



# COUNCIL MINUTES

for the meeting

Tuesday, 11 July 2023

in the Council Chamber, Adelaide Town Hall

© 2023 CITY OF ADELAIDE. ALL RIGHTS RESERVED.



Present – Acting Lord Mayor, Councillor Martin (Presiding)

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

## 1 Acknowledgement of Country

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

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

## 4 Memorial Silence

The Acting 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

Apology:

Councillor Hou

On Leave:

The Right Honourable, the Lord Mayor, Dr Jane Lomax-Smith

Councillor Couros

## 6 Item 6 - Confirmation of Minutes

Moved by Councillor Noon

Seconded by Councillor Abrahamzadeh

That the Minutes of the meeting of the Council held on 27 June 2023, be taken as read and be confirmed as an accurate record of proceedings.

Carried

## 7 Deputations

Kathleen Muirhead-Kern addressed the Council:

- On the 40<sup>th</sup> anniversary of Adelaide’s Sister City relationship with the city of Austin, Texas.

The Acting Lord Mayor thanked Ms Muirhead-Kern for her deputation.

**8 Petitions**

Nil

**9 Reports from Committees and Kadaltilla / Park Lands Authority****10 Item 9 - Recommendations of the City Community Services and Culture Committee - 4 July 2023**

Councillor Abrahamzadeh declared a general conflict of interest in Item 9.1 - Recommendation 1 - Item 4.1 [Developing a sustainable model to support people experiencing homelessness in the City of Adelaide], pursuant to Section 74 of the *Local Government Act 1999 (SA)* as he works for the SA Housing Authority, the State Government Agency responsible for caring for the homeless population. Councillor Abrahamzadeh remained in the Council Chamber and participated in the vote and debate.

It was then –

Moved by Councillor Elliott,  
Seconded by Councillor Davis -

**11 Item 9.1 - Recommendation 1 - Item 4.1 - Developing a sustainable model to support people experiencing homelessness in the City of Adelaide**THAT COUNCIL:

1. Notes the Discussion Paper contained in Attachment A to Item 4.1 on the Agenda for the meeting of the City Community Services and Culture Committee held on 4 July 2023, as a draft to be amended and adapted following the Homeless Roundtable as part of the process to inform the development of a new council Policy on Homelessness.
2. Approves the Engagement Plan contained in Attachment B to Item 4.1 on the Agenda for the meeting of the City Community Services and Culture Committee held on 4 July 2023, for the purpose of public consultation and engagement on Homelessness policy with the following changes.
  - 2.1 The Roundtable be held as a first step of the consultation/ engagement process. This to be held during Homelessness week and chaired by the Lord Mayor.
  - 2.2 A discussion paper and draft policy be developed incorporating the input of the round table which will be provided for discussion at the Community Services and Culture Committee and then approved by council prior to the commencement of community consultation.

**12 Item 9.1 - Recommendation 2 - Item 4.2 - South Australian Motor Sport Board World Solar Challenge 2023 Declarations Consultation**THAT COUNCIL:

1. Notes the Declaration of the Declared Area, Declared Period and Prescribed Works Period for the purpose of conducting the World Solar Challenge 2023 event.
2. Authorises the Lord Mayor to write to the South Australian Motor Sport Board on behalf of Council with its feedback to the consultation, and to provide the following feedback and advice:
  - 2.1 That Council notes the Declaration of the Declared Area, Declared Period and Prescribed Works Period for the purpose of conducting the World Solar Challenge 2023 event.
  - 2.2 Asks the SAMSB to keep public footpaths and bike lanes as open and accessible as is practicable throughout the Prescribed Works Period and Declared Period.
3. Notes the consultation was considered by Kadaltilla at its meeting of 22 June 2023 and that Kadaltilla will be providing a submission to the consultation.

**13 Item 9.1 - Recommendation 3 - Item 4.3 - Adelaide Fringe 2024 Event Road Closure**THAT COUNCIL:

1. Notes the closure of Rundle Road for Adelaide Fringe 2024 is currently proposed for a six-week period from 7 February until 21 March 2024.
2. Notes a 21 day public consultation will be undertaken, including targeted consultation with key stakeholders, including residents, as required under section 223 of the Local Government Act 1999

(SA).

3. Notes a report will be presented to Council in September 2023 for decision relating to the road closure.

Carried unanimously

**14 Item 9.1 - Recommendation 4 - Item 4.4 - Adelaide Aquatic Centre Redevelopment Lease and Licensing**

Moved by Councillor Giles

Seconded by Councillor Elliott –

THAT COUNCIL:

1. Endorses the location of the new Adelaide Aquatic Centre in Denise Norton Park / Pardipardinyilla (Park 2), Attachment A to Item 4.4 on the Agenda for the meeting of the City Community Services and Culture Committee held on 4 July 2023.
2. Authorises the Lord Mayor and Chief Executive Officer or delegate to negotiate a draft Construction Licence (Licence), Attachment B to Item 4.4 on the Agenda for the meeting of the City Community Services and Culture Committee held on 4 July 2023 for the purpose of undertaking community consultation in accordance with the Local Government Act 1999 (SA).
3. Authorises the Lord Mayor and Chief Executive Officer or delegate to negotiate a draft 42-year Park Lands Lease Agreement (Lease) with the Minister for Infrastructure and Transport (Minister), Attachment C to Item 4.4 on the Agenda for the meeting of the City Community Services and Culture Committee held on 4 July 2023 to facilitate the operation of a new Adelaide Aquatic Centre for the purpose of undertaking community consultation on the essential terms of this agreement in accordance with the Local Government Act 1999 (SA).
4. Notes that results of the community consultation will be presented back to Council in August 2023.
5. Authorises the Lord Mayor and Chief Executive Officer to continue discussions and finalise the outstanding terms and conditions of the draft Construction Licence and draft 42-Year Lease Agreement.

Carried

Councillor Abrahamzadeh requested that a division be taken on the motion

**Division**

For (6):

Councillors Abrahamzadeh, Elliott, Giles, Li, Noon and Siebentritt .

Against (2):

Councillors Davis and Snape.

The division was declared in favour of the motion

**15 Recommendations of the City Planning, Development and Business Affairs Committee - 4 July 2023**

Moved by Councillor Abrahamzadeh,

Seconded by Councillor Snape -

**16 Item 9.2 - Recommendation 1 - Item 5.1 - Draft Victoria Park Master Plan**

THAT COUNCIL:

1. Endorses the draft Victoria Park / Pakapakanthi (Park 16) Master Plan as provided in Attachment A to Item 5.1 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 4 July 2023, for the purposes of Council undertaking community consultation.

**17 Item 9.2 - Recommendation 2 - Item 5.2 - Noise Incentive Scheme Review**

THAT COUNCIL:

1. Endorses the updated Acoustic Advisory Service and Noise Management Incentive Scheme Operating Guidelines (Attachment A to Item 5.2 on the Agenda of the meeting of the City Planning, Development and Business Affairs Committee held on 4 July 2023).

2. Notes the ongoing negotiation with the State Government to strengthen the:
  - 2.1. Planning and Design Code
  - 2.2. Ministerial Building Standard 101 – Construction requirements for the control of external sound
  - 2.3. Application of Planning Assessment and Building Assessment rules.
3. Notes the potential for larger noise rebates to be provided for adaptive reuse. Options and budget implications will be explored as part of the development of the adaptive reuse program.
4. Notes the refinements to the Noise Management Program as recommended by WSP will be progressively implemented in 2023/24.
5. Notes the increase in the rebate for improvements to residential properties from \$1300 to \$3000.
6. Approves the WSP recommendation for an additional Noise-source Management Incentive Scheme to be developed as a pilot in 2023/24 with any proposed projects above the 2023/24 budget allocation to be presented to Council at budget review.
7. Authorises the Chief Executive Officer authority to amend the Acoustic Advisory Service and Noise Management Incentive Scheme Operating Guidelines (Attachment A to Item 5.2 on the Agenda of the meeting of the City Planning, Development and Business Affairs Committee held on 4 July 2023) if a Noise-source Management.

Carried

**18 Reports for Council (Chief Executive Officer's Reports)**

Nil

**19 Item 11 - Acting Lord Mayor's Reports**

The Acting Lord Mayor addressed the meeting on the following activities:

- 50th anniversary celebration for FMG Engineering
- Adelaide Festival Centre 50<sup>th</sup> Anniversary Celebration Civic Event
- NAIDOC in the Mall
- NAIDOC Morning Tea at the Adelaide Town Hall.
- Attended the Safer City Quarterly Conversation with SAPOL.
- Attended the LGA Mayor and CEO Forum in the Barossa Valley on Friday.

It was then –

Moved by Councillor Davis,  
Seconded by councillor Snape –

That the report be received and noted.

Carried unanimously

**20 Item 12 - Councillors' Reports**

Councillor Noon addressed the meeting on her attendance at:

- Resonate, Illuminate Adelaide event at the Botanic Gardens on 1 July
- Launch of SA Small Business Strategy 2023-30.

It was then -

Moved by Councillor Abrahamzadeh,  
Seconded by Councillor Siebentritt –

That the report be received and noted.

Carried

**21 Questions on Notice****22 Item 13.1 - Councillor Abrahamzadeh - QoN - Sister city travel arrangements**

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

The reply for Item 13.1 is attached for reference at the end of the Minutes of the meeting.

**23 Questions without Notice**

Discussion ensued

**24 Item 14.1 - Councillor Snape - QwN - Elected Member and Administration travel**

Councillor Snape requested the Administration to provide a summary of Elected Members and Administration travel during 2018-2022 Council term. The CEO advised this will be taken on notice and a reply provided to Council Members.

**25 Item 14.2 - Councillor Abrahamzadeh - QwN - Travel for Sister Cities Relationships**

Councillor Abrahamzadeh asked if any travel to sister cities relationships occurred in the last council term?

The Question was taken on notice.

**26 Motions on Notice****27 Item 15.1 - Councillor Noon - MoN - Mandatory Exemptions and Rebates from Council Rates**

Moved by Councillor Noon,  
Seconded by Councillor Snape -

That the Mandatory Statutory Exemptions and Rebates from Council Rates (as reported in the Public Council papers 27 June 2023 Agenda Item 10.2) be submitted to the Capital City Committee with the intention of this item being included on its August 2023 Agenda.

Discussion ensued, during which Councillor Davis left his seat at 6.18 pm and returned at 6.19 pm.

The motion was then put and carried unanimously

**28 Item 15.1 - Undertaking - Councillor Noon - MoN - Mandatory Exemptions and Rebates from Council Rates**

In response to a query from Councillor Davis, the CEO gave an undertaking to provide Council Members with information on the property type categorised as residential for the University of Adelaide, if these are private houses or commercial purposes?

**29 Motions without Notice****30 Item 16.1 - Councillor Snape - MwN - Adelaide Motorsports Festival**

Moved by Councillor Snape,  
Seconded by Councillor Noon -

That Council asks the Lord Mayor write to the Motorsports Board, expressing Council's concern with the clash between the Adelaide Motorsports Festival, the Adelaide Festival and Fringe and requests that the Motorsports Board change the date for its scheduled March 2024 event.

With the consent of the mover, seconder and the meeting the motion was varied to:

- include the word 'Acting' before the words 'Lord Mayor'. To
- remove the word 'Motorsports' before the word 'Board'. To

Amendment –

Moved by Councillor Davis,  
Seconded by Councillor Elliott -

That the motion be amended to read as follows:

'That Council asks the Acting Lord Mayor write to the Board, expressing Council's concern with the clash between the Adelaide Motorsports Festival, the Adelaide Festival and Fringe and requests a briefing on the event from the Board.'

The amendment was then put and carried

The motion, as amended, was then put and carried

### 31 Item 16.2 - Councillor Elliott - MwN - East End Unleashed

Moved by Councillor Elliott,  
Seconded by Councillor Noon –

That Council:

1. Notes the exceptional efforts by Council and AEDA to support and promote East End hospitality businesses during Fringe through the East End Unleashed program.
2. Notes that East End Unleashed requires the closure of Rundle Street and several surrounding laneways to motor traffic in order to hold public activities which boost visitation and business activity, and the closure of Rundle Road each Friday, Saturday and Sunday evening during Fringe.
3. Requests Administration to present to Council at the next appropriate Committee meeting recommendations and details for efforts to enhance East End Unleashed in order to:
  - a. Involve and support East End retailers;
  - b. Support day-time and weekday retail activity in the precinct.
4. Directs Administration to include on Council and subsidiary websites and other publications relating to East End Unleashed, the promotion of:
  - a. Using Adelaide Metro bus, train and tram services to the city, including links to Adelaide Metro websites and travel planners; and
  - b. Walking, cycling and commercial e-scooter services;

Carried unanimously

### 32 Item 16.3 - Councillor Giles - MwN - Pitt Street

Moved by Councillor Giles,  
Seconded by Councillor Noon –

That the CEO provide a briefing about the proposal for Pitt Street with the view to exploring how this street can be made one-way, in order to provide safety and amenity to the approximately 100 residents, most of whom are disabled or elderly and also to provide a seamless connection for pedestrians between Bentham St and the Central Market as the final piece of the river to market project.

Carried unanimously

### 33 Item 17 - Exclusion of the Public

Discussion ensued, with consent of the meeting, the Acting Lord Mayor took the two exclusion recommendations en bloc.

It was then -

Moved by Councillor Siebentritt,  
Seconded by Councillor Abrahamzadeh –

#### ORDER TO EXCLUDE FOR ITEM 18.1

#### 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 11 July 2023 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 18.1 [Confidential Recommendations of the City Planning, Development and Business Affairs Committee – 4 July 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 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 and the person forming part of this strategic property matter with respect to future commercial dealings given that the report contains legal matters, financial information and 'commercial in confidence' material.

### 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 the report, including certain commercial in confidence, financial information, and legal matters, may prejudice future commercial dealings with respect to its strategic land holding. On this basis, the disclosure of financial and commercial in confidence information may severely prejudice the Council's ability to influence the proposal for the benefit of the Council and the community in this matter.

2. Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this meeting of the Council dated 11 July 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 [Confidential Recommendations of the City Planning, Development and Business Affairs Committee – 4 July 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.

### ORDER TO EXCLUDE FOR ITEM 19.1

#### 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 11 July 2023 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 19.1 [Strategic Property Matter] 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 expect to confer a commercial advantage on a person with whom the Council is conducting business, prejudice the commercial position of the Council. This Item provides commercially sensitive information concerning possible negotiation positions and financial negotiation ranges.

The disclosure of information in this report could reasonably prejudice the position of Council as it includes information provided to Council on a confidential basis.

### 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 may result in release of information prior to the commencement and finalisation of a 'commercial in confidence' negotiation process with the vendor.

2. Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this meeting of the Council dated 11 July 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 19.1 [Strategic Property Matter] listed in the Agenda, on the grounds that such item of business, contains information and matters of a kind referred to in section 90(3) (b) & (d) of the Act.

Carried

Members of the public and Corporation staff present not directly involved with Items 18.1 and 19.1, left the Council Chamber at 6.45 pm.



- 34 Confidential Reports from Committees and Kadaltilla / Park Lands Authority**
- 35 Item 18.1 - Confidential Recommendations of the City Planning, Development and Business Affairs Committee - 4 July 2023**
- 36 Confidential Reports for Council (Chief Executive Officer's Reports)**
- 37 Item 19.1 - Strategic Property Matter**

The Council Chamber re-opened to the public at 7.13 pm.

**Minute 35 - Item 18.1 - Confidential Recommendation of the City Planning, Development and Business Affairs Committee**

Confidentiality Order

In accordance with Section 91 (7) & (9) of the Local Government Act 1999 (SA) and on the grounds that Item 18.1 [Confidential Recommendation of the City Planning, Development and Business Affairs Committee] listed on the Agenda for the meeting of the Council held on 11 July 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 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.

**Minute 35 - Item 19.1 – Strategic Property Matter**

Confidentiality Order

That, in accordance with Section 91(7) and (9) of the Local Government Act 1999 (SA) and because Item 19.1 [Strategic Property Matter] listed on the Agenda for the meeting of the Council on 11 July 2023 was received, discussed and considered in confidence pursuant to Section 90(3) (b) and (d) of the Local Government Act 1999 (SA), this meeting 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.

**Closure**

The meeting closed at 7.13 pm

Phillip Martin  
Acting Lord Mayor

Date of confirmation:

Documents Attached:

Minute 22 – Item 13.1 - Councillor Abrahamzadeh - QoN - Sister city travel arrangements, Reply

## Sister city travel arrangements

Tuesday, 11 July 2023  
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:**

‘Are there any travel plans by any elected members in relation to sister city relationships?’

---

## REPLY

1. There are currently no confirmed travel plans which relate to sister city relationships.
2. It is established practice for representatives from the City of Adelaide to visit sister cities, and to similarly extend invitations for delegates from sister cities to visit Adelaide, as part of the celebration of significant relationship milestones and events.
3. A report on *2023-2024 Sister City Relationship Milestone Celebrations* was discussed at the City Community Services and Culture Committee meeting on [7 March 2023](#). The Committee noted that:
  - 3.1 A Civic Event will be held in Adelaide in July 2023 for the community to celebrate the 40<sup>th</sup> Anniversary of our Sister City Relationship with Austin, USA.
  - 3.2 A Civic Event will be held in Adelaide in December 2023 for the community to celebrate the 50<sup>th</sup> Anniversary of our Sister City Relationship with George Town, Malaysia.
  - 3.3 A Civic Event will be held in Adelaide in April 2024 for the community to celebrate the 10<sup>th</sup> Anniversary of our Sister City Relationship with Qingdao, China.
  - 3.4 A report will come to Council to approve the proposal travel and itinerary for any outbound travel to George Town, Malaysia.
4. George Town, Penang, Malaysia
  - 4.1. The 50<sup>th</sup> Anniversary of our sister city relationship with George Town is on 8 December 2023.
  - 4.2. The Lord Mayor wrote to the Mayor of Penang Island City Council on 29 June 2023 extending an invitation for them to lead a delegation to visit Adelaide. Two options for an inbound visit were suggested:
    - 4.2.1. The week of Monday 30 October 2023 to coincide with the OzAsia Festival.
    - 4.2.2. From Wednesday 6 December 2023 to coincide with the 50<sup>th</sup> Anniversary date on 8 December 2023.

- 4.3. The Lord Mayor also highlighted the possibility of an outbound visit to George Town in April 2024, pending advice on the best dates and a formal invitation from the Mayor of Penang Island City Council.

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

---

- END OF REPORT -