



CITY PLANNING, DEVELOPMENT AND BUSINESS AFFAIRS COMMITTEE

Agenda and Reports

for the meeting on

Tuesday, 3 February 2026

at 7.30 pm

in the Colonel Light Room, Adelaide Town Hall

Our Adelaide.
Bold.
Aspirational.
Innovative.

CITY PLANNING, DEVELOPMENT AND BUSINESS AFFAIRS COMMITTEE
Meeting Agenda, Tuesday, 3 February 2026, at 7.30 pm

Members – The Right Honourable the Lord Mayor, Dr Jane Lomax-Smith

Deputy Lord Mayor, Councillor Noon (Chair)

Councillor Martin (Deputy Chair)

Councillors Abrahamzadeh, Cabada, Couros, Davis, Freeman, Giles, Maher, Dr Siebentritt and Snape

Agenda

Item		Pages
1.	Acknowledgement of Country At the opening of the City Planning, Development and Business Affairs Committee meeting, the Chair will state: ‘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 recognise 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.	Apologies and Leave of Absence Nil	
3.	Confirmation of Minutes - 4/11/2025 That the Minutes of the meeting of the City Planning, Development and Business Affairs held on 4 November 2025, be taken as read and be confirmed as an accurate record of proceedings. View public 4 November 2025 Minutes.	
4.	Declaration of Conflict of Interest	
5.	Deputations	
6.	Workshops Nil	
7.	Reports for Recommendation to Council Nil	
8.	Reports for Noting Nil	
9.	Exclusion of the Public In accordance with sections 90(2), (3) and (7) of the <i>Local Government Act 1999</i> (SA) the City Planning, Development and Business Affairs will consider whether to discuss in confidence the reports contained within section 10 of this Agenda.	4 - 6

10. Confidential Reports for Recommendation to Council

10.1 20th Century Local Heritage Places Code Amendment - Proposal to Initiate 7 - 184
[S90(3) (m)]

11. Closure

Tuesday, 3 February 2026

City Planning,
Development and Business
Affairs Committee

Program Contact:

Anthony Spartalis, Chief
Operating Officer

Approving Officer:

Michael Sedgman, Chief
Executive Officer

Public

EXECUTIVE SUMMARY

Section 90(2) of the *Local Government Act 1999 (SA)* (the Act), states that a Council may order that the public be excluded from attendance at a meeting if the Council considers it to be necessary and appropriate to act in a meeting closed to the public to receive, discuss or consider in confidence any information or matter listed in section 90(3) of the Act.

It is the recommendation of the Chief Executive Officer that the public be excluded from this City Planning, Development and Business Affairs Committee meeting for the consideration of information and matters contained in the Agenda.

For the following Chief Executive Officer's Report seeking consideration in confidence

- 10.1** 20th Century Local Heritage Places Code Amendment – Proposal to Initiate [section 90(3) (m) of the Act]

The Order to Exclude for Item 10.1:

1. Identifies the information and matters (grounds) from section 90(3) of the Act utilised to request consideration in confidence.
2. Identifies the basis – how the information falls within the grounds identified and why it is necessary and appropriate to act in a meeting closed to the public.
3. In addition, identifies for the following grounds – section 90(3) (b), (d) or (j) of the Act - how information open to the public would be contrary to the public interest.

ORDER TO EXCLUDE FOR ITEM 10.1

THAT THE CITY PLANNING, DEVELOPMENT AND BUSINESS AFFAIRS COMMITTEE:

1. Having taken into account the relevant consideration contained in section 90(3) (m) and section 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the City Planning, Development and Business Affairs Committee dated 3 February 2026 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 10.1 [20th Century Local Heritage Places Code Amendment – Proposal to Initiate] 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 confidential as the material presented contains information regarding potential new local heritage places to be included in a future draft Code Amendment that is not appropriate to be made public prior to the commencement of public engagement, due to the identification of individual properties in the draft Code Amendment.

The disclosure of information in this report could reasonably breach confidentiality of information prior to public engagement on the draft Code Amendment.

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 will release the draft Code Amendment prior to Council endorsement of the policy approach and public engagement plan.

2. Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this meeting of the City Planning, Development and Business Affairs Committee dated 3 February 2026 orders that the public (with the exception of members of Corporation staff and any person permitted to remain) be excluded from this meeting to enable this meeting to receive, discuss or consider in confidence Item 10.1 [20th Century Local Heritage Places Code Amendment – Proposal to Initiate] 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) (m) of the Act.
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DISCUSSION

1. Section 90(1) of the *Local Government Act 1999 (SA)* (the Act) directs that a meeting of Council must be conducted in a place open to the public.
2. Section 90(2) of the Act, states that a Council may order that the public be excluded from attendance at a meeting if Council considers it to be necessary and appropriate to act in a meeting closed to the public to receive, discuss or consider in confidence any information or matter listed in section 90(3) of the Act.
3. Section 90(3) of the Act prescribes the information and matters that a Council may order that the public be excluded from.
4. Section 90(4) of the Act, advises that in considering whether an order should be made to exclude the public under section 90(2) of the Act, it is irrelevant that discussion of a matter in public may -
 - (a) *cause embarrassment to the council or council committee concerned, or to members or employees of the council; or*
 - (b) *cause a loss of confidence in the council or council committee; or*
 - (c) *involve discussion of a matter that is controversial within the council area; or*
 - (d) *make the council susceptible to adverse criticism.*
5. Section 90(7) of the Act requires that an order to exclude the public:
 - 5.1 Identify the information and matters (grounds) from section 90(3) of the Act utilised to request consideration in confidence.
 - 5.2 Identify the basis – how the information falls within the grounds identified and why it is necessary and appropriate to act in a meeting closed to the public.
 - 5.3 In addition identify for the following grounds – section 90(3) (b), (d) or (j) of the Act - how information open to the public would be contrary to the public interest.
6. Section 83(5) of the Act has been utilised to identify in the Agenda and on the Report for the meeting, that the following report is submitted seeking consideration in confidence.
 - 6.1 Information contained in Item 10.1 – 20th Century Local Heritage Places Code Amendment – Proposal to Initiate
 - 6.1.1 Is not subject to an existing Confidentiality Order.
 - 6.1.2 The grounds utilised to request consideration in confidence is section 90(3) (m) of the Act
 - (m) information relating to a proposal to prepare or amend a designated instrument under Part 5 Division 2 of the Planning, Development and Infrastructure Act 2016 (SA) before the draft instrument or amendment is released for public consultation under that Act.

ATTACHMENTS

Nil

- END OF REPORT -

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