



COUNCIL MINUTES

for the meeting

Tuesday, 26 September 2023

in the Council Chamber, Adelaide Town Hall

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

Deputy Lord Mayor, Councillor Martin

Councillors Abrahamzadeh, Couros, Davis, Elliott, Hou, Li, Noon, Dr Siebentritt and Snape

1 Acknowledgement of Country

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

‘Council acknowledges that we are meeting on traditional Country of the Kaurna 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 Kaurna people living today.

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

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/Pledge

Upon the completion of the Acknowledgement of Colonel Light, the Lord Mayor stated:

‘A moment of contemplation of the gravity and implications of our decision making. I invite members to read the prayer as printed or reflect in a manner appropriate to their beliefs on these issues.’

4 Memorial Silence

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.

5 Apologies and Leave of Absence

On Leave:

Councillor Giles

6 Confirmation of Minutes - 12/9/2023 & 18/9/2023

Moved by Councillor Davis,
Seconded by Councillor Snape -

That the Minutes of the meeting of the Council held on 12 September 2023 and the Minutes of the Special meeting of the Council held on 18 September 2023, be taken as read and be confirmed as an accurate record of proceedings.

Carried unanimously

The Lord Mayor called for a motion to adjourn the Council meeting until the conclusion of the City Planning, Development and Business Affairs Committee special meeting.

It was then –

Moved by Deputy Lord Mayor, Councillor Martin,
Seconded by Councillor Davis -

That the Council meeting adjourn until the conclusion of the City Planning, Development and Business Affairs Committee special meeting.

Carried

Deputy Lord Mayor, Councillor Martin requested that a division be taken on the motion

Division

For (6):

Deputy Lord Mayor, Councillor Martin and Councillors Elliott, Li, Noon, Siebentritt and Snape.

Against (4):

Councillors Abrahamzadeh, Couros, Davis and Hou.

The division was declared in favour of the motion

The Council meeting adjourned at 5.35 pm.

The meeting reconvened at 6.41 pm with the following Members present:

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

Deputy Lord Mayor, Councillor Martin

Councillors Couros, Davis, Elliott, Hou, Li, Noon, Dr Siebentritt and Snape

7 Deputations

Nil

8 Petitions

Nil

9 Reports from Committees and Kadaltilla / Adelaide Park Lands Authority

10 Recommendations of the City Community Services and Culture Committee - 19 September 2023

11 Item 9.1 - Recommendation 1 - Item 3.2 - National Housing and Homelessness Plan Issues Paper Submission

Moved by Councillor Elliott,

Seconded by Councillor Snape -

1. Recommendation 1 – Item 3.2 - National Housing and Homelessness Plan Issues Paper Submission

THAT COUNCIL

1. Endorses the City of Adelaide Submission on the National Housing and Homelessness Issues Paper contained in Attachment A to Item 3.2 on the Agenda for the Special meeting of the City Community Services and Culture Committee held on 19 September 2023.
2. Authorises the Lord Mayor and Chief Executive Officer to make minor amendments, if required and submit the City of Adelaide Submission on the National Housing and Homelessness Issues Paper contained in Attachment A to Item 3.2 on the Agenda for the Special meeting of the City Community Services and Culture Committee held on 19 September 2023.

Discussion ensued, during which Councillor Abrahamzadeh entered the Council Chamber at 6.42 pm.

The motion was then put and carried

Discussion ensued, during which Councillor Davis moved to consider Item 13.2 – Councillor Noon – MoN - Update the Existing Prayer to include new Pledge, next on the Agenda. The Lord Mayor denied the motion and Councillor Davis' following point of order. The Lord Mayor advised that she would accept Councillor Davis' motion before Item 9.2 – Recommendation 14 – Item 4.14 – Draft Code of Practice for Meeting Procedures to facilitate the range of possible amendments.

12 Recommendations of the City Finance and Governance Committee - 19 September 2023

Discussion ensued

13 Item 9.2 - Recommendation 1 - Item 4.1 - Q4 Business Update

Moved by Councillor Siebentritt,
Seconded by Councillor Couros -

THAT COUNCIL:

1. Notes the 2022/23 Preliminary Financial Position as presented in Attachment A to Item 4.1 on the Agenda for the meeting of the City Finance and Governance Committee held on 19 September 2023, which include:
 - 1.1. Total operating income of \$215.454 million (\$213.446 million estimated in Q3)
 - 1.2. Total operating expenditure (including depreciation) of \$214.187 million (\$213.359 million estimated in Q3)
 - 1.3. An operating surplus of \$1.27 million (\$87,000 estimated in Q3)
2. Notes results presented are subject to external audit, and therefore are estimates at this stage.
3. Notes the Capital Works Quarter 4 Review as presented in Attachment A to Item 4.1 on the Agenda for the meeting of the City Finance and Governance Committee held on 19 September 2023, which include:
 - 3.1. Major Projects expenditure of \$14.19 million (\$17.1 million estimated in Q3)
 - 3.2. New and Upgrades expenditure of \$4.02 million (\$6.5 million estimated in Q3)
 - 3.3. Renewals expenditure of \$30.12 million (\$38.2 million estimated in Q3)
 - 3.4. Capital Program Management expenditure of \$8.95 million (\$9.8 million in Q3)
 - 3.5. Grant funding to support capital expenditure on new/upgraded assets of \$6.7 million (\$11.7 million in Q3).
4. Notes the Adelaide Central Market Authority Quarter 4 report 2022/23 (Attachment B to Item 4.1 on the Agenda for the meeting of the City Finance and Governance Committee held on 19 September 2023).
5. Notes the Adelaide Economic Development Agency Quarter 4 report 2022/23 (Attachment C to Item 4.1 on the Agenda for the meeting of the City Finance and Governance Committee held on 19 September 2023).
6. Notes the Kadaltilla / Park Lands Authority Quarter 4 report 2022/23 (Attachment D to Item 4.1 on the Agenda for the meeting of the City Finance and Governance Committee held on 19 September 2023).
7. Notes the Brown Hill Keswick Creek Quarter 4 report 2022/23 (Attachment E to Item 4.1 on the Agenda for the meeting of the City Finance and Governance Committee held on 19 September 2023).
8. Notes that at the end of this Quarter 93% of Projects were capitalised within 10 Weeks, exceeding the 70% target proposed by the Audit and Risk Committee at its meeting of 5 February 2021.

Carried

14 Item 9.2 - Recommendation 2 - Item 4.2 - Review of ACMA and AEDA Charters and amendments to AEDA Advisory Committee Terms of Reference

Moved by Deputy Lord Mayor, Councillor Martin,
Seconded by Councillor Elliott -

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 4.2 on the Agenda for the meeting of the City Finance and Governance Committee held on 19 September 2023.
2. Approves the amendments to the Charter of the Adelaide Central Market Authority as set out in Attachment B to Item 4.2 on the Agenda for the meeting of the City Finance and Governance Committee held on 19 September 2023.
3. Authorises the Chief Executive Officer to make any necessary or desirable typographical or syntactical

revisions to the amended Adelaide Central Market Authority Charter as set out in Attachment B to Item 4.2 on the Agenda for the meeting of the City Finance and Governance Committee held on 19 September 2023 before any publication 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.

4. Notes the amended Charter of the Adelaide Central Market Authority will be provided to the Minister for Local Government.
5. Notes the amendments will be effective from the date the Charter of the Adelaide Central Market Authority (as amended) is published in the Government Gazette.
6. Notes that the proposed changes to the Adelaide Economic Development Agency charter will be deferred until the matter is discussed by the Board of AEDA and Council.

Carried

15 Item 9.2 - Recommendation 3 - Item 4.3 - Workforce Planning and Staff Retention - Internal audit review

Moved by Deputy Lord Mayor, Councillor Martin,
Seconded by Councillor Elliott -

THAT COUNCIL

1. Notes the Internal Audit Report conducted by KPMG on Workforce Planning, Attachment A to Item 4.3 on the Agenda for the meeting of the City Finance and Governance Committee held on 19 September 2023.

Carried

16 Item 9.2 - Recommendation 4 - Item 4.4 - Adoption of the Long Term Financial Plan 2023 - 2024 to 2032 - 2033 & CEO Sustainability Statement

Moved by Councillor Noon,
Seconded by Councillor Siebentritt –

THAT COUNCIL

1. Notes the Chief Executive Officer Financial Sustainability Report.
2. Notes the long term financial sustainability of the Long Term Financial Plan 2023/24 to 2032/33.
3. Adopts the Long Term Financial Plan 2023/24 to 2032/33 as set out in Attachment A to 4.4 on the Agenda for the City Finance and Governance Committee meeting held 19 September 2023.
4. Requests administration prepare a report making recommendations in relation to amendments to the Long Term Financial Plan regarding the following:
 - 4.1. Continued growth in revenue, through both rates and commercial activities, at or above the rate of growth in expenses.
 - 4.2. Investment of \$15m per annum for the life of the LTFP on new and upgrade projects.
 - 4.3. The future of Rundle Upark.
 - 4.4. Successful resolution of external funding for the renewal of the Torrens Weir and Adelaide Bridge.
 - 4.5. Ongoing advocacy for reductions in exemptions and mandatory rebates.
 - 4.6. Use of the Future Fund.

Carried

Deputy Lord Mayor, Councillor Martin requested that a division be taken on the motion

Division

For (6):

Deputy Lord Mayor, Councillor Martin and Councillors Elliott, Li, Noon, Siebentritt and Snape.

Against (4):

Councillors Abrahamzadeh, Couros, Davis and Hou.

The division was declared in favour of the motion

17 Item 9.2 - Recommendation 5 - Item 4.5 - 2023/24 Q2 Quarterly Forward Procurement Report

Moved by Councillor Elliott,
Seconded by Councillor Abrahamzadeh -

THAT COUNCIL

1. Notes the Procurements set out in Attachment A to Item 4.5 on the Agenda for the meeting of the City Finance and Governance Committee held on 19 September 2023, which will be released to the market during Quarter 2 of the 2023/2024 financial year.

Carried unanimously

18 Item 9.2 - Recommendation 6 - Item 4.6 - Delegation to Award Contract

Deputy Lord Mayor, Councillor Martin declared a material conflict of interest in Item 9.2 [Recommendation 6 - Item 4.6 - Delegation to Award Contract], pursuant to Section 75 of the *Local Government Act 1999* (SA) as he is a member of the Board of the Adelaide Festival Trust and the Trust has a position on the matter, withdrew his Chair and left the Council Chamber at 6.55 pm.

It was then -

Moved by Councillor Snape,
Seconded by Councillor Siebentritt -

THAT COUNCIL

1. Approves the Award of Contract to the preferred tenderer as identified by the Evaluation Panel for the Pitt Street Redevelopment.
2. Authorises the Chief Executive Officer or delegate to execute the relevant contract including the approval of any variation (financial and non-financial) to the contract based on the procurement process conducted.

Carried unanimously

Deputy Lord Mayor, Councillor Martin re-entered the Council Chamber at 6.55 pm.

19 Item 9.2 - Recommendation 7 - Item 4.7 - Integrated Strategic Community Engagement

Moved by Deputy Lord Mayor, Councillor Martin,
Seconded by Councillor Siebentritt -

THAT COUNCIL

1. Endorses the Integrated Community Engagement Framework and 2023/24 Program, Attachment A to Item 4.7 on the Agenda for the meeting of the City Finance and Governance Committee held on 19 September 2023.

Carried

20 Item 9.2 - Recommendation 8 - Item 4.8 - Market Research - Outcomes for the Draft Strategic Plan 2024-2028

Moved by Councillor Noon,
Seconded by Councillor Elliott -

THAT COUNCIL:

1. Notes the results from the McGregor Tan Community Perceptions and Vision survey of 800 respondents as provided in Attachment A to Item 4.8 on the Agenda for the meeting of the City Finance and Governance Committee held on 19 September 2023, which forms part of the evidence base for the development of the Strategic Plan 2024-2028.

Carried

21 Item 9.2 - Recommendation 9 - Item 4.9 - Code of Practice - Access to Council and Committee Meetings and Documents

Moved by Deputy Lord Mayor, Councillor Martin,
Seconded by Councillor Abrahamzadeh -

THAT COUNCIL:

1. Endorses the draft Code of Practice – Access to Council and Committee Meetings and Documents as contained in Attachment A to Item 4.9 on the Agenda for the meeting of the City Finance and Governance Committee held on 19 September 2023, for the purposes of public consultation.
2. Notes public consultation commences on 3 October 2023 and concludes on 25 October 2023, in accordance with Council's Community Consultation Policy and the legislative requirement of a minimum 21 days public consultation.
3. Notes a report will be presented to the City Finance and Governance Committee meeting to be held on 21 November 2023 that includes;
 - 3.1. details of any submissions received during the public consultation period regarding the Code of Practice – Access to Meetings and Documents; and
 - 3.2. a final proposed Code of Practice – Access to Council and Committee Meetings and Documents for Council to consider and adopt.

Carried

22 Item 9.2 - Recommendation 10 - Item 4.10 - Council Member Allowance and Benefits Policy

Moved by Councillor Abrahamzadeh,
Seconded by Councillor Siebentritt -

THAT COUNCIL:

1. Adopts the Council Member Allowance and Benefits Policy, as contained in Attachment A to Item 4.10 on the Agenda for the meeting of the City Finance and Governance Committee held on 19 September 2023.
2. Approves the deletion of the following sections of the City of Adelaide Standing Orders:
 - 2.1. Chapter 5 – Allowances and Benefits
 - 2.1.1 Part One – Allowances
 - 2.1.2 Part Two – Benefits and Reimbursements of Expenses
 - 2.1.3 Part Three – Register of Allowances and Benefits
 - 2.1.4 Part Four – Provision of Facilities and Support
3. Authorises the Chief Executive Officer to make minor editorial or formatting amendments as required to finalise the Council Member Allowance and Benefits Policy.

Carried

23 Item 9.2 - Recommendation 11 - Item 4.11 - Council Member Allowance and Benefits Policy - Specific to the Lord Mayor

The Lord Mayor declared a material conflict of interest in Item 9.2 [Recommendation 11 - Item 4.11 - Council Member Allowance and Benefits Policy - Specific to the Lord Mayor], pursuant to Section 75 of the *Local Government Act 1999* (SA) as she would gain a benefit if the matter was decided in a particular manner, withdrew her Chair and left the Council Chamber at 6.56 pm, whereupon Deputy Lord Mayor, Councillor Martin took the Chair at 6.57 pm.

It was then –

Moved by Councillor Snape,
Seconded by Councillor Siebentritt –

THAT COUNCIL

1. Endorses that in accordance with section 26 of the City of Adelaide Act 1998, that the provision of facilities and support specific to the Lord Mayor as set out in Schedule 3 to the Council Member Allowances and Benefits Policy as set out in Attachment A to Item 4.11 on the Agenda for the meeting of the City Finance and Governance Committee meeting held on 19 September 2023, are necessary or expedient to the performance or discharge of official functions and duties by the Lord Mayor.
2. Adopts Schedule 3 to the Council Member Allowances and Benefits Policy as set out in Attachment A to Item 4.11 on the Agenda for the meeting of the City Finance and Governance Committee held on 19 September 2023.
3. Authorises the Chief Executive Officer to make any necessary typographical or syntactical revisions to Schedule 3 of the Council Member Allowances and Benefits Policy.

Carried unanimously

The Lord Mayor re-entered the Council Chamber at 6.57 pm and retook the Chair.

24 Item 9.2 - Recommendation 12 - Item 4.12 - Council Member Training and Development Policy

Moved by Councillor Noon,
Seconded by Councillor Couros -

THAT COUNCIL

1. Adopts the Council Member Training and Development Policy as contained in Attachment A to Item 4.12 on the Agenda for the meeting of City Finance and Governance Committee held on 19 September 2023.
2. Approves the deletion of the following sections of the City of Adelaide Standing Orders
 - 2.1. Part 5 – Training and Development
3. Authorises the Chief Executive Officer to make any minor editorial and formatting changes as required to finalise the Council Member Training and Development Policy.

Carried unanimously

25 Item 9.2 - Recommendation 13 - Item 4.13 - Review of Council Delegations

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

THAT COUNCIL

1. Resolves to grant the delegation of powers and functions of the Council as provided for in the attached instrument of delegation (Attachment A to Item 4.13 on the Agenda for the meeting of the City Finance and Governance Committee held on 19 September 2023).
2. Such powers and functions may be further delegated by the Chief Executive Officer in accordance with Section 44 and 101 of the Act as the Chief Executive Officer sees fit, unless indicated herein or in the Schedule of conditions contained in each proposed Instrument of Delegation.
Planning, Development and Infrastructure Act 2016 (Instrument A)
3. That Council resolves to grant the delegation of powers and functions under the Planning, Development and Infrastructure Act 2016, exercising the power contained in Section 44 of the Act as provided for in the attached instrument of Delegation (Attachment A to Item 4.13 on the Agenda for the meeting of the City Finance and Governance Committee held on 19 September 2023) to the person occupying or acting in the office of Chief Executive Officer of the Council subject to the conditions and/or limitations, if any, specified herein or in the Schedule of Conditions the proposed Instrument of Delegation.
4. Such powers and functions may be further delegated by the Chief Executive Officer in accordance with Section 44 and 101 of the Act as the Chief Executive Officer sees fit, unless indicated herein of the Schedule of Conditions contained the proposed Instrument of Delegation.

Planning, Development and Infrastructure Act 2016 (Instrument B)

5. That Council resolves to grant the delegation of powers and functions under the Planning, Development and Infrastructure Act 2016, exercising the power contained in section 100 of the Planning, Development and Infrastructure Act 2016, as provided for in the attached instrument of

Delegation (Attachment A to Item 4.13 on the Agenda for the meeting of the City Finance and Governance Committee held on 19 September 2023) to the person occupying or acting in the office of Chief Executive Officer of the Council subject to the conditions and/or limitations, if any, specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation.

6. Such powers and functions may be further delegated by the Chief Executive Officer in accordance with Section 100(2)(c) of the Planning, Development and Infrastructure Act 2016 as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation.

Adelaide Central Market Authority

7. That Council resolves to grant the delegation of powers and functions as provided for in the attached instrument of delegation (Attachment B to Item 4.13 on the Agenda for the meeting of the City Finance and Governance Committee held on 19 September 2023), exercising the powers contained in section 44 of the Act to the Adelaide Central Market Authority subject to the conditions and/or limitations, if any, specified herein or in the proposed instrument of Delegation.

Adelaide Economic Development Agency

8. That Council resolves to grant the delegation of powers and functions as provided for in the attached instrument of delegation (Attachment C to Item 4.13 on the Agenda for the meeting of the City Finance and Governance Committee held on 19 September 2023), exercising the powers contained in section 44 of the Act to the Adelaide Economic Development Agency subject to the conditions and/or limitations, if any, specified herein or in the proposed instrument of Delegation.

Road Traffic Act 1961 General Approval

9. That Council resolves to grant the sub-delegation of powers under the Road Traffic Act 1961 as provided for in the attached instrument of delegation (Attachment D to Item 4.13 on the Agenda for the meeting of the City Finance and Governance Committee held on 19 September 2023).
10. In accordance with the Instrument of General Approval and Delegation to Council (dated 22 August 2013) from the Minister for Transport and Infrastructure (General Approval), the Council authorises the following person(s) pursuant to Clause A.7 of the General Approval to endorse Traffic Impact Statements for the purposes of Clause A of the General Approval provided that such person(s) shall take into account the matters specified in Clause A.7 of the General Approval in respect of Traffic Impact Statements:
 - 10.1. Julie Bellwood
 - 10.2. Jarrad Parsons
 - 10.3. Penelope Bennett
11. In accordance with Clause A.7 of the General Approval the Council is of the opinion that the following person(s) is/are experienced traffic engineering practitioner(s) for the purposes of preparing a Traffic Impact Statement as required by Clause A.7 of the General Approval:
 - 11.1. Julie Bellwood
 - 11.2. Amy Smith
 - 11.3. Christian Bilas
 - 11.4. Darren Mitchell
 - 11.5. Jarrad Parsons
 - 11.6. Jarrod Armitage
 - 11.7. Penelope Bennett
 - 11.8. Stephanie Papandrea
 - 11.9. Michael Lee
 - 11.10. Justine Austin
12. In accordance with Clause E.2 of the General Approval, the Council is of the opinion that the following person(s) has (have) an appropriate level of knowledge and expertise in the preparation of Traffic Management Plans:
 - 12.1. Julie Bellwood

- 12.2. Amy Smith
- 12.3. Christian Bilas
- 12.4. Darren Mitchell
- 12.5. Jarrad Parsons
- 12.6. Jarrod Armitage
- 12.7. Penelope Bennett
- 12.8. Stephanie Papandrea
- 12.9. Michael Lee
- 12.10. Justine Austin

Carried unanimously

It was then –

Moved by Councillor Davis,
Seconded by Councillor Noon –

That Item 13.2 – Councillor Noon – MoN - Update the Existing Prayer to include new Pledge, be brought forward to be considered before Item 9.2 – Recommendation 14 – Item 4.14 – Draft Code of Practice for Meeting Procedures.

Carried

26 Motion on Notice

27 Item 13.2 - Councillor Noon - MoN - Update the Existing Prayer to include new Pledge

Moved by Councillor Noon,
Seconded by Councillor Davis -

That Council; Note that on Agenda re Council meeting 12 September 2023 Item 3. Prayer/Pledge was published, however only the new Pledge was read out. Requests that the existing Prayer be replaced with a Multifaith Prayer to ensure inclusivity, whilst also respecting tradition, as follows: We pray for wisdom, courage, empathy, understanding and guidance in the decisions that we make, whilst seeking and respecting the opinions of others.

(This would be read out prior to the new Pledge: 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).

That Councillors are also invited to read this Prayer/Pledge out loud along with the Lord Mayor, if they wish.

Much discussion ensued, during which with the consent of the mover, seconder and the meeting, the Lord Mayor advised the meeting that the motion would be taken in parts.

All parts of the motion, except for the last paragraph,
were then put and carried

Councillor Snape requested that a division be taken on the motion

Division

For (6):

Councillors Abrahamzadeh, Couros, Davis, Hou, Li, Noon.

Against (4):

Deputy Lord Mayor, Councillor Martin and Councillors Elliott, Siebentritt and Snape.

The division was declared in favour of the motion
The final paragraph of the motion was then put and lost
on the casting vote of the Lord Mayor

28 Item 9.2 - Recommendation 14 - Item 4.14 - Draft Code of Practice for Meeting Procedures

The Lord Mayor advised the meeting that due to Councillor Noon's Motion on Notice being carried, Part 2 of the original recommendation was no longer required.

It was then –

Moved by Councillor Davis,
Seconded by Councillor Couros -

THAT COUNCIL

1. Notes the Council's decision at its Meeting on 22 August 2023 to include the following pledge in the Ordinary Council Agenda:

'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.'
2. Approves the following changes to the Code of Practice for Meeting Procedures, as identified in Attachment A to Item 4.14 on the Agenda for the meeting of the City Finance and Governance Committee held on 19 September 2023:
 - 2.1. Conflict of Interest to be included as an agenda item at all meetings (sections 3.3 and 4.6)
 - 2.2. Special meeting agenda structure (section 3.3)
 - 2.3. Clarification of procedures for Meeting Interruption (4.24)
 - 2.4. Clarification of discretionary provisions (section 6.1)
 - 2.5. Minor typographical and syntactical revisions (as highlighted)
3. Authorises the Chief Executive Officer to make any necessary typographical or syntactical revisions in order to finalise the Code of Practice for Meeting Procedures.

Discussion ensued

Amendment –

Moved by Councillor Abrahamzadeh,
Seconded by Deputy Lord Mayor, Councillor Martin –

That Part 2 of the motion be amended by an additional paragraph to be numbered 2.3 to read as follows:

'2.3. Removal of the title "your worship" (section 4.11)'

Carried

The motion, as amended, was then put and carried

29 Recommendation of the Infrastructure and Public Works Committee - 19 September 2023**30 Item 9.3 - Recommendation 1 - Item 5.1 - Recommended Levels of Service for Building Asset Management Plan**

Moved by Councillor Couros,
Seconded by Councillor Hou -

THAT COUNCIL

1. Notes the results of the community consultation undertaken to benchmark current user satisfaction for building assets.
2. Approves the development of the Buildings Asset Management Plan (AMP) based on the planning principles, consultation feedback and recommended management strategies presented within this report.

Carried

31 Recommendation of the City Planning, Development and Business Affairs Committee - 21 September 2023**32 Item 9.4 - Adelaide Park Lands Community Land Management Plan Deputations**

Moved by Councillor Noon,
Seconded by Councillor Couros -

THAT COUNCIL

1. Notes the additional public consultation on the proposed Adelaide Park Lands Community Land Management Plan.

Carried

33 Item 10 - Reports for Council (Chief Executive Officer's Reports)

Nil

34 Item 11 - Lord Mayor's Reports

The Lord Mayor addressed the meeting on the following activities:

- Kadaltilla Annual Community Park Lands forums
- Park Terrace Community Garden volunteers
- Tour of Bonython Park with Minister Champion and Kadaltilla
- Unveiled the Place of Reflection sculpture in Rymill Park
- Adelaide Bowling Club, first bowl of the season
- Wreath laying at the Annual Battle of Britain Commemorative Service at Torrens Parade Ground
- One Humanity Charity Concert

The Lord Mayor acknowledged the passing of past Council Member, Con Bambacas and Former Lord Mayor, Henry Ninio.

It was then -

Moved by Councillor Siebentritt,
Seconded by Councillor Snape –

That the report be received and noted.

Carried

35 Councillors' Reports**36 Item 12.1 - Reports from Council Members**

Councillor Elliott addressed the meeting on the Kidical Mass event.

Councillor Snape addressed the meeting on the City South AGM, the Kidical Mass event and the Ronald McDonald Charity's SA Gala Ball.

It was then –

Moved by Deputy Lord Mayor, Councillor Martin,
Seconded by Councillor Abrahamzadeh -

THAT COUNCIL

1. Notes the Council Member activities and functions attended on behalf of the Lord Mayor (Attachment A to Item 13.1 on the Agenda for the meeting of the Council held on 26 September 2023).
2. Notes the summary of Council Members' meeting attendance (Attachment B to Item 13.1 on the Agenda for the meeting of the Council held on 26 September 2023).
3. Notes that reports for Council Members tabled at the meeting of the Council held on 26 September 2023 be included in the Minutes of the meeting.

Carried

37 Motions on Notice**38 Item 13.1 - Deputy Lord Mayor (Councillor Martin) - MoN - City of Adelaide Bow Figurehead**

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

That Council;

Endorses an allocation of up to \$30,000 in the 24/25 Financial Year to the Clipper Ship City of Adelaide Ltd to commission figurehead carvings from and together with a replica of the City of Adelaide's coat of arms, as imagined in the drawings tabled for the meeting of Council on September 12th, 2023, to be placed on the bow of the world's oldest clipper ship which is now permanently moored and on public display at Port Adelaide.

Discussion ensued

Amendment –

Moved by Councillor Elliott,
Seconded by Councillor Davis –

That the motion be amended to read as follows:

'That Council;

Refers consideration of a budget allocation of \$30,000 to the 24/25 Financial Year Annual Business Plan and Budget, to the Clipper Ship City of Adelaide Ltd to commission figurehead carvings from and together with a replica of the City of Adelaide's coat of arms, as imagined in the drawings tabled for the meeting of Council on September 12th, 2023, to be placed on the bow of the world's oldest clipper ship which is now permanently moored and on public display at Port Adelaide.'

Discussion ensued

The amendment was then put and lost

The motion was then put and lost

Councillor Abrahamzadeh requested that a division be taken on the motion

Division

For (4):

Deputy Lord Mayor, Councillor Martin and Councillors Li, Noon and Snape.

Against (6):

Councillors Abrahamzadeh, Couros, Davis, Elliott, Hou and Siebentritt.

The division was declared against the motion

39 Motions without Notice

Nil

40 Questions on Notice

Nil

41 Questions without Notice

Discussion ensued, during which Councillor Abrahamzadeh left the meeting at 8.00 pm.

42 Item 17 - Exclusion of the Public

Moved by Councillor Elliott,
Seconded by Councillor Noon -

THAT COUNCIL:

1. Having taken into account the relevant consideration contained in section 90(3) (j) and (g) and section 90(2) & (7) of the Local Government Act 1999 (SA), this meeting of the Council dated 26 September 2023 resolves that it is necessary and appropriate to act in a meeting closed to the public as the

consideration of Item 18.1 [Confidential Recommendation of the City Finance and Governance Committee – 19 September 2023] listed on the Agenda in a meeting open to the public would on balance be contrary to the public interest.

Grounds and 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.

2. Pursuant to section 90(2) of the Local Government Act 1999 (SA) (the Act), this meeting of the Council dated 26 September 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 18.1 [Confidential Recommendation of the City Finance and Governance Committee – 19 September 2023] 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) (j) and (g) of the Act.

Carried

Members of the public and Corporation staff present not directly involved with Item 18.1, left the Council Chamber at 8.01 pm.

- 43 Confidential Reports from Committees and Kadaltilla / Adelaide Park Lands Authority**
- 44 Confidential Recommendation of the City Finance and Governance Committee - 19 September 2023**
- 45 Item 18.1 - Recommendation 1 - Item 6.1 - Capital City Committee Update**

The meeting re-opened to the public at 8.02 pm.

Minute 45 - Item 18.1 - Confidential Recommendation of the City Finance and Governance Committee - 19 September 2023

Resolution & Confidentiality Order

Recommendation 1 – Item 6.1 - Capital City Committee Update

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 18.1 [Confidential Recommendation of the City Finance and Governance Committee – 19 September 2023] listed on the Agenda for the meeting of the Council held on 26 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 Council 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.

Closure

The meeting closed at 8.02 pm

Dr Jane Lomax-Smith
Lord Mayor

Date of confirmation: