



# COUNCIL MINUTES

for the meeting

Tuesday, 31 January 2023

in the Council Chamber, Adelaide Town Hall

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

Deputy Lord Mayor, Councillor Martin

Councillors Abrahamzadeh, Couros, Davis, Elliott, Giles, Hou, Li, Noon, Dr Siebentritt and Snape

## **1 Acknowledgement of Country**

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

‘Council acknowledges that we are meeting on traditional Country of the Kaurna people of the Adelaide Plains and pays respect to Elders past and present. We recognize and respect their cultural heritage, beliefs and relationship with the land. We acknowledge that they are of continuing importance to the Kaurna people living today.

And we also extend that respect to other Aboriginal Language Groups and other First Nations who are present today.’

## **2 Acknowledgement of Colonel William Light**

The Lord Mayor stated:

‘The Council acknowledges the vision of Colonel William Light in determining the site for Adelaide and the design of the City with its six squares and surrounding belt of continuous Park Lands which is recognised on the National Heritage List as one of the greatest examples of Australia’s planning heritage.’

## **3 Prayer**

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’

Deputy Lord Mayor (Councillor Martin), entered the Council Chamber at 5.31 pm.

## **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 Deputations**

### **7 Item 7.1 - Deputation - Ruth Mackenzie & Kath Mainland - 2023 Adelaide Festival Program**

Ruth Mackenzie & Kath Mainland addressed the Council:

- To brief the Council on the 2023 Adelaide Festival Program.

The Lord Mayor thanked Ms Mackenzie & Ms Mainland for their deputation.

### **8 Item 7.2 - Deputation - Peter Fenwick on behalf of Suzy Kitto - Proposed location of new Adelaide Aquatic Centre**

Peter Fenwick addressed the Council:

- To seek Council’s support to refuse to grant the lease to the State Government for the proposed new Adelaide Aquatic Centre.

The Lord Mayor thanked Mr Fenwick for his deputation.

**9 Item 7.3 - Deputation - Professor Doug McEvoy AM - Protection of Victoria Park Wetland**

Professor Doug McEvoy AM, addressed the Council:

- To request Council's urgent assistance in protecting the new wetlands in Victoria Park by creating a dog on-leash area.

The Lord Mayor thanked Professor McEvoy for his deputation.

**10 Item 7.4 - Deputation - Ian Vagg - Planning System Implementation Review Submission**

Mr Ian Vagg addressed the Council:

- To highlight issues around heritage protection and vibration damage caused from construction sites, that may be included in Council's Planning System Implementation Review submission.

The Lord Mayor thanked Mr Vagg for his deputation.

**11 Item 7.5 - Deputation - Mr Chris Harris - 89-94 Brougham Place, North Adelaide**

Mr Chris Harris addressed the Council:

- To request Council to make a submission to SCAP on the development application for 89-94 Brougham Place, North Adelaide.

The Lord Mayor thanked Mr Harris for his deputation.

Councillor Hou left the Council Chamber at 6.00 pm.

**12 Item 6 - Confirmation of Minutes - 13/12/2022 & 17/1/2023**

Moved by Councillor Abrahamzadeh,  
Seconded by Councillor Snape -

That the Minutes of the meeting of the Council held on 13 December 2022 and the minutes of the Special meeting of the Council held on 17 January 2023, be taken as read and be confirmed as an accurate record of proceedings.

Carried

**13 Petitions - Nil****14 Advice from Kadaltilla / Park Lands Authority & Advice/Recommendations of the Audit and Risk/Reconciliation Committee - Nil****15 Reports for Council (Chief Executive Officer's Reports)****16 Item 10.1 - Planning System Implementation Review**

Moved by Councillor Couros,  
Seconded by Councillor Noon -

**THAT COUNCIL**

1. Approves the submission included as Attachment A to Item 10.1 on the Agenda for the meeting of Council held on 31 January 2023, noting it addresses key issues considered by Council and informed through engagement with the community, including, but not limited to appeal rights, public notification, heritage, vegetation and tree canopy, building heights at zone transitions and changes in land use.
2. Authorises the Chief Executive Officer to amend, finalise and forward the submission to the Expert Panel's Planning System Implementation Review, included as Attachment A to Item 10.1 on the Agenda for the meeting of Council held on 31 January 2023.

Discussion ensued, during which Councillor Giles left the Council Chamber at 6.02 pm, re-entered at 6.03 pm and left at 6.03 pm.

Amendment -

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

'That the motion be amended, by the inclusion of an additional part 3 to read as follows:

3. Authorises the Chief Executive Officer to amend and finalise the report in so far as catalyst sites are concerned to reflect councils view they should not be permitted within or adjacent to residential areas, including from main streets or business zones within the wider residential locality.'

Much discussion ensued, during which Councillor Giles re-entered the Council Chamber at 6.06 pm.

The amendment, was then put and carried

Councillor Snape requested that a division be taken on the amendment

#### **Division**

#### **For (6):**

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

#### **Against (4):**

Councillor Abrahamzadeh, Couros, Davis and Li.

The division was declared in favour of the amendment

Discussion continued

The motion, as amended, was then put and carried

### **17 Item 10.2 - Submission to the Review of the Late Night Trading Code of Practice**

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

#### THAT COUNCIL:

1. Endorses the submission under the *Liquor Licensing Act 1997* (SA) Review of the Late Night Trading Code of Practice included as Attachment A to Item 10.2 on the Agenda for the meeting of Council held on 31 January 2023.
2. Authorises the Chief Executive Officer to amend, finalise and submit the submission to the Liquor and Gambling Commissioner included as the letter in Attachment A to Item 10.2 on the Agenda for the meeting of Council held on 31 January 2023.

Carried

### **18 Item 10.3 - Community Impact Grants and Community Infrastructure Grants Round 1**

Moved by Councillor Davis,  
Seconded by Councillor Couros -

#### THAT COUNCIL

1. Approves the following 2022/23 Community Impact Grants recommendations over \$10,000, as per Attachment A to Item 10.3 on the Agenda for the meeting of Council held on 31 January 2023:
  - 1.1. Adelaide Skate Park Activation, YMCA Community Programming - \$25,000
  - 1.2. Art in the City, The Art Bus - \$20,000
  - 1.3. Inland Water Safety Education and Capacity Building, Royal Life Saving Society SA - \$20,000
  - 1.4. Makerspace Relaunch, South Australian Makers Incorporated - \$20,000
  - 1.5. Gym for People Experiencing Homelessness, Baptist Care SA - \$16,000.
2. Approves the following 2022/23 Community Infrastructure Grants recommendations, as per Attachment B to Item 10.3 on the Agenda for the meeting of Council held on 31 January 2023:
  - 2.1. Adelaide Archery Club - \$100,000.
3. Notes the 2022/23 Community Impact Round One and Community Infrastructure Funding Recommendation report.

Discussion ensued

The motion was then put and carried unanimously

#### 19 Item 10.4 - Nomination of Council Appointed Members to Kadaltilla

Moved by Councillor Abrahamzadeh,  
Seconded by Councillor Couros -

##### THAT COUNCIL:

1. Notes the requirements of the *Adelaide Park Lands Act 2005* (SA) concerning the knowledge, skills and experience of Members, as well as gender balance.
2. Approves the nomination (contingent upon consultation with the Minister for Planning) of the following two persons to Kadaltilla for the period commencing 31 January 2023 and expiring 31 December 2025:
  - 2.1. Rob Brookman AM - consistent with the tourism or event management experience criterion
  - 2.2. Allison Bretones - consistent with the recreation or open space planning or management experience criterion.

Carried

#### 20 Item 10.5 - Award of Contracts

Moved by Councillor Couros,  
Seconded by Councillor Abrahamzadeh -

##### THAT COUNCIL

1. Approves the award of contract(s) to the preferred tenderer(s) as identified by the evaluation panel(s) for the following goods and Services
  - 1.1 Project 1: Jeffcott Street South Streetscaping
  - 1.2 Project 2: Morphett Street Streetscaping
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.

Discussion ensued, during which Councillor Elliott left the Council Chamber at 6.31 pm and re-entered at 6.34 pm.

The motion was then put and carried unanimously

#### 21 Item 10.6 - Appointments to External Bodies

Moved by Councillor Siebentritt,  
Seconded by Councillor Giles –

##### THAT COUNCIL

1. Approves the following representation on external bodies:
  - 1.1. One Council Member and one proxy to the Adelaide Airport Consultative Committee
  - 1.2. One Council Member to the Adelaide Botanic High School Council
  - 1.3. One Council Member to the Adelaide City of Music Limited Board
  - 1.4. One Council Member and one proxy member to the Business Events Adelaide Board (formerly known as Adelaide Convention Bureau Board)
  - 1.5. One Council Member to the Adelaide High School Governing Council
  - 1.6. One Council Member to the Adelaide Horse Trials Management Inc Board
  - 1.7. One Council Member to the Royal South Australia Regiment Council
  - 1.8. One Council Member to the Royal Adelaide Hospital Auxiliary Executive Committee

Carried

The Lord Mayor then called for nominations to the Adelaide Airport Consultative Committee for two years.

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

There were no further nominations.

It was then –

Moved by Councillor Li,  
Seconded by Councillor Abrahamzadeh –

That Council:

2. Appoints Deputy Lord Mayor, Cr Martin to the Adelaide Airport Consultative Committee for two years.

Carried

The Lord Mayor then called for nominations as proxy to the Adelaide Airport Consultative Committee for two years.

Councillor Couros self nominated.

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

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

It was then –

Moved by Councillor Abrahamzadeh,  
Seconded by Councillor Snape -

That Council:

- 2.1 Appoints Councillor Li as proxy to the Adelaide Airport Consultative Committee for two years.

Carried unanimously

The Lord Mayor then called for nominations to the Adelaide Botanic High School Council for two years.

Councillor Snape nominated Councillor Davis, who declined the nomination.

Councillor Li self nominated.

There were no further nominations.

It was then –

Moved by Councillor Noon,  
Seconded by Deputy Lord Mayor (Councillor Martin) –

That Council:

3. Appoints Cr Li to the Adelaide Botanic High School Council for two years.

Carried

The Lord Mayor then called for nominations to the Adelaide City of Music Limited Board for two years.

Councillor Snape nominated Councillor Davis, who declined the nomination.

Councillor Giles self nominated.

There were no further nominations.

It was then –

Moved by Deputy Lord Mayor (Councillor Martin),  
Seconded by Councillor Noon –

That Council:

4. Appoints Cr Giles to the Adelaide City of Music Limited Board for two years.

Carried

The Lord Mayor then called for nominations to the Business Events Adelaide Board for two years.

Councillor Giles nominated Councillor Noon, who accepted the nomination.

Councillor Davis nominated Councillor Li, who accepted the nomination.

Councillor Abrahamzadeh nominated Councillor Couros, who accepted the nomination.

Councillor Li withdrew his nomination.

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

It was then –

Moved by Councillor Elliott,  
Seconded by Councillor Li –

That Council:

5. Appoints Cr Noon to the Business Events Adelaide Board for two years.

Carried

The Lord Mayor then called for nominations as proxy to the Business Events Adelaide Board for two years.

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

Councillor Davis nominated Councillor Couros, who declined the nomination.

There were no further nominations.

It was then –

Moved by Councillor Giles,  
Seconded by Councillor Abrahamzadeh –

That Council:

- 5.1 Appoints Cr Li as proxy to the Business Events Adelaide Board for two years.

Carried

The Lord Mayor then called for nominations to the Adelaide High School Governing Council for two years.

Councillor Snape nominated Councillor Davis, who declined the nomination.

Councillor Elliott nominated Councillor Siebentritt, who declined the nomination.

Councillor Snape nominated Councillor Couros, who declined the nomination.

It was then –

Moved by Councillor Snape,  
Seconded by Councillor Davis –

That Council:

6. Appoints the CEO or their delegate to the Adelaide High School Governing Council for two years.

Carried unanimously

The Lord Mayor then called for nominations to the Adelaide Horse Trials Management Inc Board for three years.

Councillor Snape nominated Councillor Couros, who declined the nomination.

It was then –

Moved by Councillor Davis,  
Seconded by Councillor Li –

That Council:

7. Appoints the CEO or their delegate to the Adelaide Horse Trials Management Inc Board for three years.

Carried

Councillor Hou re-entered the Council Chamber at 6.49 pm.

The Lord Mayor then called for nominations to the Royal South Australia Regiment Council for two years.

Councillor Abrahamzadeh nominated Councillor Elliott, who accepted the nomination.

There were no further nominations.

It was then –

Moved by Councillor Abrahamzadeh,  
Seconded by Councillor Elliott –

That Council:

8. Appoints Cr Elliott to the Royal South Australia Regiment Council for two years.

Carried

The Lord Mayor then called for nominations to the Royal Adelaide Hospital Auxiliary Executive Committee for the 2022 – 2026 municipal term.

Councillor Snape nominated Councillor Davis, who declined the nomination.

It was then –

Moved by Councillor Hou,  
Seconded by Councillor Noon –

That Council:

9. Appoints the CEO or their delegate to the Royal Adelaide Hospital Auxiliary Executive Committee for the 2022 – 2026 municipal term.

Carried unanimously

## 22 Item 10.7 - Premier's Climate Change Council

Moved by Councillor Abrahamzadeh,  
Seconded by Councillor Giles -

### THAT COUNCIL

1. Authorises the nomination of two Council Members or staff members to represent the Local Government Association on the Premier's Climate Council.
2. Approves the nomination of Cr Dr Siebentritt as the City of Adelaide's nominee to the LGA to represent it on the Premier's Climate Council.

Carried

## 23 Item 11 - Lord Mayor's Reports

The Lord Mayor addressed the meeting as follows:

'The City of Adelaide has this week successfully held a citizenship ceremony for over 80 people. It was a joyful occasion marked by optimism and youthful enthusiasm.

It reminded me of the demographics in our city which is more diverse, educated, and youthful than the metropolitan area or the state.

More than 50% of us were born overseas, 40% speak a language other than English in their homes and our average age is 30, with 25% of our community being between 15 and 24.

This was apparent in speaking to the conferees who came from every continent, were generally below 40 and some were actually international students and still at university.

Previously I recall never having more than 20 new citizens at such a ceremony and it reminded me that with increasing movement and residential arrivals we need to ensure our services and information are explicit and user friendly.

On Australia Day I also attended Mourning in the Morning and an evening Light on the River. These events recognized the competing narratives that occupy our national day. The event in the morning acknowledges aboriginal dispossession and the ongoing gap in achievement That in the evening acknowledges our nation's pride, vibrancy and achievements.

The Federal Government has now reinstated our capacity to organise our citizenship ceremonies as we see fit, and on a date we nominate, so in future we can choose to hold ceremonies on an alternative day or



evening. I would propose to do so.

The Council has also supported celebrations for the Lunar New Year with the biggest street party to date in Gouger Street, at which I and a number of state leaders were privileged to speak. It is another example of the vibrant, rich and evolving culture of our City, and the contribution being made by people born overseas.'

It was then –

Moved by Councillor Siebentritt,  
Seconded by Councillor Snape -

That the report be received and noted.

Carried

## **24 Councillors' Reports**

### **25 Item 12.1 - Reports from Council Members**

Moved by Councillor Davis,  
Seconded by Councillor Li –

#### THAT COUNCIL

1. Notes the Council Member activities and functions attended on behalf of the Lord Mayor (Attachment A to Item 12.1 on the Agenda for the meeting of the Council held on 31 January 2023).
2. Notes the summary of Council Members meeting attendance (Attachment B to Item 12.1 on the Agenda for the meeting of the Council held on 31 January 2023).
3. Notes that reports from Council Members tabled at the meeting of the Council held on 31 January 2023 be included in the Minutes of the meeting.

Carried unanimously

### **26 Item 13 - Questions on Notice**

Item 13.1 – Councillor Abrahamzadeh – QoN – Paternity Leave  
Item 13.2 – Councillor Li – QoN – Free Adelaide Wi-Fi

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

The tabled Replies for Items 13.1 – 13.2 are attached for reference at the end of the Minutes of this meeting.

### **27 Item 14 - Questions without Notice**

Discussion ensued

### **28 Motions on Notice**

### **29 Item 15.1 - Deputy Lord Mayor (Councillor Martin) - MoN - Student Safety**

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

That Council:

Asks the Administration to investigate and to report to the appropriate Council Committee by the end of the 2023 school year the need for and the nature of any additional measures to enhance the safety of primary and secondary, public and private school students entering and leaving schools at the beginning and end of the school day, including the introduction of supervised or unsupervised so called “kiss and drop zones” at all schools in the City of Adelaide.

Discussion ensued

The motion was then put and carried

### **30 Item 15.1 - CEO Undertaking - Deputy Lord Mayor (Councillor Martin) - MoN - Student Safety**

In response to queries from Councillor Couros, the CEO gave an undertaking to provide Council Members with details of any complaints received, from residents, regarding students being dropped off at St Dominics.

**31 Item 15.2 - Councillor Abrahamzadeh - MoN - Coercive Control Forum Support**

Moved by Councillor Abrahamzadeh,  
Seconded by Councillor Snape -

**THAT COUNCIL:**

1. Notes Council's previous campaigns and initiatives in relation to family and domestic violence (Step Up for Gender Equality, Bystander Action Workshops, Women's Safety Mural and others).
2. Notes the state's first public Coercive Control forum taking place in Adelaide in mid-March 2023.
3. Requests administration to work with the Office for Women and relevant state government Minister and provide in-kind support for this forum where possible (hosting / facilitating the forum, assist in distribution of information about the forum and other activities deemed appropriate).

Discussion ensued

The motion was then put and carried unanimously

**32 Item 15.3 - Councillor Davis - MoN - Governance Structure - Revocation**

Discussion ensued, during which:

- Councillor Couros declared a material conflict of interest in Item 15.3 [Governance Structure – Revocation], pursuant to Section 75 of the *Local Government Act 1999* (SA), as her appointment to a position with remuneration would be affected if the revocation motion was successful, withdrew her Chair and left the Council Chamber at 7.07 pm.
- Councillor Noon declared a material conflict of interest in Item 15.3 [Governance Structure – Revocation], pursuant to Section 75 of the *Local Government Act 1999* (SA), as her appointment to a position with remuneration would be affected if the revocation motion was successful, withdrew her Chair and left the Council Chamber at 7.07 pm.
- Councillor Giles declared a material conflict of interest in Item 15.3 [Governance Structure – Revocation], pursuant to Section 75 of the *Local Government Act 1999* (SA), as her appointment to a position with remuneration would be affected if the revocation motion was successful, withdrew her Chair and left the Council Chamber at 7.07 pm.
- Councillor Siebentritt declared a material conflict of interest in Item 15.3 [Governance Structure – Revocation], pursuant to Section 75 of the *Local Government Act 1999* (SA), as his appointment to a position with remuneration would be affected if the revocation motion was successful, withdrew his Chair and left the Council Chamber at 7.07 pm.

It was then -

Moved by Councillor Davis,  
Seconded by Councillor Hou -

'That **parts 5 to 26 of the decision** of Council on 17/1/2023 in relation to the Governance Structure, namely

That Council:

1. ....
2. ....
3. ....
4. ....

Option Three-Four Functional Committees

5. Establishes the following committees in accordance with section 41 of the *Local Government Act 1999* (SA):
  - 5.1. City Planning, Development and Business Affairs Committee
  - 5.2. Infrastructure and Public Works Committee
  - 5.3. City Finance and Governance Committee

- 5.4. City Community Services and Culture Committee
6. Adopts a Committee Meeting Schedule as follows (noting that meeting cycles may vary at the discretion of the Chief Executive Officer in consultation with the Committee Chair), with all meetings being held in the Colonel Light Room, Adelaide Town Hall:
- 6.1. City Finance and Governance Committee first Tuesday of the month (except January and December) at 5.30pm
  - 6.2. City Planning, Development and Business Affairs Committee the first Tuesday of the month (except January and December) not later than 7.00pm
  - 6.3. City Community Services and Culture Committee third Tuesday of the month (except January and December) at 5.30pm
  - 6.4. Infrastructure and Public Works Committee third Tuesday of the month (except January and December) not later than 7.00pm
7. Applies the provisions of Parts 1, 3 and 4 of the Local Government (Procedures at Meetings) Regulations 2013 (SA) to all meetings of the committees established in part 4.
8. Notes that there will be a key liaison at Director level assigned to each Committee to assist Committee in discharging its responsibilities under its the Terms of Reference.
9. Approves the Chair and Deputy Chair of each Committee to attend training on Meeting Procedures and Chaining Skills (if deemed necessary).

#### City Planning, Development and Business Affairs Committee

10. That the City Planning, Development and Business Affairs Committee Terms of Reference be updated to delete the following
- “To monitor and report on the performance of Council owned subsidiaries, against their respective charters with which they have been established”
11. Appoints the following Council Members to the City Planning, Development and Business Affairs Committee from 17 January 2023 until the last Council meeting in January 2025, those being:
- Lord Mayor
  - Deputy Lord Mayor Martin
  - Cr Abrahamzadeh OAM
  - Cr Giles
  - Cr Martin
  - Cr Couros
  - Cr Noon
  - Cr Hou
  - Cr Elliott
  - Cr Li
  - Cr Snape
  - Cr Davis
  - Cr Dr Siebentritt
12. Appoints Cr Noon as the Chair of the City Planning, Development and Business Affairs Committee from 17 January 2023 for a period of a year.
13. Appoints DLM Cr Martin as the Deputy Chair of the City Planning, Development and Business Affairs Committee from 17 January 2023 for a period of a year.

#### Infrastructure and Public Works Committee

14. Appoints the following Council Members to the Infrastructure and Public Works Committee from 17 January 2023 until the last Council meeting in January 2025, those being:
- Lord Mayor
  - Deputy Lord Mayor Martin
  - Cr Abrahamzadeh OAM
  - Cr Giles
  - Cr Martin
  - Cr Couros
  - Cr Noon
  - Cr Hou

Cr Elliott  
 Cr Li  
 Cr Snape  
 Cr Davis  
 Cr Dr Siebentritt

15. Appoints Cr Couros as the Chair of the Infrastructure and Public Works Committee from 17 January 2023 for a period of a year.
16. Appoints Cr Elliott as the Deputy Chair of the Infrastructure and Public Works Committee from 17 January 2023 for a period of a year.

#### City Finance and Governance Committee

17. That the Finance and Governance Committee Terms of Reference be updated to include the following “ monitor the City of Adelaide’s performance though the receipt of assurance reports on programs, projects and services” .
18. That the Finance and Governance Committee Terms of Reference be updated to include the following “To monitor and report on the performance of Council owned subsidiaries, against their respective charters with which they have been established”.
19. Appoints the following Council Members to the City Finance and Governance Committee from 17 January 2023 until the last Council meeting in January 2025, those being:

Lord Mayor  
 Deputy Lord Mayor Martin  
 Cr Abrahamzadeh OAM  
 Cr Giles  
 Cr Martin  
 Cr Couros  
 Cr Noon  
 Cr Hou  
 Cr Elliott  
 Cr Li  
 Cr Snape  
 Cr Davis  
 Cr Dr Siebentritt

20. Appoints Cr Siebentritt as the Chair of the City Finance and Governance Committee from 17 January 2023 for a period of a year.
21. Appoints Cr Li as the Deputy Chair of the City Finance and Governance Committee from 17 January 2023 for a period of a year.

#### City Community Services and Culture Committee

22. Appoints the following Council Members to the City Community Services and Culture Committee from 17 January 2023 until the last Council meeting in January 2025, those being:

Lord Mayor  
 Deputy Lord Mayor Martin  
 Cr Abrahamzadeh OAM  
 Cr Giles  
 Cr Martin  
 Cr Couros  
 Cr Noon  
 Cr Hou  
 Cr Elliott  
 Cr Li  
 Cr Snape  
 Cr Davis  
 Cr Dr Siebentritt

23. Appoints Cr Giles as the Chair of the City Community Services and Culture Committee from 17 January 2023 for a period of a year.
24. Appoints Cr Davis as the Deputy Chair of the City Community Services and Culture Committee from 17

January 2023 for a period of a year.

25. Adopts the Terms of Reference (as contained as Attachment C to Item 4.1 on the Agenda of the Special Council meeting held on 17 January 2023), and authorises the amendment of these documents to reflect the resolution of Council.
26. Authorise the CEO to make any necessary or desirable typographical or syntactical revisions to the Terms of Reference for the adopted committee structure.

**be revoked.'**

Discussion ensued

It was then –

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

That the motion be put.

Carried

The motion, was then put and lost

Councillor Couros requested that a division be taken on the motion

#### **Division**

**For (3):**

Councillors Abrahamzadeh, Davis and Hou.

**Against (4):**

Deputy Lord Mayor (Councillor Martin) and Councillors Elliott, Li and Snape.

The division was declared against the motion

Councillors Couros, Giles and Siebentritt re-entered the Council Chamber at 7.36 pm.

### **33 Item 15.4 - Councillor Elliott - MoN - Re-automation of Pedestrian Actuated Crossings**

Moved by Councillor Elliott,  
Seconded by Councillor Snape -

That Council:

1. Requests that Administration investigate and report to Council on the implementation of Pedestrian Actuated Crossing (PAC) automation and longer pedestrian crossing signal durations at key areas to facilitate safer and quicker walking journeys.
2. Requests that Administration investigate and report to Council on the implementation of touchless and on-demand pedestrian crossing technologies to facilitate safer and quicker pedestrian movements.

Discussion ensued, during which:

- Councillor Abrahamzadeh left the Council Chamber at 7.15 pm.
- Councillor Noon re-entered the Council Chamber at 7.15 pm.

The motion was then put and carried unanimously

### **34 Item 15.5 - Councillor Snape - MoN - Vic Park Wetlands - Dogs on Leash**

Moved by Councillor Snape,  
Seconded by Councillor Li -

That Council:

In order to protect much-welcomed native waterfowl:

1. The area inside Victoria Park/Pakapakanthi (Park 16) that is known as the South-East Wetlands, be designated as 'Dogs on leash at all times.'
2. Asks administration to install appropriate signage at every entrance to the wetlands including a brief

explanation why.

Discussion ensued, during which Councillor Abrahamzadeh re-entered the Council Chamber at 7.20 pm.

Amendment –

Moved by Councillor Couros,  
Seconded by Councillor Davis -

‘That the motion be amended to read as follows:

That:

In order to protect much-welcomed native waterfowl:

1. An investigation is undertaken to assess the impact that allowing of dogs off leash is having, or could potentially have, to the biodiversity of the South-East Wetlands (inside Victoria Park/Pakapakanthi (Park 16)).
2. Administration brings a report back to Council via Kadaltilla noting the investigation outcomes, any expert advice received and recommendation from Kadaltilla.’

Discussion ensued

The amendment was then put and lost

Councillor Couros requested that a division be taken on the amendment

#### **Division**

**For (4):**

Councillors Abrahamzadeh, Couros, Davis and Hou.

**Against (7):**

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

The division was declared against the amendment

Amendment –

Moved by Councillor Siebentritt,  
Seconded by Councillor Giles -

‘That the motion be amended, by the inclusion of an additional part 3 to read as follows:

3. Write to Kadaltilla asking them for advice in relation to the implementation of this strategy.’

Carried

The motion, as amended, was then put and carried

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

#### **Division**

**For (8):**

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

**Against (3):**

Councillors Abrahamzadeh, Couros and Davis.

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

### **35 Item 15.6 - Councillor Giles - MoN - Adelaide Aquatic Centre**

Moved by Councillor Giles,  
Seconded by Councillor Couros -

That:

1. Council acknowledges the concerns of residents of North Adelaide who live adjacent to the proposed site

for the Adelaide Aquatic Centre and supports them in their opposition to the location of the Centre and their request for the identification of an alternate site that delivers the redevelopment of this valued community asset but also protects their rights as residents.

Discussion ensued, during which with the consent of the mover, seconder and the meeting, the motion was varied to include an additional part 2 to read as follows:

'2. Administration include potential impacts such as noise, increased traffic and loss of amenity and requests that these local concerns in the City of Adelaide's submission to the Code Amendment consultation.'

With the consent of the mover and seconder, the Lord Mayor advised the meeting that the motion would be taken in parts.

Part 1 of the motion was then put and carried

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

#### Division

##### For (9):

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

##### Against (2):

Councillors Abrahamzadeh 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 Snape requested that a division be taken on Part 2 of the motion

#### Division

##### For (10):

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

##### Against (1):

Councillor Abrahamzadeh.

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

### 36 Motions without Notice - Nil

### 37 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 18 of the Agenda.

### 38 Item 17 - Exclusion of the Public for Item 18.1

Moved by Councillor Couros,  
Seconded by Councillor Hou -

#### 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 31 January 2023 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 18.1 [Lease Rundle Street] listed on the Agenda in a meeting open to the public would on balance be contrary to the public interest.

Grounds and Basis

This Item contains certain information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting business, prejudice the commercial position of the council and prejudice the commercial position of the person who supplied the information and confer a commercial advantage to a third party.

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

Public Interest

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances given that the information in this report, including certain financial information and further direction, may prejudice its future commercial dealings within regard to its assets and strategic land holdings. On this basis, the disclosure of such information may severely prejudice the City of Adelaide's ability to influence the proposal for the benefit of the City of Adelaide and the community in this matter.

2. Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this meeting of the Council dated 31 January 2023 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 18.1 [Lease Rundle Street] 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

**39 Item 17 - Exclusion of the Public for Item 18.2**

Moved by Councillor Couros,  
Seconded by Councillor Hou -

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 31 January 2023 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 18.2 [Assignment of Lease – 86 Grote Street] listed on the Agenda in a meeting open to the public would on balance be contrary to the public interest.

Grounds and Basis

This Item contains certain information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting business, prejudice the commercial position of the council and prejudice the commercial position of the person who supplied the information and confer a commercial advantage to a third party.

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

Public Interest

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

2. Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this meeting of the Council dated 31 January 2023 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 18.2 [Assignment of Lease – 86 Grote Street] listed in the



COUNCIL

Meeting Minutes, Tuesday, 31 January 2023, at 5.30 pm

Agenda, on the grounds that such item of business, contains information and matters of a kind referred to in section 90(3) (b) & (d) of the Act.

Carried

Members of the public and Corporation staff present not directly involved with Items 18.1 and 18.2 left the Council Chamber at 7.57 pm.

- 40 Confidential Reports for Council (Chief Executive Officer's Reports)**
- 41 Item 18.1 - Lease Rundle Street**
- 42 Item 18.2 - Assignment of Lease - 86 Grote Street**

The meeting re-opened to the public at 7.58 pm.

### Confidentiality Orders

#### **Item 18.1** – Lease Rundle Street

##### Confidentiality Order

In accordance with Section 91(7) & (9) of the *Local Government Act 1999 (SA)* and because Item 18.1 [Lease Rundle Street] listed on the Agenda for the meeting of Council held on 31 January 2023 was received, discussed and considered in confidence pursuant to Section 90(3)(b) & (d) 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 31 December 2030.
2. The confidentiality of the matter be reviewed in 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.

#### **Item 18.2** - Assignment of Lease - 86 Grote Street

##### Confidentiality Order

In accordance with Section 91(7) & (9) of the *Local Government Act 1999 (SA)* and because Item 18.2 [Assignment of Lease – 86 Grote Street] listed on the Agenda for the meeting of the Council held on 31 January 2023 was received, discussed and considered in confidence pursuant to Section 90(3)(b) & (d) of the *Local Government Act 1999 (SA)*, this meeting of the 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 2030.
2. The confidentiality of the matter be reviewed in 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.

### Closure

The meeting closed at 7.58 pm

Clare Mockler,  
Chief Executive Officer

Dr Jane Lomax-Smith  
Lord Mayor

Paternity Leave

Tuesday, 31 January 2023  
Council

Council Member  
Councillor Abrahamzadeh

Public

Contact Officer:  
Amanda McIlroy, Chief  
Operating Officer

QUESTION ON NOTICE

Councillor Abrahamzadeh will ask the following Question on Notice:

'In relation to paid paternity leave, what are male employees at the City of Adelaide entitled to?

How does this entitlement compare to:

- male employees of other Councils;
- male employees of the Commonwealth; and
- male employees of State Government.'

REPLY

1. The City of Adelaide provides two weeks of paid partner leave to employees who have continuous service of 12 months or more, prior to the expected due date or date of adoption of their child. This entitlement is in addition to any eligibility for the Federal Government's Dad and Partner Pay.
2. Note that Cr Abrahamzadeh withdrew his request for comparative data on paid paternity leave entitlements following publication of the Council agenda, so this information has not been provided.

Staff time in receiving and preparing this reply	To prepare this reply in response to the question on notice took approximately 4 hours.
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- END OF REPORT -

Council Member  
Councillor Li

Public

Contact Officer:  
Amanda McIlroy, Chief  
Operating Officer

## QUESTION ON NOTICE

### Councillor Li will ask the following Question on Notice:

'What measures are in place to ensure the Adelaide Free Wi-Fi Project is delivered on time, within budget, and achieves the planned benefits?'

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## REPLY

1. At its meeting on 12 December 2021, Council awarded a contract to TPG Telecom to replace the Adelaide Free Wi-Fi network with the latest Wi-Fi technology utilising the Ten Gigabit Adelaide fibre network.
2. ADLFree powered by TPG Telecom is a \$4.8 million project jointly funded by the Australian Government and City of Adelaide as part of the \$699 million Adelaide City Deal. The City Deal is a 10-year agreement between the Australian and South Australian governments and the City of Adelaide to grow Adelaide as an innovative and vibrant city.
3. To ensure the successful delivery of the project, and to mitigate any risks to Council, the contract includes key milestones for TPG Telecom to achieve, and a payment schedule that is linked to Council's acceptance of the milestone certification process.
4. Due to the global supply chain issues in 2022, there has been a six-month delay in the overall delivery of this project. However, the delay has not resulted in any increase in the cost of the project. The revised completion date for the network rollout is June 2023.
5. To ensure that the network achieves the overall intended benefits of this project, the contract also identifies key service levels which include service availability, service performance, and service utilisation measures.

Staff time in receiving and preparing this reply	Preparing this reply in response to the question on notice took approximately 4 hours.
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