

Capital City Committee Update

Strategic Alignment - Enabling Priorities

Tuesday, 19 September 2023
City Finance and Governance
Committee

Program Contact:
 Chief Executive Officer

Confidential - s 90(3) (j) information provided in confidence with a request for consideration in confidence

Confidential - s 90(3) (g) breach of law, duty of confidence, obligation or duty

Approving Officer:
 Clare Mockler, Chief Executive Officer

EXECUTIVE SUMMARY

The Capital City Committee (CCC) is an intergovernmental body established under the *City of Adelaide Act 1998* whose primary function is to enhance and promote the development of the City of Adelaide as the capital city of South Australia.

This report provides an update on the CCC meeting held on 14 August 2023.

Consideration in confidence is sought because this report includes details of agendas and deliberations that occur in confidence in order to enable strategic discussions between the State Government and Council, the disclosure of which could prejudice the position of State Government and/or Council.

RECOMMENDATION

The following recommendation will be presented to Council on 19 September 2023 for consideration.

THAT THE CITY FINANCE AND GOVERNANCE COMMITTEE RECOMMENDS TO COUNCIL

THAT COUNCIL

1. Notes the report on the Capital City Committee meeting held on 14 August 2023.
2. In accordance with Section 91(7) & (9) of the *Local Government Act 1999* (SA) and because Item 6.1 [Capital City Committee Update] listed on the Agenda for the meeting of the City Finance and Governance Committee held on 19 September 2023 was received, discussed and considered in confidence pursuant to Section 90(3) (j) and (g) of the *Local Government Act 1999* (SA), this meeting of the City Finance and Governance Committee orders that:
 - 2.1. The resolution becomes public information in the Minutes of the Council meeting.
 - 2.2. 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 January 2030.
 - 2.3. The confidentiality of the matter be reviewed in December 2024.
 - 2.4. 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part of the order herein and directed to present a report containing the Item for which the confidentiality order has been revoked.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	<p>Strategic Alignment – Enabling Priorities</p> <p>The Capital City Committee (CCC) is an intergovernmental body established under the <i>City of Adelaide Act 1998</i>. Participation in the CCC supports the City of Adelaide 2020-2024 Strategic Plan Enabling Priority: Build on effective advocacy and partnerships, locally, nationally and globally.</p>
Policy	CCC activities contribute to and inform the development of Council policies.
Consultation	This report informs Council about the agenda items and outcomes of the most recent CCC meeting.
Resource	Not as a result of this report
Risk / Legal / Legislative	The CCC is established under the <i>City of Adelaide Act 1998 (SA)</i> (the Act).
Opportunities	The CCC is a significant intergovernmental relations forum whose primary function is to enhance and promote the development of the City of Adelaide as the capital city of South Australia. It provides an opportunity for representatives of Council and the State Government to come together at least four times in each year to discuss matters of strategic importance and priorities for joint action.
23/24 Budget Allocation	Under the Act, administrative and staffing costs of the CCC must be shared equally between the State and the City of Adelaide. \$349,000 in general operations plus in-kind support.
Proposed 24/25 Budget Allocation	Around \$349,000 in general operations plus in-kind staff support.
Life of Project, Service, Initiative or (Expectancy of) Asset	Ongoing
23/24 Budget Reconsideration (if applicable)	Not as a result of this report
Ongoing Costs (eg maintenance cost)	In-kind staffing resources from Council
Other Funding Sources	City of Adelaide (CoA) was successful in its application for funding through the CCC Development Program to support Council initiatives aligned with the agreed CCC priority areas: 2023-24: \$300,000 2024-25: \$250,000 to date.

GROUNDS AND BASIS FOR CONSIDERATION IN CONFIDENCE

Grounds

Section 90(3)(j) and (g) of the *Local Government Act 1999* (SA)

- (j) information the disclosure of which—
 - (i) would divulge information provided on a confidential basis by or to a Minister of the Crown, or another public authority or official (not being an employee of the council, or a person engaged by the council); and
 - (ii) would, on balance, be contrary to the public interest.

Section 90(3)(g) of the *Local Government Act 1999* (SA) [breach of law].

- (g) matters that must be considered in confidence to ensure that the council does not breach any law, order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty.

Basis

The disclosure of information in this report would breach 'Cabinet in confidence' information presented to the Capital City Committee (CCC) established under the *City of Adelaide Act 1998* which has provided for a State/Capital City inter-governmental forum (the CCC) to operate and the associated duty of confidence and duty as a member of the inter-governmental forum.

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 divulge information provided on a confidential basis, and would be acting contrary to the CCC operational provisions, and could undermine the CCC operations and prejudice the position of the State Government and/or Council in relation to current/future proposals prior to State Government and/or City of Adelaide evaluation and deliberation.

DISCUSSION

1. The most recent meeting of the Capital City Committee (CCC) was held on 14 August 2023.
 2. The City of Adelaide was represented by the following members of Council:
 - 2.1. The Right Hon Lord Mayor Dr Jane Lomax-Smith AM
 - 2.2. Councillor Mary Couros
 - 2.3. Councillor Mark Siebentritt.
 3. Agenda items for discussion at the 14 August 2023 were:
 - 3.1. Council Motions – Park Lands as resolved by Council on 13 Dember 2022 and Mandatory Exemptions and Rebates from Council Rates as resolved by Council on 11 July 2023
 - 3.2. Consolidated Event Schedule for Park Lands and City of Adelaide
 - 3.3. UNESCO World Heritage Status – Joint Bid
 - 3.4. City of Adelaide Budget.
 4. CCC is legislatively required to meet four times each financial year by the Act. The next meeting is set for 22 November 2023.
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DATA AND SUPPORTING INFORMATION

City of Adelaide Act 1998

[City of Adelaide Act 1998 | South Australian Legislation](#)

Capital City Committee | Department of the Premier and Cabinet

[Capital City Committee | Department of the Premier and Cabinet \(dpc.sa.gov.au\)](#)

ATTACHMENTS

Nil

- END OF REPORT -

6 Confidential Reports for Recommendation to Council**6.1 Capital City Committee Update [S90(3) (g), (j)]**

Discussion ensued

It was then –

Moved by Councillor Couros,
Seconded by Councillor Abrahamzadeh -

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Carried