



COUNCIL MINUTES

for the meeting

Wednesday, 26 April 2023

in the Council Chamber, Adelaide Town Hall

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

‘A moment of contemplation of the gravity and implications of our decision making. I invite members to read the prayer as printed or reflect in a manner appropriate to their beliefs on these issues.’

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.

Councillor Abrahamzadeh entered the Council Chamber at 5.35 pm.

5 Apologies and Leave of Absence

Apologies:

Deputy Lord Mayor, Councillor Martin

6 Item 6 - Confirmation of Minutes - 11/4/2023

Moved by Councillor Abrahamzadeh,
Seconded by Councillor Giles -

That the minutes of the meeting of the Council held on 11 April 2023, with the exception of that part of the minutes relating to Minute 32 – Item 18.1 (which will be dealt with later in this meeting), be taken as read and confirmed as an accurate record of proceedings.

Carried

7 Deputations

Nil

8 Petitions

Nil

9 Reports from Committees

10 Item 9.1 - Recommendations of the Infrastructure and Public Works Committee - 18 April 2023

Moved by Councillor Snape,
Seconded by Councillor Elliott –

1. Recommendation 1 – Affixation of Common Seal – Funding Deed under State Bicycle Fund 2022/23THAT COUNCIL:

1. Notes the successful grant funding application to the State Bicycle Fund which includes the renewal and upgrade of the River Torrens Linear shared use path on the north side of the river from Albert Bridge east for approximately 400m, which includes footpath renewal works and new public lighting works.
2. Authorises the Lord Mayor and Chief Executive Officer to affix the Common Seal of the Council to the State Bicycle Funding Deed.

Carried

11 Item 9.2 - Audit and Risk Committee Report - 12 April 2023

Moved by Councillor Abrahamzadeh,
Seconded by Councillor Siebentritt -

THAT COUNCIL

1. Notes that the Audit and Risk Committee met on 12 April 2023.

Carried

12 Reports for Council (Chief Executive Officer's Reports)**13 Item 10.1 - Council representatives on AEDA Board Selection Panel**

Moved by Councillor Abrahamzadeh,
Seconded by Councillor Siebentritt -

THAT COUNCIL:

1. Appoints three Council Members to be a part of the Adelaide Economic Development Agency Board Member selection panel for the 2022-2026 Council term.

Carried

The Lord Mayor then called for nominations to be a part of the Adelaide Economic Development Agency Board Member selection panel for the 2022-2026 Council term.

Councillor Snape nominated Councillors Noon, Giles and the Lord Mayor. The Lord Mayor declined the nomination.

Councillor Abrahamzadeh, nominated Councillor Couros.

It was then –

Moved by Councillor Siebentritt,
Seconded by Councillor Snape –

2. Appoints Councillor Noon, Councillor Giles and Councillor Couros to be a part of the Adelaide Economic Development Agency Board Member selection panel for the 2022-2026 Council term.

Carried unanimously

14 Item 11 - Lord Mayor's Reports

The Lord Mayor addressed the meeting on the following activities:

- Capital City Committee meeting, with the Premier, Ministers and Chief Executives of SA Government departments, discussing opportunities for partnerships around Infrastructure periods and the Adaptive Reuse Forum
- Unveiling the portrait of Aunty Shirley Peisley
- Meeting with the CEO of the Committee for Adelaide
- Citizenship Ceremony for 25 new Australian citizens
- ANZAC Day Dawn Service and Commemorative March along King William Street
- Thanks to Councillors Davis and Elliott for attending various ANZAC Day events.
- Congratulations to the Premier on the AFL Gather Round and commitment to work with State Tourism to align communications, road closures and street maintenance program for major events and Park

Lands activities.

During the discussion, Councillor Davis entered the Council Chamber at 5.41 pm.

It was then –

Moved by Councillor Snape,
Seconded by Councillor Abrahamzadeh –

That the report be received and noted.

Carried

15 Councillors' Reports

16 Item 12.1 - Reports from Council Members

Moved by Councillor Abrahamzadeh,
Seconded by Councillor Noon -

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 26 April 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 26 April 2023.
3. Notes that reports for Council Members tabled at the meeting of the Council held on 26 April 2023 be included in the Minutes of the meeting.

Carried

17 Questions on Notice

Nil

18 Questions without Notice

Discussion ensued

19 Item 14.1 - Undertaking - Councillor Elliott - QwN - Frome Street Bikeway

In response to queries from Councillor Elliott, an undertaking was given to provide Council Members with information on the status of the procurement for the Rundle Street to North Terrace section of the Frome Street bikeway.

20 Motions on Notice

21 Item 15.1 - Deputy Lord Mayor (Councillor Martin) - MoN - First Peoples Referendum

In the absence of the Deputy Lord Mayor, Councillor Martin, the Lord Mayor advised the meeting that Item 15.1 - Deputy Lord Mayor (Councillor Martin) - MoN - First Peoples Referendum, would be considered at the next meeting of Council.

22 Item 15.2 - Councillor Snape - MoN - Free WiFi Victoria Park

Moved by Councillor Snape,
Seconded by Councillor Noon -

That administration investigate how to bring the free Adelaide WiFi network to the western side of Victoria Park / Pakapakanthi.

Much discussion ensued

The motion was then put and carried

Councillor Snape requested that a division be taken on the motion

Division

For (8):

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

Against (2):

Councillors Couros and Elliott.

The division was declared in favour of the motion

23 Item 15.2 - Undertaking - Councillor Snape - MoN - Free WiFi Victoria Park

In response to queries from Councillor Abrahamzadeh, an undertaking was given to provide Council Members with a map of the current boundaries of the Adelaide Free WiFi and the access areas.

24 Item 15.3 - Councillor Noon - MoN - Invites to State & Local Government Officials

Moved by Councillor Noon,
Seconded by Councillor Snape –

That:

1. The Lord Mayor invites the Minister of Local Government, LGA SA President and/or CEO to give an update of key sector issues, challenges and highlights for Council at least twice a year, at times that align with their presentations to State Cabinet during the year.
2. The Lord Mayor formally invites the Premier of South Australia to meet with the Council at least annually at a suitable time that will assist in discussions/decisions on issues that impact both jurisdictions.
3. The Lord Mayor formally invites the Member of Adelaide Lucy Hood MP to meet with Council at least quarterly at either Council or appropriate Committees.

Discussion ensued, during which Councillor Noon, withdrew part 2 and 3 of the motion from consideration.

The motion was then put and lost

25 Item 15.4 - Councillor Noon - MoN - Gather Round

Moved by Councillor Noon,
Seconded by Councillor Snape -

That the Lord Mayor on behalf of the Council send a letter of congratulations to Peter Malinauskas, Premier of South Australia on the success of the Gather Round event for South Australia and in particular the City of Adelaide.

Discussion ensued

The motion was then put and carried

Councillor Noon requested that a division be taken on the motion

Division

For (8):

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

Against (2):

Councillors Couros and Elliott.

The division was declared in favour of the motion

26 Item 15.4 - Undertaking - Councillor Noon - MoN - Gather Round

In response to queries from Council Members, an undertaking was given to provide Council Members with economic uplift, Spendmapp data, other learnings, issues and statistics from Gather Round, when it is available.

27 Item 15.5 - Councillor Noon - MoN - AEDA and ACMA Charter Review

Moved by Councillor Noon,
Seconded by Councillor Elliott -

That the Charters for both the Adelaide Economic Development Agency (AEDA) and Adelaide Central Market Authority (ACMA) be reviewed for consistency where applicable.

Discussion ensued, during which with the consent of the mover, seconder and the meeting, the motion was varied to include the word 'internally' before the word 'reviewed'.

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

28 Motions without Notice

Nil

29 Item 17 - Exclusion of the Public

Moved by Councillor Davis,
Seconded by Councillor Elliott -

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 26 April 2023 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 18.1 [Confirmation of Minute 32 – Council Meeting – 11 April 2023] listed on the Agenda in a meeting open to the public would on balance be contrary to the public interest.

Grounds and Basis

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

The disclosure of information in this report could reasonably prejudice the commercial position of the Council with respect to its commercial dealings with the land as well as prejudice the commercial position of parties who have supplied intellectual property and commercial in confidence information.

Public Interest

The Committee is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the disclosure of this information in this report, including certain financial information and further direction, may prejudice Council's future commercial dealings regarding its strategic land holding. In addition, information within this report contains the intellectual property and commercial in confidence information of parties who have supplied information which if released could negatively impact Council. 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 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 26 April 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 [Confirmation of Minute 32 – Council Meeting – 11 April 2023] 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 unanimously

Members of the public and Corporation staff present not directly involved with Item 18.1 left the Council Chamber at 6.36 pm.

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

31 Confirmation of Confidential Minute 32 - Item 18.1 - Council Meeting - 11 April 2023

The meeting re-opened to the public at 6.37 pm.

Confidentiality Orders

Minute 31 – Item 18.1 – Confirmation of Confidential Minute 32 - Item 18.1 - Council Meeting - 11 April 2023

Authorises that, in accordance with Section 91 (7) & (9) of the Local Government Act 1999 (SA) and on the grounds that Item 18.1 [Confirmation of Confidential Minute 32 - Item 18.1 - Council Meeting – 11 April 2023] listed on the Agenda for the meeting of the Council held on 26 April 2023 was received, discussed and considered in confidence pursuant to Section 90 (3) (b) & (d) of the Local Government Act 1999 (SA), the meeting of the Council do order that:

1. The resolution, the report, the discussion and any other associated information submitted to this meeting and the Minutes of this meeting in relation to the matter remain confidential and not available for public inspection until 31 December 2030.
2. The confidentiality of the matter be reviewed in December 2024.
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 6.46 pm

Clare Mockler,
Chief Executive Officer

Dr Jane Lomax-Smith
Lord Mayor