



COUNCIL MINUTES

for the meeting

Tuesday, 24 September 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, Davis, Elliott, Giles, Hou, Li, Martin, 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 recognise 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 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

Nil

7 Confirmation of Minutes - 10/9/2024

Moved by Councillor Noon,
Seconded by Councillor Elliott -

That the Minutes of the meeting of the Council held on 10 September 2024, be taken as read and be confirmed as an accurate record of proceedings.

Carried unanimously

8 Declaration of Conflict of Interest

Nil

9 Deputations

Mr Bailey Underwood was not present in the Council Chamber when called forward by the Lord Mayor.

10 Petitions

Nil

Councillor Martin gave a personal explanation in relation to comments he made at the meeting of Council held on 9 July 2024, towards Councillor Davis. Councillor Martin unconditionally apologised and retracted the comments.

During the discussion, Deputy Lord Mayor, Councillor Snape entered the Council Chamber at 5.35 pm.

It was then –

Moved by Councillor Elliott,
Seconded by Councillor Noon –

That Councillor Martin's personal explanation be noted.

Carried

Councillor Davis accepted Councillor Martin's apology.

The Lord Mayor requested leave of the meeting to return to Item 9 – Deputations.

Leave was granted

9.1 Deputation - Bailey Underwood - Sturt Street and West Terrace intersection

Mr Bailey Underwood addressed the Council:

- To express support, as a city resident, for the investigation of the upgrade to the Sturt Street and West Terrace intersection.

The Lord Mayor thanked Mr Underwood for his deputation.

The Lord Mayor sought leave of the meeting to bring forward Item 14 – Recommendation 2 – Item 7.2 – Investigation into the Upgrade of the West Terrace and Sturt Street Intersection for consideration.

Leave was granted

14.2 Recommendation 2 - Item 7.2 - Investigation into the Upgrade of the West Terrace and Sturt Street Intersection

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

THAT COUNCIL

1. Notes the findings of this report.
2. Notes this initiative will be presented to Council for further consideration through the 2025/2026 Business Plan and Budget process, to enable further design development, detailed traffic modelling, detailed cost estimation and consultation with the Department for Infrastructure and Transport and other key stakeholders.
3. Notes that traffic changes to the adjacent Reeces Lane will be implemented in the 2024/25 Financial Year and design works will continue in 2024/25 to improve the road gradient at the intersection of Reeces Lane and Sturt Street.

Discussion ensued

The motion was then put and carried unanimously

11 Recommendation of the City of Adelaide Reconciliation Committee

Moved by Councillor Giles,
Seconded by Councillor Elliott -

Recommendation 1 – Item 5.5 – Reconciliation Committee Terms of Reference Review

THAT COUNCIL

1. Adopts the Reconciliation Committee Terms of Reference and Meeting Procedures as contained in Attachment A to Item 5.5 on the Agenda for the Reconciliation Committee meeting held on 4 September 2024.
2. Authorises the Chief Executive Officer or delegate to make grammatical or technical amendments to the Reconciliation Committee Terms of Reference and Meeting Procedures as contained in Attachment A to Item 5.5 on the Agenda for the Reconciliation Committee meeting held on 4 September 2024.

Carried unanimously

12 Recommendations of the CEO Performance Review Panel

Michael Sedgman, Chief Executive Officer declared a general conflict of interest in Item 12 [Recommendations of the CEO Performance Review Panel], pursuant to Section 75 of the *Local Government Act 1999* (SA), as he was the subject of the report, withdrew his Chair and left the Council Chamber at 5.48 pm.

It was then –

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

12.1 Recommendation 1 - Item 4.1 - 2023/24 Q4 KPI Progress Report

THAT COUNCIL:

1. Receives and notes the KPI progress report, Attachment A to Item 4.1 on the agenda for the meeting of the CEO Performance Review Panel held on 16 September 2024, outlining progress against the Chief Executive Officer's endorsed 2023/24 Key Performance Indicators.
2. Notes that the CEO performance Review Panel extends its congratulations to the Chief Executive Officer and Council staff on the successful delivery of the 2023/24 Key Performance Indicators.

12.2 Recommendation 2 - Item 4.2 - 2024/25 CEO Performance KPIs

THAT COUNCIL:

1. Notes benchmarking data was sought from all Australian Capital City Councils and desktop research undertaken for major Adelaide Metropolitan Councils regarding Appropriate Measures for KPI's 9 and 10.
2. Approves that the Chief Executive Officer's performance for the 2024/25 financial year will be assessed against;
 - the achievement of Key Performance Indicators aligned to the relevant Key Result Areas in the CEO Position Description as attached in the minutes of the CEO Performance Review Panel held on 16 September 2024, as Attachment A.
 - the outcomes of an appropriate 360-degree survey instrument, including Council Members, Senior Staff and external stakeholders.

Discussion ensued

The motion was then put and carried unanimously

Michael Sedgman, Chief Executive Officer, re-entered the Council Chamber at 5.49 pm.

13 Recommendations of the City Finance and Governance Committee - 17 September 2024

Discussion ensued

13.1 Recommendation 1 - Item 7.1 - 2024/25 LTFP update - Draft for Consultation

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

THAT COUNCIL:

1. Approves the Draft 2024/2025 – 2033/34 Long Term Financial Plan document set out in Attachment A to Item 7.1 on the Agenda for the meeting of the City Finance and Governance Committee on 17 September 2024 for the purpose of public consultation commencing at 9.00am on Monday 30 September 2024 and concluding at 11.59pm on Sunday 20 October 2024.
2. Notes the long term financial sustainability of the Long Term Financial Plan 2024/25 to 2033/34 based on the adopted assumptions.
3. Notes the Long-Term Financial Plan incorporates borrowings of \$220.6 million as at the end of 2033/34, which is the forecast prudential borrowing limit.
4. Notes the Draft 2024/25 CEO Sustainability Report set out in Attachment B to Item 7.1 on the Agenda for the meeting of the City Finance and Governance Committee on 17 September 2024.
5. Authorises the Chief Executive Officer to make any necessary changes to the draft 2024/25 Long Term Financial Plan document arising from this meeting, together with any editorial amendments and finalisation of the document's formatting and graphic design.

Discussion ensued

The motion was then put and carried

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

Division

For (9):

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

Against (2):

Councillors Couros and Davis.

The division was declared in favour of the motion

It was then –

Moved by Councillor Hou,
Seconded by Councillor Davis -

13.2 Recommendation 2 - Item 7.2 - Site Contamination Policy for Endorsement

THAT COUNCIL:

1. Adopts the Site Contamination Policy as contained in Attachment A to Item 7.2 on the Agenda for the meeting of the City Finance and Governance Committee held on 17 September 2024.
2. Revokes the Site Contamination Policy 2013.
3. Authorises the Chief Executive Officer, or delegate, to make typographical, syntactical and technical amendments to the Site Contamination Policy 2024 contained in Attachment A to Item 7.2 on the Agenda for the meeting of the City Finance and Governance Committee held on 17 September 2024.

13.5 Recommendation 5 - Item 7.5 - Integrated Community Engagement Framework Update - End of year reportTHAT COUNCIL:

1. Notes the update on the progress of the Integrated Community Engagement Framework, and the activities undertaken between July 2023 to June 2024.
2. Notes that further updates on the progress of the Integrated Community Engagement Framework will be provided quarterly to Council Members via E-News.

Carried

It was then –

Moved by Councillor Siebentritt,
Seconded by Councillor Martin -

13.3 Recommendation 3 - Item 7.3 - Code of Practice for Meeting Procedures ReviewTHAT COUNCIL:

1. Adopts the Code of Practice for Meeting Procedures as contained in Attachment A to Item 7.3 on the Agenda of the City Finance and Governance Committee held on 17 September 2024.
2. Authorises the Chief Executive Officer to make any typographical or syntactical updates as required to finalise the Code of Practice for Meeting Procedures as contained in Attachment A to Item 7.3 on the Agenda for the City Finance and Governance Committee held on 17 September 2024.

13.4 Recommendation 4 - Item 7.4 - Terms of Reference ReviewTHAT COUNCIL:

1. Adopts the Terms of Reference and Meeting Procedures for the City Community Services and Culture Committee, City Planning, Development and Business Affairs Committee, City Finance and Governance Committee and the Infrastructure and Public Works Committee as contained in Attachment A to Item 7.4 on the Agenda for the meeting of the City Finance and Governance Committee held on 17 September 2024.
2. Authorises the Chief Executive Officer to make any typographical or syntactical updates as required to finalise the Terms of Reference and Meeting Procedures for the City Community Services and Culture Committee, City Planning, Development and Business Affairs Committee, City Finance and Governance Committee and the Infrastructure and Public Works Committee as contained in Attachment A to Item 7.4 on the Agenda for the meeting of the City Finance and Governance Committee held on 17 September 2024.

Discussion ensued

Undertaking – Editorial amendments

In response to queries from Councillor Martin, the CEO gave an undertaking to include editorial amendments, as previously requested by Councillor Martin at the Committee meeting, into the final documents prior to publication, including the inclusion of 'procedural or formal motions' into part 205.

The motion was then put and carried

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

Division

For (9):

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

Against (2):

Councillors Couros and Davis.

The division was declared in favour of the motion

14 Recommendations of the Infrastructure and Public Works Committee - 17 September 2024

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

14.1 Recommendation 1 - Item 7.1 - 2024-2025 Australian Government Black Spot Program - Funding DeedTHAT COUNCIL

1. Notes the successful grant applications for the 2024/25 Australian Government Black Spot Program for safety upgrade works at the intersections of Hutt Street and South Terrace; and O'Connell Street and Archer Street.
2. Authorises the Lord Mayor and Chief Executive Officer to affix the Common Seal of the Council to the Funding Deed under the 2024/25 Australian Government Black Spot Program for safety upgrade works at the intersections of Hutt Street and South Terrace; and O'Connell Street and Archer Street as contained in Attachment A to Item 7.1 on the Agenda for the meeting of the Infrastructure and Public Works Committee held on 17 September 2024.

14.3 Recommendation 3 - Item 7.3 - Draft 'Naming Policy for Roads'THAT COUNCIL

1. Adopts the 'Naming Policy for Roads' as contained in Attachment A to Item 7.3 on the Agenda for the meeting of the Infrastructure and Public Works Committee held on 17 September 2024.
2. Notes that the 'Naming Policy for Roads' as contained in Attachment A to Item 7.3 on the Agenda for the meeting of the Infrastructure and Public Works Committee held on 17 September 2024 will supersede the 'Road Naming Policy' that was adopted by the City Projects Committee on 13 June 2000.
3. Authorises the Chief Executive Officer (or delegate) to make minor, typographical, syntactical and technical updates to the 'Naming Policy for Roads' as contained in Attachment A to Item 7.3 on the Agenda for the meeting of the Infrastructure and Public Works Committee held on 17 September 2024, to finalise the document.

14.4 Recommendation 4 - Item 7.4 - Capital Works Monthly Project Update - August 2024THAT COUNCIL

1. Notes the Capital Works Program Update for August 2024 as contained within this report and Attachment A to Item 7.4 on the Agenda for the meeting of the Infrastructure & Public Works Committee held on 17 September 2024.

Discussion ensued

The motion was then put and carried

15 Reports for Council (Chief Executive Officer's Reports)**15.1 Election of LGA President 2024 - 2026**

The Lord Mayor declared a material conflict of interest in Item 15.1 [Election of LGA President 2024 - 2026], pursuant to Section 75 of the *Local Government Act 1999 (SA)* as she was named as a nominee to a position with remuneration, withdrew her Chair and left the Council Chamber at 6.30 pm, whereupon the Deputy Lord Mayor, Councillor Snape took the Chair.

It was then –

Moved by Councillor Noon,
Seconded by Councillor Davis -

THAT COUNCIL

1. Notes the report.

Meeting Minutes, Tuesday, 24 September 2024, at 5.30 pm

2. Resolves to cast its vote for the Lord Mayor Jane Lomax-Smith (Council's nominee) for the position of LGA President 2024 – 2026.
3. Approves for the ballot paper to be marked in accordance with Council's resolution.

Discussion ensued

The motion was then put and carried unanimously

The Lord Mayor re-entered the Council Chamber at 6.33 pm, and retook the Chair.

15.2 Election of LGFA Board Members

Michael Sedgman, Chief Executive Officer declared a material conflict of interest in Item 15.2 [Election of LGFA Board Members], pursuant to Section 75 of the *Local Government Act 1999* (SA) as he was named as a nominee to a position with remuneration, withdrew his Chair and left the Council Chamber at 6.33 pm.

It was then –

Moved by Councillor Davis,
Seconded by Councillor Abrahamzadeh -

THAT COUNCIL

1. Notes the report.
2. Resolves to cast one of its votes for the Chief Executive Officer, Michael Sedgman (Council's nominee).
3. Casts a second vote for one further Board Member for Grant Piggott (Councillor, City of Norwood Payneham & St Peters).
4. Approves that the ballot paper be marked in accordance with Council's resolution to vote for up to two representative positions on the Local Government Finance Authority Board.

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

Parts 1, 2 and 4 of the motion were then put and carried

The Lord Mayor sought leave to adjourn the meeting for a period of 5 minutes, at 6.38 pm.

Leave was granted

The meeting resumed at 6.43 pm, with all members present.

Part 3 of the motion was then put and carried

Michael Sedgman, Chief Executive Officer re-entered the Council Chamber at 6.45 pm.

15.3 Request for Council Member Professional Development Training

Councillor Davis declared a material conflict of interest in Item 15.3 [Request for Council Member Professional Development Training], pursuant to Section 75 of the *Local Government Act 1999* (SA) as he was named within the report and would receive a direct benefit from the decision, withdrew his Chair and left the Council Chamber at 6.45 pm.

Discussion ensued

It was then –

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

THAT COUNCIL

1. Not approve the payment of course fees to a maximum amount of \$10,000, for Councillor Davis to attend an Australian Institute of Company Director's Course for the purposes of professional development.

Discussion continued

The motion was then put and carried unanimously

16 Lord Mayor's Reports

The Lord Mayor addressed the meeting on the following activities:

- Ceremonies at Adelaide Oval and Rundle Mall for Olympian and Paralympian athletes from the Paris Games
- Opening of the Adelaide Bowling Club's 2024/25 season
- SANFL Grand Final Official Lunch
- Mainstreet SA Conference
- North Adelaide Precinct and Grote Street Business Precinct AGM's
- Wreath laying on the Torrens Parade Ground in the memory of the Battle of Britain
- Funeral of Aunty Shirley Peisley

The Lord Mayor acknowledged and congratulated the City of Adelaide Council and Administration regarding two significant accolades recently received for the City Plan 2036, including an award of excellence from the Geospatial Council of Australia for Community Impact and the prestigious Good Design Award Gold Winner Accolade in the Policy Design category for exceptional design and innovation at the Australian Good Design Awards.

During the discussion, Councillor Davis re-entered the Council Chamber at 6.55 pm.

It was then –

Moved by Councillor Davis,
Seconded by Councillor Abrahamzadeh –

That the report be received and noted.

Carried

17 Councillors' Reports**17.1 Reports from Council Members**

Councillor Noon addressed the meeting on her attendance at the Olympic event, a networking business group in North Adelaide, InDaily Top 100 companies awards, an Elected Member presentation at the State Planning Commission.

Councillor Davis addressed the meeting on his attendance at the opening of the Adelaide Ballet Company and the first ballet lesson.

Councillor Elliott addressed the meeting on his attendance at the Dardanelles campaign anniversary, 25th anniversary of the International Force to East Timor and the Supercycle Sunday event.

Councillor Dr Siebentritt addressed the meeting on his attendance at the Rotary 2024, Walk of Respect and the 50th anniversary of the City to Bay.

Councillor Giles addressed the meeting on her attendance at the Ukrainian Independence Day event and the Polish Women's Association 70th anniversary.

It was then -

Moved by Councillor Davis,
Seconded by Councillor Martin –

THAT COUNCIL

1. Notes the Council Member activities and functions attended on behalf of the Lord Mayor (Attachment A to Item 17.1 on the Agenda for the meeting of the Council held on 24 September 2024).
2. Notes the summary of meeting attendance by Council Members (Attachment B to Item 17.1 on the Agenda for the meeting of the Council held on 24 September 2024).
3. Notes that reports from Council Members tabled at the meeting of the Council held on 24 September 2024 will be included in the Minutes of the meeting.

18 Motions on Notice

Nil

19 Motions without Notice

Nil

20 Questions on Notice

Nil

21 Questions without Notice

Nil

22 Exclusion of the Public

Moved by Councillor Davis,
Seconded by Councillor Siebentritt -

THAT COUNCIL:

1. Having taken into account the relevant consideration contained in section 90(3) (j) & (g) and section 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 24 September 2024 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 23 [Confidential Recommendation of the City Finance and Governance Committee – 17 September 2024] 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 24 September 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 23 [Confidential Recommendation of the City Finance and Governance Committee – 17 September 2024] 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) & (g) of the Act.

Carried unanimously

Members of the public and corporation staff not involved with Item 10.1 left the Council Chamber at 7.09 pm.

**23 Confidential Recommendation of the City Finance and Governance Committee –
17 September 2024**

23.1 Recommendation 1 - Item 10.1 - Capital City Committee Update [S90(3) (g), (j)]

The meeting reopened to the public at 7.11 pm.

Item 23 - Confidential Recommendation of the City Finance and Governance Committee – 17 September 2024

Resolution and Confidentiality Order

THAT COUNCIL:

1. Notes the report on the Capital City Committee meeting held on 22 August 2024.
2. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* (SA) and because Item 23 [Confidential Recommendation of the City Finance and Governance Committee – 17 September 2024] listed on the Agenda for the meeting of the Council held on 24 September 2024 was received, discussed and considered in confidence pursuant to Sections 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 December 2030.
 - 2.3 The confidentiality of the matter be reviewed in December 2025.
 - 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 7.11 pm

Dr Jane Lomax-Smith
Lord Mayor

Date of confirmation:

Documents Attached:

Nil