



COUNCIL MINUTES

for the Special meeting

Tuesday 8 December 2020

in the Colonel Light Room
Adelaide Town Hall



Present – The Right Honourable the Lord Mayor, Sandy Verschoor (Presiding)
Deputy Lord Mayor, Councillor Couros
Councillors Abrahamzadeh, Donovan, Hyde, Hou, Khera, Knoll, Mackie, Martin, Moran and
Simms.

Acknowledgement of Country

At the opening of the Special Council Meeting, the Lord Mayor stated:

‘Council acknowledges that we are meeting on traditional Country of the Kurna people of the Adelaide Plains and pays respect to Elders past and present. We recognise and respect their cultural heritage, beliefs and relationship with the land. We acknowledge that they are of continuing importance to the Kurna people living today.

And we also extend that respect to other Aboriginal Language Groups and other First Nations who are present today.’

Apologies and Leave of Absence

Nil

Councillor Moran entered the Colonel Light Room at 5.01 pm

Exclusion of the Public

1. Item 3.1. - Exclusion of the Public [2018/04291] [C]

For the following report for Council seeking consideration in confidence

4.1. 88 O’Connell Street [s 90(3) (b) & (d)]

Order to Exclude for Item 4.1:

Moved by Councillor Abrahamzadeh,
Seconded by Councillor Khera -

THAT COUNCIL

1. Having taken into account the relevant consideration contained in section 90(3) (b) & (d) and section 90(2) & (7) of the *Local Government Act 1999 (SA)*, this Special meeting of the Council dated 8 December 2020 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 4.1 [Eighty-Eight O’Connell] listed on the Agenda in a meeting open to the public would on balance be contrary to the public interest.

Grounds and Basis

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

More specifically, the disclosure of certain information in this special meeting of the Council could reasonably prejudice the commercial position of Council given that the City of Adelaide Council land holding is the subject of commercial negotiations with a third party.

Public Interest

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances given that information within this report pertains to commercial negotiations for a City of Adelaide land holding. The release of such information may severely prejudice the Council’s ability to secure a developer to undertake development of the land for the benefit of the City of Adelaide, Council and the community in this matter.

2. Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this Special meeting of the Council dated 8 December 2020 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 4.1 [Eighty-Eight O’Connell] listed in the Agenda, on the grounds that such item of business, contains information and matters of a kind referred to in section 90(3) (b) & (d) of the Act.

Discussion ensued

The motion was then put and carried

The public and members of Corporation staff not directly involved with Item 4.1 left the Special meeting at 5.04 pm.

Confidential Item 4.1

Strategic Property Matter – 88 O’Connell Street
Section 90 (3) (b) & (d) of the *Local Government Act 1999 (SA)*
Pages 3 - 49

The Special meeting re-opened to the public at 6.02 pm

Confidentiality Order

Minute 2 - Item 4.1 – 88 O’Connell Street [C]

In accordance with Section 91(7) and (9) of the *Local Government Act 1999 (SA)* and because Item 4.1 [Eighty Eight O’Connell] listed on the Agenda for the Special meeting of the Council held on 8 December 2020 was received, discussed and considered in confidence pursuant to Section 90(3) (b) and (d) of the *Local Government Act 1999 (SA)*, this special meeting of the Council do order that

1. The resolution, the report the discussion and any other associated information submitted to this meeting and the Minutes of this meeting in relation to the matter remain confidential and not available for public inspection until 31 December 2027.
2. The confidentiality of the matter be reviewed in December 2021.
3. The Chief Executive Officer be delegated the authority to review and revoke all or part of the order herein and directed to present a report containing the Item for which the confidentiality order has been revoked.

Closure

The Special meeting closed at 6.02 pm.

Mark Goldstone,
Chief Executive Officer

Sandy Verschoor,
Lord Mayor.

Documents Attached for Reference

Nil