



# COUNCIL MINUTES

for the Special meeting

Tuesday 29 June 2021

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, Hou, Hyde, Khera, Knoll, Mackie and Moran.

Councillor Hyde entered the Colonel Light Room at 5.37 pm

#### 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.'

#### Acknowledgement of Colonel William Light

The Lord Mayor stated:

'The Council acknowledges the vision of Colonel William Light in determining the site for Adelaide and the design of the City with its six squares and surrounding belt of continuous Park Lands which is recognised on the National Heritage List as one of the greatest examples of Australia's planning heritage.'

#### Apologies and Leave of Absence

On Leave:

Councillor Martin

Apology:

Councillor Donovan

#### Reports for Council (Chief Executive Officer's Reports)

##### 1. **Item 4.1 - Adoption of the 2021-2022 Business Plan and Budget [2020/01920] [C]**

Moved by Councillor Knoll,  
Seconded by Councillor Abrahamzadeh –

#### THAT COUNCIL

1. Approves the Adelaide Economic Development Agency 2021-2022 Business Plan and Budget as included in Attachment A to Item 4.1 on the Agenda for the Special meeting of the Council held on 29 June 2021.
2. Approves the Adelaide Central Market Authority 2021-2022 Business Plan and Budget as included in Attachment B to Item 4.1 on the Agenda for the Special meeting of the Council held on 29 June 2021.
3. Approves the Adelaide Park Lands Authority 2021-2022 Business Plan and Budget as included in Attachment C to Item 4.1 on the Agenda for the Special meeting of the Council held on 29 June 2021.
4. Adopts the 2021-2022 Business Plan and Budget as indicated in Attachment D to Item 4.1 on the Agenda for the Special meeting of the Council held on 29 June 2021 having considered all submissions made during the public consultation period.
5. Approves in accordance with section 134 of the *Local Government Act 1999 (SA)* (the Act) borrowings of up to a maximum debt ceiling of \$77.5m prior to 30 June 2022 in a manner complying with the Act. Council approves the affixation of the common seal to any borrowing's documentation within the approved maximum.
6. Authorises the Chief Executive Officer to make any necessary changes to the final 2021-2022 Business Plan and Budget document arising from this meeting, together with any editorial amendments and finalisation of the document's formatting and graphic design.

Carried

Councillor Hyde requested that a division be taken on the motion

**Division**

**For (6):**

Deputy Lord Mayor (Councillor Couros) and Councillors Abrahamzadeh, Hou, Hyde, Khera and Knoll.

**Against (2):**

Councillors Mackie and Moran.

The division was declared in favour of the motion

**2. Item 4.2 - Adoption of Valuations 2021-2022 [2020/00150] [C]**

Moved by Councillor Moran,  
Seconded by Councillor Mackie –

THAT COUNCIL:

1. Adopts the valuations for 2021-22, which have been prepared based on Annual Value, pursuant to Section 167 (2) of the *Local Government Act 1999 (SA)*. The Annual Value comprised with the Assessment Record amount to a total of \$1,168,455,060 of which \$925,057,700 represents the total value of the rateable land, prepared in-house by the City of Adelaide Rates and Valuation team, for the land within the area of the Corporation of the City of Adelaide for rating purposes.

Carried

**3. Item 4.3 - Declaration of Rates 2021-2022 [2020/00150] [C]**

Moved by Councillor Knoll,  
Seconded by Councillor Abrahamzadeh –

THAT COUNCIL

1. Notes the general principles of rating outlined in Section 150 of the *Local Government Act 1999 (SA)*, (the Act), and the requirements of Section 153 (2) of the Act regarding consideration of issues of consistency and equity across Council areas.
2. Notes that in exercising the powers contained in Section 153 (1) (b) of the Act, it is appropriate pursuant to Section 156 (1) (a) of the Act to declare Differential General Rates in the area of Council according to land use and in accordance with Regulation 14 of the *Local Government (General) Regulations 2013 (SA)*, as follows:
  - 2.1. 0.1149 in the dollar for all rateable land with a residential land use within the City of Adelaide for the financial year ending 30 June 2022.
  - 2.2. 0.1408 in the dollar for all other rateable land uses within the City of Adelaide for the financial year ending 30 June 2022.
  - 2.3. 0.2298 in the dollar for all rateable land with a vacant land use within the City of Adelaide for the financial year ending 30 June 2022.
3. Approves pursuant to Section 166 (1)(l)(i) of the Act, to provide a 'Discretionary Rate Rebate' in 2021-22 to vacant land that does not fit the definition of long-term vacant land holdings of 5 or more years of ownership by the current owner to enact the intent of Council's Rating Policy.
4. Declares pursuant to Section 154 of the Act, a separate rate in the dollar of 0.00213 on rateable land uses within the City of Adelaide, which falls within the Green Adelaide Board region, in accordance with the requirements of Section 69 of the *Landscape South Australia Act 2019*.
5. Declares pursuant to Section 154 (1) and (7) of the Act, a differential separate rate in the dollar of 0.03582 (to be known as the Rundle Mall differential separate rate) for the period 1 July 2021 to 30 June 2022, on the annual value of all rateable land, except land which has a residential land use that is within the Rundle Mall Precinct, having taken into account the general principles of rating outlined in Section 150 of the Act and issues of consistency and comparability across council areas where relevant.
6. Notes that the Rundle Mall differential separate rate will generate approximately \$3.8m in 2021-22.
7. Notes for this resolution Rundle Mall Precinct shall be that area bounded by the:
  - 7.1. Southern alignment of North Terrace between Pulteney and King William Streets.
  - 7.2. Eastern alignment of King William Street between North Terrace and Grenfell Street.
  - 7.3. Northern alignment of Grenfell Street between King William and Pulteney Streets.
  - 7.4. Western alignment of Pulteney Street between Grenfell Street and North Terrace.

8. Approves pursuant to Section 153 (3) of the Act, not to fix a maximum increase in the general rate on rateable land that constitute the residence of a principal ratepayer, given the rate relief to be provided under Section 166 through a 'Special Discretionary Rate Rebate' in accordance with Council's Rating Policy.
9. Approves pursuant to the provisions of Section 181 of the Act, all rates and charges which have been imposed for the financial year ending 30 June 2022 will fall due in four equal instalments on the following days or if these days fall on a weekend or public holiday on the next business day:
  - 9.1. 1 September 2021
  - 9.2. 1 December 2021
  - 9.3. 1 March 2022
  - 9.4. 1 June 2022.
10. Notes a review the current Discretionary Rebate Policy and development of a supporting rebate eligibility framework will be undertaken by Administration and then brought to Council for adoption. Once adopted, the framework will form the basis of assessment of all future rebate applications ensuring transparency and alignment with the fairness and equity principles of rating.

Discussion ensued

The motion was then put and carried

Councillor Moran requested that a division be taken on the motion

#### **Division**

#### **For (5):**

Councillors Abrahamzadeh, Hou, Hyde, Khera and Knoll.

#### **Against (3):**

Deputy Lord Mayor (Councillor Couros) and Councillors Mackie and Moran.

The division was declared in favour of the motion

#### **4. Item 4.4 - 2021-2022 Business Plan and Budget – Review of General Fees and Charges [2020/01920] [C]**

Moved by Councillor Mackie,  
Seconded by Councillor Abrahamzadeh –

#### THAT COUNCIL

1. Adopts the schedule of Fees and Charges set by Council for the 2021-2022 Business Plan and Budget as included in Attachment A to Item 4.4 on the Agenda for the Special meeting of the Council held on 29 June 2021.
2. Notes the schedule of Fees and Charges set under delegation by Council for the 2021-2022 Business Plan and Budget as included in Attachment B to Item 4.4 on the Agenda for the Special meeting of the Council held on 29 June 2021.
3. Adopts the schedule of Fees and Charges set by Council for Adelaide Economic Development Agency for the 2021-2022 Business Plan and Budget as included in Attachment C to Item 4.4 on the Agenda for the Special meeting of the Council held on 29 June 2021.
4. Notes the Statutory Fees and Charges set by the State Government will be included in the Fees and Charges Schedule available for public inspection in July 2021, after gazettal by the State Government. The list of fees and charges are included in Attachment D to Item 4.4 on the Agenda for the Special meeting of the Council held on 29 June 2021.

Carried

## 5. Item 4.5 - Adoption of the 2021/22 Long Term Financial Plan [2021/00122] [C]

Moved by Councillor Hyde,  
Seconded by Councillor Khera –

### THAT COUNCIL

1. Adopts the City of Adelaide 2021/22 Long Term Financial Plan document set out in Attachment A to Item 4.5 on the Agenda for the Special meeting of the Council held on 29 June 2021, noting it varies from the draft with an adjustment to the Future Fund Reserve based on external auditor advice, subject to the following:
  - 1.1. Noting Council has approved an Asset Sustainability Ratio for the 2021/22 Business Plan and Budget of 60%.
  - 1.2. Approving to reset years 2 to 10 of this ratio in the Long Term Financial Plan to a target of 90% which is still within the target range recommended by LGA.
  - 1.3. Delegating to the CEO to amend the final Long Term Financial Plan to include the amended ratio assumption prior to public release.

Discussion ensued

The motion was then put and carried

Councillor Moran requested that a division be taken on the motion

### **Division**

#### **For (6):**

Deputy Lord Mayor (Councillor Couros) and Councillors Abrahamzadeh, Hou, Hyde, Khera and Knoll.

#### **Against (2):**

Councillors Mackie and Moran.

The division was declared in favour of the motion

## 6. Item 4.6 - Adoption of the Strategic Asset Management Plan [2020/01521] [C]

Moved by Councillor Hyde,  
Seconded by Councillor Abrahamzadeh –

### THAT COUNCIL

1. Notes the consultation that has occurred during the development of the Strategic Asset Management Plan.
2. Adopts the Strategic Asset Management Plan, as shown in Attachment A to Item 4.6 on the Agenda for the Special meeting of the Council held on 29 June 2021 subject to the Acting CEO incorporating new sections adopting and addressing the following principles and priorities:
  - a. **Building Delivery Capability:** Adopts an annual re-budget approach where all unspent and uncommitted asset renewal spend in the current year is transferred into the next financial year at the replacement of that's years renewal budget, thereby managing the delivery of the optimum asset renewal spend and mitigating unnecessary carry forward of renewal budgets into subsequent years.
  - b. **Revitalising Premier Precincts:** Precincts designated by the Council as premier commercial, cultural, community precincts and Major City Developments – in the first instance, the current Main Street Zones – will attract high levels of service and significant asset enhancement opportunities. External funding pathways are explored in line with the Principles in the Strategic Asset Management Plan.
  - c. **Busting Congestion:** New and upgraded asset projects within the transportation asset class and associated subclasses will be prioritised in order to move existing road users more efficiently and safely in and out of the City each day.
3. Authorises the Chief Executive Officer to make minor editorial changes to the Strategic Asset Management Plan.

Discussion ensued

The motion was then put and carried

Councillor Moran requested that a division be taken on the motion

### Division

#### For (6):

Deputy Lord Mayor (Councillor Couros) and Councillors Abrahamzadeh, Hou, Hyde, Khera and Knoll.

#### Against (2):

Councillors Mackie and Moran.

The division was declared in favour of the motion

### Exclusion of the Public

#### 7. Item 5.1 – Exclusion of the Public [2018/04291] [C]

For the following reports for Council (Chief Executive Officer's Reports) seeking consideration in confidence

**6.1.1** 2021-2022 Business Plan and Budget – Review of Commercial Business Fees and Charges [s 90(3) (b)]

**6.1.2** Central Market Arcade Redevelopment/ Market Square [s 90(3) (b), (d) & (h)]

**6.1.3** Presiding Member's Report - CEO Update [s 90(3) (a)]

#### ORDER TO EXCLUDE FOR ITEM 6.1.1

Moved by Councillor Knoll,  
Seconded by Councillor Abrahamzadeh –

#### THAT COUNCIL

1. Having taken into account the relevant consideration contained in section 90(3) (b) and section 90(2) & (7) of the *Local Government Act 1999 (SA)*, this Special meeting of the Council dated 29 June 2021 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 6.1.1 [2021-2022 Business Plan and Budget – Review of Commercial Business Fees and Charges] listed on the Agenda in a meeting open to the public would on balance be contrary to the public interest.

#### Grounds and Basis

This Item is confidential as it includes commercial information of a confidential nature where confidence consideration is sought to protect the commercial position of the council and the operating position of Council's business entities operating in a competitive market place.

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

#### Public Interest

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

2. Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this Special meeting of the Council dated 29 June 2021 orders that the public (with the exception of members of Corporation staff and any person permitted to remain) be excluded from this Special meeting to enable this meeting to receive, discuss or consider in confidence Item 6.1.1 [2021-2022 Business Plan and Budget – Review of Commercial Business Fees and Charges] listed in the Agenda, on the grounds that such item of business, contains information and matters of a kind referred to in section 90(3) (b) of the Act.

Carried

#### ORDER TO EXCLUDE FOR ITEM 6.1.2

Moved by Councillor Knoll,  
Seconded by Councillor Khera –

#### THAT COUNCIL

1. Having taken into account the relevant consideration contained in section 90(3) (b), (d) & (h) and section 90(2) & (7) of the *Local Government Act 1999 (SA)*, this Special meeting of the Council dated 29 June 2021 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 6.1.2 [Central Market Arcade Redevelopment/ Market Square] listed on the Agenda in a meeting open to the public would on balance be contrary to the public interest.

### Grounds and Basis

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

The disclosure of information in this report could reasonably prejudice the commercial position of the council and the person forming part of this strategic property matter with respect to future commercial dealings given that the report contains legal advice, financial information and 'commercial in confidence' material.

### Public Interest

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the disclosure of the information in the report, including certain commercial in confidence, financial information and legal advice, may prejudice future commercial dealings with regard to its strategic land holding. On this basis, the disclosure of financial and commercial in confidence information may severely prejudice the Council's ability to influence the proposal for the benefit of the 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 29 June 2021 orders that the public (with the exception of members of Corporation staff and any person permitted to remain) be excluded from this Special meeting to enable this meeting to receive, discuss or consider in confidence Item 6.1.2 [Central Market Arcade Redevelopment/ Market Square] 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) & (h) of the Act.

Carried

### ORDER TO EXCLUDE FOR ITEM 6.1.3

Moved by Councillor Khera,  
Seconded by Councillor Knoll –

### THAT COUNCIL

1. Having taken into account the relevant consideration contained in section 90(3) (a) and section 90(2) & (7) of the *Local Government Act 1999 (SA)*, this Special meeting of the Council dated 29 June 2021 resolves that it is necessary and appropriate to act in a meeting closed to the public for the consideration of Item 6.1.3 [Presiding Member's Report - CEO Update] listed on the Agenda.

### Grounds and Basis

Consideration in confidence is sought because the item contains information that must be considered in confidence to ensure that Council does not breach any law, any duty of confidence, or other legal obligation or duty. Disclosure would involve the unreasonable disclosure of information concerning the personal affairs of the CEO prior to a resolution being determined by Council.

2. Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this Special meeting of the Council dated 29 June 2021 orders that the public (with the exception of members of Corporation staff and any person permitted to remain) be excluded from this Special meeting to enable this meeting to receive, discuss or consider in confidence Item 6.1.3 [Presiding Member's Report - CEO Update] listed in the Agenda, on the grounds that such item of business, contains information and matters of a kind referred to in section 90(3) (a) of the Act.

Carried

The public and members of Corporation staff not directly involved with Items 6.1.1, 6.1.2 & 6.1.3 left the Council Chamber at 6.03pm.

---

Confidential Item 6.1.1

2021-2022 Business Plan and Budget – Review of Commercial Business Fees and Charges

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

Page 7

---

Confidential Item 6.1.2

Central Market Arcade Redevelopment/ Market Square

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

Pages 7 - 8

---

Confidential Item 6.1.3

Presiding Member's Report - CEO Update

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

Page 8

---



The meeting re-opened to the public at 6.15 pm

### Confidentiality Orders

**Minute 8 - Item 6.1.1** - 2021-2022 Business Plan and Budget – Review of Commercial Business Fees and Charges [C]

#### Confidentiality Order

In accordance with Section 91(7) & (9) of the *Local Government Act 1999 (SA)* and on the grounds that Item 6.1.1 listed on the Agenda for the Special meeting of the Council held on 29 June 2021 was received, discussed and considered in confidence pursuant to Section 90(3) (b) of the *Local Government Act 1999 (SA)*, this 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 1 July 2021.

**Minute 9 - Item 6.1.2** - Central Market Arcade Redevelopment/ Market Square [C]

#### Confidentiality Order

In accordance with Section 91 (7) & (9) of the *Local Government Act 1999 (SA)* and on the grounds that Item 6.1.2 [Central Market Arcade Redevelopment/ Market Square] listed on the Agenda for the Special meeting of the Council held on 29 June 2021 was received, discussed and considered in confidence pursuant to Section 90 (3) (b), (d) & (h) of the *Local Government Act 1999 (SA)*, the 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 2028.
2. The confidentiality of the matter be reviewed in December 2022.
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.

**Minute 10 - Item 6.1.3** - Presiding Member's Report - CEO Update [C]

#### Resolution & Confidentiality Order

#### THAT COUNCIL:

1. Approves Ms Clare Mockler to continue as Acting Chief Executive Officer until 30 December 2021, or until the commencement of a Chief Executive Officer, with remuneration being \$333,331.19 (plus 9.5% superannuation, noting that superannuation will increase to 10% on 1 July 2021).
2. In accordance with Section 91(7) and (9) of the *Local Government Act 1999 (SA)* and because Item 6.1.3 [Presiding Members Report - CEO Update] listed on the Agenda for the Special meeting of the Council held on 13 July 2021 was received, discussed and considered in confidence pursuant to Section 90(3) (a) of the *Local Government Act 1999 (SA)*, this meeting of the Council do order that:
  - 2.1 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 the person no longer resides in the State of South Australia for a period of at least 1 year.
  - 2.2 The resolution become public information and included in the Minutes of the meeting.
  - 2.3 The confidentiality of the matter be reviewed in December 2022.
  - 2.4 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 6.15 pm

Clare Mockler,  
Acting Chief Executive Officer

Sandy Verschoor,  
Lord Mayor

## Documents Attached for Reference

Nil