

Appointment of Board Members to Adelaide Central Market Authority

ITEM 12.2.2 09/11/2021
Council

Strategic Alignment - Strong Economies

Program Contact:

Tom McCready, Acting Director
City Shaping 8203 7313

2015/02959

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

Approving Officer:

Tom McCready, Acting Director
City Shaping

EXECUTIVE SUMMARY

In accordance with Clause 4.4.1 of the Adelaide Central Market Authority (ACMA) Charter, the ACMA Board shall consist of up to seven Board Members including the Chairperson appointed by Council.

In accordance with Clause 4.4.1 of the ACMA Charter, the Board Member Selection Panel was convened and undertook an open Expression of Interest and interview process. As a result of this process, the Board Member Selection Panel recommends that George Roussos and John Pearce be appointed as an ACMA Board Member for a three-year term. Both appointments are to commence on 16 November 2021.

Consideration in confidence is sought because disclosure of information in this report prior to a resolution being determined by Council may be of potential harm to the nominee's reputation in the business community.

RECOMMENDATION

THAT COUNCIL

1. Notes that in accordance with the ACMA Charter, the Board Member Selection Panel (the Panel) undertook an open Expression of Interest and received 53 applications.
2. Notes that the Panel individually reviewed the applications and short listed six candidates based on the skills sought to complement the existing Board Members.
3. Notes that at the conclusion of the interview process the Panel unanimously agreed to recommend two of the candidates to be appointed.
4. Approves the appointment of John Pearce to the Adelaide Central Market Authority Board for a three-year term commencing 16 November 2021 and expiring on 15 November 2024.
5. Approves the appointment of George Roussos to the Adelaide Central Market Authority Board for a three-year term commencing 16 November 2021 and expiring on 15 November 2024.
6. In accordance with Section 97(7) & (9) of the *Local Government Act 1999 (SA)* and because Item 12.2.2 [Appointment of Board Members to Adelaide Central Market Authority] listed on the Agenda for the meeting of Council held on 9 November 2021 was received, discussed and considered in confidence pursuant to Section 90(3) of the *Local Government Act 1999 (SA)*, this meeting of Council do order that:
 - 6.1. The resolution become public information on 15 November 2021.
 - 6.2. 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 2028.
 - 6.3. The confidentiality of the matter be reviewed in December 2022.
6. 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.

IMPLICATIONS AND FINANCIALS

City of Adelaide 2020-2024 Strategic Plan	Strategic Alignment – Strong Economies This report contributes to Council's 2020-2024 Strategic Plan by supporting the activities of the Adelaide Central Market Authority.
Policy	The Adelaide Central Market Authority Charter (2021) outlines the role and term of members of the ACMA Board.
Consultation	The Board Member Selection Panel undertook an open Expression of Interest for these roles from 30 August to 12 September 2021 and undertook interviews during October.
Resource	Not as a result of this report
Risk / Legal / Legislative	In accordance with Clause 4.4.1 of the Adelaide Central Market Authority (ACMA) Charter, the ACMA Board shall consist of up to seven Board Members including the Chairperson appointed by Council
Opportunities	Not as a result of this report
21/22 Budget Allocation	No additional budget impact. Fulfillment of existing operating budget of \$30,900 for two Board members.
Proposed 22/23 Budget Allocation	The proposed operating budget allocation for two Board Members will be \$30,900.
Life of Project, Service, Initiative or (Expectancy of) Asset	This report seeks three-year appointments for John Pearce and George Roussos as Board Members of the ACMA Board in accordance with the ACMA Charter. The Charter allows maximum three-year terms.
21/22 Budget Re-evaluation (applicable)	Not as a result of this report
Ongoing Costs (e.g. maintenance costs)	Board sitting fees and reimbursement of expenses for the appointed term.
Other Funding Sources	Not as a result of this report

GROUND AND BASIS FOR CONSIDERATION IN CONFIDENCE

Grounds

Section 90(3) (a) of the *Local Government Act (SA) 1999* [unreasonable disclosure of personal affairs]

- (a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

Basis

This Item contains information that must be considered in confidence in order to protect the personal life of the nominees.

Public discussion and disclosure of information in this report prior to a resolution being determined by Council may potentially implicate the nominee's reputation in the business community.

DISCUSSION

1. The ACMA Charter (Link 1 view [here](#)) was amended and published in the Government Gazette on 8 July 2021.
2. Amendments to the ACMA Charter included changes to the composition of the ACMA Board with the TAG Chair no longer being an automatic appointment to the ACMA Board.
 - 2.1. The term of office for previous ACMA Board Member Andrew Jonats expired on 12 March 2021 and was not immediately filled due to the review of the ACMA Charter.
 - 2.2. The term of office for previous ACMA Board Member and Traders Advisory Group (TAG) Chair Ivan Oulianoff ended on 8 July 2021.
3. Pursuant to Clause 4.4.1.2 of the ACMA Charter, the Board Member Selection Panel (the Panel) shall comprise Council's CEO, the Council's senior manager in charge of human resources, the Chairperson and two Council Members. Mr Tom Cready, acting Director City Shaping was delegated by the Council's CEO to act on her behalf on this Selection Panel. Ms Christine Locher, ACMA Board Member, was delegated by ACMA's Chair to act on her behalf on this Selection Panel. Ms Amanda McIlroy, Chief Operating Officer has undertaken the role of Council's senior manager in charge of human resources.
4. Council at its meeting on 14 September 2021 resolved that Deputy Lord Mayor Couros and Councillor Abrahimzadeh be appointed to be a part of the Adelaide Central Market Authority Board Member Selection Panel for the remainder of the 2018-2022 Council term.
5. In accordance with Clause 4.1 of the ACMA Charter, the Panel undertook an expression of interest process which opened on 30 August and closed on 12 September 2021. A total of 53 applications were received.
6. The Panel individually reviewed the 53 candidates and reached a consensus, through discussion, to shortlist and interview six candidates based on the skills sought to complement the existing Board Members.
7. The Panel undertook interviews of six shortlisted applicants and at the conclusion of the interview process the Panel unanimously agreed that John Pearce and George Roussos were the preferred candidates and would be nominated to Council for appointment to the ACMA Board.
8. The Panel in its deliberations noted the key skills that each candidate would bring to the Board as follows:
 - 8.1. John Pearce is a specialist in the property and commercial space with extensive achievements in strategy, B2B negotiation, leasing and management including in complex development environments. A copy of his key skills and experience is shown at Link 2 view [\[redacted\]](#)
 - 8.2. George Roussos has extensive experience in the acquisition, planning and delivery of complex commercial / mixed-use assets and precinct urban regeneration. A copy of his key skills and experience is shown at Link 3 view [\[redacted\]](#)

9. The ACMA Board met on the 21 October 2021 and were informed of the recruitment process. The Board thanked and acknowledged the work undertaken to present two candidates for consideration.
10. The ACMA Board unanimously endorsed the recommendation from the selection panel and asked the selection panel to present their recommendation being John Pearce and George Roussos to Council for consideration.
11. Should Council approve the selection panel recommendation, the two candidates John Pearce and George Roussos will be appointed for three years to ensure a staggering of expiry of Board Member terms.
12. Consideration of this report in confidence is to protect the personal affairs of the individual whilst Council considers the appointment of these Board positions and subsequent contact is made with all applicants particularly those who were interviewed. Once these discussions have been completed it is proposed that the CEO uses her delegation to release Council's resolution in relation to the matter from confidence and announcement of the appointments be provided to all key stakeholders.

DATA AND SUPPORTING INFORMATION

Link 1 – Adelaide Central Market Authority Charter

[REDACTED]
[REDACTED]

ATTACHMENTS

Nil

- END OF REPORT -

17. Item 12.2.2 – Appointment of Board Members to Adelaide Central Market Authority [2015/02959] [C]

Councillor Knoll declared a perceived conflict of interest in Item 12.2.2 [Appointment of Board Members Adelaide Central Market Authority], pursuant to Sections 75 & 75A of the *Local Government Act 1999* (SA), as he is a Central Market stall owner, and advised the meeting of the Council of his intention to remain in the Council Chamber.

It was then -

Moved by Councillor Mackie,
Seconded by Deputy Lord Mayor (Councillor Couros) –

THAT COUNCIL

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Discussion ensued, during which Councillor Abrahamzadeh re-entered the Council Chamber at 7.34.

The motion was then put and carried
Councillor Knoll voted in favour of the motion