

Confidential Recommendation of The Committee - 7/5/2019

**ITEM 14.1.1 14/05/2019
Council**

Program Contact:
Jacki Done, AD People &
Governance 8203 7256

2018/04062

Confidential - s 90(3) (a) unreasonable disclosure of personal affairs

Confidential - s 90(3) (b) commercial advantage/prejudice commercial position
of council

Approving Officer:
Vanessa Godden, Director
Community

EXECUTIVE SUMMARY:

The Committee considered the following Item at its meeting held on 7 May 2019 and resolved to present to Council a Recommendation for Council determination in confidence:

- Item 8.1 – City of Music Laneway Naming

Grounds and Basis for consideration of Capital City Committee Update in Confidence by The Committee

Section 90(3) (a) & (b) of the *Local Government Act 1999* (SA)

Grounds and Basis

The grounds for consideration in confidence are primarily associated with the personal implications for the artist/s. There is a risk to reputation and personal brand for an artist to be placed competitively among a list of peers, and their name not be selected by Council for a City of Music laneway. Consideration in confidence seeks to protect the reputation and to minimise personal disappointment of the artist/s named in the report.

The grounds for consideration in confidence are secondly that any Council decision to name a City laneway may reasonably be expected to confer a commercial advantage of one artist/s over another, particularly as provided in a competitive arrangement through the decision-making process required by this report. There will be media and public interest in the selected artist/s. Commercial exposure and performance opportunities may reasonably be seen to be advantaged by the decision of Council to name a City laneway after the artist/s.

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 would involve the unreasonable disclosure of information concerning the personal affairs of the artist/s named in the report which could prejudice the commercial position and identity of the artist/s named through the receipt of a level of commercial advantage from the decision or disadvantage the personal and professional brand and reputation of artist/s named but not selected in the decision-making process by Council.

The Lord Mayor will seek a motion for the recommendation presented by The Committee below for determination by Council.

RECOMMENDATION:

Recommendation 1 - City of Music Laneway Naming

That Council:

1. Approves Proposed Laneway F (an un-named laneway (private road) off Gawler Place, at the North Terrace end), to be named:
 - 1.1. 'The Angels', subject to artist permission.
 2. In accordance with Section 91(7) & (9) of the *Local Government Act 1999 (SA)* and because Item 14.1.1 [Recommendation of The Committee in Confidence – 7/5/2019] listed on the Agenda for the meeting of Council held on 14 May 2019 was received, discussed and considered in confidence pursuant to Section 90(3) (a) & (b) of the *Local Government Act 1999 (SA)*, this meeting of Council do order that:
 - 2.1 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 2026;
 - 2.2 the confidentiality of the matter be reviewed in December 2020;
 - 2.3 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.
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DISCUSSION



ATTACHMENTS

Nil

- END OF REPORT -

11. Item 14.1.1 – Recommendation of The Committee in Confidence – 7/5/2019 [2018/04062] [C]

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