



CITY PLANNING, DEVELOPMENT AND BUSINESS AFFAIRS COMMITTEE

Minutes

for the meeting on

Tuesday, 5 November 2024

in the Colonel Light Room, Adelaide Town Hall

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Our Adelaide.
Bold.
Aspirational.
Innovative.

Present – The Right Honourable the Lord Mayor, Dr Jane Lomax-Smith
Councillor Noon (Chair)
Councillor Martin (Deputy Chair)
Deputy Lord Mayor, Councillor Snape and Councillors Couros, Davis, Elliott, Giles, Hou and Li

1 Acknowledgement of Country

The Chair 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.’

The Lord Mayor entered the Colonel Light Room at 7.01 pm.

2 Apologies and Leave of Absence

Apologies:

Councillors Abrahamzadeh and Siebentritt

3 Confirmation of Minutes - 1/10/2024

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

That the Minutes of the meeting of the City Planning, Development and Business Affairs held on 1 October 2024, be taken as read and be confirmed as an accurate record of proceedings.

Carried

4 Declaration of Conflict of Interest

Councillor Martin declared a material conflict of interest in Item 7.3 [Festival Plaza Code Amendment Consultation Submission], pursuant to Section 75 of the *Local Government Act 1999* (SA) as he is a member of the Festival Centre Trust.

5 Deputations

Nil

6 Workshops

Nil

7 Reports for Recommendation to Council

7.1 Adelaide Park Lands Management Strategy - Towards 2036 for Approval

Discussion ensued, during which Councillor Giles left the Colonel Light Room at 7.03 pm and re-entered at 7.06 pm.

It was then –

Moved by Councillor Elliott,
Seconded by Councillor Hou -

THAT THE CITY PLANNING, DEVELOPMENT AND BUSINESS AFFAIRS COMMITTEE RECOMMENDS TO COUNCIL

THAT COUNCIL

1. Adopts the Adelaide Park Lands Management Strategy - Towards 2036 as contained in Attachment A to Item 7.1 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 5 November 2024.
2. Authorises the Chief Executive Officer, or delegate, to write to the Minister for Planning advising that Council adopted the Adelaide Park Lands Management Strategy - Towards 2036 as contained in Attachment A to Item 7.1 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 5 November 2024 and confer, via exchange of letters, on the report and proposal.
3. Authorises the Chief Executive Officer, or delegate, to make minor or typographical amendments to the document contained in Attachment A to Item 7.1 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 5 November 2024 for the purposes of finalising the documents.

Discussion continued

Undertaking – Reduction of car parking on the Park Lands target

In response to a query from Councillor Martin, an undertaking was given to provide Council Members with information on the 5% reduction of car parking target in the current strategy and if that target was met.

The motion was then put and carried

7.2 Submission on draft Greater Adelaide Regional Plan - for approval

Discussion ensued

It was then -

Moved by Councillor Giles,
Seconded by Councillor Elliott -

THAT THE CITY PLANNING, DEVELOPMENT AND BUSINESS AFFAIRS COMMITTEE RECOMMENDS TO COUNCIL

THAT COUNCIL

1. Endorses the submission on the draft Greater Adelaide Regional Plan as contained in Attachment A to Item 7.2 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 5 November 2024.
2. Authorises the Chief Executive Officer, or delegate, to make minor editorial or formatting amendments to finalise the submission on the draft Greater Adelaide Regional Plan as contained in Attachment A of Item 7.2 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 5 November 2024.

Discussion continued

Undertaking – SCAP v CAP approval speed

In response to a query from the Lord Mayor, an undertaking was given to provide Council Members with information on the speed of approvals from SCAP versus those from CAP.

The motion was then put and carried

7.3 Festival Plaza Code Amendment Consultation Submission

Having declared a material conflict of interest in Item 7.3 [Festival Plaza Code Amendment Consultation Submission], pursuant to Section 75 of the *Local Government Act 1999* (SA) as he is a member of the Festival Centre Trust, Councillor Martin left the Colonel Light Room at 7.44 pm.

Councillors Davis and Hou left the Colonel Light Room at 7.44 pm.

It was then –

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

THAT THE CITY PLANNING, DEVELOPMENT AND BUSINESS AFFAIRS COMMITTEE RECOMMENDS TO COUNCIL

THAT COUNCIL

1. Endorses the submission to the Chief Executive Officer of the Department for Housing and Urban Development on the Festival Plaza Code Amendment as contained in Attachment A of Item 7.3 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 5 November 2024.
2. Authorises the Chief Executive Officer, or delegate, to make minor technical or typographical amendments to the submission on the Festival Plaza Code Amendment as contained in Attachment A of Item 7.3 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 5 November 2024 for the purposes of finalising and lodging the submission.

Discussion ensued, during which:

- Councillor Davis re-entered the Colonel Light Room at 7.45 pm.
- Councillor Hou re-entered the Colonel Light Room at 7.45 pm, left at 7.46 pm and re-entered at 7.47 pm.

The motion was then put and carried

Councillor Martin re-entered at 7.54 pm.

7.4 Adult Entertainment Premises Code Amendment for Endorsement

Moved by Lord Mayor,
Seconded by Councillor Elliott -

THAT THE CITY PLANNING, DEVELOPMENT AND BUSINESS AFFAIRS COMMITTEE RECOMMENDS TO COUNCIL

THAT COUNCIL

1. Endorses the amendments to the Planning and Design Code for the Adult Entertainment Premises Code Amendment as contained in Attachment A to Item 7.4 on the Agenda for the meeting of City Planning, Development and Business Affairs Committee held on 5 November 2024.
2. Endorses the Adult Entertainment Premises Code Amendment Engagement Report as contained in Attachment B to Item 7.4 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 5 November 2024.
3. Authorises the Chief Executive Officer, or delegate, to make minor typographical, syntactical and technical amendments to the documents as contained in Attachment A and Attachment B to Item 7.4 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 5 November 2024 for the purpose of seeking approval from the Minister for Planning.

Discussion ensued, during which the Lord Mayor left the Colonel Light Room at 7.54 pm and re-entered at 7.56 pm.

The motion was then put and carried

7.5 Draft Social Infrastructure (Assets) Policy for Public Consultation

Discussion ensued

Undertaking – Draft Social Infrastructure (Assets) Policy for Public Consultation Summary Sheets

In response to a query from Councillor Martin, an undertaking was given to include summary sheets in the consultation documentation.

It was then –

Moved by Councillor Martin,
Seconded by Councillor Elliott -

THAT THE CITY PLANNING, DEVELOPMENT AND BUSINESS AFFAIRS COMMITTEE RECOMMENDS TO COUNCIL

THAT COUNCIL

1. Endorses the draft City of Adelaide Social Infrastructure (Assets) Policy as contained in Attachment A to Item 7.5 on the Agenda for the City Planning, Development and Business Affairs Committee held on 5 November 2024, for the purposes of public consultation.
2. Endorses the draft City of Adelaide Social Infrastructure (Assets) Policy, Engagement Plan as contained in Attachment B to Item 7.5 on the Agenda for the City Planning, Development and Business Affairs Committee held on 5 November 2024.
3. Authorises the Chief Executive Officer, or delegate, to make minor, typographical or syntactical updates to Attachment A and Attachment B as contained in Item 7.5, on the Agenda for the City Planning, Development and Business Affairs Committee on 5 November 2024 for the purposes of finalising the documents for public consultation.

Discussion continued

The motion was then put and carried

7.6 City Safety Compliance and Enforcement Policy

Moved by Councillor Davis,
Seconded by Councillor Giles -

THAT THE CITY PLANNING, DEVELOPMENT AND BUSINESS AFFAIRS COMMITTEE RECOMMENDS TO COUNCIL

THAT COUNCIL

1. Endorses the City Safety Compliance and Enforcement Policy, as contained in Attachment A to Item 7.6 on the Agenda for the meeting of City Planning, Development and Business Affairs Committee held on 5 November 2024.
2. Approves the amendments to the Order Making Policy, as contained in Attachment B to Item 7.6 on the Agenda for the meeting of City Planning, Development and Business Affairs Committee held on 5 November 2024.
3. Approves the rescinding of the Environmental Health Management Policy 2020.
4. Notes the City Safety Compliance and Enforcement Guideline as contained in Attachment C to Item 7.6 on the Agenda for the meeting of City Planning, Development and Business Affairs Committee held on 5 November 2024.

Councillor Elliott left the Colonel Light Room at 8.13 pm and re-entered at 8.13 pm.

The motion was then put and carried

Councillor Elliott left the Colonel Light Room at 8.14 pm.

7.7 Catalyst Site Policy Review Framework and Principles

Discussion ensued, during which Councillor Elliott re-entered the Colonel Light Room at 8.17 pm.

It was then –

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

THAT THE CITY PLANNING, DEVELOPMENT AND BUSINESS AFFAIRS COMMITTEE RECOMMENDS TO COUNCIL

THAT COUNCIL

1. Endorses the principles and framework as contained in Attachment A to Item 7.7 on the Agenda of the City Planning, Development and Business Affairs Committee held on 5 November 2024, for the purposes of collaborating with the State Government to progress a review of catalyst site policy.
2. Notes the outcomes of the review of catalyst site policy in the State Government's Planning and

Design Code as presented in Item 7.7 on the Agenda of the City Planning, Development and Business Affairs Committee held on 5 November 2024.

Discussion continued

The motion was then put and carried

The Chair requested leave of the meeting to continue the meeting past 8.30 pm.

Leave was granted

8 Reports for Noting

Nil

9 Exclusion of the Public

Moved by Lord Mayor,
Seconded by Councillor Couros -

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 5 November 2024 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 10.1 [Proposal to Initiate Waste Code Amendment] 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 it contains information regarding the draft Code Amendment that is not appropriate to be made public prior to the commencement of public engagement, particularly due to the potentially sensitive nature of the draft Code Amendment

The disclosure of information in this report could reasonably breach confidentiality of information prior to public engagement with 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 5 October 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 10.1 [Proposal to Initiate Waste Code Amendment] 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.

Carried

Moved by Lord Mayor,
Seconded by Councillor Giles -

ORDER TO EXCLUDE FOR ITEM 10.2

THAT THE CITY PLANNING, DEVELOPMENT AND BUSINESS AFFAIRS COMMITTEE:

1. Having taken into account the relevant consideration contained in section 90(3) (b) & (d) and section 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the City Planning, Development and Business Affairs Committee dated 5 November 2024 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 10.2 [City of Adelaide Property Strategy] 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 certain information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting business, prejudice the commercial position of the council and prejudice the commercial position of the person who supplied the information and confer a commercial advantage to a third party.

More specifically, the disclosure of certain information in this report could reasonably prejudice the commercial position of the council including its future commercial dealings given that it contains financial information and further direction with regard to Council's assets and strategic holdings.

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 given that the information in this report, including certain financial information and further direction, may prejudice its future commercial dealings with regard to its assets and strategic holdings. On this basis, the disclosure of such information may severely prejudice the City of Adelaide's ability to influence the proposal for the benefit of the City of Adelaide and the community in this matter.

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 5 October 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 10.2 [City of Adelaide Property Strategy] 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) & (d) of the Act.

Carried

Members of the public and Corporation staff present not directly involved with Items 10.1 and 10.2, left the Colonel Light Room at 8.29 pm.

- 10 Confidential Reports for Recommendation to Council**
- 10.1 Proposal to Initiate Waste Code Amendment [S90(3) (m)]**
- 10.2 City of Adelaide Property Strategy [S90(3) (b), (d)]**

The meeting re-opened to the public at 9.09 pm.

Item 10.1 – Proposal to Initiate Waste Code Amendment

Confidentiality Order

Authorises that, in accordance with Section 91(7) and (9) of the *Local Government Act 1999 (SA)* and because Item 10.1 [Proposal to Initiate Waste Code Amendment] on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 5 November 2024 was received, discussed and considered in confidence pursuant to Section 90(3)(m) of the *Local Government Act 1999 (SA)*, this meeting of the City Planning, Development and Business Affairs Committee do order that:

1. The resolution becomes public information and is included in the Minutes of the Council meeting.
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 the public consultation for the draft Code Amendment has commenced or 31 December 2025.
3. The confidentiality of the matter be reviewed in December 2025.
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.

Item 10.2 – City of Adelaide Property Strategy

Confidentiality Order

In accordance with Section 91(7) & (9) of the *Local Government Act 1999 (SA)* and on the grounds that Item 10.2 [City of Adelaide Property Strategy] listed on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 5 November 2024 was received, discussed and considered in confidence pursuant to Section 90 (3) (b) & (d) of the *Local Government Act 1999 (SA)*, this meeting of the City Planning, Development and Business Affairs Committee 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 31 December 2031.
2. The confidentiality of the matter be reviewed in December 2025.
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.

Closure

The meeting closed at 9.09 pm

Councillor Noon
City Planning, Development and Business Affairs Committee Chair

Documents Attached:

Nil