



COUNCIL AGENDA & REPORTS

for the meeting

Tuesday, 11 April 2023

at 5.30 pm

in the Council Chamber, Adelaide Town Hall

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Members: The Right Honourable the Lord Mayor, Dr Jane Lomax-Smith (Presiding)
 Deputy Lord Mayor, Councillor Martin
 Councillors Abrahamzadeh, Couros, Davis, Elliott, Giles, Hou, Li, Noon, Dr Siebentritt and
 Snape

Agenda

Item	Pages
1. Acknowledgement of Country	
At the opening of the Council Meeting, the Lord Mayor will state:	
‘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 recognize 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. Acknowledgement of Colonel William Light	
Upon completion of the Kurna Acknowledgment, the Lord Mayor will state:	
‘The Council acknowledges the vision of Colonel William Light in determining the site for Adelaide and the design of the City with its six squares and surrounding belt of continuous Park Lands which is recognised on the National Heritage List as one of the greatest examples of Australia’s planning heritage.’	
3. Prayer	
Upon completion of the Acknowledgment of Colonel William Light by the Lord Mayor, the Chief Executive Officer will ask all present to pray -	
‘Almighty God, we ask your blessing upon the works of the City of Adelaide; direct and prosper its deliberations to the advancement of your glory and the true welfare of the people of this City. Amen’	
4. Memorial Silence	
The Lord Mayor will ask all present to stand in silence in memory of those who gave their lives in defence of their Country, at sea, on land and in the air.	
5. Apologies and Leave of Absence	
Nil	
6. Confirmation of Minutes - 28/3/2023	
That the Minutes of the meeting of the Council held on 28 March 2023, be taken as read and be confirmed as an accurate record of proceedings.	
7. Deputations	
Granted at time of Agenda Publication – 6/4/2023	
Nil	

8.	Petitions	
8.1	Petition - Park 21 Building Project	4 - 6
9.	Reports from Kadaltilla / Park Lands Authority and Committees	
9.1	Advice of Kadaltilla / Park Lands Authority - 30 March 2023	7 - 9
9.2	Recommendations of the City Community Services and Culture Committee - 4 April 2023	10 - 13
9.3	Recommendations of the City Planning, Development and Business Affairs Committee - 4 April 2023	14 - 15
10.	Reports for Council (Chief Executive Officer's Reports)	
10.1	Council representatives on ACMA Board Selection Panel	16 - 19
10.2	Council representatives on AEDA Board Selection Panel	20 - 23
11.	Lord Mayor's Reports	
12.	Councillors' Reports	
13.	Questions on Notice	
	Nil	
14.	Questions without Notice	
15.	Motions on Notice	
15.1	Councillor Snape - MoN - LGBTIQA+ Conversion Therapy Ban	24 - 25
16.	Motions without Notice	
17.	Exclusion of the Public	26 - 28
	In accordance with sections 90(2),(3) and (7) of the <i>Local Government Act 1999 (SA)</i> Council will consider whether to discuss in confidence the reports contained within section 18 of this Agenda.	
18.	Confidential Reports from Committees	
18.1	Confidential Recommendations of the City Planning, Development and Business Affairs Committee [S90(3) (b), (d), (h)]	29 - 34
19.	Closure	

Petition - Park 21 Building Project

Tuesday, 11 April 2023
Council

Strategic Alignment - Enabling Priorities

Program Contact:
Alana Martin, Manager
Governance

Public

Approving Officer:
Steve Zaluski - Acting Chief
Operating Officer

EXECUTIVE SUMMARY

This report presents a petition for Council to receive. The petition asks Council to:

- *Provide assistance to progress the Park 21 West Redevelopment Project before May 2023.*

There are 652 signatories to the petition.

RECOMMENDATION

THAT COUNCIL

1. Receives the petition containing 652 signatories, distributed as a separate document to Item 8.1 on the Agenda for the meeting of the Council held on 11 April 2023.
-

IMPLICATIONS AND FINANCIALS

City of Adelaide 2020-2024 Strategic Plan	Strategic Alignment – Enabling Priorities Presentation of petitions align with the Strategic Plan objective that community consultation underpins everything we do.
Policy	Not as result of this report
Consultation	Not as result of this report
Resource	Not as result of this report
Risk / Legal / Legislative	Petition presented for receipt in accordance with City of Adelaide Standing Orders and the <i>Local Government (Procedures at Meetings) Regulations 2013 (SA)</i> .
Opportunities	Not as result of this report
22/23 Budget Allocation	Not as result of this report
Proposed 23/24 Budget Allocation	Not as result of this report
Life of Project, Service, Initiative or (Expectancy of) Asset	Not as result of this report
22/23 Budget Reconsideration (if applicable)	Not as result of this report
Ongoing Costs (eg maintenance cost)	Not as result of this report
Other Funding Sources	Not as result of this report

DISCUSSION

1. A petition containing 652 signatories was received on 3 April 2023 that asks Council to do the following:
 - 1.1. *Provide assistance to progress the Park 21 West Redevelopment Project before May 2023.*
2. There are 58 signatories that have been deemed to be invalid due to either no address provided, or signatories did not sign the petition with the head statement at the top of page which confirms that the signatories knew what they were attesting to.
3. The Chief Executive Officer must ensure the petition is placed on the agenda for the next ordinary meeting of Council. The original petition will be distributed to all Council Members separately.
4. Members of the public may seek a copy of the original petition upon written request to the Chief Executive Officer.
5. The petition has been considered pursuant to regulation 10 of *the Local Government (Procedures at Meetings) Regulations 2013 (SA) (the Regulations)*, and with the requirements of the City of Adelaide's Standing Orders.
6. This petition meets the requirements of the Regulations and Standing Orders and is presented for Council to receive.

ATTACHMENTS

Petition distributed separately to Lord Mayor and Councillors

- END OF REPORT -

Advice of Kadaltilla / Park Lands Authority - 30 March 2023

Tuesday, 11 April 2023
Council

Program Contact:
Alana Martin, Manager
Governance

Public

Approving Officer:
Steve Zaluski - Acting Chief
Operating Officer

EXECUTIVE SUMMARY

The Adelaide Park Lands Authority known as Kadaltilla / Park Lands Authority is the principal advisor to both the Council and the State Government on the protection, management, enhancement and promotion of the Adelaide Park Lands.

This report presents the advice of Kadaltilla / Park Lands Authority following their meeting on 30 March 2023 (see [Agenda for Kadaltilla / Park Lands Authority on Thursday, 30th March, 2023, 5.30 pm - City of Adelaide](#))

The advice provided at Kadaltilla is incorporated into the report as an item comes to Council (via Committee) for decision.

RECOMMENDATION

THAT COUNCIL

1. Notes that Kadaltilla met on 30 March 2023.
2. Notes that advice provided by Kadaltilla will be incorporated into the report as an item comes to Council (via Committee) for decision.

DISCUSSION

1. Kadaltilla met on 30 March 2023 and considered the following items:
 - 1.1. National Heritage Management Plan – Consultation on the Draft Plan (will be presented to the City Planning, Development and Business Affairs Committee on 6 June 2023).
 - 1.2. South Australian Motor Sport Board Adelaide 500 Event Consultation (was presented to the City Community Services and Culture Committee on 4 April 2023).
 - 1.3. GS Kingston Park / Wirrarninthe (Park 23) – Expression of Interest Results (will be presented to the City Community Services and Culture Committee on 2 May 2023).
 - 1.4. Kadaltilla Business Plan and Budget (will be presented to the City Finance and Governance Committee on 23 May 2023).
 - 1.5. Other Business – SAPOL Horse Location Proposal

2. The advice (as detailed below) will be included in the reports to Council (via Committee) as appropriate.

Advice 1 – National Heritage Management Plan – Consultation on the Draft Plan

That Kadaltilla / Park Lands Authority:

1. Supports the continued development of the draft National Heritage Management Plan for the Adelaide Park Lands and City Layout presented by Swanbury Penglase in Item 5.2 on the Agenda for the meeting of the Board of Kadaltilla / Park Lands Authority held on 30 March 2023 subject to:
 - o Consideration of feedback received during the stakeholder consultation period.
2. Kadaltilla provides the submission tabled to Swanbury Penglase on the draft National Heritage Management Plan for the Adelaide Park Lands and City Layout and the current consultation process

Advice 2 – South Australian Motor Sport Board Adelaide 500 Event Consultation

That Kadaltilla / Park Lands Authority:

1. Provides the following feedback and advice on the Adelaide 500 event consultation to Council and the State Government:
 - 1.1. That a reduction is sought on the requirement for car parking to minimise the use of open space incorporating the grassland mounded area and the adjoining Wetlands and butterfly conservation area to minimise risk
 - 1.2. Continue to consider greening and tree canopy increase as part of the legacy of the event.
 - 1.3. Ensure the use of, or the reinstatement of permeable pathways.
 - 1.4. Work with the Administration to meet the standards sought for improvements within the Park 16.
 - 1.5. Progress cultural mapping and assessment of Park 16 as part of the proposal by the South Australian Motor Sport Board and incorporate into the master plan process.
 - 1.6. Encourage further exploration to increase access to the bikeways during the Prescribed Works Period, including engagement with Bike Adelaide.
2. Notes the Declaration of the Declared Area, Declared Period and Prescribed Works Period for the purpose of conducting the Adelaide 500 event.
3. Authorises the Presiding Member to write to the Chief Executive Officer of the South Australian Motor Sport Board on behalf of Kadaltilla with its feedback to the consultation on the proposed area for the Adelaide 500 event and the proposed period of time that works for the event will cover.

Advice 3 – GS Kingston Park / Wirrarninthe (Park 23) – Expression of Interest Results

That Kadaltilla / Park Lands Authority:

1. Supports Council entering into a five year lease agreement with the Adelaide Cricket Club and West Adelaide Raptors Soccer Club as joint lessees of the community sports facilities in G S Kingston Park / Wirrarninthe (Park 23).
2. Notes that progress of a joint lease will include the Clubs formalising a new joint club arrangement.

Advice 4 – Kadaltilla Business Plan and Budget

That Kadaltilla / Park Lands Authority:

1. Approves the draft 2023/2024 Kadaltilla / Park Lands Authority Business Plan and Budget, as included in Attachment A to Item 6.4 on the Agenda for the Board meeting of Kadaltilla / Park Lands Authority held on 30 March 2023, to be provided to Council to inform Council's draft 2023/2024 budget deliberations.
2. Recommends to Council that there be an increase to the Art Prize Sponsorship to \$20,000.

Advice 5 – Other Business – SAPOL Horse Location Proposal

That Kadaltilla / Park Lands Authority:

1. Recommend the State Government:
 - a. Not proceed with the relocation of the SAPOL mounted operations unit to Mirnu Wirra
 - b. Include the Adelaide City Council, Kaurna community representatives and biodiversity experts in the preparation of comprehensive feasibility studies of alternative sites
 - c. Liaise with Council as a matter of urgency to identify an interim and alternative permanent location

- END OF REPORT -

Recommendations of the City Community Services and Culture Committee

Tuesday, 11 April 2023
Council

Strategic Alignment - Enabling Priorities

Public

Approving Officer:
Iliia Houridis, Director City Shaping

EXECUTIVE SUMMARY

The City Community Services and Culture Committee considered the following Items at its meeting held on 4 April 2023 and resolved to present to Council the following recommendation for Council determination:

- Item 4.1 - Harvest Rock Consultation
- Item 5.1 - South Australian Motor Sport Board VALO Adelaide 500 Event Consultation

RECOMMENDATION

1. **Recommendation 1 - Harvest Rock Consultation**

THAT COUNCIL:

1. Notes the closure of Bartels Road for Harvest Rock 2023 is currently proposed for an 11-day period in October 2023.
2. Notes consultation will commence subject to receipt of road closure dates and site plans from the Event organisers.
3. Notes a formal 21-day public consultation will be undertaken, including targeted consultation with key stakeholders, as required under section 223 of the Local Government Act 1999 (SA).
4. Notes that the Chief Executive Officer has delegation to consent to the road closure under Section 33 of the Road Traffic Act, notes this will not be exercised, and a report will come back to Council.
5. Request a report from administration, including further information from the event organisers surrounding their bump in plan, site plan and an explanation of the safety issues encountered in 2022.
6. Request further details from administration detailing the cost of the traffic congestion and the economic impact on city businesses and residents in the City.
7. Asks administration to work with Harvest Rock, in order to limit the restriction of traffic in the eastern suburbs for future events, which includes exploration and consideration of alternative sites for the festival in 2024 and beyond.

2. **Recommendation 2 – South Australian Motor Sport Board VALO Adelaide 500 Event Consultation**

THAT COUNCIL:

1. Notes the Declaration of the Declared Area, Declared Period and Prescribed Works Period for the purpose of conducting the Adelaide 500 event.
2. Authorises the Lord Mayor to write to the Chief Executive Officer of the South Australian Motor Sport Board on behalf of Council with its feedback to the consultation and provides the following feedback and advice:
 - 2.1. Council notes and supports the reduced total Prescribed Works period.
 - 2.2. Requests a continued focus on the post event 'make good' and rehabilitation of the Park Lands.

- 2.3. Seeks continued effort of the South Australian Motor Sport Board to reduce the timeframe and footprint required for hosting this event in the future.
 - 2.4. Requests that the State Government works with City of Adelaide to support the visitor economy during the event Thursday 23 November to Sunday 26 November 2023 by:
 - 2.4.1. Promoting visitation to the city, with particular focus on Black Friday, 24 November 2023.
 - 2.4.2. Considers improvements to public transport into and out of the City during this time.
 3. Notes the advice of Kadaltilla at its meeting of 30 March 2023 and that Kadaltilla will be providing a submission to the consultation.
-

DISCUSSION

1. The City Community Services and Culture Committee met on Tuesday 4 April 2023. The Agenda with reports for the meeting can be viewed [here](#).
2. The following matters were the subject of deliberation:

2.1. Harvest Rock Consultation

THAT THE CITY COMMUNITY SERVICES AND CULTURE COMMITTEE RECOMMENDS TO COUNCIL:

That Council:

1. Notes the closure of Bartels Road for Harvest Rock 2023 is currently proposed for an 11-day period in October 2023.
2. Notes consultation will commence subject to receipt of road closure dates and site plans from the Event organisers.
3. Notes a formal 21-day public consultation will be undertaken, including targeted consultation with key stakeholders, as required under section 223 of the Local Government Act 1999 (SA).
4. Notes that the Chief Executive Officer has delegation to consent to the road closure under Section 33 of the Road Traffic Act, notes this will not be exercised, and a report will come back to Council.
5. Request a report from administration, including further information from the event organisers surrounding their bump in plan, site plan and an explanation of the safety issues encountered in 2022.
6. Request further details from administration detailing the cost of the traffic congestion and the economic impact on city businesses and residents in the City.
7. Asks administration to work with Harvest Rock, in order to limit the restriction of traffic in the eastern suburbs for future events, which includes exploration and consideration of alternative sites for the festival in 2024 and beyond.

2.2 South Australian Motor Sport Board VALO Adelaide 500 Event Consultation

THAT THE CITY COMMUNITY SERVICES AND CULTURE COMMITTEE RECOMMENDS TO COUNCIL:

That Council:

1. Notes the Declaration of the Declared Area, Declared Period and Prescribed Works Period for the purpose of conducting the Adelaide 500 event.
2. Authorises the Lord Mayor to write to the Chief Executive Officer of the South Australian Motor Sport Board on behalf of Council with its feedback to the consultation and provides the following feedback and advice:
 - 2.1. Council notes and supports the reduced total Prescribed Works period.
 - 2.2. Requests a continued focus on the post event 'make good' and rehabilitation of the Park Lands.
 - 2.3. Seeks continued effort of the South Australian Motor Sport Board to reduce the timeframe and footprint required for hosting this event in the future.
 - 2.4. Requests that the State Government works with City of Adelaide to support the visitor economy during the event Thursday 23 November to Sunday 26 November 2023 by:
 - 2.4.1. Promoting visitation to the city, with particular focus on Black Friday, 24 November 2023.
 - 2.4.2. Considers improvements to public transport into and out of the City during this time.
3. Notes the advice of Kadaltilla at its meeting of 30 March 2023 and that Kadaltilla will be providing a submission to the consultation.

DATA AND SUPPORTING INFORMATION

Link 1 – City Community Services and Culture Committee Agenda

ATTACHMENTS

Nil

- END OF REPORT -

Recommendations of the City Planning, Development and Business Affairs Committee

Strategic Alignment - Enabling Priorities

Public

Approving Officer:
Iliia Houridis, City Shaping

EXECUTIVE SUMMARY

The City Planning, Development and Business Affairs Committee considered the following Items at its meeting held on 4 April 2023 and resolved to present to Council the following recommendations for Council determination:

- Item 6.1 - Development Corridors adjoining the Adelaide Park Lands: Thebarton Brewery Code Amendment
- Item 6.2 - Draft Community Land Management Plan – Amendments Prior to Consultation

RECOMMENDATION

1. **Recommendation 1 – Development Corridors adjoining the Adelaide Park Lands: Thebarton Brewery Code Amendment**
THAT COUNCIL
 1. Authorises the Chief Executive Officer to write to the State Government seeking collaboration on opportunities to improve pedestrian and cyclist connections along the balance of the Port Road / Park Lands interface and to seek a formal instrument to secure the creation of the active transport linkage to the western Park Lands proposed within the Thebarton Brewery Precinct Code Amendment.
 2. Approves the submission on the Thebarton Brewery Precinct, 107 Port Road Thebarton Code Amendment at Attachment A to Item 6.1 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 4 April 2023.
 3. Authorises the Chief Executive Officer to amend, finalise and forward Attachment A – Submission on the Thebarton Brewery Precinct 107 Port Road Thebarton Code Amendment, to Item 6.1 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 4 April 2023, to the Code Amendment consultation process by 14 April 2023.
2. **Recommendation 2 - Draft Community Land Management Plan – Amendments Prior to Consultation**
THAT COUNCIL
 1. Approves the consolidated draft Community Land Management Plan for the Adelaide Park Lands under the care, control and management of the City of Adelaide presented as per Attachment A to Item 6.2 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 4 April 2023, for the purposes of undertaking statutory consultation.

DISCUSSION

1. The City Planning, Development and Business Affairs Committee met on Tuesday 4 April 2023. The Agenda with reports for the public component of the meeting can be viewed [here](#).
2. The following matters were the subject of deliberation:
 - 2.1. Council Assessment Panel (CAP) Annual Report 2022
THAT THE CITY PLANNING, DEVELOPMENT AND BUSINESS AFFAIRS COMMITTEE:
 1. Notes the Council Assessment Panel Annual Report 2022 contained in Attachment A to Item 5.1 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 4 April 2023.
 - 2.2. Development Corridors adjoining the Adelaide Park Lands: Thebarton Brewery Code Amendment
THAT THE CITY PLANNING, DEVELOPMENT AND BUSINESS AFFAIRS COMMITTEE RECOMMENDS TO COUNCIL
THAT COUNCIL
 1. Authorises the Chief Executive Officer to write to the State Government seeking collaboration on opportunities to improve pedestrian and cyclist connections along the balance of the Port Road / Park Lands interface and to seek a formal instrument to secure the creation of the active transport linkage to the western Park Lands proposed within the Thebarton Brewery Precinct Code Amendment.
 2. Approves the submission on the Thebarton Brewery Precinct, 107 Port Road Thebarton Code Amendment at Attachment A to Item 6.1 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 4 April 2023.
 3. Authorises the Chief Executive Officer to amend, finalise and forward Attachment A – Submission on the Thebarton Brewery Precinct 107 Port Road Thebarton Code Amendment, to Item 6.1 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 4 April 2023, to the Code Amendment consultation process by 14 April 2023.
 - 2.3. Draft Community Land Management Plan – Amendments Prior to Consultation
THAT THE CITY PLANNING, DEVELOPMENT AND BUSINESS AFFAIRS COMMITTEE RECOMMENDS TO COUNCIL
THAT COUNCIL
 2. Approves the consolidated draft Community Land Management Plan for the Adelaide Park Lands under the care, control and management of the City of Adelaide presented as per Attachment A to Item 6.2 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 4 April 2023, for the purposes of undertaking statutory consultation.
3. The City Planning, Development and Business Affairs Committee were also involved in a workshop on the Draft Climate Policy and Draft Climate Action Plan Consultation.

DATA AND SUPPORTING INFORMATION

Link 1 – City Planning, Development and Business Affairs Committee Confidential Agenda

ATTACHMENTS

Nil

- END OF REPORT -

Council representatives on ACMA Board Selection Panel

Tuesday, 11 April 2023
Council

Strategic Alignment - Thriving Communities

Program Contact:
Jodie Kannane, General Manager
ACMA

Public

Approving Officer:
Mike Philippou - Acting Director
City Services

EXECUTIVE SUMMARY

In accordance with Clause 4.4.1 of the Adelaide Central Market Authority (ACMA) Charter, the ACMA Board shall consist of a maximum of seven Board Members appointed by the Council on the recommendation of the Selection Panel.

In accordance with Clauses 4.4.1.2 (a) and (b) of the ACMA Charter, the Chair and Board Member selection panel shall include two Council Members appointed by resolution of Council.

Nominations are sought for two Council Members to be a part of the ACMA Board Member selection panel for the 2022-2026 Council term.

RECOMMENDATION

THAT COUNCIL:

1. Appoints two Council Members to be a part of the Adelaide Central Market Authority Board Member selection panel for the 2022-2026 Council term.
2. Appoints Councillor _____ and Councillor _____ to be a part of the Adelaide Central Market Authority Board Member Chair and Board Member selection panels for the 2022-2026 Council term.

IMPLICATIONS AND FINANCIALS

City of Adelaide 2020-2024 Strategic Plan	Strategic Alignment – Thriving Communities
Policy	The Adelaide Central Market Authority (ACMA) Charter 2022 outlines the role and term of members of the ACMA Board.
Consultation	Not as a result of this report
Resource	Not as a result of this report
Risk / Legal / Legislative	In accordance with Clauses 4.3.2 and 4.4.1.2 of the ACMA Charter, the Board shall consist of a maximum of seven Board Members including the Chairperson appointed by Council who collectively have relevant experience and commercial acumen.
Opportunities	Not as a result of this report
22/23 Budget Allocation	Not as a result of this report
Proposed 23/24 Budget Allocation	Not as a result of this report
Life of Project, Service, Initiative or (Expectancy of) Asset	Not as a result of this report
22/23 Budget Reconsideration (if applicable)	Not as a result of this report
Ongoing Costs (eg maintenance cost)	Not as a result of this report
Other Funding Sources	Not as a result of this report

DISCUSSION

1. The Adelaide Central Market Authority (ACMA) Charter 2022 (Link 1 view [here](#)) states that the appointment of Board Members to the ACMA Board requires a Board Member selection panel undertaking an expression of interest process and making recommendations to Council for Council's approval and appointment.
2. It is noted that the Chair Selection Panel will have to be convened first to allow for the Chair to be appointed and then sit on the Board Member Selection Panel. The specific clauses of the ACMA Charter that address the Chair and Board Member recruitment are:
 - 2.1. The following section of the ACMA Charter Clause 4.4.1.2 (a) of the ACMA Charter, "one Board Member with board leadership experience will be nominated by a Board Member selection panel, comprising the Council's CEO, the Council's senior manager in charge of human resources, and two Council Members, to be a Board Member and Chairperson".
 - 2.2. In accordance with Clause 4.4.1.2(b) of the ACMA Charter, "up to five Board Members with an appropriate range of skills and experience will be nominated by a Board Member selection panel comprising the Council's CEO, the Council's senior manager in charge of human resources, the Chairperson and two Council Members."
3. The current Board Members are listed below in the following table, which provides their term commencement date and date of expiry. Please note the appointment of Board Members is for a maximum 3 year term. All current Board Members are in their first term of appointment.

Name	Term	Term Commenced	Current Term Expires
Theo Maras AM (Chair)	3 years	1 August 2020	31 July 2023
Christine Locher (Deputy Chair)	3 years	1 August 2020	31 July 2023
Steve Marafiote	3 years	1 August 2020	31 July 2023
Nicole Haack	2+1 Years	1 August 2020	30 June 2023
John Pearce	3 Years	15 November 2021	14 November 2024
George Roussos	3 Years	15 November 2021	14 November 2024

4. As the term of office of one Director expires on 30 June 2023 and the terms of office of the Chair and two further Directors expire on 31 July 2023, the ACMA Board Member selection panel will be convened in April to consider applications received through the expression of interest process and make recommendations to Council for approval and appointment.
5. It is noted the Board Selection Panel may choose to undertake two separate expressions of interest in order for the Chair to subsequently become a member of the Board Member selection panel for the appointment of the other Board Members as outlined in paragraph 3.
6. In accordance with Clause 4.4.4 of the ACMA Charter, a "Board Member is eligible for re-appointment at the expiration of their term of office." There is no maximum number of terms that a member can serve.

DATA AND SUPPORTING INFORMATION

Link 1 – Adelaide Central Market Authority (ACMA) Charter – gazetted 4 August 2022

ATTACHMENTS

Nil

- END OF REPORT -

Council representatives on AEDA Board Selection Panel

Tuesday, 11 April 2023
Council

Strategic Alignment - Enabling Priorities

Program Contact:
Greg Ratsch, Acting Managing Director, Adelaide Economic Development Agency

Public

Approving Officer:
Clare Mockler, Chief Executive Officer

EXECUTIVE SUMMARY

In accordance with Clause 4.4.1.3 of the Adelaide Economic Development Agency (AEDA) Charter, the AEDA Board shall consist of up to seven Board Members appointed by the Council on the recommendation of the Selection Panel.

In accordance with Clauses 4.4.1.3 (a) and (b) of the AEDA Charter, the Chair and Board Member selection panels shall include three Council Members appointed by resolution of Council.

Nominations are sought for three Council Members to be a part of the AEDA Board Member selection panel for the 2022-2026 Council term.

RECOMMENDATION

THAT COUNCIL:

1. Appoints three Council Members to be a part of the Adelaide Economic Development Agency Board Member selection panel for the 2022-2026 Council term.
2. Appoints Councillor _____, Councillor _____ and Councillor _____ to be a part of the Adelaide Economic Development Agency Board Member selection panel for the 2022-2026 Council term.

IMPLICATIONS AND FINANCIALS

City of Adelaide 2020-2024 Strategic Plan	Strategic Alignment – Strong Economies
Policy	The Adelaide Economic Development Agency Charter (2022) outlines the appointment of, role and term of members of the AEDA Board.
Consultation	Not as a result of this report
Resource	Not as a result of this report
Risk / Legal / Legislative	In accordance with Clauses 4.3.2 and 4.4.1.3 of the AEDA Charter, the Board shall consist of up to seven Board Members including the Chairperson appointed by Council who collectively have relevant experience and commercial acumen.
Opportunities	Not as a result of this report
22/23 Budget Allocation	Not as a result of this report
Proposed 23/24 Budget Allocation	Not as a result of this report
Life of Project, Service, Initiative or (Expectancy of) Asset	Not as a result of this report
22/23 Budget Reconsideration (if applicable)	Not as a result of this report
Ongoing Costs (eg maintenance cost)	Not as a result of this report
Other Funding Sources	Not as a result of this report

DISCUSSION

1. The Adelaide Economic Development Agency (AEDA) Charter (Link 1 view [here](#)), states that the appointment of Board Members to the AEDA Board requires a Board Member selection panel undertaking an expression of interest process and making recommendation to Council for Council's approval and appointment.
2. Noting a review of AEDA is underway, the terms of office of three AEDA Board Members expire on 30 June 2023. The AEDA Charter requires a Board Member selection panel, including three Council Members, to be formed to appoint Board Members to those vacancies. The specific clauses of the AEDA Charter that address Board Member recruitment are:
 - 2.1 Clause 4.4.1.3 (a) "one Board Member with board leadership experience will be nominated by a Board Member selection panel, comprising the Council's CEO, the Council's senior manager in charge of human resources; and three Council Members appointed by resolution of Council, to be a Board Member and Chairperson;".
 - 2.2 Clause 4.4.1.3 (b) "up to six Board Members with an appropriate range of skills and experience, including at least three Board Members who are business owners within the City of Adelaide, with at least one being a small business owner, will be nominated by a Board Member selection panel, comprising the Council's CEO, the Council's senior manager in charge of human resources, the Chairperson and three Council Members.".
 - 2.3 Clause 4.4.1.3(c) "all nominations pursuant to sub paragraphs (a) and (b) will be recommended to the Council by the Board Member selection panel, for Council endorsement.".
3. It is proposed that the AEDA Board Member selection panel will be convened in May 2023 to present recommendations to Council in June 2023 for endorsement.

4. The following Board Members positions will expire on 30 June 2023:

Name	Term	Term Commenced	Current Term Expires
Oliver Brown	1 year but reappointed for a second term	18 January 2021	18 January 2023
Craig Holden	2 years	18 January 2021	18 January 2023
Tammy Burton	To fill vacancy	1 July 2021	18 January 2023

5. The AEDA Board Member selection panel will need to convene in October and November 2023 as terms of office of 3 further Board Members will expire on 18 January 2024, namely:

Name	Term	Term Commenced	Current Term Expires
Nikki Govan (Chair)	3 years	18 January 2021	18 January 2024
Steve Maras (Deputy Chair)	3 years	18 January 2021	18 January 2024
Manuel Ortigosa	3 years	18 January 2021	18 January 2024

6. In accordance with Clause 4.4.3 of the AEDA Charter: "A Board Member is eligible to apply, through the expression of interest process, for re-appointment at the expiration of their term of office, for a maximum of three consecutive terms."

DATA AND SUPPORTING INFORMATION

Link 1 – Adelaide Economic Development Agency Charter – Gazetted 24 February 2022

ATTACHMENTS

Nil

- END OF REPORT -

LGBTIQA+ Conversion Therapy Ban

Tuesday, 11 April 2023
Council

Council Member
Councillor Snape

Public

Contact Officer:
Clare Mockler, Chief Executive
Officer

MOTION ON NOTICE

Councillor Snape will move a motion and seek a seconder for the matter shown below to facilitate consideration by the Council:

'That the Lord Mayor Dr Jane Lomax-Smith write to the Premier Peter Malinauskas, Attorney-General Kyam Maher and Minister Nat Cook urging the government to progress a ban on LGBTIQA+ conversion therapy practices in South Australia.'

ADMINISTRATION COMMENT

1. If this motion is passed the Lord Mayor will write to the Premier Peter Malinauskas, Attorney-General Kyam Maher, and Minister Nat Cook to advocate progressing a ban on LGBTIQA+ conversion therapy practices in South Australia.
2. The SA Labor Party made an election commitment in the lead up to the last State election.
 - 2.1. In a letter to the South Australian Rainbow Advocacy Alliance the Premier said, "*Labor is fundamentally opposed to the practice of conversion therapy which tries to change someone's sexual orientation or gender identity and if elected, will work to ensure this practice does not occur in South Australia.*" [\[Link 1\]](#).
3. In December 2019, SA Health's Chief Psychiatrist issued a memorandum to public health mental health services, restricting gay conversion therapy in SA Health services.
4. On Tuesday 6 July 2022, the Hon. Stephen Wade asked the State Government to report on any identified breaches of this directive.
 - 4.1. On Tuesday 6 September 2022, The Hon. Kyam Maher reported that no breaches have yet been identified [\[Link 2\]](#).
5. A legislative ban would bring South Australia in line with Queensland and ACT who passed laws banning conversion therapy in August 2020, and Victoria who followed in February 2021.
6. Tasmania, Western Australia, and NSW are also considering legislation on this issue.

Should the motion be carried, the following implications of this motion should be considered. Note any costs provided are estimates only – no quotes or prices have been obtained:	
Public consultation	Not Applicable
External consultant advice	Not Applicable
Legal advice / litigation (eg contract breach)	Not Applicable
Impacts on existing projects	Not Applicable
Budget reallocation	Not Applicable
Capital investment	Not Applicable
Staff time in preparing the workshop / report requested in the motion	Met within existing resources
Other	Not Applicable
Staff time in receiving and preparing this administration comment	To prepare this administration comment in response to the motion on notice took approximately 5.5 hours.

- END OF REPORT -

Exclusion of the Public

Tuesday, 11 April 2023
Council

Program Contact:
Alana Martin, Manager
Governance 8203 7092

2018/04291
Public

Approving Officer:
Clare Mockler, Chief
Executive Officer

EXECUTIVE SUMMARY

Section 90(2) of the *Local Government Act 1999 (SA)* (the Act), states that a Council may order that the public be excluded from attendance at a meeting if the Council considers it to be necessary and appropriate to act in a meeting closed to the public to receive, discuss or consider in confidence any information or matter listed in section 90(3) of the Act.

It is the recommendation of the Chief Executive Officer that the public be excluded from this Council meeting for the consideration of information and matters contained in the Agenda.

For the following Chief Executive Officer Reports seeking consideration in confidence

- 18.1** Confidential Recommendations of the City Planning, Development and Business Affairs Committee [section 90(3) (b), (d) & (h) of the Act]

The Order to Exclude for Item 18.1:

1. Identifies the information and matters (grounds) from section 90(3) of the Act utilised to request consideration in confidence.
2. Identifies the basis – how the information falls within the grounds identified and why it is necessary and appropriate to act in a meeting closed to the public.
3. In addition, identifies for the following grounds – section 90(3) (b), (d) or (j) of the Act - how information open to the public would be contrary to the public interest.

ORDER TO EXCLUDE FOR ITEM 18.1

THAT COUNCIL:

1. Having taken into account the relevant consideration contained in section 90(3) (b), (d) & (h) and section 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 11 April 2023 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 18.1 [Confidential Recommendations of the City Planning, Development and Business Affairs Committee] 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 certain confidential information (not being a trade secret) the disclosure of which could reasonably be expected to confer a commercial advantage on a person which 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 with respect to its commercial dealings with the land as well as prejudice the commercial position of parties who have supplied intellectual property and commercial in confidence information.

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.

Council has also sought legal option on the matter and the advice provided requested that the matter should be considered in confidence due potential litigation associated with Council's decision in respect of the matter.

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 in this report, including certain financial information and further direction, may prejudice Council's future commercial dealings regarding its strategic land holding. In addition, information within this report contains the intellectual property and commercial in confidence information of parties who have supplied information which if released could negatively impact Council. 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 community in this matter.

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 within this update pertains to non-binding commercial negotiations for the Council. The release of such information may severely prejudice the Council's ability to 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 Council dated 11 April 2023 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 18.1 [Confidential Recommendations of the City Planning, Development and Business Affairs Committee] 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) & (h) of the Act.

DISCUSSION

1. Section 90(1) of the *Local Government Act 1999 (SA)* (the Act) directs that a meeting of Council must be conducted in a place open to the public.
2. Section 90(2) of the Act, states that a Council may order that the public be excluded from attendance at a meeting if Council considers it to be necessary and appropriate to act in a meeting closed to the public to receive, discuss or consider in confidence any information or matter listed in section 90(3) of the Act.
3. Section 90(3) of the Act prescribes the information and matters that a Council may order that the public be excluded from.
4. Section 90(4) of the Act, advises that in considering whether an order should be made to exclude the public under section 90(2) of the Act, it is irrelevant that discussion of a matter in public may -
 - (a) *cause embarrassment to the council or council committee concerned, or to members or employees of the council; or*
 - (b) *cause a loss of confidence in the council or council committee; or*
 - (c) *involve discussion of a matter that is controversial within the council area; or*
 - (d) *make the council susceptible to adverse criticism.*
5. Section 90(7) of the Act requires that an order to exclude the public:
 - 5.1 Identify the information and matters (grounds) from section 90(3) of the Act utilised to request consideration in confidence.
 - 5.2 Identify the basis – how the information falls within the grounds identified and why it is necessary and appropriate to act in a meeting closed to the public.
 - 5.3 In addition identify for the following grounds – section 90(3) (b), (d) or (j) of the Act - how information open to the public would be contrary to the public interest.
6. Section 83(5) of the Act has been utilised to identify in the Agenda and on the Report for the meeting, that the following reports are submitted seeking consideration in confidence.
 - 6.1 Information contained in Item 18.1 – Confidential Recommendations of the City Planning, Development and Business Affairs Committee
 - 6.1.1 Is subject to Existing Confidentiality Orders dated 7/3/2023 & 4/4/2023.
 - 6.1.2 The grounds utilised to request consideration in confidence is section 90(3) (b), (d) & (h) of the Act
 - (b) information the disclosure of which –
 - (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or prejudice the commercial position of the council; and
 - (ii) would, on balance, be contrary to the public interest.
 - (d) commercial information of a confidential nature (not being a trade secret) the disclosure of which –
 - (i) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and
 - (ii) would, on balance, be contrary to the public interest.
 - (h) legal advice.

ATTACHMENTS

Nil

Document is Restricted