

Appointment of Board Member to Adelaide Central Market Authority and Charter Amendment

**Tuesday, 14 June 2022
Council**

Strategic Alignment - Strong Economies

Public

Program Contact:

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Authority

Approving Officer:

Tom McCready - Director City
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EXECUTIVE SUMMARY

The Adelaide Central Market Authority (ACMA) Board has written to the Chief Executive Officer requesting an extension of 24 months to the term of office of one current Board member, Ms Nicole Haack, whose term will expire on 31 July 2022.

Whilst noting the request for an extension of 24 months, The Evaluation Panel have indicated that the role of the current Board member should be extended for a further 12 months until 30 June 2023.

A formal Expression of Interest (EOI) process as required under the Charter, would be undertaken in 2023 noting this does not preclude the current Board member from seeking nomination.

Clause 4.14.1 of the ACMA Charter states an Annual General Meeting (AGM) of the Board shall be held prior to October each year. To ensure availability of the audited financial statements and consistency with the Adelaide Economic Development Agency (AEDA) Charter, it is proposed to amend that the AGM is held prior to November each year.

If approved by Council a copy of the amended Charter will be provided to the Minister for Local Government and a notice of the amendment will be published in the Government Gazette. A copy of the amended Charter will be made available on the Adelaide Central Market website.

RECOMMENDATION

THAT COUNCIL

1. Approves the extension of the current term of office of Ms Nicole Haack to the Adelaide Central Market Authority (ACMA) as a Board Member until 30 June 2023.
2. Notes that an Expression of Interest (EOI) process will be undertaken in early 2023 following which recommendations for appointment will be presented to Council.
3. Council approves the minor amendment to the ACMA Charter to align the timing of the Annual General Meeting (AGM) to be held prior to November instead of October each year and further confirms their intent that the Charter relate to the entire financial year from 1 July 2021 despite being Gazetted on 8 July 2021.

IMPLICATIONS AND FINANCIALS

City of Adelaide 2020-2024 Strategic Plan	Strategic Alignment – Strong Economies The report contributes to Council’s 2020 – 2024 Strategic Plan by supporting the activities of the Adelaide Central Market Authority (ACMA).
Policy	The Adelaide Central Market Authority Charter (2021) outlines the role and term of the ACMA Board.
Consultation	The Board Member Selection Panel reviewed the request from the ACMA Board and has made its recommendation to Council for consideration to extend the current Board Member until 30 June 2023.
Resource	Not as a result of this report
Risk / Legal / Legislative	In accordance with Clause 4.4.1 of the ACMA Charter, the ACMA Board shall consist of up to seven Board Members including the Chairperson appointed by the Council. In accordance with Clause 4.14.1, An Annual General Meeting of the Board shall be held prior to October in each year at a place and time determined by a resolution of the Board.
Opportunities	Not as a result of this report
21/22 Budget Allocation	Not as a result of this report
Proposed 22/23 Budget Allocation	Not as a result of this report
Life of Project, Service, Initiative or (Expectancy of) Asset	Extension of current Board Member term until 30 June 2023.
21/22 Budget Reconsideration (if applicable)	Not as a result of this report
Ongoing Costs (eg maintenance cost)	Board sitting fees and reimbursement of expenses for the appointed term.
Other Funding Sources	Not as a result of this report

DISCUSSION

Board Member

1. The Adelaide Central Market Authority (ACMA) Board is recommending to Council the reappointment of Ms Nicole Haack as a Board Member.
2. The ACMA Charter provides at clause 4.4.4 that a Board Member is eligible for re-appointment at the expiration of their term of office.
3. The Board has articulated the skills and experience it is seeking, in supporting Ms Haack's reappointment.
4. The reasons provided by the Board are that Ms Haack is a highly experienced executive leader in strategic communications, stakeholder engagement and issues management and has relevant expertise that continues to be highly valuable and needed across the Market's marketing and communications function.
5. Ms Haack is also a member of the Traders Representative Committee and continues to make a critical contribution during a time of unprecedented change in the Market Precinct with the upcoming Market Expansion and Market Square development. Accordingly, Ms Haack's strategic expertise and stakeholder lens is also seen as a valuable resource for the impending update of the ACMA Strategic Plan 2023-24.
6. The ACMA Charter sets out that Board Members are to be appointed by the Council following an expressions of interest process. The 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, will consider the appropriate range of skills and experience required for the Board.
7. At its meeting on 14 September 2021 Council resolved that Deputy Lord Mayor Councillor Abrahamzadeh and Councillor Couros be appointed to be a part of the ACMA Board Member selection panel for the remainder of the 2018-2022 Council term.
8. Pursuant to Clause 4.4.1.2 of the ACMA Charter, the Board Member Selection Panel (the Panel) comprising Deputy Lord Mayor Councillor Abrahamzadeh, Councillor Couros, Mr Tom McCready, Director City Services (on behalf of Council's CEO), Ms Christine Locher, ACMA Board Member and Ms Amanda McIlroy, Chief Operating Officer have reviewed the request from the ACMA Board (Link 1 view [here](#)).
9. The Panel has deemed the request appropriate noting the impact of the forthcoming Market expansion and the local government elections.
10. The Panel whilst noting the request for an extension of 24 months have indicated that the role of the current Board member should be extended until 30 June 2023, and that a formal EOI process as required under the Charter be undertaken in early 2023 and the outcomes presented to Council for decision.

Charter Amendment

11. The amended ACMA Charter was adopted by Council on 8 June 2021 and Gazetted on 8 July 2021.
12. Clause 4.14.1 states:
 - 12.1. An Annual General Meeting of the Board shall be held prior to October in each year at a place and time determined by a resolution of the Board.
13. The amendment proposes to change the month of October to November. In practice this will mean that instead of having to hold the AGM by 30 September, ACMA will be able to hold it any time before 31 October.
14. This is a minor amendment which is recommended in order to:
 - 14.1. Enable appropriate timing to have the annual financial statements reviewed by the external auditor and signed off by the Audit and Risk Committee prior to be presented to the AGM as is required by section 4.14.5 of the same ACMA Charter.
 - 14.2. Align the subsidiary charters for consistency – The Adelaide Economic Development Agency (AEDA) Charter has the exact same wording but uses the month of November while the Kadaltilla / Park Lands Authority Charter stipulates Kadaltilla will hold an Annual Community Forum by the end of October.
15. Retaining the current wording in the Charter presents complexities in management of the due process required for accurate preparation and presentation of the audited financial statements.
16. Subject to Council's approval of the amendment to the Charter in accordance with Schedule 2, Part 1 clause 5 of the *Local Government Act 1999 (SA)* a copy of the amended Charter will be provided to the Minister for Local Government and a notice of the amendment will be published in the Government Gazette. A copy of the amended Charter will be made available on the Adelaide Central Market website.

DATA AND SUPPORTING INFORMATION

Link 1 – Adelaide Central Market Authority Extension Appointment Request

ATTACHMENTS

Nil

- END OF REPORT -