



# COUNCIL MINUTES

for the meeting

Tuesday, 13 December 2022

in the Council Chamber, Adelaide Town Hall

© 2022 CITY OF ADELAIDE. ALL RIGHTS RESERVED.



Present – The Right Honourable the Lord Mayor, Lord Mayor Dr Jane Lomax-Smith (Presiding)  
Deputy Lord Mayor, Councillor Martin  
Councillors Abrahamzadeh, Couros, Davis, Elliott, Giles, Hou, Jing, Noon, 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 Kurna people of the Adelaide Plains and pays respect to Elders past and present. We recognize 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.’

## **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**

Upon the completion of the Acknowledgement of Colonel Light by the Lord Mayor, the Chief Executive Officer asked all present to pray -

‘Almighty God, we ask your blessing upon the works of the City of Adelaide; direct and prosper its deliberations to the advancement of your glory and the true welfare of the people of this City. Amen’

## **4 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.

## **5 Apologies and Leave of Absence**

Nil

## **6 Item 6 - Confirmation of Minutes - 29/11/22**

Moved by Councillor Davis,  
Seconded by Councillor Snape -

That the Minutes of the meeting of the Council held on 29 November 2022, be taken as read and be confirmed as an accurate record of proceedings.

Carried

## **7 Item 7 - Deputations**

The Lord Mayor advised the meeting that Ruth Mackenzie from the 2023 Adelaide Festival, who had registered to be heard as a deputation, would now do so at the January 2023 meeting of Council.

The Lord Mayor also advised the meeting that Mr Robert Farnan, who also registered to be heard as a deputation, would provide his information on the State Government’s Planning Review in writing.

**8 Petitions - Nil****9 Item 9 - Advice from the Audit and Risk Committee****10 Item 9.1 - Audit And Risk Committee Report - 28 October 2022**

Moved by Deputy Lord Mayor (Councillor Martin),  
Seconded by Councillor Davis -

THAT COUNCIL

1. Notes the report of the Audit and Risk Committee held on 28 October 2022.

Carried

**11 Item 10 - Reports for Council (Chief Executive Officer's Reports)****12 Item 10.1 - E-Scooter Trial Extension**

Moved by Deputy Lord Mayor (Councillor Martin),  
Seconded by Councillor Couros -

THAT COUNCIL

1. Authorises the Lord Mayor to write to the Minister for Infrastructure and Transport, requesting an extension to the e-scooter trial for a further 6 months until 30 June 2023 whilst the State Government review is undertaken.
2. Formally invites City of Adelaide e-scooter operators to submit to Council early in the new year proposals to improve safety for pedestrians and to improve public amenity, including but not limited to additional controls in high pedestrian areas, docking and incentives for use of docking areas.
3. Requests the Administration finalise all trial data for presentation to the elected body in February, 2023.
4. Notes that the report of the Select Committee on Public and Active Transport on e-scooters will be tabled when Parliament resumes next year.

Discussion ensued

Amendment –

Moved by Councillor Giles,  
Seconded by Councillor Elliott -

‘That Part 1 of the motion be amended to read as follows:

Authorises the Lord Mayor to write to the Minister for Infrastructure and Transport, expressing the Council’s support for alternative micro transport options in the city as part of a strategy to address climate change and urging them to adopt the necessary legislation required to improve safety and requesting an extension to the e-scooter trial for a further 6 months until 30 June 2023 whilst the State Government review is undertaken.’

Discussion continued

The amendment was then put and carried

Councillor Snape requested that a division be taken on the amendment

**Division****For (10):**

Deputy Lord Mayor (Councillor Martin) and Councillors Abrahamzadeh, Couros, Elliot, Giles, Hou, Li, Noon, Siebentritt and Snape.

**Against (1):**

Councillor Davis.

The division was declared in favour of the amendment

The motion, as amended, was then put and carried unanimously

**13 Item 10.1 - CEO Undertaking - E-Scooter Trial Extension**

In response to queries from Councillor Li, the CEO gave an undertaking to include in the report back to Council, alternative options such as e-bikes.

**14 Item 10.2 - Ruby Hunter & Archie Roach Lane**

Moved by Councillor Snape,  
Seconded by Councillor Couros -

THAT COUNCIL

1. Approves the addition of a seventh laneway to the Adelaide City of Music Laneway project to celebrate the music and lives of Ruby Hunter and Archie Roach AM.
2. Approves the allocation of \$5,000 from the approved 2022/23 for stakeholder engagement and \$30,000 from the 2023/24 annual business plan and budget process.
3. Notes the Council will be invited to a launch event upon completion.

Discussion ensued

The motion was then put and carried

**15 Item 10.3 - Appointment of Council Members to Audit & Risk Committee**

Moved by Councillor Siebentritt,  
Seconded by Deputy Lord Mayor (Councillor Martin) -

THAT COUNCIL

1. Notes the continuing operation of the City of Adelaide Audit and Risk Committee pursuant to Section 126 of the Local Government Act 1999 (SA).
2. Notes the Terms of Reference for the City of Adelaide Audit and Risk Committee, set out in Attachment A to Item 10.3 on the Agenda for the meeting of Council held on 13 December 2022, and delegates authority to the Chief Executive Officer to alter content to reflect matters determined by the Council at its meeting on 13 December 2022.
3. Delegates to the City of Adelaide Audit and Risk Committee, in accordance with Section 44 of the Local Government Act 1999 (SA):
  - 3.1. Responsibility to undertake the functions identified in Section 126 of the Local Government Act 1999 (SA) and as set out in the City of Adelaide Audit and Risk Committee's Terms of Reference.
  - 3.2. The authority to determine the date and time of meetings (at least six per year) to be held in the Colonel Light Room, Adelaide Town Hall with the authority, after liaison with the Presiding Member, for the Chief Executive Officer to vary the meeting schedule.
4. Approves the following appointments to the City of Adelaide Audit and Risk Committee:
  - 4.1. Appointment of one Councillor for a two year period commencing 14 December 2022 and concluding 14 December 2024.
5. Appointment of two Councillors as proxy members, to act for either the Lord Mayor or the appointed Council Member, for a two year period commencing 14 December 2022 and concluding 14 December 2024.

Carried

The Lord Mayor called for nominations for one Councillor to be appointed to the City of Adelaide Audit and Risk Committee, for a two year period commencing 14 December 2022 and concluding 14 December 2024.

Councillor Abrahamzadeh nominated Councillor Davis, who accepted the nomination.

Deputy Lord Mayor (Councillor Martin) nominated Councillor Li, who accepted the nomination.

There being two nominees for one position, a ballot was conducted, with Councillor Li being the successful nominee.

It was then –

Moved by Councillor Abrahamzadeh,  
Seconded by Councillor Snape -

That Councillor Li be appointed to the City of Adelaide Audit and Risk Committee for a two year period commencing 14 December 2022 and concluding 14 December 2024.

Carried

The Lord Mayor called for nominations for two Councillors to be appointed as proxies to the City of Adelaide Audit and Risk Committee to act for either the Lord Mayor or Councillor Li, for a two year period commencing 14 December 2022 and concluding 14 December 2024.

Councillor Snape nominated Councillor Davis, who accepted the nomination.

Councillor Snape nominated Deputy Lord Mayor (Councillor Martin), who accepted the nomination.

It was then –

Moved by Councillor Abrahamzadeh,  
Seconded by Councillor Giles -

That the Deputy Lord Mayor (Councillor Martin) and Councillor Davis be appointed as proxies to the City of Adelaide Audit and Risk Committee to act for either the Lord Mayor or Councillor Li, for a two year period commencing 14 December 2022 and concluding 14 December 2024.

Carried

#### **16 Item 10.4 - Appointment of Council Member to the Council Assessment Panel**

Moved by Councillor Hou,  
Seconded by Councillor Abrahamzadeh -

#### THAT COUNCIL

1. Approves the appointment of a Council Member to the City of Adelaide Council Assessment Panel until 31 December 2023.

Carried

The Lord Mayor called for nominations.

Councillor Snape nominated the Deputy Lord Mayor (Councillor Martin), who accepted the nomination.

Councillor Hou nominated Councillor Abrahamzadeh, who declined the nomination.

There being no further nominations, Deputy Lord Mayor (Councillor Martin) declared a material conflict of interest in Item 10.4 [Appointment of Council Member to the Council Assessment Panel], pursuant to Sections 75 of the *Local Government Act 1999* (SA), as he is the successful nominee for appointment to a position with remuneration, withdrew his chair and left the Council Chamber at 6.01 pm.

It was then -

Moved by Councillor Davis,  
Seconded by Councillor Siebentritt -

That the Deputy Lord Mayor (Councillor Martin) be appointed to the City of Adelaide Council Assessment Panel until 31 December 2023.

Carried

Councillor Couros requested that a division be taken on the motion

#### **Division**

#### **For (8):**

Councillors Abrahamzadeh, Davis, Elliot, Giles, Li, Noon, Siebentritt and Snape.

#### **Against (2):**

Councillors Couros and Hou.

The division was declared in favour of the motion

The Deputy Lord Mayor (Councillor Martin), re-entered the Council Chamber at 6.02 pm.

The Lord Mayor then called for nominations for the position of Deputy Chair.

Councillor Snape nominated Councillor Noon, who accepted the nomination.

Councillor Noon nominated Councillor Abrahamzadeh, who declined the nomination.

There being no further nominations, Councillor Noon declared a material conflict of interest in Item 10.4 [Appointment of Council Member to the Council Assessment Panel], pursuant to Sections 75 of the *Local Government Act 1999* (SA), as he is the successful nominee for appointment to a position with remuneration, withdrew her chair and left the Council Chamber at 6.04 pm.

It was then -

Moved by Councillor Martin,  
Seconded by Councillor Snape -

That Councillor Noon be appointed as Deputy Member to the City of Adelaide Council Assessment Panel until 31 December 2023.

Carried

Councillor Noon re-entered the Council Chamber at 6.04 pm.

## 17 Item 10.5 - Establishment and Appointments to the Reconciliation Committee

Moved by Deputy Lord Mayor (Councillor Martin),  
Seconded by Councillor Davis -

### THAT COUNCIL

1. Establishes pursuant to section 41 of the Local Government Act 1999 (SA) for the 2022-2026 Council term the City of Adelaide Reconciliation Committee with a membership of 11 comprising:
  - 1.1. The Lord Mayor (Ex Officio)
  - 1.2. Three Councillors
  - 1.3. Three strategic agency representatives - representing Reconciliation South Australia, Aboriginal Affairs and Reconciliation (Attorney General's Department) and Aboriginal Health Council of South Australia
  - 1.4. Three Aboriginal and/or Torres Strait Islander representatives
  - 1.5. One Kurna specific representative and one proxy (representing Kurna Yerta Aboriginal Corporation)
  - 1.6. Two proxies for the 2022-2026 municipal term of office
2. Delegates to the City of Adelaide Reconciliation Committee in exercise of the powers contained in Section 44 of the Local Government Act 1999 (SA), the responsibility to the end of the 2022-2026 Council term to provide advice to the Council by considering matters set out in the committee's Term of Reference and:
  - 2.1. At its first meeting the authority to determine who will undertake the Dual Chairing role alongside the Lord Mayor, and also a Deputy Chair.
  - 2.2. The authority to determine the time and place of its quarterly meetings.
  - 2.3. The appointment of Strategic Agency representatives.
3. Applies the provisions of Parts 1, 3 and 4 of the Local Government (Procedures at Meetings) Regulations 2013 (SA) (as a matter of law) to all meetings of the Reconciliation Committee established in part 1 herein.
4. Adopts the Terms of Reference for the Reconciliation Committee established in part 1 herein as set out in Attachment A, Item 10.5, and delegates authority to the Chief Executive Officer to alter content to reflect matters determined by the Council at its meeting held on 13 December 2022.
5. Approves remuneration for those members of the Reconciliation Committee, established in part 1 herein, that are not Council Members as prescribed in Attachment B to Item 10.5 on the Agenda for the meeting of the Council held on 13 December 2022.

6. Contingent on the adoption of part 1 herein, notes the Lord Mayor's ex officio position on the Reconciliation Committee and approves the appointment of three Councillors to the Reconciliation Committee for the 2022-2026 Council term.
7. Appoints the following external members and proxies to the City of Adelaide Reconciliation Committee established in part 1 herein, for the 2022-2026 Council term:
  - 7.1. Aboriginal and/or Torres Strait Islander community representatives:
    - 7.1.1. Ms Yvonne Agius
    - 7.1.2. Mr Ivan-Tiwu Copley
    - 7.1.3. Ms Deanne Hanchant-Nicholls
    - 7.1.4. Proxy Members - Ms Lynette Crocker and Ms Kveta Vlotman
8. Notes the Chief Executive Officer (or delegate) will liaise with the following Strategic Agencies to identify representation and delegates the authority to appoint the individuals identified to the Reconciliation Committee to the Chief Executive Officer:
  - 8.1. Reconciliation South Australia
  - 8.2. Aboriginal Affairs and Reconciliation, Attorney General's Department
  - 8.3. Aboriginal Health Council of South Australia
9. Notes the Chief Executive Officer (or delegate) will liaise with the Kaurna Yerta Aboriginal Corporation to identify one member and one proxy member, and delegates the authority to appoint these members to the Reconciliation Committee to the Chief Executive Officer.
10. Notes that the Administration will write to the nominated Agencies to confirm their representatives for the City of Adelaide Reconciliation Committee.

Carried

The Lord Mayor then called for nominations of 3 Council Members to be appointed to the City of Adelaide Reconciliation Committee for the 2022-2026 municipal term of office.

Councillor Snape nominated Councillors Elliott, Giles and Siebentritt, who accepted the nomination.

It was then -

Moved by Councillor Noon,  
Seconded by Councillor Couros -

That Councillors Elliott, Giles and Siebentritt be appointed to the City of Adelaide Reconciliation Committee for the 2022-2026 municipal term of office.

Carried

## **18 Item 10.6 - Nomination of Council Appointed Members to Kadaltilla**

Moved by Deputy Lord Mayor (Councillor Martin),  
Seconded by Councillor Elliott -

### That Council

1. Notes the Lord Mayor's intention to accept the Lord Mayor's statutory position as Presiding Member of the Board of Management of the Kadaltilla / Park Lands Authority (Kadaltilla).
2. Notes the requirements of the Adelaide Park Lands Act 2005 (SA) concerning the knowledge, skills and experience of Members, as well as gender balance.
3. Approves the appointment (contingent upon consultation with the Minister for Planning) of the following persons to Kadaltilla for the period commencing 1 January 2023 and expiring 31 December 2025:
  - 3.1. 1 Councillor - consistent with the local government, tourism or event management and/or financial management criterion.
4. Approves:
  - 4.1. To undertake a further targeted selection process (as outlined in paragraph 24) based on a relevant skills criterion, noting appointment will be brought back for Council resolution.

5. Approves the appointment (contingent upon consultation with the Minister for Planning) of the following two persons to Kadaltilla as Deputy Members for the period commencing 1 January 2023 and expiring 31 December 2025:
- 5.1. Les Wanganeen as a deputy member for Tania Taylor
- 5.2. A Councillor as deputy member for the Councillor appointed in part 3.3 herein.

Carried

The Lord Mayor then called for nominations to the position of Council member to Kadaltilla (contingent upon consultation with the Minister for Planning) for the period commencing 1 January 2023 and expiring 31 December 2025.

Councillor Giles nominated Councillor Snape, who accepted the nomination.

Councillor Abrahamzadeh nominated Councillor Davis, who accepted the nomination.

There being two nominees for one position, a ballot was conducted, with Councillor Snape being the successful nominee.

Councillor Snape declared a material conflict of interest in Item 10.6 [Nomination of Council Appointed Members to Kadaltilla], pursuant to Sections 75 of the *Local Government Act 1999* (SA), as he is the successful nominee for appointment to a position with remuneration, withdrew his chair and left the Council Chamber at 6.10 pm.

It was then –

Moved by Councillor Li,  
Seconded by Councillor Noon -

That Councillor Snape be appointed to Kadaltilla (contingent upon consultation with the Minister for Planning) for the period commencing 1 January 2023 and expiring 31 December 2025.

Discussion ensued

The motion was then put and carried

Councillor Couros requested that a division be taken on the motion

#### Division

#### For (6):

Deputy Lord Mayor (Councillor Martin) and Councillors Elliot, Giles, Li, Noon and Siebentritt.

#### Against (4):

Councillors Abrahamzadeh, Couros, Davis and Hou.

The division was declared in favour of the motion

It was then –

Moved by Councillor Elliott,  
Seconded by Councillor Abrahamzadeh -

That Tania Taylor (consistent with the indigenous culture or reconciliation experience criterion) be appointed to Kadaltilla (contingent upon consultation with the Minister for Planning) for the period commencing 1 January 2023 and expiring 31 December 2025.

Carried

Councillor Snape re-entered the Council Chamber at 6.15 pm.

It was then –

Moved by Councillor Elliott,  
Seconded by Councillor Abrahamzadeh -

That Councillor Davis be appointed as Deputy Member to Kadaltilla (contingent upon consultation with the Minister for Planning) for the period commencing 1 January 2023 and expiring 31 December 2025.

Carried



**19 Item 10.7 - Appointment of Council Member to Adelaide Central Market Authority**

It was then –

Moved by Councillor Hou,  
Seconded by Councillor Siebentritt –

THAT COUNCIL

1. Appoints a Council Member to the Adelaide Central Market Authority Board for a 2 year term until 13 December 2024.

Carried

The Lord Mayor then called for nominations.

Councillor Li nominated Councillor Noon, who accepted the nomination.

Councillor Abrahamzadeh nominated Councillor Couros, who accepted the nomination.

There being two nominees for one position, a ballot was conducted, with Councillor Noon being the successful nominee.

Councillor Noon declared a material conflict of interest in Item 10.7 [Appointment of Council Member to Adelaide Central Market Authority], pursuant to Sections 75 of the *Local Government Act 1999 (SA)*, as she is the successful nominee for appointment to a position with remuneration, withdrew her chair and left the Council Chamber at 6.20 pm.

It was then –

Moved by Councillor Giles,  
Seconded by Councillor Snape –

That Councillor Noon be appointed to the Adelaide Central Market Authority Board for a 2 year term until 13 December 2024.

Carried

Councillor Noon re-entered the Council Chamber at 6.20 pm.

**20 Item 10.8 - Legislated Council Member appointments to external bodies**

Moved by Deputy Lord Mayor (Councillor Martin),  
Seconded by Councillor Giles -

THAT COUNCIL

1. Notes that City of Adelaide representation is required under legislation on the following external bodies:
  - 1.1. Adelaide Festival Centre Trust
  - 1.2. Adelaide Festival Corporation Board
  - 1.3. Capital City Committee
2. Approves the nomination of one Council Member to be put forward to the Adelaide Festival Centre Trust for the Governor to appoint, in accordance with section 6(1) of the Adelaide Festival Centre Trust Act 1971.
3. Approves the nomination of three Council Members to be put forward to the Adelaide Festival Corporation Board for the Minister to select one appointee from, in accordance with section 8(1)(a) of the Adelaide Festival Corporation Act 1998.
4. Notes the Lord Mayor's appointment to the Capital City Committee for the 2022-2026 municipal term.
5. Approves the appointment of two nominated Council Members to the Capital City Committee for 14 December 2022 to 14 December 2024.
6. Approves the appointment of a deputy member to the Capital City Committee for the 2022-2026 municipal term.

Carried

The Lord Mayor called for nominations to be put forward to the Adelaide Festival Centre Trust for the Governor to appoint.

Councillor Abrahamzadeh nominated Councillor Couros, who declined the nomination.

Councillor Elliott nominated Councillor Snape, who accepted the nomination.

Councillor Abrahamzadeh nominated Councillor Hou, who accepted the nomination.

There being two nominees for one position, a ballot was conducted, with Councillor Snape being the successful nominee.

Councillor Snape declared a material conflict of interest in Item 10.8 [Legislated Council Member appointments to external bodies], pursuant to Sections 75 of the *Local Government Act 1999* (SA), as he is the successful nominee for appointment to a position with remuneration, withdrew his chair and left the Council Chamber at 6.26 pm.

It was then –

Moved by Councillor Giles,  
Seconded by Councillor Davis -

That Councillor Snape be appointed as Council's nominee to be put forward to the Adelaide Festival Centre Trust for the Governor to appoint, in accordance with section 6(1) of the Adelaide Festival Centre Trust Act 1971.

Carried

Councillor Couros requested that a division be taken on the motion

#### Division

#### For (8):

Deputy Lord Mayor (Councillor Martin) and Councillors Davis, Elliot, Hou, Giles, Li, Noon and Siebentritt.

#### Against (2):

Councillors Abrahamzadeh and Couros.

The division was declared in favour of the motion

Councillor Snape re-entered the Council Chamber at 6.27pm.

The Lord Mayor then called for 3 nominations to be put forward to the Adelaide Festival Corporation Board.

Councillor Abrahamzadeh nominated Councillors Couros and Davis, who accepted the nomination.

Councillor Snape nominated Councillors Giles, who accepted the nomination.

Councillors Couros, Davis and Giles declared a material conflict of interest in Item 10.8 [Legislated Council Member appointments to external bodies], pursuant to Sections 75 of the *Local Government Act 1999* (SA), as they are the successful nominees for appointment to a position with remuneration, withdrew their chairs and left the Council Chamber at 6.28 pm.

It was then –

Moved by Councillor Abrahamzadeh,  
Seconded by Councillor Snape -

That Councillors Couros, Davis and Giles be appointed as Council's nominees to be put forward to the Adelaide Festival Corporation Board for the Minister to select one appointee from, in accordance with section 8(1)(a) of the Adelaide Festival Corporation Act 1998.

Carried

Councillors Couros, Davis and Giles re-entered the Council Chamber at 6.29 pm.

The Lord Mayor then called for nominations to the Capital City Committee for 14 December 2022 to 14 December 2024.

Councillor Snape nominated Councillor Couros, who accepted the nomination.

Councillor Li nominated Councillor Hou, who accepted the nomination.

Deputy Lord Mayor (Councillor Martin) nominated Councillor Siebentritt, who accepted the nomination.

There being three nominees for two positions, a ballot was conducted, with Councillors Couros and Siebentritt being the successful nominees.

It was then –

Moved by Councillor Abrahamzadeh,  
Seconded by Councillor Hou –

That Councillors Couros and Siebentritt be appointed to the Capital City Committee for 14 December 2022 to 14 December 2024.

Carried

It was then –

Moved by Councillor Abrahamzadeh,  
Seconded by Councillor Li –

That Councillor Hou be appointed as Deputy Member to the Capital City Committee for the 2022-2026 municipal term.

Carried

## **21 Item 10.9 - Council Member appointment to Australia Day Council**

Moved by Councillor Davis,  
Seconded by Councillor Snape –

### THAT COUNCIL

1. Approves the appointment of a Council Member to represent the City of Adelaide on the Australia Day Council of SA from 14 December 2022 to 14 December 2024.

Carried

The Lord Mayor then called for nominations to the Australia Day Council of SA from 14 December 2022 to 14 December 2024.

Councillor Hou nominated Councillor Li, who accepted the nomination.

It was then –

Moved by Councillor Hou,  
Seconded by Councillor Abrahamzadeh –

That Council appoints Councillor Li to represent the City of Adelaide on the Australia Day Council of SA from 14 December 2022 to 14 December 2024.

Carried

## **22 Item 10.10 - Q1 Business Update 2022-2023**

Moved by Deputy Lord Mayor (Councillor Martin),  
Seconded by Councillor Couros -

### THAT COUNCIL

1. Approves the first Budget Review for 2022-23 incorporating the Uniform Presentation of Finances as presented in Attachment A to Item 10.10 on the Agenda for the meeting of Council held on 13 December 2022, noting that the revised budget consists of:
  - 1.1. Total estimated operating income of \$213.446 million.
  - 1.2. Total estimated operating expenditure (including depreciation) of \$213.359 million
  - 1.3. An operating surplus of \$87,000.
  - 1.4. Capital expenditure for:
    - 1.4.1. Major Projects revised expenditure of \$38.9 million.
    - 1.4.2. New and Upgrades revised expenditure of \$13.6 million.

- 1.4.3. Renewals revised expenditure of \$44.4 million.
- 1.4.4. Total Carryovers for \$7.54 million.
- 1.4.5. Other adjustments totalling (\$1.39 million)
- 1.5. Grant funding to support capital expenditure on new/upgraded assets of \$22.6 million.
- 1.6. Council's borrowings (debt) ceiling of \$28 million.
- 1.7. New offsets across both expenditure and revenue totalling \$0.8 million towards the \$4.83 million savings target set by Council.
- 2. Approves debt detailed in this report, totalling \$800,074 to be written off in accordance with section 143 of the Local Government Act 1999 (SA).
- 3. Notes the Capital Works Quarter 1 Review 2022-23 as presented in Attachment B to Item 10.10 on the Agenda for the meeting of Council held on 13 December 2022.
- 4. Notes the Commercial Operations Quarter 1 Review 2022-23 as provided in Attachment C to Item 10.10 on the Agenda for the meeting of Council held on 13 December 2022.
- 5. Notes the Adelaide Economic Development Agency Quarter 1 Review 2022-23 as provided in Attachment D to Item 10.10 on the Agenda for the meeting of Council held on 13 December 2022.
- 6. Notes the Adelaide Central Market Authority Quarter 1 Review 2022-23 as provided in Attachment E to Item 10.10 on the Agenda for the meeting of Council held on 13 December 2022.
- 7. Notes the Kadaltilla / Park Lands Authority Quarter 1 Review 2022-23 as provided in Attachment F to Item 10.10 on the Agenda for the meeting of Council held on 13 December 2022.
- 8. Notes the Brown Hill Keswick Creek Quarter 1 Review 2022-23 as provided in Attachment G to Item 10.10 on the Agenda for the meeting of Council held on 13 December 2022.

Carried

**23 Item 10.11 - Award of Contract**

Moved by Councillor Abrahamzadeh,  
Seconded by Councillor Elliott -

THAT COUNCIL

- 1. Approves the award of contract to the preferred tenderer(s) as identified by the evaluation panel for the following services:
  - 1.1 Stormwater data survey, visual inspection and condition assessment across the City of Adelaide.
- 2. Authorises the Chief Executive Officer or delegate to execute the relevant contract(s) including the approval of any variation (financial and non-financial) to the contract based on the procurement process conducted.

Carried unanimously

**24 Item 10.12 - 2022 Confidential Orders Review**

It was then –

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

THAT COUNCIL

- 1. Notes that a review of the active confidentiality orders (July 2005 to October 2022) has been undertaken in accordance with Section 91(9) of the Local Government Act 1999 (SA).
- 2. Notes that 34 active confidentiality orders will be released in part or full during December 2022.
- 3. Approves the extension of 85 confidentiality orders as identified in Attachment A to Item 10.12 on the Agenda for the meeting of the Council held on 13 December 2022.
- 4. Ask the administration to commission an independent review to be conducted by the LGA to consider the current policy basis of Council, including the criteria, on which the administration proposes

confidentiality orders.

Discussion ensued, during which with the consent of the mover, seconder and the meeting part 4 was varied to read as follows:

- '4. Ask the administration to commission an independent review to consider the current policy of Council, including the criteria, on which the administration proposes confidentiality orders.'

The motion, as varied, was then put and carried

## 25 Item 10.13 - Mandatory Induction Program

Moved by Councillor Hou,  
Seconded by Councillor Abrahamzadeh -

### THAT COUNCIL

- Notes the report.

Carried

## 26 Exclusion of the Public

In accordance with sections 90(2),(3) and (7) of the *Local Government Act 1999 (SA)* Council considered whether to discuss in confidence the reports contained within section 12 & 13 of the Agenda.

## 27 Item 11 - Order to Exclude for Item 12.1

Moved by Councillor Davis,  
Seconded by Councillor Siebentritt -

### THAT COUNCIL

- Having taken into account the relevant consideration contained in section 90(3) (i) and section 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 13 December 2022 resolves that it is necessary and appropriate to act in a meeting closed to the public for the consideration of Item 12.1 [Audit and Risk Committee Report – 28 October 2022] listed on the Agenda.

#### Grounds and Basis

This Item is confidential nature because the report includes information on Council litigation.

The disclosure of information in this report could reasonably be expected to prejudice the outcome of Council's actual litigation.

The Audit and Risk 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 related to actual litigation of Council.

- Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this meeting of the Council dated 13 December 2022 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 12.1 [Audit and Risk Committee Report – 28 October 2022] 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) (i) of the Act.

Carried unanimously

## 28 Item 11 - Order to Exclude for Item 13.1

Moved by Councillor Couros,  
Seconded by Councillor Hou -

### THAT COUNCIL

- Having taken into account the relevant consideration contained in section 90(3) (o) and section 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 13 December 2022 resolves that it is necessary and appropriate to act in a meeting closed to the public for the consideration of Item 13.1 [SA Citizen of the Year Nominations] listed on the Agenda.

Grounds and Basis

This Item is confidential as it contains information relating to recommended award recipients prior to the presentation of the awards at the Australia Day Citizenship Ceremony scheduled for 26 January 2023.

2. Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this meeting of the Council dated 13 December 2022 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 13.1 [SA Citizen of the Year Nominations] 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) (o) of the Act.

Carried

Members of the public and Corporation staff present not directly involved with Item 12.1 and 13.1 left the Council Chamber at 6.55 pm.

- 29 Confidential Advice of the Audit and Risk Committee**
- 30 Item 12.1 - Confidential Audit and Risk Committee Report - 28 October 2022**
- 31 Confidential Reports for Council (Chief Executive Officer's Reports)**
- 32 Item 13.1 - SA Citizen of the Year Nominations**

The meeting re-opened to the public at 6.59 pm.

### Confidentiality Orders

#### **Item 12.1** - Confidential Audit and Risk Committee – 28 October 2022

##### Resolution & Confidentiality Order

##### THAT COUNCIL

1. Notes the report of the meeting of the Audit and Risk Committee held on 28 October 2022.
2. In accordance with Section 91(7) & (9) of the Local Government Act 1999 (SA) and because Item 12.1 [Confidential Audit and Risk Committee – 28 October 2022] listed on the Agenda for the meeting of the Council held on 13 December 2022 was received, discussed and considered in confidence pursuant to Section 90(3) (i) of the Local Government Act 1999 (SA), this meeting of the Council do order that:
  - 2.1. The resolution become public information and included in the Minutes of the meeting.
  - 2.2. The report, the discussion and any other associated information submitted to this meeting in relation to the matter remain confidential and not available for public inspection until 31 December 2029.
  - 2.3. The confidentiality of the matter be reviewed in December 2023.
  - 2.4. The Chief Executive Officer be delegated 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 13.1** - SA Citizen of the Year Nominations

##### Confidentiality Order

in accordance with Section 91(7) & (9) of the Local Government Act 1999 (SA) and on the grounds that Item 13.1 [SA Citizen of the Year Nominations] listed on the agenda for the meeting of the Council held on 13 December 2022 was received, discussed and considered in confidence pursuant to Section 90(3) (o) of the Local Government Act 1999 (SA), this meeting of 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 after the 2023 Citizen of the Year Awards Ceremony.
2. The confidentiality of the matter be reviewed on 31 December 2023.
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.

### **33 Item 14 - Lord Mayor's Reports**

The Lord Mayor addressed the meeting as follows:

‘Welcome to those online and those in the Council Chamber. This is our second Council Meeting of the 2022-26 term. The formalities relating to the recent Council election have now been finalised following last Wednesday’s ,7th December, customary courtesy call on the Governor in line with that made to Governor Gawler in 1840.

The Council have completed around 25 hours of mandatory training, workshops and briefings. We have visited a range of sites in the city and attended the London Road Depot for a financial briefing and will need to work on the budget planning shortly.

Following two sessions about planning, we will work towards a consolidated submission to the PDI Review (and still seek additional time for this to allow all members to have input and understanding into the issues at play). We also need to have input into the 30 Year Plan.

In Civic business, I had the pleasure on 29 November of hosting my first civic event this term, to celebrate the Adelaide Strikers victory in the Women’s Big Bash League Championship. It is their first grand final win and it was a particular joy for me to host Adelaide’s sportswomen. Our second event was hosted by the Deputy Lord Mayor on 1 December for the TAFE Awards and I thank him for this support.



We have had two diplomatic visits. On 6 December, I met with the Austrian Ambassador Wolfgang Strohmayer and discussed focus areas for collaboration between South Australia and Austria including greening tech, waste and circular econ and battery technology.

The following day (7 December), I had afternoon tea with the Australian High Commissioner to Malaysia, Dr Justin Lee. We discussed the upcoming 50<sup>th</sup> Anniversary of the Adelaide Penang Sister City Relationship which will occur in December 2023. Subsequently, we spent some time in the Colonel Light Room discussing our Light Collection there and the watercolours in the City Archives. With the Test Match about to start, we focused on Colonel Light's chain measure the same length as a cricket pitch.

On Sunday (11 December), I attended with several other Councillors the SeaLink Carols by Candlelight. After two years of Covid disruptions and despite some rain, there was palpable joy and the Christmas spirit was evident throughout the entire day and evening.

I would like to acknowledge the recent death of Roger Rowse, who died peacefully in Salisbury after a short illness. He served the community of the City of Adelaide as a Councillor and Alderman between 1985 and 2000 and was identified as a staunch supporter of the South West Corner of the city known as Grey Ward.

Over the years, he served on every committee of Council but was especially active on the Penang Sister Cities Committee and visited Georgetown many times both officially and privately. More recently, he was the City's South West Neighbourhood Watch Coordinator, personally publishing and distributing the monthly newsletter.

After cremation his ashes will be interred with family members in Broken Hill. A small gathering of his friends and former colleagues will meet in the Lord Mayor's Chamber on the afternoon of 15th December.

I hope that all Council Members have a joyful Christmas.

It really is a time to refresh, recharge and renew.

I wish our staff a happy Christmas and acknowledge the extraordinary commitment our employees have shown during 2022.

So many of particularly our front line and essential workers have made sacrifices during the challenging Covid years. Thank you.

To our residents, business owners and ratepayers, I extend our warm regards and best wishes for Christmas and the coming next year.

Thank you.'

It was then -

Moved by Councillor Snape,  
Seconded by Councillor Giles -

That the report be received and noted.

Carried

### **34 Councillors' Reports**

Nil

### **35 Questions on Notice**

Item 16.1 - Councillor Couros - QoN - Electors Roll 2022

Item 16.2 - Councillor Abrahimzadeh - QoN - Lord Mayor's Christmas Reception Cancellation

Item 16.3 - Councillor Noon - QoN - Victoria Towers Development Consultations

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

The tabled Replies for Items 16.1 – 16.3 are attached for reference at the end of the Minutes of this meeting.

### **36 Questions without Notice**

### **37 Motions on Notice**

**38 Item 18.1 - Councillor Couros - MoN - Mainstreets Masterplan**

Moved by Councillor Couros,  
Seconded by Deputy Lord Mayor (Councillor Martin) -

That Council:

1. Notes Council's decision in August 2022 to note:
  1. the draft Concept Plans for Melbourne Street and Hindley Street.
  2. that further concept plans on Hutt Street, Melbourne Street and Hindley Street will be presented to Council in March 2023 to allow for consultation ahead of the 2023/24 Business Plan & Budget process.
2. Requests the Administration provide Council with a further briefing and/or update prior to the March 2023 report.

Discussion ensued

The motion was then put and carried unanimously

Councillor Hou left the Council Chamber at 7.08 pm.

**39 Item 18.2 - Councillor Couros - MoN - Dunn Street Carpark**

Moved by Councillor Couros,  
Seconded by Councillor Abrahamzadeh -

That Council:

1. Notes the following motion was passed on the 12/10/2021;
 

That Council:

  1. Notes that the Dunn Street carpark is identified through the City of Adelaide's Strategic Property Review as an asset to be investigated.
  2. Ensures that any future improvements or developments to the site retain public carpark to the same amount or greater that is currently available relating to investigation improvements and developments of the Dunn Street Carpark.
2. Requests administration prepare a report prior to June 2023 advising Council of progress to date.

Discussion ensued, during which Councillor Hou re-entered the Council Chamber at 7.10 pm.

The motion was then put and carried

Councillor Couros requested that a division be taken on the motion

**Division**

**For (11):**

Deputy Lord Mayor (Councillor Martin) and Councillors Abrahamzadeh, Couros, Davis, Elliot, Giles, Hou, Li, Noon, Siebentritt and Snape.

**Against (0):**

The division was declared in favour of the motion

**40 Item 18.3 - Councillor Couros - MoN - Christmas Festival**

Moved by Councillor Couros,  
Seconded by Councillor Abrahamzadeh -

That Council

1. Notes that from the Christmas Pageant to the Boxing Day Sales, the Christmas season is a joyful time of year and a significant period for retailers and hospitality venues throughout the Capital City with significant increase of employment opportunities.
2. Requests administration to review the Christmas Festival and report to Council with proposals and costed options for consideration of the future program as part of the 2023/24 budget process.

Discussion ensued

The motion was then put and carried

#### 41 Item 18.4 - Councillor Couros - MoN - Electoral Integrity and Transparency

Councillor Davis declared a material conflict of interest in Item 18.4 [Councillor Couros - MoN - Electoral Integrity and Transparency], pursuant to Sections 75 of the *Local Government Act 1999* (SA), as the outcome of the decision may have an effect on his legal practice and his income, withdrew his chair and left the Council Chamber at 7.19 pm.

It was then -

Moved by Councillor Couros,  
Seconded by Councillor Abrahamzadeh -

That Council

1. Notes that on 1 November 2022 The Advertiser reported the Electoral Commission of South Australia (ECSA) was investigating allegations of voter fraud centred around international students within the City of Adelaide periodic elections.
2. Notes on 3 November 2022 Dr Jane Lomax-Smith, as a Lord Mayoral candidate, wrote to the Commissioner detailing that she believed "international students are not the only enrolled voters in the City of Adelaide who appear to have fallen victim to potential illegal activity".
3. Notes that on 14 November 2022 the Electoral Commissioner made public statements on ABC radio during which he stated that ECSA's investigation had confirmed that illegal practices had occurred within the City of Adelaide periodic election.
4. Requests the Chief Executive Officer (CEO) write to ECSA requesting a public briefing on the outcome of the investigation.
5. Requests the CEO holds a public briefing on how the City of Adelaide administers the Supplementary Roll before the end of December, and that the briefing includes the process used for validating enrolments and whether all those who applied to be on the Supplementary Roll were contacted by the City of Adelaide.

Discussion ensued, during which with the consent of the mover, seconder and the meeting part 5 of the motion was varied to change the word 'December' to 'January 2023'.

The motion, as varied, was then put and lost

Councillor Couros requested that a division be taken on the motion, as varied

#### Division

##### For (3):

Abrahamzadeh, Couros, and Hou.

##### Against (7):

Deputy Lord Mayor (Councillor Martin) and Councillors Elliot, Giles, Li, Noon, Siebentritt and Snape.

The division was declared against the motion, as varied

Councillor Davis re-entered the Council Chamber at 7.35 pm.

#### 42 Item 18.5 - Councillor Hou - MoN - Adelaide Promoter Program

Moved by Councillor Hou,  
Seconded by Councillor Abrahamzadeh -

That Council:

1. Investigate the opportunity for re-activating the Adelaide Promoter program with the aim to engage members of Adelaide's international and multicultural business communities to advocate for the City of Adelaide as a destination to live, invest, study and visit.

2. Investigations to consider this program that would aim to be budget-neutral to Council and could include training, promotional and other opportunities for all promoters. A report is expected to come back to council for consideration on or before March 2023.

Discussion ensued, during which Councillor Li declared a general conflict of interest in Item 18.5 [Councillor Hou – MoN – Adelaide Promoter Program], pursuant to Section 74 of the Local Government Act 1999 (SA), as he was a member of the program and is the Vice President of the Australia China Business Council, a key stakeholder in the trial program, but that he would stay in the room and vote.

The motion was then put and carried  
Councillor Li voted in favour of the motion

Councillor Hou requested that a division be taken on the motion

#### **Division**

**For (9):**

Deputy Lord Mayor (Councillor Martin) and Councillors Abrahamzadeh, Couros, Davis, Giles, Hou, Li, Siebentritt and Snape.

**Against (2):**

Councillors Elliott and Noon.

The division was declared in favour of the motion

#### **43 Item 18.6 - Councillor Snape - MoN - Park Lands**

Moved by Councillor Snape,  
Seconded by Councillor Giles -

That Council;

1. Reaffirms its support for the unique belt of Park Lands surrounding the city square mile and North Adelaide.
2. Following recent Park Lands incursions, does not support the consideration of Park Lands sites for the new Women's and Children's Hospital.
3. Seeks support from the State Government for a long-term strategy to remove built form from the Park Lands.'

Discussion ensued, during which:

- Part 3 of the motion was varied to read as follows:
  - '3. Seeks support from the State Government for a long-term strategy to identify built form within the Park Lands which could be returned to open and public space.'
- With the consent of the mover and seconder, the Lord Mayor advised that the motion would be taken in parts.

Parts 1 and 3 of the motion, as varied, was then put and carried unanimously

Part 2 of the motion was then put and carried

Councillor Couros requested that a division be taken on Part 2 of the motion

#### **Division**

**For (6):**

Deputy Lord Mayor (Councillor Martin) and Councillors Elliot, Giles, Li, Noon, Siebentritt and Snape.

**Against (4):**

Councillors Abrahamzadeh, Couros, Davis and Hou.

The division was declared in favour of Part 2 of the motion

**44 Item 18.7 - Councillor Abrahamzadeh - MoN - Elected Member Catering**

Discussion ensued

It was then –

Moved by Councillor Abrahamzadeh,  
Seconded by Councillor Hou -

That Council:

1. Investigates options to purchase meals or seek catering services from small local businesses located within the City for the purpose of providing meals to elected members and senior Council staff after Council meetings, and in doing so, spend no more than \$25 per person;
2. Resolves not to provide any free alcohol at such dinners with these ratepayer funded meals.

Discussion ensued

The motion was then put and carried unanimously

**45 Item 18.8 - Councillor Giles - MoN - Review of Adelaide Economic Development Agency**

Moved by Councillor Giles,  
Seconded by Councillor Snape -

That Council

1. Notes the role of the Adelaide Economic Development Agency (AEDA) in assisting the Council in its program to address the impact on businesses in the city of the COVID Pandemic.
2. Requests the CEO coordinate an independent review of AEDA with a view to assessing the effectiveness of the Agency in relation to its objectives and make recommendations for its future operation and any improvements including consideration of the relationship between the Agency, Council, and stakeholders. This review is to be conducted by an organisation or individual independent from the Agency with Business and Local Government knowledge and/experience. The review should include the following:
  - 2.1. Measure of effectiveness of AEDA in service provision to small businesses in the city of Adelaide by the Agency or Council contractors against the objects of the agency and compare this to the outcomes of the previous City of Adelaide Enterprise Adelaide unit.
  - 2.2. Assessment of any benefit or increased effectiveness of establishing the Agency under Section 42 subsidiary under the Local Government Act 1999 than if its decision-making had been undertaken by the City of Adelaide elected body.
  - 2.3. Identification of any cost and staff duplication identified in the KPMG report have been addressed and whether Council's administrative capacity has been impacted by the establishment of AEDA.
  - 2.4. Identification any duplication of effort or opportunities to partner with the State Government in the areas of business support and economic development of the City.
  - 2.5. Identification any governance issues that have arisen related to the performance of the Agency, its staff, or its Board or to the responsibilities of the elected body under the Local Government Act.
  - 2.6. Evaluation the extent of Rundle Mall trader satisfaction with the Agency's management of the Rundle Mall Precinct.
  - 2.7. Providing an assessment of the return on investment of AEDA against its own performance targets.
  - 2.8. Consultation with key stakeholders including small business, rundle street traders and precinct groups.
  - 2.9. Making recommendations as to whether the agency should continue in its current form.

Discussion ensued

The motion was then put and carried

**46 Item 18.9 - Councillor Noon - MoN - William Veale Tribute**

Moved by Councillor Noon,  
Seconded by Councillor Abrahamzadeh -

That Council

Requests Administration prepare a report for Council investigating the process and cost of commissioning a bronze bust of Mr William Veale, previous Adelaide City Council Town Clerk, and which can be installed in an appropriate local in Veale Gardens. This is in recognition of the 60th anniversary of the extensive restoration work undertaken in the Adelaide Park Lands in the area now known as Veale Gardens.

Discussion ensued, during which:

- Councillor Davis left the Council Chamber at 8.26 pm
- The motion was varied to read as follows:

‘That Council

Requests Administration prepare a report for Council investigating the process and cost of the installation of a bust of Mr William Veale, previous Adelaide City Council Town Clerk, and which can be installed in an appropriate local in Veale Gardens. This is in recognition of the 60th anniversary of the extensive restoration work undertaken in the Adelaide Park Lands in the area now known as Veale Gardens.’

The motion, as varied, was then put and carried

Councillor Davis re-entered the Council Chamber at 8.29 pm.

**47 Item 18.10 - Deputy Lord Mayor (Councillor Martin) - MoN - North Adelaide On Street Parking Trial Briefing**

Moved by Deputy Lord Mayor (Councillor Martin),  
Seconded by Councillor Couros -

That Council;

Requests the Administration provide to the next appropriate Committee of Council meeting;

1. A summary of the most recent North Adelaide Local Area Traffic Management Plan’s findings in relation to on street parking
2. Details of previously advised Upper and Lower North Adelaide population figures, together with a summary of available on street car parking spaces according to parking controls and zones
3. The broad Committee and Council discussion in the years leading to and the wording of the resolution of the Council meeting of March 12th, 2019
4. The duration of the trial from the date of issue of the first permit to the date of the rescission motion leading to cancellation of the trial, costs of the trial including the placement of “resident exempt” parking signs
5. Any advice given to any meeting of Committee or Council about the impacts of the trial leading to the Council rescission of the March 12th, 2019 decision
6. Any research about changes to on street car parking in Upper or Lower North Adelaide since the rescission motion
7. Costs associated with the re-instatement of the trial, possible sources of funding and an estimate of the time required to re-instate the scheme should Council authorise its recommencement.

Discussion ensued

The motion was then put and carried unanimously

**48 Item 18.11 - Deputy Lord Mayor (Councillor Martin) - MoN - Council Strategic Property Assets**

Moved by Deputy Lord Mayor (Councillor Martin),  
Seconded by Councillor Elliott -

That Council;

Pending a presentation by the Administration to the current elected body at the next appropriate Committee of Council meeting and any subsequent review determined by Council, asks the Administration to;

1. Suspend for the time being all expression of interest processes and/or marketing of expression of interest processes related to any strategic asset sale unless contracts for such sales have been approved by Council and to suspend also further sales of Council housing
2. Presents before any further expenditure is incurred;
  - 2.1. the business case for the North Adelaide Mini Golf project
  - 2.2. the budget and the expected cost of the ornamental lake approved for Rymill Park, together with details of the public consultation for the Lake redevelopment proposals and the details of the post public, private consultation with other stakeholders previously referenced by the Administration.

Much discussion ensued, during which with the consent of the mover and seconder, the Lord Mayor advised the motion would be taken in parts.

Part 1 of the motion was then put and carried

Councillor Martin requested that a division be taken on Part 1 of the motion

#### **Division**

**For (6):**

Deputy Lord Mayor (Councillor Martin) and Councillors Elliot, Giles, Li, Noon, Siebentritt and Snape

**Against (4):**

Councillors Abrahamzadeh, Couros, Davis and Hou.

The division was declared in favour of Part 1 of the motion

Part 2 of the motion was then put and carried

Councillor Couros requested that a division be taken on Part 2 of the motion

#### **Division**

**For (6):**

Deputy Lord Mayor (Councillor Martin) and Councillors Elliot, Giles, Li, Noon, Siebentritt and Snape.

**Against (4):**

Councillors Abrahamzadeh, Couros, Davis and Hou.

The division was declared in favour of Part 2 of the motion

#### **49 Item 18.12 - Deputy Lord Mayor (Councillor Martin) - MoN - North Adelaide Reuse and Recycling Hub**

Moved by Deputy Lord Mayor (Councillor Martin),  
Seconded by Councillor Couros -

That Council;

Asks the Administration to consider and to report to the first March 2023 meeting of Council if and when it could extend the recently announced City Reuse and Recycling Hub program to North Adelaide and where in North Adelaide that facility could be located.

Discussion ensued, during which the motion was varied to include the words 'and Central Market District' after the words 'to North Adelaide.'

The motion, as varied, was then put and carried unanimously

**50 Motions without Notice**

**51 Item 19 - Councillor Giles - MwN - Review of the Planning and Development Act and Code Consultation**

Moved by Councillor Giles,  
Seconded by Councillor Snape -

That Council requests the administration to commence an urgent consultation process with residents and ratepayers to:

1. Inform them of the review of the planning and development act and code and that the council will be making a submission to this review with a deadline of January 30th.
2. Request those who have made individual or group submissions wish to forward these to council so they can be considered as part of the council submission.
3. Give them an opportunity to express their views of the current planning and development act through a brief survey.

Discussion ensued

The motion was then put and carried

**Closure**

The meeting closed at 9.13 pm

Clare Mockler,  
Chief Executive Officer

Dr Jane Lomax-Smith  
Lord Mayor



## Electors Roll 2022

Tuesday, 13 December 2022  
Council

**Council Member**  
Councillor Couros

Public

**Contact Officer:**  
Amanda McIlroy, Chief  
Operating Officer

## QUESTION ON NOTICE

**Councillor Couros will ask the following Question on Notice:**

'Could the administration please advise the number of electors enrolled on the City of Adelaide electoral roll via Form 1, 2 and 3, respectively in 2022, broken down by ward?'

---

## REPLY

1. The voters' roll for Council Elections consists of two components - the House of Assembly (State) roll and the Council supplementary roll.
2. If you are on the House of Assembly roll you will automatically receive a voting pack mailed to your registered address.
3. If you are not enrolled on the House of Assembly roll you may be eligible to register on the council supplementary roll if:
  - 3.1. You have been resident at your current address for one month and are not on the State Electoral Roll
  - 3.2. You are a sole owner/occupier of rateable property
  - 3.3. You are not an Australian Citizen but you have been a resident at your current address for one month
  - 3.4. You are a landlord for rateable property
  - 3.5. You are an organisation/business owner or occupier of rateable property
  - 3.6. You are a group of owners or occupiers of rateable property
4. If you are a landlord, business lessee or non-Australian citizen resident and you wish to vote in Council elections you must enrol by completing an enrolment form.
  - 4.1. Form 1 – Non-Australian citizens that are not on the state electoral roll, including international students, sole owner of a property in a council area or renters of a property in a council area
  - 4.2. Form 2 – Body Corporate (businesses) who are sole owners and occupiers
  - 4.3. Form 3 – Groups (of businesses or individuals or combination of both) who are owners or occupiers.
5. For the 2022 general election there were 16,564 registered voters on the Council's supplementary roll. The following table is the breakdown by eligibility:

Eligibility	Enrolment			
	Form 1	Form 2	Form 3	Total
<b>North Ward</b>	930	790	661	<b>2,381</b>
<b>Central Ward</b>	4,348	3,856	1,999	<b>10,203</b>
<b>South Ward</b>	1,727	1,218	1,035	<b>3,980</b>
<b>Totals</b>	<b>7,005</b>	<b>5,864</b>	<b>3,695</b>	<b>16,564</b>

Staff time in receiving and preparing this reply	To prepare this reply in response to the question on notice took approximately 4.5 hours.
--	---

- END OF REPORT -

# Lord Mayor's Christmas Reception Cancellation

Tuesday, 13 December 2022  
Council

**Council Member**  
Councillor Abrahamzadeh

Public

**Contact Officer:**  
Clare Mockler, Chief Executive  
Officer

## QUESTION ON NOTICE

**Councillor Abrahamzadeh will ask the following Question on Notice:**

'Noting this year's cancellation of the City of Adelaide Lord Mayor's Christmas Reception, how will the City of Adelaide acknowledge the contributions of our community members and leaders over 2022?'

The Lord Mayor will provide a reply at the meeting, the reply and question will be included in the Minutes of the meeting.

---

## DRAFT REPLY

1. There are several important ways the City of Adelaide acknowledges the civic and community achievements of South Australians. Most commonly, civic events are held at the Adelaide Town Hall.
2. The first scheduled event for 2023 is the Australia Day Citizenship ceremony on 26 January and will be accompanied by the annual Citizen of the Year awards to recognise the contributions of community leaders.
3. Additional community-based celebrations will be recognised throughout 2023 including NAIDOC Week, recognising our Cultural and Strategic Partnerships Program and others yet to be determined.

Staff time in receiving and preparing this reply	To prepare this reply in response to the question on notice took approximately 4.5 hours.
--	---

---

- END OF REPORT -

# Victoria Towers Development Consultations

Tuesday, 13 December 2022  
Council

Council Member  
Councillor Noon

Public

Contact Officer:  
Iliia Houridis, Director City  
Shaping

## QUESTION ON NOTICE

Councillor Noon will ask the following Question on Notice:

'Can Administration please advise:

1. Councils role in communicating with impacted stakeholders during construction, such as the residents of UCity on the Victoria Towers development?
2. What options are there to mitigate disruption for stakeholders during construction of a major development?'

---

## REPLY

1. By their very nature, major developments will cause varying levels of disruption during the construction phase to neighbours and the surrounding environment.

### Communication with Stakeholders

2. For City of Adelaide works, Council takes an active role in communicating to stakeholders, which may include letter drops, emails, face-to-face engagement or other means (e.g. signage). Communication is not limited to residents but also other stakeholders who may be impacted by works such as SAPOL, Metro Adelaide and others. The communication tools and extent of communication is assessed ahead of the works being delivered.
3. For all other construction activities, communicating with stakeholders is the responsibility of the contractor undertaking the works.
4. Council requires contractors to undertake stakeholder communication as part of the City Works Permit application process, with the level of consultation or notification dependant on the size and scope of works. Should the works be deemed to impede 'traffic to a material degree' (wording as per the *Local Government Act 1999*), a formal public notification process is required as per Council's Community Consultation Policy. Whether this level of impact exists forms part of the assessment undertaken by Council staff during the permit process.
5. As a guide, the level of stakeholder engagement required is outlined on the City of Adelaide website at <https://www.cityofadelaide.com.au/business/permits-licences/city-works>, also copied below:

#### 5.1. Level of consultation required

##### Notification

You are required to notify adjoining owners and occupiers as well as any other local stakeholders in the area who would be affected by your work activity in the following instances:

If street occupation is required in front of a property other than the primary address where associated work activity is being carried out.

If the work activity affects the local environment of a property, including access, noise, dust and visibility.

As directed by an officer of the City of Adelaide.

Notification letters must be provided to all impacted stakeholders at least 24hrs prior to the commencement of works.

Notification letters must contain all relevant details about the work including a site map of the work area, a description of the work activity, dates/times and a site contact (including 24 hour if applicable).

### **Consultation**

If a proposed work activity cannot be undertaken without directly impacting a neighbour or other stakeholder and all reasonable alternatives have been considered, you will be required to consult with the impacted stakeholders and provide them an opportunity to raise concerns. If the impacted stakeholders agree to the works being carried out as proposed, we will request confirmation of this in writing, to be provided by the applicant before the application can be approved.

Stakeholder consultation is required when:

- vehicle or pedestrian access to a business or residence will be restricted for any period
- transport infrastructure or access to it will be restricted or required to be relocated
- as directed by an officer of the City of Adelaide.

Stakeholder consultation letters must be provided to all impacted stakeholders at least 48 hours prior to the commencement of works. A copy of the letter and all confirmation replies are to be forwarded to the City of Adelaide for the application to be approved. Consultation letters must contain all relevant details about the work including a site map of the work area, a description of the work activity, dates/times and a site contact (including 24 hour if applicable).

### **Public Consultation**

In accordance with Section 223(1) of the Local Government Act 1999 and the City of Adelaide [Community Consultation Policy](#) (see Table 1, column 14) if proposed works are to impede traffic to a 'material degree', then the City Works application will be subject to public consultation for a minimum of 21 days.

We will manage the consultation process, which will include an advert in the newspaper and appearing online. Applications open for consultation can be viewed on our [Your Say Adelaide](#) page.

6. For this development and UCity in particular, communication has commenced via letters, emails and verbally.
7. The construction company is not obligated to share every piece of communication issued to stakeholders throughout a project with the City of Adelaide, however in this instance a copy of the initial letter issued to stakeholders was sighted by City of Adelaide as part of the permit assessment process.
8. The construction company is in contact with Property Managers from UCity, providing notification to the Property Managers and reception prior to works commencing.

### **Mitigation options**

9. As part of the City Works Permit process, Council works closely with developers and construction companies to mitigate impacts and balance the needs of stakeholders.
10. This can be achieved through a range of measures specific to the work and location, including:
  - 10.1. effective traffic management,
  - 10.2. site set up,
  - 10.3. times of working,
  - 10.4. stakeholder communication, and
  - 10.5. other means, such as coordination of specific construction activities around known local issues. For example not operating heavy machinery for a prescribed period of time if it coincided with a community event.
11. Council monitors construction sites throughout the City to ensure works are undertaken safely and in line with agreed permit conditions, along with investigating enquiries received from impacted customers or stakeholders.

12. The majority of breaches identified are quickly rectified through Council staff engaging with the construction company about what is required. In instances where this is not effective or there are risks to public safety present, formal enforcement powers such as expiations or directions to 'stop work' can be and are implemented. Council is also able to modify or withdraw permits issued for use of the public realm.

Staff time in receiving and preparing this reply	To prepare this reply in response to the question on notice took approximately 4.5 hours.
--	---

---

- END OF REPORT -