



THE COMMITTEE MINUTES

for the meeting

Tuesday 4 February 2020

in the Colonel Light Room,
Adelaide Town Hall



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

Acknowledgement of Country

At the opening of the 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

Nil

Confirmation of Minutes – 3/12/2019 & 10/12/2019 [TC]

That the Minutes of the meeting of The Committee held on 3 December 2019 and the Special meeting of The Committee held on 10 December 2019, be taken as read and be confirmed as an accurate record of proceedings.

Reports to be presented to Council

All reports in this section will be presented to Council on 11 February 2020 for consideration and determination

Strategic Alignment – Smart

1. Item 4.1 - Communication in Other Languages – Mandarin Translation Service Trial Outcomes [2016/02563] [TC]

Stephen Zaluski Manager Customer Experience, City of Adelaide responded to questions from Council Members.

Strategic Alignment – Liveable

2. Item 4.2 - Neglected and/or Derelict Properties [2018/00331] [TC]

Vanessa Godden Associate Director, Customer & People and Clare Mockler Deputy CEO & Director Culture, City of Adelaide responded to questions from Council Members.

3. Item 4.3 - Planning & Design Code – Heritage [2019/00626] [TC]

Shanti Ditter Associate Director Planning Design & Development & Rick Hutchins Manager Spatial Planning & Heritage, City of Adelaide responded to questions from Council Members.

Councillor Moran left the Colonel Light Room at 6.11pm

4. Item 4.4 - Encroachment Policy – Balconies [2018/00478-2] [TC]

Shanti Ditter Associate Director Planning Design & Development & Rick Hutchins Manager Spatial Planning & Heritage, City of Adelaide responded to questions from Council Members.

5. Item 4.5 - North Terrace Public Realm [2016/03718] [TC]

Matthew Morrissey AD Infrastructure, Clare Mockler Deputy CEO & Director Culture & Mark Goldstone Chief Executive Officer, City of Adelaide responded to questions from Council Members.

During questions Councillor Moran re-entered the Colonel Light Room at 6.15pm

6. Item 4.6 - Golden Wattle Park Concept Plan & Community Land Management Plan [2018/00561] [TC]

Christie Anthony Associate Director Community & Culture & Ray Scheuboeck Senior Coordinator Recreation & Sport, City of Adelaide were available to respond to questions.

7. Item 4.7 - Sanitising Streets to Alleviate Asthma [2018/03956] [TC]

Vitor Martins Manager Waste & Cleansing & Fleet, Garry Herdegen Director Place & Clare Mockler Deputy CEO & Director Culture, City of Adelaide responded to questions from Council Members.

Strategic Alignment – Corporate Activities

8. Item 4.8 - Creative Industries Discussion Paper Submission [2019/00027] [TC]

Susan Rudall Manager Strategy Planning & Partnerships, City of Adelaide was available to respond to questions.

9. Item 4.9 - Pre-Transition Development Plan Amendment [2019/00956] [TC]

Shanti Ditter Associate Director Planning Design & Development, City of Adelaide was available to respond to questions.

10. Item 4.10 - Planning & Design Code - Public Realm policies [2018/01363] [TC]

Shanti Ditter Associate Director Planning Design & Development & Rick Hutchins Manager Spatial Planning & Heritage, City of Adelaide responded to questions from Council Members.

11. Item 4.11 - Planning & Design Code draft submission [2018/04459] [TC]

Shanti Ditter Associate Director Planning Design & Development & Rick Hutchins Manager Spatial Planning & Heritage, City of Adelaide responded to questions from Council Members.

Exclusion of the Public

12. Item 5.1 - Exclusion of the Public to Consider [2018/04291] [TC]:

6.1. 2019-20 Planning and Development Fund Projects [s 90(3) (b)]

6.2 Partnership Proposals 2019-20 [s 90(3) (b)]

Order to Exclude for Item 6.1:

THAT THE COMMITTEE

1. Having taken into account the relevant consideration contained in s 90(3) (b) and s 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of The Committee dated 4/2/2020 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 6.1 [2019-20 Planning and Development Fund Projects] listed on the Agenda in a meeting open to the public would on balance be contrary to the public interest.

Grounds and Basis

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

Public Interest

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

2. Pursuant to s 90(2) of the *Local Government Act 1999 (SA)*, this meeting of The Committee dated 4/2/2020 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 6.1 [2019-20 Planning and Development Fund Projects] 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) of the Act.

Order to Exclude for Item 6.2:

THAT THE COMMITTEE

1. Having taken into account the relevant consideration contained in s 90(3) (b) and s 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of The Committee dated 4/2/2020 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 6.2 [Partnership Proposals 2019-20] listed on the Agenda in a meeting open to the public would on balance be contrary to the public interest.

Grounds and Basis

The disclosure of proposed funding strategies and associated information including anticipated capital and operating expenditure on key strategic projects could reasonably prejudice the commercial position of Council in its negotiations with its funding partners and other third parties, which, on balance, would be contrary to the public interest, as it would likely undermine the optimisation of funding opportunities council may be able to secure through its negotiations and may result in inflated project costs.

Public Interest

The Committee is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances given that release of such information may confer a commercial advantage on a third party and severely prejudice the Council's ability to influence proposals and efficiently deliver strategic projects 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 4/2/2020 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 6.2 [Partnership Proposals 2019-20] 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) of the Act.

Members of the public and Corporation staff present not directly involved with Item 6.1 & 6.2 left the Colonel Light Room at 6.41pm.

Confidential Item 6.1

2019-20 Planning and Development Fund Projects
Section 90 (3) (b) of the *Local Government Act 1999 (SA)*
Page 4

Confidential Item 6.2

Partnership Proposals 2019-20
Section 90 (3) (b) of the *Local Government Act 1999 (SA)*
Page 4

The Colonel Light Room re-opened to the public at 7.03pm.

Confidentiality Orders

Minute 13 - Item 6.1 – 2019-20 Planning and Development Fund Projects [TC]

In accordance with Section 91(7) & (9) of the *Local Government Act 1999 (SA)* and because Item 6.1 [2019-20 Planning and Development Fund Projects] listed on the Agenda for the meeting of The Committee held on 4 February 2020 was received, discussed and considered in confidence pursuant to Section 90(3) (b) of the *Local Government Act 1999 (SA)*, this meeting of The Committee do order that

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 otherwise determined by Council or 31 December 2027.
2. the confidentiality of the matter be reviewed 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.

Minute 14 - Item 6.2 – Partnership Proposals 2019-20 [TC]

In accordance with Section 91(7) & (9) of the *Local Government Act 1999 (SA)* and because Item 6.2 [Partnership Proposals 2019-20] listed on the Agenda for the meeting of The Committee held on 4 February 2020 was received, discussed and considered in confidence pursuant to Section 90(3) (b) of the *Local Government Act 1999 (SA)*, this meeting of The Committee do order that

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 otherwise determined by Council or 31 December 2027.
2. the confidentiality of the matter be reviewed 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 meeting closed at 7.03pm.

Councillor Hyde (Deputy Lord Mayor)
The Committee Chair

Document attached:

Nil