Actions

ACTION 6 Integrate lighting for evening beauty and activity



View from central hub



Existing - Carols in the Square community event



Image Credit 41

Proposed artist impression of a local community event (public amenities building location to be determined)



Image Credit 41



Image Credit 43

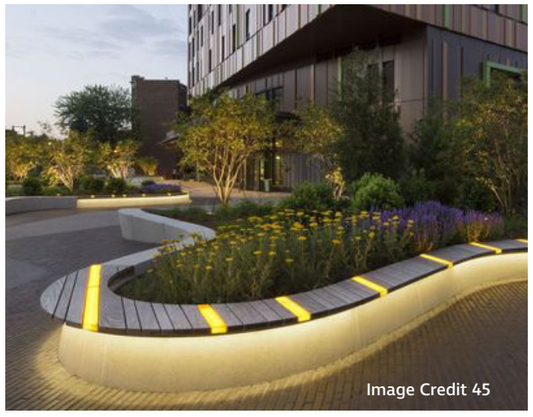


Image Credit 45

Inspiration

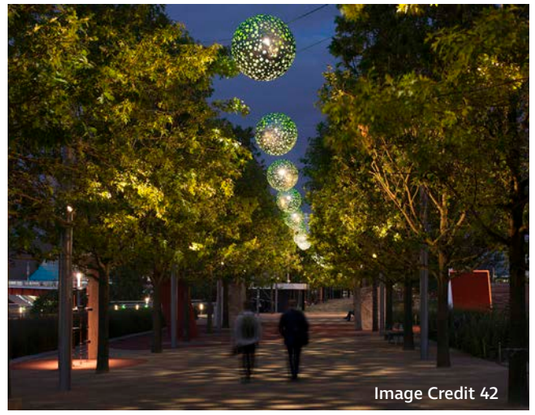


Image Credit 42

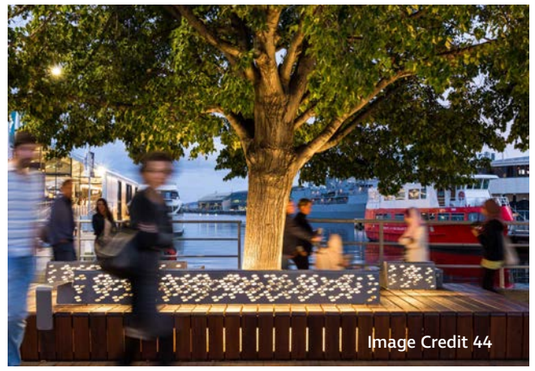


Image Credit 44



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Part three

Implementation



Factors Influencing Implementation

There are a number of considerations that influence how this Master Plan is progressed. These will inform decision makers in determining future commitments to the next stages of delivering the master plan.

Design Stages

A number of structured design stages are undertaken to progress from high level master plan to major construction works:

1. Detailed Survey and Services Investigations
2. Detailed Design and Cost Estimate
3. Documentation ready for Tender
4. Finalising Documentation for Construction and awarding the construction works

The stages require an appropriate level of funding to ensure the appropriate level of investigations and due diligence is undertaken. Typically this process occurs over two financial years to provide sufficient time for preparation of documents and cost estimates before a commitment to funding.

If the master plan receives funding commitments in stages, it is anticipated take three and five years before the full master plan is completed on the ground.

Staging Considerations

The timing and magnitude of capital fund commitments will inform staging.

Other considerations that inform staging:

- Logistics in each stage, particularly regarding movement of pedestrians, cyclists and drivers
- Achieving economy of scale and cost effectiveness
- Minimising disruption during construction
- Identifying small improvements that could be delivered as part of 'business as usual' program
- Delivering benefits for the community early stages

Opportunity to Align with Growth

Significant investment is needed to realise the vision and master plan intent for the square. There is a strong case for pro-actively investing in a high quality square to ensure the south west attracts new residents and provides a great lifestyle for its growing community.

Ten year residential growth projections for the area close to the squares estimate additional revenue generated will be:

- $140m in private development
- $1.8m in City of Adelaide annual rates revenue
- Around $8m in State Government Open Space Levy contributions (in 2019 dollars)

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Opportunity to support adjacent not for profit land holders

Continue relationships with the not-for-profit sector land holders that border the Square, including offering assistance regarding any investigations of future redevelopment options.

As an example, the Salvation Army site on the south-east corner of the square presents significant redevelopment potential to contribute towards the forward planning of provision of social services and diversity of housing in the city.

Funding Decision Making

The City of Adelaide's annual Integrated Business Planning approves the operational and financial planning for the services and projects in the upcoming financial year. Inclusion of funding to progress the Master Plan will be considered as part of the draft 2019–2020 Integrated Business Plan.

Where possible, upcoming asset renewal planning and budget will be aligned to relevant aspects of the Master Plan.

Quick Wins

Consideration has been made to delivering benefits to the community as quickly as possible. The 2018/2019 'Quick Wins' includes improvements to some lighting will be delivered in June 2019. Improved pedestrian path lighting will address a issue raised frequently by many community members. In addition, some creative lighting will be piloted to create interest and help test ideas to inform the overall Master Plan.

Future Community Engagement

Community members have an opportunity to provide feedback into the draft 2019–2020 City of Adelaide Integrated Business Plan.

Once funding is committed for detailed design of the next stage, there will be opportunities for interested community members to be informed about how the detailed design is progressing and provide feedback.

The City of Adelaide keeps the community informed on any upcoming construction work across the city, particularly where it may directly affect business, resident access or operations.

Proposed Next Steps

Subject to Council adoption of this Master Plan, Administration would:

- Liaise with state government regarding potential funding partnership
- Recommend Council commit funding for Detailed Design and Due Diligence Investigations as part of draft 2019–2020 Integrated Business Plan.

The Committee Meeting - Agenda - 4 June 2019

Item 4.4 - Attachment A

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Appendices

1. Image Credits
2. Community Engagement Report
3. Public Art Themes

Item 4.4 - Attachment A

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Image Credits

All images not individually listed are credited to City of Adelaide

1 to 7 Oxigen Landscape Architects

8 CoA Archives painting by A Schramm 1854 Aboriginal camp near foothills

9 St Lukes Church State Library SA

10 Salvation Army Staff 1917 State Library SA

11 1928 Photograph Iparrityi State Library SA

12 1942 photograph volunteers digging air raid shelters in the city State Library SA

14 -18 Oxigen Landscape Architects

19 H2O Architects, Pavillions, Lagravère Park Colombes.

20 Melbourne M Pavillion by Carme Pinos

21 BKSK Architects, Washington Square Park House, NYC

22 schleifer & milczanowski architekci, gdansk, poland

23 Vector Architects, Riverside Park Pavillion, Kunshan, China

24 Oxigen landscape Architects

25 Rittenhouse Square, Philiadelphia USA

26 Piet Oudolf Graflicher Park, Germany

27 Field Operations, Tongva Park, Santa Monica, USA

28 Kings Park, Perth

29 Spackman Moss Michaels Landscape Architects , St Roch Park, New Orleans, USA

30 Field Operations, Tongva Park, Santa Monica, USA

31 Oxigen Landscape Architects

32 Emilia Storm, Docklands Point Park, Vic

33 Fiona Fey & Urban Art Projects, Redfern Park, City of Sydney

34 Giant willow nest, pinterest

35 Lend Lease, Graceful Park Akilmbo Beach, WA

36 Arterra Design, Mungerie House Playground, Rouse Hill, NSW

37 Fluidity Design, Klyde Warren Park, Dallas USA

38 Michel Suk and TU/e, "Transformation", Glow Light Festival, Eindhoven 2011.

39 AF Lighting, Ishoj Station, Copenhagen

40 Speirs and Major, Queen Elizabeth Olympic Park, London

41 Cliff Garten Studio, Patriot Ridge Office Campus, Springfield Virginia

42 HLD Lighting Design, Field Operations, Tongva Park, Santa Monica

43 Southern Lights Events, Cowaramup, WA

44 City of Hobart, Morrison Street Project, TAS

45 Ground Inc, Tree House Residence Hall, Boston, USA

46 Oculus, Youtube Outdoor Theatre, Los Angeles, USA

Item 4.4 - Attachment A

The Committee Meeting - Agenda - 4 June 2019

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Public Art Action Plan

ITEM 4.5 04/06/2019
The Committee

Program Contact:
Anne Rundle, AD Community & Culture 8203 7995

2018/02734
Public

Approving Officer:
Clare Mockler, Director Community

EXECUTIVE SUMMARY:

The existing *Public Art and Memorials Policy* and the *Public Art and Memorials Operating Guideline* were approved by Council on 26 June 2012. A review of these documents to align with the *City of Adelaide Cultural Strategy 2017-2023* has been completed in tandem with a review of the existing *Public Art Action Plan (2014-19).*

The Committee, at its meeting on 19 March 2019, discussed the development of:

- a new *Public Art Action Plan 2019-2022* and two operating guidelines, one for Public Art and one for Memorials, to replace the existing policy and guideline; and
- inclusion of the draft statements of intent and updated definitions in the new *Public Art Action Plan 2019-2022*.

This report recommends the adoption and subsequent community consultation on the four following key goals and associated deliverables [set out in **Attachment A**] to be included in the new *Public Art Action Plan 2019-2022*:

1. Adelaide is a must-visit destination, renowned for its playful, thought-provoking, unexpected and world class art experiences;
2. Adelaide's public art celebrates its rich and vibrant Aboriginal and culturally diverse identities;
3. Adelaide is a world-leading City of Art that tells the story of the past and connects the future, reflecting the growth and evolution of the city; and
4. Adelaide builds capacity, works collaboratively, forms partnerships and advocates for art that invigorates the built environment and urban landscape and fosters community wellbeing.

RECOMMENDATION:

THAT THE COMMITTEE RECOMMENDS TO COUNCIL

That Council:

1. Adopts the draft goals and deliverables in the *Public Art Action Plan 2019-2022 draft content for public consultation June 2019*, set out in Attachment A to Item 4.5 on the Agenda for the meeting of The Committee held on 4 June 2019.
2. Approves community consultation on the *Public Art Action Plan 2019-2022 draft content for public consultation June 2019*, set out in Attachment A to Item 4.5 on the Agenda for the meeting of The Committee held on 4 June 2019.
3. Notes that a report will be prepared no later than the end of August 2019 for Council's consideration of the consolidated *Public Art Action Plan 2019-2022* and the two companion operating guidelines - *Public Art Guidelines 2019* and *Memorials Guidelines 2019.*

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IMPLICATIONS AND FINANCIALS:

City of Adelaide 2016-2020 Strategic Plan	Strategic Alignment – Creative The *Public Art Action Plan 2019-2022* delivers principally on Creative actions. It will primarily deliver on the action to "surprise, delight and attract people by continuing to encourage and support dynamic and changing urban public spaces, heritage, art, laneways, streets, facilities and activities".
Policy	The *Cultural Strategy 2017-2023* provides a cultural lens across Councils' strategic objectives. Public Art is central to its aspirations to "showcase Adelaide's unique cultural identity; to build Adelaide's creative cultural reputation; and to foster authentic, vibrant and diverse cultural experiences".
Consultation	Consultation sought to engage, involve and collaborate as outlined in Council's Community Consultation Policy. Councillors, the Public Art Round Table, Adelaide Park Lands Authority, creative industries, cultural sector representatives, community and internal staff were included in consultation.
Resource	Implementation of the *2019-2022* will be delivered through existing resources including the Culture, Design, Infrastructure and Asset Management teams.
Risk / Legal / Legislative	The *Public Art Action Plan 2019-2022* is a commitment of the *Cultural Strategy 2017-2023.* Failure to deliver may impact Council's reputation and the ability to deliver an effective Public Art program.
Opportunities	The *Public Art Action Plan 2019-2022* will facilitate connection and collaboration with stakeholders across the city leading to activities that add cultural value to Council's strategic directions and support Adelaide's reputation as a city of creative culture.
18/19 Budget Allocation	The current allocation includes: - $110,000 for Public Art operations, including consultation and development of the *Public Art Action Plan 2019-2022* and delivery of the existing public art program comprising the Emerging Curator, SALA and other City Library exhibitions, WOMAD Leafies activation, and city murals. - 1.3% of the Capital Works Program commitment to funding the commission of artworks and coordinating the administration of public art policy. Within this $243,000 was allocated to the Public Art Capital budget.
Proposed 19/20 Budget Allocation	The draft 2019-2020 budget has an allocation of $110,000 for Public Art operations and $212,000 for Public Art Capital. The *Public Art Action Plan 2019-2022* commits to maintaining the existing allocation of 1.3% of the Capital Works Program budget to funding the commission of artworks and coordinating the administration of public art policy.
Life of Project, Service, Initiative or (Expectancy of) Asset	The *Public Art Action Plan 2019-2022* is a three-year document that delivers on the aspirations of the *Cultural Strategy 2017-2023*. The timespan aligns with the *Live Music Action Plan 2017-2020* which also delivers the *Cultural Strategy 2017-2023*.
18/19 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	Partnerships that will bring resources and funding to shared public art activities will be identified and pursued throughout the life of the *Public Art Action Plan 2019-2022.*

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DISCUSSION

1. The current *Public Art and Memorials Policy* and the *Public Art and Memorials Operating Guidelines,* approved by Council on 26 June 2012, have been reviewed to bring them into alignment with the *City of Adelaide Cultural Strategy 2017-2023***.** The *Cultural Strategy 2017-2023* commits to and provides a clear and comprehensive approach to maximising the cultural vitality of the City.

2. In tandem, the existing *Public Art Action Plan (2014-19)* has been reviewed, bringing all City of Adelaide public art planning into alignment with current endorsed strategic directions.

3. The comprehensive review process involved research to understand global trends and best practice, bench-marking with other national Capital City councils, and wide engagement with Elected members, the Public Art Round Table (PART), Adelaide Park Lands Authority (APLA), local arts sector, creative industries, artists, architects, City of Adelaide communities, and internal partners principally in the Design, Infrastructure, Public Realm and Asset Management programs.

4. Globally, public art continues to be a central component of arts and cultural strategies in recognition of its value to the community to inspire, engage, and enrich cultural experiences in the public realm. Public art also contributes significantly to the social, civic and economic outcomes in capital cities. It is a defining feature of the identity of cities world-wide and contributes to cultural tourism.

5. Capital cities around the world are committed to investing in the commissioning and maintenance of public art and are focussed on providing opportunities that both involve and engage with a wide range of participants. The City of Adelaide's current commitment is investment of a minimum of 1.3% of total Capital Renewal and Strategic Enhancement budgets (Capital Works Program) annually to a public art funding pool for the commissioning of art works and coordinating and administering the policy.

6. The Committee, PART, APLA and internal program review of the existing public art planning documents including the *Public Art and Memorials Policy, Public Art and Memorials Guideline* and the current *Public Art Action Plan (2014-2019)* confirmed the need to maintain established commitments and processes that:

   6.1 Enable high quality works, in both materiality and artistic merit;

   6.2 Maintain and, as appropriate, grow annual funding investment;

   6.3 Integrate expert advice through the Public Art Round Table;

   6.4 Provide opportunities for artists / artwork to be involved in new and creative projects; and

   6.5 Work with a range of culture makers / artists at varying points in their careers.

7. Focus areas to improve or address include:

   7.1 Reflection of international best practice approaches;

   7.2 Flexibility in programs to maximise opportunities as they arise;

   7.3 Simpler processes; and

   7.4 A separation of the guidelines for Public Art and Memorials to reflect the different roles and outcomes that each deliver.

8. The Public Art and Memorial Engagement Summary [Link 1] outlines the comprehensive consultation process that informed the review project, including community contributions via:

   8.1 A forum held on 18 May 2018, attended by 24 key stakeholder representatives, leading to the development of the future-focussed Statements of Intent and clear agreed definitions of what constitutes public art, artist, integrated design, memorials and asset management. Detailed information about the outcomes is included in the facilitators report [Link 2].

   8.2 A forum panel discussion about the role of public art in the development and growth of a Creative City, attended by 73 active audience members, and followed by a workshop with 35 participants to hone the priorities for the Action Plan. Detailed information about the outcomes is included in the facilitators report [Link 3].

   8.3 Your Say Adelaide portal open for seven weeks across 11 February to 29 March 2019, resulting 411 visitors, 15 active engagements and four detailed submissions from artists and arts organisations, responding to the statements of intent, providing input on key ideas and actions to progress, and sharing ideas about public art and memorials planning.

9. The feedback aligned strongly with the endorsed aspirations in the *Cultural Strategy 2018-2023* and consistently indicated a desire for bolder, more confident major commissions and public art events to support Adelaide as a destination for public art tourism. Placing artists at the forefront of planning along with ongoing and growing investment in public art was equally considered important. Many respondents also indicated a desire for greater cultural diversity and more Aboriginal artwork, artist and community engagement.

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10. The outcome of the review process is the proposal to develop a new *Public Art Action Plan 2019-2022* and two operating guidelines, one for Public Art and a separate one for Memorials, to replace the existing documents. This approach builds on and brings public art planning into line with the framework and format for the *Live Music Action Plan 2017-2020*, with both Action Plans sitting under the *Cultural Strategy 2017-2023* as outlined in the strategic planning context diagram [Link 4]. A *Public Art and Memorials Policy* is not considered necessary as it would be repetitive.

    10.1 The Committee at its meeting on 19 March 2019 discussed this approach.

11. Committee, at the same meeting on 19 March 2019, also discussed the inclusion of the updated definitions and Statements of Intent that embrace Experience, Diversity and Intercultural Dialogue, Depth, Complexity and Quality, Investment and Economic Value, Interconnection and Planning, and Collaboration in the new *Public Art Action Plan 2019-2022* as outlined in the *Public Art Discussion Paper* [Link 5].

12. It is recommended that Council adopts the draft goals and deliverables outlined in [**Attachment A**] for inclusion in the *Public Art Action Plan 2019-2022*, and that Council approves to proceed to community consultation on this content via the Your Say Adelaide portal. In summary the goals are:

    12.1 Adelaide is a must-visit destination, renowned for its playful, thought-provoking, unexpected and world class art experiences;

    12.2 Adelaide's public art celebrates its rich and vibrant Aboriginal and culturally diverse identities;

    12.3 Adelaide is a world-leading City of Art that tells the story of the past and connects the future, reflecting the growth and evolution of the city; and

    12.4 Adelaide builds capacity, works collaboratively, forms partnerships and advocates for art that invigorates the built environment and urban landscape and fosters community wellbeing.

13. The two draft operating guidelines, that set out the administrative processes and responsibilities through which public art and memorials are developed, delivered and managed are currently being refined in consultation with internal partners.

14. The *Public Art Guidelines* will be expanded to provide clear and transparent processes that outline:

    14.1 Key criteria that seeks original art works, with high artistic merit and that makes a connection with the existing Public Art collection;

    14.2 Council's approach to commissioning artworks;

    14.3 Methodology to enable partnership commissions;

    14.4 Methodology to enable acquisition of artworks through purchase, gifts and donations;

    14.5 Methodology to enable loans of artworks; and

    14.6 Council's approach to the maintenance and management of public art and, as appropriate, de-commissioning.

15. The *Memorials Guidelines* will be developed as a separate document that outlines:

    15.1 Key criteria that focus on commemoration, provides a place for reflection and a place for gathering, and has demonstrated community support;

    15.2 The requirement for full funding for donated memorials;

    15.3 The desire to integrate public art into major memorials valued at over $50,000; and that

    15.4 An adjustment to the process for major memorial donations to come to Council as follows:

        15.4.1 At the earliest stage of development for Council's in principle agreement that a memorial should be developed for stated purpose in the City at one of three proposed and possible locations; followed by

        15.4.2 Donor led design development comprising concept design, community engagement and funding commitment; with

        15.4.3 Return to Council for consideration and approval of both the full design and location.

16. A report will be bought to Council by the end of August 2019 for consideration of the consolidated *Public Art Action Plan 2019-2022*, including the Statements of Intent, updated definitions, goals and deliverables, along with the two companion operating guidelines - *Public Art Guidelines 2019* and *Memorials Guidelines 2019.*

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ATTACHMENTS

Attachment A – *Public Art Action Plan 2019-2022* draft content for public consultation June 2019

- END OF REPORT -

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Public Art Action Plan 2019-2022
Draft Content for Public Consultation
June 2019

Item 4.5 - Attachment A

CITY OF ADELAIDE

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Acknowledgement of Country



City of Adelaide tampendi, ngadlu Kaurna yertangga banbabanbalyarnendi (inbarendi). Kaurna meyunna yaitya mattanya Womma Tarndanyako.

Parnako yailtya, parnuko tappa purruna, parnuko yerta ngadlu tampendi. Yellaka Kaurna meyunna itto yailtya, tappa purruna, yerta kuma burro martendi, burro warriappendi, burro tangka martulyaiendi.

Kumarta yaitya miyurna iyangka yalaka ngadlu tampinthi.

City of Adelaide acknowledges that we are meeting on the traditional country of the Kaurna 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 Kaurna people living today. And we also extend that respect to other Aboriginal Language Groups and other First Nations.

You can also listen to this acknowledgment at: cityofadelaide.com.au/your-community/culture-history/welcome-to-country

CITY OF ADELAIDE

Item - Attachment A

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Introduction

Public Art is a tangible expression of Adelaide's cultural richness and creativity. It reflects how we express who we are as individuals and as part of a wider community. Public Art is for everyone. Encouraging people to connect with a place, it adds vibrancy, reflecting the city's unique identity, its people and their infinite stories. Art by its very nature is experienced; it can stimulate emotion, surprise with the unexpected, and invite people to stop, explore and inspire them to return.

The Public Art Action Plan will strengthen Adelaide's recognised status as a leading global Creative City. It celebrates the public art traditions and living cultures of Aboriginal and Torres Strait Islander people and broader artistic traditions from around the globe. It recognises that cultural diversity enriches creative expression and encourages reflection of cultural traditions in the creative evolution of our city. It also identifies that artists are place-makers, inherently infusing places with energy and contributing to the city's distinctiveness, providing a discernible expression of the city's brand, *Designed for life.*

The City of Adelaide has a proud history of commissioning historical and contemporary Public Art. One of the first works on record is Venere di Canova (Canova's Venus), unveiled in 1892 on the Corner of King William St and North Terrace. The sculpture was donated by philanthropist William Horn who was adamant that the work be viewed in a parkland setting by the public "to induce a love for the beautiful in art, and to make the public familiar with it". The City currently owns and maintains a significant collection of permanent public art valued at approximately $55 million. The Public Art Action Plan reflects the importance of weaving culture through the community, facilitating true integration where experiencing creativity extends beyond the confines of a gallery and becomes part of the every day.

The Plan is guided by the aspirations of the Cultural Strategy 2017-23. It provides clear statements of intent, shared definitions and a future-focused set of deliverables. It is designed to enable and cultivate a collection of inspiring and dynamic public art experiences in a city that enlivens public spaces, showcases creativity, creates a sense of place, and builds Adelaide's reputation as a globally-renowned cultural destination.

Central to the successful implementation of the Action Plan, is identifying strategic partnerships and fostering a multidisciplinary approach by placing the artist at the centre and exploring integration with other art forms, such as music through projects such as **Art in the Streets.**

CITY OF ADELAIDE

Item 4.5 - Attachment A

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Introduction cont'd

Council will collaborate with artists to create a myriad of artistically diverse, sustainable, immersive and accessible experiences for the community. Council will also support creative industries to develop new approaches, experiment with new technologies, expand their reach and enable their work to be showcased in public spaces through new projects like **Art Journeys**, providing artists opportunities to test, trial and create digital, sound or media art works. The **Creative Sparks** program will enable skill building through support and encouragement for the development and delivery of art experiences in Council spaces and utilising Council resources and connections. **Creative Hotspots** will develop a program for the creative community where public artists can collaborate with other creative practitioners, such as in the Hutt Street creative cultural and recreational hub. **Art Stages** will be a changing outdoor display program on city streets, including on the Market to Riverbank link, where a series of outdoor display cases which are artworks in themselves, will provide temporary exhibitions on rotation.
Council is committed to providing opportunities to develop South Australian creatives, organisations and companies to work and showcase locally, and to expand and participate on an international scale. Included in this approach is facilitating and working with partners to create a major Adelaide public art event.

The **Public Art Round Table** will continue to play an important role in the achievement of the Action Plan. Regular creative sector forums with a focus on greater representation from culturally diverse communities will further facilitate public art planning through the **Community Forum for Art.** Council will continue to liaise and exchange ideas with our South Australian local government and Australian Capital City counterparts for collaborative opportunities, as well as reaching out to receptive cities across the globe through the UCCN and other networks to attract artists and artworks to the city.

New Public Art Guidelines developed in association with this Action Plan set out the processes for creation of public art and programs, community and peer input, and the management of public art activity. In appreciating that memorials commemorate and provide opportunity for gathering and reflection, new Memorials Guidelines have been created to oversee their development, delivery and management.

The City of Adelaide is committed to working closely with visual artists and the creative sectors to maximise the cultural vitality of the city through Public Art. We welcome connection through an open dialogue. If you would like to connect with us, please contact culture@cityofadelaide.com.au

CITY OF ADELAIDE

Item 4.5 - Attachment A

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Goal 1 Adelaide is a must visit destination, renowned for its playful, thought provoking, unexpected and world class art experiences

Deliverables
1.1 Collaborate and form partnerships with creative institutions and key arts organisations capitalising on our designation as a UNESCO Creative. 1.1.1 Build on synergies, link and expand existing public art activity to create opportunities for **a new public art event** as a platform for community engagement
1.2 Support, fund and sponsor a diversity of public art practice and experiences. 1.2.1 The Council commitment of a minimum 1.3% of the **Capital Works** Program for public art is increased, as appropriate, over the life of the plan 1.2.2 Integrate public art into master plans, capital works projects such as Gawler Place, Murlawirrapurka / Rymill Park, Ivarrityi / Whitmore Square and play spaces such as the City Skate Park 1.2.3 Deliver an **Art in the Streets** mural program that grows Adelaide's reputation for street art, including the City of Music Laneways Project 1.2.4 Provide grants for public art in strategic locations including mainstreets through the **Arts and Cultural Grants Program** 1.2.5 Deliver **Art Shines**, a creative light-based public art commission program to energise, delight and make city spaces welcoming and safe 1.2.6 Initiate and work with relevant Council Programs to preserve, monitor and amplify Council's Public Art Collection
1.3 Develop and deliver an ongoing Art Journeys program of temporary and changing ephemeral public art experiences with new technologies and cutting-edge environmentally sustainable methods and materials. 1.3.1 Prioritise opportunities in new and unexpected locations, such as laneways, carparks and other unique spaces
1.4 Showcase new voices and arts practice in Council programs, projects and facilities. 1.4.1 Deliver an **Art Discovered** program to integrate public art in the City Libraries, Community Centres, exhibitions and residency programs, including curated SALA and Tarnanthi exhibitions, and the **Art Café** program 1.4.2 Deliver **Art Stages**, a changeable outdoor display program on city streets, working in partnership to present public art experiences

Consultation Feedback What will you thank Council for having achieved?

'Public art that captures the hearts and minds of all who live and visit the city'
'Artwork that engages the community .. and takes the public on a ride'
'Recognition of Adelaide as a cultural centre for public art'

CITY OF ADELAIDE

Item 4.6 - Attachment A

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Goal 2 Adelaide's public art celebrates its rich and vibrant Aboriginal and culturally diverse identities

Deliverables
2.1 Commission and deliver a minimum of one culturally significant and monumental Aboriginal and Torres Strait Islander art work in the city during the life of the Stretch RAP, such as a statue of Iparratyi.
2.2 Actively seek out and enable Aboriginal and Torres Strait Islander artists and art works within major works and programs facilitated by City of Adelaide which acknowledge the past and focus on truth telling. 2.2.1 Incorporate interactive Kaurna spoken word and song into Tarntanyangga/Victoria Square Cultural Marker sound poles 2.2.2 Deliver integrated public art signage that celebrates the Kaurna significance of Tarntanya Wama/Pinky Flat 2.2.3 Work with Aboriginal and Torres Strait Islander artists to explore and maximise opportunities
2.3 Enable multi-site presentation of Aboriginal and Torres Strait Islander culture in consultation with Aboriginal communities. 2.3.1 Strengthen existing and develop new stakeholder relationships and support Aboriginal and Torres Strait Islander led or focussed arts organisations, festivals, events and cultural collections and new opportunities 2.3.2 Develop an Aboriginal and Torres Strait Islander public art walking tour 2.3.3 Work with the Federal and State Governments and Aboriginal Elders and representatives to establish a national centre for Aboriginal and Torres Strait Islander culture and heritage
2.4 Enable the active participation of culturally and linguistically diverse (CALD) communities, and facilitate intercultural dialogue in public art projects such as the Community Forum for Art, Creative Sparks and Art in the Streets.

Consultation Feedback What will you thank Council for having achieved?

'Culturally significant and complex work'
'Opportunity to showcase my culture to the world.'
'Public Art that makes ordinary places extraordinary and distinctive'

CITY OF ADELAIDE

Item 4.5 - Attachment A

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Goal 3 Adelaide is a world leading city of art that tells the story of the past and connects the future, reflecting the growth and evolution of the city

Deliverables
3.1 As part of the annual planning process convene a Community Forum for Art to scope and advise on current opportunities.
3.2 Recognise the value of and engage with public art experts from diverse backgrounds to nurture and facilitate fresh and leading-edge artistic expression in the city. 3.2.1 Convene and administer the **Public Art Round Table (PART)** and project specific Public Art Reference Groups, Assessment and Forum Panels 3.2.2 Reimburse individuals according to industry benchmarking as a contribution towards participation costs (including loss of income, transport/parking/ childcare etc) in instances where their primary role of employment does not directly support the provision of public art advice to the City of Adelaide
3.3 Involve and value artists by engaging them in the earliest stages of planning, development and delivery of Council led capital projects.
3.4 Curate an evolving, expressive and reflective collection of public art that is a catalyst for new ideas and creates community connection. 3.4.1 Acquire contemporary public art through the Art Acquisitions program for the City of Adelaide's Civic collection 3.4.2 Implement processes to deliver Memorial Guidelines that integrate public art to enhance the role of memorials as places to gather and reflect a diversity of voices 3.4.3 Implement processes to deliver Public Art Guidelines that enable the community to contribute to the city's public art 3.4.4 Manage and maintain the public art collection to a high level of quality, guided by relevant standards
3.5 Deliver a minimum of one significant, ambitious City of Adelaide public art commission each year that reflects and connects community and place through creativity.
3.6 Support the exchange of ideas and talent and the development of public art practice. 3.6.1 Encourage collaborations within and between local, national and international artists through forums, festival participation, artist exchanges and a range of opportunities as they arise 3.6.2 Explore opportunities to link, celebrate and connect artists through the sister cities program and international delegations to the city
3.7 Streamline application and approval processes to maximise public art in the city. 3.7.1 Review and simplify application formats and processes 3.7.2 Provide single point-of-contact case management services for artists, organisations and city businesses to navigate grants and approval processes
3.8 Share public art stories to reach, educate and grow audiences for public art. 3.8.1 Work with State Government and community partners to update and promote a digital map of the city's public art experiences 3.8.2 Promote Adelaide City of Art at tourist arrival points and visitor information resources

Consultation Feedback What will you thank Council for having achieved? *'Art that is an affirmative, enriching investment in the life and health of our city'* *'Cementing Adelaide as a magnet for creative people'* *'Exploring fantastic ideas first and then addressing the risk rather than the other way around'*

CITY OF ADELAIDE

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Goal 4 Adelaide builds capacity, works collaboratively, forms partnerships and advocates for art that invigorates the built environment and urban landscape and fosters community wellbeing

Deliverables
4.1 Work with the State Government to deliver coordinated approaches for the delivery of extraordinary public art in the city. 4.1.1 Investigate opportunities for matched grant funding across State and local government with shared assessment panels 4.1.2 Advocate for wholistic policy in respect to the development of memorials 4.1.3 Explore opportunities for an incentive scheme or planning levers to increase public art in public and private developments, such as a percentage allocated for art in major built form developments 4.1.4 Maximise opportunities and collaboration to support public art experiences and creative involvement at Lot Fourteen
4.2 Build partnerships with private and public arts organisations, creative industries, business, philanthropists and donors to grow public art experiences all year round.
4.3 Partner with cultural and educational organisations to enable skill building for creatives working in the public realm. 4.3.1 Deliver a Creatives Sparks program that enables creatives to deliver art experiences, utilising Council spaces, resources and connections 4.3.2 Develop a Creative Hot Spots program for the creative community where public artists can collaborate with other creative practitioners, such as the Hutt Street creative cultural and recreational hub
4.4 Develop public art opportunities with health and wellbeing focused partners that demonstrably contribute to a walkable, liveable city, and positively impact upon city wellbeing, meaning and purpose.
4.5 Embed Universal Design Principles in the planning and development of all artworks and public art projects in the public realm.
4.6 Encourage and foster environmentally sustainable art works and practices to create conversations and showcase a carbon neutral city.
4.7 Develop, build and upgrade infrastructure in the public realm that supports public art activations, including ease of access to electrical connections and the security of equipment necessary for ephemeral digital art projects.

Consultation Feedback What will you thank Council for having achieved?

'Turning concrete and asphalt into green and colourful places that people want to walk around in'
'Creating 'sticky' places where there's something to make you stop and stick'
'Supporting local artists to have global outcomes'

CITY OF ADELAIDE

Item 4.5 - Attachment A

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Albert Tower Bells

ITEM 4.6 04/06/2019
The Committee

Program Contact:
Sonjoy Ghosh, AD Information Management 8203 7655

2018/04053
Public

Approving Officer:
Clare Mockler, Director Community

EXECUTIVE SUMMARY:

The purpose of this report is to advise Council on the feasibility of commissioning a project to research and record the history of the City of Adelaide's Albert Tower Bells, and to provide options as to how this may be undertaken, along with an estimate of any associated costs and timeframes.

RECOMMENDATION:

THAT THE COMMITTEE RECOMMENDS TO COUNCIL

That Council:

1. Approves the engagement of a contract professional historian and oral historian to work with the City Archives to research and document the community and historical significance of the City's Albert Tower Bells.
2. Approves the proposal for a funding allocation of $15k to be requested in the 2019/20 Integrated Business Plan.
3. Notes the intention to undertake this project in readiness for potential celebration activities in 2021 for the 160th anniversary of the original proposal to install the bells in the Albert Tower, including potential publications and exhibitions.

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IMPLICATIONS AND FINANCIALS:

City of Adelaide 2016-2020 Strategic Plan	Strategic Alignment – Creative Identify opportunities to showcase the City's unique attractions, character and heritage.
Policy	The Council's policies and procedures are not impacted, and no changes are required to be made to support the implementation.
Consultation	The Professional Historians Association of South Australia, the Oral History Association of South Australia, City Archives Team, Heritage Team and Infrastructure Teams have been consulted in production of this report.
Resource	A contract historian and oral historian will be required throughout the project, and will liaise with the City Archives Team, Heritage Team and Infrastructure Teams where appropriate.
Risk / Legal / Legislative	There are no legal or legislative risks as a result of this report.
Opportunities	It will enhance the promotion of Adelaide Town Hall's rich history and aid in celebrating the 160th anniversary of the original proposal to install bells in Albert Tower.
18/19 Budget Allocation	Not as a result of this report.
Proposed 19/20 Budget Allocation	$15k to be allocated in the 19/20 IBP.
Life of Project, Service, Initiative or (Expectancy of) Asset	The project should be completed within 12-15 months and the information documented will be retained as an information asset.
18/19 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.

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DISCUSSION

1. At its meeting on 12 March 2019, Council resolved:
   Requests Administration prepare a report by the end of March on the possibility of commissioning a project to research and document the architectural and social history of the City of Adelaide's Albert Tower Bells, together with an estimate of any associated costs.
2. The Albert Tower Bells date back to 1861 when the idea of installing a peel of bells in a future Town Hall for Adelaide to be built upon the Corporation Acre was first floated.
3. The history of the Albert Tower Bells has been researched and documented to some extent by historians and heritage consultants, typically as part of a wider investigation into the history of the Adelaide Town Hall. However, it has been only piecemeal research that has been undertaken on records held by the City Archives on this subject.
4. Swanbury Penglase Architects made use of some of these sources when they were engaged to inspect and make recommendations for the repair of the Albert Tower Bells. Their report, submitted in November 2018, included a more detailed and well documented nine-page history of the bells, along with a condition audit and cost to repair the bells and surroundings, with works planned in future asset renewal projects.
5. This paves the way for a more thorough study on the history of the Albert Tower Bells to be undertaken. One that focuses not only on the technical aspects of the bells, but also examines the social, political and architectural context that influenced their acquisition and operation over the lifetime of the Town Hall.
6. It is believed there is sufficient primary documentation and other materials, held mainly but not exclusively in the City Archives, to sustain the research and writing needed to complete a detailed history of these historic bells. Many of these sources have already been identified and listed by the Archives.
7. In addition to the records held by the City Archives, contemporary newspaper reports also provide a wealth of information about this subject, many of which can now be easily accessed through the Trove web search site, as well as several United Kingdom Archives.
8. There is more material relating to these historic bells in the possession of a local private collector who has indicated his willingness to make this available for research purposes.
9. There is also the opportunity to conduct an oral history on a local authority of the historic bells, which would be a wonderful way to capture this information from a longstanding member of the community.
10. To commission a history, it is advisable to engage an accredited professional historian. The writing of good histories is a specialised activity that requires high level research and literary skills combined with a sound knowledge of how to access information and effectively present it. A trained historian will have the knowledge to undertake the tasks of researching and gathering relevant information, writing and editing a text to a high standard, that could be used for future for publication.
11. The Professional Historians Association of South Australia (PHA) offers the services of its members to undertake commissioned histories on a fee for service basis. Council has used the services of this organisation in the past to assist with heritage surveys, writing official Council histories and actioning its oral history project.
12. If a definitive history of the bells is to be produced, then it would be ideal if it could be published in an appropriate format, and form part of a potential exhibition for the public to see in 2021, as this coincides with the 160th anniversary of the inception of the bells.
13. Upon completion of the project, it is envisaged that options for publication would be explored, dependant on the content produced by the two historians.
14. There would be several options appropriate for publication formats, including a booklet or pamphlet, coffee table book, article in a scholarly journal and digital platforms.
15. The project will be managed by the Information Management Program in collaboration with the Heritage and Infrastructure Teams where appropriate.

ATTACHMENTS

Nil

- END OF REPORT -

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Standing Orders

ITEM 4.8 04/06/2019
The Committee

Program Contact:
Jacki Done, AD People & Governance 8203 7256

2018/04066
Public

Approving Officer:
Clare Mockler, Director Community

EXECUTIVE SUMMARY:

The City of Adelaide Standing Orders provide a consolidated governance framework for Council Members' roles and responsibilities. The Standing Orders have been reviewed and updated to align with legislation and contemporary governance practice. In addition, the revised and simplified format supports ongoing consistency with legislative provisions without compromising Council's flexibility to make decisions.

The Standing Orders incorporate the following mandatory Council Member policies and requirements:

- Code of Conduct for Council Members (& Complaints Handling Procedure)
- Allowances and Benefits
- Provision of Council Facilities and Support
- Private Use of Council Facilities
- Training and Development
- Council Governance including Caretaker Period and Informal Gatherings
- Code of Practice for discretionary Meeting Procedures (note approval of at least two thirds of the Council Members entitled to vote is needed to adopt)
- Code of Practice for Access to Meetings and Documents

RECOMMENDATION:

THAT THE COMMITTEE RECOMMENDS TO COUNCIL

That Council:

1. Adopts the Standing Orders (excluding 233-236, 241-242, 244-245, 247 and 256) included as Attachment A to Item 4.8 on the Agenda for the meeting of The Committee held on 4 June 2019 and revokes all previous Standing Orders.
2. Adopts Standing Orders 233-236, 241-242, 244-245, 247 and 256, for which in accordance with Regulation 6(1) of the *Local Government (Procedures at Meetings) Regulations 2013 (SA)* a two-third majority of Council Members entitled to vote is required.
3. Authorises the Chief Executive Officer to:
   - 3.1 Amend statutory provisions enacted by the Parliament of the State of South Australia contained in the Standing Orders.
   - 3.2 Amend or include procedures to support governance arrangements or the conduct of a meeting in the Standing Orders, in response to the needs of Council or a Council committee.
   - 3.3 Revise the Terms of Reference for The Committee to reflect the Standing Orders.
4. Approves that the provision of the facilities or services is necessary or expedient to the performance or discharge of official functions or duties.
5. Notes the Standing Orders amends or otherwise revokes any previous decisions regarding matters specifically dealt with under the Standing Orders.

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6. Notes any previous appointments to the Chair of the Committee and the Chair of the Strategic Planning and Development Policy Committee will continue in office until the term expires on 30 June 2019.

7. Notes the Standing Orders can be amended at any time by resolution of Council.

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IMPLICATIONS AND FINANCIALS:

City of Adelaide 2016-2020 Strategic Plan	Not as a result of this report
Policy	Addresses policy requirements pursuant to: Section 25(1)(b) of the *City of Adelaide Act 1998 (SA)* – Reimbursement of Expenses Section 80A of the *Local Government Act 1999 (SA)* – Training and Development Section 90(8) of the *Local Government Act 1999 (SA)* – Informal Gatherings Regulation 6 of the *Local Government (Procedures at Meetings) Regulations 2013* – Code of Practice for Meeting Procedures Section 92 of the *Local Government Act 1999 (SA)* – Code of Practice – Access to meetings and documents
Consultation	Following a workshop on the Standing Orders at the Committee on 22 January 2019, Council Members were invited to provide feedback on the content of the proposed Standing Orders. This feedback was reviewed a summary of which can be accessed here. As outlined in Section 92 (2) of the Local Government Act 1999 (SA), within 12 months of the periodic election, the Council must review and undertake public consultation on its Code of Practice for Access to Meetings and Documents which is incorporated in elements of Chapter 7 of the proposed Standing Orders. Public consultation on the Code of Practice will be sought in August 2019 with the results reported to Council. At that time further updates to the Standing Orders may be sought in response to community feedback which will require Council consideration and determination at that time.
Resource	Not as a result of this report
Risk / Legal / Legislative	Kelledy Jones Lawyers were engaged to support with the review of the Standing Orders
Opportunities	Not as a result of this report
18/19 Budget Allocation	Not as a result of this report
Proposed 19/20 Budget Allocation	Not as a result of this report
Life of Project, Service, Initiative or (Expectancy of) Asset	Not as a result of this report
18/19 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

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DISCUSSION

1. The City of Adelaide Standing Orders provide a consolidated governance framework for Council Members.
2. In November 2014, Council approved a set of Standing Orders. Since then there have been changes in practice and subsequent Council decisions resulted in the current Standing Orders being out of date. In addition, the previous format meant there was a potential for inconsistency with legislative provisions as they were paraphrased rather than directly referenced.
3. The objectives of the Council Standing Orders are to:
   - 3.1 Provide a clear summary of the roles and responsibilities of the Lord Mayor, Deputy Lord Mayor and other Council Members under the *Local Government Act 1999 (SA)*, the *City of Adelaide Act 1998 (SA)* and other legislative provisions.
   - 3.2 Ensure all Members of Council are aware and understand their responsibilities under the legislated Code of Conduct for Council Members.
   - 3.3 Support strategic, well informed, considered and timely decision making.
   - 3.4 Provide a consolidated location for Council Member policy requirements.
   - 3.5 Provide a clear framework for all meetings of Council and its Committees to be conducted according to the principles of procedural fairness and due process.
   - 3.6 Ensure the Lord Mayor, Deputy Lord Mayor and all Members of Council have access to all training, relevant information and advice and are provided with all facilities and support necessary to fulfil their respective roles.
   - 3.7 Recognise and celebrate the history and civic role of Council as the oldest local government entity in Australia, and the capital of South Australia.
4. The Standing Orders meet Council's legislative requirements to have in place policies that address:
   - 4.1 Complaints received under Part 2 of the Code of Conduct for Council Members
   - 4.2 Allowances and Benefits provided to Council Members
   - 4.3 Council Facilities and Support provided to Council Members
   - 4.4 Private Use of Facilities by Council Members
   - 4.5 Training and Development for Council Members
   - 4.6 Code of Practice for Access to Meetings and Documents
   - 4.7 Code of Practice for Meeting Procedures
   - 4.8 Caretaker Policy
5. As outlined in Section 92 (2) of the *Local Government Act 1999 (SA)*, within 12 months of the periodic election, the Council must review and undertake public consultation on its Code of Practice for Access to Meetings and Documents which are covered in Chapter 7 of Council's Standing Orders. Public consultation on the Code of Practice will be sought prior to October 2019 with the results reported to Council. At that time further updates to the Standing Orders may be sought in response to community feedback which will require Council consideration and determination at that time.
6. Pursuant to Regulation 6(1) of the *Local Government (Procedures at Meetings) Regulations 2013 SA* (the Meeting Regulations)*, a*ny proposal to vary a provision of Part 2 of the Meeting Regulations are to be captured in a Code of Practice. This Code of Practice is incorporated into Chapter 7 of the Standing Orders. To adopt these specific Standing Orders a two-thirds majority of the Council Members entitled to vote on the resolution is required. The relevant Standing Orders are 233-236, 241-242, 244-245, 247 and 256.
7. The statutory provisions included in the Standing Orders shall be updated upon the statutory provisions being amended by the Parliament of the State of South Australia without further resolution of Council.
8. The Chief Executive Officer may in response to the needs of the Council, or a Council Committee, amend or include procedures to support governance arrangements or the conduct of a meeting.

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ATTACHMENTS

Attachment A – City of Adelaide Standing Orders

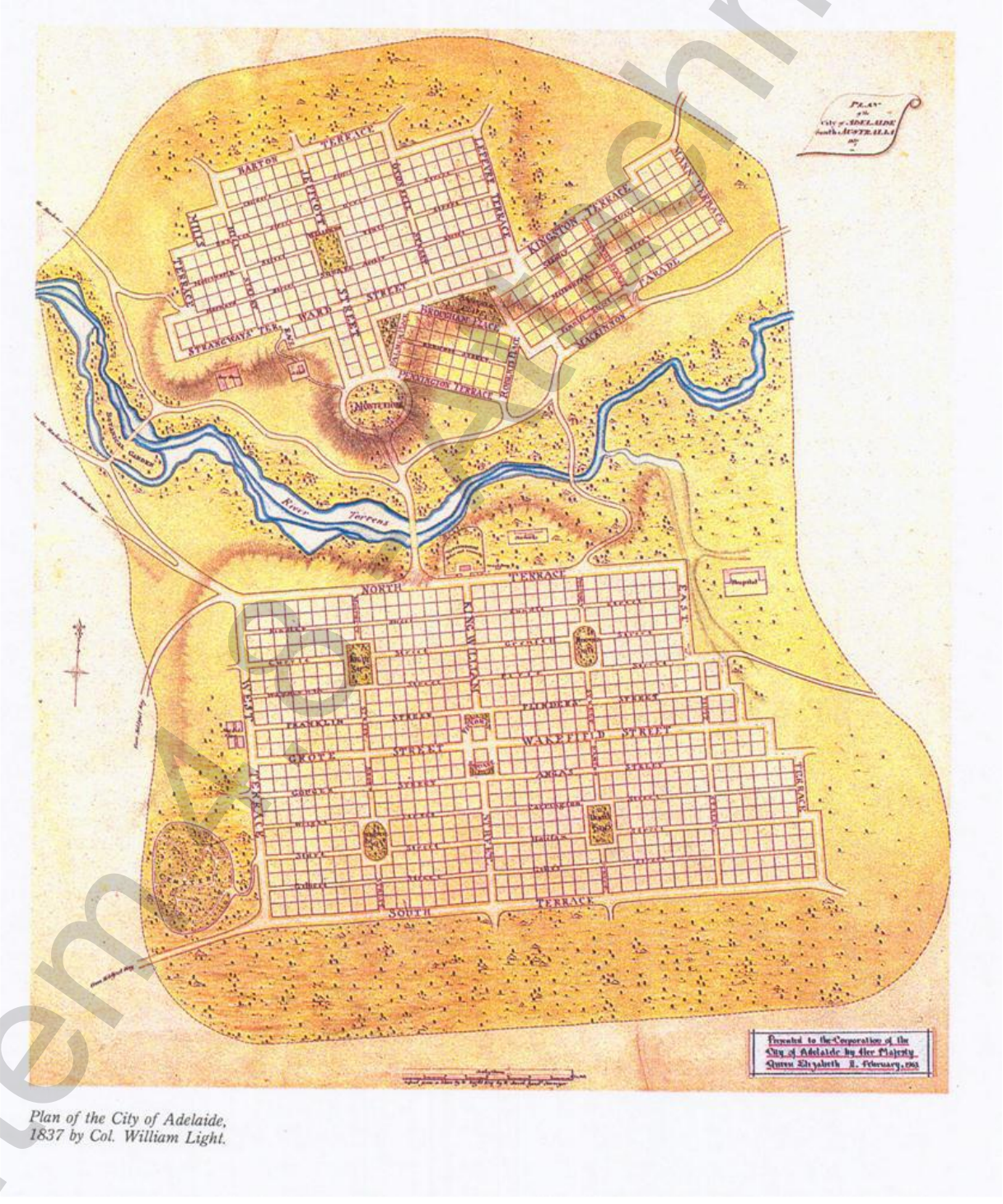
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CITY OF ADELAIDE

STANDING ORDERS

June 2019



Plan of the City of Adelaide, 1837 by Col. William Light.

Item 4.1 Attachment A

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TABLE OF CONTENTS

CHAPTER 1 – Introduction and Purpose of the Standing Orders 3

CHAPTER 2 – Roles 7

CHAPTER 3 – General Duties and Code of Conduct for Council Members 15

Part 1 – General Duties for Council Members 16

Part 2 – Code of Conduct for Council Members 17

Part 3 – Complaint Handling Procedure under the Code of Conduct for Council Members 24

CHAPTER 4 – Disclosure of Interests 28

Part 1 – Register of Interests 29

Part 2 – Conflicts of Interest 31

CHAPTER 5 – Allowances and Benefits 36

Part 1 – Allowances 37

Part 2 – Benefits and Reimbursement of Expenses 38

Part 3 – Register of Allowances and Benefits 42

Part 4 – Provision of Facilities and Support 44

Part 5 – Training and Development 47

Part 6 – Record Keeping and Access Rights 51

CHAPTER 6 – Council Governance 52

Part 1 – Council and Committees 53

Part 2 – Informal Gatherings 59

Part 3 – Selection of Council Members to Nominated Positions 63

Part 4 – Corporate Status and Common Seal 65

Part 5 – Caretaker Period and End of Term of Office 66

CHAPTER 7 – Code of Practice for Meeting Procedures and Access to Meetings and Documents 68

Part 1 – Introduction 69

Part 2 – Calling and Notice of Meetings 72

Part 3 – Place of Council and Committee Meetings 78

Part 4 – Items Closed to the Public 79

Part 5 – Meeting Documents 81

Part 6 – Business at Meetings 85

Part 7 – Start of Meeting and Quorum 87

Part 8 – Questions 88

Part 9 – Public Involvement at Meetings 89

Part 10 – Motions and Addresses by Members 93

Part 11 – Voting 98

Part 12 – Meeting Interruption 100

CHAPTER 8 – Civic Protocols 103

CHAPTER 9 – Amendment of Standing Orders 108

Item 4.8 - Attachment A

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CHAPTER 1

Introduction and Purpose of the Standing Orders

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Introduction

City of Adelaide Act 1998

3—Objects

The objects of this Act are—

(a) to recognise, promote and enhance the special social, commercial, cultural and civic role that the City of Adelaide plays as the capital city and heart of South Australia; and

(b) to provide for collaborative arrangements for intergovernmental liaison between the State and The Corporation of the City of Adelaide for the strategic development of the City of Adelaide and the representation of the interests of South Australians not enfranchised to vote in elections for the Corporation; and

(c) to revise and enhance local governance arrangements for the City of Adelaide; and

(d) to ensure access to the City of Adelaide for all South Australians.

Local Government Act 1999

6—Principal role of a council

A council is, under the system of local government established by this Act, established to provide for the government and management of its area at the local level and, in particular—

(a) to act as a representative, informed and responsible decision-maker in the interests of its community; and

(b) to provide and co-ordinate various public services and facilities and to develop its community and resources in a socially just and ecologically sustainable manner; and

(c) to encourage and develop initiatives within its community for improving the quality of life of the community; and

(d) to represent the interests of its community to the wider community; and

(e) to exercise, perform and discharge the powers, functions and duties of local government under this and other Acts in relation to the area for which it is constituted.

7—Functions of a council

The functions of a council include—

(a) to plan at the local and regional level for the development and future requirements of its area;

(b) to provide services and facilities that benefit its area, its ratepayers and residents, and visitors to its area (including general public services or facilities (including electricity, gas and water services, and waste collection, control or disposal services or facilities), health, welfare or community services or facilities, and cultural or recreational services or facilities);

(c) to provide for the welfare, well-being and interests of individuals and groups within its community;

(d) to take measures to protect its area from natural and other hazards and to mitigate the effects of such hazards;

(e) to manage, develop, protect, restore, enhance and conserve the environment in an ecologically sustainable manner, and to improve amenity;

(f) to provide infrastructure for its community and for development within its area (including infrastructure that helps to protect any part of the local or broader community from any hazard or other event, or that assists in the management of any area);

(g) to promote its area and to provide an attractive climate and locations for the development of business, commerce, industry and tourism;

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(h) to establish or support organisations or programs that benefit people in its area or local government generally;

(i) to manage and, if appropriate, develop, public areas vested in, or occupied by, the council;

(j) to manage, improve and develop resources available to the council;

(k) to undertake other functions and activities conferred by or under an Act.

Principles and Objectives

1. These Standing Orders seek to:
   1.1. Outline clear roles, responsibilities and expectations in a way that is easily understood by all Council Members, the community and Council staff.
   1.2. Support transparency of Council's operations and decision making.
   1.3. Encourage participation, involvement and diversity of view amongst Council Members, the community and Council staff.
   1.4. Support strategic, well informed, considered and timely decision making.
   1.5. Encourage co-operation and collaboration between Council Members, the community and Council staff, to develop solutions that can be supported by most, if not all, for the benefit of the City of Adelaide.
   1.6. Ensure consistency, efficiency and fairness in Council's operations and decision making; and ensure that all Council Members understand their rights and obligations as participants in meetings of Council and its Committees.
   1.7. Recognise and celebrate the history and civic role of Council as the oldest local government entity in Australia, and the capital of South Australia.
   1.8. Ensure all Council Members have access to all training, relevant information and advice as well as facilities and support necessary to fulfil their respective roles.

Definitions

Council staff – the employees of the Corporation of the City of Adelaide

Public Officer – takes its meaning from Schedule 1 to the *Independent Commissioner Against Corruption Act 2012 (SA)* and includes a member of a local government body and an officer or employee of a local government body.

Members' Room - The room made available in the premises of the Corporation of the City of Adelaide for use by Council Members in accordance with Standing Order 98.

Interpretation

2. The Standing Orders address the following policy requirements for the governing body in the *City of Adelaide Act 1998 (SA)*, the *Local Government Act 1999 (SA)* and associated Regulations, and may be cited as "Standing Orders":
   2.1. General Duties and Code of Conduct for Council Members - Chapter 3
   2.2. Complaint Handling Procedure under the Code of Conduct for Council Members - Chapter 3
   2.3. Allowances and Benefits - Chapter 5
   2.4. Provision of Facilities and Support– Chapter 5
   2.5. Private Use of Council Facilities - Chapter 5
   2.6. Training and Development - Chapter 5

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2.7. Council Governance and Informal Gatherings - Chapter 6

2.8. Code of Practice for Meeting Procedures and Decision Making and Access to Meetings and Documents - Chapter 7

2.9. Caretaker Period – Chapter 6.

3. The Standing Orders are intended to be read and interpreted in a manner which is consistent with legislation and the objectives and principles of these Standing Orders.

4. Any element within these Standing Orders that is mandated by legislation is provided as a direct extract from the relevant Act or Regulation and is enclosed in a text box. Extracts have been used in coloured text boxes as per below:

Local Government Act 1999 (SA)
City of Adelaide Act 1998
Local Government (Procedures at Meetings) Regulations 2013
Code of Conduct for Council Members
Local Government (General) Regulations 2013

5. The following acronyms have been utilised when referencing legislation CoA 1998 (*City of Adelaide Act 1998 (SA*)) and LGA 1999 (*Local Government Act 1999 (SA)*).

6. Standing Orders are consecutively numbered throughout the consolidated document.

References

7. Reference to the Council is a reference to the governing body of the Corporation of the City of Adelaide.

8. The principal member of the Council is entitled to the rank and title of Lord Mayor and references to the 'Lord Mayor' shall be read as a reference to the Right Honourable the Lord Mayor of Adelaide (or, as the case requires, to any person acting in the office of the Lord Mayor, save and except, for the inclusion of 'Acting' preceding the tile).

9. The person appointed as Deputy Lord Mayor will be entitled to the title of Deputy Lord Mayor (or, as the case requires, to any person acting in the office of Deputy Lord Mayor, save and except, for the inclusion of 'Acting' preceding the title).

10. References to Councillors or Council Members are to be read as a reference to the persons who have been appointed or elected as a Member of the Council under the *Local Government Act 1999 (SA).*

11. References to the Chief Executive Officer shall be read as a reference to the Chief Executive Officer of the Corporation of the City of Adelaide (or, as the case requires, to any person acting in the office of the Chief Executive Officer, save and except, for the inclusion of 'Acting' preceding the title).

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CHAPTER 2
Roles

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Lord Mayor

City of Adelaide Act 1998

20—Constitution of Council

(1) The Adelaide City Council will be constituted of—

(a) the Lord Mayor; and

(b) other members.

(3) A person cannot hold office as Lord Mayor for more than two consecutive terms.

(4) The Council may resolve to have a Deputy Lord Mayor in accordance with the provisions of the Local Government Act 1999.

City of Adelaide Act 1998

21—Lord Mayor

The role of the Lord Mayor is—

(a) as the principal elected member of the Council representing the capital city of South Australia—

(i) to provide leadership and guidance to the City of Adelaide community;

(ii) to participate in the maintenance of inter-governmental relationships at regional, State and national levels;

(iii) to carry out civic and ceremonial duties associated with the office of Lord Mayor; and

(b) as the principal member of the Council—

(i) to provide leadership and guidance to the Council;

(ii) to preside at meetings of the Council;

(iii) to advise the chief executive officer on the implementation of decisions of the Council between council meetings (as necessary);

(iv) to act as the principal spokesperson of the Council;

(v) to exercise other functions of the Council as the Council determines.

City of Adelaide Act 1998

22—Members

(2) The Lord Mayor may authorise another member of the Council to act in place of, or to represent, the Lord Mayor in the performance of a particular function.

(3) An authorisation under subsection (2) cannot derogate from the role of a Deputy Lord Mayor under the *Local Government Act 1999*.

(4) A member of the Council *[inclusive of the Lord Mayor]* has no direct authority over an employee of the Council with respect to the way in which the employee performs his or her duties.

Local Government Act 1999

51—Principal member of council

(9) The mayor of the City of Adelaide is entitled to the rank and title of Lord Mayor.

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12. In addition to the above, the role of the Lord Mayor is to:

12.1. Participate in the Council of Capital City Lord Mayors, to provide national leadership for the effective co-ordination and representation of the special interests of the Capital Cities of the Australian States and Territories, especially in their relations with other spheres of government.

12.2. Participate in Local Government in South Australia to provide a leadership role within, and for, the State.

12.3. Provide leadership and guidance to the Capital City Committee, an intergovernmental body established under the *City of Adelaide Act 1998 (SA)*, to enhance and promote the development of the City of Adelaide as the capital city of the State.

12.4 Discuss the progress of Council decisions with the Chief Executive Officer, to support the implementation of these decisions.

Deputy Lord Mayor

City of Adelaide Act 1998

20—Constitution of Council

(4) The Council may resolve to have a Deputy Lord Mayor in accordance with the provisions of the *Local Government Act 1999*.

City of Adelaide Act 1998

22—Members

(3) An authorisation under subsection (2) cannot derogate from the role of a Deputy Lord Mayor under the *Local Government Act 1999*.

(4) A member of the Council *[inclusive of the Deputy Lord Mayor]* has no direct authority over an employee of the Council with respect to the way in which the employee performs his or her duties.

Local Government Act 1999

51—Principal member of council

(3) If a council has a mayor, there may also be, if the council so resolves, a deputy mayor and if a council has a chairperson, there may also be, if the council so resolves, a deputy chairperson.

(4) If there is to be a deputy mayor or deputy chairperson, he or she will be chosen by the members of the council from amongst their own number and will hold office for a term determined by the council. The term must not exceed 4 years.

(5) On the expiration of a term of office, a chairperson, deputy mayor or deputy chairperson is eligible to be chosen for a further term.

(6) In the absence of the mayor or chairperson, a deputy mayor or deputy chairperson may act in the office of mayor or chairperson.

(7) If the mayor or chairperson is absent from official duties and there is no deputy mayor or deputy chairperson, or the deputy mayor or deputy chairperson is not available to act in the office of mayor or chairperson, a member chosen by the council may act in the office of mayor or chairperson during the relevant period.

(8) If a person is to be chosen by the members of the council to fill an office under this section and the votes for two or more candidates for the office are equal, lots must be drawn to determine which candidate or candidates will be excluded.

(10) In the event of a casual vacancy in the office of mayor, subsections (6) and (7) operate subject to any appointment made by the council under section 54(8).

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Item 4.8 - Attachment A

13. The role of the Deputy Lord Mayor is to:

    13.1. Represent the Lord Mayor if the Lord Mayor is unavailable to attend official duties from time to time, where appropriate, and subject to the availability of the Deputy Lord Mayor.

    13.2. Act in the role of Lord Mayor as Acting Lord Mayor, when the Lord Mayor:

        (a) has taken an official leave of absence from Council

        (b) formally delegates in writing his or her responsibilities to the Deputy Lord Mayor

        (c) is overseas or interstate for an extended period of time with Lord Mayor approval

        (d) is unable to discharge his or her duties due to illness or for any other reason , subject to Council approval.

    13.3. Be the spokesperson of Council in the absence or unavailability of the Lord Mayor.

    13.4 Discuss the progress of Council decisions with the Chief Executive Officer to support the implementation of these decisions.

    13.5 Preside at ordinary and special meetings of Council in the absence of the Lord Mayor; and exercise any other functions as Council may determine from time to time.

14. The Council Member who holds the office of Deputy Lord Mayor shall be known and addressed as Deputy Lord Mayor at all times.

15. To support an effective working relationship with the Lord Mayor, the Deputy Lord Mayor will be the Chair of all core committees (committees of the whole) for the term of the appointment as Deputy Lord Mayor.

16. Council may appoint an Acting Deputy Lord Mayor with respect to any extended period of absence of the Lord Mayor, when the Deputy Lord Mayor is Acting Lord Mayor.

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Council Members

City of Adelaide Act 1998

22—Members

(1) The role of a member of the Council is—

(a) as a member of the governing body of the Council—

(i) to participate in the deliberations and activities of the Council;

(ii) to provide community leadership and guidance to the City of Adelaide community and to participate in achieving a vision for the desired future of the City through the formulation of strategic plans and policies;

(iii) to keep the Council's goals and policies under review to ensure that they are appropriate and effective;

(iv) to keep the Council's resource allocation, expenditure and corporate strategies, and the efficiency and effectiveness of its service delivery, under review;

(v) to participate in setting and assessing performance standards to be met under the Council's contract with the chief executive officer;

(vi) to serve the overall public interest of the City of Adelaide;

(b) as a person elected to the Council—to represent the interests of residents and ratepayers and to facilitate communication between the community and the Council.

(2) The Lord Mayor may authorise another member of the Council to act in place of, or to represent, the Lord Mayor in the performance of a particular function.

(3) An authorisation under subsection (2) cannot derogate from the role of a Deputy Lord Mayor under the *Local Government Act 1999*.

(4) A member of the Council has no direct authority over an employee of the Council with respect to the way in which the employee performs his or her duties.

Local Government Act 1999

59—Roles of members of councils

(1) The role of a member of a council is—

(a) as a member of the governing body of the council—

(i) to participate in the deliberations and civic activities of the council;

(ii) to keep the council's objectives and policies under review to ensure that they are appropriate and effective;

(iii) to keep the council's resource allocation, expenditure and activities, and the efficiency and effectiveness of its service delivery, under review;

(iv) to ensure, as far as is practicable, that the principles set out in section 8 are observed;

(b) as a person elected to the council—to represent the interests of residents and ratepayers, to provide community leadership and guidance, and to facilitate communication between the community and the council.

(2) A member of a council may, with the principal member's authorisation, act in place of, or represent, the principal member.

(3) A member of a council has no direct authority over an employee of the council with respect to the way in which the employee performs his or her duties.

Item 4.8 - Attachment A

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Local Government Act 1999

8—Principles to be observed by a council

A council must act to uphold and promote observance of the following principles in the performance of its roles and functions—

(a) provide open, responsive and accountable government;

(b) be responsive to the needs, interests and aspirations of individuals and groups within its community;

(c) participate with other councils, and with State and national governments, in setting public policy and achieving regional, State and national objectives;

(d) give due weight, in all its plans, policies and activities, to regional, State and national objectives and strategies concerning the economic, social, physical and environmental development and management of the community;

(e) seek to co-ordinate with State and national government in the planning and delivery of services in which those governments have an interest;

(f) seek to facilitate sustainable development and the protection of the environment and to ensure a proper balance within its community between economic, social, environmental and cultural considerations;

(g) manage its operations and affairs in a manner that emphasises the importance of service to the community;

(h) seek to ensure that council resources are used fairly, effectively and efficiently;

(i) seek to provide services, facilities and programs that are adequate and appropriate and seek to ensure equitable access to its services, facilities and programs;

(j) achieve and maintain standards of good public administration;

(k) ensure the sustainability of the council's long-term financial performance and position.

Local Government Act 1999

86—Procedure at meetings

(5) Each member present at a meeting of a council must, subject to a provision of this Act to the contrary, vote on a question arising for decision at that meeting.

Refer to Conflict of Interest provisions – Chapter 3

Local Government (Procedures at Meetings) Regulations 2013

27—Voting at committee meetings

(2) Each member of a council who is a member of a council committee and who is present at a meeting of the committee must, subject to a provision of the [*Local Government Act 1999*] to the contrary, vote on a question arising for decision at that meeting**.**

Official Partner of the Lord Mayor or Lady Mayoress

17. The Lord Mayor is entitled to appoint a person to hold the title of Official Partner of the Lord Mayor or alternatively, Lady Mayoress of Adelaide, for the term of Office (or some lesser period):

17.1 There is no requirement that such person be the spouse or partner of the Lord Mayor.

17.2 Any appointment made by the Lord Mayor pursuant to this Standing Order is at the sole discretion of the Lord Mayor. If made, the appointment shall be in writing and formally reported to the next ordinary meeting of Council for noting.

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Chief Executive Officer

Local Government Act 1999

96—Council to have a chief executive officer

(1) Each council must have a chief executive officer.

(2) The title of the office under subsection (1) is at the discretion of the council.

98—Appointment procedures

(5) The council makes the appointment to the office of chief executive officer.

City of Adelaide Act 1998

27—Role of the chief executive officer

The functions of the chief executive officer of the Council include—

(a) to ensure that the policies and lawful decisions of the Council are implemented in a timely and efficient manner;

(b) to undertake responsibility for the day-to-day operations and affairs of the Council;

(c) to provide advice and reports to the Council on the exercise and performance of its powers and functions under this or any other Act;

(d) to co-ordinate proposals for consideration by the Council for developing objectives, policies and programs for the area;

(e) to provide information to the Council to assist the Council to assess performance against its strategic, corporate and operational plans;

(f) to ensure that timely and accurate information about Council policies and programs is regularly provided to the City of Adelaide community, and to ensure that appropriate and prompt responses are given to specific requests for information made to the Council;

(g) to support and advance the role that the City of Adelaide plays as the capital city of South Australia;

(h) to ensure that the assets and resources of the Council are properly managed and maintained;

(i) to ensure that records required under this or another Act [including the *Local Government Act 1999 (SA)* and the *State Records Act 1997 (SA)]* are properly kept and maintained;

(j) to give effect to the principles of human resource management prescribed by the *Local Government Act 1999* and to apply proper management practices;

(k) to exercise, perform or discharge other powers, functions or duties conferred on the chief executive officer by or under this or other Acts [including *Local Government Act 1999 (SA)]*, and to perform other functions lawfully directed by the Council.

18. The Chief Executive Officer will provide information to Council Members on a timely basis to support informed decision making both outside and during meetings off the Council or committees.
19. The Chief Executive Officer will perform any other role or responsibility required under the *Local Government Act 1999 (SA)*.
20. The Chief Executive Officer or delegate can interrupt a Council or committee meeting to provide clarity or rectify information.

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Local Government Act 1999

99—Role of chief executive officer

(2) The chief executive officer must consult with the council (to a reasonable degree) when determining, or changing to a significant degree—

(a) the organisational structure for the staff of the council; or

(b) the processes, terms or conditions that are to apply to the appointment of senior executive officers; or

(c) the appraisal scheme that is to apply to senior executive officers.

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CHAPTER 3
General Duties and Code of Conduct for Council Members

Item 4.8 - Attachment A

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PART 1 GENERAL DUTIES FOR COUNCIL MEMBERS

Local Government Act 1999

62—General duties

(1) A member of a council must at all times act honestly in the performance and discharge of official functions and duties.

(2) A member of a council must at all times act with reasonable care and diligence in the performance and discharge of official functions and duties.

(3) A member or former member of a council must not, whether within or outside the State, make improper use of information acquired by virtue of his or her position as a member of the council to gain, directly or indirectly, an advantage for himself or herself or for another person or to cause detriment to the council.

Maximum penalty: $10 000 or imprisonment for two years.

(4) A member of a council must not, whether within or outside the State, make improper use of his or her position as a member of the council to gain, directly or indirectly, an advantage for himself or herself or for another person or to cause detriment to the council.

Maximum penalty: $10 000 or imprisonment for two years.

(4a) A member or former member of a council must not disclose information or a document in relation to which there is an order of a council or council committee in effect under section 90 requiring the information or document to be treated confidentially.

Maximum penalty: $10 000 or 2 years imprisonment.

(4b) Nothing in subsection (4a) prohibits the disclosure of information or a document that is required or authorised by law.

(5) If a person is convicted of an offence against this section, the court by which the person is convicted may, if it thinks that action under this subsection is warranted, in addition to (or in substitution of) any penalty that may be imposed under a preceding subsection, by order do one or more of the following:

(a) require the person to attend a specified course of training or instruction, or to take other steps;

(b) suspend the person from any office under this Act for a period not exceeding two months;

(c) disqualify the person from any office under this Act;

(d) disqualify the person from becoming a member of a council, a committee of a council or a subsidiary of a council for a period not exceeding five years.

(6) If a person is disqualified under subsection (5)(c), the office immediately becomes vacant but proceedings for a supplementary election to fill the vacancy (if required) must not be commenced until the period for appealing against the conviction of an offence against this section has expired or, if there is an appeal, until the appeal has been determined.

(7) The provisions of this section extend—

(a) to committees and to members of committees established by councils as if—

(i) a committee were a council; and

(ii) a member of a committee were a member of a council; and

(b) to subsidiaries and to board members of subsidiaries as if—

(i) a subsidiary were a council; and

(ii) a board member of a subsidiary were a member of a council.

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PART 2 - CODE OF CONDUCT FOR COUNCIL MEMBERS

Local Government Act 1999

63—Code of conduct for members

(1) The Governor may, by regulation, prescribe a code of conduct to be observed by the members of all councils.

(2) Council members must observe the code of conduct.

Local Government (General) Regulations 2013

7—Code of conduct for members

For the purposes of section 63 of the Act, the *Code of Conduct for Council Members* published by the Minister in the Gazette on 29 August 2013 (and as in force on that day) is adopted as a code of conduct to be observed by the members of all councils.

CODE OF CONDUCT FOR COUNCIL MEMBERS

Local Government Act 1999: Section 63 (1)

NOTICE under Clause 3.10 of the Code of Conduct for Council Members published by the Minister for Planning for the purposes of Section 63 (1) of the Local Government Act 1999.

For the purposes of Clause 3.10 of the Code of Conduct for Council Members adopted for the purposes of Section 63 (1) of the Local Government Act 1999 and published in the *Gazette* on the day on which this Notice is made, the value of $100 is specified.

Dated 18 August 2013.

JOHN RAU, Deputy Premier, Minister for Planning

Code of Conduct for Council Members

Published by the Minister for Planning for the purposes of Section 63 (1) of the Local Government Act 1999.

This Code of Conduct is to be observed by all Council members.

Council members must comply with the provisions of this Code in carrying out their functions as public officials. It is the personal responsibility of Council members to ensure that they are familiar with, and comply with, the standards in the Code at all times.

PART 1—PRINCIPLES

1. **Higher principles—Overarching Statement**

This part does not constitute separate enforceable standards of conduct.

Council members in South Australia have a commitment to serve the best interests of the people within the community they represent and to discharge their duties conscientiously, to the best of their ability, and for public, not private, benefit at all times.

Council members will work together constructively as a Council and will uphold the values of honesty, integrity, accountability and transparency, and in turn, foster community confidence and trust in Local Government.

As representatives of open, responsive and accountable government, Council members are committed to considering all relevant information and opinions, giving each due weight, in line with the Council's community consultation obligations.

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In the performance of their role, Council members will take account of the diverse current and future needs of the local community in decision-making, provide leadership and promote the interests of the Council.

Council members will make every endeavour to ensure that they have current knowledge of both statutory requirements and best practice relevant to their position. All Councils are expected to provide training and education opportunities that will assist members to meet their responsibilities under the Local Government Act 1999.

Council members will comply with all legislative requirements of their role and abide by this Code of Conduct.

PART 2—BEHAVIOURAL CODE

2. Behavioural Code

In line with 'Part 1—Higher Principles' of this Code, the following behaviour is considered essential to upholding the principles of good governance in Councils.

This Part is for the management of the conduct of Council members that does not meet the reasonable community expectations of the conduct of Council members. It deals with conduct that does not, and is not likely to, constitute a breach of Part 3—Misconduct or criminal matters such as those contained in the Appendix to this document.

Robust debate within Councils that is conducted in a respectful manner is not a breach of this Part.

It is intended that each Council will adopt a process for the handling of alleged breaches of this Part. This process will be reviewed within 12 months of a general Local Government election.

Council members must:

General behaviour

2.1 Show commitment and discharge duties conscientiously.

2.2 Act in a way that generates community trust and confidence in the Council.

2.3 Act in a reasonable, just, respectful and non-discriminatory way when dealing with people.

2.4 Show respect for others if making comments publicly.

2.5 Ensure that personal comments to the media or other public comments, on Council decisions and other matters, clearly indicate that it is a private view, and not that of the Council.

Responsibilities as a member of Council

2.6 Comply with all Council policies, codes and resolutions.

2.7 Deal with information received in their capacity as Council members in a responsible manner.

2.8 Endeavour to provide accurate information to the Council and to the public at all times.

Relationship with fellow Council Members

2.9 Endeavour to establish and maintain a respectful relationship with all Council members, regardless of differences of views and opinions.

2.10 Not bully or harass other Council members.

Relationship with Council staff

2.11 Not bully or harass Council staff.

2.12 Direct all requests for information from the Council administration to the Council's Chief Executive Officer or nominated delegate/s.

2.13 Direct all requests for work or actions by Council staff to the Council's Chief Executive Officer or nominated delegate/s.

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2.14 Refrain from directing or influencing Council staff with respect to the way in which these employees perform their duties.

Requirement to report breach of Part 3

2.15 A Council member who is of the opinion that a breach of Part 3 of this Code (Misconduct)—has occurred, or is currently occurring, must report the breach to the Principal Member of the Council or Chief Executive Officer, the Ombudsman or the Office for Public Integrity.

2.16 A failure to report an alleged or suspected breach of Part 3 of this Code is in itself a breach under this Part (Behavioural Code).

Complaints

2.17 Any person may make a complaint about a Council member under the Behavioural Code.

2.18 Complaints about behaviour alleged to have breached the Behavioural Code should be brought to the attention of the Principal Member or Chief Executive Officer of the Council, or nominated delegate/s.

2.19 A complaint may be investigated and resolved in any manner which that Council deems appropriate in its process for handling alleged breaches of this Part. This can include, but is not limited to: a mediator or conciliator, the Local Government Governance Panel, a regional governance panel or an independent investigator.

2.20 A complaint may be considered within this process to be trivial, vexatious or frivolous, and accordingly not investigated.

2.21 A failure of a Council member to cooperate with the Council's process for handling alleged breaches of this Part may be referred for investigation under Part 3.

2.22 A failure of a Council member to comply with a finding of an investigation under this Part, adopted by the Council, may be referred for investigation under Part 3.

2.23 Repeated or sustained breaches of this Part by the same Council member may be referred, by resolution of the Council, to the relevant authority as a breach of Part 3.

2.24 A breach of the Behavioural Code must be the subject of a report to a public meeting of the Council.

Findings

2.25 If, following investigation under the Council's complaints handling process, a breach of the Behavioural Code by a Council member is found, the Council may, by resolution:

2.25.1 Take no action;

2.25.2 Pass a censure motion in respect of the Council member;

2.25.3 Request a public apology, whether written or verbal;

2.25.4 Request the Council member to attend training on the specific topic found to have been breached;

2.25.5 Resolve to remove or suspend the Council member from a position within the Council (not including the member's elected position on Council);

2.25.6 Request the member to repay monies to the Council.

PART 3—MISCONDUCT

3. Misconduct

Failure by a Council member to comply with this Part constitutes misconduct. The provisions within this Part may refer to statutory matters under the Local Government Act 1999. Any breach of these provisions will be investigated under that legislation.

Any person may report an alleged breach of this Part to the Council, the Ombudsman, the Electoral Commissioner (for alleged breaches of Code 3.8) or the Office for Public Integrity. Alleged breaches of this Part made to a Council or to the Office for Public Integrity may be referred

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to the Ombudsman for investigation under Section 263 of the Local Government Act 1999, by the Council's Chief Executive Officer or by the Independent Commissioner Against Corruption, where he or she so determines.

A report from the Ombudsman that finds a Council member has breached this Part (Misconduct) of the Code of Conduct must be provided to a public meeting of the Council. The Council must pass resolutions, that give effect to any recommendations received from the Ombudsman, within two ordinary meetings of the Council following the receipt of these recommendations.

An investigation under Part 3 of this Code does not preclude an investigation being launched as a potential breach of the criminal matters listed in the Appendix to this document.

Member duties

Council members must:

3.1. Act honestly at all times in the performance and discharge of their official functions and duties;

3.2. Perform and discharge their official functions and duties with reasonable care and diligence at all times;

3.3. Not release or divulge information that the Council has ordered be kept confidential, or that the Council member should reasonably know is information that is confidential, including information that is considered by Council in confidence;

3.4. Not exercise or perform, or purport to exercise or perform, a power, duty or function that he or she is not authorised to exercise or perform;

3.5. Not attempt to improperly direct a member of Council staff to act in their capacity as a Local Government employee for an unauthorised purpose

3.6. Ensure that relationships with external parties cannot amount to interference by improper influence, affecting judgement, decisions and/or actions.

Gifts and benefits

3.7. Council members must not:

3.7.1. Seek gifts or benefits of any kind;

3.7.2. Accept any gift or benefit that may create a sense of obligation on their part or may be perceived to be intended or likely to influence them in carrying out their public duty;

3.7.3. Accept any gift or benefit from any person who is in, or who seeks to be in, any contractual relationship with the Council.

3.8. Notwithstanding Code 3.7, Council members may accept campaign donations as provided for in the Local Government (Elections) Act 1999.

3.9. Notwithstanding Code 3.7.3, Council members may accept hospitality provided in the context of performing their duties, including:

3.9.1. Free or subsidised meals, beverages or refreshments of reasonable value provided in conjunction with:

3.9.1.1. Council work related events such as training, education sessions workshops and conferences;

3.9.1.2. Council functions or events;

3.9.1.3. Social functions organised by groups such as Council committees and community organisations.

3.9.2. Invitations to, and attendance at, local social, cultural or sporting events.

3.10. Where Council members receive a gift or benefit of more than a value published in the Government Gazette by the Minister from time to time, details of each gift or benefit must be recorded within a gifts and benefits register maintained and updated quarterly by the

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Council's Chief Executive Officer. This register must be made available for inspection at the principal office of the Council and on the Council website.

Register of Interests

3.11. Council members must lodge with the Council a complete and accurate primary return of their interests, and subsequent ordinary returns, as required by legislation.

Campaign donation returns

3.12. Council members must ensure that following each election an accurate campaign donation return is provided to the Chief Executive Officer of the Council as required by legislation.

Conflict of interest

3.13. Council members must be committed to making decisions without bias and in the best interests of the whole community and comply with the relevant conflict of interest provisions of the Local Government Act 1999.

Misuse of Council resources

3.14. Council members using Council resources must do so effectively and prudently.

3.15. Council members must not use Council resources, including services of Council staff, for private purposes, unless legally or properly authorised to do so, and payments are made where appropriate.

3.16. Council members must not use public funds or resources in a manner that is irregular or unauthorised.

Repeated or sustained breaches of Part 2

3.17. At the discretion of the Council to which the member is elected, repeated or sustained inappropriate behaviour, as listed in Part 2, may be escalated to an allegation of misconduct under this Part.

3.18. A failure to comply with a finding of inappropriate behaviour (by the Council, independent investigator or Ombudsman) under Part 2 is also grounds for a complaint under this Part.

APPENDIX—CRIMINAL MATTERS

The matters within this Appendix are matters for which a criminal penalty attaches. As separate legislation operates to cover such conduct, this part does not form part of the Code of Conduct for Council Members.

Allegations of conduct breaching these matters will be investigated in accordance with the legislation governing that conduct and they are included within this document only in order to provide a complete overview of the standards of conduct and behaviour expected of Council members.

Alleged breaches of matters outlined in this Appendix should be reported to the Office for Public Integrity in the first instance.

Breaches of the Local Government Act 1999

Member duties

A member of a Council must not, whether within or outside the State, make improper use of information acquired by virtue of his or her position as a member of the Council to gain, directly or indirectly, an advantage for himself or herself or for another person or to cause detriment to the Council (Section 62 (3)).

A member of a Council must not, whether within or outside the State, make improper use of his or her position as a member of the Council to gain, directly or indirectly, an advantage for himself or herself or for another person or to cause detriment to the Council (Section 62 (4)).

Provision of false information

A member of a Council who submits a return under Chapter 5 Part 4 (Register of interest) and Schedule 3 of the Local Government Act 1999, that is to the knowledge of the member, false or

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misleading in a material particular (whether by reason of information included in or omitted from the return) is guilty of an offence (Section 69).

Restrictions on publication of information from Register of Interests

A Council member must not publish information, or authorise publication of information, derived from a Register unless the information constitutes a fair and accurate summary of the information contained in the Register, and is published in the public interest, or comment on the facts set forth in a Register, unless the comment is fair and published in the public interest and without malice (Section 71).

Breaches of other Acts

Acting in his or her capacity as a public officer, a Council member shall not engage in conduct, whether within or outside the state, that constitutes corruption in public administration as defined by Section 5 of the Independent Commissioner Against Corruption Act 2012, including:

An offence against Part 7 Division 4 (Offences relating to public officers) of the Criminal Law Consolidation Act 1935, which includes the following offences:

- bribery or corruption of public officers;
- threats or reprisals against public officers;
- abuse of public office;
- demanding or requiring benefit on basis of public office;
- offences relating to appointment to public office.

Any other offence, including an offence against Part 5 (Offences of dishonesty) of the Criminal Law Consolidation Act 1935, committed by a public officer while acting in his or her capacity as a public officer, or by a former public officer and related to his or her former capacity as a public officer, or by a person before becoming a public officer and related to his or her capacity as a public officer, or to an attempt to commit such an offence.

Any of the following in relation to an offence referred to in a preceding paragraph:

- aiding, abetting, counselling or procuring the commission of the offence;
- inducing, whether by threats or promises or otherwise, the commission of the offence;
- being in any way, directly or indirectly, knowingly concerned in, or party to, the commission of the offence;
- conspiring with others to effect the commission of the offence.

21. In dealing with Council staff, Council Members shall:

    21.1 Provide support to, and reasonably co-operate with, the Chief Executive Officer in the fulfilment of his or her role.

    21.2 Respect confidentiality in their individual and collective dealings with the Chief Executive Officer.

    21.3 Recognise and act on the basis that the Chief Executive Officer is an employee of the Corporation of the City of Adelaide, fulfilling an administrative role, to whom work, health and safety duties are owed, and not the holder of elected office of a political nature.

22. In dealing with the Media, Council Members shall:

    22.1 Take account of and recognise the role of the Lord Mayor as the principal spokesperson for the Council when dealing with the media, noting to not do so is a breach of the Section 21(b)(iv) *City of Adelaide Act 1998 (SA)*.

    22.2 Refer approaches from the media on a matter where there is no formal position or policy of Council to the Lord Mayor in the event that the media is seeking a statement of Council's formal position or policy on a matter.

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22.3 When commenting in the media on matters where Council has an established position or policy, the Council Member shall reiterate the position of Council, prior to offering any personal opinion as an individual Council Member.

22.4 Ensure that personal comments to the media or other public comments, on Council decisions and other matters, clearly indicate that it is a personal view, and not that of the Council.

Social Media

23. There will be an official City of Adelaide Lord Mayor site/page and an Official Partner of the Lord Mayor/Lady Mayoress site/page on approved social media platforms.

24. In using the social media site/pages, Council Members shall:

24.1 Take account of and recognise the role of the Lord Mayor as the principal spokesperson for the Council when dealing with the media, noting to not do so is a breach of the Section 21(b)(iv) *City of Adelaide Act 1998 (SA)*.

24.2 Refer approaches from the media on a matter where there is no formal position or policy of Council to the Lord Mayor in the event that the media is seeking a statement of Council's formal position or policy on a matter.

24.3 Ensure that personal comments to the media or other public comments, on Council decisions and other matters, clearly indicate that it is a personal view, and not that of the Council.

25. The City of Adelaide Crest can only be used by Council and current Council Members, or for Council approved or endorsed activities.

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PART 3 – COMPLAINT HANDLING PROCEDURE UNDER THE CODE OF CONDUCT FOR COUNCIL MEMBERS

CODE OF CONDUCT FOR COUNCIL MEMBERS

Local Government Act 1999: Section 63 (1)

Complaints

2.17 Any person may make a complaint about a Council member under the Behavioural Code.

2.18 Complaints about behaviour alleged to have breached the Behavioural Code should be brought to the attention of the Principal Member or Chief Executive Officer of the Council, or nominated delegate/s.

2.19 A complaint may be investigated and resolved in any manner which that Council deems appropriate in its process for handling alleged breaches of this Part. This can include, but is not limited to: a mediator or conciliator, the Local Government Governance Panel, a regional governance panel or an independent investigator.

2.20 A complaint may be considered within this process to be trivial, vexatious or frivolous, and accordingly not investigated.

2.21 A failure of a Council member to cooperate with the Council's process for handling alleged breaches of this Part may be referred for investigation under Part 3.

2.22 A failure of a Council member to comply with a finding of an investigation under this Part, adopted by the Council, may be referred for investigation under Part 3.

2.23 Repeated or sustained breaches of this Part by the same Council member may be referred, by resolution of the Council, to the relevant authority as a breach of Part 3.

2.24 A breach of the Behavioural Code must be the subject of a report to a public meeting of the Council.

Disputes Between Council Members

26. Where there is disputation or interpersonal conflict of a material and persistent nature between Council Members, which is having a material impact upon the functioning of Council, or which has the potential to do so, then the relevant Council Members will take such reasonable steps as necessary to achieve a working relationship, consistent with the fulfilment of their roles as Council Members and their obligations as a public officer.

27. If Council Members are unable to resolve the disputation or interpersonal conflict referred to in Standing Order 26, the Council Members shall participate in a mediation before a qualified mediator, or other suitably qualified person, appointed for that purpose by the Chief Executive Officer, and shall through that process, use their best endeavours to achieve the outcome referred to in Standing Order 26.

The Making of a Complaint under Part 2 of the Code of Conduct

28. A complaint made by any person (whether a Council Member, an executive or staff member of the Corporation of the City of Adelaide or a member of the public) that relates to an alleged breach of the Code of Conduct for Council Members **must** be:

    28.1 made in writing

    28.2 identify the provisions of the Code which it is alleged have been breached

    28.3 accompanied by any evidence that substantiates the breach

    28.4 marked and treated as confidential

    28.5 delivered to the Chief Executive Officer

    28.6 treated as confidential by the complainant and the Chief Executive Officer throughout the preliminary enquiry.

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29. The Chief Executive Officer shall, with all due expedition, undertake a preliminary enquiry into the complaint made to determine whether it warrants further investigation. At the time a complaint is received, the Chief Executive Officer will maintain the confidentiality of the complainant until the Chief Executive Officer has determined whether the alleged behaviour, prime facie, relates to a behaviour as outlined in Standing Order 31, or other allegation as outlined in Standing Order 32.
30. The Chief Executive shall:
    30.1 Provide written acknowledgement of receipt of the complaint to the complainant within seven (7) days of receipt.
    30.2 Provide written notification to the Council Member who is the subject of the complaint and information about the complaint to the Council Member, within seven (7) days of receipt of the complaint.
    30.3 Advise the complainant and the Council Member, subject of a notification of a complaint, to maintain the confidentiality of the matter throughout the preliminary enquiry by the Chief Executive Officer.
    30.4 Make the Lord Mayor aware of the complaint in confidence (unless the Lord Mayor is the subject of the complaint, at which time the Deputy Lord Mayor will be made aware).

Allegations under the *Independent Commissioner Against Corruption Act 2012* (SA)

31. If the complaint, prima facie, relates to alleged conduct which gives rise to a reasonable suspicion of corruption, serious or systemic misconduct or serious or systemic maladministration in public administration, a Public Officer **must** make a report to the Office for Public Integrity in accordance with the Directions and Guidelines issued under the *Independent Commissioner Against Corruption Act 2012 (SA)*, noting that:
    31.1 Information relating to making a complaint or report can be found on the Independent Commissioner Against Corruption (ICAC) website.
    31.2 There are specific confidentiality provisions contained in section 54 of the *Independent Commissioner Against Corruption Act 2012 (SA).* Refer to: https://icac.sa.gov.au/complaint-report.

Other Allegations

32. Upon receiving a complaint which does not fall within Standing Order 31, the Chief Executive Officer will, having made the preliminary enquiry under Standing Order 29, determine whether the complaint:
    32.1 Is not of a material nature, in which case no further action shall be taken in relation to the complaint.
    32.2 Is frivolous or vexatious, in which case no further action shall be taken in relation to the complaint.
    32.3 Has previously been dealt with by another agency, organisation or the Council, and there is no good reason why action should be taken.
    32.4 Has the potential to be appropriately resolved informally between the Council Member who is the subject of the complaint and the complainant.
    32.5 Should be referred for a formal mediation process.
    32.6 Can, in all of the circumstances, be reasonably and appropriately dealt with by formal or informal counselling of the Council Member, subject to the complaint.
    32.7 Warrants referral to an independent legal counsel, or other appropriate authority, for a formal investigation and report to Council.
33. In making a determination pursuant to Standing Order 31:
    33.1 The Chief Executive Officer may seek such legal advice as he or she considers appropriate in relation to the appropriate course of action.

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33.2 The Chief Executive Officer's determination regarding the appropriate course of action shall not be subject to review by Council.

33.3 The process of determination will be treated as confidential.

33.4 The complainant, the Council Member the subject of the complaint, and the Lord Mayor (or Deputy Lord Mayor as per Standing Order 30.4) will be advised of the determination in confidence.

33.5 If the Chief Executive Officer determines to take no further action in relation to a complaint, the complainant and the Council Member, subject to the complaint, will be provided with reasons for so determining to take no further action.

34. In the case of allegations outlined under Standing Order 31 the Chief Executive Officer may make available to the Council Member a copy of the complaint made against them, including details of the person(s) who have made the complaint, subject to the Chief Executive Officer giving due consideration to the provisions under the *Public Interest Disclosure Act 2018* (SA), where appropriate.

Formal Investigation of Complaint and Report to Council

35. Where the Chief Executive Officer determines that the complaint warrants formal investigation under Standing Order 32.7, the Chief Executive Officer shall refer the complaint to an independent legal counsel appointed from the Council's Legal Services Panel, or any other appropriate organisation.

36. The investigation shall be conducted in a confidential manner, with all due expedition in accordance with the rules of natural justice and procedural fairness, including (but not limited to) a right to be heard by the complainant and the Council Member, subject to the complaint.

37. At the conclusion of the investigation, the Chief Executive Officer shall be provided with a written report that summarises the:

37.1 allegations made in the complaint

37.2 the evidence to which the investigation had regard

37.3 factual findings

37.4 conclusions

37.5 recommendations arising from the report.

38. In the event the investigation concludes there has been no breach of the Code of Conduct for Council Members by the Council Member, then the Chief Executive Officer shall advise the complainant and the Council Member accordingly and take no further action.

39. In the event the investigation concludes that there has been a breach of the Code of Conduct by the Council Member, then the report shall be presented at the next ordinary meeting of Council, which must be a public meeting.

40. When the report is considered by Council, the Council Member who is the subject of the complaint (and if applicable a Council Member who made the complaint) has, by definition, a material conflict of interest in the matter pursuant to section 73 of the *Local Government Act 1999 (SA)*. The Council Member must disclose the interest, leave the Chamber and not participate in Council's consideration of the matter.

41. Before the Council meeting at which the report is to be considered, a copy of the report shall be provided to the Council Member, subject of the complaint, so as to afford the Council Member with the opportunity to make a formal written submission to be included on the Agenda for the consideration of Council.

Notification of Outcome

42. The Chief Executive Officer shall notify the Council Member who is the subject of the complaint and the complainant of the outcome of the investigation and Council's decision in relation to the matter.

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Penalties

43. Council has the power to impose by resolution one or more of the following sanctions where a breach of Part 2 of the Code of Conduct has been established to Council's satisfaction:

    43.1 take no action

    43.2 pass a censure motion in respect of the Council Member

    43.3 request a public apology, whether written or verbal

    43.4 request the Council Member to attend training on the specific topic found to have been breached

    43.5 resolve to remove or suspend the Council Member from a position within the Council (not including the Council Member's elected position on Council)

    43.6 request the Council Member repay monies to the Council.

44. In addition, the Council may make a public statement succinctly summarising the nature of the complaint made against the Council Member, the determination made, and the penalty imposed by Council.

45. All determined and substantiated breaches of the Code of Conduct for Council Members will be listed by the Chief Executive Officer in a public register, which will be published on the City of Adelaide website, listing the date, the type of breach and the name of the Council Member found in breach.

Decision to Discontinue Action in relation to Complaint

46. The Chief Executive Officer may, at any time after a complaint is made, and before a final determination of the complaint is made by Council, determine to discontinue any and all action in relation to the complaint, if the Chief Executive Officer considers in the exercise of his or her discretion that some proper ground or grounds exist for doing so. Such a decision and the reasons for determining to discontinue must be communicated in writing to the complainant and the Council Member.

Complaints by or against the Chief Executive Officer

47. All references to the Chief Executive Officer in this section are to be construed as referring to the Director Services if the complaint is made by or against the Chief Executive Officer.

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CHAPTER 4
Disclosure of Interests

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PART 1 - REGISTER OF INTERESTS

Local Government Act 1999

65—Lodging of primary returns

Each person who is elected as a member of a council (other than a person who was a member of that council immediately before the conclusion of that election) or is appointed as a member of a council must, within six weeks after election or appointment, submit to the chief executive officer a primary return in accordance with Schedule 3.

66—Lodging of ordinary returns

Each member of a council must, on or within 60 days after 30 June in each year, submit to the chief executive officer an ordinary return in accordance with Schedule 3.

67—Form and content of returns

(1) A member of a council who has submitted a return under this Division must notify the chief executive officer of a change or variation in the information appearing on the Register in respect of the member or a person related to the member (within the meaning of Schedule 3) within 1 month of the change or variation.

Maximum penalty: $10 000.

(2) It is a defence to a prosecution for an offence against subsection (1) to prove that the member did not know, and could not reasonably be expected to have known, of the relevant change or variation.

68—Register of Interests

(1) The chief executive officer must maintain a Register of Interests and must cause to be entered in the Register all information furnished pursuant to this Division and Schedule 3.

(2) If a member of a council fails to submit a return to the chief executive officer within the time allowed under this Division, the chief executive officer must as soon as practicable notify the member of that fact and include specific information about the consequences under Division1of Part 2of this Chapter if a return is not submitted in accordance with the requirements of this Division.

(3) A notification under subsection (2) must be given by letter sent to the member by registered mail.

(4) Despite this Division and Schedule 3, if the chief executive officer is satisfied that—

(a) the inclusion in the Register of the address of a person would place at risk the personal safety of that person, a member of that person's family or any other person, the chief executive officer may suppress the address from the Register; or

(b) a person's address is suppressed from the roll under the *Electoral Act1985*, the chief executive officer must suppress the person's residential address from the Register.

69—Provision of false information

A member of a council who submits a return under this Division and Schedule 3that is to the knowledge of the member false or misleading in a material particular (whether by reason of information included in or omitted from the return) is guilty of an offence.

Maximum penalty: $10000.

70—Inspection of Register

(a1) A council must publish, in accordance with the regulations, the following details in relation to each member of the council contained in the Register on a website determined by the chief executive officer (and cause the details on the website to be updated at regular intervals):

(a) the member's income sources (within the meaning of Schedule 3) or employer;

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(b) the name of any political party, any body or association formed for political purposes or any trade or professional organisation (within the meaning of Schedule 3) of which the member is a member;

(c) any gifts received by the member that are required to be included in the information entered in the Register in relation to the member.

(1) A person is entitled to inspect (without charge) the Register at the principal office of the council during ordinary office hours.

48. In accordance with section 70 of the *Local Government Act 1999 (SA)*, the Chief Executive Officer will make the register available to the general public for inspection, without charge, at the Customer Centre during ordinary office hours. The Chief Executive Officer will provide, on payment of a fee fixed by Council, a copy of any part of the Register.

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PART 2 – CONFLICTS OF INTEREST

Material Conflicts of Interest

Local Government Act 1999

73—Material conflicts of interest

(1) Subject to this section, for the purposes of this Subdivision, a member of a council has a ***material conflict of interest*** in a matter to be discussed at a meeting of the council if any of the following persons would gain a benefit, or suffer a loss, (whether directly or indirectly and whether of a personal or pecuniary nature) depending on the outcome of the consideration of the matter at the meeting:

(a) the member;

(b) a relative of the member;

(c) a body corporate of which the member is a director or a member of the governing body;

(d) a proprietary company in which the member is a shareholder;

(e) a beneficiary under a trust or an object of a discretionary trust of which the member is a trustee;

(f) a partner of the member;

(g) the employer or an employee of the member;

(h) a person from whom the member has received or might reasonably be expected to receive a fee, commission or other reward for providing professional or other services;

(i) a person of a prescribed class.

(2) A member of a council will not be taken to have a material conflict of interest in a matter to be discussed at a meeting of the council—

(a) if the relevant benefit or loss would be enjoyed or suffered in common with all or a substantial proportion of the ratepayers, electors or residents of the council area; or

(b) on account of an interest under subsection (1) of a relative of the member, other than the member's spouse or domestic partner, if the member does not know, and could not reasonably be expected to know, of the interest.

(3) A member of a council who is a member, officer or employee of an agency or instrumentality of the Crown, will be regarded as having a material conflict of interest in a matter before the council if the matter directly concerns that agency or instrumentality but otherwise will not be regarded as having an interest in a matter by virtue of being a member, officer or employee of the agency or instrumentality.

(4) In this section—

agency or instrumentality of the Crown includes—

(a) an administrative unit of the Public Service;

(b) a body corporate comprised of, or including or having a governing body comprised of or including, a Minister or Ministers of the Crown or a person or persons appointed by the Governor or a Minister or other agency or instrumentality of the Crown.

74—Dealing with material conflicts of interest

(1) If a member of a council has a material conflict of interest in a matter to be discussed at a meeting of the council, the member must—

(a) inform the meeting of the member's material conflict of interest in the matter; and

(b) leave the meeting room (including any area set aside for the public) such that the member cannot view or hear any discussion or voting at the meeting, and stay out of the meeting room while the matter is being discussed and voted on.

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Maximum penalty:

(a) if the member votes on the matter with an intention to gain a benefit, or avoid a loss, for the member or another person—$15 000 or 4 years imprisonment; or

(b) in any other case—$5 000.

(2) However, a member of the council does not contravene subsection (1) by taking part in the meeting, or being in the chamber where the meeting is being conducted, if the member—

(a) has been granted an approval under subsection (3); and

(b) is complying with the conditions of the approval.

(3) The Minister may grant an approval in writing to a member of the council to take part in the meeting, or to be in the chamber where the meeting is being conducted, if—

(a) because of the number of members subject to the obligation under this section, conduct of the meeting would be obstructed if the approval were not given; or

(b) it appears to the Minister to be in the interests of the council's community and area.

(4) The Minister may grant an approval under subsection (3) subject to any conditions determined by the Minister.

(5) If a member of a council discloses a material conflict of interest in a matter to be discussed at a meeting of the council, the following details must be recorded in the minutes of the meeting and on a website determined by the chief executive officer:

(a) the member's name;

(b) the nature of the interest, as described by the member;

(c) if the member took part in the meeting, or was in the chamber during the meeting, under an approval under subsection (3), the fact that the member took part in the meeting, or was in the chamber during the meeting (as the case requires).

(6) This section does not apply to a matter of ordinary business of the council of a kind prescribed by regulation for the purposes of this section.

Actual and Perceived Conflicts of Interest

Local Government Act 1999

75—Actual and perceived conflicts of interest

(1) In this Subdivision—

actual conflict of interest—see section 75A(1)(a);

conflict of interest—see subsections (2) and (3);

perceived conflict of interest—see section 75A(1)(b).

(2) For the purposes of this Subdivision but subject to this section, a *conflict of interest* is a conflict between—

(a) a member of a council's interests (whether direct or indirect personal or pecuniary); and

(b) the public interest,

that might lead to a decision that is contrary to the public interest.

(3) A member of a council will not be regarded as having a conflict of interest in a matter to be discussed at a meeting of the council—

(a) by reason only of—

(i) an engagement with a community group, sporting club or similar organisation undertaken by the member in his or her capacity as a member; or

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(ii) membership of a political party; or

(iii) membership of a community group, sporting club or similar organisation (if the member is not an office holder for the group, club or organisation); or

(iv) the member having been a student of a particular school or his or her involvement with a school as parent of a student at the school; or

(v) a nomination or appointment as a member of a board of a corporation or other association, if the member was nominated for appointment by a council; or

(b) in prescribed circumstances.

(4) A member of a council will not be taken, for the purposes of this Subdivision, to have a conflict of interest in a matter to be discussed at a meeting of the council if the relevant member's interest in the matter is held in common with all or a substantial proportion of the ratepayers, electors or residents of the council area.

75A—Dealing with actual and perceived conflicts of interest

(1) If, in relation to a matter to be discussed at a meeting of a council, a member of the council—

(a) has a conflict of interest in the matter (an ***actual conflict of interest***); or

(b) could reasonably be taken, from the perspective of an impartial, fair-minded person, to have a conflict of interest in the matter (a ***perceived conflict of interest***),

the member must deal with the actual or perceived conflict of interest in a transparent and accountable way.

(2) Without limiting subsection (1), the member must inform the meeting of—

(a) the member's interest in the matter; and

(b) if the member proposes to participate in the meeting in relation to the matter, how the member intends to deal with the actual or perceived conflict of interest.

(3) If a quorum at a meeting cannot be formed because a member of a council proposes to exclude himself or herself from the meeting in order to comply with subsection (1), the member will not be taken to have contravened subsection (1) by participating (including by voting, for example) in the meeting in relation to the matter if the attendance of the member, together with any other required number of members, forms a quorum for the meeting.

(4) If a member of a council discloses an actual or perceived conflict of interest in a matter to be discussed at a meeting of the council, the following details must be recorded in the minutes of the meeting and on a website determined by the chief executive officer:

(a) the member's name;

(b) the nature of the interest, as described by the member;

(c) the manner in which the member dealt with the actual or perceived conflict of interest;

(d) if the member voted on the matter, the manner in which he or she voted;

(e) the manner in which the majority of persons who were entitled to vote at the meeting voted on the matter.

(5) To avoid doubt, it is declared that non-participation in a meeting of a council is not the only way in which a member of the council may appropriately deal in a transparent and accountable way with an actual or perceived conflict of interest of the member in a matter to be discussed at the meeting.

(6) This section does not apply to a matter of ordinary business of the council of a kind prescribed by regulation for the purposes of this section.

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Explanation of Ordinary Business relating to Conflicts of Interest

Local Government (General) Regulations 2013

8AAA—Conflicts of interest—ordinary business matters etc

(1) For the purposes of sections 74(6) and 75A(6) of the Act, the following matters are prescribed:

(a) the preparation, discussion, conduct, consideration or determination of a review under section 12 of the Act;

(b) the preparation, discussion, adoption or revision of a policy relating to allowances and benefits payable to members if the policy relates to allowances and benefits payable equally to each member (rather than allowances and benefits payable to particular members or particular office holders);

(c) the preparation, discussion, adoption or alteration of a training and development policy under section 80A of the Act;

(d) the preparation, discussion, adoption or amendment of a strategic management plan under section 122 of the Act;

(e) the adoption or revision of an annual business plan;

(f) the adoption or revision of a budget;

(g) the declaration of rates (other than a separate rate) or a charge with the character of a rate, and any preparation or discussion in relation to such a declaration;

(h) a discussion or decision of a matter at a meeting of a council if the matter—

(i) relates to a matter that was discussed before a meeting of a subsidiary or committee of the council; and

(ii) the relevant interest in the matter is the interest of the council that established the committee or which appointed, or nominated for appointment, a member of the board of management of the council subsidiary or regional subsidiary.

(2) For the purposes of section 75(3)(b) of the Act, a member of a council who is a member, officer or employee of an agency or instrumentality of the Crown (within the meaning of section 73(4) of the Act) will not be regarded as having an interest in a matter before the council by virtue of being a member, officer or employee of the agency or instrumentality if the matter does not directly concern the agency or instrumentality.

Conflict of interest for members and meetings of committees and subsidiaries

Local Government Act 1999

75B—Application of Division to members and meetings of committees and subsidiaries

(1) The provisions of this Division extend to committees and to members of committees established by councils as if—

(a) a committee were a council; and

(b) a member of a committee were a member of a council

(2) The provisions of this Division extend to subsidiaries and to board members of subsidiaries as if—

(a) a subsidiary were a council; and

(b) a board member of a subsidiary were a member of a council. ember of a committee were a member of a council.

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Local Government (General) Regulations 2013

8AAB—Conflicts of interest—special provisions relating to subsidiaries and committees

For the purposes of sections 74(6) and 75A(6) of the Act, the following matters are prescribed:

(a) a matter to be discussed, or in relation to which a recommendation or decision is to be made, at a meeting of a council subsidiary if—

(i) the discussion, recommendation or decision relates to the purpose for which the subsidiary is established; and

(ii) the relevant interest in the matter is the interest of the council which appointed, or nominated for appointment, a member of the board of management of the subsidiary;

(b) a matter to be discussed, or in relation to which a recommendation or decision is to be made, at a meeting of a regional subsidiary if—

(i) the discussion, recommendation or decision relates to the purpose for which the subsidiary is established; and

(ii) the relevant interest in the matter is the interest of a council which appointed, or nominated for appointment, a member of the board of management of the subsidiary; and

(iii) the relevant benefit or loss would be enjoyed or suffered in common with all or a substantial proportion of the constituent councils of the subsidiary;

(c) a matter to be discussed, or in relation to which a recommendation is to be made, at a meeting of a committee of a council established under section 41 of the Act if—

(i) the discussion or recommendation relates to the purpose for which the committee is established; and

(ii) the relevant interest in the matter is the interest of the council that established the committee.

Local Government Act 1999

39—Protection of members

(1) No civil liability attaches to a member of a council for an honest act or omission in the exercise, performance or discharge, or purported exercise, performance or discharge, of the member's or council's powers, functions or duties under this or other Acts.

(2) A liability that would, but for this section, attach to a member of a council attaches instead to the council.

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CHAPTER 5
Allowances and Benefits

This Chapter addresses the policy requirements pursuant to:

Section 25 of the *City of Adelaide Act 1998 (SA)* – Reimbursement of Expenses

section 80A of the *Local Government Act 1999 (SA)* – Training and Development

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PART 1 - ALLOWANCES

City of Adelaide Act 1998

24—Allowances

(1) Subject to this section, a member of the Council is entitled to the allowance determined by the Remuneration Tribunal in relation to the member's office and indexed in accordance with this section.

(2) The Remuneration Tribunal must make determinations under this section on a 4 yearly basis before the designated day in relation to each periodic election for the City of Adelaide held under the *Local Government (Elections) Act 1999*.

(3) The Remuneration Tribunal must, in making a determination under this section, have regard to the following:

(a) the role of members of the Council as members of the Council's governing body and as representatives of their area;

(b) the size, population and revenue of the Council, and any relevant economic and social factors in the council area;

(c) the fact that an allowance under this section is not intended to amount to a salary for a member;

(d) the fact that an allowance under this section should reflect the nature of a member's office;

(e) the provisions of this Act providing for the reimbursement of expenses of members.

(4) For the purposes of the proceedings before the Remuneration Tribunal but without derogating from the operation of subsection (3), the allowances to be determined under this section will be taken to be in the nature of a fee under the definition of ***remuneration*** in the *Remuneration Act 1990*.

49. The allowance shall be paid monthly by direct deposit into a bank account nominated by each Council Member.

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PART 2 - BENEFITS AND REIMBURSEMENT OF EXPENSES

This part addresses the policy requirements pursuant to section 25 of the City of Adelaide Act 1998 (SA).

City of Adelaide Act 1998

25—Reimbursement of expenses

(1) A member of the Council is entitled to receive from the Council—

(a) reimbursement of expenses of a kind prescribed for the purposes of this paragraph incurred in performing or discharging official functions and duties; and

(b) reimbursement of expenses of a kind prescribed for the purposes of this paragraph, and approved by the Council (either specifically or under a policy established by the Council for the purposes of this section), incurred in performing or discharging official functions and duties.

City of Adelaide (Members Allowances and Benefits) Regulations 2010

5—Reimbursement of expenses—section 25(1)(a)

(1) Subject to this regulation, for the purposes of section 25(1)(a) of the Act, the following kinds of expenses are prescribed:

(a) travelling expenses actually and necessarily incurred by the member in travelling to or from a prescribed meeting if—

(i) the journey is an eligible journey; and

(ii) the journey is by the shortest or most practicable route;

(b) expenses for the care of—

(i) a child of the member; or

(ii) a dependant of the member requiring full-time care,

actually and necessarily incurred by the member as a consequence of the member's attendance at a prescribed meeting.

(2) However—

(a) in relation to the operation of subregulation (1)(a)—

(i) if an eligible journey relates to travel between a place within the area of the Council and a place outside the area of the Council (in either direction), the member is only entitled to be reimbursed in respect of expenses that can be attributed to travel within the area of the Council; and

(ii) the rate of reimbursement for motor vehicle costs will be at a rate equal to the appropriate rate per kilometre (determined according to the engine capacity of the vehicle) prescribed for the purposes of calculating deductions for car expenses under section 28.25 of the *Income Tax Assessment Act 1997* of the Commonwealth;

(b) in relation to the operation of subregulation (1)(b)—a member of the Council is not entitled to be reimbursed if the care is provided by a person who ordinarily resides with the member.

(3) The Council may aggregate claims for reimbursement of expenses under subregulation (1)(a) and then pay them on either a quarterly or monthly basis.

6—Expenses requiring Council approval—section 25(1)(b)

For the purposes of section 25(1)(b) of the Act, the following kinds of expenses are prescribed:

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(a) expenses incurred in the use of a telephone, fax or other telecommunications device, or in the use of a form of electronic communication, on the business of the Council;

(b) travelling expenses incurred by the member as a consequence of the member's attendance at a function or activity on the business of the Council (other than for which the member is reimbursed under section 25(1)(a) of the Act);

(c) travelling expenses incurred by the member in undertaking an eligible journey to the extent that those expenses are attributable to travel outside the area of the Council;

(d) expenses for the care of—

(i) a child of the member; or

(ii) a dependant of the member requiring full-time care,

incurred by the member as a consequence of the member's attendance at a function or activity on the business of the Council (other than for which the member is reimbursed under section 25(1)(a) of the Act);

(e) expenses incurred by the member as a consequence of the member's attendance at a conference, seminar, training course or other similar activity which is directly or closely related to the performance or discharge of the roles or duties of a member of a Council.

Official Business of the Corporation of the City of Adelaide

50. Council Members shall be reimbursed for reasonable expenses incurred in undertaking official business of the Corporation of the City of Adelaide. Official business is defined as attendance at:

50.1 Council and Committee meetings

50.2 Authority and Panel meetings

50.3 informal gatherings or discussions held in accordance with section 90 (8a) of the *Local Government Act 1999 (SA)*

50.4 civic or ceremonial occasions convened by the Council or Lord Mayor

50.5 meetings, functions or any attendance in an official role as a representative of the Council or the Lord Mayor

50.6 meetings arising as a result of a Member of Council being appointed by Council to an external body or Committee, except where the body reimburses relevant expenses incurred by the Member of Council

50.7 meetings with Council staff or other Members of Council on any matter relating to the Council

50.8 site visits to view or meet with people in the capacity as a Member of Council

50.9 conferences, study tours, official visits, training sessions and functions attended in the capacity as a Council Member.

51. The Corporation of the City of Adelaide shall reimburse a Council Member for any other reasonable expenses incurred by a Council Member in the discharge of his or her duties as a Council Member, which are specifically approved for reimbursement by Council.

Carer Expenses

52. The Corporation of the City of Adelaide will reimburse the costs of necessary carer expenses for the care of a child of a Council Member, or dependants of Council Members requiring full time care, incurred by Council Members in the course of carrying out official business of the Corporation of the City of Adelaide as defined in Standing Order 50 (where these costs are not covered by other entitlements, eg Australian Government Child Care Benefit).

53. Carer expenses consist of all hourly fees for the carer, agency booking fees and reasonable travelling expenses (refer Standing Order 55) incurred by the Council Member.

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54. Fees are not payable under Standing Order 52 if the care is provided by a relative of the Council Member who ordinarily resides with the Council Member.

55. Fees are payable per hour, or part thereof, subject to any minimum period which is part of the provider's usual terms but may only include the period of official business and reasonable travel time.

56. Travelling expenses under Standing Order 53 cover the transport costs of the carer to and from the Council Member's residence, or of the Council Member's children or dependents to and from the place of care.

57. A Council Member must certify that a claim for carer services under Standing Order 52 relates to official business of the Corporation of the City of Adelaide as defined in Standing Order 50.

58. Claims for reimbursement of carer expenses under Standing Order 52, together with invoices and receipts, are to be submitted to the Corporation of the City of Adelaide within twenty-eight (28) days of the provision of the service or the receipt of a regular statement, whichever occurs first.

Use of Private Vehicles

59. Council Members using their private vehicles to travel to and from their principal place of residence or workplace on official business of the Corporation of the City of Adelaide, as defined in Standing Order 50, are entitled to be reimbursed according to the rates prescribed by the *Income Tax Assessment Act 1997.* The reimbursement shall be made on the basis of the shortest and most practical route.

60. Claims for reimbursement of private vehicle expenses can be made upon presentation of relevant invoices and receipts within twenty-eight (28) days of the vehicle use.

Use of Taxis for Local Travel

61. A Council Member may use a cab charge card supplied by the Corporation of the City of Adelaide to each Council Member upon request, for journeys required as a consequence of attendance at a function or activity on official business of the Corporation of the City of Adelaide, as defined in Standing Order 50.

62. In the event that a Council Member incurs costs in using a taxi service to attend a function or activity on official business of Council without a cab charge card, a claim for reimbursement of the amount can be made upon presentation of relevant invoices and proof of payment within twenty-eight (28) days of using the service.

Telephone, Email and Internet

63. Telephone, email and internet costs incurred by a Council Member in connection with their role as a Council Member, shall be met by the Corporation of the City of Adelaide at cost, and subject to the application of Standing Orders 64 to 66, upon presentation of relevant invoices and proof of payment within twenty-eight (28) days of receipt of the account.

64. Council Members are entitled to the use of a mobile telephone and a tablet device supplied by the Corporation of the City of Adelaide, during their term of office.

65. Council Members will reimburse the Corporation of the City of Adelaide for the cost of any charges incurred by the Corporation for personal use of mobile phones on a quarterly basis.

66. Where a monthly invoice of over $200 is received for either mobile telephone or tablet use, the Chief Executive Officer, or delegate, will review the account. This review will involve seeking clarification from the Council Member regarding use, as well as seeking information and clarification from the carrier. Following this review, the Chief Executive Officer will advise the Member of any personal use that must be reimbursed by the Council Member.

Training and Professional Development Expenses (refer Part 5 – Training and Development)

67. The Corporation of the City of Adelaide shall pay registration fees, including relevant workshops, for Council Members attending approved meetings, conferences, seminars, training or other engagements approved in accordance with this Chapter.

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68. All receipts and supporting documentation relating to the registration by a Council Member for approved meetings, conferences and training events shall be submitted for reimbursement to the Corporation of the City of Adelaide within twenty-eight (28) days of the expense being incurred.
69. The Corporation of the City of Adelaide shall pay the reasonable costs of overnight accommodation, where required, for attendance at approved meetings, conferences, seminars, training or other engagement.
70. Expenses are payable for the nights of the approved meeting, conference, seminar, training or other engagement and the night before and after where necessary.
71. In-room entertainment and alcoholic beverage costs are payable by the Council Member.
72. All receipts and supporting documentation relating to a Council Member's overnight accommodation for approved meetings, conferences and training events shall be submitted for reimbursement to the Corporation of the City of Adelaide within twenty-eight (28) days of their return.
73. The Corporation of the City of Adelaide shall pay for all reasonable costs for meals for Council Members attending meetings, conferences, seminars, training or engagements approved by Council, where any of those meals are not provided as part of the meeting, conference, seminar, training or engagement fee. The reasonable cost of beverages accompanying a meal will also be paid by the Corporation of the City of Adelaide.
74. All receipts and supporting documentation relating to a Council Member's meals at approved meetings, conferences and training events shall be submitted for reimbursement to the Corporation of the City of Adelaide within twenty-eight (28) days. Reimbursement will be consistent with the Australian Taxation Office guidelines (https://www.ato.gov.au/).
75. Any other expense (not authorised by a resolution of Council approving a Council Member's attendance at a meeting, conference, seminar, training or engagement) must be submitted to the Chief Executive Officer for assessment for reimbursement within twenty-eight (28) days of their return.

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PART 3 - REGISTER OF ALLOWANCES AND BENEFITS

(Gifts and Benefits Register referred to in Code of Conduct for Council Members)

Local Government Act 1999

79—Register of allowances and benefits

(1) The chief executive officer of a council must ensure that a record (the ***Register of Allowances and Benefits***) is kept in which is entered, in accordance with principles (if any) prescribed by the regulations, in respect of each member of the council—

(a) the annual allowance payable to the member; and

(b) details of any expenses reimbursed by the council under section 77(1)(b); and

(c) details of other benefits paid or payable to, or provided for the benefit of, the member by the council.

(2) The chief executive officer must ensure that an appropriate record is made in the Register, in accordance with principles prescribed by the regulations, in respect of—

(a) changes in the allowance or a benefit payable to, or provided for the benefit of, members; or

(b) the provision of a reimbursement (other than a reimbursement under section 77(1)(a)) or benefit not previously recorded in the Register.

(3) A person is entitled to inspect (without charge) the Register at the principal office of the council during ordinary office hours.

(4) A person is entitled, on payment of a fee fixed by the council, to an extract from the Register.

City of Adelaide (Members Allowances and Benefits) Regulations 2010

7—Register of allowances and benefits

(1) The chief executive officer of the Council must ensure that the Register of Allowances and Benefits includes—

(a) details of any expenses reimbursed by the Council under section 25(1)(b) of the Act [*City of Adelaide Act 1998 (SA)*]; and

(b) a record of the provision of a reimbursement (other than a reimbursement under section 25(1)(a) of the Act [*City of Adelaide Act 1998 (SA)*] or benefit not previously recorded in the Register. [Note 1]

(2) The principles that apply under subsections (1) and (2) of section 79 of the *Local Government Act 1999* extend to details or records relating to expenses reimbursed under section 25(1)(b) of the Act [*City of Adelaide Act 1998 (SA)*].

Note—

1 see also the other requirements under section 79 of the *Local Government Act 1999*.

76. The Register of Allowances and Benefits will be available on the Council's website and updated on a quarterly basis.

77. The Register of Allowances and Benefits is compiled based on the information provided to the Council Liaison Officer.

Additional information to be included on the Register of Allowances and Benefits

78. Where Council Members receive a gift or benefit of a value more than $100, the Council Member must organise details of each gift or benefit to be recorded in the Register of Allowances and Benefits.

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Register of Travel Allowances

79. The Chief Executive Officer will ensure a record is kept listing all Council Member's travel expenses for interstate and international travel. This should include:

    79.1 expenses related to travelling to, from and within the destination

    79.2 Visa application fees and any other expenses related to entering a foreign nation

    79.3 accommodation expenses

    79.4 eligible food and drink expenses and incidental expenses.

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PART 4 - PROVISION OF FACILITIES AND SUPPORT

City of Adelaide Act 1998

26—Provision of facilities and support

(1) The Council may provide facilities and other forms of support to its members to assist the members in performing or discharging official functions and duties.

(2) The provision of facilities and services under this section is at the discretion of the Council subject to complying with the following requirements:

(a) the Council must specifically resolve that the provision of the facilities or services is necessary or expedient to the performance or discharge of official functions or duties;

(b) facilities and services must be available to members on a uniform basis (other than facilities or services specifically provided for the benefit of the Lord Mayor);

(c) any property provided to a member remains the Council's.

(3) A member of the Council must not use a facility or service provided by the Council under this section for a purpose unrelated to the performance or discharge of official functions or duties (unless the use has been approved by the Council and the member has agreed to reimburse the Council for any additional costs or expenses associated with this use).

Lord Mayor

80. The Office of the Chief Executive Officer is allocated an annual budget by Council to deliver executive support to the Lord Mayor, Deputy Lord Mayor and Council Members.

81. Staff of the Office of the Lord Mayor are engaged, allocated and managed by the Chief Executive Officer in consultation with the Lord Mayor.

82. The Lord Mayor shall be provided with all other assistance which is reasonably necessary to enable the Lord Mayor to carry out the role of the Lord Mayor, including:

82.1 Personal usage of a Council provided vehicle without charge.

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

82.3 The entitlements of Council Members provided for in Standing Orders 86 to 108.

83. Any other support required by the Lord Mayor which is not covered in Standing Orders 81 and 82 may be approved under delegated authority within the approved budget of the Corporation of the City of Adelaide by the Chief Executive Officer.

Deputy Lord Mayor

84. The Deputy Lord Mayor shall be provided with the assistance which is reasonably necessary to enable the Deputy Lord Mayor to carry out the role of Deputy Lord Mayor.

Official Partner of the Lord Mayor or Lady Mayoress

85. Any person appointed by the Lord Mayor as Official Partner of the Lord Mayor or Lady Mayoress shall be entitled to the use of a dedicated room and, through the Office of the Lord Mayor, to such administrative support as shall be reasonably required to fulfil the role in the manner intended by the Lord Mayor, as to be approved by the Chief Executive Officer, within the approved budget of the Corporation of the City of Adelaide.

Council Members

Administrative Support

86. Administrative services, including scheduling of meetings, for Council Members, responding to invitations, preparation of correspondence and record keeping, shall be provided at a level

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determined reasonable by the Chief Executive Officer and in mutual agreement with the Lord Mayor.

87. Office equipment and necessary stationery shall be provided to enable Council Members to discharge their functions and duties.

88. Council Members will be supplied with letterhead to conduct official Council business. Council Members shall not use the ordinary letterhead of the Corporation of the City of Adelaide, which is reserved for use by staff of the Corporation of the City of Adelaide.

Council Business Assistance

89. The Council Business Team and/or the Executive Leadership Team shall, if requested, provide individual Council Members with necessary information, advice and assistance on the nature and form of any motion which the Council Member wishes to move, within five (5) business days of a request being made.

Independent Legal Advice

90. In liaison with the Chief Executive Officer (or delegate), Council Members will have access to independent and confidential legal advice at the cost of Council regarding any question or matter arising in relation to the Council Member's role or legal responsibilities, or rights in relation to, or arising out of, his or her capacity as a Council Member.

91. The right to legal advice under Standing Order 90 does not extend to the provision of ongoing legal representation in relation to any legal issue or matter without a resolution of Council to that effect.

92. The right to legal advice under Standing Order 90 does not extend to actions arising out of the private business, or a private matter, of a Council Member.

93. Council Members shall select a legal provider from the legal panel appointed by the Corporation of the City of Adelaide, unless another legal provider is approved by the Chief Executive Officer, on a reasonable basis, taking into account the circumstances of the matter.

Computers and Internet Access

94. Council Members are entitled to the use of current technology and applications to enable them to discharge their responsibilities as a Council Member at a level determined by the Chief Executive Officer, or by resolution of Council.

95. Council Members shall be issued with an email account within the Corporation of the City of Adelaide's computer systems which must be solely used for the purpose of receiving Council documents, undertaking official functions and duties and addressing Council business.

Office Use and Storage

96. During their term of office, Council Members are entitled to the use of office accommodation and document storage for the purposes of performing their roles as Council Members in the Council premises, as allocated by the Chief Executive Officer.

97. Council Members are entitled to use available Council offices and meeting rooms for formal meetings with staff or other persons.

Members' Room

98. The Members' Room shall be available for the use of Council Members. It is not to be used by individual Members of Council for informal gatherings (as defined under section 90 of the *Local Government Act 1999 (SA)*).

Local Government Act 1999

(8) The duty to hold a meeting of a council or council committee at a place open to the public does not in itself make unlawful informal gatherings or discussion involving—

(a) members of the council or council committee; or

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(b) members of the council or council committee and staff,

provided that a matter which would ordinarily form part of the agenda for a formal meeting of a council or council committee is not dealt with in such a way as to obtain, or effectively obtain, a decision on the matter outside a formally constituted meeting of the council or council committee.

Also refer to Chapter 6, Part 2 Standing Orders, 'Informal Gatherings'

Insurance

99. Council Members are covered by insurance maintained by the Corporation of the City of Adelaide while performing or discharging their official functions or duties, including attendance at meetings of external bodies as a representative of Council, as follows:
    (a) Public Liability and Professional Indemnity
    (b) Personal Accident whilst on Council business
    (c) Corporate Travel insurance for Council Members and their partners and spouses whilst on overseas Council business travel.
100. Terms and conditions to these insurances covers apply. Further details are available from the Manager Governance.

Meals, Refreshments, Newspapers and Magazines

101. A meal and refreshments shall be provided for Council Members while they are attending Council or Committee meetings at the Town Hall at, or about, meal times.
102. Beverages and tea and coffee making facilities for the use of Council Members, and their guests and visitors, shall be provided in the Members' Room.
103. Newspapers and periodicals shall be provided in the Members' Room and associated digital access to these publications provided where available.

Building Access and Parking

104. Council Members are entitled to be provided with a security pass/key allowing 24 hour access to the Members' offices and the Members' Room, to support them in discharging their responsibilities as Council Members.
105. Council Members who are on official business of the Corporation of the City of Adelaide as outlined in Standing Order 50, are entitled to park in the City of Adelaide Permit Zones in Pirie, King William and Flinders Streets, in Visitor Permit areas, and in ticket spaces without purchasing a ticket and timed areas for longer than the maximum time. The vehicle must clearly display the City of Adelaide Council crest sticker on the windscreen at the time of parking. No parking is allowed in front of the Town Hall in the *Permit Zone requiring authorisation by Lord Mayor at all times*, without prior approval of the Lord Mayor.
106. Council Members shall be offered a UPark card which allows them access to any of the UPark car parks, including Park Lands Car Parks operated by the Council, for use on official Council business, as outlined in Standing Order 50.
107. Council Members are not permitted to park in a zone which has been created exclusively for road traffic or pedestrian safety, exempli gratia no stopping areas, or continuous yellow lines.

Private Use of Council Facilities

108. If a Council Member wishes to make private use of facilities and services, he or she must obtain the approval of the Chief Executive Officer prior. If additional costs or expenses arise from private use, the Council Member must make payment to the Council accordingly.

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PART 5 - TRAINING AND DEVELOPMENT

This part addresses the policy requirements pursuant to section 80A(5) of the Local Government Act 1999 (SA).

Local Government Act 1999

80A—Training and development

(1) A council must prepare and adopt a training and development policy for its members.

(2) The policy must—

(a) be aimed at assisting members in the performance and discharge of their functions and duties; and

(b) comply with any requirements prescribed by the regulations.

(3) A council may from time to time alter its policy, or substitute a new policy.

(4) A person is entitled to inspect (without charge) a policy under this section at the principal office of the council during ordinary office hours.

(5) A person is entitled, on payment of a fee fixed by the council, to a copy of a policy under this section.

Local Government (General) Regulations 2013

8AA—Training and development

(1) For the purposes of section 80A(2)(b) of the Act, a council must ensure that its training and development policy—

(a) provides that members must undertake regular training in accordance with the policy; and

(b) complies with the LGA training standards.

(2) In this regulation—

LGA training standards means the document entitled *LGA training standards for council members* approved by the Minister for the purposes of this regulation and published on a website maintained by the LGA, as in force from time to time.

(3) An alteration to the LGA training standards by the LGA has no force or effect for the purposes of subregulation (2) unless or until the Minister has provided his or her written approval to the making of the alteration.

(4) For the purposes of the definition of *LGA training standards*—

(a) the LGA is declared to be a prescribed body under section 303(4) of the Act; and

(b) the LGA training standards are adopted by these regulations pursuant to section 303(4) of the Act; and

(c) the principal office of the LGA (at 148 Frome Street, Adelaide, 5000 or, if the LGA moves its principal office, at that new address) is specified for the purposes of section 303(7)(c) of the Act.

109. The Chief Executive Officer will allocate the Council approved budget each financial year to support the training and development of Council Members.

110. At the beginning of each Council term the Chief Executive Officer will provide reasonable training to support the induction and onboarding of Council Members.

Minimum and Mandatory Training

111. The following are the minimum and mandatory training requirements (modules) of the LGA training standard that each Council Member is required to complete within the first 12 months of the municipal term.

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Summary from LGA Training Standards for Council Members

Module 1 – Introduction to Local Government

By completing this mandatory training module, Council Members will gain an understanding of the Australian System of Government and the composition, structure and operational functions of Councils in South Australia.

The Australian System of Government

- The three spheres of government and their functions
- Relationships between the three spheres of government

Roles and Functions of Local Government

- Role, functions and objectives of Local Government
- Composition and structure of Councils
- Community engagement and consultation
- Strategic Planning

Elected/Staff Structures

- Role of Council Members
- Role of Staff

Services Provided by Councils

- Mandatory
- Discretionary

Minimum requirement- 1.5 hours.

Module 2 - Legal Responsibilities

By completing this mandatory training module, Council Members will gain an overview of their duties as a Council Member under the *Local Government Act 1999* and related legislation. The module will describe the roles of the Independent Commissioner Against Corruption, the Minister for Local Government and the Ombudsman regarding individual and Council performance, with an emphasis on investigations of maladministration, corruption and misconduct.

Role of a Council Member
Delegations
General Duties
Code of Conduct for Council Members
Conflict of Interest
Register of Interests
Responsibilities concerning the provision of support and resources
Legal Protections for Council Members
External Oversight

- Ombudsman SA
- Independent Commissioner Against Corruption
- Minister for Local Government
- District Court

Minimum requirement- 2 hours

Module 3 – Council and Committee Meetings

By completing this mandatory training module, Council Members will have a greater understanding of the meeting procedures established to guide Council decision making.

Council & Committee Meeting Procedures

- Overview
- Council Meetings
- Committee Meetings
- Public Access to Council and Committee Meetings
- Informal Gatherings
- Agendas

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- Motions and Voting
- Minutes
- Public Access to documents
- Chairing meetings

Minimum requirement- 1.5 hours

Module 4 - Financial Management and Reporting

By completing this mandatory training module, Council Members will gain an understanding of a Council's responsibilities for financial and asset management planning, setting rates and monitoring budgets.

Overview of financial governance responsibilities of individual elected members and the elected body
Long term financial planning
Long term asset management planning
Audit Committees
Rating
Budgets and Annual business plans

Minimum requirement- 2.5 hours

112. The Chief Executive Officer must keep a record that indicates that Council Members have completed the required modules.

Professional Memberships

113. Council Members are entitled to have one professional membership provided each year by the Corporation of the City of Adelaide, and two per year in respect to the Lord Mayor, to support them in undertaking their official duties as Council Members.

114. The Chief Executive Officer will approve the professional membership(s) that will be paid for by the Corporation of the City of Adelaide.

115. A tax invoice shall be provided to the Chief Executive Officer or delegate to enable payment of the professional membership within twenty-eight (28) days of the membership being agreed. Payment of professional memberships by Council will be limited to the term of Council.

116. Any professional membership provided by Council must be recorded on the Register of Allowances and Benefits.

Authorisation to Attend Interstate Events

117. In recognition of the strategic importance of the Lord Mayor role as the primary representative of the City of Adelaide, the Lord Mayor may attend interstate conferences, seminars, meetings or other engagements without the need for separate Council approval, with Council meeting the reasonable costs of travel, accommodation and subsistence

118. Expenditure by Council Members incurred by attending meetings, conferences, seminars, training or other engagements interstate must be approved by Council in advance, if such expenditure is to be reimbursed to the Council Member or paid by the Corporation of the City of Adelaide. Council Members are expected to discuss proposed attendance with the Lord Mayor prior to the proposal being considered by Council.

Authorisation to Attend Overseas Events

119. Expenditure by Council Members incurred by attending meetings, conferences, seminars, training or other engagements overseas must be approved by Council in advance, if such expenditure is to be reimbursed to the Council Member or paid by the Corporation of the City of Adelaide. Council Members are expected to discuss proposed attendance with the Lord Mayor prior to the proposal being considered by Council.

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120. Any international travel proposed by the Lord Mayor must be approved by Council prior to any such travel with an appropriate budget for travel, accommodation and subsistence.

Authorisation to Attend Local Events

121. Council Members may attend local conferences, seminars, meetings or other engagements, on the basis that the cost will be paid by the Corporation of the City of Adelaide, or reimbursed to the Council Member, where the approval of the Chief Executive Officer has been first obtained, provided such meeting, conference, seminar, training or other engagement is relevant to the operations of the Corporation of the City of Adelaide, Local Government generally, or is directly related to the performance and discharge of the roles or duties of the Council Member.

Voting Rights attending a conference or meeting

122. When a Council Member, including the Lord Mayor, is attending a conference or meeting at the expense of the Corporation of the City of Adelaide, the Council Member must act as a representative of the Council and, if feasible, will:

    122.1 Seek a prior endorsed position or decision from Council where applicable (if vote requirements are known in advance).

    122.2 Vote in line with pre-existing Council decisions or policies.

Reports on Attendance

123. A Council Member attending an overseas or interstate meeting, conference, seminar, training or engagement must prepare and submit a report to a meeting of the Council occurring within 60 days (2) months following such attendance.

Reporting

124. All reimbursements or payments made on behalf of Council Members to attend training and development activities will be recorded in the Register of Allowances and Benefits.

125. In respect of each Council Member, a record of travel expenses for interstate and international travel will be maintained by the Chief Executive Officer (the Register of Travel Allowances – Refer to Standing Order 79).

126. Details of each Council Member's training and development activity will also be recorded in the Annual Report, as required by the Schedule 4 of the *Local Government Act 1999 (SA)*.

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PART 6 – RECORD KEEPING AND ACCESS RIGHTS

Records

127. The *State Records Act 1997 (SA)* places statutory obligations on the Corporation of the City of Adelaide to retain its official records for continuing administrative and legal purposes, and to dispose of them only in accordance with General Disposal Schedule 20, or an authority issued by State Records under the Act.

128. The *Independent Commissioner Against Corruption Act 2012 (SA), Freedom of Information Act, 1991 (SA)* the *Ombudsman Act 1972 (SA)* and the *Evidence Act 1929* (SA), contain provisions in relation to access to official records and/or obligations to make such records available in legal proceedings.

129. Council Members' written and electronic records that concern the Corporation of the City of Adelaide business, functions or activities are classified as 'official records' under the *State Records Act, 1997 (SA)* and must be retained. Council Members have an obligation to ensure the records created or used by them in the course of performing their official functions and duties are retained and incorporated in the Corporation of the City of Adelaide's records, including:

    129.1 Social media accounts and receipt or response to official business, which are to be forwarded to a City of Adelaide email address, or the relevant City of Adelaide social media account, tagged to enable the Council record keeping process to be utilised.

    129.2 The obligation for Council Members to retain records does not apply to those items that are personal or private, or documents which the Corporation of the City of Adelaide has itself created and stored such as Council agendas, minutes or briefing notes.

Access

Local Government Act 1999

61—Access to information by members of councils

(1) A member of a council is entitled at any reasonable time, in connection with the performance or discharge of the functions or duties of the member (whether under this or another Act), without charge, to have access to any relevant council document, including (but not limited to)—

(a) a copy of a written contract entered into by the council, or a copy of a document relating to a contract that is proposed to be entered into by the council;

(b) accounting records kept by the council;

(c) financial statements and other documents prepared by the council under Chapter 8.

(2) A request for access to a document under subsection (1) should be directed to the chief executive officer, or another officer specified by the chief executive officer for the purposes of this section.

(3) The chief executive officer or another officer providing access to a document under subsection (1) may indicate to the member that information contained in the document is, or should be considered as, confidential.

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CHAPTER 6
Council Governance

Part 2 Informal Gatherings policy as per section 90(8) of the Local Government Act 1999.

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PART 1 - COUNCIL AND COMMITTEES

130. Council, established through the *Local Government Act 1999 (SA)* and the *City of Adelaide Act 1998 (SA),* is the governing body of the Corporation of the City of Adelaide and is:

130.1 Accountable to the Capital City Community for City leadership and strategy development that delivers benefit for all South Australian.

130.2 Responsible for the delivery of efficient and effective local government services that respond to the community's needs.

131. Council is comprised of all those who have been elected as Members of the governing body of the Corporation of the City of Adelaide (refer section 35 *Local Government Act 1999*) and the Lord Mayor is the Principal Member (refer Chapter 2 Roles).

132. The Governance Structure is to be approved by Council. Prior to the Council resolving the structure it seeks to establish for the municipal term of office, the Chief Executive Officer will liaise with the Lord Mayor and all Council Members seeking input on governance arrangements.

Committees

Local Government Act 1999

41—Committees

(1) A council may establish committees.

(2) A committee may, according to a determination of the council (and subject to the operation of this Act), be established—

(a) to assist the council in the performance of its functions;

(b) to inquire into and report to the council on matters within the ambit of the council's responsibilities;

(c) to provide advice to the council;

(d) to exercise, perform or discharge delegated powers, functions or duties.

(3) The membership of a committee will be determined by the council and may consist of, or include, persons who are not members of the council.

(4) The council must appoint a person as the presiding member of a committee, or make provision for the appointment of a presiding member.

(5) A member of a committee holds office at the pleasure of the council.

(6) The council may appoint the principal member of the council as an *ex officio* member of a committee (but in such a case the principal member will not be taken to be included in the membership of the committee unless actually present at a meeting of the committee).

(7) A committee may establish a subcommittee to assist it in a matter.

(8) A council must, when establishing a committee, determine the reporting and other accountability requirements that are to apply in relation to the committee.

(9) A committee that is performing a regulatory activity of the council must report to the council on its activities at least quarterly.

(10) The establishment of a committee does not derogate from the power of the council to act in a matter.

(11) No act or proceeding of a council committee is invalid by reason of—

(a) a vacancy or vacancies in the membership of the committee; or

(b) a defect in the election or appointment of a member or members of the committee; or

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(c) the fact that the election of a member or members of the committee is subsequently declared void by a court of competent jurisdiction.

(12) No civil liability attaches to a member of a committee for an honest act or omission in the exercise, performance or discharge, or purported exercise, performance or discharge, of the member's or committee's powers, functions or duties.

(13) A liability that would, but for subsection (12), attach to a member of a committee attaches instead to the council.

Delegations

Local Government Act 1999

44—Delegations

(1) A council may delegate a power or function vested or conferred under this or another Act.

(2) A delegation may be made—

(a) to a council committee; or

(b) to a subsidiary of the council; or

(c) to an employee of the council; or

(d) to the employee of the council for the time being occupying a particular office or position; or

(e) to an authorised person.

(3) However, a council may not delegate—

(a) power to make a by-law or to determine that a by-law applies only within a part or parts of the area of the council;

(b) power to declare rates or a charge with the character of a rate;

(c) power to borrow money or to obtain other forms of financial accommodation;

(d) power to adopt or revise a strategic management plan of the council;

(da) power to adopt or revise an annual business plan or budget of the council;

(e) power to approve expenditure of money on works, services or operations of the council not contained in a budget adopted by the council;

(g) power to approve payment or reimbursement of expenses that may be paid at the discretion of the council and for which the council has not adopted a formal policy or made specific financial provision;

(h) power to establish a subsidiary, or to participate in the establishment of a regional subsidiary;

(i) power to make an application or recommendation, or to report or to give a notice, to the Governor or the Minister, being an application, recommendation, report or notice for which provision is made by or under this or another Act;

(j) power to fix, vary or revoke a fee under section 188(1)(d) to (h);

(ja) the power to revoke the classification of land as community land under section 194;

(k) a power or function excluded from delegation by the regulations.

(3a) A council must not delegate—

(a) the power to enter into, or to vary or terminate, a building upgrade agreement on behalf of the council; or

(b) the power to declare and levy a building upgrade charge under a building upgrade agreement,

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except to the chief executive officer and, despite subsection (4)(b), the chief executive officer cannot subdelegate these powers.

(4) A delegation—

(a) is subject to conditions and limitations determined by the council or specified by the regulations; and

(b) if made to the chief executive officer authorises the subdelegation of the delegated power or function unless the council directs otherwise and if made to anyone else authorises the subdelegation of the delegated power or function with the approval of the council; and

(c) is revocable at will and does not prevent the council from acting in a matter.

(5) If a power or function is delegated to an employee of the council, the employee is responsible to the chief executive officer for the efficient and effective exercise or performance of that power or function.

(6) The council must cause a separate record to be kept of all delegations under this section, and should at least once in every financial year review the delegations for the time being in force under this section.

(7) A person is entitled to inspect (without charge) the record of delegations under subsection (6) at the principal office of the council during ordinary office hours.

(8) A person is entitled, on payment of a fee fixed by the council, to an extract from the record of delegations under subsection (6).

(9) This section does not limit or affect a power of delegation under another Act.

Audit Committee

Local Government Act 1999

126—Audit committee

(1) A council must have an audit committee.

(2) The membership of an audit committee—

(a) may include persons who are not members of the council; and

(b) may not include an employee of the council (although an employee may attend a meeting of the committee if appropriate); and

(c) may include, or be comprised of, members of an audit committee for another council; and

(d) must otherwise be determined in accordance with the requirements of the regulations.

(4) The functions of an audit committee include—

(a) reviewing annual financial statements to ensure that they present fairly the state of affairs of the council; and

(ab) proposing, and providing information relevant to, a review of the council's strategic management plans or annual business plan; and

(ac) proposing, and reviewing, the exercise of powers under section 130A; and

(b) liaising with the council's auditor; and

(c) reviewing the adequacy of the accounting, internal control, reporting and other financial management systems and practices of the council on a regular basis.

133. The Audit Committee Terms of Reference will be adopted by Council.

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Reconciliation Committee

134. There shall be a Reconciliation Committee appointed by Council established for the term of the office.

135. Membership will be in accordance with the City of Adelaide Reconciliation Committee Terms of Reference adopted by Council.

136. The primary purpose of the Reconciliation Committee is to engage collaboratively with peak Government and non-Government reconciliation groups to advance reconciliation in the City of Adelaide and encourage and seek broad participation from Aboriginal People in Council activities and events.

137. The role of the Reconciliation Committee is to:

    137.1 Recommend to Council a Reconciliation Action Plan (schedule of reconciliation initiatives) that demonstrates Council's commitment to reconciliation.

    137.2 Provide input to policy development and strategic advice to Council across areas likely to impact on Aboriginal People as requested by Council or resolved by the Committee.

    137.3 Promote a positive image to the general public of Aboriginal People, facilitate reconciliation between the City of Adelaide's diverse communities and contribute to the education and awareness of the Council's communities about the diversity of Aboriginal cultures.

    137.4 Monitor the implementation of the guiding principles of Council's Reconciliation Vision Statement.

138. The City of Adelaide's Reconciliation Committee will have dual Chairs, one of whom will be the Lord Mayor. The Reconciliation Committee will select the second person for the dual Chair role, as well as a proxy and the role of Deputy, from the remaining Reconciliation Committee members.

Strategic Planning & Development Policy Committee

Development Act 1993

101A—Councils to establish strategic planning and development policy committees

(1) A council must establish a strategic planning and development policy committee.

(2) The functions of the committee are:

(a) to provide advice to the council in relation to the extent to which the council's strategic planning and development policies accord with the Planning Strategy; and

(b) to assist the council in undertaking strategic planning and monitoring directed at achieving—

(i) orderly and efficient development within the area of the council; and

(ii) high levels of integration of transport and land-use planning; and

(iii) relevant targets set out in the Planning Strategy within the area of the council; and

(iiia) the implementation of affordable housing policies set out in the Planning Strategy within the area of the council; and

(iv) other outcomes of a prescribed kind (if any); and

(c) to provide advice to the council (or to act as its delegate) in relation to strategic planning and development policy issues when the council is preparing—

(i) a Strategic Directions Report; or

(ii) a Development Plan Amendment proposal; and

(d) other functions (other than functions relating to development assessment or compliance) assigned to the committee by the council.

(3) The *Local Government Act 1999* will apply in relation to a committee established under this section as if it were a committee established under that Act.

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139. The Strategic Planning & Development Policy Committee addresses the requirements of s101A of the *Development Act 1993 (SA)*

The Strategic Planning & Development Policy Committee will cease to operate on the commencement of all provisions of the *Planning, Development and Infrastructure Act 2016 (SA)*.

Council Assessment Panel

Planning, Development and Infrastructure Act 2016

83—Panels established by joint planning boards or councils

(1) The following provisions will apply in relation to an assessment panel appointed by a joint planning board or a council (a designated authority) under Division 1:

(a) a designated authority may appoint more than 1 assessment panel but, if it does so, the designated authority must clearly specify which class of development each assessment panel is to assess;

(b) a designated authority must determine—

(i) the membership of the assessment panel, being no more than 5 members, only 1 of which may be a member of a council, and, if the designated authority thinks fit, on the basis that the assessment panel will be constituted by a different number of members depending on the particular class of development that is being assessed by the assessment panel; and

(ii) the procedures to be followed with respect to the appointment of members; and

(iii) the terms of office of members; and

(iv) conditions of appointment of members, or the method by which those conditions will be determined, (including as to their remuneration) and the grounds on which, and the procedures by which, a member may be removed from office; and

(v) the appointment of deputy members; and

(vi) who will act as the presiding member of the panel and the process for appointing an acting presiding member;

(c) a person appointed as a member of an assessment panel must be an accredited professional;

(d) a person who is a member of the Parliament of the State is not eligible to be appointed as a member of an assessment panel;

(e) a person appointed as a member of an assessment panel must disclose his or her financial interests in accordance with Schedule 1;

(f) the procedures of an assessment panel must comply with any requirements prescribed by the regulations;

(g) a member of an assessment panel must not act in relation to a development if he or she has a direct or indirect pecuniary interest in any aspect of the development or any body associated with any aspect of the development;

(h) the designated authority that appoints an assessment panel will be responsible for—

(i) arranging the staffing and support required for the purposes of the operations of the panel; and

(ii) the costs and other liabilities associated with the activities of the panel;

(i) in the case of an assessment panel appointed by a council—the council must substitute the existing members of the panel with new members if directed to do so by the Minister acting on recommendation of the Commission under section 86.

(2) Subsection (1)(c) does not apply if—

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(a) the person is a member, or former member, of a council; and

(b) the designated authority is satisfied that the person is appropriately qualified to act as a member of the assessment panel on account of the person's experience in local government.

(3) Without limiting the effect of subsection (1)(g), a person will be taken to have a pecuniary interest in a matter for the purposes of the subsection if an associate of the person has an interest in the matter.

(4) A person who contravenes subsection (1)(g) is guilty of an offence.

Maximum penalty: $20 000.

Working Groups

140. From time to time the Chief Executive Officer may establish a Working Group comprised of any members of the executive and staff of the Corporation of the City of Adelaide, Council Members and/or members of the public with particular skill or expertise.

141. A Working Group established under Standing Order 140 will be:

141.1 Formed for a specific period of time to assist the Corporation of the City of Adelaide in carrying out a particular function or project.

141.2 Advisory in nature and intended to inform the Chief Executive Officer.

141.3 Not subject to the meeting and/or informal gathering provisions of the *Local Government Act 1999 (SA).*

142. Any member of a Working Group, other than a Council Member or an executive or staff member of the Corporation of the City of Adelaide, may be offered a sitting or other fee, as the Chief Executive Officer may determine appropriate.

Subsidiaries

Local Government Act 1999

42—Ability of council to establish a subsidiary

(1) A council may establish a subsidiary—

(a) to provide a specified service or services; or

(b) to manage or administer property, facilities or activities on behalf of the council; or

(c) to perform a function of the council under this or another Act.

(2) A council cannot establish a subsidiary under this section if the primary purpose of the subsidiary would be to perform a regulatory activity of the council.

(3) The establishment of a subsidiary under this section is subject to obtaining the approval of the Minister to the conferral of corporate status under this Act.

(4) The establishment of a subsidiary does not derogate from the power of the council to act in a matter.

Note—

Schedule 2 contains other provisions relevant to a subsidiary established by a council under this section

143. The following subsidiaries have been established:

143.1 The Adelaide Central Market Authority https://adelaidecentralmarket.com.au/about/

143.2 The Rundle Mall Management Authority https://rundlemall.com/about/rundle-mall-management-authority/

143.3 The Adelaide Park Lands Authority established under the *Adelaide Park Lands Act 2005* (SA) https://adelaideparklands.com.au/adelaide-park-lands-authority/

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PART 2 - INFORMAL GATHERINGS

This part meets the requirements for the Council to adopt a policy on the holding of Informal Gatherings pursuant to section 90(8) and 90(8a) of the Local Government Act 1999.

Local Government Act 1999

Informal Gatherings

90—Meetings to be held in public except in special circumstances

(8) The duty to hold a meeting of a council or council committee at a place open to the public does not in itself make unlawful informal gatherings or discussion involving—

(a) members of the council or council committee; or

(b) members of the council or council committee and staff,

provided that a matter which would ordinarily form part of the agenda for a formal meeting of a council or council committee is not dealt with in such a way as to obtain, or effectively obtain, a decision on the matter outside a formally constituted meeting of the council or council committee.

Examples—

The following are examples of informal gatherings or discussions that might be held under subsection (8):

(a) planning sessions associated with the development of policies or strategies;

(b) briefing or training sessions;

(c) workshops;

(d) social gatherings to encourage informal communication between members or between members and staff.

(8a) In addition, an informal gathering or discussion under subsection (8) may only be held if—

(a) the council has adopted a policy on the holding of informal gatherings or discussions; and

(b) the informal gathering or discussion complies with the policy.

(8b) A policy adopted under subsection (8a) must comply with any requirements prescribed by the regulations, and the regulations may (for example) include requirements that the policy provide for—

(a) the imposition of limitations on the holding of informal gatherings or discussions; and

(b) procedures for approval of informal gatherings or discussions; and

(c) the capacity of the council to impose conditions on an approval.

(8c) A council may from time to time alter its policy, or substitute a new policy.

(8d) The council must ensure that a copy of the policy under subsection (8a) is available for inspection (without charge) at the principal office of the council during ordinary office hours and on a website determined by the chief executive officer.

(8e) A person is entitled, on payment of a fee fixed by the council, to a copy of a policy under subsection (8a).

Local Government (General) Regulations 2013

8AB—Informal gatherings and discussions

(1) For the purposes of section 90(8b) of the Act, a council must ensure that its policy on the holding of informal gatherings or discussions—

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(a) provides that designated informal gatherings or discussions must be held at a place open to the public, unless the designated informal gathering or discussion is one that the council or chief executive officer has declared may be held in confidence; and

(b) provides that the council or chief executive officer will only declare that a designated informal gathering or discussion may be held in confidence—

(i) on a case by case basis; and

(ii) if the designated informal gathering or discussion—

(A) is a planning session of a general or strategic nature; or

(B) is a briefing relating to—

• information; or

• a matter,

of a confidential nature within the ambit of section 90(3) of the Act; and

(c) provides for procedures relating to the holding of designated informal gatherings or discussions; and

(d) provides for publication on the council's website of details relating to designated informal gatherings or discussions, including—

(i) in all cases—

(A) the place, date and time at which the designated informal gathering or discussion will be held; and

(B) the matter that is to be discussed at the designated informal gathering or discussion; and

(C) whether or not the designated informal gathering or discussion is to be held at a place open to the public; and

(ii) in the case of a designated informal gathering or discussion that will be held in confidence—the reason for the designated informal gathering or discussion being held in confidence.

(2) In this regulation—

designated informal gathering or discussion means an event organised and conducted by or on behalf of the council or chief executive officer to which members of the council or council committee (as the case may be) have been invited and that involves discussion of a matter that is, or is intended to be, part of the agenda for a formal meeting of the council or council committee.

144. Section 90(8) of the *Local Government Act 1999 (SA)* provides that informal gatherings and discussions may be held, provided that a matter which would ordinarily form part of the agenda for a formal meeting of the Council or Council Committee is not dealt with in such a way as to obtain, or effectively obtain, a decision outside of a formally constituted meeting of the Council or Council Committee.

145. The Chief Executive Officer will determine procedures relating to the holding of an informal gathering and discussion.

146. An informal gathering or discussion may be convened to facilitate discussion and support a non-decision-making forum that enables all Council Members, the Chief Executive Officer, Directors, Associate Directors or officers (or any combination of these persons) to participate in an open and transparent discussion in relation to, but not limited to:

146.1 planning sessions associated with the development of policies or strategies

146.2 briefing or training sessions

146.3 workshops

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146.4 social gatherings or events to encourage informal communication between members or between members and staff

146.5 meetings with politicians or State Government agencies.

147. A designated informal gathering or discussion (as per the definition in regulation 8AB(2) of the *Local Government (General) Regulations 2013 (SA))* will be held in a place open to the public, except where the designated informal gathering or discussion has been declared by the Council or the Chief Executive Officer to be held in confidence.

148. A confidentiality declaration can apply to:

148.1 a planning session of a general or strategic nature

148.2 a briefing relating to information or a matter of a confidential nature within the ambit of section 90(3) of the *Local Government Act 1999 (SA).*

149. When a designated informal gathering or discussion is convened, the Chief Executive Officer must have a notice of the designated informal gathering or discussion posted to www.cityofadelaide.com.au as soon as practical after Council Members have been advised, and not less than 4 hours before the designated informal gathering or discussion is due to start.

150. The notice of the designated informal gathering or discussion will contain the following details in all cases:

150.1 The place, date and time at which the designated informal gathering or discussion will be held.

150.2 The matter that is to be discussed at the designated informal gathering or discussion.

150.3 Whether or not the designated informal gathering or discussion is to be held at a place open to the public.

150.4 In the case of a designated informal gathering or discussion that will be held in confidence – the reason for the designated informal gathering or discussion being held in confidence.

151. Both the Chief Executive Officer and the Council are responsible for ensuring designated informal gatherings are conducted in accordance with the *Local Government Act 1999 (SA)*.

152. Designated informal gatherings are not subject to the procedural meeting requirements of the *Local Government Act 1999* and *Local Government (Proceedings at Meetings) Regulations 2013 (SA)*.

153. Designated informal gatherings will be chaired by the Chief Executive Officer, or another senior Council officer. The Chair is responsible for ensuring that the purpose, intent and outcomes of the designated informal gatherings or discussions are consistent with section 90 of the *Local Government Act 1999 (SA)*.

154. There will be no formal minutes recorded from a designated informal gathering or discussion. Notes of a designated informal gathering may be tabled at the next available Council meeting.

155. Attendance of Elected Members at a designated informal gathering or discussion will be recorded via a sign-in sheet.

156. If a designated informal gathering or discussion has been declared to be held in confidence, then the designated informal gathering or discussion may be attended by Council members, the Chief Executive Officer and any other person invited to attend by the Council or the Chief Executive Officer.

157. If a confidential declaration has been made in respect of only some of the matters to be discussed at a designated informal gathering or discussion, then those confidential matters will be scheduled to be discussed at the end of the agenda for the designated informal gathering or discussion. The designated informal gathering or discussion will be open to the public until immediately prior to the discussion on confidential matters commencing.

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158. An informal gathering or discussion that is not a designated informal gathering or discussion, will generally be conducted in a manner consistent with designated informal gatherings or discussions, with the exception that:

158.1 they will not be held in a place open to the public

158.2 they will not be publicised

158.3 attendance will not be recorded.

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PART 3 - SELECTION OF COUNCIL MEMBERS TO NOMINATED POSITIONS

Filling of Positions at Disposal of Council

159. Council, in a meeting of the Council, will determine, or delegate the determination of, every appointment to a position at its disposal.

Nomination Process

160. Prior to a meeting of the Council to nominate or appoint a Council Member to a position, the Chief Executive Officer shall, where possible, give Council Members at least 10 days' notice prior to the meeting of the nomination or appointment sought, with a request to provide a written expression of interest for the position via email.

161. The expression of interest must be sent from the Council Member directly to the Chief Executive Officer. The Council Member will state a willingness to accept a nomination for or appointment to a position and give an undertaking that he or she will, if appointed, resign from the position, subject of the appointment, within one month of ceasing to be a Council Member.

162. The name of each Council Member identified in the expression of interest will be included in the report presented for Council consideration and resolution on the appointment or nomination.

163. Where permissible, in the absence of an expression of interest from a Council Member, or requirement for a resolution of the Council to nominate for appointment, the Chief Executive Officer may nominate or appoint a suitably qualified staff member and Council will be informed of the nomination or appointment put forward.

164. The expression of interest process does not preclude a Council Member being nominated or accepting/declining a nomination at the meeting of the Council where the nomination or appointment is sought.

165. In the event an external board or committee has specifically requested that Council provide more than one nominee or appointment, the Chief Executive Officer will provide a list of nominees presented in the order of preference, as resolved by Council.

Appointment Process

166. All elections for positions will be subject to confirmation by way of a resolution of Council.

167. Prior to Council appointing a Council Member to a position of Director on a Board of a Subsidiary, the Council will have regard to the composition and purpose of the Subsidiary, and its Charter.

168. If the nomination, or nominations, match the position, or positions, available, a resolution of the Council will be required to confirm the outcome of the election process.

169. Unless determined otherwise by Council, in the event of there being more nominations than required, an election by voting ballot of all Council Members present, will be undertaken to select a nominee.

170. The nominee with the highest number of votes will be the preferred Council nominee.

171. With the exception of the selection of a Deputy Lord Mayor, if the votes for two or more candidates are equal, unless the meeting decides to undertake another election by voting ballot for the candidates with equal votes, Council will draw lots to determine which candidate, or candidates, will be excluded.

172. In the selection of a Deputy Lord Mayor, if the votes for two or more candidates for the office are equal, lots must be drawn to determine which candidate or candidates will be excluded [s 51 of the *Local Government Act 1999* (SA)].

173. In the event lots are drawn, the candidate, or candidates, remaining, will be identified as the preferred Council nominee.

174. At the conclusion of a voting ballot or drawing of lots, a resolution of the Council will be required to confirm the outcome of the election process.

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Absence of Presiding Member

175. In the case of Council, if the Lord Mayor and Deputy Lord Mayor, or in the case of a Committee, the Chair and Deputy Chair, are absent, then a Council Member (or Committee) will be elected to chair the meeting by the Council Members (or Committee) who are present.

    175.1 The election must be conducted by the Chief Executive Officer.

    175.2 If, at an election of an Acting Chair, there is more than one nomination, and two or more candidates receive the same number of votes, and no other candidate receives a greater number of votes, unless the meeting decides to undertake another election by voting ballot for the candidates with equal votes, the Acting Chair is to be the candidate whose name is chosen by lot.

    175.3 The Chief Executive Officer must arrange for the names of the candidates who have an equal number of votes to be written on similar slips, and then fold the slips so as to prevent the names from being seen, mix the slips and draw one of the slips at random.

    175.4 The candidate whose name is on the drawn slip is excluded and the remaining candidate elected as the Acting Chair.

    175.5 At the conclusion of a voting ballot or drawing of lots, a resolution of the meeting will be required to confirm the outcome of the election process.

Responsibility of Members on External Board or Committee

176. A Council Member who is appointed by Council to a position on an external board or external committee must act in the best interests of that external board when fulfilling his/her role as Board Member. He/she must not let the interests of the external board or external committee impact on his or her role as a Council Member.

177. Subject to any confidentiality and fiduciary obligations owed to an external board or external committee, a Council Member who is 'representing' the Council or committee is required, to the extent lawfully possible, to report to Council on the activities and considerations of the relevant board or committee to the extent, if any, that the activities or considerations should be of any interest or significance to the Corporation of the City of Adelaide.

178. Having regard to Standing Order 178 above, a Council Member who is a Council representative on an external board or external committee must update the Council on a bi-monthly basis. Administrative Support will be provided for those Members to assist in the discharge of this responsibility.

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PART 4 - CORPORATE STATUS AND COMMON SEAL

Local Government Act 1999

35—Corporate status

(1) A council is a body corporate with perpetual succession and a common seal.

(2) A council bears the name assigned to it under this Act.

(3) A council consists of the members appointed or elected to the council in accordance with this Act or the Local Government (Elections) Act 1999.

Local Government Act 1999

38—The common seal

(1) The common seal of a council must not be affixed to a document except to give effect to a resolution of the council.

(2) The affixation of the common seal must be attested by the principal member of the council and the chief executive officer.

(3) An apparently genuine document purporting to bear the common seal of a council and the signatures of the principal member of the council and the chief executive officer attesting the affixation of the seal will, in the absence of proof to the contrary, be taken to have been duly executed by the council.

179. The Chief Executive Officer shall have the charge of the common seal of the Corporation of the City of Adelaide and shall be responsible for the safe custody and proper use of the same.

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PART 5 - CARETAKER PERIOD AND END OF TERM OF OFFICE

180. It is a long established democratic principle that outgoing elected bodies should not use public resources for election campaigning, nor make decisions which may unreasonably, inappropriately, or unnecessarily bind an incoming Council.

Local Government (Elections) Act 1999

91A—Conduct of council during election period

(1) A council must, within 6 months of the commencement of this section, prepare and adopt a caretaker policy governing the conduct of the council and its staff during the election period for a general election.

(2) Subject to this section, the caretaker policy must, as a minimum, prohibit the making of a designated decision during the election period.

(3) If a council considers that there are extraordinary circumstances which require the making of a designated decision during the election period, the council may apply in writing to the Minister for an exemption from the application of this section to the designated decision specified in the application.

(4) If the Minister is satisfied that there are extraordinary circumstances, the Minister may grant an exemption from the application of this section to the designated decision specified in the application subject to any conditions or limitations that the Minister considers appropriate.

(5) A designated decision made by a council in contravention of this section or the caretaker policy of the council is invalid.

(6) Any person who suffers any loss or damage as a result of acting in good faith on a designated decision made in contravention of this section or a caretaker policy is entitled to compensation from the council for that loss or damage.

(7) The caretaker policy of a council is to be taken to form part of each code of conduct required to be prepared and adopted in relation to council members and staff under the *Local Government Act 1999* or the *City of Adelaide Act 1998*.

Caretaker Policy

181. Refer to City of Adelaide Caretaker Policy adopted by Council (City of Adelaide policy portal).

End of Term of Office

182. Prior to entering the election period, the Chief Executive Officer, in consultation with the Lord Mayor, will prepare an End-of-Term Function proposal (including a proposed budget and function date) for Council's consideration and adoption.

183. The End-of-Term function will be used to acknowledge those people relevant to, or involved with, the Council during the term of office who may include, but not necessarily be limited to, any one or more of the following:

183.1 the Governor of South Australia and partner

183.2 former Lord Mayors' and their partners or guest

183.3 State and Federal Ministers, and Shadow Ministers, relevant to the affairs of the City of Adelaide

183.4 the Members of State and Federal Parliament within whose seat the City of Adelaide lies

183.5 Members of Council and their partners

183.6 all candidates for the Council election and their partners

183.7 officials and staff of the Corporation of the City of Adelaide nominated by the Lord Mayor or Chief Executive Officer

183.8 other persons of significance to the City of Adelaide affairs and areas of influence

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183.9 persons who have had a material involvement with the City of Adelaide during the term of office

183.10 other people working or residing in the City of Adelaide who are relevant to the affairs of the City of Adelaide.

184. At the last ordinary meeting of the Council for the municipal term, the Chief Executive Officer shall, present an End-of-Term Report to Council on Council's activities and achievements during the Term of Office, which shall be received and recorded in the minutes of the meeting of Council at which it is presented.

185. Following the last meeting of Council for the Term of Office, all Council Members will receive a certificate of appreciation (or similarly titled document).

186. As soon as a Council Member is no longer a current serving Council Member, the use of the City of Adelaide Crest on documents and social media sites/pages must cease.

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CHAPTER 7
Meeting Procedures and Access to Meetings and Documents

Regulation 6 of the *Local Government (Procedures at Meetings) Regulations 2013 (SA)* (the Regulations) provides that a Council may add or vary certain provisions of Part 2 of the Regulations by adopting a code of practice that establishes procedures for the relevant matter or matters that apply in substitution for the relevant provision.

Code of Practice for Access to Meetings and Documents pursuant to section 92 *Local Government Act 1999 (SA)*

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PART 1 - INTRODUCTION

Sections 86(8) and 89 of the *Local Government Act 1999 (SA)* (the Act), refer to the procedures to be followed at Council and Committee meetings, respectively.

The following Standing Orders apply equally to Council and Committee meetings, unless otherwise specified.

Local Government Act 1999

86—Procedure at meetings

(8) Subject to this Act, the procedure to be observed at a meeting of a council will be—
(a) as prescribed by regulation;
(b) insofar as the procedure is not prescribed by regulation—as determined by the council.

89—Proceedings of council committees

(1) Subject to this Act, the procedure to be observed in relation to the conduct of meetings of a council committee will be—
(a) as prescribed by regulation;
(b) insofar as the procedure is not prescribed by regulation—as determined by the council;
(c) insofar as the procedure is not prescribed by regulation or determined by the council—as determined by the council committee itself.

Regulation 6 of the Regulations provides that a Council may add or vary certain provisions of Part 2 of the Regulations by adopting a code of practice that establishes procedures for the relevant matter or matters that apply in substitution for the relevant provision.

Local Government (Procedures at Meetings) Regulations 2013

6—Discretionary procedures

(1) Subject to the requirements of the Act, if a provision of this Part is expressed to be capable of being varied at the discretion of the council pursuant to this regulation, then a council may, by a resolution supported by at least two-thirds of the members of the council entitled to vote on the resolution, determine that a code of practice prepared or adopted by the council that establishes its own procedures for the relevant matter or matters will apply in substitution for the relevant provision (and such a determination will have effect according to its terms).

(2) A council should, at least once in every financial year, review the operation of a code of practice under this regulation.

(3) A council may at any time, by resolution supported by at least two-thirds of the members of the council entitled to vote on the resolution, alter a code of practice, or substitute or revoke a code of practice.

(4) A council must, in considering the exercise of a power under this regulation, take into account the Guiding Principles.

(5) A person is entitled to inspect (without charge) the code of practice of a council under this regulation at the principal office of the council during ordinary office hours.

(6) A person is entitled, on payment of a fee fixed by the council, to a copy of the code of practice.

(7) Regulation 12(4) does not apply to a motion under subregulation (3).

(8) This regulation does not limit or derogate from the operation of regulation 20.

187. Council, having taken into account the Guiding Principles of the Meeting Regulations, by a resolution supported by at least two-thirds of the Council Members, has determined this Code of Practice which establishes and identifies its own procedures.

The purpose of this Code is to provide Council Members, Council employees and the public clear procedures and expectations at Council and Committee meetings.

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Interpretation

Local Government (Procedures at Meetings) Regulations 2013

3—Interpretation

(1) In these regulations, unless the contrary intention appears—

Act means the *Local Government Act 1999*;

clear days—see subregulations (2) and (3);

deputation means a person or group of persons who wish to appear personally before a council or council committee in order to address the council or committee (as the case may be) on a particular matter;

formal motion means a motion—

(a) that the meeting proceed to the next business; or

(b) that the question be put; or

(c) that the question lie on the table; or

(d) that the question be adjourned; or

(e) that the meeting be adjourned

Guiding Principles—see regulation 4;

member means a member of the council or council committee (as the case may be);

point of order means a point raised to draw attention to an alleged breach of the Act or these regulations in relation to the proceedings of a meeting;

presiding member means the person who is the presiding member of a council or council committee (as the case may be) and includes any person who is presiding at a particular meeting;

written notice includes a notice given in a manner or form determined by the council.

(2) In the calculation of ***clear days*** in relation to the giving of notice before a meeting—

(a) the day on which the notice is given, and the day on which the meeting occurs, will not be taken into account; and

(b) Saturdays, Sundays and public holidays will be taken into account.

(3) For the purposes of the calculation of ***clear days*** under subregulation (2), if a notice is given after 5 p.m. on a day, the notice will be taken to have been given on the next day.

(4) For the purposes of these regulations, a vote on whether ***leave of the meeting*** is granted may be conducted by a show of hands (but nothing in this subregulation prevents a division from being called in relation to the vote).

Guiding Principles

Local Government (Procedures at Meetings) Regulations 2013

4—Guiding Principles

The following principles (the ***Guiding Principles***) should be applied with respect to the procedures to be observed at a meeting of a council or a council committee:

(a) procedures should be fair and contribute to open, transparent and informed decision-making;

(b) procedures should encourage appropriate community participation in the affairs of the council;

(c) procedures should reflect levels of formality appropriate to the nature and scope of responsibilities exercised at the meeting;

(d) procedures should be sufficiently certain to give the community and decision-makers confidence in the deliberations undertaken at the meeting.

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Applicability

Local Government (Procedures at Meetings) Regulations 2013

Part 2—Meetings of councils and key committees

5—Application of Part

The provisions of this Part apply to or in relation to—

(a) the meetings of a council; and

(b) the meetings of a council committee performing regulatory activities; and

(c) the meetings of any other council committee if the council has, by resolution, determined that this Part should apply to that committee.

Local Government (Procedures at Meetings) Regulations 2013

Part 3—Meetings of other committees

22—Application of Part

The provisions of this Part apply to or in relation to the meetings of any council committee that is not subject to the operation of Part 2.

Protocols

188. Council Members must at all times comply with the Code of Conduct for Council Members. To support the orderly, respectful and consistent conduct of meetings, particular attention is drawn to Part 2 – Behavioural Code (refer to *Chapter 3 - Code of Conduct for Council Members*).

189. Breaches of these Standing Orders or the Code of Conduct will be dealt with according to the procedure for handling a complaint under the Code of Conduct for Council Members, with appropriate penalties applicable.

190. When speaking at a Council meeting, Council Members should address the presiding member and not the public gallery.

191. When entering and leaving the meeting it is appropriate to acknowledge the presiding member.

192. Do not interrupt another Council Member while they are speaking, unless it is to object to words used by a Council Member, to raise a point of order or to advise loss of quorum.

193. Mobile telephones and tablet devices must be switched off or in vibration or silent mode during Council and Committee meetings. Council Members shall not make or receive telephone calls during Council and Committee meetings and must leave the Chamber or Colonel Light Room if absolutely required to do so.

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PART 2 - CALLING AND NOTICE OF MEETINGS

Local Government Act 1999

Council Meetings

81—Frequency and timing of ordinary meetings

(1) Subject to this section, ordinary meetings of a council will be held at times and places appointed by a resolution of the council.

(2) There must be at least one ordinary meeting in each month.

(3) If a time and place has not been appointed for the holding of an ordinary meeting during a month, the chief executive officer must appoint the time and place at which the ordinary meeting for the month is to be held.

(4) The chief executive officer must also appoint the time and place at which the first ordinary meeting of a council will be held—

(a) after the council is constituted under Chapter 3; or

(b) after a general election of the council.

(5) Ordinary meetings of a council may not be held on Sundays, or on public holidays.

(6) In the case of a municipal council, ordinary meetings of the council may not be held before 5 p.m. unless the council resolves otherwise by a resolution supported unanimously by all members of the council.

(7) A resolution under subsection (6) does not operate in relation to a meeting held after the conclusion of the general election next held following the making of the resolution.

82—Calling of special meetings

(1) The chief executive officer must, at the request of—

(a) the principal member of the council; or

(b) at least three members of the council; or

(c) a council committee at which at least three members of the council vote in favour of the making of the request,

call a special meeting of the council.

(2) The chief executive officer must be provided with an agenda for the special meeting at the time that a request is made under subsection (1) (and if an agenda is not provided then the request has no effect).

(3) Special meetings may be held at any time.

83—Notice of ordinary or special meetings

(1) In the case of an ordinary meeting, the chief executive officer must give each member of the council notice of the meeting at least three clear days before the date of the meeting.

(2) In the case of a special meeting, the chief executive officer must give each member of the council notice of the meeting at least four hours before the commencement of the meeting.

(3) Notice of a meeting of the council must—

(a) be in writing; and

(b) set out the date, time and place of the meeting; and

(c) be signed by the chief executive officer; and

(d) contain, or be accompanied by, the agenda for the meeting.

(4) The chief executive officer must, insofar as is reasonably practicable—

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(a) ensure that items on an agenda given to members of the council under this section are described with reasonable particularity and accuracy; and

(b) supply to each member of the council at the time that notice of a meeting is given a copy of any documents or reports that are to be considered at the meeting (so far as this is practicable).

(5) The chief executive officer may indicate on a document or report provided to members of the council under subsection (4) (or on a separate notice) any information or matter contained in or arising from a document or report that may, if the council so determines, be considered in confidence under Part 3, provided that the chief executive officer at the same time specifies the basis on which an order could be made under that Part.

(6) Notice may be given to a member of a council under this section—

(a) personally; or

(b) by delivering the notice (whether by post or otherwise) to the usual place of residence of the member or to another place authorised in writing by the member; or

(c) by leaving the notice for the member at an appropriate place at the principal office of the council, if authorised in writing by the member to do so; or

(d) by a means authorised in writing by the member as being an available means of giving notice (eg facsimile transmission).

(7) A notice that is not given in accordance with subsection (6) is taken to have been validly given if the chief executive officer considers it impracticable to give the notice in accordance with that subsection and takes action the chief executive officer considers reasonably practicable in the circumstances to bring the notice to the attention of the member.

(8) The chief executive officer must maintain a record of all notices of meetings given under this section to members of the council.

(9) The fact that a notice of a meeting has not been given to a member of a council in accordance with this section does not, of itself, invalidate the holding of the meeting or a resolution or decision passed or made at the meeting but SACAT may, on the application of the Minister, annul a resolution or decision passed or made at the meeting and make such ancillary or consequential orders as it thinks fit if satisfied that such action is warranted in the circumstances of the particular case

84—Public notice of council meetings

(1) The chief executive officer must give notice to the public of the times and places of meetings of the council.

(1a) The chief executive officer must give the notice required under subsection (1) in the following manner:

(a) by causing a copy of the notice and the agenda for the meeting to be placed on public display at each office of the council that is open to the public for the general administration of council business within its area; and

(b) by publishing the notice and the agenda for the meeting on a website determined by the chief executive officer.

(2) The notice required under subsection (1) must be given—

(a) in the case of an ordinary meeting—at least three clear days before the date of the meeting; or

(b) in the case of a special meeting—as soon as practicable after the time that notice of the meeting is given to members of the council.

(2a) Without derogating from subsection (1a), the chief executive officer may also give notice to the public of the time and place of a meeting of the council in such other manner as the chief executive officer considers appropriate after taking into account—

(a) the characteristics of the council's community and area; and

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(b) the best ways to bring notice of a meeting of the council to the public's attention; and

(c) such other matters as the chief executive officer thinks fit.

(3) A person is entitled, on payment of a fee fixed by the council, to obtain a copy of a notice and agenda on display under subsection (1a)(a).

(4) The notice and agenda must be kept on public display, and continue to be published on the website, under subsection (1a) until the completion of the relevant meeting.

(5) The chief executive officer must also ensure that a reasonable number of copies of any document or report supplied to members of the council for consideration at a meeting of the council are available for inspection by members of the public—

(a) in the case of a document or report supplied to members of the council before the meeting—at the principal office of the council as soon as practicable after the time when the document or report is supplied to members of the council; or

(b) in the case of a document or report supplied to members of the council at the meeting—at the meeting as soon as practicable after the time when the document or report is supplied to members of the council.

(6) However, subsection (5) does not apply to a document or report—

(a) that is subject to the operation of section 83(5); or

(b) that relates to a matter dealt with by the council on a confidential basis under Part 3.

Local Government Act 1999

Committee Meetings

87—Calling and timing of committee meetings

(1) Ordinary meetings of a council committee will be held at times and places appointed by the council or, subject to a decision of the council, the council committee.

(2) A council or council committee must, in appointing a time for the holding of an ordinary meeting of a council committee, take into account—

(a) the availability and convenience of members of the committee; and

(b) the nature and purpose of the committee.

(3) A resolution appointing a time for the holding of an ordinary meeting of a council committee does not operate after the conclusion of the general election next following the making of the resolution.

(4) The chief executive officer must ensure that each member of a council committee is given notice of an ordinary meeting of the committee at least three clear days before the date of the meeting.

(5) The chief executive officer must, at the request of—

(a) the presiding member of a council committee; or

(b) at least two members of a council committee,

call a special meeting of a council committee.

(6) Special meetings of a council committee may be held at any time.

(7) The chief executive officer must ensure that each member of a council committee is given notice of a special meeting of the committee at least four hours before the commencement of the meeting.

(8) Notice of a meeting of a council committee must—

(a) be in writing; and

(b) set out the date, time and place of the meeting; and

(c) contain, or be accompanied by, the agenda for the meeting.

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(9) The chief executive officer must, insofar as is reasonably practicable—

(a) ensure that items on an agenda given to members of a council committee under this section are described with reasonable particularity and accuracy; and

(b) ensure that each member of the committee at the time that notice of a meeting is given is supplied with a copy of any documents or reports that are to be considered at the meeting (so far as this is practicable).

(10) The chief executive officer may indicate on a document or report provided to members of the committee under subsection (9) (or on a separate notice) any information or matter contained in or arising from a document or report that may, if the committee so determines, be considered in confidence under Part 3, provided that the chief executive officer at the same time specifies the basis on which an order could be made under that Part.

(11) Notice may be given to a member of a committee under this section—

(a) personally; or

(b) by delivering the notice (whether by post or otherwise) to the usual place of residence of the member or to another place authorised in writing by the member; or

by leaving the notice for the member at an appropriate place at the principal office of the council, if authorised in writing by the member to do so; or

(d) by a means authorised in writing by the member as being an available means of giving notice (eg facsimile transmission)

(12) A notice that is not given in accordance with subsection (11) is taken to have been validly given if the chief executive officer considers it impracticable to give the notice in accordance with that subsection and takes action the chief executive officer considers reasonably practicable in the circumstances to bring the notice to the attention of the member of the committee.

(13) The chief executive officer must ensure that a record of all notices of meetings given under this section is maintained.

(14) The fact that a notice of a meeting has not been given to a member of a committee in accordance with this section does not, of itself, invalidate the holding of the meeting or a resolution or decision passed or made at the meeting but SACAT may, on the application of the Minister, annul a resolution or decision passed or made at the meeting and make such ancillary or consequential orders as it thinks if satisfied that such action is warranted in the circumstances of the particular case.

(15) The regulations may modify the application of this section for council committees that are not performing regulatory activities of councils.

Local Government (Procedures at Meetings) Regulations 2013

Part 3—Meetings of other committees
23—Notice of meetings for members

Pursuant to section 87(15) of the Act, section 87 is modified in its application in relation to the meetings of a committee to which this Part applies as if subsections (4) and (7) to (10) of that section provided as follows:

(a) that notice of a meeting of the committee may be given in a form determined by the committee after taking into account the nature and purpose of the committee;

(b) that notice need not be given for each meeting separately;

(c) that if ordinary meetings of the committee have a set agenda then notice of such a meeting need not contain, or be accompanied by, the agenda for the meeting;

(d) that it is not necessary for the chief executive officer to ensure that each member of the committee at the time that notice of a meeting is given is supplied with a copy of any documents or reports that are to be considered at the meeting.

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Local Government Act 1999

88—Public notice of committee meetings

(1) The chief executive officer must ensure that notice is given to the public of the times and places of meetings of a council committee.

(1a) The chief executive officer must give the notice required under subsection (1) in the following manner:

(a) by causing a copy of the notice and the agenda for the meeting to be placed on public display at each office of the council that is open to the public for the general administration of council business within its area; and

(b) by publishing the notice and the agenda for the meeting on a website determined by the chief executive officer.

(2) The notice required under subsection (1) must be given as soon as practicable after the time that notice of the meeting is given to members of the committee.

(2a) Without derogating from subsection (1a), the chief executive officer may also give notice to the public of the time and place of a meeting of a council committee in such other manner as the chief executive officer considers appropriate after taking into account—

(a) the work of the committee and the characteristics of the council's community and area; and

(b) the best ways to bring notice of a meeting of the committee to the public's attention; and

(c) such other matters as the chief executive officer thinks fit.

(3) A person is entitled, on payment of a fee fixed by the council, to obtain a copy of a notice and agenda on display under subsection (1a)(a).

(4) The notice and agenda must be kept on public display, and continue to be published on the website, under subsection (1a) until the completion of the relevant meeting.

(5) The chief executive officer must also ensure that a reasonable number of copies of any document or report supplied to members of a council committee for consideration at a meeting of the committee are available for inspection by members of the public at the principal office of the council as soon as practicable after the time when the document or report is supplied to members of the committee.

(6) However, subsection (5) does not apply to a document or record—

(a) that is subject to the operation of section 87(10); or

(b) that relates to a matter dealt with by the council or council committee on a confidential basis under Part 3.

(7) The regulations may modify the application of this section for council committees that are not performing regulatory activities of councils.

Local Government (Procedures at Meetings) Regulations 2013

Part 3—Meetings of other committees

24—Public notice of committee meetings

Pursuant to section 88(7) of the Act, section 88 is modified in its application in relation to the meetings of a committee to which this Part applies as if subsections (2), (3) and (4) provided as follows:

(a) that public notice need not be given for each meeting separately; and

(b) that public notice may be given by displaying a notice and agenda in a place or places determined by the chief executive officer after taking into account the nature and purpose of the committee.

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194. In accordance with the above provisions Notice of Meetings will be published on www.cityofadelaide.com.au and placed on display at the Customer Centre, 25 Pirie Street, Adelaide.

A Notice of Meeting and Agenda is also issued to the City Library, Hutt Street Library and Tynte Street Library for public display.

Local Government Act 1999

94A—Meeting information on website

The chief executive officer of a council must, so far as is reasonably practicable, make available for inspection on the Internet an up-to-date schedule of the dates, times and places set for meetings of the council and council committees.

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PART 3 - PLACE OF COUNCIL AND COMMITTEE MEETINGS

Local Government Act 1999

90—Meetings to be held in public except in special circumstances

(1) Subject to this section, a meeting of a council or council committee must be conducted in a place open to the public.

Planning, Development and Infrastructure (General) Regulations 2017

13—Public access to meetings

(1) In connection with the conduct of the proceedings of an assessment panel, members of the public are entitled to attend a meeting of the panel other than as set out in subregulation (2).

Note regarding the above 2 provisions - excluding matters the meeting determines to receive, discuss or consider in confidence pursuant to section 90 of the Local Government Act 1999 (SA) and section 13(2) of the Planning, Development and Infrastructure (General) Regulations 2017.

195. All ordinary meetings of Council will be held in the Council Chamber, Town Hall, King William Street, Adelaide, unless determined otherwise by Council.

196. All ordinary meetings of Council Committees and the Council Assessment Panel (CAP) will take place in the Colonel Light Room Town Hall, King William Street, Adelaide unless determined otherwise by Council or, subject to the decision of Council, the Committee, CAP or the Chief Executive Officer.

197. All special meetings of Council, Committees or CAP will take place in the Colonel Light Room, Town Hall, King William Street, Adelaide, unless determined otherwise by the Council, the Committee, CAP or the Chief Executive Officer (subject to any prevailing decision of the Council).

198. A designated informal gathering of Council or Council Committee, when convened by the Chief Executive Officer, will generally be held in the Colonel Light Room, Town Hall, King William Street, Adelaide, or at a place open to the public as determined by the Chief Executive Officer (unless the designated informal gathering or discussion is one that the Council or the Chief Executive Officer has declared may be held in confidence).

199. The Chief Executive Officer (or delegate) has the authority to vary the Council or a Council Committee meeting schedule (including the commencement time, meeting place, date or cancellation of the core Committee meeting) after liaising with the Presiding Member and will notify the public accordingly.

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PART 4 - ITEMS CLOSED TO THE PUBLIC

Local Government Act 1999

90—Meetings to be held in public except in special circumstances

(1) Subject to this section, a meeting of a council or council committee must be conducted in a place open to the public.

(2) A council or council committee may order that the public be excluded from attendance at a meeting to the extent (and only to the extent) that the council or council committee considers it to be necessary and appropriate to act in a meeting closed to the public in order to receive, discuss or consider in confidence any information or matter listed in subsection (3) (after taking into account any relevant consideration under that subsection).

(3) The following information and matters are listed for the purposes of subsection (2):

(a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead);

(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;

(c) information the disclosure of which would reveal a trade secret;

(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;

(e) matters affecting the security of the council, members or employees of the council, or council property, or the safety of any person;

(f) information the disclosure of which could reasonably be expected to prejudice the maintenance of law, including by affecting (or potentially affecting) the prevention, detection or investigation of a criminal offence, or the right to a fair trial;

(g) matters that must be considered in confidence in order to ensure that the council does not breach any law, order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty;

(h) legal advice;

(i) information relating to actual litigation, or litigation that the council or council committee believes on reasonable grounds will take place, involving the council or an employee of the council;

(j) information the disclosure of which—

(i) would divulge information provided on a confidential basis by or to a Minister of the Crown, or another public authority or official (not being an employee of the council, or a person engaged by the council); and

(ii) would, on balance, be contrary to the public interest;

(k) tenders for the supply of goods, the provision of services or the carrying out of works;

(m) information relating to a proposed amendment to a Development Plan under the *Development Act 1993* before a Development Plan Amendment proposal relating to the amendment is released for public consultation under that Act;

(n) information relevant to the review of a determination of a council under the *Freedom of Information Act 1991*.

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(4) In considering whether an order should be made under subsection (2), 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.

(7) If an order is made under subsection (2), a note must be made in the minutes of the making of the order and specifying—

(a) the grounds on which the order was made; and

(b) the basis on which the information or matter to which the order relates falls within the ambit of each ground on which the order was made; and

(c) if relevant, the reasons that receipt, consideration or discussion of the information or matter in a meeting open to the public would be contrary to the public interest.

(9) In this section—

personal affairs of a person includes —

(a) that person's—

(i) financial affairs;

(ii) criminal records;

(iii) marital or other personal relationships;

(iv) personal qualities, attributes or health status;

(b) that person's employment records, employment performance or suitability for a particular position, or other personnel matters relating to the person,

but does not include the personal affairs of a body corporate.

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PART 5 - MEETING DOCUMENTS

Agenda

200. An Agenda for ordinary meetings of Council/Committee will be distributed to Council Members by Friday (noon) for a Tuesday meeting, and published for the general public as soon as practicable thereafter.

201. The agenda for a special meeting of Council or Committee called pursuant to section 82 or section 87(5) of the *Local Government Act 1999* (SA) respectively, will wherever possible be distributed with at least 24 hours' notice of the meeting.

202. An Agenda (with reports or workshop/discussion items) for meetings is accessible to the public (with the exception of an item recommended to be received and discussed in a meeting closed to the public):

    202.1 on the website at www.cityofadelaide.com.au

    202.2 at the Customer Centre, 25 Pirie Street, Adelaide (limited numbers)

    202.3 at the meeting (limited numbers).

203. The Agenda for every meeting is available at the time the notice for the meeting is issued and will identify those matters recommended to be considered in confidence (and kept on public display until the completion of the relevant meeting).

Minutes and Release of confidential documents

204. Minutes of meetings of Council and Council Committees shall be made available on the City of Adelaide website www.cityofadelaide.com.au and at the Customer Centre 25 Pirie Street, Adelaide (and kept on public display for a period of one month) and are accessible without charge.

205. If an audio and/or visual recording of a meeting for live streaming (excluding any portion of the meeting closed to the public) is produced it will be available on the City of Adelaide website www.cityofadelaide.com.au until the next meeting and will then be archived.

Local Government Act 1999

91—Minutes and release of documents

(1) The chief executive officer must ensure that minutes are kept of the proceedings at every meeting of the council or a council committee.

(3) Each member of the council must, within five days after a meeting of the council or a council committee, be supplied with a copy of all minutes of the proceedings of the meeting kept under this section.

(4) A copy of the minutes of a meeting of the council must be placed on public display in the principal office of the council within five days after the meeting and kept on display for a period of one month.

(5) A person is entitled to inspect, without payment of a fee, at the principal office of the council—

(a) minutes kept under this section; and

(b) reports to the council or a council committee received at a meeting of the council or committee; and

(c) recommendations presented to the council in writing and adopted by resolution of the council; and

(d) budgetary or other financial statements adopted by the council.

(6) A person is entitled, on payment of a fee fixed by the council, to a copy of any documents available for inspection under subsection (5).

(7) However, subsections (4), (5) and (6) do not apply to a document or part of a document if—

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(a) the document or part relates to a matter dealt with by the council or council committee on a confidential basis under Part 3; and

(b) the council or council committee orders that the document or part be kept confidential.

(8) A council must not make an order under subsection (7)—

(a) to prevent the disclosure of the remuneration or conditions of service of an employee of the council after the remuneration or conditions have been set or determined; or

(b) to prevent the disclosure of the identity of a successful tenderer for the supply of goods or the provision of services (including the carrying out of works), or of any reasons adopted by the council as to why a successful tenderer has been selected; or

(ba) to prevent the disclosure of the amount or amounts payable by the council under a contract for the supply of goods or the provision of services (including the carrying out of works) to, or for the benefit of, the council after the contract has been entered into by all parties to the contract; or

(c) to prevent the disclosure of the identity of land that has been acquired or disposed of by the council, or of any reasons adopted by the council as to why land has been acquired or disposed of by the council.

(9) If an order is made under subsection (7)—

(a) the council or council committee must specify the duration of the order or the circumstances in which the order will cease to apply, or a period after which the order must be reviewed, and, in any event, any order that operates for a period exceeding 12 months must be reviewed at least once in every year; and

(ab) in the case of an order of specified duration—

(i) the duration of the order cannot be extended after the order has ceased to apply (as a result of the expiry of the period for which the order was specified to apply); and

(ii) an order extending the duration of such an order cannot be delegated by the relevant council or council committee; and

(b) the council or council committee must ensure that a note is made in the minutes recording the making of the order, the grounds on which it was made, and the decision of the council or council committee under paragraph (a); and

(c) the council or council committee may delegate to an employee of the council the power to revoke the order.

(10) No action for defamation lies against the council in respect of—

(a) the accurate publication under this section of any information, statement or document (in whatever form); or

(b) the accurate publication under this section of a transcript, recording or other record of a meeting of a council or a council committee.

(11) A document purporting to be minutes of proceedings at a meeting of a council, or a council committee, or to be a copy of or extract from such minutes, and to be signed by the chief executive officer, will be accepted as proof, in the absence of proof to the contrary, of the matters contained in the document.

Local Government Act 1999

132—Access to documents

(3) A council must make the following documents available for inspection on a website determined by the chief executive officer within a reasonable time after they are available at the principal office of the council:

(a) agendas for meetings of the council or council committees;

(b) minutes of meetings of the council or council committees;

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(3a) To avoid doubt, if an order under section 91(7) expires or ceases to apply in relation to a document or part of a document, the council must make the document or part of the document (as the case requires) available for inspection on the website referred to in subsection (3) within a reasonable time after it is available for inspection under section 91(5) at the principal office of the council.

Local Government (Procedures at Meetings) Regulations 2013

Part 2—Meetings of councils and key committees

8—Minutes

(1) The minutes of the proceedings at a meeting must be submitted for confirmation at the next meeting or, if that is omitted, at a subsequent meeting.

(2) No discussion on the minutes may occur before confirmation, except as to the accuracy of the minutes as a record of proceedings.

(3) On the confirmation of the minutes, the presiding member will—

(a) initial each page of the minutes, which pages are to be consecutively numbered; and

(b) place his or her signature and the date of confirmation at the foot of the last page of the minutes.

(4) The minutes of the proceedings of a meeting must include—

(a) the names of the members present at the meeting; and

(b) in relation to each member present—

(i) the time at which the person entered or left the meeting; and

(ii) unless the person is present for the whole meeting, the point in the proceedings at which the person entered or left the meeting; and

(c) each motion or amendment, and the names of the mover and seconder; and

(d) any variation, alteration or withdrawal of a motion or amendment; and

(e) whether a motion or amendment is carried or lost; and

(f) any disclosure of interest made by a member; and

(g) an account of any personal explanation given by a member; and

(h) details of the making of an order under subsection (2) of section 90 of the Act (see subsection (7) of that section); and

(i) a note of the making of an order under subsection (7) of section 91 of the Act in accordance with the requirements of subsection (9) of that section; and

(j) details of any adjournment of business; and

(k) a record of any request for documents to be tabled at the meeting; and

(l) a record of any documents tabled at the meeting; and

(m) a description of any oral briefing given to the meeting on a matter of council business; and

(n) any other matter required to be included in the minutes by or under the Act or any regulation.

206. In addition to the above provisions, the minutes will also include the following:

206.1 a record of any undertaking given by the Chief Executive Officer

206.2 in relation to deputation, the identity of the speaker, and the subject and purpose of the address

206.3 an Acknowledgment of Country

206.4 a Memorial Silence.

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Local Government (Procedures at Meetings) Regulations 2013

Part 3—Meetings of other committees

25—Minutes

(1) The minutes of the proceedings of a meeting must include—

(a) the names of the members present at the meeting; and

(b) each motion carried at the meeting; and

(c) any disclosure of interest made by a member; and

(d) details of the making of an order under subsection (2) of section 90 of the Act (see subsection (7) of that section); and

(e) a note of the making of an order under subsection (7) of section 91 of the Act in accordance with the requirements of subsection (9) of that section.

(2) The minutes of the proceedings at a meeting must be submitted for confirmation at the next meeting or, if that is omitted, at a subsequent meeting.

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PART 6 - BUSINESS AT MEETINGS

Ordinary Council Meeting

First Meeting of the Month	Second Meeting of the Month
1. Acknowledgement of Country 2. Apologies and Leave of Absence 3. Confirmation of Minutes 4. Deputations 5. Petitions 6. Recommendation/Advice from Committee/s and Advice from APLA (if required) 7. Reports for Council (CEO's Reports) 8. Questions on Notice 9. Questions without Notice 10. Motions on Notice 11. Motions without notice For urgent business only 12. Exclusion of the public (if required) * 13. Confidential Reports (if required) * 14. Closure *Note - Items 12 and 13 will only be listed on the Agenda when an Item is presented to Council with a request for consideration in a meeting closed to the public	1. Acknowledgement of Country 2. Memorial silence 3. Apologies and Leave of Absence 6. Confirmation of Minutes 5. Deputations 6. Petitions 7. Recommendation/Advice from Committee/s and Advice from APLA (if required) 8. LM's Report 9. Councillors' Reports (including external representative reports) 10. Reports for Council (CEO Report's) 11. Questions on Notice 12. Questions without Notice 13. Motions on Notice 14. Motions without notice For urgent business only 15. Exclusion of the public (if required)* 16. Confidential Reports (if required)* 17. Closure *Note - Items 15 and 16 will only be listed on the Agenda when an Item is presented to Council with a request for consideration in a meeting closed to the public

Ordinary meeting of The Committee

1. Acknowledgment of Country
2. Apologies and Leave of Absence
3. Confirmation of Minutes
4. Items aligned with the *City of Adelaide Strategic Plan 2016-2020* for Consideration and Recommendation to Council (determined by the CEO)
   - Strategic Alignment – Smart
   - Strategic Alignment – Green
   - Strategic Alignment – Liveable
   - Strategic Alignment – Creative
   - Strategic Alignment - Corporate Activities
5. Discussion Forum Items (determined by the CEO & aligned with the *City of Adelaide Strategic Plan 2016-2020*)
   - Strategic Alignment – Smart
   - Strategic Alignment – Green
   - Strategic Alignment – Liveable
   - Strategic Alignment – Creative
   - Strategic Alignment - Corporate Activities
6. Council Member Discussion Forum
7. Exclusion of the Public (if required)

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8. Items aligned with the *City of Adelaide Strategic Plan 2016-2020* for Consideration and Recommendation to Council in Confidence (if required as determined by the CEO)

   Strategic Alignment – Smart
   Strategic Alignment – Green
   Strategic Alignment – Liveable
   Strategic Alignment – Creative
   Strategic Alignment - Corporate Activities

9. Discussion Forum Items aligned with the *City of Adelaide Strategic Plan 2016-2020* in Confidence (if required as determined by the CEO)

   Strategic Alignment – Smart
   Strategic Alignment – Green
   Strategic Alignment – Liveable
   Strategic Alignment – Creative
   Strategic Alignment - Corporate Activities

10. Council Member Discussion Forum in Confidence (if required)

11. Closure

*Note - Items 7, 8 and 9, 10 will only be listed on the Agenda when a matter is presented with a request for consideration in a meeting closed to the public

Ordinary meeting of the Strategic Planning and Development Policy Committee

1. Acknowledgement of Country
2. Apologies and Leave of Absence
3. Confirmation of Minutes
4. Deputations/Petitions
   For topics addressing a function within *s 101A of the Development Act 1993 (SA)* only
5. Items for Consideration and Advice/Recommendation to Council
   For topics addressing a function within *s 101A of the Development Act 1993 (SA)* only as determined by the CEO
6. Exclusion of the Public (if required)*
7. Items for Consideration and Advice/Recommendation to Council in Confidence (if required)*
   For topics addressing a function within s 101A of the Development Act 1993 (SA) only as determined by the CEO
8. Closure

*Note - Items 6 and 7 will only be listed on the Agenda when an Item is presented with a request for consideration in a meeting closed to the public

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PART 7 - START OF MEETING AND QUORUM

Local Government (Procedures at Meetings) Regulations 2013

7—Commencement of meetings and quorums

(1) A meeting will commence as soon after the time specified in the notice of meeting as a quorum is present.

(2) If the number of apologies received by the chief executive officer indicates that a quorum will not be present at a meeting, the chief executive officer may adjourn the meeting to a specified day and time.

(3) If at the expiration of 30 minutes from the time specified in the notice of meeting as the time of commencement a quorum is not present, the presiding member or, in the absence of a presiding member, the chief executive officer, will adjourn the meeting to a specified day and time.

(4) If a meeting is adjourned for want of a quorum, the chief executive officer will record in the minute book the reason for the adjournment, the names of any members present, and the date and time to which the meeting is adjourned.

(5) If a meeting is adjourned to another day, the chief executive officer must—

(a) give notice of the adjourned meeting to each member setting out the date, time and place of the meeting; and

(b) give notice of the adjourned meeting to the public by causing a notice setting out the date, time and place of the meeting to be placed on display at the principal office of the council.

207. In addition to the above provision, the Presiding Member or the Chief Executive Officer, upon opening the meeting of Council, will advise if the public session of the meeting is being recorded and/or streamed live to the internet. The recording and/or streaming of a meeting shall be determined on a case by case basis by the Chief Executive Officer.

Local Government (Procedures at Meetings) Regulations 2013

Part 4—Miscellaneous

26—Quorum for committees

(1) The prescribed number of members of a council committee constitutes a quorum of the committee and no business can be transacted at a meeting unless a quorum is present.

(2) For the purposes of this regulation, the ***prescribed number*** of members of a council committee is—

(a) unless paragraph (b) applies—a number ascertained by dividing the total number of members of the committee by 2, ignoring any fraction resulting from the division, and adding 1; or

(b) a number determined by the council.

Note— See also section 41(6) of the Act.

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PART 8 - QUESTIONS

Local Government (Procedures at Meetings) Regulations 2013

9—Questions

(1) A member may ask a question on notice by giving the chief executive officer written notice of the question at least 5 clear days before the date of the meeting at which the question is to be asked.

(2) If notice of a question is given under subregulation (1)—

(a) the chief executive officer must ensure that the question is placed on the agenda for the meeting at which the question is to be asked; and

(b) the question and the reply must be entered in the minutes of the relevant meeting.

(3) A member may ask a question without notice at a meeting.

(4) The presiding member may allow the reply to a question without notice to be given at the next meeting.

(5) A question without notice and the reply will not be entered in the minutes of the relevant meeting unless the members present at the meeting resolve that an entry should be made.

(6) The presiding member may rule that a question with or without notice not be answered if the presiding member considers that the question is vague, irrelevant, insulting or improper.

208. To support publication of the Agenda, in accordance with Standing Order 200, the notice to place a question on notice for a Council meeting is requested by 5 pm on the Wednesday prior to the Agenda publication.

209. At a meeting of Council, the asking of a question on notice and/or the reply may be taken as read by the Presiding Member with the consent of the Member who placed the question on notice.

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PART 9 - PUBLIC INVOLVEMENT AT MEETINGS

Public can communicate with Council in a meeting through addressing the Council or Committee (as permitted in the committee Terms of Reference) as a deputation or through the presentation of a petition. Public are welcome to observe the public proceedings of the meetings from the public gallery.

Petitions

Local Government (Procedures at Meetings) Regulations 2013

10—Petitions

(1) A petition to the council must—

(a) be legibly written or typed or printed; and

(b) clearly set out the request or submission of the petitioners; and

(c) include the name and address of each person who signed or endorsed the petition; and

(d) be addressed to the council and delivered to the principal office of the council

(2) If a petition is received under subregulation (1), the chief executive officer must ensure that the petition or, if the council has so determined as a policy of the council, a statement as to the nature of the request or submission and the number of signatures or the number of persons endorsing the petition, is placed on the agenda for the next ordinary meeting of the council or, if so provided by a policy of the council, a committee of the council.

(3) Subregulation (2) may be varied at the discretion of the council pursuant to regulation 6.

210. In order to determine that a document presented is a petition, the following matters, in conjunction with the requirements of Regulation 10 (1) above, will be assessed prior to the presentation of a petition to the Council:

210.1 What *is a Petition?*

A '*petition*' is commonly defined as *'a formal document which seeks the taking of specified action by the person or body to whom it is addressed'* or *'a written statement setting out facts upon which the petitioner bases a prayer for remedy or relief'*.

210.2 Does the Petition contain original signatures or endorsements, accompanied by an address?

A petition being a document of a formal nature must contain original signatures or endorsements (not copies) and those signatures, or endorsements, must be accompanied by an address.

210.3 *Does* each *page of the Petition identify what the signature is for?*

Each signature must be on a true page of the petition which sets out the prayer for relief as part of that page - a sheet which contains signatures but not the prayer cannot be accepted as valid as there is no evidence as to what the signatories were attesting to; and

210.4 *Language in the Petition?*

The request must be written in temperate language and not contain material that may, objectively, be regarded as defamatory or offensive in content.

211. If a petition in accordance with Standing Order 210 is received, the Chief Executive Officer must ensure the petition is placed on the Agenda for the next ordinary meeting of Council:

211.1 If the petition relates to a function within s101A of the *Development Act 1993 (SA)* and a meeting time permits, the Chief Executive Officer may ensure the petition is placed on the Agenda for a meeting of Council or Committee of the Council.

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211.2 At this time a report identifying the topic, the subject of the petition, number of signatories and purpose of the petition (being the nature of request or submission) will be presented, with a recommendation acknowledging the number of signatories and the petition to be received.

211.3 The original petition will be distributed to the Lord Mayor and Council Members separately.

211.4 Members of the public may seek a copy of the original petition upon written request to the Chief Executive Officer.

212. If a petition in accordance with Standing Order 210 is received after the publication of an Agenda, and prior to the meeting of the next ordinary meeting of Council:

212.1 Verbal notification will be provided to the meeting of receipt of a petition.

212.2 Verbal notification will identify if the petition relates to a matter on the published Agenda, the number of signatories, and purpose of the petition, with the petition then placed on the Agenda for the next ordinary meeting with a report identifying the number of signatories and purpose of the petition (being the nature of request or submission) with a recommendation acknowledging the number of signatories and the petition to be received.

212.3 If the petition relates to a function within s 101A of the *Development Act 1993 (SA),* and a meeting time permits, verbal notification may also indicate that the petition will be placed on the Agenda for a Committee of the Council.

Deputations

Local Government (Procedures at Meetings) Regulations 2013

11—Deputations

(1) A person or persons wishing to appear as a deputation at a meeting must deliver (to the principal office of the council) a written request to the council.

(2) The chief executive officer must transmit a request received under subregulation (1) to the presiding member.

(3) The presiding member may refuse to allow the deputation to appear at a meeting.

(4) The chief executive officer must take reasonable steps to ensure that the person or persons who requested a deputation are informed of the outcome of the request.

(5) If the presiding member refuses to allow a deputation to appear at a meeting, the presiding member must report the decision to the next meeting of the council or council committee (as the case may be).

(6) The council or council committee may resolve to allow a deputation to appear despite a contrary ruling by the presiding member.

(7) A council may refer the hearing of a deputation to a council committee.

213. In support of the above, a person or persons wishing to make a deputation at a meeting of the Council must, by noon on the working day prior to the meeting, complete and lodge/sign a Registration Form with sufficient information regarding the matter to be addressed:

213.1 Registration for a deputation to a special meeting of the Council or a Council Committee (if provided for) must relate to the purpose of the special meeting and be lodged by completing and signing a Registration Form with sufficient information regarding the matter to be addressed, no later than 2 hours prior to the commencement of the special meeting.

214. Any request for a deputation on a matter that is not listed as a subject for consideration on the Agenda for a meeting, that is received after noon on the working day prior to the meeting day, or after the timeframe listed in 213.1 above, will be treated as a request to appear at the next ordinary meeting.

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215. Any person(s) wishing to make a deputation on behalf of an organisation, must, when registering prior to the Council or Council Committee meeting at which they wish to appear, advise the Chief Executive Officer in writing of the same and evidence that the organisation and/or body has approved the deputation.

216. A meeting that is to receive deputations will provide a maximum of five (5) speaking opportunities per scheduled meeting, unless the meeting determines otherwise. Only three (3) deputations will be heard in relation to the same issue at any given meeting, unless the leave of the meeting is granted.

217. Whether or not a deputation may appear is determined on a case-by-case basis, meeting by meeting, and with regard to the particular matter the subject of the deputation request. The Presiding Member, when determining whether to allow a deputation, will take the following considerations into account:

    217.1 the subject matter of the proposed deputation

    217.2 whether the subject matter is within the power of the Council or Committee

    217.3 relevance to the Council or Council Committee Agenda for that meeting – and if not, relevance to the Council's powers, functions or role

    217.4 the integrity of the request

    217.5 the time the request was received (including - allowing sufficient time for the Presiding Member to consider the request)

    217.6 the size and extent of the Agenda for the particular meeting, subject to the request

    217.7 whether the subject matter has previously been spoken to by the person at another meeting

    217.8 the benefit to the Council of receiving the deputation

    217.9 the history of deputations from the person i.e. the manner in which the person or organisation has approached deputations previously, and the behaviour displayed, the relevance of information presented, or the manner in which information has been presented.

218. Having had regard to Standing Order 217 above, a deputation may be refused by the Presiding Member if the person making the request has previously presented on the same, or substantially similar, subject matter.

219. Having had regard to Standing Orders 217 and 218 above, a deputation may be refused by the Presiding Member if the request has not been sought by noon on the working day prior to the meeting or the timeframe listed in Standing Order 213 above.

220. The Presiding Member may rule the speaker ineligible to continue in a deputation, if in his or her opinion, the subject matter is:

    220.1 not one in which the Council has a direct interest or responsibility

    220.2 not the topic outlined in the request to make a deputation

    220.3 one which relates to the prosecution of expiation notices, summonses or any other litigation

    220.4 more appropriately addressed by other means

    220.5 vague, irrelevant, insulting or improper.

221. A person making a deputation must not speak for longer than 5 minutes at any one time, without leave of the meeting. If leave is granted, an additional 2 minutes only will be provided.

222. The identity of the person making the deputation, the subject, and purpose of the address, will be recorded in the Minutes of the meeting, but the details of the address will not be included.

223. Material distributed to a meeting, and referenced as part of the address, will upon the request of the speaker, be attached to the Minutes for reference, subject to an assessment by the Chief

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Executive Officer as to whether the material is to be disallowed on the basis of it being defamatory, offensive or insulting in content.

224. To support Council Members with the agenda during a meeting, if a deputation has been approved on a matter not relating to an agenda item then it will be identified as a public forum item on the agenda. All the provisions of a deputation apply to a public forum item.

Interruption of meeting

Local Government Act 1999

95—Obstructing meetings

A person who intentionally obstructs or hinders proceedings at a meeting of a council or council committee, or at a meeting of electors, is guilty of an offence.

Maximum penalty: $1 250.

Local Government (Procedures at Meetings) Regulations 2013

Part 4—Miscellaneous

30—Interruption of meetings by others

A member of the public who is present at a meeting of a council or council committee must not—

(a) behave in a disorderly manner; or

(b) cause an interruption.

Maximum penalty: $500.

225. Mobile telephone and tablet devices must be switched off or in vibration or silent mode during Council and committee meetings.

Recording of Meetings

226. Recording of meetings (audio, photographs, video) by Council Members or third parties will only be allowed with the prior approval of the presiding member.

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PART 10 - MOTIONS AND ADDRESSES BY MEMBERS

227. Council Members may bring forward any business during a Council meeting in the form of a Motion on Notice or Motion without Notice.

     Motions on Notice are submitted via the Council Liaison Officer.

228. Noting Regulation 12(6) below, Motions without Notice should be limited to matters that are time sensitive, would not require input from the Administration to inform the decision making process or the expenditure of funds.

229. Council Members can circulate their proposed Motions to Council Members prior to the meeting to contribute to fully informed decision making. However:

     229.1 There can be no debate on the merits of the motion which may result in a decision being obtained prior to the formal meeting of the Council (or a committee) as per section 90 of the *Local Government Act 1999* (SA).

     229.2 The proposed Motion must not be shared with the media prior to publication of the agenda and the formal meeting of the Council (or a committee).

230. Council Members must not share/discuss their proposed Motion without Notice with media and the formal meeting of the Council (or a committee).

Local Government (Procedures at Meetings) Regulations 2013

12—Motions

(1) A member may bring forward any business in the form of a written notice of motion.

(2) The notice of motion must be given to the chief executive officer at least 5 clear days before the date of the meeting at which the motion is to be moved.

231. To support publication of an Agenda in accordance with Standing Order 200, the notice to place a motion on notice is requested by 5.00pm on the Monday prior to the publication of the Agenda.

Local Government (Procedures at Meetings) Regulations 2013

12—Motions

(3) A motion the effect of which, if carried, would be to revoke or amend a resolution passed since the last general election of the council must be brought by written notice of motion.

(4) If a motion under subregulation (3) is lost, a motion to the same effect cannot be brought—

(a) until after the expiration of 12 months; or

(b) until after the next general election,

whichever is the sooner.

(5) Subject to the Act and these regulations, a member may also bring forward any business by way of a motion without notice.

(6) The presiding member may refuse to accept a motion without notice if, after taking into account the Guiding Principles, he or she considers that the motion should be dealt with by way of a written notice of motion.

(7) The presiding member may refuse to accept a motion if the subject matter is, in his or her opinion, beyond the power of the council or council committee (as the case may be).

(8) A motion will lapse if it is not seconded at the appropriate time.

Note (9) and (10) varied as follows pursuant to Regulation 12(21) of the *Local Government (Procedures at Meetings) Regulations 2013 (SA)*

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232. Further to Regulation 12(7) above, the presiding member may refuse to accept a motion on notice before or during the meeting. If required then an explanation should be provided by the presiding member at the meeting.

233. The mover of a motion:

233.1 may speak to the motion at the time of moving

233.2 move a motion seeking a seconder to the motion prior to speaking

233.3 move a motion, without speaking to the motion, to seek a seconder and then reserve the right to speak at a later stage.

234. The seconder of a motion:

234.1 may speak to the motion at the time of seconding the motion

234.2 may speak after the mover

234.3 may reserve the right to speak later in the debate on the motion.

235. A member may speak:

235.1 once to a motion (including the Presiding Member, immediately prior to the mover in reply)

235.2 once to each amendment to a motion

235.3 to provide an explanation regarding a material part of his or her speech, but not so as to introduce any new matter

235.4 as the mover in reply after all speakers.

Local Government (Procedures at Meetings) Regulations 2013

12—Motions

(11) A member who has spoken to a motion may not at a later stage of the debate move or second an amendment to the motion.

(12) A member who has not spoken in the debate on a question may move a formal motion.

(13) A formal motion must be in the form of a motion set out in subregulation (14) (and no other formal motion to a different effect will be recognised).

(14) If the formal motion is—

(a) that ***the meeting proceed to the next business***, then the effect of the motion, if successful, is, in the case of an amendment, that the amendment lapses and the meeting proceeds with the consideration of the motion before the meeting without further reference to the amendment and, in the case of a motion, that the motion lapses and the meeting proceeds to the next item of business; or

(b) that ***the question be put***, then the effect of the motion, if successful, is that debate is terminated and the question put to the vote by the presiding member without further debate; or

(c) that ***the question lie on the table***, then the effect of the motion, if successful, is that the meeting immediately moves to the next item of business and the question can then only be retrieved at a later time by resolution (and, if so retrieved, debate is then resumed at the point of interruption); or

(d) that ***the question be adjourned***, then the effect of the motion, if successful, is that the question is disposed of for the time being but debate can be resumed at the later time (at the point of interruption); or

(e) that ***the meeting be adjourned***, then the effect of the motion, if successful, is that the meeting is brought to an end immediately without the consideration of further business.

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(15) If seconded, a formal motion takes precedence and will be put by the presiding member without discussion unless the motion is for an adjournment (in which case discussion may occur (but only occur) on the details for resumption).

(16) A formal motion does not constitute an amendment to a substantive motion.

(17) If a formal motion is lost—

(a) the meeting will be resumed at the point at which it was interrupted; and

(b) if the formal motion was put during debate (and not at the end of debate) on a question, then a similar formal motion (ie a motion to the same effect) cannot be put until at least 1 member has spoken on the question.

(18) A formal motion for adjournment must include the reason for the adjournment and the details for resumption.

(19) Any question that lies on the table as a result of a successful formal motion under subregulation (14)(c) lapses at the next general election.

(20) The chief executive officer must report on each question that lapses under subregulation (19) to the council at the first ordinary meeting of the council after the general election.

(21) Subregulations (9), (10) and (11) may be varied at the discretion of the council pursuant to regulation 6.

236. A member who has spoken in the debate may second a formal motion.

237. At a meeting of Council, the Presiding Member may undertake a call over of procedural (including reports for noting) agenda items then seek a motion to adopt, en bloc, each recommendation on the agenda not reserved for further discussion.

238. Unless the Presiding Member, with the approval of two-thirds of the Members present, seeks a short-term suspension of proceedings, to address differing points of view, a motion will be sought on a matter before a meeting of Council for determination.

239. The Presiding Member can make a statement relevant to the debate prior to the Council Member summing up on a motion during Council and committee meetings.

Amendments to Motions

Local Government (Procedures at Meetings) Regulations 2013

13—Amendments to motions

(1) A member who has not spoken to a motion at an earlier stage of the debate may move or second an amendment to the motion.

(2) An amendment will lapse if it is not seconded at the appropriate time.

240. A person who moves or seconds an amendment will have spoken to the motion.

241. The mover of an amendment:

241.1 may speak to the amendment at the time of moving

241.2 move an amendment seeking a seconder to the amendment prior to speaking

241.3 move an amendment, without speaking to the amendment, to seek a seconder and then reserve the right to speak at a later stage.

242. The seconder of an amendment:

242.1 may speak to the amendment at the time of seconding the amendment

242.2 may speak after the mover

242.3 may reserve the right to speak later in the debate on the amendment.

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243. A person who moves or seconds an amendment, having spoken to the motion, is unable to move or second another amendment.

244. A person who moves or seconds an amendment may speak to a further amendment.

245. A person may speak only once to each amendment (including the Presiding Member, immediately prior to the mover in reply).

246. The mover of an amendment may speak in reply after all speakers to the amendment.

Local Government (Procedures at Meetings) Regulations 2013

13—Amendments to motions

(4) If an amendment is lost, only 1 further amendment may be moved to the original motion.

(5) If an amendment is carried, only 1 further amendment may be moved to the original motion.

(6) Subregulations (1), (3), (4) and (5) may be varied at the discretion of the council pursuant to regulation 6.

Local Government (Procedures at Meetings) Regulations 2013

14—Variations etc

(1) The mover of a motion or amendment may, with the consent of the seconder, request leave of the meeting to vary, alter or withdraw the motion or amendment.

(2) The presiding member must immediately put the question for leave to be granted and no debate will be allowed on that question.

Addresses by Members

247. A member must not speak for longer than three minutes at any one time without the leave of the meeting. If leave is granted an additional two minutes only can be granted by the Council or Committee.

Local Government (Procedures at Meetings) Regulations 2013

15—Addresses by members etc

(2) A member may, with leave of the meeting, raise a matter of urgency.

(3) A member may, with leave of the meeting, make a personal explanation.

(4) The subject matter of a personal explanation may not be debated.

(5) The contribution of a member must be relevant to the subject matter of the debate.

Leave of the Meeting

248. When sought by the Lord Mayor, or the Presiding Member of a Council Committee, in the absence of objection, leave of the meeting will be deemed granted.

249. Where there is objection, the Lord Mayor, or the Presiding Member of a Council Committee, will put the matter to the meeting to vote by majority show of hands, and declare leave granted or declined.

250. A division may be called on whether leave of the meeting is granted.

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Other provisions

Local Government (Procedures at Meetings) Regulations 2013

18—Tabling of information

(1) A member may require the chief executive officer to table any documents of the council relating to a motion that is before a meeting (and the chief executive officer must then table the documents within a reasonable time, or at a time determined by the presiding member after taking into account the wishes of the meeting, and if the member who has required the tabling indicates that he or she is unwilling to vote on the motion until the documents are tabled, then the matter must not be put to the vote until the documents are tabled).

(2) The chief executive officer may, in tabling a document, indicate that in his or her opinion consideration should be given to dealing with the document on a confidential basis under section 90 or 91 of the Act.

Local Government (Procedures at Meetings) Regulations 2013

21—Chief executive officer may submit report recommending revocation or amendment of council decision

(1) The chief executive officer may submit a report to the council recommending the revocation or amendment of a resolution passed since the last general election of the council.

(2) The chief executive officer must ensure that the report is placed on the agenda for the meeting at which the report is to be considered.

(3) The provisions of this regulation may be varied at the discretion of the council pursuant to regulation 6.

Adjourned Business

Local Government (Procedures at Meetings) Regulations 2013

19—Adjourned business

(1) If a formal motion for a substantive motion to be adjourned is carried—

(a) the adjournment may either be to a later hour of the same day, to another day, or to another place; and

(b) the debate will, on resumption, continue from the point at which it was adjourned.

(2) If debate is interrupted for want of a quorum and the meeting is then adjourned, the debate will, on resumption, continue from the point at which it was interrupted.

(3) Business adjourned from a previous meeting must be dealt with before any new business at a subsequent meeting.

(4) The provisions of this regulation may be varied at the discretion of the council pursuant to regulation 6.

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PART 11 - VOTING

Local Government Act 1999

86—Procedure at meetings

(4) Subject to this Act, a question arising for decision at a meeting of a council will be decided by a majority of the votes cast by the members present at the meeting and entitled to vote on the question.

(5) Each member present at a meeting of a council must, subject to a provision of this Act to the contrary, vote on a question arising for decision at that meeting.

(6) The mayor of a council, or other member presiding in the absence of the mayor, at a meeting of the council, does not have a deliberative vote on a question arising for decision at the meeting but has, in the event of an equality of votes, a casting vote.

(7) The chairperson of a council, or other member presiding in the absence of the chairperson, at a meeting of the council, has a deliberative vote on a question arising for decision at the meeting but does not, in the event of an equality of votes, have a casting vote.

Local Government Act 1999

89—Proceedings of council committees

(1) Subject to this Act, the procedure to be observed in relation to the conduct of meetings of a council committee will be—

(a) as prescribed by regulation;

(b) insofar as the procedure is not prescribed by regulation—as determined by the council;

(c) insofar as the procedure is not prescribed by regulation or determined by the council—as determined by the council committee itself.

Local Government (Procedures at Meetings) Regulations 2013

16—Voting

(1) The presiding member, or any other member, may ask the chief executive officer to read out a motion before a vote is taken.

(2) The presiding member will, in taking a vote, ask for the votes of those members in favour of the question and then for the votes of those members against the question (and may do so as often as is necessary to enable him or her to determine the result of the voting), and will then declare the outcome.

(3) A person who is not in his or her seat is not permitted to vote.

(4) Subregulation (3)—

(a) may be varied at the discretion of the council pursuant to regulation 6; and

(b) does not apply in relation to a member participating in a council committee meeting by telephone or electronic means approved in accordance with procedures determined by the council or council committee for the purposes of section 89 of the Act.

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Local Government (Procedures at Meetings) Regulations 2013

Part 4—Miscellaneous

27—Voting at committee meetings

(1) Subject to the Act and these regulations, a question arising for decision at a meeting of a council committee will be decided by a majority of the votes cast by the members present at the meeting and entitled to vote on the question.

(2) Each member of a council who is a member of a council committee and who is present at a meeting of the committee must, subject to a provision of the Act to the contrary, vote on a question arising for decision at that meeting.

(3) The presiding member of a council committee has a deliberative vote on a question arising for decision at the meeting but does not, in the event of an equality of votes, have a casting vote.

251. Council Members and Council Committee Members exercise their vote by show of hand.

252. A Member of Council, or Council Committee, who is not in his or her seat is not permitted to vote, unless determined otherwise by Council, or Committee, in relation to a Member's participation in the meeting.

253. A majority of the Members present voting in favour will constitute the question being carried.

254. A majority of the Members present voting against will constitute the question being lost.

255. A tied vote at a Committee meeting constitutes the question being lost due to an equality of votes and there being no outcome on the question.

Divisions

Local Government (Procedures at Meetings) Regulations 2013

17—Divisions

(1) A division will be taken at the request of a member.

(2) If a division is called for, it must be taken immediately and the previous decision of the presiding member as to whether the motion was carried or lost is set aside.

(3) The division will be taken as follows:

(a) the members voting in the affirmative will, until the vote is recorded, stand in their places;

(b) the members voting in the negative will, until the vote is recorded, sit in their seats;

(c) the presiding member will count the number of votes and then declare the outcome.

(4) The chief executive officer will record in the minutes the names of members who voted in the affirmative and the names of the members who voted in the negative (in addition to the result of the vote).

Division on an Amendment or Formal Motion

256. A division will be taken on an amendment or on a formal motion at the request of a Member. The result of the vote as to whether the amendment or formal motion was carried or lost is set aside.

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PART 12 - MEETING INTERRUPTION

Short term suspension of proceedings

Local Government (Procedures at Meetings) Regulations 2013

20—Short-term suspension of proceedings

(1) If the presiding member considers that the conduct of a meeting would benefit from suspending the operation of all or some of the provisions of this Division for a period of time in order to allow or facilitate informal discussions, the presiding member may, with the approval of at least two-thirds of the members present at the meeting, suspend the operation of this Division (or any part of this Division) for a period determined by the presiding member.

257. At a meeting of Council or The Committee, the Lord Mayor, or Presiding Member, may call a formal break after two hours.

Local Government (Procedures at Meetings) Regulations 2013

20—Short-term suspension of proceedings

(2) The Guiding Principles must be taken into account when considering whether to act under subregulation (1).

(3) If a suspension occurs under subregulation (1)—

(a) a note of the suspension, including the reasons for and period of suspension, must be entered in the minutes; and

(b) the meeting may proceed provided that a quorum is maintained but, during the period of suspension—

(i) the provisions of the Act must continue to be observed [*see particularly Part 4 of Chapter 5, and Chapter 6, of the Act*]; and

(ii) no act or discussion will have any status or significance under the provisions which have been suspended; and

(iii) no motion may be moved, seconded, amended or voted on, other than a motion that the period of suspension should be brought to an end; and

(c) the period of suspension should be limited to achieving the purpose for which it was declared; and

(d) the period of suspension will come to an end if—

(i) the presiding member determines that the period should be brought to an end; or

(ii) at least two-thirds of the members present at the meeting resolve that the period should be brought to an end.

Points of Order and Meeting Interruptions

Local Government (Procedures at Meetings) Regulations 2013

Part 4—Miscellaneous

28—Points of order

(1) The presiding member may call to order a member who is in breach of the Act or these regulations.

(2) A member may draw to the attention of the presiding member a breach of the Act or these regulations, and must state briefly the nature of the alleged breach.

(3) A point of order takes precedence over all other business until determined.

(4) The presiding member will rule on a point of order.

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(5) If an objection is taken to the ruling of the presiding member, a motion that the ruling not be agreed with must be moved immediately.

(6) The presiding member is entitled to make a statement in support of the ruling before a motion under subregulation (5) is put.

(7) A resolution under subregulation (5) binds the meeting and, if a ruling is not agreed with—

(a) the ruling has no effect; and

(b) the point of order is annulled.

29—Interruption of meetings by members

(1) A member of a council or council committee must not, while at a meeting—

(a) behave in an improper or disorderly manner; or

(b) cause an interruption or interrupt another member who is speaking.

(2) Subregulation (1)(b) does not apply to a member who is—

(a) objecting to words used by a member who is speaking; or

(b) calling attention to a point of order; or

(c) calling attention to want of a quorum.

(3) If the presiding member considers that a member may have acted in contravention of subregulation (1), the member must be allowed to make a personal explanation.

(4) Subject to complying with subregulation (3), the relevant member must leave the meeting while the matter is considered by the meeting.

(5) If the remaining members resolve that a contravention of subregulation (1) has occurred, those members may, by resolution—

(a) censure the member; or

(b) suspend the member for a part, or for the remainder, of the meeting.

(6) A member who—

(a) refuses to leave a meeting in contravention of subregulation (4); or

(b) enters a meeting in contravention of a suspension under subregulation (5),

is guilty of an offence.

Maximum penalty: $1 250.

258. The Lord Mayor (or the Presiding Member of a Council Committee) may make a statement at the beginning of each meeting which sets out his/her expectations and/or about behavioural standards at a formal Council or Committee meeting, which may include his/her views about what amounts to improper or disorderly behaviour.

259. This opportunity can be used to advise that he/she will ensure that appropriate standards will be observed and that behaviours that fall below those standards will be considered to be improper and/or disorderly conduct.

260. For the purposes of regulation 29(1) of the Meeting Regulations, set out above, the ordinary and natural meaning of:

260.1 The adjective '*proper*' is '*conforming to established standards of behaviour or manners, correct or decorous*' and of the adjective '*improper*' is '*not in accordance with propriety or behaviour, manners etc'* or '*unsuitable, inappropriate, as for the purpose of the occasion*' (Macquarie Dictionary).

260.2 The adjective '*orderly*' is '*observant of system or method, as persons, the mind, etc., characterised by or observant of order, rule or discipline'* and of the adjective '*disorderly*' is '*law violating, or opposed to, constituted order, contrary to public order or morality*' or 'I (Macquarie Dictionary).

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261. It is at the discretion of the Lord Mayor (or the Presiding Member of a Council Committee), whether to control improper and/or disorderly behaviour by way of a number of warnings before resorting to reliance upon regulation 29 of the Meeting Regulations.

262. Where regulation 29 of the Meeting Regulations is relied upon:

    262.1 The Lord Mayor (or the Presiding Member of a Council Committee), must inform the meeting that the conduct of the Member is, in his/her opinion, improper and/or disorderly.

    262.2 The Member must then be allowed to make a personal explanation about his/her behaviours and must leave the meeting.

    262.3 The meeting will then consider the conduct and determine if it wishes to take any action against the Member.

263. If action is to be taken, then in accordance with regulation 29(5)(a) of the Meeting Regulations the remaining Members of the Council or Committee can censure the Member by passing a resolution that is an expression or statement of dissatisfaction with the Member's performance, conduct and/or behaviours. Such a resolution has no further effect other than as a formal, public reprimand that is expressed publicly and recorded in the Minutes of the meeting.

264. Suspension of the Member in accordance with regulation 29(5)(b) of the Meeting Regulations will be reserved for the most serious behaviours.

265. It is expected that Members will support the Lord Mayor (or the Presiding Member of a Council Committee), in his/her endeavours to maintain appropriate standards of behaviour during meetings.

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CHAPTER 8
Civic Protocols

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The Mace

266. The Mace is the official mace of the Council as the Governing body of the Corporation of the City of Adelaide which shall be used during Council meetings in the Council Chamber and at formal Council functions as appropriate.



267. A Mace Bearer shall bear the Mace to all meetings of Council and such other ceremonies or occasions as shall be directed by the Council or requested by the Lord Mayor.

Order of Precedence

268. The Order of Precedence of Council Members and Staff of the Corporation of the City of Adelaide shall be:

    268.1 The Lord Mayor

    268.2 In his or her own City, a Lord Mayor takes precedence over everyone except the Royal family or the direct representative of the Sovereign (reference: *College of Arms, London, Ruling 1922-3*).

    268.3 The Lady Mayoress or Official Partner of the Lord Mayor

    268.4 The Deputy Lord Mayor

    268.5 Area Councillors (in order in terms of cumulative length of service as Members of Council)

    268.6 Ward Councillors (in order in terms of cumulative length of service as Members of Council)

    268.7 The Chief Executive Officer

    268.8 The Directors (in order in terms of length of service)

    268.9 The spouses or partners of Council Members

    268.10 The spouses or partners of Council staff.

Swearing in Ceremony

269. As soon as practical after the election of a new Council, a formal meeting of the Council shall be called, referred to as the Swearing In Ceremony, at which the Lord Mayor and all Council Members shall take an oath of office in accordance with Council and legal requirements.

270. The Swearing In Ceremony shall take place in the Council Chamber.

271. The Lord Mayor shall, in consultation with the Chief Executive Officer and Council Members, invite guests to attend the Swearing In Ceremony.

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Official Call Upon the Governor

272. Following the first meeting of each newly elected Council, the Council shall, if it shall please His or Her Excellency, call upon the Governor of the State of South Australia to offer an expression of allegiance to the Throne and Person of Her Majesty Queen Elizabeth II on behalf of the Council and the citizens of Adelaide. Council Members will gather at the Adelaide Town Hall, and will walk robed, from the Adelaide Town Hall to Government House.

Historical information

On 4 November 1840, Council, at its first meeting, resolved that it would without delay wait upon the Governor, Lieutenant Colonel George Gawler, to present an address and affirm its loyalty to the Crown. This tradition, thus begun, has continued with successive Councils

Colonel Light Ceremony

273. The Colonel Light Ceremony will be held annually on a date as near as practical to the birthday of Colonel Light (27 April).

274. The Colonel Light Ceremony will be held by way of a special meeting of Council or other commemorative ceremony determined by the Lord Mayor.

Historical information

The annual ceremony of drinking the health of Colonel William Light was instituted in 1859 when a silver bowl was presented to the Mayor and Corporation of Adelaide by four of the original founders of the colony of South Australia; Messrs George Palmer, Jacob Montefiore, Raikes Currie and Alexander Elder; who wished to preserve the memory of the late Colonel. It was their intention that the ornamental silver bowl, made in England in 1766-7, be used by the Mayor and Members of Council to 'drink in Australian wine to the memory of Lieutenant Colonel Light, the first Surveyor-General of South Australia'.

When the bowl was presented in January 1859, a piece of wedding cake of Her Royal Highness the Princess Royal of England was also sent to the Corporation by George Palmer who was one of the Colonisation Commissioners of 1835 who intended that it be distributed among the Councillors and citizens present at the meeting at which the memory of Colonel Light was first honoured.

At the Meeting of Council on the 31 January 1859 it was resolved: "that the practice of drinking to the memory of Colonel Light be continued from year to year on the first meeting of the Council in each Municipal Year or after the anniversary of the Colony."

From 1859 until 1984, it was the custom to comply with this request at the first meeting of the Council in each Municipal Year immediately after the annual Council elections. However, in 1984 the elections were made bi-annual.

At a meeting on the 30 June 1984, Council resolved that the Colonel Light Ceremony be held in April, 1985 on a date as near as practical to the birthday of Colonel Light (27 April), and annually thereafter.

Since 1985 Council has normally invited a keynote speaker to present an address at the ceremony on a theme related to Colonel Light and the history and progress of the City.

The luncheon is held in the Queen Adelaide Room immediately before the meeting for Members and distinguished guests, after which they move to the Council Chamber.

Robing

275. The Lord Mayor, Deputy Lord Mayor, Council Members and the Chief Executive Officer must robe for certain meetings, ceremonies and functions including but not limited to:

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Item 4.6 - Attachment A

275.1 The Swearing In Ceremony

275.2 The Official Call Upon the Governor

275.3 The Colonel Light Ceremony

275.4 Special events such as Royal visits and State or City birthday celebrations

275.5 All other meetings of Council, ceremonies or occasions where directed by the Council or otherwise directed by the Lord Mayor.

Recognition of Former Lord Mayors and Council Members

276. Former Lord Mayors and Official Partners of the Lord Mayor/Lady Mayoresses of Adelaide and their partners or guests shall be invited to and acknowledged at all major ceremonies and functions of the Council including:

276.1 The Swearing In Ceremony

276.2 The Official Call Upon the Governor

276.3 The Colonel Light Ceremony

276.4 Special events such as Royal visits and State or City birthday celebrations

276.5 All other meetings of Council, ceremonies or occasions where directed by Council or otherwise requested by the Lord Mayor.

Civic Rooms

277. The Civic Rooms of the Corporation of the City of Adelaide are those rooms which are available to be utilized for activities other than for formal Council business comprising the Council Chamber, the Colonel Light Room, the Queen Adelaide Room and the Lady Esther Jacob's Room.

278. Use of the Civic Rooms applies to both internal and external parties of the Council.

279. Council will encourage public engagement in matters of civil and civic concern and will maintain a sense of history and community involvement by allowing appropriate use of the Civic Rooms.

280. Council will support the use of the Civic Rooms by recognised bodies and groups for restricted activities associated with civil or civic purposes such as public hearings, debates and discussions. Such use shall be with the prior approval of the Chief Executive Officer or the Lord Mayor. Costs associated with catering or other requirements will be borne by the group using the civic room.

281. Council will support the use of the Civic Rooms by recognised bodies and groups for special and commemorative events such as birth dates for Colonel Light and Queen Adelaide and Australia Day Citizenship Ceremonies. Such use shall be with the prior approval of the Lord Mayor or Chief Executive Officer. Costs associated with catering or other requirements will be borne by the group using the civic room.

282. The Lord Mayor or Chief Executive Officer may approve other uses of the Civic Rooms.

283. The use of the Civic Rooms must not clash with reasonable Council business or restrict occupancy of the adjacent rooms by the Lord Mayor, Council Members and the executive and staff of the Corporation of the City of Adelaide.

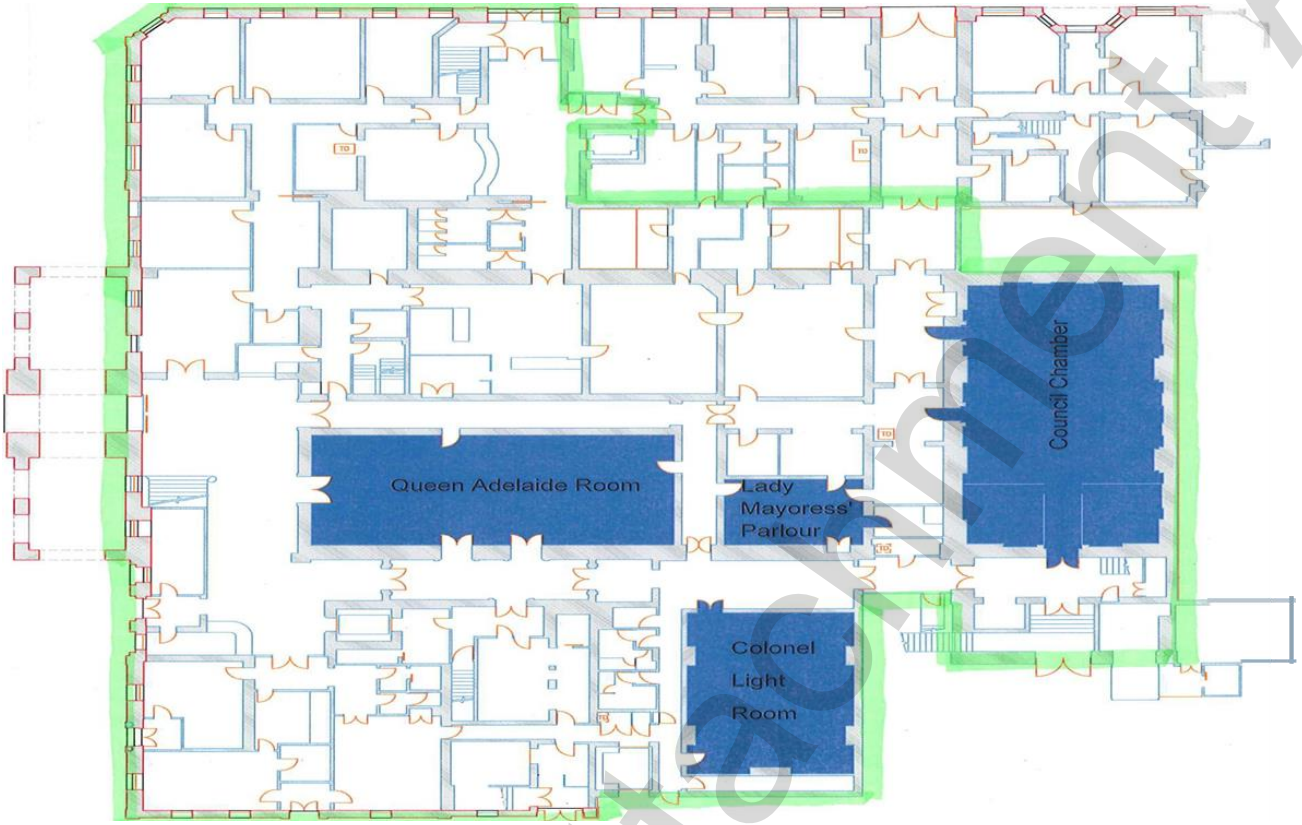
284. The Civic Rooms shall be:

284.1 Laid out, decorated and furnished in accordance with resolutions of Council under this Standing Order or a decision of the CEO following recommendation from the Civic Recognition Working Group established under these Standing Orders and which includes at least one Council Member.

284.2 Maintained, repaired and protected from damage at all times.

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285. The Civic Area of the Town Hall is defined as the area on the map below and including the adjoining public access corridors. Civic Rooms are shaded blue on the map below.



286. All proposals for work or changes to the Civic Area be considered by the Civic Recognition Working Group for Chief Executive Officer determination or a report to and resolution of Council where appropriate.

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CHAPTER 9
Amendment of Standing Orders

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AMENDMENT OF STANDING ORDERS

287. The whole of these Standing Orders shall continue in force and effect until altered, amended, or repealed and shall have full force and effect at all meetings of the Council and its committees.

Legislative Amendment

288. To the extent that the Standing Orders consist of statutory provisions enacted by the Parliament of the State of South Australia, then such reference in the Standing Orders shall automatically stand amended upon the statutory provisions being amended without further resolution of Council. In that circumstance, the Chief Executive Officer shall arrange for the Standing Orders to be amended accordingly, advise Council Members and record in the Revision History table below.

Proposal to Otherwise Amend Standing Orders

289. Any proposal to abolish any of the Standing Orders, or to adopt any new Standing Order, shall be considered and determined Council.

290. The Chief Executive Officer may vary the Standing Orders to give effect to Standing Order 288 above and Standing Order 291 and 292 below and will record the variation in the Revision History below.

291. The Chief Executive Officer may in response to the Council, The Committee or a council committee amend or include procedures to support governance arrangements or the conduct of a meeting.

292. Any proposal to amend or remove provisions in the Code of Practice for Meeting Procedures (refer to Regulation 6(3) of the *Local Government (Procedures at Meetings) Regulations 2013 (SA)* must be supported by at least two thirds of the Members of the Council entitled to vote on the resolution.

Revision History – 2018-2022 Term of Office

In Response to:	Revision to Standing in Orders

Related Documents

Overview of Governance Arrangements (insert link)
Terms of Reference for The Committee (insert link)
Caretaker Policy when determined by Council in 2021/22 financial year TBC (insert link)

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Splash Adelaide

Workshop Purpose:

To share past experiences of the Splash Adelaide program with Council members, including a brief history, budget considerations, examples and community sentiment, and to gauge Council member's interest and focus for a reimagined Splash Adelaide.

A MULTICULTURAL CITY WITH A PASSION TO CREATE AUTHENTIC AND INTERNATIONALLY RENOWNED EXPERIENCES

CREATIVE

PROGRAM: ECONOMIC DEVELOPMENT & TOURISM

AUTHOR: Vicky Antoniou| APPROVING OFFICER: Matt Grant

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SPLASH ADELAIDE
Why we are here



- This workshop is in response to the 12 March 2019 Motion on Notice regarding the Splash Adelaide Program which states that Administration:

  1) Prepare a report and present at a workshop on Council's past experiences with Splash Adelaide Program. Information provided to include a brief history, budget considerations, examples and community sentiment.

  2) Deliver a Splash 2.0 - City Activation Program as part of the 2019-2020 budget consideration.

- This workshop document addresses both components of the Motion.
- Council's views and priorities for a reimagined Splash Adelaide in 2019/2020 will also be sought at the workshop on Tuesday 4 June 2019.
- Subject to the discussion at the 4 June workshop, it will be determined if a further workshop is to be held or a report prepared for Council regarding the future approach for Splash Adelaide.

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SPLASH ADELAIDE

Key Questions – Seeking your thoughts through an online Poll Everywhere survey



Which of the original Splash Adelaide objectives do you feel are still relevant today?

What would you like to see in a re-imagined Splash Adelaide?

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WORKSHOP TITLE
Financial Implications



IMPLICATION	COMMENT:
Policy	The Splash Adelaide Project Guidelines may be impacted by the outcome of this workshop and future recommendations for the Splash Adelaide project.
Consultation	In writing the 'Rethinking Splash Adelaide' report, Margie Caust consulted CoA staff, past Splash Adelaide participants and people involved in placemaking, the arts, economic development and the low carbon city. Workshops with CoA staff, Christie Anthoney (CEO of Festivals Adelaide) and Margie Caust to further discuss a reimagined Splash Adelaide program have also taken place.
Resource	Additional resources may be required to deliver Splash Adelaide in 2019/2020. These resources will be funded through the $710K Splash Adelaide project budget.
Risk / Legal / Legislative	There may be risk associated with adopting an experimental approach which allows the city to be used as a platform to test ideas, activities, policies and technology, the extent to which is dependent on the idea being tested. There should be no legal or legislative implications, as the program will still operate within legislative requirements.
Opportunities	To develop a reimagined Splash Adelaide program to trial new ways of doing things and assist in the delivery of Council's vision for the city.

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IMPLICATION	COMMENT:
18/19 Budget Allocation	$330K was allocated to core Splash Adelaide projects in 2018/19.
18/19 Budget Reconsideration (if applicable)	N/A
Proposed 19/20 Budget Allocation	The proposed budget allocation for Splash Adelaide projects in 19/20 is $710K. This is 71% of the total City Activation budget.
Ongoing Costs (e.g. maintenance cost)	There are no known ongoing costs associated with this project at this point in time.
Life of Project or Life Expectancy of Asset	Splash Adelaide has been an ongoing program since 2011 that is reviewed and endorsed annually through the Integrated Business Plan and Budget process.
Other Funding Sources	There may be potential to partner with cultural organisations and/or commercial businesses on a project basis.

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1. How it all began
2. The Objectives
3. Behind the Scenes – The Model
4. Behind the Scenes – What it required of us
5. Fast Facts
6. Trials and Tribulations
7. Splash Adelaide Journey – Budget history
8. Evolution of the Program
9. The Splash Adelaide Legacy
10. Case Studies
11. The Review - Time for a shake up

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SPLASH ADELAIDE
How it all began….

Splash Adelaide was delivered as a part of the City Activation program from 2011 – 2019.

It was inspired by New York City Council's partnership with Project for Public Spaces to trial projects that focused on transforming public areas into places for people.

Splash Adelaide aligned with Council's Strategic Plan, major planning works shaping the city and Smart Move Strategy. It ultimately led to the development of Council's Place Making Strategy.

It also aligned with the State Government's 'Creating a Vibrant City' priority, resulting in State Government partnering with Council for the first 2 years of the program.

The intent of the project was to bring city streets and laneways to life through a series of community run urban experiments to bring vibrancy to the city.

Splash Adelaide partnered and co-created with the community and businesses to test new ideas and transform City spaces into places for people before investing significant or long-term resources.



Waymouth Street Party



Ebenezer Night Market

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SPLASH ADELAIDE
The Objectives

Foster innovation, creativity and entrepreneurism → Assist the community to test their ideas or events at a reduced cost → Eliminate red-tape where possible

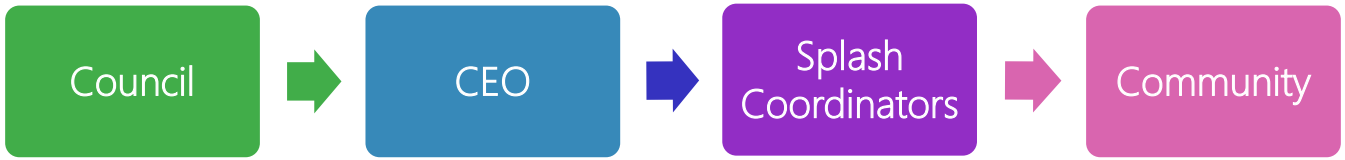
Facilitate growth in creative business and industries → Ensure an exciting and broad range of events and activities in non-traditional spaces across the city → Engage the community and give power to the people – Council to become a facilitator and enabler

Change perceptions of the City and Council → Challenge bureaucracy, identifying unnecessary barriers and streamlining processes



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The Splash 'Governance' Model



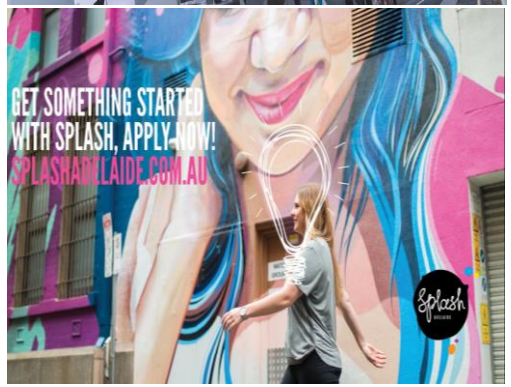
- Council delegated full authority for Splash Adelaide project selection, design and implementation to the CEO. They were provided with an annual report on the progress and outcome of the project.
- Community and businesses could apply to trial their ideas as part of the program, with priority given to projects that had the highest percentage of private funding. Here's how: https://www.youtube.com/watch?v=dLinaGQ9ulQ
- Technical and financial assistance was provided to help projects come to life for up to three seasons.
- Projects needed to be safe, flexible, easy to install and quick to reverse if needed (the '24 hour' rule).
- Public consultation policy and other regulations were suspended - 'we consulted by doing' unless required under legislation.
- We waived fees for things like permits and road-closures.
- Splash Adelaide Event Consultants navigated the inner workings of Council for applicants (e.g. permits, DA's, permissions) and upskilled participants via mentoring and the delivery of the 'How to Splash' workshop series, which focused on developing community connections and building community capacity and resilience.
- Dedicated Splash Adelaide digital and social media channels were used to promote projects.
- Projects were monitored during the implementation period to inform changes during the trial and planning for future opportunities.
- Catch a glimpse of how it looked here: https://www.youtube.com/watch?v=dAU4xbWItDI

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SPLASH ADELAIDE

Behind the scenes - What it required of us





- In its first year, Splash Adelaide was delivered by a team of people from across the organisation.
- Staff nominated themselves to be part of the team, and those selected were released to participate in the program for a minimum of 6 months.
- The team was made up of people from Public Realm, Finance, Community and Culture, Events, Governance, Design and Marketing.
- The first 6 months of the trial program focused on CoA delivering projects to signal to the community that we were changing as a LG entity, taking risks and challenging the way we operated in the city.
- All of the ideas came from CoA employees, in recognition that they had a great connection to the city and were aware of all of its' secrets and potential opportunities.
- Due to the unexpected momentum and support from the community at the conclusion of the first 12 months of Splash Adelaide, Council recognised that a dedicated team was required. As a result, resourcing costs were added to the project budget to ensure the great work continued.
- The Splash Adelaide team adopted a case management approach to working with the community, providing a single touch point who navigated the inner workings of Council on applicants behalf.
- This approach influenced a huge cultural shift and removal of silos within the organisation as everyone worked together to deliver Splash Adelaide projects across the City.

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THE SPLASH ADELAIDE JOURNEY

2011/12

Budget

$366K

INCLUDES GRANT FROM STATE GOVERNMENT

20 council led projects delivered

2012/13

Budget

$510K

INCLUDES GRANT FROM STATE GOVERNMENT. SPLASH 74% OF CITY CTIVATION BUDGET

39 council led & 26 community led projects delivered

2013/14

Budget

$553K

SPLASH 74% OF CITY ACTIVATION BUDGET

130 community led projects delivered

2014/15

Budget

$627K

SPLASH 71% OF CITY ACTIVATION BUDGET

170 community led projects delivered

NB: 2012/13 TO 2014/15 INCLUDES RESOURCE COSTS TO DELIVER SPLASH

CITY OF ADELAIDE

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THE SPLASH ADELAIDE JOURNEY

2015/16	2016/17	2017/18	2018/19	2019/20
Budget	Budget	Budget	Budget	Budget
$563K	$486K	$319K	$330K	$710K
SPLASH 73% OF CITY ACTIVATION BUDGET	SPLASH 79% OF CITY ACTIVATION BUDGET	SPLASH 51% OF CITY ACTIVATION BUDGET	SPLASH 63% OF CITY ACTIVATION BUDGET	SPLASH 71% OF CITY ACTIVATION BUDGET
61 community led projects delivered	65 community led projects delivered	51 community led projects delivered	10 CoA & community led projects delivered	

NB: 2015/16 TO 2016/17 INCLUDES RESOURCE COSTS TO DELIVER SPLASH. 2017/18 AND 2018/19 RESOURCE COSTS INCLUDED IN OPERATING BUDGET

CITY OF ADELAIDE

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SPLASH ADELAIDE 2011-2019
FAST FACTS & FIGURES

14 MOBILE FOOD VENDORS OPENED FIXED BUSINESSES (AS FOOD RETAILERS OR SUPPLIERS)

OVER **40** TEMPORARY ART INSTALLATIONS ACROSS THE CITY

OVER **550** UNIQUE EVENTS & PROJECTS BROUGHT TO LIFE ALL OVER ADELAIDE

25,000 STRONG ONLINE COMMUNITY

339 NEW OUTDOOR DINING PERMITS ISSUED SINCE 2012

835,282 WEBSITE VISITS OCT 2012 TO MAY 2019

SPLASH ADELAIDE CONTRIBUTED TO THE CITY'S LANEWAY CULTURE WHICH HAS RESULTED IN:

94 NEW VENUES IN CITY LANEWAYS

OVER **$90M** IN ECONOMIC ACTIVITY

1300 NEW JOBS CREATED

CITY OF ADELAIDE

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LEARNINGS

- The beauty of Splash Adelaide was that things didn't always go to plan.
- Failure wasn't feared, but considered an experience from which to learn from.
- We learnt more from things going wrong than right.

Urban Retreat (Gawler Place)

1. This project aimed to reclaim street space in Gawler Place to create a public plaza, with simple food vendors, street interest and activity.
2. Simple seating with umbrellas, combined with low planters, trees and the Splash Adelaide white VW planter mascots created a flexible and adaptable plaza area.
3. Feedback from businesses throughout the trial influenced improvements to the plaza design, including opening up pedestrian walkways and improving sightlines to the Mall.
4. What worked: People enjoyed the public seating and the range of food and drink vendors. The novelty and interest made most people return.
5. Key learnings: Accessible car parks for the Southern side of Gawler Place were relocated, however the new accessible parking spaces were not considered close enough to medical and optical businesses in Gawler Place. Shade was needed on sunny days, but umbrellas and tree canopies affected businesses' lines of sight from the Mall. Unattractive road barriers made the road appear closed.



The Depot

1. In 2012, Splash Adelaide supported a group of entrepreneurs to activate an underutilised block of land on Franklin St into a temporary entertainment venue during Fringe.
2. Fascination Street, a collective of Adelaide artists, architect graduates and designers were commissioned to design the space.
3. Over 500,000 people attended the space, which hosted a number of events and concerts over four weeks.
4. CoA invested $10K and significant people resources from the Property and Splash Adelaide teams into clearing the site and ensuring it was fit for operation, however CoA had little authority or influence over the programming of the space.
5. A lot of support was provided to stakeholders throughout the project despite stakeholder consultation having occurred.
6. Key learning: Engaging with the client earlier would have been beneficial so that we could ensure concrete plans were in place prior to providing project approval.



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SPLASH ADELAIDE
Evolution of the Program

Splash Adelaide's evolution from a Council-led program into a community driven program influenced the type of projects that were delivered.

→ Placemaking diminished as a priority for Council.

Internally, priorities changed and there was an emphasis on supporting projects that aligned with the strategic plan.

→ Ideas that were once new became the norm; e.g. pop-up markets, street parties, wall murals, art installations etc.

Applications were no longer reflecting new/innovative ideas/projects to test.

→ Started to feel like a traditional grants program.



East End Unleashed



Fork on the Road

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SPLASH ADELAIDE
The Legacy

CREATIVE OUTCOME

MOBILE FOOD VENDING



STARTED AS A PILOT PROJECT IN 2011/12 → RESULTED IN COUNCIL ENDORSED OPERATING GUIDELINES IN MAY 2013 → STATE GOVERNMENT LEGISLATION ON MOBILE FOOD VENDORING PASSED IN MARCH 2018

OUTDOOR DINING



REDUCED RED TAPE & RELAXED REGULATIONS AS A PILOT PROJECT IN 2012/13 → 61 NEW OUTDOOR DINING PERMITS ISSUED DURING TRIAL IN 2012, COMPARED TO 29 IN 2011 (100% INCREASE) → RESULTED IN REVISED OUTDOOR DINING OPERATING GUIDELINES IN 2013, AN INCREASE IN OUTDOOR DINING PERMITS FROM 208 IN 2011 TO 547 IN 2019 & A REDUCTION IN PERMIT TURNAROUND TIME FROM 60 DAYS TO 9 DAYS

STREET ART



SUPPORTED A STREET ART EXPLOSION → TOGETHER WITH SMALL BAR LIQUOR LICENSING REFORMS & OTHER LANEWAY ACTIVITIES & EVENTS → INSPIRED THE DEVELOPMENT OF A NEW LANEWAY CULTURE & INVESTMENT

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SPLASH ADELAIDE
The Legacy



CULTURAL CHANGE



→ INTENDED TO GIVE THE COMMUNITY A SENSE OF OWNERSHIP & PRIDE OF THE CITY → CHANGED THE WAY THE CITY AND THE COUNCIL WERE VIEWED AND USED → RESULTED IN AN ENGAGED COMMUNITY WHO WERE INSPIRED TO DELIVER THEIR IDEAS & PROJECTS IN THE CITY

→ SPLASH ADELAIDE ENCOURAGED STAFF TO TAKE RISKS, COLLABORATE ACROSS PROGRAMS & CHALLENGE THE WAY THINGS HAD ALWAYS BEEN DONE → AN INTERNAL LEARNING LABORATORY WAS BORN WHERE INNOVATION & EXPERIMENTATION WAS FOSTERED & MISTAKES CONSIDERED AN OPPORTUNITY TO LEARN → GENERATED A BUZZ INTERNALLY, WITH A NUMBER OF COUNNCIL STAFF & PROGRAMS APPLYING TO TRIAL NEW IDEAS. THIS WAS AN UNEXPECTED POSITIVE CULTURAL SHIFT WITHIN THE ORGANISATION

REDUCTION IN RED TAPE



→ CHALLENGED BUREAUCRACY & EXISTING PROCESSES → ADOPTED A LIGHTER, QUICKER, CHEAPER & MORE STREAMLINED APPROACH TO GETTING THINGS DONE → MADE THE CITY, ITS SPACES AND COUNCIL MORE ACCESSIBLE & ENCOURAGED INNOVATION, TESTING & TRIALLING OF NEW IDEAS

ROAD ACTIVATIONS



→ TRIAL CLOSURES OF LEIGH STREET & PEEL STREET → INFLUENCED MARKET TO RIVERBANK MASTER PLANNING & DESIGN → RESULTED IN PERMANENT CLOSURE OF THESE ONCE UNDER-UTILISED STREETS & LANEWAYS

→ TRIAL ROAD CLOSURES IN RUNDLE STREET DURING ADELAIDE FRINGE → PROVIDED ON-STREET ENTERTAINMENT & ENCOURAGED BUSINESSES TO LEVERAGE FROM CLOSURES BY OFFERING OUTDOOR DINING → GROWN INTO EAST END'S BIGGEST EVENT LEVERAGING OPPORTUNITY IN THE YEAR, NOW KNOWN AS ' EAST END UNLEASHED'

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A NUMBER OF KEY EVENTS THAT ORIGINATED FROM SPLASH ADELAIDE STILL CONTINUE TODAY, INCLUDING:

FEAST ON FOOT



EBENEZER NIGHT MARKETS



ZOMBIE WALK



WAYMOUTH STREET PARTY



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A NUMBER OF KEY EVENTS THAT ORIGINATED FROM SPLASH ADELAIDE STILL CONTINUE TODAY, INCLUDING:

DINNER EN BLANC



FORK ON THE ROAD



EAST END UNLEASHED



LIGHTHOUSE YOUTH PROJECTS – BMX SESSIONS



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Mobile food vendors - From Splash pilot project to State Government Legislation







In July 2013, Mobile Food Vending completed a hugely successful 2 year trial under Splash Adelaide. The pilot allowed mobile carts, trucks and vans offering food and drinks to set up in temporary locations to cater to city residents, workers and visitors.

The program was considered highly successful as it activated underutilised spaces, gave entrepreneurs a helping hand to get started and helped foster different and exciting food experiences on city streets.

As a result of the project's success, Adelaide City Council developed guidelines that were endorsed by Council on 14 May 2013, introducing a seasonal permit fee for the continuation of mobile food vending beyond the two-year pilot term. These guidelines were developed in consultation with mobile food vendors, local businesses and the general public.

The Mobile Food Vending program no longer sat under Splash Adelaide, but rather as a separate initiative. Permits were issued for summer (valid 1 October to 31 March) and winter seasons (valid 1 April to 30 September), with a maximum of 40 permits at any one time. There were restrictions on where and when mobile food vendors operated in order to protect permanent businesses with mobile food vendors encouraged to set-up in underutilised spaces, away from other take-away food businesses.

In an attempt to create greater trading opportunities and more flexible permit terms for entrepreneurs, the State Government amended legislation in March 2018 so that no council in SA could reject a MFV application, limit the number of permits or charge more than a set fee for flexible trading periods.

Under the new legislation, fees are capped at $200 per month / $2,000 year and can be issued for periods from 1 month up to 12 months. The only conditions that can be applied by Councils are location conditions for trade.

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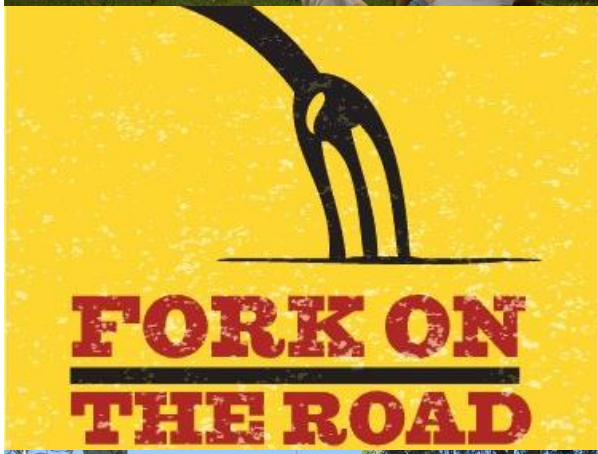
Fork On the Road – from Splash pilot to business venture

Fork On the Road is a celebration of unique, local, gourmet and breathtakingly tasty food and beverages served from mobile food vendors of all shapes and sizes. It was initially a Splash Adelaide project but has now grown into a business venture that runs quarterly events in a range of unique and inviting locations.

Some of the features of Fork On the Road include:

- Fork showcases Adelaide's Food Trucks, Vans, Pop-ups, Carts and Bikes all in one location, making the food itself the attraction and the event.
- It is a free community event.
- It takes the form of monthly events or festivals, held predominantly in the city.
- Offers the opportunity for young musicians and artists to perform.
- Demonstrates how spaces can be used differently.
- No Fork is the same. Different locations, times and days of the week are trialled.
- Most events include an alcohol license with local small boutique wineries and brewers.
- Assists entrepreneurs to trial new business ideas.
- The number of vendors varies between events, depending on availability and size of the venue. Pop-up stalls are welcome, particularly those starting out and working towards a truck, van, bike or cart.
- Social Media is integral to the promotion of Fork.
- Vendors are required to pay a fee to participate.
- Fork on the road showcases new businesses that are being created, and the burgeoning food culture that contributes to Adelaide's unique identity.







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Waymouth Street Party - From Council-run initiative to a business-led event

The Waymouth Street party is a collaboration between the Adelaide City Council, Waymouth Street businesses, Adelaide Fringe, independent artists and performers to activate and create a street party with a performance program.

The project transforms a street normally dominated by traffic, into an eclectic and artistic street party for people to come-together and enjoy local food and entertainment in a unique festival atmosphere.

The street is closed to traffic so participating Waymouth Street businesses can expand their offering out into the street.

The first event was staged on Friday 9 March 2012 to coincide with the opening of the Adelaide Fringe Festival. Due to the continual success of this street party, it still takes place each Festival season, with the most recent event held on Friday 8 March this year.

Key features of Waymouth Street Parties:

- Attracts 2,000-3,000 people per event, including all ages and backgrounds.
- Business participation has increased each year.
- This event was a Council initiated venture which has largely been handed to the Waymouth Street traders to run over the years.



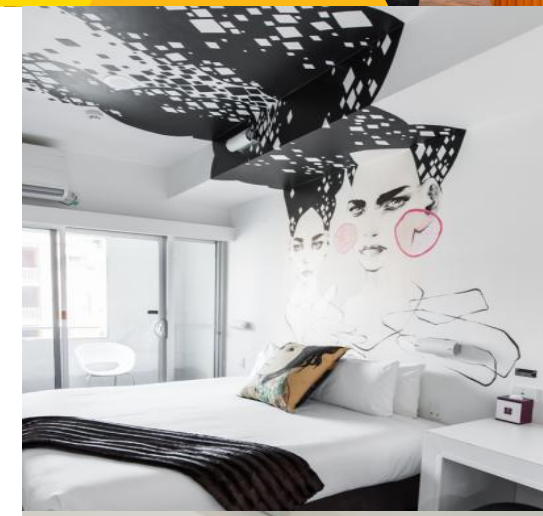
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En route – Splash partnering with existing business

Majestic Hotels are a South Australian family owned and operated accommodation provider. The Majestic Minima Hotel has recently undergone a transformation which has seen the entire hotel become a creative space for guests and artists. A handpicked selection of local South Australian emerging and semi-established artists were each commissioned to transform every room in the hotel. All 46 rooms represent the vision of these artists with a theme of 'creativity & creation' in an array of disciplines, from street art to tactile installations.

En Route is an extension of this celebration of Adelaide Art and takes visitors on a walking journey of discovery throughout the Adelaide CBD.

Pedestrian based En Route is an exciting live art event on the streets. The project uses audio through earphones, mobile phone communication, urban streetscapes, walking passers-by and cafes to execute a self-guided tour throughout the city. Guests use QR codes and arrows strategically placed to guide them throughout the streets and give them directions throughout their journey whilst listening to stories about the city and its art via headphones. En Route has been a joint project between the South Australian Tourism Commission (State Government), Adelaide City Council and Private Enterprise.





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SPLASH ADELAIDE
Time for a shake up

In 2018, a review of the Splash Adelaide program was undertaken by urban strategist, Margie Caust.

Key ideas from this review included:

- Refreshing Splash Adelaide so that it becomes an **experimentation program** for strategic priorities, use the city platform to test ideas, activities, policies and technology.
- Focus on the quality and originality of ideas rather than the number of applications.
- Retain the lighter, quicker, cheaper ethos but cultivate and support original ideas that challenge existing ways of doing things, offer new models, or surprise.
- Create an internal learning laboratory to question and refine existing Council processes.
- Find ways to focus the program – e.g. by location, the nature of the challenge, timing.
- Support creative people, not just projects.



Peel Street



Burger Theory: from food truck to fixed business

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Exclusion of the Public

ITEM 7.1 04/06/2019
The Committee

Program Contact:
Jacki Done, AD People & Governance 8203 7256

2018/04291
Public

Approving Officer:
Mark Goldstone, Chief Executive Officer

EXECUTIVE SUMMARY:

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

For the following Discussion Forum Items aligned with the *City of Adelaide Strategic Plan 2016-2020* in confidence:

Strategic Alignment – Liveable

8.1 Strategic Property Matter [s 90(3) (b) & (d)]

Strategic Alignment – Corporate Activities

8.2 CEO Verbal Update - Operational Matter [s 90(3) (a)]

The Order to Exclude for Items 8.1 & 8.2:

1. Identifies the information and matters (grounds) from s 90(3) of the *Local Government Act 1999 (SA)* utilised to request consideration in confidence;
2. Identifies the basis – how the information falls within the grounds identified and why it is necessary and appropriate to act in a meeting closed to the public; and
3. In addition identifies for the following grounds – s 90(3) (b), (d) or (j) - how information open to the public would be contrary to the public interest.

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ORDER TO EXCLUDE FOR ITEM 8.1:

THAT THE COMMITTEE:

1. Having taken into account the relevant consideration contained in s 90(3) (b) & (d) and s 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of The Committee dated 4/6/2019 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 8.1 [Strategic Property Matter] listed on the Agenda in a meeting open to the public would on balance be contrary to the public interest.

   Grounds and Basis

   This Report details commercial information of a strategic property matter the disclosure of which could reasonably be expected to prejudice the commercial position and identity of the proponent who supplied 'commercial in confidence' information containing business directions/strategy. The disclosure of information contained in this report may prejudice the commercial position of the third party by disclosing the identity and content of the information at this point in time. Disclosure of this information may prejudice the ability to undertake/participate in any future process and or negotiations on any proposal and prejudice the Council's commercial position and opportunity for Council to participate in future like considerations or discussions.

   Public Interest

   Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances. The private sector may determine not to pitch new ideas and projects to Council if Council will not take into account a proponents concerns regarding protection of its ideas and commercially sensitive information. This may have the impact that Council does not maximise private sector innovation and service delivery improvement opportunities. Disclosure of the information contained in this report may cause detriment to the third party who supplied information to Council at this point in time, and may materially and adversely affect Council's ability to discuss/participate or influence a proposal for the benefit of the Council and the community in this matter.

2. Pursuant to s 90(2) of the *Local Government Act 1999 (SA)*, this meeting of The Committee dated 4/6/2019 orders that the public (with the exception of members of Corporation staff and any person permitted to remain) be excluded from this meeting to enable this meeting to receive, discuss or consider in confidence Item 8.1 [Strategic Property Matter] listed in the Agenda, on the grounds that such item of business, contains information and matters of a kind referred to in s 90(3) (b) & (d) of the Act.

ORDER TO EXCLUDE FOR ITEM 8.2:

THAT THE COMMITTEE:

1. Having taken into account the relevant consideration contained in s 90(3) (a) and s 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of The Committee dated 4/6/2019 resolves that it is necessary and appropriate to act in a meeting closed to the public for the consideration of Item 8.2 [CEO Verbal Update - Operational Matter] listed on the Agenda.

   Grounds and Basis

   In confidence consideration is sought to respect information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person or persons. Disclosure of which would involve the unreasonable disclosure of information and breach of duty of confidence at this point in time concerning the personal affairs of employees, in that details of workforce matters will be discussed, which are sensitive and are details only known to those who have participated in the process.

2. Pursuant to s 90(2) of the *Local Government Act 1999 (SA)* this meeting of The Committee dated 4/6/2019 orders that the public (with the exception of members of Corporation staff and any person permitted to remain) be excluded from this meeting to enable this meeting to receive, discuss or consider in confidence Item 8.2 [CEO Verbal Update - Operational Matter] listed in the Agenda, on the grounds that such item of business, contains information and matters of a kind referred to in s 90(3) (a) of the Act.

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DISCUSSION

1. s 90(1) of the *Local Government Act 1999 (SA),* directs that a meeting of a Council Committee must be conducted in a place open to the public.

2. s 90(2) of the *Local Government Act 1999 (SA),* states that a Council 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 s 90(3).

3. s 90(3) prescribes the information and matters that a Council may order that the public be excluded from.

4. s 90(4) of the *Local Government Act 1999 (SA),* advises that in considering whether an order should be made under s 90(2), it is irrelevant that discussion of a matter in public may:

   4.1 cause embarrassment to the council or council committee concerned, or to members or employees of the council; or

   4.2 cause a loss of confidence in the council or council committee.'

   4.3 involve discussion of a matter that is controversial within the council area; or

   4.4 make the council susceptible to adverse criticism.

5. s 90(7) of the *Local Government Act 1999 (SA)* requires that an order to exclude the public:

   5.1 Identify the information and matters (grounds) from s 90(3) of the *Local Government Act 1999 (SA)* utilised to request consideration in confidence;

   5.2 Identify the basis – how the information falls within the grounds identified and why it is necessary and appropriate to act in a meeting closed to the public; and

   5.3 In addition identify for the following grounds – s 90(3) (b), (d) or (j) - how information open to the public would be contrary to the public interest.

6. s 87(10) of the *Local Government Act 1999 (SA)* has been utilised to identify in the Agenda and on the Report for the meeting, that the following matters are submitted seeking consideration in confidence.

   6.1 Information contained in Item 8.1 – Strategic Property Matter

      6.1.1 Is not subject to an Existing Confidentiality Order.

      6.1.2 The grounds utilised to request consideration in confidence is s 90(3) (b) & (d)

         (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;

   6.2 Information contained in Item 8.2 – CEO Verbal Update - Operational Matter

      6.2.1 Is not subject to an Existing Confidentiality Order.

      6.2.2 The grounds utilised to request consideration in confidence is s 90(3) (a)

         (a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead);

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ATTACHMENTS

Nil

- END OF REPORT -

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