



# **CITY PLANNING, DEVELOPMENT AND BUSINESS AFFAIRS COMMITTEE**

## **MINUTES**

for the meeting

Tuesday, 7 February 2023

in the Colonel Light Room, Adelaide Town Hall

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Present – The Right Honourable the Lord Mayor, Dr Jane Lomax-Smith  
Councillor Carmel Noon (Chair)  
Councillors Abrahamzadeh, Couros, Davis, Elliott, Giles, Hou, Li, Dr Siebentritt and Snape

**1 Acknowledgement of Country**

The Chair stated:

‘Council acknowledges that we are meeting on traditional Country of the Kurna people of the Adelaide Plains and pays respect to Elders past and present. We 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 Apologies and Leave of Absence**

On Leave:

Deputy Lord Mayor, Councillor Martin

**3 Confirmation of Minutes - Nil**

**4 Reports for Noting**

**5 Item 4.1 - City Planning, Development and Business Affairs Committee Workplan**

Discussion ensued

It was then –

Moved by Councillor Couros,  
Seconded by Councillor Davis -

THAT THE CITY PLANNING, DEVELOPMENT AND BUSINESS AFFAIRS COMMITTEE:

1. Notes the City Planning, Development and Business Affairs Committee Workplan contained in Attachment A to Item 4.1 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 7 February 2023.

Carried unanimously

**6 Reports for Recommendation to Council**

**7 Item 5.1 - City Planning, Development and Business Affairs Committee Terms of Reference**

Moved by Councillor Davis,  
Seconded by Councillor Abrahamzadeh -

THAT THE CITY PLANNING, DEVELOPMENT AND BUSINESS AFFAIRS COMMITTEE RECOMMENDS TO COUNCIL

That Council

1. Adopts the updated City Planning, Development and Business Affairs Committee Terms of Reference 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 7 February 2023.

Carried unanimously

**8 Item 6 - Exclusion of the Public**

Moved by Councillor Couros  
Seconded by Councillor Abrahamzadeh -

THAT THE CITY PLANNING, DEVELOPMENT AND BUSINESS AFFAIRS COMMITTEE

1. Having taken into account the relevant consideration contained in section 90(3) (h) and section 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the City Planning, Development and Business Affairs Committee dated 7 February 2023 resolves that it is necessary and appropriate to act

in a meeting closed to the public for the consideration of Item 7.1 [Unnamed public road off Tom's Court] listed on the Agenda.

Grounds and Basis

This Item is confidential because it includes legal advice given to Council to support Council in assessing the acquisition proposal and associated legal risks.

The disclosure of information in this report would reasonably be expected to prejudice the Council's position if there were future legal challenges by a party aggrieved by the Council's decision.

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 Council's legal advice is privileged and disclosure of this information would be prejudicial to the Council's position.

2. Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this meeting of the City Planning, Development and Business Affairs Committee dated 7 February 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 7.1 [Unnamed public road off Tom's Court] 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) (h) of the Act.

Carried unanimously

Members of the public and Corporation staff present not directly involved with Item 7.1 left the Council Chamber at 6.13 pm.

- 9 Confidential Reports for Recommendation to Council**
- 10 Item 7.1 - Unnamed public road off Tom's Court**

The meeting re-opened to the public at 6.30 pm.

#### Confidentiality Order

**Item 7.1** – Unnamed public road off Tom's Court

#### Confidentiality Order

In accordance with Section 91(7) and (9) of the Local Government Act 1999 (SA) and because Item 7.1 [Unnamed public road off Tom's Court] listed on the Agenda for the meeting of City Planning, Development and Business Affairs Committee held on 7 February 2023, was received, discussed and considered in confidence pursuant to Section 90(3)(h) of the Local Government Act 1999 (SA), this meeting of the City Planning, Development and Business Affairs Committee do order that:

1. The report the discussion and any other associated information submitted to this meeting and the Minutes of this meeting in relation to the matter remain confidential and not available for public inspection until 31 December 2030.
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 meeting closed at 6.30 pm

Councillor Carmel Noon  
**City Planning, Development and Business Affairs Committee Chair**

Documents Attached:

Nil