



# THE COMMITTEE MINUTES

for the Special meeting

Thursday 28 November 2019

Colonel Light Room,  
Town Hall, Adelaide



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

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### **Acknowledgement of Country**

At the opening of the Special Committee Meeting, the Chair stated:

'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.'

### **Apologies and Leave of Absence**

On Leave – Councillor Abrahamzadeh

Apology – Councillor Couros

### **Exclusion of the Public**

#### **1. Item 3.1 - Exclusion of the Public to Consider [2018/04291] [TC]**

For the following Discussion Forum Item in Confidence:

##### **4.1. Visitor Information Feasibility Study [s 90(3) (b) & (d)]**

For the following Item for Consideration and Recommendation to Council in Confidence:

##### **5.1. Central Market Arcade Redevelopment [s 90(3) (b) & (d)]**

### **ORDER TO EXCLUDE FOR ITEM 4.1:**

During discussion Councillor Hou entered the Colonel Light Room at 5.23 pm

#### **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 Special meeting of The Committee dated 28/11/2019 resolves that it is necessary and appropriate to act in a meeting closed to the public for the consideration of Item 4.1 [Visitor Information Feasibility Study] listed on the Agenda.

#### **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 on a third party.

More specifically, the disclosure of certain information in this update could reasonably prejudice the commercial position of Council in future negotiations with external agencies and property owners.

#### **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 certain information will result in release of commercial information that may severely prejudice the City of Adelaide ability to influence a proposal for the benefit of the City of Adelaide Council and the community in this matter.

2. Pursuant to s 90(2) of the *Local Government Act 1999 (SA)* this Special meeting of The Committee dated 28/11/2019 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 4.1 [Visitor Information Feasibility Study] 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 5.1:**

#### 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 Special meeting of The Committee dated 28/11/2019 resolves that it is necessary and appropriate to act in a meeting closed to the public for the consideration of Item 5.1 [Central Market Arcade Redevelopment] listed on the Agenda.

#### Grounds and Basis

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

The disclosure of information in this report could reasonably prejudice the commercial position of the council and the person forming part of this strategic property matter with associated documentation containing 'commercial in confidence' material and associated intellectual property.

The disclosure of this information could also reasonably prejudice the commercial position of Council given that the strategic property matter has been the subject of a competitive procurement process and commercial in confidence negotiations.

#### Public Interest

The Committee is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the disclosure of this information will result in release of information which is 'commercial in confidence' including intellectual property relating to this strategic property matter. The disclosure of such information may severely prejudice the City of Adelaide Council's ability to influence the proposal for the benefit of the City of Adelaide Council and the community in this matter.

2. Pursuant to s 90(2) of the *Local Government Act 1999 (SA)* this Special meeting of The Committee dated 28/11/2019 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 5.1 [Central Market Arcade Redevelopment] 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.

Members of the public and Corporation staff present not directly involved with Items 4.1 & 5.1 left the Colonel Light Room at 5.25 pm.

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## Confidential Item 4.1

Visitor Information Feasibility Study

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

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## Confidential Item 5.1

Central Market Arcade Redevelopment

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

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The Colonel Light Room re-opened to the public at 6.46 pm.

### **Confidentiality Orders**

#### **Minute 2 - Item 4.1** - Visitor Information Feasibility Study [TC]

In accordance with Section 91(7) & (9) of the Local Government Act 1999 (SA) and because Item 4.1 [Visitor Information Feasibility Study] listed on the Agenda for the Special meeting of The Committee held on 28 November 2019 was received, discussed and considered in confidence pursuant to Section 90(3) (b) & (d) of the Local Government Act 1999 (SA), this Special meeting of The Committee 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 2026;
2. the confidentiality of the matter be reviewed in December 2020;
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 3 - Item 5.1** - Central Market Arcade Redevelopment [TC]

In accordance with Section 91(7) & (9) of the Local Government Act 1999 (SA) and because Item 5.1 [Central Market Arcade Redevelopment] listed on the Agenda for the Special meeting of The Committee held on 28 November 2019 was received, discussed and considered in confidence pursuant to Section 90(3) (b) & (d) of the Local Government Act 1999 (SA), this Special meeting of The Committee 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 2026;
2. the confidentiality of the matter be reviewed in December 2020;
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 6.46 pm.

Councillor Abiad (Deputy Lord Mayor)  
**The Committee Chair**