



# COUNCIL MINUTES

for the meeting

Tuesday, 30 January 2024

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 Snape

Councillors Abrahamzadeh, Couros, Elliott, Giles, Hou, Noon and Dr Siebentritt

## **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 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.'

Councillor Couros entered the Council Chamber at 5.32 pm.

## **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**

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**

Apology:

Councillor Li

On Leave:

Councillor Martin

Absent:

Councillor Davis

**7 Confirmation of Minutes**

Moved by Councillor Noon,  
Seconded by Councillor Hou -

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

Carried unanimously

**8 Declaration of Conflict of Interest**

Nil

**9 Deputations****9.1 Deputation - Glen Woodward - Volunteer Town Hall Tour Guides**

Mr Glen Woodward addressed the Council:

- On his many years of service to the City of Adelaide as a volunteer Town Hall Tour Guide.

The Lord Mayor thanked Mr Woodward for his deputation and presented him with a gift.

It was then –

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

**THAT COUNCIL:**

1. Supports the inclusion of a copy of the deputation given by Glen Woodward to the Council Meeting on 30 January 2024, subject to an assessment of the content by the Acting Chief Executive Officer.
2. Authorises the Acting Chief Executive Officer to make a final decision on the inclusion of the copy of the deputation given by Glen Woodward to the Council Meeting on 30 January 2024 in the council minutes.

Carried

Mr Woodward's deputation can be found for information at the conclusion of the Minutes.

**10 Petitions**

Nil

**11 Reports for Council (Chief Executive Officer's Reports)****11.1 Capital Projects Update - December 2023**

Moved by Councillor Elliott,  
Seconded by Councillor Siebentritt -

**THAT COUNCIL:**

1. Notes the Capital Works Program Update for December 2023 as contained within this report and Attachment A to Item 11.1 on the Agenda for the meeting of Council held on 30 January 2024.

Discussion ensued

The motion was then put and carried

**11.2 Requests for Council Member Professional Development Training**

Moved by Councillor Giles,  
Seconded by Councillor Hou -

**THAT COUNCIL:**

1. Approves Council Member attendance at the Australian Institute of Company Director's Course (AICD) Governance Essentials for Local Government (as outlined in Attachment A to Item 11.2 on the Agenda for the meeting of the Council held on 30 January 2024) at a

cost of \$35,112.

2. Notes, subject to Council approval above, that a budget increase of \$35,112 will be presented for consideration as part of the Quarter 3 Progress Report.
3. Approves the payment of the registration fee of \$4,500 for Councillor Davis to attend the 2024-25 Young Leadership Dialogue Program.
4. Notes that Councillor Davis will be attending to full payment of accommodation and flights to attend the 2024-25 Young Leadership Dialogue Program in the United States of America and/or Australia.
5. Notes the intention to consider increasing the budget allocation for Training and Development for Council Members as part of the 2024-25 annual business plan and budget process.

Amendment –

Moved by Councillor Noon,  
Seconded by Councillor Snape -

That Parts 1 and 2 of the motion be amended to read as follows and Part 5 be deleted:

'THAT COUNCIL:

1. Requests administration prepare a report to be presented at the City Finance and Governance Committee regarding the LG aligned Professional Development. Taking into account previous mandatory training and Mandatory Mid-term Council Leadership Refresher which includes costs associated.
2. Requests administration undertake a review of the Council Member Training and Development Policy, including further clarification on Councillor training entitlement, budget and process and for the review to be presented at the City Finance and Governance Committee.'

Discussion ensued, during which Councillor Abrahamzadeh entered the Council Chamber at 5.46 pm and the mover and seconder of the amendment, agreed it could be taken in parts.

Councillor Abrahamzadeh declared a general conflict of interest in Item 11.2 [Requests for Council Member Professional Development Training], pursuant to Section 74 of the *Local Government Act 1999* (SA) as he is a member of the Australian Institute of Company Directors, withdrew his Chair and left the Council Chamber at 5.49 pm.

The amendment to Parts 1 and 2 of the motion  
were then put and carried

Deletion of Part 5 of the motion was then put and carried

Discussion continued, during which Councillor Abrahamzadeh re-entered the Council Chamber at 6.03 pm.

Part 1 of the motion, as amended, was then put and carried unanimously

Part 2 of the motion, as amended, was then put and carried unanimously

Part 3 of the motion, was then put and carried

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

Division

For (5):

Councillors Abrahamzadeh, Couros, Giles, Hou and Siebentritt.

Against (3):

Deputy Lord Mayor, Councillor Snape and Councillors Elliott and Noon.

The division was declared in favour of Part 3 of the motion  
Part 4 of the motion, was then put and carried unanimously

### 11.3 National General Assembly of Local Government 2024

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

#### THAT COUNCIL

1. Notes that input from Council Members is sought in developing proposed motions, with a report to come back to Council at its 12 March 2024 meeting outlining proposed motions for consideration.

Carried

The Lord Mayor called for nominations to represent Council as a voting delegate at the 2024 National General Assembly of Local Government to be held in Canberra from 2 – 4 July 2024.

Councillor Noon nominated Councillor Giles, who accepted the nomination and to attend in person.

The Lord Mayor then called for nominations to be a proxy to Councillor Giles.

Deputy Lord Mayor, Councillor Snape nominated Councillor Noon, who accepted the nomination.

Councillor Giles declared a material conflict of interest in Part 2 of Item 11.3 [National General Assembly of Local Government 2024], pursuant to Section 75 of the *Local Government Act 1999* (SA) as she is the nominee to a position in which she will receive a direct benefit, withdrew her Chair and left the Council Chamber at 6.09 pm.

It was then –

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

#### THAT COUNCIL

2. Appoints Councillor Giles to represent Council as a voting delegate at the 2024 National General Assembly of Local Government to be held in Canberra from 2 – 4 July 2024.

Carried unanimously

Councillor Giles re-entered the Council Chamber at 6.09 pm.

Councillor Noon declared a material conflict of interest in Part 3 of Item 11.3 [National General Assembly of Local Government 2024], pursuant to Section 75 of the *Local Government Act 1999* (SA) as she is the nominee to a position in which she will receive a direct benefit, withdrew her Chair and left the Council Chamber at 6.09 pm.

It was then –

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

#### THAT COUNCIL

3. Appoints Councillor Noon as proxy.

Carried unanimously

Councillor Noon re-entered the Council Chamber at 6.10 pm.

Councillor Giles declared a material conflict of interest in Part 4 of Item 11.3 [National General Assembly of Local Government 2024], pursuant to Section 75 of the *Local Government Act 1999* (SA) as she is the appointed representative, withdrew her Chair and left the Council Chamber at 6.10 pm.

It was then –

Moved by Councillor Noon,  
Seconded by Councillor Hou –

THAT COUNCIL

4. Approves the delegate to travel and attend in person.

Carried

Councillor Giles re-entered the Council Chamber at 6.10 pm.

## 12 Lord Mayor's Reports

The Lord Mayor addressed the meeting on the following:

- To welcome everyone back from the break.
- Strategic Planning and new policy development.
- Economic Development Roundtable
- New Year's Eve Elder Park Party
- Veale's Vision civic event
- First Citizenship Ceremony of the year
- Australia Day Awards
- Australia Day events

It was then –

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

That the report be noted.

Carried

## 13 Councillors' Reports

### 13.1 Reports from Council Members

Moved by Councillor Siebentritt  
Seconded by Councillor Noon –

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 30 January 2024).
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 30 January 2024).
3. Notes that reports from Council Members tabled at the meeting of the Council held on 30 January 2024 will be included in the Minutes of the meeting.

Carried

## 14 Motions on Notice

### 14.1 Councillor Elliott - MoN - E-bike and Cargo Bike Subsidy

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

That Council direct Administration to develop the parameters for new Sustainability Incentives Scheme subsidy categories, for implementation as part of the 2024/25 Budget, for residents and

businesses to:

- i) purchase e-bikes and cargo bikes (electric-assist and non-electric);
- ii) install new, or replace broken or otherwise not-fit-for purpose bicycle parking racks on private property.

Discussion ensued

The motion was then put and carried unanimously

#### **14.2 Councillor Elliott - MoN - World Car-free Day**

Moved by Councillor Elliott  
Seconded by Councillor Noon –

That Council request Administration to investigate the delivery of a coordinated event (or suite of events) involving Council, Council subsidiaries and community partners to participate in World Car-free Day on Sunday 22 September 2024, and to provide Council draft proposals and associated budget implications for consideration in the 2024/25 Budget.

Discussion ensued

The motion was then put and carried

#### **14.3 Councillor Snape - MoN - Franklin Street Wombat Crossing**

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

That Council request Administration to prepare a report on the creation of a raised wombat crossing for Franklin Street within the vicinity of the IGA.

Discussion ensued, during which Councillor Giles left the Council Chamber at 6.38 pm and re-entered at 6.38 pm.

The motion was then put and carried unanimously

#### **15 Motions without Notice**

Nil

#### **16 Questions on Notice**

Nil

#### **17 Questions without Notice**

Nil

#### **18 Exclusion of the Public**

Moved by Councillor Siebentritt,  
Seconded by Councillor Giles -

ORDER TO EXCLUDE FOR ITEM 19.1

THAT COUNCIL:

1. Having taken into account the relevant consideration contained in section 90(3) (b) and (d) and section 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 30 January 2024 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 19.1 [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 Council 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 Council dated 30 January 2024 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 19.1 [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) and (d) of the Act.

Carried

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

ORDER TO EXCLUDE FOR ITEM 19.2

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 30 January 2024 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 19.2 [Chief Executive Officer – Selection Panel Appointment] 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 nominates an individual to fill the position of independent member on the Chief Executive Officer Selection Panel.

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

2. Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this meeting of the Council dated 30 January 2024 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 19.2 [Chief Executive Officer – Selection Panel Appointment] 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 unanimously

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

ORDER TO EXCLUDE FOR ITEM 19.3

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 30 January 2024 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 19.3 [Nomination of Council Appointed Member to Kadaltilla] 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 contains confidential information that must be considered in confidence to protect the nominee's personal affairs.

Public discussion and disclosure of information in this report before a resolution being determined by Council may potentially 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 30 January 2024 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 19.3 [Nomination of Council Appointed Member to Kadaltilla] 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

Moved by Councillor Abrahamzadeh,  
Seconded by Councillor Noon –

## ORDER TO EXCLUDE FOR ITEM 19.4

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 30 January 2024 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 19.4 [Appointment of Independent Audit and Risk Committee Member] 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 contains confidential information that must be considered in confidence to protect the nominee's personal affairs.

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.

2. Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this meeting of the Council dated 30 January 2024 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 19.4 [Appointment of Independent Audit and Risk Committee Member] 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

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

## ORDER TO EXCLUDE FOR ITEM 19.5

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 30 January 2024 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 19.5 [Appointment of Acting Chief Executive Officer] 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 appoints an individual to fill the position of Acting Chief Executive Officer.

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

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2. Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this meeting of the Council dated 30 January 2024 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 19.5 [Appointment of Acting Chief Executive Officer] 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 present not directly involved with Items 19.1 - 19.5, left the Council Chamber at 6.43 pm.

**19 Confidential Reports for Council (Chief Executive Officer's Reports)**

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

**19.2** Chief Executive Officer - Selection Panel Appointment [S90(3) (a)]

**19.3** Nomination of Council Appointed Member to Kadaltilla [S90(3) (a)]

**19.4** Appointment of Independent Audit and Risk Committee Member [S90(3) (a)]

**19.5** Appointment of Acting Chief Executive Officer [S90(3) (a)]

The meeting re-opened to the public at 7.04 pm.

#### Item 19.1 - 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 19.1 [Delegation to Award Contract] listed on the Agenda for the meeting of the Council held on 30 January 2024 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 Council 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 execution of the contract, in accordance with Section 91 (8)(b)-(ba) of the *Local Government Act 1999* (SA).
2. The confidentiality of the matter be reviewed 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.

#### Item 19.2 - Chief Executive Officer - Selection Panel Appointment

##### Confidentiality Order

In accordance with Section 91(7) and (9) of the *Local Government Act 1999* (SA) and because Item 19.2 [Chief Executive Officer - Selection Panel Appointment] listed on the Agenda for the meeting of the Council held on 30 January 2024 was received, discussed and considered in confidence pursuant to Section 90(3)(a) of the *Local Government Act 1999* (SA), this meeting of the 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 Council has made a decision regarding the appointment of an independent member to the Chief Executive Officer Selection Panel.
2. The Acting Chief Executive Officer is 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.

#### Item 19.3 – Nomination of Council Appointed Member to Kadaltilla

##### Confidentiality Order

Authorises that, in accordance with Section 91(7) & (9) of the *Local Government Act 1999* (SA) and on the grounds that Item 19.3 [Nomination of Council Appointed Member to Kadaltilla] listed on the Agenda for the meeting of the Council held on 30 January 2024 was received, discussed and considered in confidence under Section 90(3)(a) of the *Local Government Act 1999* (SA), this meeting of the Council do order that:

1. The resolution, report, discussion and any other associated information submitted to this meeting about the matter remain confidential and only available for public inspection upon acceptance of the nomination.
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.

#### Item 19.4 – Appointment of Independent Audit and Risk Committee Member

##### Confidentiality Order

Authorises that, by Section 91(7), (9) of the *Local Government Act 1999* (SA) and because Item 19.4 [Appointment of Independent Audit and Risk Committee Member] listed on the Agenda for the meeting of the Council held on 30 January 2024 was received, discussed and considered in confidence under 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 about the matter remain confidential and will only be available for public inspection upon acceptance of the appointment.
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.

#### Item 19.5 – Appointment of Acting Chief Executive Officer

##### Confidentiality Order

In accordance with Section 91(7) and (9) of the *Local Government Act 1999 (SA)* and because Item 19.5 [Appointment of Acting Chief Executive Officer] listed on the Agenda for the meeting of the Council held on 30 January 2024 was received, discussed and considered in confidence pursuant to Section 90(3)(a) of the *Local Government Act 1999 (SA)*, this meeting of the 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 Council has made a decision regarding the appointment of Acting Chief Executive Officer.
2. The Acting Chief Operating Officer is 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 7.04 pm

Dr Jane Lomax-Smith  
Lord Mayor

Date of confirmation:

##### Documents Attached:

Item 9.1 - Deputation - Glen Woodward - Volunteer Town Hall Tour Guides, Distributed Separately

**TOWN HALL TOURS      Presentation to ACC by Glen Woodward - 30/1/24**

Recently - I took a group of 30 members of the Commonwealth Society on a tour of our Town Hall. This was my last tour after 32 years as a volunteer guide.

In 1992 - I worked with Lord Mayor - Steve Condous - to establish Town Hall Tours with Volunteer guides to caress the culture of our city.

During the years, I have benefitted from the opportunity to research and tell stories of the history and culture of our city to thousands of visitors, tourists, students (local and overseas) and migrants - even the Duke of Kent.

Success- I have much satisfaction from success with my time, talents and with the help from the council staff.

Tours -cover the architecture of the Town Hall - development of the town acre, fit in stories of Qn. Adelaide, King Wm, Col Light, J.McDouall Stuart, Ed Wright.

In the Council Chamber the facts behind the faces on the walls are revealed.

Community – I also took the stories to the community, to local groups like Rotary, Probus, History, Church and Ethnic, both suburban and country.

Research – I have donated all of my research to City files. Some was collected in Meiningen, home of Adelheid.

Appreciation - I have appreciated my long association with ACC. I worked with 8 Lord Mayors. Lord Mayor Sandy Verschoor presented me with a glass plaque for long service.

Future - I have been fortunate to find a volunteer to take my place and have access to the files