

Nominations to Adelaide Festival Centre Trust

Tuesday, 10 March 2026
Council

Strategic Alignment - Our Corporation

Program Contact:
Rebecca Hayes, Associate
Director Governance & Strategy

Public

Approving Officer:
Anthony Spartalis, Chief
Operating Officer

EXECUTIVE SUMMARY

The purpose of this report is to seek the nomination of three Council Members to be provided to the responsible Minister to select one council nominee to recommend to the Governor to appoint to the Adelaide Festival Centre Trust (the Trust).

The Trust is established under the *Adelaide Festival Centre Trust Act 1971* and is responsible for encouraging and facilitating artistic, cultural and performing arts activities, as well as maintaining and improving the building and facilities of the Festival Centre complex.

Councillor Martin is the current representative of Council and was appointed in April 2023 to the trust for a term of three years, with the term expiring on 5 April 2026. Due to the upcoming conclusion of the current term of appointment, the nomination of a panel of three Council Members, to be provided to the Minister for consideration, is now sought.

RECOMMENDATION

THAT COUNCIL

1. Notes that the *Adelaide Festival Centre Trust Act 1971* requires City of Adelaide (1 appointee) representation on the Adelaide Festival Centre Trust.
2. Approves the nomination of three Council Members to be provided to the responsible Minister to select one council nominee to recommend to the Governor for appointment to the Adelaide Festival Centre Trust.
3. Notes that the method of nominating three Council Members will be undertaken in accordance with the Code of Practice for Council Meeting Procedures as follows:
 - 3.1. The Presiding Member of the Meeting will call for nominations, which must be accepted or declined by the Council Member who is the subject of the nomination.
 - 3.2. The Chief Executive Officer as Returning Officer is authorised to declare the successful candidates nominated for submission to the Trust for consideration by the Minister.
 - 3.3. In the event of only three nominations to the office, the candidates will be announced by the Returning Officer as Council's nominees.
 - 3.4. In the event of there being more nominations than required, an election by voting ballot of Council Members present will be undertaken.
 - 3.5. Upon completion of the ballot process, the Chief Executive Officer as Returning Officer will announce the successful candidates as nominated for submission to the Trust for consideration by the Minister.

IMPLICATIONS AND FINANCIALS

City of Adelaide 2024-2028 Strategic Plan	Strategic Alignment – Our Corporation This report aligns with the Strategic Plan objective of effective leadership and governance.
Policy	Not as a result of this report
Consultation	Not as a result of this report
Resource	For participating members, preparation for and attendance at meetings.
Risk / Legal / Legislative	Members considering nominating for an appointment should note that, as Board Members, they will need to consider how to manage future conflicts of interest that arise from Council decisions relating to that body.
Opportunities	Appointments to outside bodies provide an opportunity for Council Members to contribute to discussion and decision making on a broad range of matters relevant to the City of Adelaide.
25/26 Budget Allocation	Not as a result of this report
Proposed 26/27 Budget Allocation	Not as a result of this report
Life of Project, Service, Initiative or (Expectancy of) Asset	Not as a result of this report
25/26 Budget Reconsideration (if applicable)	Not as a result of this report
Ongoing Costs (eg maintenance cost)	Not as a result of this report
Other Funding Sources	Not as a result of this report

DISCUSSION

1. The Adelaide Festival Centre Trust is established under the *Adelaide Festival Centre Trust Act 1971* (AFCT Act) and is responsible for encouraging and facilitating artistic, cultural and performing arts activities, as well as maintaining and improving the building and facilities of the Festival Centre complex.
2. Section 6(1)(a) of the AFCT Act provides for one Council nominee to be appointed to the Trust by the Governor, based on the recommendation of the responsible Minister. The nominee can be either a Council Member or an officer / employee of the Council. Total membership of the Trust is not more than eight members, with the remainder of appointments to the Trust made by the Governor.
3. Councillor Martin is Council's current representative with his term of appointment expiring on 5 April 2026. Councillor Martin is eligible for renomination.
4. In accordance with the provisions for appointments to statutory bodies in section 42(2)(a) of the *Legislation Interpretation Act 2021* (SA), a panel of three nominees must be presented to the relevant Minister for consideration. The panel must consist of at least one woman and one man.
5. The Trust must meet at least six times per year, with meetings generally held at the Adelaide Festival Centre. Sitting fees of \$590 per meeting are payable.
6. The Code of Practice for Council Meeting Procedures (Part 156) requires any Council Member appointed as a Council representative to an external organisation to report on their involvement in activities associated with that organisation.

Process for nomination

7. In accordance with section 51 (8) of the *Local Government Act 1999* (SA) and the Code of Practice for Council Meeting Procedures (Ballot Process):
 - 7.1. The Presiding Member of the Meeting will call for nominations, which must be accepted or declined by the Council Member who is the subject of the nomination.
 - 7.2. The Chief Executive Officer as Returning Officer is authorised to declare the successful candidates nominated for submission to the Board for consideration by the Minister for the appointment of one.
 - 7.3. In the event of only three nominations to the office, the candidates will be announced by the Returning Officer as Council's nominees.
 - 7.4. In the event of there being more nominations than required, an election by voting ballot of Council Members present will be undertaken.
 - 7.5. If the votes for two or more candidates for the relevant position are equal, a revote by ballot between tied candidates will be undertaken.
 - 7.6. If the votes for two or more candidates for the position remain equal, lots must be drawn to determine which candidate or candidates will be excluded.
 - 7.7. Upon completion of the ballot process, the Chief Executive Officer as Returning Officer will announce the successful candidates as nominated for submission to the Board for consideration by the Minister.

ATTACHMENTS

Nil

- END OF REPORT -