



COUNCIL

Minutes

for the meeting on

Tuesday, 11 March 2025

in the Council Chamber, Adelaide Town Hall

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Our Adelaide.
Bold.
Aspirational.
Innovative.

Present – The Right Honourable the Lord Mayor, Dr Jane Lomax-Smith (Presiding)

Deputy Lord Mayor, Councillor Elliott

Councillors Couros, Davis, Giles, Hou, Martin, Noon, Dr Siebentritt and Snape

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 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 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

Leave of Absence:

Councillors Abrahamzadeh and Li

7 Confirmation of Minutes - 25/2/2025

Moved by Councillor Martin,

Seconded by Seconded by Councillor Snape -

That the Minutes of the meeting of the Council held on 25 February 2025, be taken as read and be confirmed as an accurate record of proceedings.

Carried

8 Declaration of Conflict of Interest

Nil

9 Deputations - Mr Martin Haese - Clipper Ship City of Adelaide

Mr Martin Haese addressed the Council:

- To seek Council's support for Councillor Martin's Motion on Notice, to consider a budget allocation of \$30,000, to complete the structural and decorative work around the coat of arms on the stern of the Clipper Ship City of Adelaide, including the carving of the name of the ship City of Adelaide.

The Lord Mayor thanked Mr Haese or his deputation.

10 Petitions

Nil

The Lord Mayor requested leave of the meeting to bring forward Item 20.3 - Councillor Martin - MoN - Budget Allocation Consideration - Clipper Ship, followed by Item 18 – Lord Mayor's Reports and that Item 17.1 - Response to the Remuneration Tribunal, be considered immediately after Item 13 - Recommendations of the CEO Performance Review Panel - 3 March 2025.

Leave was granted

20.3 Councillor Martin - MoN - Budget Allocation Consideration - Clipper Ship

Moved by Councillor Martin,
Seconded by Councillor Noon -

That Council:

Refers consideration of a budget allocation as part of the City of Adelaide 2025/26 Budget and Business Plan or subsequent quarterly budget considerations, for the sum of \$30,000 toward further works to the historic 1864 clipper ship "City of Adelaide" as outlined in Attachment A.

Discussion ensued

The motion was then put and carried unanimously

18 Lord Mayor's Reports

The Lord Mayor addressed the meeting on the following:

- Discussions around LivGolf relocating to the North Adelaide Golf Course
- North Adelaide Society AGM
- Metropolitan Mayors Forum
- Festivals, Fringe, Womad and Writers Week
- Launch of the revised Kaurna song book, Listen to Our Songs
- The judgement of the Court of Disputed Returns.

The Chief Executive Officer, Mr Michael Sedgman provided a verbal statement to the Council Chamber at the request of the Lord Mayor.

Discussion ensued

Undertaking – Court of Disputed Returns

In response to a query from Councillor Davis, an undertaking was given to provide Council Members with information on, how much Council has expended in attending hearings and the trial, in relation to the Court of Disputed Returns matter.

It was then –

Moved by Councillor Martin,
Seconded by Councillor Giles -

That Council:

1. Notes the Lord Mayor's report.
2. Notes the verbal statement that the CEO provided to Council in relation to the court of disputed returns judgement delivered 7 March 2025.
3. Includes the CEO's statement in the minutes.

Discussion continued

The motion was then put and carried

Chief Executive Officer's Statement -

'On 7 March 2025, the Court of Disputed Returns delivered Judgment in the matter of Alexander Hyde v Electoral Commissioner of South Australia & Jing Li (No 3) [2025] SADC 20. That matter concerned a petition filed in the Court by Mr Alexander Hyde contesting the validity of the 2022 periodic election which resulted in the election of four councillors to represent Council's Central Ward.

In upholding the petition, in part, the Court found that the election was affected by illegal practices (as defined under the Local Government (Elections) Act 1999) and that those illegal practices affected the outcome of the election.

At the request of counsel for Mr Hyde, the Court has adjourned the matter to 4 April 2025 to allow time for the parties to make submissions regarding what orders the Court should make as a result of its findings.

As the Court has not yet made any orders, each of the Central Ward councillors continue to hold office as members of Council accordance with the terms of the Local Government Act 1999. The councillors are entitled to attend Council meetings, Council committee meetings and information and briefing sessions in the ordinary way, unless and until the Court orders otherwise.

Section 40 of the Local Government Act 1999 makes it clear that there is no risk to the validity or lawfulness of any of the decisions of Council since the 2022 periodic elections arising from the findings of the Court, including at tonight's meeting. Any Council decision made prior to the Court's orders taking effect will remain valid, even after the Court makes orders finalising the proceedings.'

11 Recommendations of the Audit and Risk Committee - 21 February 2025

Moved by Councillor Siebentritt,
Seconded by Councillor Giles -

11.1 Recommendation 1 - Item 8.1 - 2024/25 Business Plan & Budget Quarter 2 Update

THAT COUNCIL

1. Receives the City of Adelaide 2024/25 Business Plan and Budget Quarter 2 Update as provided in Attachment A to Item 8.1 on the Agenda for the meeting of the Audit and Risk Committee held on 21 February 2025.
2. Approves adjustments for the 2024/25 Business Plan and Budget (BP&B) as identified in this report and reflected in Attachment A to Item 8.1 on the Agenda for the meeting of the Audit and Risk Committee held on 21 February 2025.

3. Notes the year-to-date Operating (Financial Performance) for the quarter ending 31 December 2024, which includes:
 - 3.1. Total operating revenue of \$119.775m (\$1.923m higher than the budget of \$117.851m, for the period)
 - 3.2. Total operating expenses (including depreciation) of \$108.046m (\$1.953m lower than the budget of \$109.999m, for the period)
 - 3.3. An operating surplus of \$11.729m (\$3.876m higher than the budget of \$7.852m, for the period)
 - 3.4. Total Capital Expenditure of \$37.529m (\$9.747m lower than the budget of \$47.275m, for the period)
 - 3.5. Net cash surplus position of \$20.999m.
4. Approves budgeted year end Operating Position, which includes:
 - 4.1. Total operating revenue of \$237.913m (\$2.205m higher than the Quarter 1 budget of \$235.708m)
 - 4.2. Total operating expenses (including depreciation) of \$228.546m (\$2.205m higher than the adopted budget of \$226.341m)
 - 4.3. An operating surplus/deficit of \$9.367m (consistent with the Quarter 1 budget of \$9.367m).
5. Approves total capital expenditure of \$121.043m for 2024/25 year (\$1.869m lower than the Quarter 1 budget of \$122.912m).
6. Approves total borrowings of \$20.373m projected to 30 June 2025 (\$3.360m lower than the Quarter 1 projected borrowings of \$23.733m to 30 June 2025).
7. Receives the Council Subsidiary Quarter 2 updates as provided as Attachments B, C, D and E to Item 8.1 on the Agenda for the meeting of the Audit and Risk Committee held on 21 February 2025.

11.2 Recommendation 2 - Item 8.6 - 2024-25 End of Year Financial Reporting Process & External Timetable

THAT COUNCIL

1. Notes the endorsement by the Audit and Risk Committee that the external audit plan, as contained in Attachment A to Item 8.6 on the Agenda for the meeting of the Audit and Risk Committee held on 21 February 2025, is consistent with the scope of the External Audit engagement and relevant legislation and standards.
2. Approves the proposed 2024-25 End of Year Financial Reporting process and external audit timetable as contained in Attachment A to Item 8.6 on the Agenda for the meeting of the Audit and Risk Committee held on 21 February 2025.
3. Notes the external auditor's independence declaration in relation to the audit engagement for the year ended 30 June 2025 as detailed in Attachment B to Item 8.6 on the Agenda for the meeting of the Audit and Risk Committee held on 21 February 2025.
4. Approves the External Audit terms of engagement as contained in Attachment B and Attachment C to Item 8.6 on the Agenda for the meeting of the Audit and Risk Committee held on 21 February 2025.
5. Authorises the certification of the financial statements, in their final form, to be signed by the Chief Executive Officer and the principal member of Council as set out in Part 4 (14) of the Regulations.

Carried

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

Division

For (7):

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

Against (2):

Councillors Couros and Davis.

The division was declared in favour of the motion

12 Advice of Kadaltilla / Adelaide Park Lands Authority - 27 February 2025

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

THAT COUNCIL

1. Notes the advice of the Kadaltilla / Adelaide Park Lands Authority from the meeting of the Board held on 27 February 2025, contained in Item 12 on the Agenda for the meeting of the Council held on 11 March 2025 in relation to:
 - 1.1 Gladys Elphick Park / Narnungga (Park 25) – Sports Ground Lighting Upgrades.
 - 1.2 Golden Wattle Park / Mirnu Wirra (Park 21 West) – Draft Lease Agreement and Concept Design.
 - 1.3 Culture: The Life of Our City – Policy Consultation.
 - 1.4 Draft Light Square / Wauwi Master Plan Phase 2 Consultation Summary.
 - 1.5 Kadaltilla Business Plan and Budget 2025/2026.

Carried

13 Recommendations of the CEO Performance Review Panel - 3 March 2025

Mr Michael Sedgman, Chief Executive Officer, declared a material conflict of interest in Item 13 [Recommendations of the CEO Performance Review Panel - 3 March 2025] and Item 17.1 [Response to the Remuneration Tribunal], pursuant to Section 75 of the *Local Government Act 1999* (SA) as he is the subject of the Items, withdrew his Chair and left the Council Chamber at 7.35 pm.

It was then –

Moved by Councillor Noon,
Seconded by Councillor Martin -

13.1 Recommendation 1 - Item 4.1 - 2024/25 Q2 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 2 December 2024, outlining progress against the Chief Executive Officer's endorsed 2024/25 Key Performance Indicators.

13.2 Recommendation 2 - Item 4.2 - Remuneration Tribunal - update

THAT COUNCIL

1. Notes the South Australian Remuneration Tribunal draft report titled "2024 Review of Minimum and Maximum Remuneration for Local Government Chief Executive Officers" as per Attachment A to Item 4.2 on the agenda for the CEO Performance Review Panel held on 3 March 2025.

2. Notes that the Administration will be providing feedback to the South Australian Remuneration Tribunal draft report titled "2024 Review of Minimum and Maximum Remuneration for Local Government Chief Executive Officers".
3. Notes the response to the South Australia Remuneration Tribunal incorporates the following points:
 - 3.1. The City of Adelaide is governed by the City of Adelaide Act 1998;
 - 3.2. Raise the differences of being a Capital City Council and what that means in terms of infrastructure, institutional activity and visitor numbers and the importance to the State economy;
 - 3.3. The relationship with State Government and other external key institutional stakeholders;
 - 3.4. The Chief Executive Officer position at City of Adelaide should be compared with National Public Entities not just Local Government within South Australia;
 - 3.5. The exceptional high level of commercial activities and business units compared to other Local Government Councils;
 - 3.6 The greater expectation and profile as the Chief Executive Officer.

Discussion ensued

The motion was then put and carried

17.1 Response to the Remuneration Tribunal

Moved by Councillor Noon,
Seconded by Councillor Siebentritt –

THAT COUNCIL

1. Notes City of Adelaide feedback has been sought by the Remuneration Tribunal on its draft report titled "2024 Review of Minimum and Maximum Remuneration for Local Government Chief Executive Officers" shown as Attachment A to Item 17.1 on the Agenda for the meeting of Council held on 11 March 2025.
2. Notes City of Adelaide feedback has been sought by the Remuneration Tribunal on the draft Remuneration Tribunal Determination on SA local government CEO remuneration shown as Attachment B to Item 17.1 on the Agenda for the meeting of Council held on 11 March 2025.
3. Notes feedback received in relation to the Remuneration Review draft report and Determination from the CEO Performance Review Panel meeting of 3 March 2025
4. Notes the draft feedback prepared to the Remuneration Tribunal shown as Attachment C to Item 17.1 on the Agenda for the meeting of Council held on 11 March 2025.
5. Authorises the Lord Mayor and Chief Operating Officer (or delegate) to make to make minor, typographical, syntactical and technical updates to the response to the Remuneration Tribunal as contained in Attachment C to Item 17.1 on the Agenda for the meeting of Council held on 11 March 2025 to finalise and send the document by 12 March 2025.

Discussion ensued

The motion was then put and carried

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

Division

For (5):

Deputy Lord Mayor, Councillor Elliott and Councillors Giles, Martin, Noon and Siebentritt.

Against (4):

Councillors Couros, Davis, Hou and Snape.

The division was declared in favour of the motion

Michael Sedgman re-entered the Council Chamber at 7.52 pm.

14 Recommendations of the City Community Services and Culture Committee - 4 March 2025

Discussion ensued

It was then –

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

14.1 Recommendation 1 - Item 7.1 - Draft Christmas in the City Action Plan 2025-2028

THAT COUNCIL

1. Approves the draft Christmas in the City Action Plan 2025-2028 as contained in Attachment A to Item 7.1 on the Agenda for the meeting of the City Community Services and Culture Committee held on 4 March 2025, for the purposes of public consultation.
2. Notes the Christmas in the City Action Plan 2025-2028 will replace the Christmas Festival Plan 2021-2024.

14.2 Recommendation 2 - Item 7.2 - Gladys Elphick Park / Narnungga (Park 25) - Sports Ground Lighting Upgrades

THAT COUNCIL

1. Approves the concept designs of Option1 for the sports ground lighting upgrade at Gladys Elphick Park / Narnungga (Park 25), as contained in Attachment A to Item 7.2 on the Agenda for the meeting of the City Community Services and Culture Committee held on 4 March 2025, subject to the South Australian Cricket Association:
 - 1.1. Engaging Cultural Monitors during excavation works.
 - 1.2. Commissioning an environmental impact assessment of the new lighting on the back oval.
 - 1.3. Applying appropriate treatments to above-ground electrical infrastructure to minimise its visual impact on the Park Lands.
 - 1.4. Communicating and engaging with the community around their works program, once planned.
2. Notes the previously approved works on the eastern mound will be delivered following the completion of the sports ground lighting upgrade, subject to available funds.

Carried

14.3 Recommendation 3 - Item 7.3 - Golden Wattle Park / Mirnu Wirra (Park 21 West) - Draft Lease Agreement

It was then –

Moved by Councillor Martin,
Seconded by Councillor Snape -

THAT COUNCIL

1. Notes that on 10 December 2024, Council endorsed a Community Building Concept Design for Golden Wattle Park / Mirnu Wirra (Park 21 West).
2. Approves the exemption for the Adelaide Community Sports and Recreation Association, from the requirement to secure a lease through an Expression of Interest process in accordance with section 13.1 of the Adelaide Park Lands Leasing and Licencing Policy 2016.

3. Approves the draft 21-year Park Lands Community Lease Agreement between the City of Adelaide (Lessor) and the Adelaide Community Sports and Recreation Association (Lessee) for community sports facilities at Golden Wattle Park / Mirnu Wirra (Park 21 West), as contained in Attachment A to Item 7.3 on the Agenda for the meeting of the City Community Services and Culture Committee held on 4 March 2025, for the purpose of public consultation.
4. Notes that the findings of the public consultation will be presented to the City Community Services and Culture Committee in July 2025.

Discussion ensued

Undertaking – Golden Wattle Park / Mirnu Wirra (Park 21 West) - Draft Lease Agreement - Completion of Structure

In response to a query from Councillor Martin, an undertaking was given to ensure that the completion of the structure, to the satisfaction of administration, was a condition to be included in the terms of the lease.

The motion was then put and carried

15 Recommendations of the City Planning, Development and Business Affairs Committee - 4 March 2025

Councillor Couros declared a general conflict of interest in Recommendation 1 [Item 7.1 - Amendment to Acquisition & Disposal of Land & Assets Policy], pursuant to Section 74 of the *Local Government Act 1999* (SA) as she owns businesses in the area, but as one of a class, that she would stay in the room, participate in the debate and vote on the item.

Councillor Couros declared a general conflict of interest in Recommendation 4 [Item 7.4 - Historic Area Statement Update Code Amendment for Endorsement], pursuant to Section 74 of the *Local Government Act 1999* (SA) as she owns property in the area, but as one of a class, that she would stay in the room, participate in the debate and vote on the item.

Lord Mayor declared a general conflict of interest in Recommendation 4 [Item 7.4 - Historic Area Statement Update Code Amendment for Endorsement], pursuant to Section 74 of the *Local Government Act 1999* (SA) as she owns property in the area, but as one of a class, that she would stay in the room, participate in the debate and vote on the item.

Councillor Siebentritt declared a general conflict of interest in Recommendation 4 [Item 7.4 - Historic Area Statement Update Code Amendment for Endorsement], pursuant to Section 74 of the *Local Government Act 1999* (SA) as he owns property in the area, but as one of a class, that he would stay in the room, participate in the debate and vote on the item.

Councillor Giles declared a general conflict of interest in Recommendation 4 [Item 7.4 - Historic Area Statement Update Code Amendment for Endorsement], pursuant to Section 74 of the *Local Government Act 1999* (SA) as she owns property in the area, but as one of a class, that she would stay in the room, participate in the debate and vote on the item.

It was then –

Moved by Councillor Noon,
Seconded by Councillor Snape -

15.1 Recommendation 1 - Item 7.1 - Amendment to Acquisition & Disposal of Land & Assets Policy

THAT COUNCIL:

1. Adopts the proposed Acquisition & Disposal of Land & Assets Policy at Attachment A to Item 7.1 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 4 March 2025, subject to the following inclusions:

Under 3.3 new dot point;

- Assessment of lands and / or buildings for disposal should consider current and future community value and uses.

Under 4.2 new dot point;

- Assessment of lands and / or buildings for acquisition should consider future community value and uses.

15.2 Recommendation 2 - Item 7.2 - Council Assessment Panel - Annual Report 2024

THAT COUNCIL:

1. Notes the Council Assessment Panel Annual Report 2024 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 March 2024.

15.4 Recommendation 4 - Item 7.4 - Historic Area Statement Update Code Amendment for Endorsement

THAT COUNCIL:

1. Defers consideration of the matter pending further advice from the administration in relation to the submissions from the deputations received at the City Planning, Development and Business Affairs Committee on 4 March 2025.

Carried

15.3 Recommendation 3 - Item 7.3 - Catalyst Site Policy Review - Finalisation of Principles

It was then –

Moved by Councillor Martin,
Seconded by Councillor Snape -

THAT COUNCIL:

1. Endorses the following principles for the purposes of collaborating with the State Government to progress a review of catalyst site policy:
 - 1.1. Catalyst sites should not be permitted within or adjacent to residential areas, including from main streets or business zones within the wider residential locality.
 - 1.2. Policies that enable amalgamation of sites are supported where it can be demonstrated that site permeability and protection of fine-grained streetscape character and amenity can be achieved.
 - 1.3. Development of a greater height and scale in appropriate locations, informed by the City Plan, is supported, subject to clear policy guidance that provides greater certainty to all stakeholders about the development potential in these locations.
 - 1.4. The Expert Panel's recommendations regarding catalyst site policy be addressed:
 - 1.4.1. The size and purpose of catalyst sites should be reviewed.
 - 1.4.2. Applying additional incentive policy through both planning and non-planning mechanisms to encourage the creation of catalyst sites.
 - 1.4.3. Including additional design parameters and/or expectations to ensure catalyst sites satisfactorily transition into the urban landscape.
 - 1.4.4. Requiring the provision of a structure plan for catalyst sites to bring the community into the conversation at the policy level before approvals are sought and obtained.
 - 1.4.5. Requiring an outline consent to be obtained for catalyst sites (acknowledging the need for a Practice Direction to be prepared in accordance with section 120 of the *Planning, Development and Infrastructure Act, 2016* (SA)) to give both the applicant and community certainty.
 - 1.4.6. Preparing additional guidance material pertaining to catalyst sites and what is and is not capable of being deemed catalytic.
 - 1.4.7. Criteria and merits for appeal rights.
 - 1.5. Developments that exceed the maximum height identified in the Planning and

Design Code should attract appeal rights.

2. Authorises the Chief Executive Officer, or delegate, to write to the State Planning Commission for the purposes of communicating the principles for collaborating with the State Government to progress a review of catalyst site policy in the State Government's Planning and Design Code.

Discussion ensued

The motion was then put and carried

16 Recommendations of the City of Adelaide Reconciliation Committee - 5 March 2025

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

16.1 Recommendation 1 - Item 5.2 - World Heritage Bid - Free, Prior and Informed Consent (FPIC)

THAT COUNCIL

1. Receives and notes the report on the World Heritage Bid – Free, Prior and Informed Consent, as contained in Item 5.2 on the Agenda for the meeting of the Reconciliation Committee held on 5 March 2025.
2. Notes that Administration will work with South Australian Native Title Services to lead the consultation with Traditional Owners and other Aboriginal stakeholders.

16.2 Recommendation 2 - Item 5.3 - 2025 NAIDOC and Reconciliation Week Activities

THAT COUNCIL

1. Notes the City of Adelaide's proposed activities to celebrate the 2025 National Reconciliation Week, between 27 May and 3 June 2025, and National NAIDOC Week, between 6 and 13 July 2025.

Discussion ensued

The motion was then put and carried

17 Reports for Council (Chief Executive Officer's Reports)

17.2 Motions for consideration for the ALGA National General Assembly

Councillor Couros left the Council Chamber at 8.02 pm.

It was then –

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

THAT COUNCIL

1. Notes that the Australian Local Government Association National General Assembly is an opportunity to contribute to the national debate on matters that require federal intervention or support that will directly advance Council's Strategic Plan.
2. Approves the following motions to be submitted to the Australian Local Government Association for discussion at the National General Assembly in Canberra 24-27 June 2025 under the priority area Roads and Infrastructure:
 - 2.1. This National General Assembly calls on the Australian Government to consider:
 - 2.1.1 Working with the Australian Local Government Association to develop a toolkit for local government areas to develop or update an active transport strategy.
 - 2.1.2 Working with the Australian Local Government Association to develop a framework and/or self-assessment tool for local government areas to audit

their cycling/walking/active transport strategies.

2.1.3 Providing federal funding support to develop these frameworks and tools.

2.2. This National General Assembly calls on the Australian Government to consider:

2.2.1 Working with the Australian Local Government Association to commit 30 per cent of journeys to school by active transport by 2030 (30 by 30).

2.2.2 Working with the Australian Local Government Association to develop an overarching action plan to support local government areas who also commit to '30 by 30'.

Discussion ensued, during which Councillor Couros re-entered the Council Chamber at 8.04 pm.

The motion was then put and carried

19 Councillors' Reports

Councillor Davis addressed the meeting on the following:

- Mela Festival
- Draft bill to Parliament – regarding Section 75g of the *Local Government Act 1999* (SA)
- Suggested actions in relation to the outcome of the Court of Disputed Returns

It was then -

Moved by Councillor Couros
Seconded by Councillor Snape –

That the report be received and noted.

Carried

20 Motions on Notice

20.1 Councillor Davis - MoN - Mobile Camera used to issue expiation notices

Moved by Councillor Davis,
Seconded by Councillor Hou -

That the Council:

1. Notes the receipt of complaints regarding the use of mobile cameras for issuing expiation notices.
2. Requests that Administration provide a public briefing (to the extent possible) at the next appropriate committee meeting to address the following:
 - a) A detailed explanation of the operation of mobile cameras in issuing expiation notices;
 - b) Whether Artificial Intelligence is used in the process, and if so, how it is implemented;
 - c) The public education campaign conducted prior to the implementation of the mobile camera system;
 - d) The total number of complaints received regarding fines issued by the mobile camera system;
 - e) The nature and key themes of these complaints;
 - f) The number of complaints that have been upheld or dismissed by the Council;
 - g) Revenue generated through fines issued by the mobile camera system;
 - h) The official guidelines provided to enforcement officers on determining whether an expiation notice should be issued;
 - i) Whether mitigating circumstances are considered when issuing fines, including but not limited to:

- i) Stopping briefly to check signage;
- ii) Vehicle malfunction;
- iii) Duration of parking before the fine was issued;
- j) Any other relevant information deemed appropriate by Administration.

Discussion ensued, during which Deputy Lord Mayor, Councillor Elliott left the Council Chamber at 8.16 pm.

Amendment –

Moved by Councillor Siebentritt,
Seconded by Councillor Giles -

That Part 2 of the motion be amended to read:

2. Requests that Administration provide a report at the next appropriate committee meeting to address the following:

Deputy Lord Mayor, Councillor Elliott re-entered the Council Chamber at 8.20 pm.

Undertaking – Link to Park Safe

In response to a query from Councillor Martin, an undertaking was given to provide Council Members with a link to Park Safe on the Council website.

The amendment was then put and carried

The motion, as amended, was then put and carried

Councillor Davis requested that a division be taken on the motion, as amended

Division

For (6):

Councillors Couros, Davis, Giles, Hou, Noon and Siebentritt.

Against (3):

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

The division was declared in favour of the motion, as amended

20.2 Councillor Giles - MoN - 50cent Fares on Public Transport

Moved by Councillor Giles,
Seconded by Councillor Hou -

Following the successful trial of 50 cent fares for all rides on public transport in Brisbane, Council approach the state government to explore the possibility of implementation a similar scheme in Adelaide considering the positive outcomes for cost of living, traffic congestion, business, and the environment.

Discussion ensued, during which:

- Councillor Davis called a point of order against Councillor Snape around a comment he made regarding Greens Policy. The Lord Mayor ruled against the point of order.
- Councillor Martin called a point of order against Councillor Davis around a comment he made regarding the inference that Council was trying to frustrate vehicle movements in the City. The Lord Mayor asked Councillor Davis to confine his comments to the motion.

The motion was then put and carried

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

Division

For (7):

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

Against (2):

Councillors Couros and Davis.

The division was declared in favour of the motion

21 Motions without Notice

Nil

22 Questions on Notice

22.1 Councillor Giles - QoN - Walker Corporation proposed build

The Question and Reply having been distributed and published prior to the meeting was taken as read.

The reply for Item 22.1, is attached for reference at the end of the Minutes of the meeting.

23 Questions without Notice

Nil

24 Exclusion of the Public

Moved by Councillor Martin,
Seconded by Councillor Siebentritt -

THAT COUNCIL:

1. Having taken into account the relevant consideration contained in section 90(3) (j) and section 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 11 March 2025 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 25.1 [Capital City Committee Update] 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 11 March 2025 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 25.1 [Capital City Committee Update] 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) of the Act.

Carried

Members of the public and corporation staff not involved with Item 25.1 left the Council Chamber at 8.45 pm.

25 Confidential Reports for Council (Chief Executive Officer's Reports)

25.1 Capital City Committee Update [S90(3) (j)]

The meeting reopened to the public at 8.50 pm.

Item 25.1 – Capital City Committee Update [S90(3) (j)]

Resolution and Confidentiality Order

THAT COUNCIL

1. Notes the report on the Capital City Committee meeting held on 26 February 2025.
2. In accordance with Section 91(7) and (9) of the Local Government Act 1999 (SA) and because Item 22.1 [Capital City Committee Update] listed on the Agenda for the meeting of Council held on 11 March 2025 was received, discussed and considered in confidence pursuant to Sections 90(3) (j) of the Local Government Act 1999 (SA), this meeting of the Council orders that:
 - 2.1. The resolution become public information and included 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 8.50 pm

Dr Jane Lomax-Smith
Lord Mayor

Date of confirmation:

Documents Attached:

Item 22.1 - Councillor Giles - QoN - Walker Corporation proposed build, Reply – Distributed Separately

Councillor Giles - QoN - Walker Corporation proposed build

Tuesday, 11 March 2025
Council

Council Member
Councillor Janet Giles

Public

Contact Officer:
Ilia Houridis, Director City
Shaping

QUESTION ON NOTICE

Councillor Janet Giles will ask the following Question on Notice:

'In relation to the proposal by the Walker Corporation to build a 40 storey tower on the Festival Plaza directly behind Parliament House, I have the following questions.

1. Does this part of the parklands come under Adelaide Parklands Act?
2. If so, what are the requirements for the Government to consult with the Council and the Parklands Authority?
3. If not, what is the Legislation governing this part of the parklands?
4. Was the Festival Centre Trust Board or the Festival Centre Board involved in the decision to build the Walker Towers?
5. Does parliament need to approve this project through the Environment Resource and Development Committee and what is the parliamentary process, if any, for this project to be approved? If so, what is the process and timeframe for this process?
6. Is there any agreement which is known to council between the Walker Corporation, the Festival Centre and/or the State Government in relation to this project?'

REPLY

Does this part of the parklands come under Adelaide Parklands Act?

1. Festival Plaza is part of the Adelaide Park Lands and therefore administered under the *Adelaide Park Lands Act 2005 (SA)*. The Festival Plaza is under State care and control as noted in the [Adelaide Park Lands Plan](#).

If so, what are the requirements for the Government to consult with the Council and the Parklands Authority?

2. Under the *Adelaide Park Lands Act 1995 (SA)* the Minister must consult with Council to:
 - 2.1. Make appointments to the Board (Kadaltilla)
 - 2.2. Vary the Adelaide Park Lands Plan
 - 2.3. Vary the land tenure schedule.

If not, what is the Legislation governing this part of the parklands?

3. Land use planning policy is contained in the Planning and Design Code. To change the policy applicable to this site, the State Government's Department for Housing and Urban Development, prepared the Festival Plaza Code Amendment (Code Amendment) in accordance with the *Planning, Development and Infrastructure Act 2016 (SA)* (the Act).

- 3.1. The Minister for Planning, Hon Nick Champion MP, adopted the Code Amendment for early commencement on 6 September 2024, so that the proposed policy changes could commence

Council – Agenda – Tuesday, 11 March 2025

operation on an interim basis on 12 September 2024 under section 78 of the Act. This process is used when the Minister considers that the immediate application of the policy changes is necessary in the interests of orderly and proper development, and to counter applications for undesirable development ahead of the Code Amendment outcome.

- 3.2. Subsequently, the State Government consulted on the Code Amendment from 12 September 2024 to 24 October 2024.
- 3.3. Council and the Kadaltilla / Adelaide Park Lands Authority made submissions to the consultation.
- 3.4. On 14 January 2025 the Minister for Planning approved the Code Amendment, and it took effect from 30 January 2025.
- 3.5. In accordance with section 74 of the Act (see below), the Minister for Planning has referred the Code Amendment to the Environment, Resources and Development (ERD) Committee of Parliament.

Was the Festival Centre Trust Board or the Festival Centre Board involved in the decision to build the Walker Towers?

4. Administration is not aware of the governance arrangements between the State Government and other interested parties.

Does parliament need to approve this project through the Environment Resource and Development Committee and what is the parliamentary process, if any, for this project to be approved? If so, what is the process and timeframe for this process?

5. In accordance with section 74 of the Act, the Minister for Planning must refer the Code Amendment to the ERD Committee of Parliament within 28 days of the Code Amendment taking effect.
6. The ERD Committee must then resolve:
 - 6.1. Not to object to the Code Amendment; or
 - 6.2. Suggest amendments to the Code Amendment; or
 - 6.3. Object to the Code Amendment.
7. Any amendments suggested by the ERD Committee are referred to the Minister for Planning for consideration. The Minister has no required timeframe in which to respond to the amendments.
8. If amendments suggested are supported by the Minister, the Planning and Design Code is amended via notice published in the Government Gazette.
9. If the Minister does not support the suggested amendments or the Code Amendment is objected to, the Code Amendment must be referred to the State Parliament to determine.
10. The date of the ERD Committee hearing is yet to be published.
11. Separate to the planning policy reform work contained in the Code Amendment process, a development application will be required for the Festival Plaza Tower 2.
12. To date, SCAP has granted planning consent for early works, including basement strengthening and foundation works. A development application for the tower has not yet been lodged.

Is there any agreement which is known to council between the Walker Corporation, the Festival Centre and/or the State Government in relation to this project?

13. Administration is not aware of the governance arrangements between the State Government, Walker Corporation and other interested parties.

Staff time in receiving and preparing this reply	To prepare this reply in response to the questions on notice took appropriately 5.5 hours.
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- END OF REPORT -