



CITY PLANNING, DEVELOPMENT AND BUSINESS AFFAIRS COMMITTEE MINUTES

for the meeting

Tuesday, 1 August 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 Noon (Chair)
Deputy Lord Mayor, Councillor Martin (Deputy Chair)
Councillors Davis, Elliott, Giles, Hou, Li and Dr Siebentritt

1 Acknowledgement of Country

The Chair stated:

‘Council acknowledges that we are meeting on traditional Country of the Kaurna people of the Adelaide Plains and pays respect to Elders past and present. We recognize and respect their cultural heritage, beliefs and relationship with the land. We acknowledge that they are of continuing importance to the Kaurna people living today.

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

2 Apologies and Leave of Absence

Apologies:

Councillors Abrahamzadeh and Snape

On Leave:

Councillor Couros

3 Item 3 - Confirmation of Minutes - 4 July 2023

Moved by Councillor Davis,
Seconded by Councillor Siebentritt -

That the Minutes of the meeting of the City Planning, Development and Business Affairs Committee held on 4 July 2023, be taken as read and be confirmed as an accurate record of proceedings.

Carried

4 Reports for Recommendation to Council

5 Item 4.1 - City Plan Progress and Targeted Stakeholder Engagement

Iliia Houridis, Director City Shaping, City of Adelaide provided a precis of the item.

Discussion ensued

It was then –

Moved by Councillor Elliott,
Seconded by Councillor Siebentritt –

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

THAT COUNCIL

1. Approves engagement on City Plan from 31 August to 15 September 2023 with the targeted stakeholders identified in Attachment A to Item 4.1 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 1 August 2023.

Carried

6 Item 4.2 - Planning and Design Code Amendments

Iliia Houridis, Director City Shaping, City of Adelaide provided a precis of the item.

Discussion ensued

It was then –

Moved by Councillor Elliott,
Seconded by Councillor Davis –

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

THAT COUNCIL:

1. Endorses the Proposal to Initiate an Amendment to the Planning and Design Code Historic Area Statements Update Code Amendment by the City of Adelaide in Attachment A to Item 4.2 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 1 August 2023.
2. Endorses the Proposal to Initiate an Amendment to the Planning and Design Code Adult Entertainment Premises Code Amendment by the City of Adelaide in Attachment B to Item 4.2 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 1 August 2023.
3. Notes the Program of Amendments to the Planning and Design Code in Attachment C to Item 4.2 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 1 August 2023.
4. Authorises the CEO to make amendments to finalise, issue and seek agreement with the Minister for Planning in relation to the initiation of Code Amendments in Attachments A and B to Item 4.2 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 1 August 2023.

Carried

7 Exclusion of the Public

In accordance with sections 90(2),(3) and (7) of the *Local Government Act 1999 (SA)* Council considered whether to discuss in confidence the reports contained within section 6 & 7 of the Agenda.

8 Item 5 - Exclusion for Item 6.1

Moved by Councillor Siebentritt,
Seconded by Councillor Davis –

THAT THE CITY PLANNING, DEVELOPMENT AND BUSINESS AFFAIRS COMMITTEE:

1. Having taken into account the relevant consideration contained in section 90(3) (b) & (d) and section 90(2) & (7) of the Local Government Act 1999 (SA), this meeting of the City Planning, Development and Business Affairs Committee dated 1 August 2023 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 6.1 [2018 North Adelaide Golf Course Draft Master Plan] 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 commercial information of a confidential nature where confidence consideration is sought to protect the commercial position of the Council and the operating position of Council's business entities operating in a competitive marketplace. Disclosure of this information to competitors may be to Council's commercial detriment.

Public Interest

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 disclosure of this information to competitors in advance may be to Council's commercial detriment.

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 1 August 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 6.1 [2018 North Adelaide Golf Course Draft Master Plan] 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.

Carried

9 Item 5 - Exclusion for Item 7.1

Moved by Councillor Siebentritt,
Seconded by Councillor Davis –

THAT THE CITY PLANNING, DEVELOPMENT AND BUSINESS AFFAIRS COMMITTEE:

1. Having taken into account the relevant consideration contained in section 90(3) (b) & (d) and section 90(2) & (7) of the Local Government Act 1999 (SA), this meeting of the City Planning, Development and Business Affairs Committee dated 1 August 2023 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 7.1 [Former Bus Station Site Redevelopment] 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 the report, including certain financial and contractual information, 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 City Planning, Development and Business Affairs Committee dated 1 August 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 [Former Bus Station Site Redevelopment] 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.

Carried

Members of the public and Corporation staff present not directly involved with Items 6.1 and 7.1 left the Colonel Light Room at 7.10 pm.

- 10 Confidential Workshops**
- 11 Item 6.1 - 2018 North Adelaide Golf Course Draft Master Plan**
- 12 Confidential Reports for Recommendation to Council**
- 13 Item 7.1 - Former Bus Station Site Redevelopment**

The meeting re-opened to the public at 7.52 pm.

Confidentiality Orders

Minute 11 - Item 6.1 – 2018 North Adelaide Golf Course Draft Master Plan

Authorises that, in accordance with Section 91 (7) & (9) of the *Local Government Act 1999 (SA)* and on the grounds that Item 6.1 [2018 North Adelaide Golf Course Draft Master Plan] listed on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 1 August 2023 was received, discussed and considered in confidence pursuant to Section 90 (3) (b) & (d) of the *Local Government Act 1999 (SA)*, the meeting of the City Planning, Development and Business Affairs Committee do order that:

1. The resolution, 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 review in December 2024.
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.

Minute 13 - Item 7.1 – 2018 North Adelaide Golf Course Draft Master Plan

Authorises that, in accordance with Section 91 (7) & (9) of the *Local Government Act 1999 (SA)* and on the grounds that Item 7.1 [Former Bus Station Site Redevelopment] listed on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 1 August 2023 was received, discussed and considered in confidence pursuant to Section 90 (3) (b) & (d) of the *Local Government Act 1999 (SA)*, the meeting of the City Planning, Development and Business Affairs Committee do order that:

1. The resolution, 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 review in December 2024.
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 7.52 pm

Councillor Noon
City Planning, Development and Business Affairs Committee Chair

Documents Attached:

Nil