



THE COMMITTEE MINUTES

for the meeting

Tuesday 7 September 2021

in the Colonel Light Room
Adelaide Town Hall



Present – Councillor Couros (Deputy Lord Mayor) (Chair),
Councillors Abrahamzadeh, Donovan, Hou, Hyde, Khera, Knoll, Martin, Moran and Snape.

Councillor Khera entered the Colonel Light Room and Councillor Abrahamzadeh left the Colonel Light Room at 5.32 pm.

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

On Leave:

The Right Honourable the Lord Mayor, Sandy Verschoor and Councillor Mackie.

Confirmation of Minutes – 17/8/2021 [TC]

That the Minutes of the meeting of The Committee held on 17 August 2021, 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 14 September 2021 for consideration and determination

1. Item 5.1 - Car Share Support [2021/00966] [TC]

Klinton Devenish, Director Services, Infrastructure & Operations, Steve Zaluski, Associate Director Regulatory Services and Hugh Gallagher, Asset Planner Transport, City of Adelaide responded to questions from Committee Members.

2. Item 5.2 - Traffic Signals Deed of Agreement [2021/01807] [TC]

Klinton Devenish, Director Services, Infrastructure & Operations and Hugh Gallagher, Asset Planner Transport, City of Adelaide responded to questions from Committee Members.

During the discussion, Councillor Abrahamzadeh re-entered the Colonel Light Room at 5.55 pm.

3. Item 5.3 - E-Scooter Trial Evaluation [2019/00296] [TC]

Steve Zaluski, Associate Director Regulatory Services and Hugh Gallagher, Asset Planner Transport, City of Adelaide responded to questions from Committee Members.

4. Item 5.4 - Safer City Action Plan Annual Report [2019/00184] [TC]

Lara Daddow, Acting Associate Director Park Lands, Policy & Sustainability and Jennifer West, Senior Safety Advisor, City of Adelaide was available to respond to questions from Committee Members.

5. Item 5.5 - Adelaide Zero Project Partnership [2021/00738] [TC]

Councillor Hyde left the meeting at 6.11 pm

Lauren Grant, Social Planning & Reconciliation, City of Adelaide responded to questions from Committee Members.

6. Item 5.6 - City Street Activation Review - Parklets [2021/00874] [TC]

Rick Hutchins, Manager City Planning & Heritage and Abi Coad, Senior Policy Planner, City of Adelaide was available to respond to questions from Committee Members.

7. Item 5.7 - Quarterly Forward Procurement Report Q2 2021/2022 [2020/00150] [TC]

Grace Pelle, Manager Finance & Procurement, City of Adelaide responded to questions from Committee Members.

8. Item 5.8 - 2020-21 Quarter 4 Commercial Operations Report [2021/00850] [TC]

Shaun Coulls, Acting Associate Director Strategic Property & Commercial, City of Adelaide was available to respond to questions from Committee Members.

Exclusion of the Public

9. Item 6.1 - Exclusion of the Public to Consider [2018/04291] [TC]:

7.1 Advocacy and Funding Opportunities [s 90(3) (b)]

7.2 2020-21 Quarter 4 Confidential Commercial Operations Report [s 90(3) (b)]

7.3 Strategic Property Review and Investigations (Status Update) [s 90(3) (b) & (d)]

Order to Exclude for Item 7.1:

THAT THE COMMITTEE

1. Having taken into account the relevant consideration contained in section 90(3) (b) & (j) and section 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of The Committee dated 7 September 2021 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 7.1 [Advocacy and Funding Opportunities] 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.

The City Access Strategy is currently Cabinet in Confidence and is unable to be made public until approved by Capital City Committee.

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.

The City Access Strategy is currently Cabinet in Confidence and is unable to be made public until approved by Capital City Committee.

2. Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this meeting of The Committee dated 7 September 2021 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 7.1 [Advocacy and Funding Opportunities] 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) & (j) of the Act.

Order to Exclude for Item 7.2:

THAT THE COMMITTEE

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 meeting of The Committee dated 7 September 2021 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 7.2 [2020-21 Quarter 4 Confidential Commercial Operations Report] 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 prior to the effective date of 31 March 2021.

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 meeting of The Committee dated 7 September 2021 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 7.2 [2020-21 Quarter 4 Confidential Commercial Operations Report] 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.

Order to Exclude for Item 7.3:

THAT THE COMMITTEE

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 meeting of The Committee dated 7 September 2021 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 7.3 [Strategic Property Review and Investigations (Status Update)] 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.

The disclosure of information in this report could reasonably prejudice the commercial position of the Council including its future commercial dealings given that it contains financial information and future direction with regard to Council assets and strategic land holdings.

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 the information in this report, including certain financial information and further direction, may prejudice its future commercial dealings with regard to its assets and strategic land holdings. On this basis, the disclosure of such information may severely prejudice the City of Adelaide's ability to influence the proposal for the benefit of the City of Adelaide and the community in this matter.

2. Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this meeting of The Committee dated 7 September 2021 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 7.3 [Strategic Property Review and Investigations (Status 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) (b) & (d) of the Act.

Members of the public and Corporation staff present not directly involved with Item 7.1, 7.2 and 7.3 left the meeting at 6.31 pm.

Confidential Item 7.1

Advocacy and Funding Opportunities
Section 90 (3) (b) & (j) of the *Local Government Act 1999 (SA)*
Page 5

Confidential Item 7.2

2020-21 Quarter 4 Confidential Commercial Operations Report
Section 90 (3) (b) of the *Local Government Act 1999 (SA)*
Pages 5 - 24

Confidential Item 7.3

Strategic Property Review and Investigations (Status Update)
Section 90 (3) (b) & (d) of the *Local Government Act 1999 (SA)*
Page 25

The meeting re-opened to the public at 6.51 pm.

Confidentiality Orders

Minute 10 - Item 7.1 – Advocacy and Funding Opportunities [TC]

In accordance with Section 91(7) & (9) of the *Local Government Act 1999 (SA)* and on the grounds that Item 7.1 [Advocacy and Funding Opportunities] listed on the Agenda for the meeting of The Committee held on 7 September 2021 was received, discussed and considered in confidence pursuant to Section 90 (3) (b) of the *Local Government Act 1999 (SA)*, the 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 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 11 - Item 7.2 – 2020-21 Quarter 4 Confidential Commercial Operations Report [TC]

In accordance with Section 91(7) & (9) of the *Local Government Act 1999 (SA)* and because Item 7.2 [2020-21 Quarter 4 Commercial Operations Report] listed on the Agenda for the meeting of The Committee held on 7 September 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 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 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 12 - Item 7.3 – Strategic Property Review and Investigations (Status Update) [TC]

In accordance with Section 91(7) & (9) of the *Local Government Act 1999 (SA)* and on the grounds that Item 7.3 [Strategic Property Review and Investigations (Status Update)] listed on the Agenda for the meeting of The Committee held on 7 September 2021 was received, discussed and considered in confidence pursuant to Section 90 (3) (b) & (d) of the *Local Government Act 1999 (SA)*, the 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 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.

Closure

The meeting closed at 6.51 pm.

Councillor Couros (Deputy Lord Mayor)
The Committee Chair

Document attached:

Nil