

Present – The Right Honourable the Lord Mayor, Dr Jane Lomax-Smith (Presiding)
Deputy Lord Mayor, Councillor Martin
Councillors Abrahamzadeh, Davis, Elliott, Giles, 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 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 and Memorial Silence

After the Acknowledgment of Colonel William Light, the Lord Mayor stated:

‘I ask members to take a moment of quiet contemplation of the gravity and implications of our decision making in a manner appropriate to their beliefs.

Furthermore, I ask 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.’

4 Apologies and Leave of Absence

Apologies:

Councillors Hou and Li

On Leave:

Councillor Couros

5 Item 6 - Confirmation of Minutes - 6/7/2023 and 11/7/2023

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

That the Minutes of the Special meeting of the Council held on 6 July 2023 and the Minutes of the meeting of the Council held on 11 July 2023, be taken as read and be confirmed as an accurate record of proceedings.

Carried unanimously

6 Deputations

7 Item 7.1 - Professor David Ness - Deputation - Increasing Residential Population

Professor David Ness addressed the Council:

- To suggest alternative ways to increase the residential population in the City, through adaptive reuse and sufficiency.

The Lord Mayor thanked Professor Ness for his deputation.

8 Petitions**9 Item 8.1 - Petition - Imminent Closure of Adelaide Aquatic Centre**

Moved by Councillor Abrahamzadeh,
Seconded by Councillor Davis -

THAT COUNCIL

1. Receives the petition containing 165 signatures, distributed as a separate document to Item 8.1 on the Agenda for the meeting of the Council held on 25 July 2023.

Carried unanimously

10 Reports from Committees and Kadaltilla / Park Lands Authority**11 Item 9.1 - Recommendations of the City Finance and Governance Committee**

Moved by Councillor Abrahamzadeh,
Seconded by Councillor Siebentritt -

12 Item 9.1 - Recommendation 1 - Item 4.1 - 2023/24 Q1 Quarterly Forward Procurement ReportTHAT COUNCIL

1. Notes the Procurements set out in Attachment A to Item 4.1 on the Agenda for the meeting of the City Finance and Governance Committee held on 25 July 2023 which will be released to the market during Quarter 1 of the 2023/2024 financial year.

13 Item 9.1 - Recommendation 2 - Item 4.2 - Strategic Plan Review Report - State of the City ReportTHAT COUNCIL:

1. Notes the State of the City Report, contained in Attachment A to Item 4.2, on the Agenda for the meeting of the City and Finance and Governance Committee held on 25 July 2023.
2. Endorses the project timeline for the Strategic Plan Review Project, contained in Attachment B to Item 4.2, on the Agenda for the meeting of the City Finance and Governance Committee held on 25 July 2023, subject to the inclusion of an additional City Finance and Governance Committee meeting, after the first public consultation has been received by Committee.
3. Requests Administration provide an analysis of the outcomes of the current Strategic Plan.

Carried unanimously

14 Item 9.2 - Recommendations of the Infrastructure and Public Works Committee

Moved by Councillor Abrahamzadeh,
Seconded by Councillor Elliott -

15 Item 9.2 - Recommendation 1 - Item 5.1 - Grant of Easement for arbor beams in Chesser StreetTHAT COUNCIL:

1. Approves, pursuant to section 190 of the Local Government Act 1999 (SA) and section 96 of the Real Property Act 1886 (SA), accepting:
 - 1.1 The Grant of Easement shown as Attachment A to Item 5.1 on the Agenda for the meeting of the Infrastructure and Public Works Committee held on 25 July 2023 (or a Grant of Easement substantially in accordance with that easement) the terms of which will entitle the City of Adelaide to affix, maintain and replace:
 - 1.1.1 Arbor beams
 - 1.1.2 Public lighting infrastructure
 - 1.1.3 Wi-fi infrastructure
 - 1.1.4 CCTV infrastructure

on portions of the land numbered '1' on Attachment B to Item 5.1 on the Agenda for the meeting of the Infrastructure and Public Works Committee held on 25 July 2023.

- 1.2 The Grant of Easement shown as Attachment C to Item 5.1 on the Agenda for the meeting of the Infrastructure and Public Works Committee held on 25 July 2023 (or a Grant of Easement substantially in accordance with that easement), the terms of which will entitle the City of Adelaide to affix, maintain and replace arbor beams on portions of the land numbered '2' on Attachment B to Item 5.1 on the Agenda for the meeting of the Infrastructure and Public Works Committee held on 25 July 2023.
2. Authorises the Chief Executive Officer to finalise the terms of the grants of easement if necessary.
3. Authorises the Chief Executive Officer and Lord Mayor to execute and affix the Common Seal to grant of easement documents and any other documents to give effect to Council's resolution.

16 Item 9.2 - Recommendation 2 - Item 5.2 - Grant of Easement at Paxton's Walk

THAT COUNCIL:

1. Approves, pursuant to section 190 of the Local Government Act 1999 (SA) and section 96 of the Real Property Act 1886 (SA), accepting the Grant of Easement shown as Attachment A to Item 5.2 on the Agenda for the meeting of the Infrastructure and Public Works Committee held on 25 July 2023 (or a Grant of Easement substantially in accordance with that easement) the terms of which will entitle:
 - 1.1 The City of Adelaide and the public to pass and repass (on foot only) over the land lettered 'A' on Attachment B to Item 5.2 on the Agenda for the meeting of the Infrastructure and Public Works Committee held on 25 July 2023.
 - 1.2 The City of Adelaide to construct, install and replace 'ramp infrastructure' on the land lettered 'A' on Attachment B to Item 5.2 on the Agenda for the meeting of the Infrastructure and Public Works Committee held on 25 July 2023.
2. Authorises the Chief Executive Officer to finalise the terms of the Grant of Easement (including its extent) if necessary.
3. Authorises the Chief Executive Officer and Lord Mayor to execute and affix the Common Seal to a Grant of Easement and any other documents to give effect to Council's resolution.

Carried

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

18 Item 10.1 - Kadaltilla Board Membership Amendment

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

THAT COUNCIL

1. Approves the following amendment to the Kaurna representative roles (contingent upon consultation with the Minister for Planning) on the Kadaltilla / Adelaide Park Lands Authority Board, Attachment A to Item 10.1 on the Agenda for the meeting of Council held on 25 July 2023, for the period commencing 31 July 2023 and expiring 31 December 2025:
 - 1.1. Tim Agius as a Member of the Board
 - 1.2. Allan Sumner as a Deputy Member for Tim Agius.

Carried unanimously

19 Item 11 - Lord Mayor's Reports

The Lord Mayor addressed the meeting on the following:

- To thank the Deputy Lord Mayor, Councillor Martin for filling in while she was on leave.
- Events attended by the Deputy Lord Mayor on the Lord Mayor's behalf:
 - Hosting a forum at the Adelaide Town Hall to listen to the concerns of small businesses in the CBD.
 - Renew Adelaide's panel and networking session 'What Makes for a Successful Precinct in 2023?'
 - The 50th anniversary of the Jam Factory Contemporary Craft and Design
 - The launch of the 2023 Regenerate in the Adelaide Park Lands project.

- A Civic Event to celebrate the 50th anniversary of the North Adelaide Society.
- The Lord Mayor attended the Capital City Committee Lord Mayors Annual General Meeting in Melbourne.

It was then –

Moved by Councillor Abrahamzadeh,
Seconded by Councillor Davis -

That the report be received and noted.

Carried unanimously

20 Councillors' Reports

21 Item 12.1 - Reports from Council Members

Deputy Lord Mayor, Councillor Martin addressed the Council Chamber on his attendance at a meeting in the Queen Adelaide Room, with business owners from the city not trading in Rundle Mall and not eligible for membership of any precinct group, and the concerns raised by those businesses.

Councillor Noon addressed the Council Chamber on her attendance at the launch of Pathway to Politics for Women.

Councillor Siebentritt addressed the Council Chamber on his attendance at the Australian Sustainable Built Environment Council meeting held at the National Wine Centre.

Councillor Snape addressed the Council Chamber on his attendance at the Australian Institute of Conveyancers, SA division.

Councillor Abrahamzadeh addressed the Council Chamber on his attendance at the SA Architecture Awards.

It was then –

Moved by Councillor Davis,
Seconded by Councillor Siebentritt -

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 25 July 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 25 July 2023).
3. Notes that reports for Council Members tabled at the meeting of the Council held on 25 July 2023 be included in the Minutes of the meeting.

Carried unanimously

22 Questions on Notice

Nil

23 Questions without Notice

Discussion ensued

24 Motions on Notice

25 Item 15.1 - Councillor Noon - MoN - State Government's Small Business Strategy 2023-2030

Councillor Siebentritt declared a material conflict of interest in Item 15.1 [Councillor Noon – MoN - State Government's Small Business Strategy 2023-2030], pursuant to Section 75 of the *Local Government Act 1999 (SA)* as his wife is the Director of the Office for Small & Family Business and was responsible for leading the development of the Small Business Strategy, withdrew his Chair and left the Council Chamber at 7.53 pm.

It was then -

Moved by Councillor Noon,

Seconded by Councillor Snape -

That the City of Adelaide work with Minister Andrea Michaels, Minister for Small and Family Business and her team to support the recently launched South Australia's Small Business Strategy 2023-2030, with the purpose of this assisting the small and family business community of the City of Adelaide.

Discussion ensued, during which with the consent of the mover, seconder and the meeting, the motion was varied to include the words 'and invite the Minister to address a roundtable discussion at the Town Hall.'

The motion was then put and carried unanimously

Councillor Siebentritt re-entered the Council Chamber at 8.02 pm.

26 Motions without Notice

27 Item 16.1 - Councillor Davis - MwN - Pitt Street development

Deputy Lord Mayor, Councillor Martin declared a material conflict of interest in Item 16 [Councillor Davis – MwN – Pitt Street development], pursuant to Section 75 of the *Local Government Act 1999 (SA)* as he is a Member of the Festival Centre Trust, which has a position in the matter, withdrew his Chair and left the Council Chamber at 8.03 pm.

It was then -

Moved by Councillor Davis,
Seconded by Councillor Elliott –

That Council requests Administration provide a report to the next Infrastructure and Public Works Committee, on the development options associated with the Pitt Street development, including consultation, design outcomes, development timelines and next steps.

Carried unanimously

Deputy Lord Mayor, Councillor Martin re-entered the Council Chamber at 8.03 pm.

28 Exclusion of the Public

29 Item 17 - Exclusion of the Public for Item 18.1

Moved by Councillor Davis,
Seconded by Councillor Abrahamzadeh -

THAT COUNCIL:

1. Having taken into account the relevant consideration contained in section 90(3) (j) & (g) and section 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 25 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 Recommendation of the City Finance and Governance Committee – 18 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

The disclosure of information in this report would breach 'Cabinet in confidence' information presented to the Capital City Committee (the CCC) established under the *City of Adelaide Act 1998* which has provided for a State/Capital City inter-governmental forum (the CCC) to operate and the associated duty of confidence and duty as a member of the inter-governmental forum.

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 would divulge information provided on a confidential basis, and would be acting contrary to the Capital City Committee operational provisions, and could undermine the Capital City Committee operations and prejudice the position of the State Government and/or Council in relation to current/future proposals prior to State Government and/or City of Adelaide evaluation and deliberation.

2. Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this meeting of the Council dated 25 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 Recommendation of the City Finance and

Governance Committee – 18 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) (j) & (g) of the Act.

Carried unanimously

30 Item 17 - Exclusion of the Public for Item 19.1

Moved by Councillor Abrahamzadeh,
Seconded by Councillor Siebentritt –

THAT COUNCIL:

1. Having taken into account the relevant consideration contained in section 90(3) (a) and section 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 25 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 [Appointment of Member to the Brown Hill and Keswick Creeks Stormwater Board] 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 information that must be considered in confidence in order to protect the personal affairs of the nominees.

2. Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this meeting of the Council dated 25 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 [Appointment of Member to the Brown Hill and Keswick Creeks Stormwater Board] 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) (a) of the Act.

Carried unanimously

Members of the public and Corporation staff present not directly involved with Items 18.1 and 19.1 left the Council Chamber at 8.04 pm.

- 31 Confidential Reports from Committees and Kadaltilla / Park Lands Authority**
- 32 Item 18.1 - Confidential Recommendation of the City Finance and Governance Committee - Recommendation 1 - Item 6.1 - Capital City Committee Update**
- 33 Confidential Reports for Council (Chief Executive Officer's Reports)**
- 34 Item 19.1 - Appointment of Member to the Brown Hill and Keswick Creeks Stormwater Board**

The meeting re-opened the meeting to the public at 8.06 pm.

Minute 32 - Item 18.1 - Confidential Recommendation of the City Finance and Governance Committee
Resolution & Confidentiality Order

THAT COUNCIL

1. Notes the report on the Capital City Committee meeting held on 21 June 2023.
2. In accordance with Section 91(7) & (9) of the *Local Government Act 1999 (SA)* and because Item 6.1 [Capital City Committee Update] listed on the Agenda for the meeting of the Council held on 25 July 2023 was received, discussed and considered in confidence pursuant to Section 90(3) (j) and (g) of the *Local Government Act 1999 (SA)*, this meeting of the Council orders that:
 - 2.1. The resolution becomes public information in the Minutes of the Council meeting.
 - 2.2. 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 January 2030.
 - 2.3. The confidentiality of the matter be reviewed in December 2024.
 - 2.4. 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 34 - Item 19.1 - Appointment of Member to the Brown Hill and Keswick Creeks Stormwater Board
Confidentiality Order

Authorises that, in accordance with Section 91(7) and (9) of the *Local Government Act 1999 (SA)* and because Item 19.1 [Appointment of Member to the Brown Hill and Keswick Creeks Stormwater Board] listed on the Agenda for the meeting of the Council held on 25 July 2023 was received, discussed and considered in confidence pursuant to Section 90(3) (a) of the *Local Government Act 1999 (SA)*, this meeting of the Council do order that:

1. The resolution and report become public information upon confirmation of the appointments by the Brown Hill and Keswick Creeks Stormwater Board.
2. The discussion and the Minutes of this meeting in relation to the matter remain confidential and not available for public inspection until 31 December 2030.
3. The confidentiality of the matter be reviewed in December 2024.
4. 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 8.06 pm

Dr Jane Lomax-Smith
Lord Mayor

Date of confirmation: