



COUNCIL

Minutes

for the meeting on

Tuesday, 25 August 2026

in the Council Chamber, Adelaide Town Hall

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Our Adelaide.
Bold.
Aspirational.
Innovative.

Present – The Right Honourable the Lord Mayor, Dr Jane Lomax-Smith (Presiding)

Deputy Lord Mayor, Councillor Noon

Councillors Abrahamzadeh, Cabada, Couros, Freeman, Giles, Maher, Martin, Dr Siebentritt and Snape

1 Acknowledgement of Country

At the opening of the Council meeting, the Lord Mayor stated:

‘The City of Adelaide acknowledges the Kaurna People of the Adelaide Plains as the Traditional Custodians of the land on which we meet today.

We acknowledge and honour their spiritual and cultural stewardship of this Country and recognise their deep and enduring relationship with its lands, waters, the sky, and all living things.

We pay our respects to Kaurna Elders past and present and recognise the important role of emerging leaders in sustaining and strengthening culture.’

2 Acknowledgement of Colonel William Light

The Lord Mayor stated:

‘The Council acknowledges the vision of Colonel William Light in determining the site for Adelaide and the design of the City with its six squares and surrounding belt of continuous Park Lands which is recognised on the National Heritage List as one of the greatest examples of Australia’s planning heritage.’

3 Prayer

The Lord Mayor stated:

‘We pray for wisdom, courage, empathy, understanding and guidance in the decisions that we make, whilst seeking and respecting the opinions of others.’

4 Pledge

The Lord Mayor stated:

‘May we in this meeting speak honestly, listen attentively, think clearly and decide wisely for the good governance of the City of Adelaide and the wellbeing of those we serve.’

5 Memorial Silence

Councillor Abrahamzadeh entered the Council Chamber at 7.17pm.

The Lord Mayor asked all present stand in silence in memory of those who gave their lives in defence of their Country, at sea, on land and in the air.

6 Apologies and Leave of Absence

Nil

7 Confirmation of Minutes - 11/8/2026 & 18/8/2026

Moved by Deputy Lord Mayor, Councillor Noon,
Seconded by Councillor Snape -

That the Minutes of the meeting of the Council held on 11 August 2026, and the Minutes of the Special meeting of the Council held on 18 August 2026, be taken as read and be confirmed as an accurate record of proceedings.

Carried

8 Declaration of Conflict of Interest

Councillor Freeman declared a general conflict of interest in Item 17.1 [Councillor Martin - MoN - O'Connell Street Speed Limit] and Item 17.4 [Councillor Martin - MoN - Report Vehicle Excessive Noise Detection], pursuant to Section 74 of the *Local Government Act 1999* (SA) as the matters involve the Department for Infrastructure and Transport, which is her primary place of employment, but that she would stay in the room, participate in the discussion and vote on the matter.

9 Deputations

The Lord Mayor sought leave to the meeting to bring forward Item 17.3 - Deputy Lord Mayor, Councillor Noon - MoN - Torrens Lake Water Quality & Closures, for consideration after the deputations.

Leave was granted

9.1 Deputation - Mr John Schumann - Torrens Lake

Mr John Schumann addressed the Council:

- On the community significance of Torrens Lake as one of Adelaide's most visible and valued public assets.

The Lord Mayor thanked Mr Schumann for his deputation.

9.2 Deputation - Dr Arash Zamyadi - Torrens Lake

Dr Arash Zamyadi addressed the Council:

- To consider a science-led pathway to improving the health and resilience of Torrens Lake.

The Lord Mayor thanked Dr Zamyadi for his deputation and response to questions.

17.3 Deputy Lord Mayor, Councillor Noon - MoN - Torrens Lake Water Quality & Closures

Deputy Lord Mayor, Councillor Noon moved an alternative motion.

After considering the Guiding Principles under the *Local Government (Procedures at Meeting) Regulations 2013* (SA), the Lord Mayor determined the alternate motion failed to provide open, transparent and informed decision making and should be considered as a Motion on Notice at a later date.

Discussion ensued

Deputy Lord Mayor, Councillor Noon withdrew her Motion on Notice from consideration.

10 Petitions

Nil

11 Recommendations of the Audit and Risk Committee - 14 August 2026

Moved by Councillor Giles,
Seconded by Councillor Siebentritt –

1. Recommendation 1 – Item 6.3 - 2026/27 to 2035/36 Long Term Financial Plan - Draft for Public ConsultationTHAT COUNCIL

1. Notes Audit and Risk Committee feedback on the Draft 2026/27 - 2035/36 Long Term Financial Plan document set out in Attachment A to Item 6.3 on the Agenda for the meeting of the Audit and Risk Committee on 14 August 2026:
 - 1.1. That the key financial indicators over the life of the plan are within appropriate target ranges.
 - 1.2. That the level of borrowings peaks in 2034/35 reflecting the necessary investment in significant renewals relating to Adelaide Bridge, Torrens Weir and Rundle UPark.
 - 1.3. That the need for financial discipline over the life of the plan will be important to long term financial sustainability including project prioritisation, affordability and long term debt management.
 - 1.4. That Council consider an amendment to the operating surplus ratio range from 0% - 20% to a revised target of 3% – 20%.

2. Recommendation 2 – Item 6.1 - Strategic Internal Audit PlanTHAT THE AUDIT AND RISK COMMITTEE ADVISES COUNCILTHAT THE AUDIT AND RISK COMMITTEE

1. Notes the draft 2027-2029 Internal Audit Plan report on the Agenda for the meeting of the Audit and Risk Committee held on 14 August 2026.
2. Notes the draft 2027-2029 Internal Audit Plan as contained in Attachment A to Item 6.1 on the Agenda for the meeting of the Audit and Risk Committee held on 14 August 2026 and provides the following feedback:
3. Requests Administration to introduce a workshop process with the Audit and Risk Committee to consider future iterations of the internal audit plan.

Discussion ensued, during which Deputy Lord Mayor, Councillor Noon left the Council Chamber at 7.49 pm.

Carried

Councillor Snape left the Council Chamber at 7.51 pm.

12 Recommendations of the City Finance and Governance Committee - 18 August 2026

Moved by Councillor Siebentritt,
Seconded by Councillor Freeman -

12.1 Recommendation 1 - Item 7.1 - 2025/26 Business Plan & Budget: Q4 UpdateTHAT COUNCIL:

1. Receives the City of Adelaide 2025/26 Business Plan and Budget Quarter 4 Update as contained in Attachment A to Item 7.1 on the Agenda for the meeting of the City Finance and Governance Committee held on 18 August 2026.
2. Receives the Council Subsidiary Quarter 4 updates as contained as Attachments B, C, and D to Item 7.1 on the Agenda for the meeting of the City Finance and Governance Committee held on 18 August 2026.
3. Notes results presented are estimates only and subject to completion of the external audit.

4. Notes the audited annual financial statements will be presented to the Audit and Risk Committee meeting on 23 September 2026.
5. Notes the audited financial statements will be presented to the City Finance and Governance Committee at its meeting scheduled for 20 October 2026 and the Council at its meeting scheduled for 27 October 2026.

12.2 Recommendation 2 - Item 7.2 - 2026/27 to 2035/36 Long Term Financial Plan - Draft for Public Consultation

THAT COUNCIL:

1. Approves the Draft 2026/27 - 2035/36 Long Term Financial Plan contained in Attachment A to Item 7.2 on the Agenda for the meeting of the City Finance and Governance Committee on 18 August 2026, for the purpose of public consultation.
2. Notes the long term financial sustainability of the Draft 2026/27 - 2035/36 Long Term Financial Plan based on the adopted assumptions.
3. Approves a 21 day Public consultation period in accordance with the *Local Government Act 1999* (SA), commencing at 9:00am on Wednesday 26 August 2026 and concluding 11:59pm on Tuesday 15 September 2026.
4. Authorises the Chief Executive Officer to make any necessary changes to the Draft 2026-36 Long Term Financial Plan document arising from this meeting, together with any editorial amendments and finalisation of the document's formatting and graphic design.

12.3 Recommendation 3 - Item 7.3 - Draft Community Engagement Policy

THAT COUNCIL:

1. Notes the feedback received on the draft Community Engagement Policy as contained in Attachment B to Item 7.3 on the Agenda for the meeting of the City Finance and Governance Committee held on 18 August 2026.
2. Adopts the Community Engagement Policy contained in Attachment A to Item 7.3 on the Agenda for the meeting of the City Finance and Governance Committee held on 18 August 2026 and rescinds the 25 November 2025 Community Engagement Policy.

Discussion ensued, during which Recommendation 2, parts 1 and 3 were varied to read as follows:

- '1. Approves the Draft 2026/27 - 2035/36 Long Term Financial Plan contained in Attachment A to Item 7.2 on the Agenda for the meeting of the City Finance and Governance Committee on 18 August 2026, for the purpose of public consultation, with the inclusion of the Audit and Risk committee proposed amendment in relation to the operating surplus ratio range.
3. Approves a 21 day Public consultation period in accordance with the *Local Government Act 1999* (SA), commencing at 9:00am on Monday 31 August 2026 and concluding 11:59pm on Sunday 20 September 2026.'

With the consent of the mover and seconder, the Lord Mayor advised the meeting the recommendations would be taken separately.

Recommendation 1 carried

Discussion continued, during which Councillor Snape and Deputy Lord Mayor, Councillor Noon re-entered the Council Chamber at 7.59 pm

Undertaking - Recommendation 2 - Item 7.2 - 2026/27 to 2035/36 Long Term Financial Plan - Draft for Public Consultation

In response to query from Councillor Siebentritt, the CEO gave an undertaking to include key messaging in the Executive Summary of the Long Term Financial Plan, around the once in a generation renewal of major assets, the Audit and Risk Committee noting the appropriate treatment in the LTFP, and Council having identified a number of opportunities to maintain long term financial stability.

Councillor Couros requested that a division be taken on the motion.

Division

For (9):

Deputy Lord Mayor, Councillor Noon and Councillors Abrahamzadeh, Cabada, Freeman, Giles, Maher, Martin, Siebentritt and Snape

Against (1):

Councillor Couros

The division was declared in favour of Recommendation 2, as varied

Recommendation 3 carried

13 Recommendation of the Infrastructure and Public Works Committee - 18 August 2026

13.1 Recommendation 1 - Item 7.1 - Capital Works Monthly Project Update - July 2026

Moved by Councillor Freeman,
Seconded by Councillor Maher -

THAT COUNCIL

1. Notes the Capital Works Program Update for 31 July 2026 as contained within this report and Attachment A to Item 7.1 on the Agenda for the meeting of the Infrastructure and Public Works Committee held on 18 August 2026.

Carried

14 Reports for Council (Chief Executive Officer's Reports)

14.1 Nomination for Local Government Finance Authority Board Member

Mr Michael Sedgman, Chief Executive Officer declared a material conflict of interest in Item 14.1 [Nomination for Local Government Finance Authority Board Member], pursuant to Section 75 of the *Local Government Act 1999* (SA) as he is the nominee, withdrew his Chair and left the Council Chamber at 8.13 pm.

Moved by Councillor Snape,
Seconded by Councillor Giles –

THAT COUNCIL

1. Notes the call for nominations for the Local Government Finance Authority of South Australia Board.
2. Endorses the nomination of its Chief Executive Officer, Michael Sedgman, to the Local Government Finance Authority of South Australia as a Board Member.

Carried

Mr Michael Sedgman re-entered the Council Chamber at 8.14pm.

14.2 Nomination for Local Government Association President

Moved by Deputy Lord Mayor, Councillor Noon,
Seconded by Councillor Snape –

THAT COUNCIL

1. Approves the nomination of Mayor Leon Stephens for the position of LGA President, subject to the acceptance of the nominee.

Carried

15 Lord Mayor's Reports

The Lord Mayor addressed the meeting on the following:

- Address to the Federal Government House Standing Committee on Regional Development, Infrastructure and Transport, held in Parliament House
- Visit from a civic group and senior staff from Sagamihara, Japan
- Farewell for Mr Tokuro Furuya, Consul-General of Japan in Melbourne
- Queen Adelaide's Birthday
- Meeting with Principals from local schools to speak about more civic activity for students, along with climate and innovation
- State Funeral for Mr Angas 'Gus' Hughes
- Opening of the Mainstreet Exchange Breakfast Forum
- Park Lands engagement

It was then –

Moved by Councillor Snape,
Seconded by Councillor Cabada –

That the report be received and noted.

Carried

16 Councillors' Reports**16.1 Reports from Council Members**

Deputy Lord Mayor, Councillor Noon addressed the meeting on her attendance at the Adelaide Design Week mixer, opening of the new Dunlevie Building at St Aloysius and delivery of a speech at the Disability and Aged Care National Expo.

Councillor Freeman addressed the meeting on her attendance at the 2025 and 2026 SA Young Citizen of the Year event at Government House and the Access and Inclusion Advisory Panel meeting.

Councillor Maher addressed the meeting on his attendance at the Stop the Chop March for Our Park Lands Rally and the associated petition.

Councillor Snape provided a personal explanation on his attendance at the Stop the Chop March for Our Park Lands Rally.

Councillor Siebentritt addressed the meeting on his attendance at the Adelaide High School Governing Council meeting.

Councillor Martin addressed the meeting to make a personal explanation regarding an interview on 5AA radio in relation to the noise camera Motion on Notice, on the Council Agenda, in which he was asked about the pods in front of the Women's and Children's Hospital and the misrepresentation of his comments. Councillor Martin also spoke about the Premiers' comments in a later interview, misrepresenting Councillor Martin's position and that of Council, in relation to the redevelopment of the Women's and Children's Hospital on the Park Lands, the construction of the Adelaide Aquatic Centre and upgrade of Possum Park and the Golf Course.

Councillor Abrahamzadeh addressed the meeting on his attendance at the Inaugural South Australian Excellence in Surveying and Spatial Information Awards.

It was then -

Moved by Councillor Cabada,
Seconded by Councillor Giles –

THAT COUNCIL

1. Notes the Council Member activities and functions attended on behalf of the Lord Mayor as contained in Attachment A to Item 16.1 on the Agenda for the meeting of the Council held on 25 August 2026.
2. Notes the summary of meeting attendance by Council Members as contained in Attachment B to Item 16.1 on the Agenda for the meeting of the Council held on 25 August 2026.
3. Notes that reports from Council Members tabled at the meeting of the Council held on 25 August 2026 will be included in the Minutes of the meeting.

Carried

17 Motions on Notice**17.1 Councillor Martin - MoN - O'Connell Street Speed Limit**

Moved by Councillor Martin,
Seconded by Councillor Couros -

That Council;

Noting the petition from locals and the impending reduction of the speed limit on Melbourne Street, asks the Administration to;

1. Incorporate in the O'Connell Street Main street Upgrade Design a reduction in the current speed limit from 50 kph or 40 kph, and to
2. Consult with DIT and the community, as required.

Councillor Freeman reiterated her general conflict of interest in Item 17.1 [Councillor Martin - MoN - O'Connell Street Speed Limit], pursuant to Section 74 of the *Local Government Act 1999* (SA) as the matter involves the Department for Infrastructure and Transport, which is her primary place of employment.

Discussion ensued, during which with the consent of the mover, seconder and the meeting part 1 of the motion was varied to replace the word 'or' with the word 'to'.

Carried

17.2 Councillor Martin - MoN - Councillor Conduct Transparency

Moved by Councillor Martin,
Seconded by Councillor Snape -

That Council;

Asks the Administration to establish a page on the City of Adelaide website, with a tab on the home page, that records the details of publicly available or otherwise authorised to be published reports about members elected at the 2022 local government elections and the City of Adelaide 2024 supplementary elections by;

1. The Behavioural Standards Panel
2. The Ombudsman, and
3. Independent Investigations into Breaches of the Elected Member Behavioural Standards.

Discussion ensued, during which:

- With the consent of the mover, seconder and the meeting the motion was varied to replace the year '2024' with the year '2025'.
- Councillor Giles left the Council Chamber at 8.51pm and re-entered at 8.53pm.

Amendment –

Moved by Councillor Maher,
Seconded by Councillor Couros -

That the motion be amended to read as follows:

‘That Council;

Asks the Administration to establish a page on the City of Adelaide website, with a tab on the home page, that records the details of publicly available or otherwise authorised to be published reports about members elected in the current Council term and to be published for the remainder of the Council term by;

1. The Behavioural Standards Panel
2. The Ombudsman, and
3. Independent Investigations into Breaches of the Elected Member Behavioural Standards.’

Discussion ensued

Amendment carried unanimously

Motion, as amended, carried unanimously

17.4 Councillor Martin - MoN - Report Vehicle Excessive Noise Detection

Moved by Councillor Martin,
Seconded by Councillor Couros -

That Council;

Asks the Administration to investigate and to report to Council in November, 2026 on the introduction of Noise Detection Equipment coupled with fixed cameras that could detect breaches of legislated standards for vehicle noise emissions used interstate.

The report should include options in South Australia outlining Council’s ability to tackle, or to support SAPOL in tackling reported adverse levels of vehicle noise on streets within the City and North Adelaide, including O’Connell Street. The report would ideally include feedback from SAPOL.

Discussion ensued

Councillor Cabada called a Point of Order in relation to Councillor Maher’s line of questioning. The Lord Mayor ruled against the Point of Order.

Carried

18 Motions without Notice

18.1 Councillor Martin - Motion without Notice - Melbourne Street Bus Stop Relocation

Moved by Councillor Martin,
Seconded by Councillor Couros -

That Council;

Asks the Administration to consult with the Department of Infrastructure and Transport to seek the relocation of the Bus Stop on the northern side of Melbourne Street to the vicinity of 98 to 100 Melbourne Street.

Councillor Freeman declared a general conflict of interest in Item 18.1 [Councillor Martin - Motion without Notice - Melbourne Street Bus Stop Relocation], pursuant to Section 74 of the *Local Government Act 1999 (SA)* as the matter involves the Department for Infrastructure and Transport, which is her primary place of employment, but that she would stay in the room, participate in the discussion and vote on the matter.

Carried unanimously

Discussion ensued, during which the Deputy Lord Mayor, Councillor Noon moved a Motion without Notice that was not accepted by the Lord Mayor.

Councillor Maher called a Point of Order in relation to the accuracy of the comments made by the Chief Executive Officer. The Lord Mayor ruled against the Point of Order.

Councillor Couros called a Point of Order in relation to Councillor Maher debating. The Lord Mayor ruled in favour of the Point of Order and asked Councillor Maher to sit down.

Deputy Lord Mayor, Councillor Noon made a personal explanation in relation to the urgency of the Motion without Notice.

19 Questions on Notice

19.1 Deputy Lord Mayor - QoN - Confidential Information and Legal Advice

The Question and Reply having been distributed and published prior to the meeting were taken as read.

The Reply for Item 19.1, is attached for reference at the end of the minutes of the meeting.

20 Questions without Notice

Nil

21 Exclusion of the Public

Moved by Councillor Cabada,
Seconded by Councillor Martin –

ORDER TO EXCLUDE FOR ITEM 22

THAT COUNCIL:

1. Having taken into account the relevant consideration contained in section 90(3) (i) and section 90(2) & (7) of the *Local Government Act 1999* (SA), this meeting of the Council dated 25 August 2026 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 22 [Confidential Recommendations of the Audit and Risk Committee – 14 August 2026] 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 in nature because the report includes information on Council litigation.

The disclosure of information in this report could reasonably be expected to prejudice the outcome of Council's actual litigation.

2. Pursuant to section 90(2) of the *Local Government Act 1999* (SA) (the Act), this meeting of the Council dated 25 August 2026 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 22 [Confidential Recommendations of the Audit and Risk Committee – 14 August 2026] 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)(i) of the Act.

Carried

Moved by Councillor Siebentritt,
Seconded by Councillor Cabada –

ORDER TO EXCLUDE FOR ITEM 23.1

THAT COUNCIL:

1. Having taken into account the relevant consideration contained in section 90(3) (a) and section 90(2) & (7) of the *Local Government Act 1999* (SA), this meeting of the Council dated 25 August 2026 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 23.1 [Adelaide Economic Development Agency Appointment of Board Members] 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 information that must be considered in confidence in order to protect the personal affairs of the nominees.

The disclosure of information in this report prior to a resolution being determined by Council could reasonably implicate the nominee's reputation in the business community.

2. Pursuant to section 90(2) of the *Local Government Act 1999* (SA) (the Act), this meeting of the Council dated 25 August 2026 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 23.1 [Adelaide Economic Development Agency Appointment of Board Members] 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)(a) of the Act.

Carried

Members of the public and corporation staff not involved with Items 22 and 23.1 left the Council Chamber at 9.31 pm.

- 22 Confidential Recommendations of the Audit and Risk Committee - 14 August 2026 [S90(3) (i)]**
- 23 Confidential Reports for Council (Chief Executive Officer's Reports)**
- 23.1 Adelaide Economic Development Agency Appointment of Board Members [S90(3) (a)]**

The meeting reopened to the public at 9.32 pm.

Item 22 - Confidential Recommendations of the Audit and Risk Committee - 14 August 2026 [s 90(3) [(i)]]

Resolution and Confidentiality Order

THAT COUNCIL:

1. Notes the report.
2. Orders in accordance with Section 91(7) and (9) of the *Local Government Act 1999* (SA) and because Item 22 [Confidential Audit and Risk Committee Report – 14 August 2026] listed on the Agenda for the meeting of the Council held on 25 August 2026 was received, discussed and considered in confidence pursuant to Section 90(3) (i) of the *Local Government Act 1999* (SA), that:
 - 2.1. The resolution becomes public information and is included in the Minutes of this 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 December 2032.
 - 2.3. The confidentiality of this matter be reviewed in accordance with section 91(3) of the Local Government Act 1999 (SA).
 - 2.4. The Chief Executive Officer or delegate 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.

Item 23.1 - Adelaide Economic Development Agency Appointment of Board Members [s 90(3) [(a)]]

Confidentiality Order

In accordance with Section 91(7) and (9) of the *Local Government Act 1999* (SA) and because Item 23.1 [Adelaide Economic Development Agency Appointment of Board Members] listed on the Agenda for the meeting of Council held on 25 August 2026 was received, discussed and considered in confidence pursuant to Section 90(3)(a) of the *Local Government Act 1999* (SA), this meeting of Council do order that:

1. The resolution, report, discussion and any other associated information submitted to this meeting in relation to the matter remain confidential and not available for public inspection until the successful candidates have accepted the positions and the unsuccessful applicants have been advised of the recruitment process outcome.
2. 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 9.32 pm

Dr Jane Lomax-Smith
Lord Mayor

Date of confirmation:

Documents Attached:

Item 19.1 – Question on Notice Reply – Distributed Separately

Deputy Lord Mayor - QoN - Confidential Information and Legal Advice

Tuesday, 25 August 2026
Council

Council Member

Deputy Lord Mayor, Councillor
Carmel Noon

Public

Contact Officer:

Anthony Spartalis, Chief Operating
Officer

QUESTION ON NOTICE

Deputy Lord Mayor, Councillor Carmel Noon will ask the following Question on Notice:

'Can the Administration advise:

1. Whether the City of Adelaide currently has a policy, protocol or procedure governing the handling and disclosure by Council Members of confidential information, including legal advice.
2. Whether this applies to confidential information provided outside formal Council and Committee agenda papers, including information distributed by email.
3. Whether Administration has reviewed, or intends to review, the circumstances surrounding the recent disclosure of material concerning a Behavioural Standards Panel matter and the adequacy of existing confidentiality controls.
4. What training or guidance is currently provided to Council Members regarding their confidentiality obligations.
5. In light of the Ombudsman's correspondence and recent events, whether Administration considers a specific Confidential Information and Legal Advice Policy or updated protocol should be developed?'

REPLY

1. The City of Adelaide operates under a well-established legislative and governance framework governing the handling and disclosure of confidential information by Council Members. These obligations are prescribed by the *Local Government Act 1999* (SA) (the Act) and apply to confidential information regardless of the format in which it is provided, including information contained in agenda papers, committee papers, emails, briefings and other communications.
2. The Act also establishes clear mechanisms for addressing alleged breaches of confidentiality, including referral to the Ombudsman where required. Preliminary legal advice obtained by Administration indicates that the existing legislative framework is clear, comprehensive and adequate, and that the development of a standalone Confidential Information and Legal Advice Policy is unnecessary.
3. Council Members receive mandatory training on their obligations under the Act and have also been provided with additional guidance by the Lord Mayor regarding confidentiality requirements. Administration continually reviews its governance practices and controls and will implement any improvements identified through legislative, regulatory or operational review processes.

4. The City of Adelaide operates under the Local Government Act 1999 (SA) (the Act), which governs the handling of confidential information by Council Members, including confidential legal advice.
5. Section 62 of the Act states:

"(4a) A member or former member of a council must not disclose information or a document -
 - i. in relation to which there is an order of a council or council committee in effect under section 90 or 91(7) requiring the information or document to be treated confidentially; or*
 - ii. that the member or former member knows, or ought reasonably to know, is information or a document that is otherwise required to be treated confidentially."*
6. These statutory obligations provide the primary framework governing Council Member conduct in relation to confidential information and legal advice.
7. The obligations under section 62 of the Act apply broadly and are not limited to information contained within formal Council or Committee agenda papers.
8. The confidentiality provisions extend to any information or document that is subject to a confidentiality order or which a Council Member knows, or ought reasonably to know, is required to be treated confidentially. This includes information provided through email correspondence, briefing materials, workshops, legal advice, memoranda and other communications.
9. Furthermore, former Council Members remain bound by confidentiality obligations under the Act and must not disclose information or documents that are subject to a Council confidentiality order, or information that they know, or ought reasonably to know, is required to be treated confidentially.
10. The Act establishes clear pathways for dealing with potential breaches of integrity provisions and confidentiality obligations.
11. Any potential breach of an integrity provision under Chapter 5, Part 4 of the Act must be referred directly to the Ombudsman for consideration. Matters relating to conduct and behavioural standards are addressed through the Council's Behavioural Standards framework.
12. Administration continues to monitor the effectiveness of its governance and information management practices and will implement any improvements identified through operational reviews, legislative changes or recommendations of external oversight bodies.
13. As resolved by Council on 28 July 2026, the Chief Executive Officer is undertaking an investigation into the unauthorised disclosure of confidential information and a review of Council's arrangements for managing confidential information, with the outcomes and any recommended improvements to be reported back to Council, subject to legal and confidentiality constraints.
14. Council Members receive comprehensive training regarding their statutory obligations, including confidentiality requirements.
15. Under section 80A(2)(b) of the Act and Regulation 8AA of the Local Government (General) Regulations 2013, Council Members must complete mandatory LGA Training Standards within the first 12 months of their term.
16. Administration delivers this training through mandatory induction and mid-term refresher programs conducted in conjunction with the Local Government Association of South Australia (LGA) and our legal provider.
17. By May 2023, all Council Members elected at the November 2022 election had completed their mandatory induction training. Between late 2024 and early 2025, all then-serving Council Members completed their mandatory mid-term refresher training.
18. Council Members elected through the August 2025 supplementary elections received the same mandatory training and successfully completed it by the end of November 2025.
19. In addition, the Lord Mayor issued written communications to all Council Members in May and November 2025 reminding them of their obligations under the Act, including their obligations regarding the treatment of confidential information.
20. Administration has sought preliminary legal advice regarding whether a specific Confidential Information and Legal Advice Policy is required.
21. The preliminary advice indicates that a standalone policy is unnecessary, as the relevant legislative obligations, confidentiality provisions and enforcement mechanisms are already clearly established under the Act.

22. The Act sets out both the confidentiality obligations applying to Council Members and the mechanisms for managing alleged breaches. These provisions apply consistently across all forms of confidential information, including legal advice.
23. Accordingly, Administration considers the existing legislative framework to be clear and adequate and does not support the development of a separate policy to regulate matters already comprehensively addressed by the Act.

Staff time in receiving and preparing this reply	To prepare this reply in response to the question on notice took approximately 6.5 hours.
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- END OF REPORT -