



CITY FINANCE AND GOVERNANCE COMMITTEE MINUTES

for the meeting

Tuesday, 21 November 2023

in the Colonel Light Room, Adelaide Town Hall

© 2023 CITY OF ADELAIDE. ALL RIGHTS RESERVED.



Present – The Right Honourable the Lord Mayor, Dr Jane Lomax-Smith
Councillor Dr Siebentritt (Chair)
Councillors Couros, Davis, Elliott, Giles, Hou, Martin and Snape

1 Acknowledgement of Country

The Chair stated:

‘Council acknowledges that we are meeting on traditional Country of the Kurna people of the Adelaide Plains and pays respect to Elders past and present. We recognize and respect their cultural heritage, beliefs and relationship with the land. We acknowledge that they are of continuing importance to the Kurna people living today.

And we also extend that respect to other Aboriginal Language Groups and other First Nations who are present today.’

2 Apologies and Leave of Absence

Apologies:

Councillors Abrahamzadeh and Li

On Leave:

Councillor Noon

3 Confirmation of Minutes - 17/10/2023

Moved by Councillor Elliott,
Seconded by Lord Mayor -

That the Minutes of the meeting of the City Finance and Governance Committee held on 17 October 2023, be taken as read and be confirmed as an accurate record of proceedings.

Carried

4 Declaration of Conflict of Interest

Nil

5 Deputations

Nil

6 Workshops

Nil

7 Reports for Recommendation to Council

7.1 2023/24 Business Plan and Budget - Quarter One report

Discussion ensued, during which Councillor Hou entered the Colonel Light Room at 5.35 pm.

It was then –

Moved by Lord Mayor,
Seconded by Councillor Giles -

THAT THE CITY FINANCE AND GOVERNANCE COMMITTEE RECOMMENDS TO COUNCIL

THAT COUNCIL

1. Receives the quarterly update for the 2023/24 Business Plan and Budget as provided in Attachment A to Item 7.1 on the Agenda for the meeting of the City Finance and Governance Committee held on 21 November 2023, and notes the highlights of deliverables, status updates and risks and opportunities provided for Projects, Portfolios and Subsidiaries

2. Approves adjustments for the 2023/24 Business Plan and Budget as identified in this report and reflected in Attachment A to Item 7.1 on the Agenda for the meeting of the City Finance and Governance Committee held on 21 November 2023.
3. Approves the budgeted year end Operating Position, which includes:
 - 3.1. Total operating income of \$229.394m
 - 3.2. Total operating expenses (including depreciation) of \$227.442m
 - 3.3. An operating surplus of \$1.952m
4. Approves total capital expenditure of \$110.280m for the 2023/24 year
5. Approved total borrowings of \$40.553m projected to 30 June 2024
6. Notes the year to date Operating Position (Financial Performance) for the quarter as presented in Attachment A to Item 7.1, on the Agenda for the meeting of the City Finance and Governance Committee held on 21 November 2023, which includes:
 - 6.1. Total operating income of \$56.554m
 - 6.2. Total operating expenses (including depreciation) of \$50.397m
 - 6.3. An operating surplus of \$6.156m
 - 6.4. Total Capital Expenditure of \$24.134m
 - 6.5. Cash positive position of \$3.191m
7. Notes the detailed quarterly updates of Council Subsidiaries as provided as Attachments B, C & D to Item 7.1 on the Agenda for the meeting of the City Finance and Governance Committee held on 21 November 2023.

Undertaking - Renew Adelaide leases

In response to a query from Deputy Lord Mayor, Councillor Martin, an undertaking was given to update members on the number of business premises with shop fronts leased through the partnership with Renew Adelaide.

The motion was then put and carried unanimously

7.2 AEDA Charter Amendments

Discussion ensued, during which Councillor Davis entered the Colonel Light Room at 6.02 pm.

It was then –

Moved by Lord Mayor,
Seconded by Councillor Davis -

THAT THE CITY FINANCE AND GOVERNANCE COMMITTEE RECOMMENDS TO COUNCIL

THAT COUNCIL

1. Notes the table of proposed amendments to the Charters of the Adelaide Central Market Authority and Adelaide Economic Development Agency as set out in Attachment A to Item 7.2 on the Agenda for the City Finance and Governance Committee held on 21 November 2023.
2. Notes that at its 26 September 2023 meeting Council endorsed the proposed changes to the Adelaide Central Market Authority Charter.
3. Approves the amendments to the Charter of the Adelaide Economic Development Agency as set out in Attachment B to 7.2 on the Agenda for the City Finance and Governance Committee held on 21 November 2023.
4. Authorises the Chief Executive Officer to make any necessary or desirable typographical or syntactical revisions to the amended Adelaide Economic Development Agency Charter as set out in Attachment B to Item 7.2 on the Agenda for the City Finance and Governance Committee held on 21 November 2023 before any notification of amendment is made in the Government Gazette. If any such revisions are made, then it is the version as revised which will become the Charter upon publication in the Government Gazette.

5. Notes the amended Adelaide Economic Development Agency Charter will be provided to the Minister for Local Government.
6. Notes the amended Adelaide Economic Development Agency Charter will be effective from the date the Charter is published in the Government Gazette.
7. Approves the amended Terms of Reference for the Adelaide Economic Development Agency Advisory Committee as set out in Attachment C to Item 7.2 on the Agenda for the City Finance and Governance Committee held on 21 November 2023.

Carried

7.3 Prudential Management Policy

Moved by Councillor Giles,
Seconded by Councillor Hou -

THAT THE CITY FINANCE AND GOVERNANCE COMMITTEE RECOMMENDS TO COUNCIL

THAT COUNCIL

1. Adopts the updated Prudential Management Policy (2023) as per Attachment A to Item 7.3 on the Agenda for the City Finance and Governance held on 21 November 2023.

Carried

7.4 Public Transparency Policy

Discussion ensued, during which Councillor Hou left the Colonel Light Room at 6.13 pm and re-entered at 6.14 pm.

It was then –

Moved by Councillor Davis,
Seconded by Councillor Giles -

THAT THE CITY FINANCE AND GOVERNANCE COMMITTEE RECOMMENDS TO COUNCIL

THAT COUNCIL

1. Adopts the Public Transparency Policy as contained in Attachment A to Item 7.4 on the Agenda for the meeting of City Finance and Governance Committee held on 21 November 2023.
2. Authorises the Chief Executive Officer to make any minor editorial and formatting changes as required to finalise the Public Transparency Policy.

Discussion continued

The motion was then put and carried unanimously

7.5 Draft Code of Practice for Access to Council and Committee Meetings and Documents

It was then –

Moved by Lord Mayor,
Seconded by Councillor Davis -

THAT THE CITY FINANCE AND GOVERNANCE COMMITTEE RECOMMENDS TO COUNCIL

THAT COUNCIL

1. Adopts the Code of Practice for Access to Council and Committee Meetings and Documents as set out in Attachment A to Item 7.5 on the Agenda for the meeting of the City Finance and Governance Committee held on 21 November 2023.
2. Approves the deletion of the following section of City of Adelaide Standing Orders:
 - 2.1. Chapter 7 – Meeting Procedures and Access to Meetings and Documents
 - 2.1.1 Part 4 – Items Closed to the Public
 - 2.1.2 Part 5 – Meeting Documents
3. Authorises the Chief Executive Officer to make any necessary minor editorial and formatting changes as required to the Code of Practice for Access to Council and Committee Meetings and Documents in order to finalise the document.

Discussion ensued

Undertaking – Consistency between Documents

In response to a query from Deputy Lord Mayor, Councillor Martin, an undertaking was given to ensure consistency between the Code of Practice for Access to Council and Committee Meetings and Documents and the Public Transparency Policy.

The motion was then put and carried unanimously

8 Reports for Noting

8.1 Update on progress of Integrated Community Engagement Framework

Discussion ensued

It was then –

Moved by Lord Mayor,
Seconded by Councillor Giles -

THAT THE CITY FINANCE AND GOVERNANCE COMMITTEE RECOMMENDS TO COUNCIL
THAT COUNCIL

1. Notes the update on the progress of the Integrated Community Engagement Framework.

Carried unanimously

8.2 Procurement forums

Moved by Lord Mayor,
Seconded by Councillor Couros -

THAT THE CITY FINANCE AND GOVERNANCE COMMITTEE RECOMMENDS TO COUNCIL
THAT COUNCIL

1. Notes the report on the potential to offer multi lingual Procurement Forum Presentations.

Carried

9 Exclusion of the Public

Moved by Lord Mayor,
Seconded by Councillor Elliott -

THAT THE CITY FINANCE AND GOVERNANCE COMMITTEE:

1. Having taken into account the relevant consideration contained in section 90(3) (b) & (d) and section 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the City Finance and Governance Committee dated 21 November 2023 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 10.1 [Delegation to Award Contract] 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 commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to identify the shortlisted tenderers and to confer a commercial advantage on a person with whom the Council is conducting business and prejudice the commercial position of the Council, with the potential to confer a commercial advantage to a third party competitor of a person with whom the council is conducting business.

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 may result in release of information prior to the finalisation of 'commercial in confidence' negotiation with the proponent and because the disclosure of Council's commercial position may severely prejudice Council's ability to discuss/participate or influence a proposal for the benefit of the Council and the community in this matter and in relation to other contract negotiations.

2. Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this meeting of the City Finance and Governance Committee dated 21 November 2023 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 10.1 [Delegation to Award Contract] 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) (b) & (d) of the Act.

Carried

Members of the public and Corporation staff present not directly involved with Item 10.1 left the Colonel Light Room at 6.35 pm.

10 Confidential Reports for Recommendation to Council

10.1 Delegation to Award Contract [S90(3) (b), (d)]

The meeting re-opened to the public at 6.43 pm.

Minute 10.1 – Delegation to Award Contract

Confidentiality Order

Authorises that, in accordance with Section 91(7) and (9) of the *Local Government Act 1999 (SA)* and because Item 10.1 [Delegation to Award] listed on the Agenda for the meeting of the City Finance and Governance Committee held on 21 November 2023 was received, discussed and considered in confidence pursuant to Section 90(3) (b) and (d) of the *Local Government Act 1999 (SA)*, this meeting of the City Finance and Governance Committee do order that

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 otherwise determined by Council or 31 December 2030.
2. The confidentiality of the matter be reviewed in December 2024.
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.

Closure

The meeting closed at 6.44 pm

Councillor Dr Siebentritt
City Finance and Governance Committee Chair

Documents Attached:

Nil