



# COUNCIL AGENDA & REPORTS

for the meeting

Wednesday, 26 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
<b>1. Acknowledgement of Country</b>	
The Lord Mayor will state:	
‘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.’	
<b>2. Acknowledgement of Colonel William Light</b>	
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.’	
<b>3. Prayer</b>	
The Lord Mayor will introduce the prayer:	
<i>‘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’</i>	
<b>4. Memorial Silence</b>	
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.	
<b>5. Apologies and Leave of Absence</b>	
Nil	
<b>6. Confirmation of Minutes - 11/4/2023</b>	
That the minutes of the meeting of the Council held on 11 April 2023, with the exception of that part of the minutes relating to Minute 32 – Item 18.1 (which will be dealt with later in this meeting), be taken as read and confirmed as an accurate record of proceedings.	
<b>7. Deputations</b>	
Granted at time of Agenda Publication – 20 April 2023	
Nil	

<b>8.</b>	<b>Petitions</b>	
	Nil	
<b>9.</b>	<b>Reports from Committees</b>	
<b>9.1</b>	Recommendations of the Infrastructure and Public Works Committee - 18 April 2023	4 - 5
<b>9.2</b>	Audit and Risk Committee Report - 12 April 2023	6
<b>10.</b>	<b>Reports for Council (Chief Executive Officer's Reports)</b>	
<b>10.1</b>	Council representatives on AEDA Board Selection Panel	7 - 10
<b>11.</b>	<b>Lord Mayor's Reports</b>	
<b>12.</b>	<b>Councillors' Reports</b>	
<b>12.1</b>	Reports from Council Members	11 - 13
<b>13.</b>	<b>Questions on Notice</b>	
	Nil	
<b>14.</b>	<b>Questions without Notice</b>	
<b>15.</b>	<b>Motions on Notice</b>	
<b>15.1</b>	Deputy Lord Mayor (Councillor Martin) - MoN - First Peoples Referendum	14 - 15
<b>15.2</b>	Councillor Snape - MoN - Free WiFi Victoria Park	16 - 17
<b>15.3</b>	Councillor Noon - MoN - Invites to State & Local Government Officials	18 - 19
<b>15.4</b>	Councillor Noon - MoN - Gather Round	20 - 21
<b>15.5</b>	Councillor Noon - MoN - AEDA and ACMA Charter Review	22 - 23
<b>16.</b>	<b>Motions without Notice</b>	
<b>17.</b>	<b>Exclusion of the Public</b>	24 - 26
	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.	
<b>18.</b>	<b>Confidential Reports for Council (Chief Executive Officer's Reports)</b>	
<b>18.1</b>	Confirmation of Confidential Minute 32 - Item 18.1 - Council Meeting – 11 April 2023 [S90(3) (b), (d)] <i>To be distributed separately</i>	
<b>19.</b>	<b>Closure</b>	

## Recommendations of the Infrastructure and Public Works Committee

Strategic Alignment - Enabling Priorities

Public

**Approving Officer:**  
Mike Philippou, Acting Director  
City Services

### EXECUTIVE SUMMARY

The Infrastructure and Public Works Committee considered the following Item at its meeting held on 18 April 2023 and resolved to present to Council the following recommendation for Council determination:

- Item 5.1 – Affixation of Common Seal – Funding Deed under State Bicycle Fund 2022/23

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### RECOMMENDATION

**1. Recommendation 1 – Affixation of Common Seal – Funding Deed under State Bicycle Fund 2022/23**

THAT COUNCIL:

1. Notes the successful grant funding application to the State Bicycle Fund which includes the renewal and upgrade of the River Torrens Linear shared use path on the north side of the river from Albert Bridge east for approximately 400m, which includes footpath renewal works and new public lighting works.
2. Authorises the Lord Mayor and Chief Executive Officer to affix the Common Seal of the Council to the State Bicycle Funding Deed.

## DISCUSSION

1. The Infrastructure and Public Works Committee met on Tuesday 18 April 2023. The Agenda with reports for the meeting can be viewed [here](#).
2. The following matter was the subject of deliberation:
  - 2.1. Affixation of Common Seal – Funding Deed under State Bicycle Fund 2022/23  
THAT THE INFRASTRUCTURE AND PUBLIC WORKS COMMITTEE RECOMMENDS TO COUNCIL:  
THAT COUNCIL:
    1. Notes the successful grant funding application to the State Bicycle Fund which includes the renewal and upgrade of the River Torrens Linear shared use path on the north side of the river from Albert Bridge east for approximately 400m, which includes footpath renewal works and new public lighting works.
    2. Authorises the Lord Mayor and Chief Executive Officer to affix the Common Seal of the Council to the State Bicycle Funding Deed.
3. The Committee also received a presentation on City Operations and participated in a workshop on the Main Streets Revitalisation Program.

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## DATA AND SUPPORTING INFORMATION

**Link 1** – Infrastructure and Public Works Committee Public Agenda

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## ATTACHMENTS

Nil

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- END OF REPORT -

## Audit and Risk Committee Report - 12 April 2023

Wednesday, 26 April 2023  
Council

Strategic Alignment - Enabling Priorities

**Program Contact:**  
Alana Martin, Manager  
Governance

Public

**Approving Officer:**  
Steve Zaluski - Acting Chief  
Operating Officer

### EXECUTIVE SUMMARY

The Audit and Risk Committee's role is to report to Council and provide appropriate advice and recommendations on matters relevant to its Terms of Reference in order to facilitate informed decision making in relation to discharging its legislative responsibilities and duties.

The Audit and Risk Committee is required to report to Council after every meeting. This report presents the outcomes of the Audit and Risk Committee following their meeting on 12 April 2023 (see [Agenda for Audit and Risk Committee on Wednesday, 12th April, 2023, 8.30 am - City of Adelaide](#)).

When consideration of matters results in a recommendation to Council, this will be incorporated into the report as an item comes to Council (via Committee) for decision.

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### RECOMMENDATION

#### THAT COUNCIL

1. Notes that the Audit and Risk Committee met on 12 April 2023.

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### DISCUSSION

1. The Audit and Risk Committee met on 12 April 2023 and considered the following items:

- 1.1. Presentation – Draft 2023/04 Business Plan and Budget Update
- 1.2. Risk Management Operating Guidelines
- 1.3. Update on Procurement and Contract Management System

2. No matters were referred to Committee or Council for decision.

3. The Audit and Risk Committee resolved as follows:

#### **3.1. Risk Management Operating Guidelines**

##### THAT THE AUDIT AND RISK COMMITTEE

1. Notes the CoA Risk Management Operating Guideline as Attachment A to Item 6.1 on the Agenda for the meeting of the Audit and Risk Committee meeting held on 12 April 2023.

#### **3.2. Update on Procurement and Contract Management System**

##### THAT THE AUDIT AND RISK COMMITTEE

1. Notes the progress of the PCMS software upgrade project to date, as detailed in the program and timeline (Attachment A to Item 6.2 on the Agenda for the meeting of the Audit and Risk Committee held 12 April 2023) and acknowledges June 2023 as the target completion date.

## Council representatives on AEDA Board Selection Panel

Wednesday, 26 April 2023  
Council

Strategic Alignment - Strong Economies

**Program Contact:**  
Michael Rossi, Acting Managing Director, Adelaide Economic Development Agency

Public

**Approving Officer:**  
Clare Mockler, Chief Executive Officer

### EXECUTIVE SUMMARY

The AEDA Charter states the appointment of Board Members requires an expression of interest process being undertaken followed by the Board Member selection panel recommending candidates for Council's endorsement. The terms of office of Board Members are unable to be extended.

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.

If Council chooses not to appoint three Council Members to be a part of the AEDA Board Member selection panel when the terms of office of current Board Members expire the AEDA Board will carry three vacancies, The Board's quorum will be adjusted in response to these vacancies.

This report also responds to questions raised by Council Members at the Council meeting on 11 April 2023.

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### 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.
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## IMPLICATIONS AND FINANCIALS

City of Adelaide 2020-2024 Strategic Plan	<a href="#">Strategic Alignment – Strong Economies</a>
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. Council first considered the request to nominate three Council representatives to the AEDA Board Selection Panel at its meeting on 11 April 2023 and resolved “That the matter be deferred until the next meeting of Council.”
2. During discussion on the matter, the question was raised if Council could extend the terms of office for the Board Members whose terms will expire on 30 June 2023 for a further period.
3. 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.
4. 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:
  - 4.1. 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;”.
  - 4.2. 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.”.
  - 4.3. 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.”.
5. 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.”
6. External legal advice was sought to respond to the question of whether Council could extend the term of office of Board Members for a specific period. The advice received is that clause 4.4.3 of the AEDA Charter does not allow the Council to avoid embarking on an expression of interest process for the appointment of a person for a further term as it merely confirms their eligibility to be considered as part of that process.
7. The following Board Members’ positions will expire on 30 June 2023:

<b>Name</b>	<b>Term</b>	<b>Term Commenced</b>	<b>Current Term Expires</b>
Oliver Brown	1 year but reappointed for a second term	18 January 2021	30 June 2023
Craig Holden	2 years	18 January 2021	30 June 2023
Tammy Burton	To fill vacancy	1 July 2021	30 June 2023

8. 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.
9. The AEDA Board Member selection panel will need to convene in October and November 2023 as terms of office of three further Board Members will expire on 18 January 2024, namely:

<b>Name</b>	<b>Term</b>	<b>Term Commenced</b>	<b>Current Term Expires</b>
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

10. Given the review of AEDA currently being undertaken, Council may resolve to appoint Council Members to the AEDA Selection Panel but instruct that the Selection Panel does not meet and undertake an expression of interest process until Council has considered the review outcomes.
11. This will mean that the three Board Members' terms of office will conclude on 30 June 2023 and the positions will remain vacant.
12. Whilst the Board can continue to deal with business, requiring a quorum of four members for a formal meeting, holding three vacancies will reduce the range of skills and experience that the Board can provide to advice given and decisions made.
13. The Selection Panel will need to consider the timing of the expression of interest processes for both the forthcoming vacancies and the terms of office for the Chair and two other Board Members that will conclude on 18 January 2024.
14. As per Clause 4.4.2 of the Charter, Council needs to endeavour to ensure that no more than half the Board Members' terms of office expire in the same year to allow for continuity of Board knowledge.

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## DATA AND SUPPORTING INFORMATION

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

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## ATTACHMENTS

Nil

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- END OF REPORT -

## Reports from Council Members

Wednesday, 26 April 2023  
Council

Strategic Alignment - Enabling Priorities

**Program Contact:**  
Alana Martin, Manager  
Governance

Public

**Approving Officer:**  
Steve Zaluski - Acting Chief  
Operating Officer

## EXECUTIVE SUMMARY

The purpose of this report is to:

1. Inform Council of Council Member activities and functions that Council Members have attended on behalf of the Lord Mayor.
2. Provide a summary of Council Members' attendance at meetings.

Council Members can table reports on activities undertaken on relevant external Boards and Committees where they are representing Council and these reports will be included in the Minutes of the meeting.

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## RECOMMENDATION

### THAT COUNCIL

1. Notes the Council Member activities and functions attended on behalf of the Lord Mayor (Attachment A to Item 12.1 on the Agenda for the meeting of the Council held on 26 April 2023.
2. Notes the summary of Council Members meeting attendance (Attachment B to Item 12.1 on the Agenda for the meeting of the Council held on 26 April 2023
3. Notes that reports for Council Members tabled at the meeting of the Council held on 26 April 2023 be included in the Minutes of the meeting.

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## ATTACHMENTS

**Attachment A** – Council Member activities and functions attended on behalf of the Lord Mayor

**Attachment B** - Summary of Council Member meeting attendance

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- END OF REPORT -

FUNCTIONS ATTENDED ON BEHALF OF THE LORD MAYOR: 22 March 2023 - 19 April 2023			
COUNCIL MEMBER	DATE	EVENT TITLE	EVENT DETAILS
Councillor Phillip Martin (Deputy Lord Mayor)	23/03/23	Legacy South Australia and Broken Hill New Office Unveiling	Torrens Parade Ground
Councillor Henry Davis	23/03/23	Alliance Francaise French Film Festival Opening Night	Palace Nova East End
Councillor Phillip Martin (Deputy Lord Mayor)	24/03/23	Adelaide Motorsport Festival E-Motion Zone East Terrace Street Party	Festival Hub, East Tce
Councillor Mary Couros	26/03/23	Greek Independence Day Commemoration & Wreath Laying Ceremony	State War Memorial, North Tce
Councillor David Elliott	28/03/23	Adelaide Town Hall Organ Concert	Adelaide Town Hall
Councillor Jing Li	29/03/23	Navitas Launch - Australian College of Applied Professionals	Navitas Offices, Franklin St
Councillor Phillip Martin (Deputy Lord Mayor)	30/03/23	SA Tourism Awards Winners Reception	Government House
Councillor Carmel Noon	30/03/23	Dansie McCauley Medal	William Magarey Room, Adelaide Oval
Councillor Phillip Martin (Deputy Lord Mayor)	31/03/23	Formation of the Royal Australian Airforce Commemorative Service	Airforce Memorial, Torrens Parade Ground
Councillor Mary Couros	31/03/23	Property Council of Australia Cost of Construction Luncheon	Hilton Hotel, Victoria Square
Councillor Jing Li	31/03/23	Helpmann Academy Graduate Exhibition	ACE Gallery, Lion Arts Centre
Councillor Janet Giles	12/04/23	City of Adelaide & SALA Incubator Award - Artist Talk	Adelaide City Library
Councillor Phillip Martin (Deputy Lord Mayor)	13/04/23	History Festival Soft Launch & Sir Hubert Wilkins Oration	The Freemasons, North Tce
COUNCIL MEMBER MEETINGS ATTENDED: 22 March 2023 - 19 April 2023			
COUNCIL MEMBER	DATE	EVENT TITLE	EVENT DETAILS
Councillor Carmel Noon	23/03/23	Adelaide Central Market Authority Board Meeting	Attended as representative
Councillor Jing Li	31/03/23	Australia Day Council SA Board Workshop	Attended as representative
Councillor Mary Couros	03/04/23	Adelaide Festival Board Meeting	Attended as representative
Councillor Carmel Noon	14/04/23	Local Government Association Ordinary General Meeting	Attended as representative
Councillor Mary Couros	19/04/23	Capital City Committee	Attended as representative
Councillor Mark Siebentritt	19/04/23	Capital City Committee	Attended as representative

## Council Member Meeting Attendance

	City Finance and Governance Committee 21 March 2023	Reconciliation Committee 22 March 2023	Council 28 March 2023	Kadaltilla / Park Lands Authority 30 March 2023	City Community Services and Culture Committee 4 April 2023	City Planning, Development and Business Affairs Committee 4 April 2023	Council 11 April 2023	Audit and Risk Committee 12 April 2023	Total meetings held	Total meetings attended
Lord Mayor Dr Jane Lomax-Smith	✓	✓	✓	✓	✓	✓	✓	✓	8	8
Councillor Phillip Martin (Deputy Lord Mayor)	✓		✓		✓	✓	✓		5	5
Councillor Arman Abrahamzadeh	✓		✓		✓		✓		5	4
Councillor Mary Couros	✓		✓		✓	✓	✓		5	5
Councillor Henry Davis					✓	✓	✓		5	3
Councillor David Elliott			✓		✓	✓	✓		6	4
Councillor Janet Giles	✓	✓	✓		✓	✓	✓		6	6
Councillor Simon Hou	✓		✓		✓	✓	✓		5	5
Councillor Jing Li	✓		✓		✓	✓	✓	✓	6	6
Councillor Carmel Noon	✓		✓		✓	✓	✓		5	5
Councillor Mark Siebentritt	✓	✓	✓				✓		6	4
Councillor Keiran Snape			✓	✓	✓	✓	✓		6	5
Total number	11	10	11	2	11	10	12	2		

Key:

	Apology
	Leave
	Not a Member
	Proxy Member

## First Peoples Referendum

Wednesday, 26 April 2023

**Council**

**Council Member**

Deputy Lord Mayor, Councillor  
Martin

Public

**Contact Officer:**

Ilia Houridis, Director City  
Shaping

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## MOTION ON NOTICE

**Deputy Lord Mayor, Councillor Martin will move a motion and seek a seconder for the matter shown below to facilitate consideration by the Council:**

'That Council;

Consistent with successive Council terms at the City of Adelaide's in our strong support for reconciliation, agrees to recommend to all residents of the City a "yes" vote at the referendum to be held later this year to alter the Constitution to recognise the First Peoples of Australia by establishing an Aboriginal and Torres Strait Islander Voice and asks the Administration to;

1. Develop a page on Council's website setting out the resolution of Council supporting the "yes" vote, together with information about the referendum including, when available, locations at which votes can be cast in our local government area, and
2. Arrange for official Australian Government publications related to the referendum to be accessed with an online link or, in the case of printed material, through the Colonel Light Centre, Council libraries and Community Centres.'

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## ADMINISTRATION COMMENT

1. The [State Government](#) and Federal Government have committed to establishing a First Nations Voice to Parliament and are running parallel but separate processes to fulfill these commitments.
2. State Government's *First Nations Voice Bill 2023* was introduced to Parliament on Thursday 9 February 2023 and was introduced into the lower house on 7 March 2023. A Special Parliamentary Sitting and State Ceremony was held on Sunday 26 March 2023 to acknowledge the First Nations Voice Bill 2023.
3. The Federal Government introduced the *Referendum (Machinery Provisions) Amendment Bill 2022* to Parliament on 1 December 2022. The Bill will make amendments to ensure the referendum voting process and experience is similar to that of a Federal election. The Bill will be referred to the Joint Standing Committee on Electoral Matters, which will report in 2023.
4. City of Adelaide has not adopted a formal position on the First Nations Voice to Parliament and has to date treated the vote as a decision for an individual.
5. If this motion is passed, Administration will develop a City of Adelaide webpage supporting the "yes" vote and providing information about how to vote and links to external resources; and provide hard copy materials in Council venues.
6. Administration will maintain contact with the Australian Electoral Commission to access its resources to support the community.
7. This motion will also be noted at the May 2023 Reconciliation Committee of Council.

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	City of Adelaide will disseminate information about the Voice to Parliament.
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	Not applicable
Other	Not applicable
Staff time in receiving and preparing this administration comment	5.5 hours

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- END OF REPORT -

## Free WiFi Victoria Park

Wednesday, 26 April 2023  
Council

**Council Member**  
Councillor Snape

Public

**Contact Officer:**  
Stephen Zaluski, Acting Chief  
Operating 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 administration investigate how to bring the free Adelaide WiFi network to the western side of Victoria Park / Pakapakanthi.'

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## ADMINISTRATION COMMENT

1. The "ADLFree powered by TPG" Wi-Fi network is a joint funded initiative between the City of Adelaide and Australian Government, being delivered through an Adelaide City Deal.
2. As part of the rollout, a Wi-Fi access point has been installed at the East Terrace Glover Playground, with a further Wi-Fi access point to be installed on the corner of East Terrace and Wakefield Street. These access points will not provide Wi-Fi coverage to the entire western side of Victoria Park / Pakapakanthi (Park 16).
3. No access points are planned for installation within Victoria Park / Pakapakanthi (Park 16) as part of the current rollout. Should additional Wi-Fi access points be desired to service the area, additional funds will be required from the City of Adelaide.
4. A detailed investigation has not yet been undertaken; however a preliminary assessment indicates between 3-5 access points may be required to service the entire area. Depending on the location and infrastructure required, costs could range between \$50-\$100k per access point. These figures are indicative only and will be further refined if the Motion is supported.
5. A masterplan is currently being prepared for Victoria Park / Pakapakanthi (Park 16), which supports improved digital capability within the Park. An update on the masterplan is scheduled to be presented to Kadaltilla on 27 April 2023.
6. Should the Motion be carried, we will undertake a more detailed investigation into the matter and associated costs, and provide advice on the options available.

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	Budget required will be included in the advice to be provided
Capital investment	Budget required will be included in the advice to be provided
Staff time in preparing the workshop / report requested in the motion	15 hrs
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.

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- END OF REPORT -

# Invites to State & Local Government Officials

Wednesday, 26 April 2023  
Council

**Council Member**  
Councillor Noon

Public

**Contact Officer:**  
Stephen Zaluski, Acting Chief  
Operating Officer

## MOTION ON NOTICE

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

‘That:

1. The Lord Mayor invites the Minister of Local Government, LGA SA President and/or CEO to give an update of key sector issues, challenges and highlights for Council at least twice a year, at times that align with their presentations to State Cabinet during the year.
2. The Lord Mayor formally invites the Premier of South Australia to meet with the Council at least annually at a suitable time that will assist in discussions/decisions on issues that impact both jurisdictions.
3. The Lord Mayor formally invites the Member of Adelaide Lucy Hood MP to meet with Council at least quarterly at either Council or appropriate Committees.’

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## ADMINISTRATION COMMENT

1. There are currently several forums which bring together State Government Ministers and representatives, and the City of Adelaide. The Capital City Committee is one such forum, established through the *City of Adelaide Act 1998*, as an intergovernmental body to enhance and promote the development of the City of Adelaide as the capital city of the State. In addition, the Premier, Minister for Local Government, and Member for Adelaide are invited to City of Adelaide events throughout the year.
2. The Local Government Association (LGA) also provide regular sector wide updates. Events throughout the year are shared with Council Members by the Council Liaison Officer.
3. The current City of Adelaide Standing Orders do not allow for presentations at Council, except through a deputation request. On previous occasions that external parties have been invited to present to Council, the mechanism has been through a CEO Briefing.
4. Should this motion be supported, the letters will be sent as outlined, noting it is considered more appropriate that any guests invited to speak or present to Council would be facilitated through a CEO Briefing, and that all such invitations should include a clear purpose.

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
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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	2 hours
Other	Not applicables
Staff time in receiving and preparing this administration comment	To prepare this administration comment in response to the motion on notice took approximately 4.5 hours.

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- END OF REPORT -

## Gather Round

Wednesday, 26 April 2023

Council

**Council Member**

Councillor Noon

Public

**Contact Officer:**

Ilia Houridis, Director City Shaping

## MOTION ON NOTICE

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

'That the Lord Mayor on behalf of the Council send a letter of congratulations to Peter Malinauskas, Premier of South Australia on the success of the Gather Round event for South Australia and in particular the City of Adelaide.'

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## ADMINISTRATION COMMENT

1. Should this motion be supported, a letter of congratulations will be sent to the Premier.
2. Administration worked with Events SA and the State Government in the preparation for activities that supported the hosting of Gather Round.
3. The Event was a sell out, with 220,000 tickets sold and the Live Sites at Elder Park and Pinky Flat were well attended venues throughout the Gather Round.
4. Adelaide Economic Development Agency (AEDA) analysis showed in the lead up to the inaugural Gather Round an expected injection of \$85.8 million into the city economy.
  - 4.1 This assessment was based on early economic impact figures of sales and visitor information as of Thursday 13 April 2023.
  - 4.2 Furthermore hotel occupancy data indicated that CBD hotels had reached hotel occupancy of reaching at least 92 per cent on Saturday.
  - 4.3 More than 50,000 tourists, and thousands more locals, visited the state for the event where nine sold out AFL matches were played across Adelaide Oval, Norwood Oval, and the Summit Sport and Recreation Park in Mount Barker.
5. The AFL and the Government of South Australia have an agreement to hold the event in South Australia until 2026.
6. Administration plan to meet with State Government and the AFL and its agencies to debrief on recent Gather Round activities and seek early advice on the plans for future years within the City, including use of the Park Lands and other locations.

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
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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	Not applicable
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 4 hours.

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- END OF REPORT -

## AEDA and ACMA Charter Review

Wednesday, 26 April 2023  
**Council**

**Council Member**  
 Councillor Noon

Public

**Contact Officer:**  
 Stephen Zaluski, Acting Chief  
 Operating Officer

### MOTION ON NOTICE

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

‘That the Charters for both the Adelaide Economic Development Agency (AEDA) and Adelaide Central Market Authority (ACMA) be reviewed for consistency where applicable.’

### ADMINISTRATION COMMENT

1. The current Adelaide Central Market Authority (ACMA) Charter was gazetted on 4 August 2022 ([LINK 1](#)).
2. The current Adelaide Economic Agency (AEDA) Charter was gazetted on 24 February 2022 ([LINK 2](#)).
3. BRM Advisory undertook a comprehensive review of these both subsidiaries of these Charters in 2021. The Charters were updated as a result with the aim of achieving consistency and improvements.
4. The AEDA reviews currently underway may propose Charter amendments. Therefore should this Motion be supported, work will commence once the outcomes of the AEDA reviews have been presented to Council.
5. Related, the ACMA Board has requested Council make a change the ACMA Charter in relation to references to the Traders Representation Committee and a report is scheduled to be presented at the June 2023 City Finance and Governance Committee.

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	Not applicable
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 4.5 hours.

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- END OF REPORT -

## Exclusion of the Public

Tuesday, 26 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** Confirmation of Minute 32 – Council Meeting – 11 April 2023 [section 90(3) (b) & (d) 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.

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## ORDER TO EXCLUDE FOR ITEM 18.1

### THAT COUNCIL:

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 Council dated 26 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 [Confirmation of Minute 32 – Council Meeting – 11 April 2023] 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.



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.

2. Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this meeting of the Council dated 26 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 [Confirmation of Minute 32 – Council Meeting – 11 April 2023] 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.
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## 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 – Confirmation of Minute 32 – Council Meeting – 11 April 2023
    - 6.1.1 Is subject to an Existing Confidentiality Order dated 11/4/2023.
    - 6.1.2 The grounds utilised to request consideration in confidence is section 90(3) (b) & (d) 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.

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## ATTACHMENTS

Nil

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- END OF REPORT -