



COUNCIL MINUTES

for the meeting

Tuesday, 14 November 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, Elliott, Giles, Hou, Li, Noon and Dr Siebentritt

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

The Lord Mayor stated:

‘We pray for wisdom, courage, empathy, understanding and guidance in the decisions that we make, whilst seeking and respecting the opinions of others.’

4 Pledge

The Lord Mayor stated:

‘May we in this meeting speak honestly, listen attentively, think clearly and decide wisely for the good governance of the City of Adelaide and the wellbeing of those we serve.’

5 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.

6 Apologies and Leave of Absence

On Leave:

Deputy Lord Mayor, Councillor Martin.

Apologies:

Councillors Davis and Snape.

7 Confirmation of Minutes - 24/10/2023 and 31/10/2023

Moved by Councillor Noon,
Seconded by Councillor Siebentritt

That the Minutes of the meeting of the Council held on 24 October 2023 and the Minutes of the Special meeting of the Council held on 31 October 2023, be taken as read and be confirmed as an accurate record of proceedings.

Discussion ensued, during which with the consent of the mover, seconder and the meeting it

was agree the two sets of minutes would be voted upon separately.

The minutes for the meeting of the Council held on 24 October 2023,
were then put and carried unanimously

The minutes for the Special meeting of the Council held on 31 October 2023,
were then put and carried

Councillor Abrahamzadeh requested that a division be taken on the motion for the minutes held on 31 October 2023.

Division

For (4):

Councillors Giles, Li, Noon and Siebentritt.

Against (3):

Councillors Abrahamzadeh, Couros and Hou.

The division was declared in favour of the motion for the minutes held on 31 October 2023

8 Declaration of Conflict of Interest

Nil

9 Deputations

The Lord Mayor advised the meeting:

- That Jane Johnston had withdrawn her request to speak.
- That she had received more than 3 requests to be heard, therefore it would be with the consent of the meeting that the extra deputations were heard.
- That, with consent of the meeting, due to the public interest in the gallery, after the deputations were heard, she would bring forward Item 17.4 and Item 17.5 for consideration.

With the consent of more than 2/3rds of the members present:

- The four extra deputations were granted leave to speak.
- Item 17.4 and 17.5 would be heard after the conclusion of the deputations.

Ms Aya Shahin addressed the Council:

- In support of the South Australian Palestinian community and the lighting up of the Adelaide Town Hall in the colours of the Palestinian flag.

The Lord Mayor thanked Ms Aya Shahin for her deputation.

Ms Sara Alkhazrajy addressed the Council:

- In support of the lighting up of the Adelaide Town Hall in the colours of the Palestinian flag.

The Lord Mayor thanked Ms Sara Alkhazrajy for her deputation.

Adriana Christopoulos addressed the Council:

- Supporting the South Australian community impacted by the Israeli-Palestinian conflict and the proposed Motion on Notice.

The Lord Mayor thanked Adriana Christopoulos for her deputation.

Ms Connie Bonaros was not present in the Council Chamber when called forward for her deputation.

Ms Annetay Henderson-Sapir addressed the Council:

- On behalf of the Jewish Community Council of South Australia and the unintended consequences of the lighting up of the Adelaide Town Hall.

The Lord Mayor thanked Ms Annetay Henderson-Sapir for her deputation.

Ms Nicola Zuckerman addressed the Council:

- To speak about the potential impact of the proposed actions in the proposed Motion on Notice.

The Lord Mayor thanked Ms Nicola Zuckerman for her deputation.

Dr Dan Ellis addressed the Council:

- To speak about his personal experiences in Rundle Mall and as a board member of the Adelaide Holocaust Museum regarding the Motion on Notice.

The Lord Mayor thanked Dr Dan Ellis for his deputation.

During the deputation, Councillor Elliott entered the Council Chamber at 6.14 pm.

17.4 Councillor Abrahamzadeh - MoN - Supporting our South Australian community impacted by the Israeli-Palestinian conflict

Moved by Councillor Abrahamzadeh,
Seconded by Councillor Hou -

That Council:

1. Is deeply saddened by the tragic loss of innocent lives on all sides of the Israeli-Palestinian conflict, and acknowledges its ongoing impact on our local community.
2. Calls on the Federal Government to adopt the United Nations Resolution calling for an immediate humanitarian truce in Gaza, stopping any further bloodshed, and the immediate release of hostages.
3. Requests from Council administration, as we did for Israel, to light up the Adelaide Town Hall in the Palestinian colours, Red, Black, White and Green.
4. Requests for the Lord Mayor to write to the State Government asking them to join the City of Adelaide in a sign of solidarity, as they did for Israel, and light up Adelaide landmark buildings in the Palestinian colours.
5. Requests from Council administration to work with the State Government to jointly facilitate, at an appropriate time, a vigil to give the opportunity for our community to grieve and pay respect to the many innocent lives lost on all sides of this conflict.

Discussion ensued, during which:

- With the consent of the mover, seconder and the meeting part 2 of the motion was varied, to read as follows:

‘2. Calls on the Federal Government to adopt a United Nations Resolution calling for an immediate humanitarian truce in Gaza, stopping any further bloodshed, and the immediate release of hostages.’

- Councillor Noon moved the following amendment, which lapsed for want of a seconder:

THAT COUNCIL:

1. Is deeply saddened by the tragic loss of innocent lives on all sides of the Israeli-Palestinian conflict, and acknowledges its ongoing impact on our local community.
2. Calls on the Federal Government to support a humanitarian truce which includes pushing for a two-sided ceasefire and immediate continuous, sufficient and unhindered provision of aid for civilians trapped inside Gaza and an immediate and unconditional release of all civilians who have been illegally held captive by the Hamas militants since October 7, 2023.
3. Requests that if we are in agreement to light up the Town Hall that both Israel's and Palestinian colours are displayed together in a show of solidarity and devastation for the innocent lives lost in this conflict. Alternatively we light up the Town Hall in white as a universal colour of peace.
4. Requests for the Lord Mayor to write to the State Government asking them to join the City of Adelaide in a sign of solidarity and light up Adelaide landmark buildings in both Israel's and Palestinian colours and are displayed together in a show of solidarity and devastation for the innocent lives lost in this conflict. Alternatively we

light up the Town Hall in white as a universal colour of peace.

5. Requests from Council administration to work with the State Government to jointly facilitate, at an appropriate time, a vigil to give the opportunity for our community to grief and pay respect to the many innocent lives lost on both the Israeli and Palestinian sides of this conflict.'

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

Part 1 of the motion was then put and carried

Councillor Couros requested that a division be taken on part 1 of the motion.

Division

For (8):

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

Against (0):

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

Amendment –

Moved by Councillor Noon,
Seconded by Councillor Elliott -

That part 2 of the motion be amended to read as follows:

- '2. Calls on the Federal Government to support a humanitarian truce which includes pushing for a two-sided ceasefire and immediate continuous, sufficient and unhindered provision of aid for civilians trapped inside Gaza and an immediate and unconditional release of all civilians who have been illegally held captive by the Hamas militants since October 7, 2023.'

Discussion ensued

The amendment was then put and lost
on the casting vote of the Lord Mayor

Councillor Couros requested that a division be taken on the amendment to part 2 of the motion.

Division

For (4):

Councillors Elliott, Giles, Li and Noon.

Against (4):

Councillors Abrahamzadeh, Couros, Hou, and Siebentritt.

The Lord Mayor cast against the amendment to part 2 of the motion
The division was declared against the amendment to part 2 of the motion

Part 2 of the motion was then put and carried

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

Division

For (6):

Councillors Abrahamzadeh, Couros, Elliott, Giles, Hou, and Siebentritt.

Against (2):

Councillors Li and Noon.

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

Amendment –

Moved by Councillor Siebentritt,
Seconded by Councillor Noon -

That part 3 of the motion be amended to read as follows:

3. 'Requests from Council administration, to light up the Adelaide Town Hall in the colour white.'

Discussion ensued

The amendment was then put and carried
on the casting vote of the Lord Mayor

Councillor Couros requested that a division be taken on the amendment to part 3 of the motion.

Division

For (4):

Councillors Elliott, Giles, Noon and Siebentritt.

Against (4):

Councillors Abrahamzadeh, Couros, Hou and Li.

The Lord Mayor cast in favour of the amendment to part 3 of the motion

The division was declared in favour of the amendment to part 3 of the motion

Parts 4 and 5 of the motion were then put and carried

Councillor Abrahamzadeh requested that a division be taken on parts 4 and 5 of the motion.

Division

For (6):

Councillors Abrahamzadeh, Couros, Giles, Hou, Li, and Siebentritt.

Against (2):

Councillors Elliott and Noon

The division was declared in favour of parts 4 and 5 of the motion

The Lord Mayor advised the meeting that there had been no vote on the substantive motion, as amended, for part 3 of the motion.

Discussion continued

Part 3 of the motion, as amended, was then put and carried
on the casting vote of the Lord Mayor

Councillor Noon requested that a division be taken on the part 3 of the motion, as amended.

Division

For (4):

Councillors Elliott, Giles, Noon and Siebentritt.

Against (4):

Councillors Abrahamzadeh, Couros, Hou and Li.

The Lord Mayor cast in favour of the part 3 of the motion, as amended

The division was declared in favour of part 3 of the motion, as amended

The final Council decision was:

That Council:

1. Is deeply saddened by the tragic loss of innocent lives on all sides of the Israeli-Palestinian conflict, and acknowledges its ongoing impact on our local community.
2. Calls on the Federal Government to adopt a United Nations Resolution calling for an immediate humanitarian truce in Gaza, stopping any further bloodshed, and the immediate release of hostages.
3. Requests from Council administration, to light up the Adelaide Town Hall in the colour white.

4. Requests for the Lord Mayor to write to the State Government asking them to join the City of Adelaide in a sign of solidarity, as they did for Israel, and light up Adelaide landmark buildings in the Palestinian colours.
5. Requests from Council administration to work with the State Government to jointly facilitate, at an appropriate time, a vigil to give the opportunity for our community to grief and pay respect to the many innocent lives lost on all sides of this conflict.

17.5 Councillor Noon - MoN - Minute Silence for all Israelis and Palestinians civilians killed in conflict

Moved by Councillor Noon,
Seconded by Councillor Couros -

That the City of Adelaide condemns terrorism, violence and war, and expresses our solidarity with all affected communities and calls for a minute's silence at the start of the next Council meeting for all Israeli and Palestinian civilians killed in the conflict.

Carried unanimously

With the consent of 2/3rds of the members present, the meeting adjourned for a period of 10 minutes at 7.12 pm.

The meeting resumed at 7.23 pm, with the following members present:

Members – The Right Honourable the Lord Mayor, Dr Jane Lomax-Smith (Presiding)
Councillors Couros, Elliott, Giles, Hou, Noon and Siebentritt.

10 Petitions

10.1 Petition - Leigh Street Pedestrian Access and Throughfare

Moved by Councillor Siebentritt,
Seconded by Councillor Noon -

THAT COUNCIL

1. Receives the petition containing 14 signatories, distributed as a separate document to Item 10.1 on the Agenda for the meeting of the Council held on 14 November 2023.

Carried

10.2 Petition - Outdoor Dining & Outdoor Blinds Tax

Moved by Councillor Couros,
Seconded by Councillor Giles -

THAT COUNCIL

1. Receives the petition containing 35 signatories, distributed as a separate document to Item 10.2 on the Agenda for the meeting of the Council held on 14 November 2023.

Carried

11 Recommendations of the Reconciliation Committee - 6 September 2023

Moved by Councillor Elliott,
Seconded by Councillor Siebentritt -

THAT COUNCIL

1. Recommendation 1 – Development of the Next Reconciliation Action Plan

That Council

1. Approves the Reconciliation Action Plan proposed development timeline.
2. Notes the opportunity to create new Reconciliation Action Plan artwork and that a consultant will be appointed to support community engagement on the Reconciliation Action Plan.

Carried

Councillors Abrahamzadeh and Li re-entered the Council Chamber at 7.24 pm.

12 Recommendations of the City Community Services and Culture Committee - 7 November 2023

Moved by Councillor Giles,
Seconded by Councillor Elliott -

12.1 Recommendation 1 - Item 7.1 - Blackfriars Priory School - Lease Agreement

THAT COUNCIL

1. Authorises the Lord Mayor or Chief Executive Officer to enter into lease negotiations for a two year and six-month (1 January 2024 to 30 June 2026) Park Lands Lease Agreement with Blackfriars Priory School (Lessee) for the sports building, playing fields and courts located in Pardipardinyilla / Denise Norton Park (Park 2).
2. Notes the advice received from Kadaltilla / Adelaide Park Lands Authority at its meeting of 26 October 2023, to endorse lease negotiations for a two year and six month (1 January 2024 to 30 June 2026) and supporting exemption of the Blackfriars Priory School Park Lands Lease Agreement, from the requirement to undertake an Expression of Interest process in accordance with section 13.1 of the Adelaide Park Lands Leasing and Licencing Policy 2016.
3. Approves the exemption of the Blackfriars Priory School Park Lands Lease Agreement, from the requirement to undertake an Expression of Interest process in accordance with section 13.1 of the Adelaide Park Lands Leasing and Licencing Policy 2016.

12.2 Recommendation 2 - Item 7.2 - Kiosk in Rymill Park / Murlawirrapurka Kiosk Lease

THAT COUNCIL

1. Endorses the draft 21-year Commercial Park Lands Lease Agreement between the Corporation of the City of Adelaide (Lessor) and Creative Place Hospitality Group (Lessee) for the Rymill Park Kiosk, as per Attachment A to Item 7.2 on the Agenda for the meeting of the City Community Services and Culture Committee held on 7 November 2023 subject to:
 - 1.1. community consultation on the draft Commercial Park Lands Lease Agreement will be undertaken in accordance with the Local Government Act 1999 (SA) and Council's Community Consultation Policy.
 - 1.2. lease fees will be informed by periodical independent market assessments and taking into account the level of capital investment by the proponent.
2. Endorses the revised concept plans for the Rymill Park Kiosk, as per Attachment B to Item 7.2 on the Agenda for the meeting of the City Community Services and Culture Committee held on 7 November 2023.
3. Notes that results of the community consultation and a detailed concept plan for the Rymill Park Kiosk will be presented to Council in March 2024.

12.3 Recommendation 3 - Item 7.3 - Community Impact Grants 23/24 - Round One Recommendations

THAT COUNCIL

1. Approves the following seven applications to Round One of the Community Impact Grants program in the 2023/24 and 2024/25 Community Impact Grants budget as follows:

Organisation Name	Project Name	23/24 funding	24/25 funding
1.1. Chinatown Adelaide	Lunar New Year Street Party	\$25,000	\$25,000

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1.2.	YMCA	City Skate Park annual community skate lessons and tournament	\$25,000	\$25,000
1.3.	The Art Bus	Building Community through Art	\$25,000	NIL
1.4.	Adelaide Tamil Association	Adelaide Pongal Harvest Festival	\$20,000	\$20,000
1.5.	Royal South Australia	Life Adelaide's Community Lifesavers	\$16,492	NIL
1.6.	Adelaide Gardens Foundation	Mediterranean Garden with Kurna consultation	\$15,000	NIL
1.7.	One Culture Football Ltd	Community Women's World Cup	\$13,000	NIL
2.	Notes the 2023/24 Community Impact Grants Round One Funding Recommendations as per Attachment A to Item 7.3 on the Agenda for the meeting of the City Community Services and Culture Committee held on 7 November 2023.			

12.4 Recommendation 4 - Item 7.4 - Draft Housing Strategy- Investing in Our Housing Future

THAT COUNCIL

- Endorses the Draft Housing Strategy, Investing in Our Housing Future contained in Attachment A to Item 7.4 on the Agenda for the meeting of the City Community Services and Culture Committee held on 7 November 2023, for the purpose of public consultation, subject to the following change:
Inclusion of annual targets of different categories of housing, including affordable housing.
- Endorses the Draft Housing Strategy Engagement Plan contained in Attachment B to Item 7.4 on the Agenda for the meeting of the City Community Services and Culture Committee held on 7 November 2023, for the purpose of public consultation.
- Authorises the Chief Executive Officer to make minor and technical amendments to the documents contained in Attachment A and Attachment B to Item 7.4 on the Agenda for the meeting of the City Community Services and Culture Committee held on 7 November 2023, for the purposes of finalising the documents for public consultation.

12.5 Recommendation 5 - Item 7.5 - Draft Homelessness Strategy - Everyone's Business

THAT COUNCIL

- Endorses the Draft Homelessness Strategy – Everyone's Business contained in Attachment A to Item 7.5 on the Agenda for the meeting of the City Community Services and Culture Committee held on 7 November 2023, for the purpose of public consultation.
- Endorses the Draft Homelessness Strategy Engagement Plan contained in Attachment B to Item 7.5 on the Agenda for the meeting of the City Community Services and Culture Committee held on 7 November 2023, for the purpose of public consultation.
- Authorises the Chief Executive Officer to make minor and technical amendments to the documents contained in Attachment A and Attachment B to Item 7.5 on the Agenda for the meeting of the City Community Services and Culture Committee held on 7 November 2023, for the purposes of finalising the documents for public consultation.

12.6 Recommendation 6 - Item 7.6 - Adelaide Park Lands Dry Area Regulation Review

THAT COUNCIL

- Notes the Adelaide Park Lands Dry Area Consultation Summary contained in Attachment A to Item 7.6 on the Agenda for the meeting of the City Community Services and Culture Committee held on 7 November 2023.

2. Notes that the City of Adelaide supports SAPOL to undertake their duties,
3. Endorses an application to the State Government to extend the current arrangements for the Adelaide Park Lands Dry Areas 1 and 2 as contained in Attachment B to Agenda Item 7.6 on the Agenda for the meeting of the City Community Services and Culture Committee held on 7 November 2023, until 22 June 2025.
 - a. The Adelaide Park Lands Dry Area 1 will be in effect from 8.00pm to 11.00am the following day; and
 - b. Adelaide Park Lands Area 2 covering Blue Gum Park/Kurangga (Park 20) and Veale Park/Walya Yarta (Park 21) will be 24 hours a day, 7 days a week.
4. Requests Administration to seek an Adelaide Park Lands Dry Area Regulation monitoring and evaluation process be established by the State Government as part of the approval through the Safety and Wellbeing Taskforce, including:
 - a. A review of the data and outcomes relating to the continuation of the Dry Area to be conducted over the next 12 months and presented to Council, with proposals for alternative measures to support our communities.
 - b. A report on the wrap around services delivered by the State Government in support of the dry zone.

Carried

13 Recommendations of the City Planning, Development and Business Affairs Committee - 7 November 2023

Moved by Councillor Noon,
Seconded by Councillor Elliott -

13.1 Recommendation 1 - Item 7.1 - National Heritage Management Plan for the Adelaide Park Lands and City Layout

THAT COUNCIL:

1. Notes the consultation summary on the draft National Heritage Management Plan for the Adelaide Park Lands and City Layout contained in Attachment A to Item 7.1 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 7 November 2023.
2. Approves the proposed National Heritage Management Plan for the Adelaide Park Lands and City Layout contained in Attachment B to Item 7.1 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 7 November 2023
3. Notes the budget requirements outlined by the National Heritage Management Plan as part of future budget processes, commencing from the 2024/25 Annual Business Plan and Budget.
4. Authorises the Chief Executive Officer to finalise the National Heritage Management Plan for the Adelaide Park Lands and City Layout as contained in Attachments B, to Item 7.1 on the Agenda for the City Planning, Development and Business Affairs Committee held on 7 November 2023 for submission to the Commonwealth Government.
5. Authorises the Chief Executive Officer to make further amendments to the National Heritage Management Plan for the Adelaide Park Lands and City Layout following feedback from the Commonwealth Government as contained in Attachments B, to Item 7.1 on the Agenda for the City Planning, Development and Business Affairs Committee held on 7 November 2023.

13.2 Recommendation 2 - Item 7.2 - Greater Adelaide Regional Plan Discussion Paper Public Consultation

THAT COUNCIL:

1. Endorses the submission to Greater Adelaide Regional Plan Discussion Paper in Attachment A of Item 7.2 on the Agenda for the meeting of the City Planning,

Development and Business Affairs Committee held on 7 November 2023.

2. Authorises the CEO to make minor editorial or formatting amendments to finalise the Submission to Greater Adelaide Regional Plan Discussion Paper in Attachment A to Item 7.2 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 7 November 2023.

13.3 Recommendation 3 - Item 7.3 - Encroachment Policy Review

THAT COUNCIL:

1. Endorses the Draft Encroachment Policy contained in Attachment A to Item 7.3 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 7 November 2023, for the purposes of public consultation.
2. Receives the proposed amendments to the fees and charges structure for the Draft Encroachment Policy contained in Attachment B to Item 7.3 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 7 November 2023 to be considered in the 2024/25 annual fee review process.
3. Authorises the Chief Executive Officer to make editorial and technical changes if needed to the Draft Encroachment Policy for Consultation contained in Attachment A and Attachment B, to Item 7.3 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 7 November 2023, for the purposes of finalising the documents for public consultation.

13.4 Recommendation 4 - Item 7.4 - Draft City of Adelaide Economic Development Strategy, Competitive, Sustainable, Connected

THAT COUNCIL:

1. Asks the Administration to engage independent advice to inform a new draft of the City of Adelaide Economic Development Strategy to be presented to the City Planning, Development and Business Affairs Committee in early 2024.

Carried unanimously

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

Nil

15 Lord Mayor's Reports

The Lord Mayor addressed the meeting on the following:

- The Harvest Rock Festival
- The upcoming 50th Anniversary of the Sister City relationship with Georgetown, Penang
- The Carbon Disclosure Project's Cities A-List named Adelaide in the top 13% of cities globally for action on climate change, among 119 cities, including Sydney, Melbourne, New York City and San Francisco.

It was then –

Moved by Councillor Giles,
Seconded by Councillor Abrahamzadeh –

That the report be received and noted.

Carried

16 Councillors' Reports

Councillor Abrahamzadeh, addressed the meeting on City of Adelaide staff involvement and hard work in the National Pharmacies Christmas Pageant.

Councillor Noon, addressed the meeting on a meeting held with the Office of Small and Family Businesses with many small businesses in attendance, to discuss the recent Strategy released

by the Minister.

It was then -

Moved by Councillor Giles,
Seconded by Councillor Elliott –

That the verbal reports from Councillors Abrahamzadeh and Noon be received and noted.

Carried

17 Motions on Notice

17.1 Councillor Davis - MoN - New Aquatic Centre Thebarton Site

In the absence of Councillor Davis, the motion was withdrawn.

17.2 Councillor Couros - MoN - Outdoor Dining Fees

Moved by Councillor Couros,
Seconded by Councillor Abrahamzadeh -

That Council requests for administration to:

1. Conduct a survey for all hospitality businesses in North Adelaide to assess the impact of the introduction of outdoor dining fees on their operations.
2. Include in their survey how the council can support them to encourage more inclusive spaces in North Adelaide.
3. Bring a report back for consideration, no later than 6 months, with the results of the survey.

Discussion ensued, during which Councillor Noon and Councillor Hou, moved the following amendment which was not accepted by the Lord Mayor, as it was too different from the original motion:

'That Council requests administration to:

1. Conduct a survey at a suitable date after March 30, 2024 on a sample size (approx. 20%) of the City and North Adelaide outdoor dining permit holders to assess the impact of the reintroduction on 1st October 2023 of outdoor dining fees (and other fees) on their operations.
2. Provide a report on potential fee structures for outdoor dining. Included in the survey is how the Council can support them in looking at levy models that will ensure fairness and equity ie size of business, seasonal issues.
3. Bring a report on the outcome back to Council for consideration to align with the 2024/25 Annual Business Plan and budget discussions.'

Amendment –

Moved by Councillor Noon,
Seconded by Councillor Elliott -

'That part 1 and 3 of the motion be amended to read as follows:

1. Conduct a survey for all hospitality businesses in the City and North Adelaide to assess the impact of the introduction of outdoor dining fees on their operations.
3. Bring a report back for consideration, in no later than 6 months, to coincide with the preparation of the 2024/25 Annual Business Plan and budget.'

Discussion continued, during which Councillor Hou withdrew his seconding and Councillor Elliott seconded the motion.

The amendment was then put and carried

The motion, as amended, was then put and carried

17.3 Councillor Elliott - MoN - Pride March Motion

Moved by Councillor Elliott,
Seconded by Councillor Noon -

That Council:

1. Notes that on 09 May 2023 Council approved \$13,000 in Community Impact Grant funding for the 50th Pride March in Adelaide on 28 Oct 2023.
2. Request Administration to make arrangements to facilitate City of Adelaide Staff and Council Member participation in the 2024 Pride March as a City of Adelaide contingent, noting the City may be required to pay a registration fee.
3. Request Administration to put in place a process for ensuring and encouraging City of Adelaide Staff and Council Member engagement with future Pride Marches as a contingent.
4. Request Administration identify and allocate appropriate funding for the procurement of a City of Adelaide banner to be used for Pride March and Pride events.

Discussion ensued

The motion was then put and carried unanimously

17.6 Councillor Giles - MoN - Develop a Community Development Discussion Paper

Moved by Councillor Giles,
Seconded by Councillor Noon -

That Council requests Administration to:

1. Develop a Community Development Discussion paper to inform the 2024-2028 Strategic Plan, the development of a City Plan and the 2024/25 annual budget process.
2. This paper should include but not be limited to the following:
 - 2.1 A summary of ACC policies, strategies and services, demographic information and historical context in the area of community development in our city and North Adelaide;
 - 2.2 Identification of the challenges we need to consider in building a city of 50,000 residents who are well and living connected lives as members of a diverse community;
 - 2.3 How we could engage our community more effectively; and
 - 2.4 What policy frameworks and resources we need.
3. This Community Development Discussion paper to be presented at the February 2024 Community Culture and Services meeting.

Discussion ensued

The motion was then put and carried unanimously

18 Motions without Notice**18.1 Councillor Giles - MwN - Linsell Lodge**

Moved by Councillor Giles,
Seconded by Councillor Couros -

That:

1. Council administration approach the Salvation Army management and McMahon Services Australia and request they hold a public information session with the support of council, for the community who live and work in the vicinity of the demolition and re-development site on Whitmore Square previously known as Linsell Lodge.
2. This forum is to be held prior to the commencement of demolition and any asbestos removal.

Councillor Abrahamzadeh declared a general conflict of interest in Item 18.1 [Councillor Giles -

MwN - Linsell Lodge], pursuant to Section 74 of the *Local Government Act 1999* (SA) as he is employed by the SA Housing Authority which works with community housing providers (such as the Salvation Army), withdrew his Chair and left the Council Chamber at 8.02 pm.

Discussion ensued

The motion was then put and carried

Councillor Abrahamzadeh re-entered the Council Chamber at 8.05 pm.

19 Questions on Notice

19.1 Councillor Couros - QoN - Legal Fees

19.2 Councillor Couros - QoN - Governance Department

19.3 Councillor Couros - QoN - Lord Mayor Office Staffing

19.4 Councillor Couros - QoN - Civic Recognition Working Group

19.5 Councillor Couros - QoN - Civic Recognition Working Group

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

The replies for Items 19.1 – 19.5, are attached for reference at the end of the Minutes of the meeting.

Councillor Couros requested that the wording of her question – Item 19.5, be altered to read as follows:

Can the administration advise if they believe the decisions of the Civic Recognition Working Group align with the council decision of 10 March 2020(?) to hang the agreed six commissioned female portraits in the Council Chamber?

20 Questions without Notice

Discussion ensued

21 Exclusion of the Public

Moved by Councillor Abrahamzadeh,
Seconded by Councillor Noon -

THAT COUNCIL:

1. Having taken into account the relevant consideration contained in section 90(3) (b) and (d) and section 90(2) & (7) of the *Local Government Act 1999* (SA), this meeting of the Council dated 14 November 2023 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 22 [Confidential Recommendation of the City Planning, Development and Business Affairs Committee – 7 November 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 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 and further direction with regard to Council's land holding.

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 given that the information in this report, including certain financial information and further direction, may prejudice its

future commercial dealings within regard to its land holding. On this basis, the disclosure of such information may severely prejudice the City of Adelaide Council's ability to influence the proposal for the benefit of the City of Adelaide 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 14 November 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 22 [Confidential Recommendation of the City Planning, Development and Business Affairs Committee – 7 November 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) and (d) of the Act.

Carried unanimously

Members of the public and Corporation staff present not directly involved with Item 22, left the Council Chamber at 8.10 pm.

**22 Confidential Recommendation of the City Planning, Development and Business Affairs
Committee - 7 November 2023**

The meeting re-opened to the public at 8.12 pm.

Item 22 – Confidential Recommendation of the City Planning, Development and Business Affairs Committee – 7 November 2023

Confidentiality Orders

Recommendation 1 – Item 10.1 – Hilton Leasing Matter

Authorises that, in accordance with Section 91 (7) & (9) of the Local Government Act 1999 (SA) and on the grounds that Item 22 [Confidential Recommendation of the City Planning, Development and Business Affairs Committee – 7 November 2023] listed on the Agenda for the meeting of the Council held on 14 November 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 the 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 8.12 pm

Dr Jane Lomax-Smith
Lord Mayor

Date of confirmation:

Documents Attached:

Minute 19 - Item 19.1 – Item 19.5 – Question on Notice Replies – Distributed Separately

Councillor Couros - QoN - Legal Fees

Tuesday, 14 November 2023
Council

Council Member
Councillor Mary Couros

Public

Contact Officer:
Michael Sedgman - Chief
Operating Officer

QUESTION ON NOTICE

Councillor Mary Couros will ask the following Question on Notice:

Can administration please advise the total cost the City of Adelaide has spent on legal fees for all matters from the 1st November 2022 to 31st October 2023?

REPLY

1. The legal fees incurred for the period from 1 November 2022 to 31 October 2023 total \$1.554m. This includes all expenses invoiced to date.
2. The \$1.554m represents Legal Fees expenditure across two financial years.
 - 2.1 November 2022 to June 2023 - \$970k
 - 2.2 July to October 2023 - \$584k.
3. The total expenditure needs to be considered in the context of the total Legal expenses (\$1.587m) recorded in the 2022/23 Annual Financial Statements.

Staff time in receiving and preparing this reply	To prepare this reply in response to the question on notice took approximately 5.5 hours.
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- END OF REPORT -

Councillor Couros - QoN - Governance Department

Tuesday, 14 November 2023 Council

Council Member Councillor Mary Couros

Public

Contact Officer: Michael Sedgman - Chief Operating Officer

QUESTION ON NOTICE

Councillor Mary Couros will ask the following Question on Notice:

- 1. Can the Chief Executive Officer advise how many staff members are employed in the Governance Department?

- 1. There are currently 10.5 FTEs in the Governance Program.
2. The Program includes the Manager (1.0 FTE), Corporate Governance (Risk, Insurance, Audit, FOI, Delegations, Emergency Management (4.2 FTEs), Council Governance (Secretariat 4.3 FTEs) and Legal Governance Advisor (1.0 FTE).

Table with 2 columns: Staff time in receiving and preparing this reply; To prepare this reply in response to the question on notice took approximately 4.5 hours.

- END OF REPORT -

Councillor Couros - QoN - Lord Mayor Office Staffing

Tuesday, 28 November 2023
Council

Council Member
Corporate Services

Public

Contact Officer:
Michael Sedgman - Chief
Operating Officer

QUESTION ON NOTICE

Councillor Couros will ask the following Question on Notice:

1. The total number of staff members in the Lord Mayor’s office and their positions?
2. How many staff members have been in these positions since the beginning of term?
3. Total amount of temporary staff and labour hire staff since the beginning of term in the Lord Mayor’s office?
4. If any staff member including security staff are asked to drive the Lord Mayor?

REPLY

1. There are currently seven staff members in the Lord Mayor’s Office filling the following positions:
 - 1.1. Office Manager
 - 1.2. Executive Assistant
 - 1.3. Civic Event Coordinator
 - 1.4. Council Liaison and Administrative Support
 - 1.5. Senior Advisor
 - 1.6. Executive Advisor
 - 1.7. PR & Communications Advisor.
2. One current staff member (Executive Advisor) has been in their position since the beginning of this Council term.
3. A total of eight temporary and labour hire staff have worked in the Lord Mayor’s Office since the beginning of this Council term.
4. Staff members may be asked to drive the Lord Mayor, as provided for in the Council Member Allowances and Benefits Policy.

Staff time in receiving and preparing this reply	To prepare this reply in response to the question on notice took approximately 5.5 hours.
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- END OF REPORT -

Councillor Couros - QoN - Civic Recognition Working Group

Tuesday, 14 November 2023
Council

Council Member
Councillor Mary Couros

Public

Contact Officer:
Michael Sedgman - Chief
Operating Officer

QUESTION ON NOTICE

Councillor Mary Couros will ask the following Question on Notice:

1. Can administration advise that the Civic Recognition Working Group can override a decision of council without that decision being rescinded or amended by the council?

REPLY

1. The Civic Recognition Working Group (CRWG) Terms of Reference establish it as an advisory group to the Chief Executive Officer (CEO).
2. The CEO cannot make a decision that is contrary to a decision of the Council.

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

Councillor Couros - QoN - Civic Recognition Working Group

Tuesday, 14 November 2023
Council

Council Member
Councillor Mary Couros

Public

Contact Officer:
Michael Sedgman - Chief
Operating Officer

QUESTION ON NOTICE

Councillor Mary Couros will ask the following Question on Notice:

1. Can the administration advise if they believe the decisions of the Civic Recognition Working Group align with the council decision of 10 March 2020(?) to hang six women in the council chamber?

REPLY

1. The Council resolution of the 10 March 2020 was

11. Item 12.5 – Honouring Female Leaders in the City of Adelaide [2009/00789] Presented to Committee 3/3/2020 [C]

Moved by Deputy Lord Mayor (Councillor Hyde),
Moved by Councillor Couros,

That Council:

1. Approves the development of an ongoing Civic Collection curation program in the Council Chamber, that facilitates the recognition and celebration of female leaders with historical significance to the State and City of Adelaide.
2. Approves the commissioning of a female local artist to produce a framed portrait painting of Adelaide's first female Lord Mayor, Wendy Chapman AM.
3. Approves the commissioning of a female local artist to produce framed portrait paintings of the following five female leaders (or for Administration to enter into long-term loan agreements for suitable existing portrait paintings)
 - 3.1 Dame Roma Mitchell AC, DBE, CVO, QC
 - 3.2 Aunty Shirley Peisley AM
 - 3.3 Mary Lee
 - 3.4 Catherine Helen Spence
 - 3.5 Ivarrityi
4. Notes that the commissioning costs will be funded from the Public Art capital budget and that re-curation costs of up to \$15,000 over two years will be considered in the FY2020/21 and FY2021/22 budgets.

Discussion ensued

The motion was then put and carried

2. On 19 September 2023 the Civic Recognition Working Group (CRWG) received an update on the project and approved the following:

Council – Agenda – Tuesday, 14 November 2023

- 2.1. Selection of framing for the commissioned portraits of Mary Lee and Catherine Helen Spence.
- 2.2. A date for the unveiling ceremony of the portraits of Mary Lee and Catherine Helen Spence is confirmed for Friday 8 March 2024 to coincide with International Women’s Day. All Councillors will be invited to attend this event.
- 2.3. A re-curation of the portraits in the Council Chamber which will result in:
 - 2.3.1. the portrait of Aunty Shirley Peisley AM being installed in the Chamber – this follows its unveiling in March 2023
 - 2.3.2. the portrait of Catherine Helen Spence being installed above the public gallery - upon its unveiling in March 2024
 - 2.3.3. the portrait of Wendy Chapman AM being installed in a place of prominence in the Lord Mayor’s Walk.
3. The CRWG in the coming months will consider the preferred approach to realise the final portrait in this project, of Kurna Elder Iparityi.
4. It is noted that the Civic Areas are regularly re-curated in consultation with the CRWG Group (consistent with Sections 283 and 285 of the City of Adelaide Standing Orders).

Staff time in receiving and preparing this reply	To prepare this reply in response to the question on notice took approximately 5.5 hours.
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- END OF REPORT -