



THE COMMITTEE MINUTES

for the meeting

Tuesday 5 October 2021

in the Colonel Light Room
Adelaide Town Hall



Present –

The Right Honourable the Lord Mayor, Sandy Verschoor
Councillor Couros (Deputy Lord Mayor) (Chair),

Councillors Abrahamzadeh, Donovan, Hou, Hyde, Khera, Knoll, Mackie, Moran and Snape.

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

Apology:

Councillor Martin.

Confirmation of Minutes – 21/9/2021 & 28/9/2021 [TC]

That the Minutes of the meeting of The Committee held on 21 September 2021 and the Special meeting of The Committee held on 28 September 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 12 October 2021 for consideration and determination

1. Item 5.1 - Exemptions from EOI Process [2012/00565] [TC]

Christie Anthoney, Associate Director City Culture, Lauren Grant, Team Leader, Social Planning & Reconciliation and Ray Scheuboeck, Team Leader Community Lifestyle, City of Adelaide were available to respond to questions from Committee Members.

2. Item 5.2 - Weeknight Parking Controls [2021/00566] [TC]

Steve Zaluski, Associate Director Regulatory Services and Lisa Loveday, Manager City Safety, City of Adelaide were available to respond to questions from Committee Members.

3. Item 5.3 - Disability Access and Inclusion Plan 2019-2022 Annual Report [2018/00440] [TC]

Lara Daddow, Acting Associate Director, Park Lands, Policy & Sustainability and Lauren Grant, Team Leader, Social Planning & Reconciliation, City of Adelaide were available to respond to questions from Committee Members.

4. Item 5.4 - Adelaide Aquatic Centre – Feasibility Study Update [VS2021/1480] [TC]

Councillor Khera entered the Colonel Light Room at 5.38 pm.

Tom McCready, Acting Director, City Shaping, Shaun Coulls, Acting Associate Director, Strategic Property & Commercial, City of Adelaide responded to questions from Committee Members.

During the discussion, Councillor Hyde entered the Colonel Light Room at 5.44 pm.

5. Item 5.5 - Paxton's Walk [2012/00206-2] [TC]

Klinton Devenish, Director Services, Infrastructure & Operations, City of Adelaide gave a precis of the item.

Simon Keith, Acting Associate Director, Infrastructure, City of Adelaide was available to respond to questions from Committee Members.

6. Item 5.6 - Adelaide Town Hall Operational Model [2020/02250] [TC]

Tom McCready, Acting Director, City Shaping, City of Adelaide gave a precis of the item.

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

7. Item 5.7 - SAPOL Horse Agistment in Bonython Park/Tulya Wardli (Park 27) [2021/00291] [TC]

Lara Daddow, Acting Associate Director, Park Lands, Policy & Sustainability and Martin Cook, Team Leader Park Lands Planning, City of Adelaide were available to respond to questions from Committee Members.

8. Item 5.8 - City of Adelaide Annual Report 2020-21 [2021/01467] [TC]

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

9. Item 5.9 - Audit & Risk Committee Terms of Reference [2019/02483] [TC]

Mick Petrovski, Manager Governance, City of Adelaide was available to respond to questions from Committee Members.

Exclusion of the Public

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

7.1 Contract Award - Adelaide Free Wi-Fi [s 90(3) (d)]

Order to Exclude for Item 7.1:

THAT THE COMMITTEE

1. Having taken into account the relevant consideration contained in section 90(3) (d) and section 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of The Committee dated 5 October 2021 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 7.1 [Contract Award - Adelaide Free Wi-Fi] 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 information in this report could reasonably prejudice the commercial position and identity of the contractor who supplied 'commercial in confidence' material containing commercial pricing and methodology information. This report contains reference to 'commercial in confidence' tender response documentation, disclosure of which at this point in time may confer a commercial advantage on a third party, prejudice the ability for Council to undertake/participate in future discussion or negotiation and prejudice the Council's commercial position and opportunity to discuss or negotiate an option yet to be determined by the Council at this point in time.

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 will result in release of contractor commercial pricing and methodology information, a competitor receiving the information to the detriment of the interested parties and the person who supplied the information at this point in time (and for approximately three years from the date of this report) and because the disclosure of Council's commercial position may severely prejudice Council's ability to discuss/participate or influence a 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 meeting of The Committee dated 5 October 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 [Contract Award - Adelaide Free Wi-Fi] 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) (d) of the Act.

The Lord Mayor, Members of the public and Corporation staff present not directly involved with Item 7.1 left the meeting at 6.08 pm.

Confidential Item 7.1

Contract Award - Adelaide Free Wi-Fi

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

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The meeting re-opened to the public at 6.10 pm.

Confidentiality Orders

Minute 11 - Item 7.1 – Contract Award - Adelaide Free Wi-Fi [TC]

In accordance with Section 91(7) and (9) of the *Local Government Act 1999 (SA)* and because Item 7.1 [Contract Award - Adelaide Free Wi-Fi] listed on the Agenda for the meeting of The Committee held on 5 October 2021 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 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 6.11 pm.

Councillor Couros (Deputy Lord Mayor)
The Committee Chair

Documents attached:

Nil