



CITY PLANNING, DEVELOPMENT AND BUSINESS AFFAIRS COMMITTEE

MINUTES

for the Special meeting

Thursday, 21 March 2024

in the Colonel Light Room, Adelaide Town Hall

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Present – The Right Honourable the Lord Mayor, Dr Jane Lomax-Smith
Councillor Martin (Deputy Chair)

Deputy Lord Mayor, Councillor Snape and Councillors Couros, Davis, Elliott, Giles, Hou, Li, and Siebentritt

1 Acknowledgement of Country

The Chair stated:

‘Council acknowledges that we are meeting on traditional Country of the Kurna 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 Kurna people living today.

And we also extend that respect to other Aboriginal Language Groups and other First Nations who are present today.’

2 Apologies and Leave of Absence

Apologies:

Councillors Abrahamzadeh and Noon

3 Declaration of Conflict of Interest

Nil

4 Deputations

Nil

5 Exclusion of the Public

by Councillor Siebentritt,
Seconded by Councillor Hou –

ORDER TO EXCLUDE FOR ITEM 6.1

THAT THE CITY PLANNING, DEVELOPMENT AND BUSINESS AFFAIRS COMMITTEE:

1. Having taken into account the relevant consideration contained in section 90(3) (j) and section 90(2) & (7) of the *Local Government Act 1999 (SA)*, this Special meeting of the City Planning, Development and Business Affairs Committee dated 21 March 2024 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 6.1 [Draft Adelaide Park Lands Management Strategy (APLMS)] 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 material provided on a confidential basis which the State Government has requested be considered in confidence on the grounds that the details of the request are sensitive in nature and the release of this information prematurely may be misleading. The disclosure of information in this report could reasonably be expected to prejudice the position any negotiations between the City of Adelaide and the State Government.

Public Interest

The City Planning, Development and Business Affairs 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 information may result in release of information prior to the finalisation of the matter by the State Government and the City of Adelaide. The disclosure of this information may materially and adversely affect the viability of the matter and prejudice the ability of the parties to discuss/participate or influence a proposal for the benefit of the State Government, the City of Adelaide and the community in this matter which on balance would be contrary to the public interest.

2. Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this Special meeting of the City Planning, Development and Business Affairs Committee dated 21 March 2024 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 [Draft Adelaide Park Lands Management Strategy (APLMS)] 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) (j) of the Act.

Carried

Moved by Councillor Elliott,
Seconded by Councillor Giles –

ORDER TO EXCLUDE FOR ITEM 6.2

THAT THE CITY PLANNING, DEVELOPMENT AND BUSINESS AFFAIRS COMMITTEE:

1. Having taken into account the relevant consideration contained in section 90(3) (m) and section 90(2) & (7) of the *Local Government Act 1999 (SA)*, this Special meeting of the City Planning, Development and Business Affairs Committee dated 21 March 2024 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 6.2 [Future Living Code Amendment] 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 contains information and links to draft Code Amendment documents provided by Planning and Land Use Services in confidence.

The disclosure of information in this report could reasonably breach confidentiality of information provided to Council by the State Government through Planning and Land Use Services prior to the commencement of a Code Amendment.

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 information that has been provided to Council in confidence from the State Government through Planning and Land Use Services.

2. Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this Special meeting of the City Planning, Development and Business Affairs Committee dated 21 March 2024 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 [Future Living Code Amendment] 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) (m) of the Act.

Carried

Moved by Councillor Siebentritt,
Seconded by Councillor Elliott –

ORDER TO EXCLUDE FOR ITEM 6.3

THAT THE CITY PLANNING, DEVELOPMENT AND BUSINESS AFFAIRS COMMITTEE:

1. Having taken into account the relevant consideration contained in section 90(3) (m) and section 90(2) & (7) of the *Local Government Act 1999 (SA)*, this Special meeting of the City Planning, Development and Business Affairs Committee dated 21 March 2024 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 6.3 [Code Amendment - Adult Entertainment and Adult Products and Services Premises] 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 contains information regarding the draft Code Amendment that is not appropriate to be made public prior to the commencement of public engagement, particularly due to the potentially sensitive nature of the draft Code Amendment

The disclosure of information in this report could reasonably breach confidentiality of information prior

to public engagement of the draft Code Amendment.

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 release the draft Code Amendment prior to Council endorsement of the policy approach and public engagement plan.

2. Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this Special meeting of the City Planning, Development and Business Affairs Committee dated 21 March 2024 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 6.3 [Code Amendment - Adult Entertainment and Adult Products and Services Premises] 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) (m) of the Act.

Carried

Members of the public and Corporation staff present not directly involved with Items 6.1, 6.2 and 6.3 left Colonel Light Room at 6:33 pm.

6 Confidential Reports for Recommendation to Council

6.1 Draft Adelaide Park Lands Management Strategy (APLMS) [S90(3) (j)]

6.2 Future Living Code Amendment [S90(3) (m)]

6.3 Code Amendment - Adult Entertainment and Adult Products and Services Premises [S90(3) (m)]

The meeting re-opened to the public at 7.41pm.

Confidential Orders

Item 6.1 – Draft Adelaide Park Lands Management Strategy (APLMS)

Confidentiality Order

In accordance with Section 91 (7) and (9) of the *Local Government Act 1999 (SA)* and because Item 6.1 [Draft Adelaide Park Lands Management Strategy (APLMS)] was received discussed and considered in confidence pursuant to Section 90(3) (j) (i) and (ii) of the *Local Government Act 1999 (SA)*, this Special meeting of the City Planning, Development and Business Affairs Committee do order that:

1. The resolution, the report and the discussion submitted to this meeting and the Minutes of this meeting in relation to the matter remain confidential and not available for public inspection until activities in accordance with Part 4, Division 1, Section 18(4) (b) of the *Adelaide Park Lands Act 2005 (SA)* are completed.
2. The Acting Chief Executive Officer or delegate be delegated the authority to review and revoke all or parts of this order herein and directed to present a report containing the Item for which the confidentiality order has been revoked.

Item 6.3 – Code Amendment - Adult Entertainment and Adult Products and Services Premises

Confidentiality Order

In accordance with Section 91(7) and (9) of the *Local Government Act 1999 (SA)* and because Item 6.3 [Code Amendment - Adult Entertainment and Adult Products and Services Premises] listed on the Agenda for the Special meeting of the City Planning, Development and Business Affairs Committee held on 21 March 2024 was received, discussed and considered in confidence pursuant to Section 90(3)(m) of the *Local Government Act 1999 (SA)*, this Special meeting of the City Planning, Development and Business Affairs Committee do order that:

1. The resolution becomes public information and is included in the Minutes of the meeting.
2. 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 the public consultation for the draft Code Amendment has commenced or 31 December 2024.
3. The confidentiality of the matter be reviewed in December 2024.
4. 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 7.41 pm

Councillor Noon
City Planning, Development and Business Affairs Committee Chair

Documents Attached:

Nil