



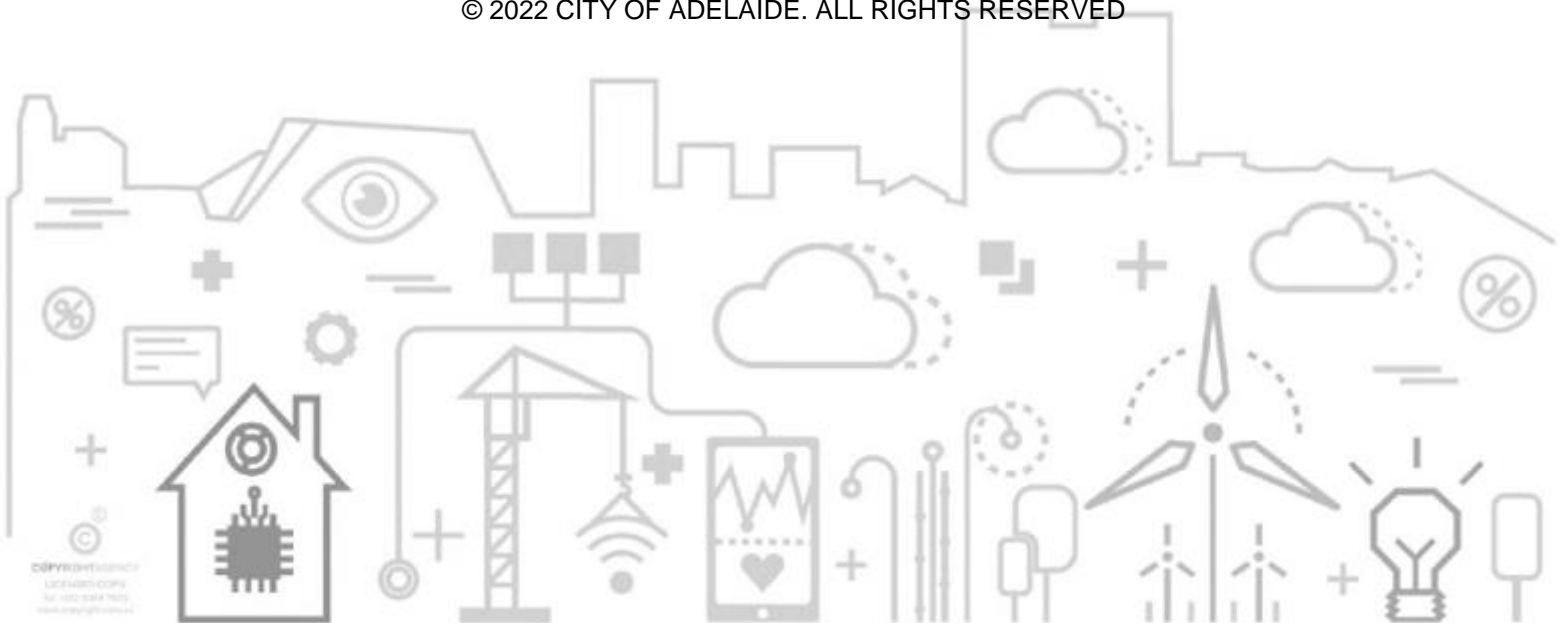
# THE COMMITTEE - PRE-COUNCIL DISCUSSION FORUM MINUTES

for the meeting

Tuesday, 5 July 2022

in the Colonel Light Room, Adelaide Town Hall

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Present – The Right Honourable the Lord Mayor, Sandy Verschoor (Acting Chair)  
Councillors Couros, Donovan, Hyde, Knoll, Moran and Snape

**1 Election of Acting Chair**

In the absence of the Chair (Deputy Lord Mayor, Councillor Abrahamzadeh), nominations were called for the position of Acting Chair.

Councillor Donovan nominated the Lord Mayor, who accepted the nomination, was subsequently appointed and took the Chair at 5.30pm.

**2 Acknowledgement of Country**

The Acting 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 recognize 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.’

**3 Apologies and Leave of Absence**

Apologies:

Deputy Lord Mayor (Councillor Abrahamzadeh) and Councillors Hou, Khera and Martin.

**4 Item 3 - Confirmation of Minutes**

That the Minutes of the meeting of The Committee held on 21 June 2022, be taken as read and be confirmed as an accurate record of proceedings.

**5 Presentations - Nil**

**6 All reports in this section will be presented to Council**

**7 Item 5.1 - Bonython Park / Tulya Wardli Informal Car Park**

Iliia Houridis, Director City Shaping and Sarah Gilmour, Associate Director Park Lands, Policy & Sustainability, City of Adelaide responded to questions from Committee Members.

**8 Item 5.2 - Community Impact Grants and Strategic Partnerships Program – Year One Program Review Report**

Rachel Emmott, Manager City Lifestyle, City of Adelaide was available to respond to questions from Committee Members.

**9 Item 5.3 - Updated Rymill Park Master Plan**

Tom McCready, Director City Services, City of Adelaide responded to questions from Committee Members.

**10 Item 5.4 - Illuminate Adelaide Public Artwork**

Mimi Crowe, Manager Creative City, City of Adelaide, responded to questions from Committee Members.

**11 Item 5.5 - Adelaide 500, 2022 Declarations Consultation**

Clare Mockler, Chief Executive Officer and Adam Hornhardt, Team Leader, City Events, City of Adelaide, responded to questions from Committee Members.

**12 Item 5.6 - Climate Action Plan**

Lara Daddow, Manager Low Carbon and Circular Economy, City of Adelaide, responded to questions from Committee Members

**13 Item 5.7 - Sustainability Incentive Scheme Review**

Lara Daddow, Manager Low Carbon and Circular Economy, City of Adelaide, responded to questions from Committee Members.

**14 Item 5.8 - Electric Vehicle Charging Station Lease**

Mike Philippou, Associate Director Strategic Property & Commercial and Shaun Coulls, Manager Commercial & Property Leasing, City of Adelaide were available to respond to questions from Committee Members.

**15 Item 5.9 - Park Lands Foundation - Update**

Amanda McIlroy, Chief Operating Officer and Janet Crook, Advisor Legal Governance, City of Adelaide were available to respond to questions from Committee Members.

**16 Item 5.10 - Group Power Purchase Agreement for City-based business**

Sarah Gilmour, Associate Director Park Lands, Policy & Sustainability, City of Adelaide responded to questions from Committee Members.

**17 Item 5.11 - Adelaide Botanic High School Expansion**

Sarah Gilmour, Associate Director Park Lands, Policy & Sustainability, City of Adelaide was available to respond to questions from Committee Members.

**18 Item 5.12 - Replacement of Combustible Cladding**

Stephen Zaluski, Associate Director Regulatory Services, City of Adelaide was available to respond to questions from Committee Members.

**19 Item 5.13 - Review of Shopfront Improvement Grant**

Greg Ratsch, Executive Manager Business & Investment, Adelaide Economic Development Agency was available to respond to questions from Committee Members.

**20 Item 5.14 - Reports in Confidence**

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

**21 Exclusion of the Public**

In accordance with sections 90(2),(3) and (7) of the *Local Government Act 1999 (SA)* The Committee considered whether to discuss in confidence the reports contained within section 7 of the Agenda.

**22 Exclusion of the Public for Item 7.1**

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 5 July 2022 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 7.1 [Rymill Park Kiosk – Enhancement and Lease Proposal] 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 (not being a trade secret) of a confidential nature which the proponent has requested be considered in confidence on the grounds that the proposal details their intellectual property and the release of this information prematurely may be contrary to public interest. The disclosure of information in this report could reasonably be expected to prejudice the commercial position and negotiations of the Council and proponent with external parties.

### 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 section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this meeting of The Committee dated 5 July 2022 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 [Rymill Park Kiosk – Enhancement and Lease Proposal] 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.

## **23 Exclusion of the Public for Item 7.2**

### 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 5 July 2022 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 7.2 [Advertising Contract within City of Adelaide] 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.

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 prior to the execution of any contract/s and any essential negotiation of the contract may have a detrimental impact on the outcome of these negotiations including potential abandonment of the tender process and/or potential diminished commercial outcomes.

2. Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this meeting of The Committee dated 5 July 2022 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 [Advertising Contract within City of Adelaide] 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 Items 7.1 and 7.2 left the Colonel Light Room at 6.29pm.

- 24 **All reports in this section will be presented to Council in Confidence**
- 25 **Item 7.1 - Rymill Park Kiosk – Enhancement and Lease Proposal** [section 90(3) (b) & (d) of the Act]
- 26 **Item 7.2 - Advertising Contract within City of Adelaide** [section 90(3) (b) & (d) of the Act]

## 27 Confidentiality Orders

The meeting re-opened to the public at 6.38pm.

### Confidentiality Orders

#### Item 7.1 - Rymill Park Kiosk – Enhancement and Lease Proposal

In accordance with Section 91(7) and (9) of the *Local Government Act 1999 (SA)* and because Item 7.1 [Rymill Park Kiosk – Enhancement and Lease Proposal] listed on the Agenda for the meeting of The Committee held on 5 July 2022 was received, discussed and considered in confidence pursuant to Section 90(3) (b) & (d) of the *Local Government Act 1999 (SA)*, this meeting of The Committee do order that:

1. The report and the discussion and any other associated information submitted to this meeting and the Minutes of the meeting in relation to this matter remain confidential and not available for public inspection until 31 December 2029.
2. The confidentiality of the matter be reviewed in December 2023.
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.

#### Item 7.2 - Advertising Contract within City of Adelaide

In accordance with Section 91(7) and (9) of the *Local Government Act 1999 (SA)* and because Item 7.1 [Advertising Contract within City of Adelaide] listed on the Agenda for the meeting of The Committee held on 5 July 2022 was received, discussed and considered in confidence pursuant to Section 90(3) (b) & (d) of the *Local Government Act 1999 (SA)*, this meeting of The Committee do order that:

1. The report and the discussion and any other associated information submitted to this meeting and the Minutes of the meeting in relation to this matter remain confidential and not available for public inspection until 31 December 2029.
2. The confidentiality of the matter be reviewed in December 2023.
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 closed at 6.38 pm

The Lord Mayor  
**The Committee Acting Chair**