



# THE COMMITTEE MINUTES

for the meeting

Tuesday 4 August 2020

Held Remotely



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

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## Acknowledgement of Country

At the opening of the Committee Meeting, the Deputy 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

Apologies

Councillor Mackie

Councillor Donovan entered the meeting at 5.32pm

## Confirmation of Minutes – 21/7/2020 & 28/7/2020 [TC]

That the Minutes of the meeting of The Committee held on 21 July 2020 and the Special meeting of The Committee held on 28 July 2020, be taken as read and be confirmed as an accurate record of proceedings.

The Lord Mayor entered the meeting at 5.33pm

## Reports to be presented to Council

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

### Strategic Alignment – Thriving Communities

#### 1. Item 4.1 - Historian Precinct Shared Use Zone [2020/00761] [Page TC]

Klinton Devenish, Director Place, City of Adelaide responded to questions from Committee Members.

During the discussion:

- Councillor Couros entered the meeting at 5.36pm
- Councillor Moran left the meeting at 5.36pm, re-entered at 5.38pm, left at 5.39pm, re-entered at 5.41pm, left at 5.43pm and re-entered at 5.44pm
- Councillor Martin left the meeting at 5.43pm and re-entered at 5.44pm

#### 2. Item 4.2 - South Ward Streets and Movement Study Community Engagement Update [2018/03154] [TC]

Klinton Devenish, Director Place, City of Adelaide responded to questions from Committee Members.

### Strategic Alignment – Strong Economies

#### 3. Item 4.3 - Adelaide High School - Proposed Building Expansion [2015/00881] [Page TC]

Tom McCreedy, Associate Director Property & Commercial, City of Adelaide responded to questions from Committee Members.

**4. Item 4.4 - Unnamed Public Road West off Nelson Place [2015/01579] [Page TC]**

Tom McCready, Associate Director Property & Commercial, City of Adelaide was available to respond to questions from Committee Members.

**5. Item 4.5 - Unnamed Private Road off Market Street [2016/03678] [Page TC]**

Tom McCready, Associate Director Property & Commercial, City of Adelaide was available to respond to questions from Committee Members.

**6. Item 4.6 - Street Numbering on the north side of North Terrace [2018/03945] [Page TC]**

Clare Mockler, Deputy CEO & Director Culture, City of Adelaide responded to questions from Committee Members.

**Strategic Alignment – Dynamic City Culture****7. Item 4.7 - Proposal for the Santos Tour Down Under-Tour Village to be held in Victoria Square / Tarntanyangga [2020/00860] [TC]**

Clare Mockler, Deputy CEO & Director Culture, City of Adelaide responded to questions from Committee Members.

**8. Item 4.8 - Change to Multi-Year Event Licence Agreement: Gluttony 2021 and 2022 | COVID-19 Response for Events [2020/00786] [TC]**

Clare Mockler, Deputy CEO & Director Culture, City of Adelaide responded to questions from Committee Members.

**9. Item 4.9 - Cultural Strategy Refresh [2019/01325] [TC]**

Christie Anthoney, Associate Director Community & Culture, City of Adelaide was available to respond to questions from Committee Members.

**Strategic Alignment – Environmental Leadership****10. Item 4.10 - Parliament of SA Inquiry into Urban Green Spaces [2019/01144] [TC]**

Michelle English, Associate Director Economic Development & Sustainability, City of Adelaide was available to respond to questions from Committee Members.

**11. Item 4.11 - Resource Recovery (Organics, Recycling and Waste) Strategy & Action Plan 2020-2028 [2019/01444] [Page TC]**

Michelle English, Associate Director Economic Development & Sustainability, City of Adelaide introduced the item and responded to questions from Committee Members.

**Strategic Alignment – Enabling Priorities****12. Item 4.12 - 2020 LGA Annual General Meeting [2018/04054] [Page TC]**

Susan Rudall, Office of the CEO, City of Adelaide, was available to respond to questions from Committee Members.

**13. Item 4.13 - Adelaide Oval Core Area boundary [2020/00175] [Page TC]**

Tom McCready, Associate Director Property & Commercial, City of Adelaide was available to respond to questions from Committee Members.

During the discussion

- Councillor Moran left the meeting at 6.40pm, re-entered at 6.41pm
- The Lord Mayor left the meeting at 6.44pm and re-entered at 6.46pm

**14. Item 4.14 - Statutes Amendment (Local Government Review) Bill 2020 – draft response [2019/01903] [TC]**

Mark Goldstone, Chief Executive Officer, City of Adelaide introduced the item. Susan Rudall, Office of the CEO, City of Adelaide responded to questions from Committee Members.

During the discussion:

- Councillor Donovan left the meeting at 6.52pm and re-entered at 6.56pm
- Councillor Khera left the meeting at 7.02pm

**Exclusion of the Public**

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

- 6.1 Lounders Boatshed Cafe [s 90(3) (d)]
- 6.2 E -Scooter Mobility Services [s 90(3) (d) & (h)]

During the discussion:

- Councillor Khera re-entered the meeting at 7.06pm
- Councillor Moran left the meeting at 7.07pm and re-entered at 7.08pm

**Order to Exclude for Item 6.1:**

**THAT THE COMMITTEE**

1. Having taken into account the relevant consideration contained in s 90(3) (d) and s 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of The Committee dated 4/8/2020 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 6.1 [Lounders Boatshed Cafe] 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 commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information and confer a commercial advantage on a third party.

**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 may result in release of information prior to the finalisation of 'commercial in confidence' negotiations between the proponent and their suppliers and may materially and adversely affect the financial viability of the proponent in relation to contract negotiations which on balance would be contrary to the public interest.

2. Pursuant to s 90(2) of the *Local Government Act 1999 (SA)*, this meeting of The Committee dated 4/8/2020 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 [Lounders Boatshed Cafe] 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) (d) 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) (d) & (h) and s 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of The Committee dated 4/8/2020 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 6.2 [E - Scooter Mobility Services] listed on the Agenda in a meeting open to the public would on balance be contrary to the public interest.

**Grounds and Basis**

Consideration in confidence is sought because information disclosed in this report contains information provided to Council on a confidential basis. The third-party information concerns restructuring of operations as part of a sale of a business and could reasonably be expected to prejudice the commercial position of the parties who supplied the information.

This Item is confidential as it contains legal advice. It is produced for the purpose of assisting the Council with its review of the proposed novation. In order to protect the legal advice contained in this report, we recommend that the Council does not disclose the content of this report to any third party. If the report is disclosed to any third party, the Council will lose privilege in the document and it could be used in legal proceedings against the Council.

#### Public Interest

Release of the information is contrary to the public interest as it could jeopardise the proposed third-party business transaction or confer an advantage on a third party in competition with the parties who supplied the information.

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 could be commercially damaging to the third parties involved.

2. Pursuant to s 90(2) of the *Local Government Act 1999 (SA)*, this meeting of The Committee dated 4/8/2020 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 [E -Scooter Mobility Services] 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) (d) & (h) of the Act.

Councillor Moran, Members of the public and Corporation staff present not directly involved with Items 6.1 & 6.2 left the meeting at 7.10pm.

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## Confidential Item 6.1

Lounders Boatshed Café

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

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## Confidential Item 6.2

E -Scooter Mobility Services

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

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The meeting re-opened to the public at 7.26pm.

### **Confidentiality Orders**

#### **Minute 16 - Item 6.1** – Lounders Boatshed Café [TC]

That in accordance with Section 91(7) & (9) of the *Local Government Act 1999 (SA)* and because Item 6.1 [Lounders Boatshed Cafe] listed on the Agenda for the meeting of The Committee held on 4 August 2020 was received, discussed and considered in confidence pursuant to Section 90(3) (d) of the *Local Government Act 1999 (SA)*, this 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 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.

#### **Minute 17 - Item 6.2** – E -Scooter Mobility Services [TC]

That in accordance with Section 91(7) & (9) of the *Local Government Act 1999 (SA)* and because Item 6.2 [E-Scooter Mobility Services] listed on the Agenda for the meeting of The Committee held on 4 August 2020 was received, discussed and considered in confidence pursuant to Section 90(3) (d) & (h) of the *Local Government Act 1999 (SA)*, this 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 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 meeting closed at 7.26pm.

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

### **Documents attached:**

Nil