



COUNCIL

Minutes

for the meeting on

Tuesday, 12 May 2026

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 Noon
Councillors Cabada, Davis, Freeman, Giles, Maher, Martin, Dr Siebentritt and Snape

1 Acknowledgement of Country

At the opening of the Council meeting, the Lord Mayor stated:

‘The City of Adelaide acknowledges the Kurna People of the Adelaide Plains as the Traditional Custodians of the land on which we meet today.

We acknowledge and honour their spiritual and cultural stewardship of this Country and recognise their deep and enduring relationship with its lands, waters, the sky, and all living things.

We pay our respects to Kurna Elders past and present and recognise the important role of emerging leaders in sustaining and strengthening culture.’

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.

Deputy Lord Mayor, Councillor Noon entered the Council Chamber at 5.33 pm.

6 Apologies and Leave of Absence

Apologies:

Councillors Abrahamzadeh and Couros

7 Confirmation of Minutes - 28/4/2026

Moved by Councillor Snape,
Seconded by Councillor Martin -

That the Minutes of the meeting of the Council held on 28 April 2026, be taken as read and be confirmed as an accurate record of proceedings.

Carried

8 Declaration of Conflict of Interest

Nil

9 Deputations**9.1 Deputation - Mr Mat Monti - Adelaide Park Lands concerns - Possum Park and Council Support**

Mr Mat Monti, addressed the Council to:

- Express concerns relating to the Adelaide Park Lands, specifically destruction of Possum Park and what steps the Council has available to support public efforts.

The Lord Mayor thanked Mr Monti for his deputation.

10 Petitions

Nil

At the request of Councillor Maher, the Lord Mayor sought leave of the meeting to bring forward Items 15 and 18.

Leave was granted

15 Lord Mayor's Report's

The Lord Mayor addressed the Council as follows:

'I wish to make some comments but not debate the motion that I understand is going to be brought up without notice. I want to make some comments relating to the position of the Council, to make sure everyone has the context of the debate.

In the past fortnight, the most significant events in the city have centred on the Adelaide Park Lands.

As members know, I have actively opposed the *North Adelaide Public Golf Course Act 2025* since it passed through the South Australian Parliament at what can best be described as warp speed in June.

While this legislation seizes assets from the City Council, its implications extend far beyond our municipality and the open space we had previously protected. Indeed, it sets a very troubling precedent for how the third tier of government, the closest to the people, will be treated by the State Government into the future.

To reiterate, the *North Adelaide Public Golf Course Act 2025* affects more than 10 per cent of the Adelaide Park Lands. It allows the State to incorporate additional land if they wish.

It changes the land's designation from Crown land to fee simple.

It removes the land from the care and control of the Council.

It transfers all infrastructure and buildings.

It required all existing leases and licences to be cancelled.

It prevents Council from charging any fees or charges and it potentially precludes any compensation to the City of Adelaide for the assets that have been taken.

But most concerning of course to the community, is that it designates all proposed developments that are deemed to comply and removes certain events from any EPA oversight.

But coming from Local Government perhaps the most extraordinary part of the Act for us is that it explicitly states that if the Adelaide City Council fails to comply with a direction of the Minister, the Minister may take any action necessary “as if the Minister were the Adelaide City Council.”

Now, when I stood with the Premier at Grange Golf Club to announce LIV Golf’s move to North Adelaide from 2028, it was in good faith and the belief we that we be would equal partners. That’s what makes the above provisions all the more disappointing, because this Council voted to cooperate and assist the State Government in good faith.

We were led to believe there would be a collaborative process resulting in a Memorandum of Understanding that, as a minimum, would provide clarity around operations, event management, and communication with our residents.

To support that process, Council staff shared soil data, topography, heritage reports, irrigation information, tree mapping and planting data.

The staff, our staff developed an accelerated Gantt chart within a six-month timeframe of legislative compliance to accommodate the State Government’s urgent upgrade. Council also produced draft a lease and MOU documents, yet despite our best efforts to provide assistance, no meaningful agreement could be reached except, and I have to say I am eternally grateful for this, its one important benefit of the negotiations, we retained the employment and entitlements of all our staff working on the site.

Now, it would not surprise you that, had the timelines we provided for public consultation and submissions for proper approvals been adhered to, then the State Government could have achieved its aspirations within the 6 months they asked, without any reference to the Parliament.

Instead, what we have is a draconian or heavy-handed manoeuvre, one that reflects an absolute failure of the parliamentary process to properly interrogate the detail of the legislation or appreciate the enormity of the precedent it establishes for councils across South Australia.

Finally, I believe the Government has fundamentally underestimated the public’s attachment to our National Heritage-listed Park Lands. Forty-two million visits are made to the Park Lands every single year for events, for sport, for recreation, and simply to exist in nature alongside our native flora and fauna.

Now some may once have argued that the former Police Barracks site was not “real” Park Land, but when you add the North Adelaide Golf Course, and then consider the future changes to Victoria Park, it begins to look less like an exception and more like a pattern.

I suspect that when we look back from the vantage point of 2036, our city’s bicentenary, citizens will recognise this decade as the period in which the greatest damage was done to our most precious civic asset, our Park Lands.’

It was then –

Moved by Councillor Snape,
Seconded by Deputy Lord mayor, Councillor Noon –

That the report be received and noted.

Carried

18 Motions without Notice

18.1 Councillor Maher - MwN - North Adelaide Public Golf Course

Moved by Councillor Maher,
Seconded by Councillor Snape –

THAT COUNCIL

- 1) Notes:
 - a. the 'project site' defined by the *North Adelaide Public Golf Course Act 2025* (SA) and referenced in the South Australian Government Gazette, in GRO Plan G17/2026.
 - b. the National Heritage Listing of 'The Adelaide Park Lands and City Layout' - Place ID 105758, Place File No 3/03/001/0279 ('Park Lands Heritage Listing').
 - c. the *Environmental Protection and Biodiversity Conservation Act 1999* (Cth) ('EPBC Act'), in particular section 15B which outlines the offence of undertaking an action that has a significant impact on the National Heritage values of a National Heritage place unless the action is approved.
 - d. that the project site for the development of the North Adelaide Public Golf Course is within the National 'Park Lands Heritage Listing' area and therefore the development may be an action requiring approval according to the EPBC Act.
- 2) Requests the CEO write to the Secretary of the Department of Climate Change, Energy, the Environment and Water, to request that they exercise their assessment referral powers under section 71 of the EPBC Act.
- 3) Requests the Lord Mayor write to the Commonwealth Minister for Environment, to request that they make an assessment under section 70 of the EPBC Act.
- 4) Requests the Lord Mayor write to the South Australian Premier to request that they make a self-referral in accordance with section 68 of the EPBC Act.
- 5) Requests the CEO and Lord Mayor send these letters before close of business on 13 May 2026 and make them publicly available.

Discussion ensued

Undertaking - North Adelaide Public Golf Course

In response to queries from Councillor Members, undertakings were given to reissue the E-News release to Council Members (24 April 2026) and communicating Council's current role to the community.

With the consent of the mover, seconder and the meeting, Part 5 of the motion was varied to change the date to 14 May 2026.

Councillor Cabada advised the meeting that in accordance with regulation 18 of the *Local Government (Procedures at Meetings) Regulations 2013*, he was unable to vote on the matter until after the tabling of documents relating section 68, 70 and 71 of the EPBC Act.

Whilst the request did not satisfy a request under regulation 18 of the *Local Government (Procedures at Meetings) Regulations 2013*, as the documents were publicly available, the Lord Mayor adjourned the item until the documents could be tabled.

It was then –

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

That Item 14.1 – Ombudsman SA – Investigation Outcome, be brought forward to be considered.

Carried

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

14.1 Ombudsman SA - Investigation Outcome

Councillor Davis declared a material conflict of interest in Item 14.1 [Ombudsman SA - Investigation Outcome], pursuant to Section 74 of the *Local Government Act 1999* (SA) as he is the subject of the report, he vacated his Chair and left the room at 6.17 pm.

It was then –

Moved by Councillor Martin,
Seconded by Councillor Cabada -

THAT COUNCIL

1. Notes the Full Investigation Report, dated 25 March 2026 and Corrigendum dated 20 April 2026 from Ombudsman SA as contained in Attachment A to Item 14.1 on the Agenda for the meeting of the Council held on 12 May 2026.
2. Notes that the Ombudsman is of the opinion that by failing to vote on motions before the Council at its meetings of 14 October 2025 (Item 12.1) and 25 November 2025 (Item 12.5):
 - 2.1. Cr Davis has failed to act with reasonable care and diligence in the performance of official functions and duties, and thereby breached an integrity provision, being section 62(2) of the *Local Government Act 1999* (SA); and
 - 2.2. the breaches were both intentional and serious, so as to amount to misconduct in public administration.
3. Notes that the Ombudsman has, in accordance with section 263B of the *Local Government Act 1999* (SA), required Cr Davis, by 27 May 2026, to:
 - 3.1. issue a public apology at a public meeting of Council for failing to act with reasonable care and diligence in the performance of official functions and duties, and committing misconduct under the *Ombudsman Act 1972* (and that the terms of the apology will be recorded in the Minutes); and
 - 3.2. attend training relevant to the elected member integrity provisions and elected member obligations in council meetings under the *Local Government Act 1999* (SA).
4. Determines, in accordance with section 263B of the *Local Government Act 1999* (SA), that Cr Davis is reprimanded for failing to act with reasonable care and diligence in the performance of official functions and duties by failing to vote on motions before the Council at its meetings of 14 October 2025 (Item 12.1) and 25 November 2025 (Item 12.5), and thereby breaching an integrity provision, namely section 62(2) of the *Local Government Act 1999* (SA), which was found by the Ombudsman to amount to misconduct in public administration.

Discussion ensued, during which Councillor Snape left the Council Chamber at 6.18 pm and re-entered at 6.19 pm.

The motion was then put and carried unanimously

Councillor Davis re-entered the Council Chamber at 6.25 pm.

The Lord Mayor invited Councillor Davis to make a personal explanation.

Councillor Davis then sought leave to make a personal explanation

Leave was granted

Councillor Davis made the following personal explanation:

'Today I will comply with the recommendation of the Ombudsman and apologising, apologise for refusing to vote at 2 council meetings, that in my view went very much against my moral code. However I do wish to place on the public record why those events occurred and why I respectfully disagree with significant aspects of the ombudsman's reasoning. This matter was never simply about refusing to vote, it concerned a genuine legal question about whether councillors can be compelled to participate in conduct that they honestly and reasonably believe is contrary to the Local Government Act. Section 86(5) of the Act does not create an absolute obligation to vote, it expressly states that councillors must vote subject to a provision of this Act the contrary, and in my view the ombudsman failed to properly grapple with those qualifying words and instead treated the obligation as effectively unconditional. In one matter the CEO expressly confirmed that confidential information had been removed from documents distributed externally and further confirmed that confidentiality was not being maintained pursuant to the Local Government Act, despite that material continued to be treated confidentially and in my respectful review it, in my respectful view that raised a serious and unresolved legal issue which the ombudsman declined to properly determine, and that was that council was keeping information confidential that it should've released to the public. In the second matter, the council

considered a draft Long Term Financial Plan that was by my best calculation some 80 million dollars inconsistent with the adopted Asset Management Plans of this council, legal advice obtained by the council stated that our draft financial plan should be consistent with our adopted Asset Management Plans, and under s122(1)(b) of the Act it is a requirement that this council comply with its Asset Management Plans, which it was not doing.'

Councillor Snape called a Point of Order in relation to Councillor Davis re-litigating past debates.

The Lord Mayor ruled that it was the apology that Councillor Davis wished to give and asked Councillor Davis to continue.

'Thankyou. Now there was an independent report into the publishing of our financial plans previously stating, from an independent that they were inconsistent with s122(1)(b) which is a breach of the act, and in my respectful opinion an inconsistency of that magnitude raises a legitimate question as to the legality which was not properly addressed in this report. I also remain concerned that issues involving conflicts of interest of this council where councillor's vote for themselves to receive a financial benefit has not, where they do not raise a conflict of interest...'

Councillor Martin called a Point of Order in relation to Councillor Davis again re-litigating past debates.

The Lord Mayor ruled that it was the apology that Councillor Davis wished to give and asked Councillor Davis to continue.

'I appreciate that Lord Mayor thankyou very much very graciously handled. It is true that councillors in this council chamber vote for themselves to receive additional money and yet the ombudsman has not...'

Councillor Martin called a Point of Order in relation to Councillor Davis' explanation not being the apology that was required.

The Lord Mayor ruled that it was the apology that Councillor Davis wished to give and asked Councillor Davis to continue.

'I think you'll note how quickly people jump to interrupt me when we talk about matters of integrity. Now there is no settled judicial authority on any of these issues, reasonable legal minds can differ, in fact lawyers only win half the time if you think about it. My conduct was open, transparent, and based on legal concerns I raised contemporaneously with this chamber about breaches of the local government act and I've put them repeatedly on the public record. None the less, I acknowledge the findings of the ombudsman and I apologise for not complying with the voting requirements as interpreted by the ombudsman. Thankyou.'

The meeting returned to Item 18.1 on the Agenda.

18.1 Councillor Maher - MwN - North Adelaide Public Golf Course (cont..)

Sections 68, 70 and 71 of the *Environmental Protection and Biodiversity Conservation Act 1999* were tabled for Council Members information and can be found for reference at the end of the minutes of the meeting.

It was then –

Moved by Councillor Snape,
Seconded by Councillor Cabada –

That formal meeting procedures being adjourned for a period of 5 minutes to enable informal discussion.

Carried

Formal meeting procedures were adjourned at 6.32 pm.

Discussion ensued

Formal meeting procedures resumed at 6.38 pm.

Discussion continued

The motion was then put and carried unanimously

It was then -

Moved by Councillor Cabada,
Seconded by Councillor Snape –

That the meeting adjourn at 6.49 pm for a period of 5 minutes.

Carried

The meeting resumed at 6.54 pm with the following Council Members present:

The Right Honourable the Lord Mayor, Dr Jane Lomax-Smith (Presiding), Deputy Lord Mayor, Councillor Noon, Councillors Cabada, Davis, Freeman, Giles, Maher, Martin, Dr Siebentritt and Snape.

18.2 Councillor Davis - MwN - Legal Advice

Moved by Councillor Davis,
Seconded by Councillor Cabada -

That the Council seeks urgent legal advice as to whether the Council can bring an injunction or other action to require the State Government to refer a proposal to take a controlled action to the Federal Minister.

Discussion ensued

The motion was then put and carried unanimously

11 Advice of the Kadaltilla/ Adelaide Park Lands Authority 23 April 2026

Councillor Davis left the Council Chamber at 7.06 pm.

It was then –

Moved by Councillor Freeman,
Seconded by Councillor Siebentritt -

THAT COUNCIL

1. Notes that Kadaltilla / Adelaide Park Lands Authority met on 23 April 2026.
2. Notes the advice of the Kadaltilla / Adelaide Park Lands Authority from the meeting of the Board held on 23 April 2026, contained in Item 11 on the Agenda for the meeting of the Council held on 12 May 2026 in relation to:
 - 2.1. Community Consultation Outcomes Adelaide TreeClimb SA Lease Park 20
 - 2.2. Park Lands Lease Consultation Findings
 - 2.3. Lease Variation Tennis SA and Memorial Drive Tennis Club (Park 26)

Discussion ensued

The motion was then put and carried

12 Recommendations of the City Community Services and Culture Committee - 5 May 2026

Moved by Councillor Giles,
Seconded by Councillor Freeman -

1. **Recommendation 1 – Item 7.1 - Park Safe Review - On-Street Parking in the City of Adelaide**

THAT COUNCIL

1. Notes the report as contained in Item 7.1 on the Agenda for the Meeting of the City Community Services and Culture Committee held on 5 May 2026.

2. **Recommendation 2 – Item 7.2 - Park Lands Lease Consultation Findings**

THAT COUNCIL

1. Notes the findings of the public consultation on the three draft Park Lands Lease Agreements between the City of Adelaide and the respective lessees 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 5 May 2026.

2. Authorises the Chief Executive Officer or delegate to grant a 9-year Park Lands Lease Agreements between the City of Adelaide and Blackfriars Priory School for Denise Norton Park / Pardipardinyilla (Park 2) as contained in Attachment B to Item 7.2 on the Agenda for the meeting of the City Community Services and Culture Committee held on 5 May 2026.
3. Authorises the Chief Executive Officer or delegate to grant a 15-year Park Lands Lease Agreement between the City of Adelaide and Adelaide Archery Club for Bullrush Park / Wampangga (Park 10) and a 21-year Park Lands Lease Agreement between the City of Adelaide and West Adelaide Soccer Club for Mary Lee Park / Tulya Wardli (Park 27B) as contained in Attachments C and D to Item 7.2 on the Agenda for the meeting of the City Community Services and Culture Committee held on 5 May 2026, subject to both leases being placed before Parliament in accordance with the *Adelaide Park Lands Act 2005* (SA).

Carried

13 Recommendations of the Reconciliation Committee - 6 May 2026

Moved by Councillor Giles,
Seconded by Councillor Siebentritt -

1. Recommendation 1 – Item 6.1 - NAIDOC and National Reconciliation Week Activity for 2026

THAT COUNCIL

1. Notes the proposed activities to celebrate the 2026 National Reconciliation Week, between 27 May 2026 and 3 June 2026, and National NAIDOC Week, between 5 July 2026 and 12 July 2026.
2. Notes that the NAIDOC Week 2026 celebrations will include a social media campaign to highlight and recognise Kaurna Elders who were instrumental in our history.

2. Recommendation 2 - Item 6.2 - Stretch Reconciliation Action Plan 2024-2027-Quarter 3 (2025/2026) Progress Update

THAT COUNCIL

1. Notes the Stretch Reconciliation Action Plan 2024-2027 Quarter 3 Progress Update for the period 1 January 2026 to 31 March 2026 as contained in Attachment A to Item 6.2 on the Agenda for the meeting of the Reconciliation Committee held on 6 May 2026.

Carried unanimously

16 Councillors' Reports

Councillor Freeman addressed the meeting on her attendance at the Anzac Day Youth Vigil.

Deputy Lord Mayor, Councillor Noon addressed the meeting on her attendance at the Anzac Day March and event at Pennington Gardens on Anzac Day.

It was then -

Moved by Councillor Cabada,
Seconded by Councillor Martin –

That the reports be received and noted.

Carried

17 Motions on Notice

17.1 Deputy Lord Mayor, Councillor Noon - Mon - Residential Growth, Liveability and Governance in Apartment and Complex Living

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

That Council:

1. Notes that the City of Adelaide Housing Strategy 'Investing in our Future' has a target of Housing for All and references our City Plan to ensure that housing supply and growth is delivered with affordability, accessibility and liveability in mind.
2. Notes the success of the Homelessness Roundtables in bringing insight from across the sector to address issues and seeks to replicate that approach for Housing, with a focus on the particular challenges of density and apartment living.
3. Requests the Chief Executive Officer to organise a City Housing: Apartment and Complex-Living Round Table. Invitations to relevant stakeholders from the public and private sectors should include but not be limited to the Minister for the City of Adelaide, the State Planning Commission Members, the Commissioner for Consumer and Business Services, relevant property peak bodies, developers delivering apartment buildings in the city, strata/community title stakeholders, and precinct resident representatives.
4. Requests Administration provide a report back to Council that:
 - 4.1. summarises the outcomes and recommendations from of the Round Table
 - 4.2. can be used to inform future policy development and actions related to the City of Adelaide Housing Strategy; and
 - 4.3. to inform the review of that strategy for the new term of Council.

Discussion ensued, during which:

- Councillor Davis re-entered the Council Chamber at 7.10 pm.
- Councillor Giles left the meeting at 7.19 pm.

The motion was then put and carried unanimously

19 Questions on Notice

19.1 Deputy Lord Mayor, Councillor Noon - QoN - Mandatory Statutory Exemptions and Rebates from Council Rates

19.2 Deputy Lord Mayor, Councillor Noon - QoN - Consultation on Significant Murals

The Questions and Replies having been distributed and published prior to the meeting were taken as read.

The Replies for Items 19.1 – 19.2, are attached for reference at the end of the minutes of the meeting.

20 Questions without Notice

Nil

21 Exclusion of the Public

Moved by Councillor Cabada,
Seconded by Councillor Martin -

THAT COUNCIL:

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 Council dated 12 May 2026 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 22 [Confidential Recommendation of the City Planning, Development and Business Affairs Committee – 5 May 2026] 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 confidential information (not being a trade secret) the disclosure of which could reasonably be expected to confer a commercial advantage on a person which 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.

The disclosure of information in this report could reasonably prejudice the commercial position of the council with respect to future commercial dealings given that the report contains financial information and 'commercial in confidence' material.

Public Interest

The City Planning, Development and Business Affairs 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 in the report, including certain commercial in confidence, financial information and legal matters, may prejudice future commercial dealings with respect to its strategic land holdings. On this basis, the disclosure of financial and commercial in confidence information may severely prejudice the Council's ability to influence the proposal for the benefit of the Council 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 Council dated 12 May 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 22 [Confidential Recommendation of the City Planning, Development and Business Affairs Committee – 5 May 2026] 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 not involved with Items 23, 24 and 25 left the Council Chamber at 7.21 pm.

- 22 Confidential Recommendation of the City Planning, Development and Business Affairs Committee – 5 May 2026 [S90(3) (b), (d)]**
Recommendation 1 – Item 10.1 – Property Strategy Update

The meeting reopened to the public at 7.22 pm.

Item 22 - Confidential Recommendation of the City Planning, Development and Business Affairs Committee – 5 May 2026 [s 90(3) [(b) & (d)]

Confidentiality Order

In accordance with Section 91 (7) & (9) of the Local Government Act 1999 (SA) and on the grounds that Item 22 [Confidential Recommendation of the City Planning, Development and Business Affairs Committee – 5 May 2026] listed on the Agenda for the meeting of the Council held on 12 May 2026 was received, discussed and considered in confidence pursuant to Section 90 (3) (b) & (d) of the Local Government Act 1999 (SA), the meeting of the Council 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 2036.
2. The confidentiality of the matter be reviewed in December 2026.
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 7.22 pm

Dr Jane Lomax-Smith
Lord Mayor

Date of confirmation:

Documents Attached:

Item 18.1 - Councillor Maher - MwN - North Adelaide Public Golf Course - [Sections 68, 70 and 71 of the EPBC Act](#)

Item 19.1 – 19.2 – Question on Notice Replies – Distributed Separately

Deputy Lord Mayor, Councillor Noon - QoN - Mandatory Statutory Exemptions and Rebates from Council Rates

Tuesday, 12 May 2026
Council

Council Member
Deputy Lord Mayor, Councillor
Carmel Noon

Public

Contact Officer:
Anthony Spartalis, Chief Operating
Officer

QUESTION ON NOTICE

Deputy Lord Mayor, Councillor Carmel Noon will ask the following Question on Notice:

'At the LGA Ordinary General Meeting held on 30 April 2021, an item of business submitted by the City of Adelaide and approved by the GAROC Committee was considered in relation to seeking a comprehensive State Government review of mandatory statutory rebates and exemptions from payment of local government rates.

The LGA Ordinary General Meeting resolved to call for the State Government to undertake a comprehensive review of statutory rate rebates and exemptions; requested that the LGA urgently progress the relevant action in the LGA Advocacy Plan 2019–2023 by working with interested councils to prepare an issues paper; and requested that, following preparation of the issues paper and consultation with interested councils, the LGA seek to engage an appropriate economic advisory consultant to prepare a report for government advocating for changes to statutory rate rebates and exemptions in South Australia.

The LGA's Issues Paper on Mandatory Statutory Rebates and Exemptions from Council Rates was subsequently approved in February 2024, with the LGA indicating it would consult councils shortly.

Can Administration advise:

1. What further communication, consultation or action has occurred between the City of Adelaide and the LGA since the Issues Paper was approved?
2. Has the City of Adelaide provided a formal response to the LGA Issues Paper? If so, can this be provided to Council Members?
3. Has the LGA advised the City of Adelaide of the outcome of consultation with councils and any subsequent advocacy to the State Government?
4. Has an economic advisory consultant been engaged to prepare a report for government, as contemplated in the 2021 LGA resolution?
5. What advocacy has occurred with the State Government since the Issues Paper was approved, and has the State Government provided any response or indication that it will undertake a review?
6. What is the current estimated annual value of statutory rate exemptions and mandatory rebates affecting the City of Adelaide, including exemptions for Crown land, universities, educational institutions, community housing providers and other relevant categories?
7. What is the estimated impact of these exemptions and mandatory rebates on the City of Adelaide's rate base and on other ratepayers?
8. What further steps are proposed by Administration to ensure this matter remains a priority for Council, the LGA and the State Government?
9. Will Administration provide a briefing or report to Council on the current status of this issue, including options for renewed advocacy?

10. Can Administration provide a list of all properties, government departments, agencies, statutory authorities, organisations and other entities within the City of Adelaide that currently receive statutory rate exemptions or mandatory rate rebates, including the annual value of rates foregone or rebated?

REPLY

1. CoA initially provided feedback to the development of the LGA Issues Paper via the SA Local Government Finance Managers Group and contributed by supplying information that was requested. A subsequent research report commissioned by the LGA on Cost Shifting (2025, but as yet unpublished) reflected on the specific impact of mandatory statutory rebates and exemptions on local government revenues. The City of Adelaide had substantial feedback and discussion with LGA on the draft report to ensure the disproportionate impact of mandatory statutory rebates and exemptions on the City of Adelaide as the capital city was foregrounded and strengthened.
2. A formal response to the final February 2024 LGA issues paper was not made by the City of Adelaide.
3. The CoA has not received any advice regarding the outcome of consultation with other councils or any advocacy efforts with State Government. We have reached out to the LGA to confirm that no advice had been provided however at the time of writing, this has not been received. It will be provided to Council Members via E-News when received.
4. SGS Economics prepared the Cost Shifting report. We have reached out to the LGA to confirm this however at the time of writing, this has not been received. It will be provided to Council Members via E-News when received.
5. It is unclear what advocacy, if any, has been undertaken by the LGA. It is also unclear if the State Government has provided a response regarding a review. We have reached out to the LGA for a response however at the time of writing, this has not been received. It will be provided to Council Members via E-News when received.
6. The Capital City Committee is the principal forum for high level discussions between the City of Adelaide (represented by Lord Mayor and CEO) and the State Government (represented by Premier and Minister for Adelaide). The issue of Mandatory Rebates and Exemptions remains a central priority in this forum and is also the subject of regular high level discussions between the Lord Mayor and senior government figures, and the CEO and senior state administrators.
7. The estimated value of rate revenue forgone in the 2025/26 financial year, due to statutory requirements under the *Local Government Act 1999* ("the Act"), is set out below:

Division 5 of the Act	Estimated Value
s147 Rate Exempt Land <i>(excluding occupied or held by Council)</i>	\$33.7m
s160-165 Mandatory rate rebates	\$6.5m
Total	\$40.2m

- 7.1. While land owned or occupied by the City of Adelaide Council is exempt from rates under the Act, these properties have not been included in the figures above. However, where Council-owned land is leased to third-party occupiers, those properties are rated in the usual manner.
8. The exemptions and mandatory rebates reduce the City of Adelaide's overall rate base, meaning the Council must recover the foregone revenue from the remaining ratepayers. As a result, the cost burden is redistributed, increasing the annual rates payable by other property owners to compensate for the foregone income. In approximate terms, commercial rate payers collectively end up contributing an additional \$28m, and residential ratepayers the remaining \$12m (based on the approximately 70/30 proportion of rates contributed by the City of Adelaide's commercial and residential ratepayers).
9. The Capital City Committee continues to be the most influential forum for these discussions, alongside regular meetings between the Lord Mayor and senior government figures.

- 9.1. The impact of mandatory rebates and exemptions is greater on the capital city than other council areas due to the concentration of civic institutions, universities and community organisation headquarters here. An LGA research report from 2025 (unreleased) illustrates this dynamic:

Mandatory rebate/ exemption	Revenue foregone (all SA LG)	Revenue foregone (CoA)	CoA proportion of total foregone
Crown land (exemption)	\$21.0m	\$15.9m	76%
Universities (exemption)	\$8.7m	\$7.8m	90%
Adelaide Oval (exemption)	\$1.7m	\$1.7m	100%
Community Service organisations inc community housing providers (rebate)	\$6.3m	\$1.4m	24%
Education service providers (rebate)	\$5.4m	\$1.1m	20%
Religious services (rebate)	\$3.2m	\$1.0m	31%
Health service providers (rebate)	\$2.1m	\$1.4m	71%
Renewal SA (exemption)	\$1.8m	\$1.7m	94%
Sports and recreational facilities (exemption)	\$0.8m	\$0.5m	63%
Emergency services organisations (exemption)	\$0.5m	\$0.2m	40%
Royal Zoological Society SA (exemption)	\$0.4m	\$0.4m	100%
Public cemeteries (rebate)	\$0.2m	\$0.0m	0%

Analysis based on 2022/23 data

- 9.2. Given the disproportionate impact on the CoA, engagement of the LGA is likely to be less impactful for the CoA than direct influence and advocacy from the City of Adelaide, which is considered the most appropriate and effective avenue.
10. Administration can provide a briefing or report to Council on the current status of this issue, including options for renewed advocacy.
11. The following tables summarise the rate revenue forgone in 2025/26 as a result of mandatory rate rebates and exemptions.

Mandatory Rebates	# Assessments	Total Rebate Value
100% Hospital/Health Rebate	10	\$1,607,490
100% Religious Rebate	90	\$1,236,045
100% Zoo Society Rebate	2	\$468,791
75% Comm Serv Rebate	802	\$1,797,644
75% Education Rebate	132	\$1,396,840
Grand Total	1,036	\$6,506,810

Exemption Reason	# Assessments	Exempt Rates
Instrument of Crown Public Purpose	62	\$13,042,824
Occupied by University	69	\$10,747,508
Crown and used for Public Purpose	78	\$7,954,498
Occupied or held by Council	403	\$7,686,816
By Virtue of another Act	41	\$1,235,615
Unalienated Crown Land	15	\$504,452
Recreation Grounds Rates & Taxes Act	42	\$201,812
Crown Commonwealth	1	\$4,798

Exemption Reason	# Assessments	Exempt Rates
Common Property Incidental use	4	\$4,583
Grand Total	715	\$41,382,905
Excluding City of Adelaide properties		\$33,696,089

Staff time in receiving and preparing this reply	To prepare this reply in response to the question on notice took approximately 7.5 hours.
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- END OF REPORT -

Deputy Lord Mayor, Councillor Noon - QoN - Consultation on Significant Murals

Tuesday, 12 May 2026
Council

Council Member
Deputy Lord Mayor, Councillor
Carmel Noon

Public

Contact Officer:
Jo Podoliak, Director City
Community

QUESTION ON NOTICE

Deputy Lord Mayor, Councillor Carmel Noon will ask the following Question on Notice:

'Noting that murals contribute to the vibrancy, character and identity of the City of Adelaide, but that significant murals can also impact surrounding residents, ratepayers, businesses and property owners:

Can Administration advise:

1. What approval, notification and consultation processes currently apply to significant murals proposed on Council assets, or by third parties with Council approval, funding, support or facilitation?
2. How are directly affected residents, ratepayers, businesses and property owners informed and given an opportunity to provide feedback before significant mural works commence?
3. How does Council assess visual impact, local context and community character when considering significant mural proposals?
4. Are Ward Councillors notified of significant mural projects before works commence?
5. What improvements could be made to ensure better consultation and communication for future significant mural projects?'

REPLY

1. What approval, notification and consultation processes currently apply to significant murals proposed on Council assets, or by third parties with Council approval, funding, support or facilitation?
 - 1.1. Murals on Council assets, or supported, funded or facilitated by Council, require internal approvals, and are assessed against relevant Council policies, strategies and public art guidelines.
 - 1.2. Development Approval is not typically required for non-commercial murals painted or applied directly to buildings in accordance with the *Development (Murals in City of Adelaide) Variation Regulations 2018* introduced to reduce red tape and support mural activity. Development Approval may be required if a mural includes advertising or signage, is on a heritage place, or otherwise triggers assessment under the *Planning, Development and Infrastructure Act 2016*.
2. How are directly affected residents, ratepayers, businesses and property owners informed and given an opportunity to provide feedback before significant mural works commence?
 - 2.1. Where Development Approval is not required, Council engages with those stakeholders with a direct site interface; this engagement focuses on practical matters including access, timing, noise, amenity or operational impacts, rather than artistic or aesthetic determination.

- 2.2. Where Development Approval is required, notification and consultation are undertaken in accordance with legislative requirements and PlanSA guidance.
3. How does Council assess visual impact, local context and community character when considering significant mural proposals?
 - 3.1. Most murals are on private property and are not curated, commissioned or approved by Council.
 - 3.2. For mural proposals for Council assets, Council supported, funded or facilitated projects, or where a planning, permit or regulatory trigger applies, Council will:
 - 3.2.1. Assess the scale, visibility, site suitability, surrounding land uses, streetscape character, property interfaces, heritage context, amenity impacts and contribution to the public realm.
 - 3.2.2. Assess alignment with Council’s Strategic Plan 2024-2028, Cultural Policy, Funding Programs Policy and Community Grants Guidelines, and Public Art Guidelines, which provide guidance on community and cultural benefit, project viability, access and inclusion, and risk management. Council supported works must align with public art policies and legal standards, including that works are not defamatory, unlawful, or likely to denigrate or harm specific communities.
 - 3.3. Property owner consent is sought where applicable.
4. Are Ward Councillors notified of significant mural projects before works commence?
 - 4.1. Council artwork commissions over \$100,000 are reported to Council for noting prior to the works commencing.
 - 4.2. Councillors are informed about public artworks supported, funded or facilitated by Council through reports and E-news. Significant mural projects may be as a result of grant programs, and Community Grant funding recipients and projects are communicated via E-news and reported to Council annually.
5. What improvements could be made to ensure better consultation and communication for future significant mural projects?
 - 5.1 Development of a new Public Art Action Plan in 2026/27 will review internal coordination, public guidance, mural commissioning pathways and communications.

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