



# COUNCIL MINUTES

for the meeting

Tuesday, 13 February 2024

in the Council Chamber, Adelaide Town Hall

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

Deputy Lord Mayor, Councillor Snape

Councillors Abrahamzadeh, Couros, Davis, Elliott, Giles, Martin, 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 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**

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**

Apologies:

Councillors Hou and Li

## **7 Confirmation of Minutes - 30/1/2024**

Moved by Councillor Elliott,  
Seconded by Councillor Noon -

That the Minutes of the meeting of the Council held on 30 January 2024, be taken as read and be confirmed as an accurate record of proceedings.

Carried

**8 Declaration of Conflict of Interest**

Councillor Martin declared a material conflict of interest in Item 11 [Recommendation 4 – Item 9.4 - Homelessness Strategy – Everyone’s], pursuant to Section 75 of the *Local Government Act 1999* (SA), as his daughter works for a homeless Non-government organisation, associated with Council and that he would leave the meeting when Item 11 - Recommendation 4 – Item 9.4 - Homelessness Strategy – Everyone’s Business, was considered.

**9 Deputations**

The Lord Mayor advised the meeting that after the deputation of Mr Will Sergeant, it was her intention, with leave of the meeting to bring forward Item 16.2 – Deputy Lord Mayor, Councillor Snape – MoN – Albert (Bert) Edwards Plaque, for consideration.

Mr Will Sergeant addressed the Council:

- To speak in support of Item 16.2 – Deputy Lord Mayor, Councillor Snape – MoN – Albert (Bert) Edwards Plaque and to give background to the life of Mr Edwards.

The Lord Mayor thanked Mr Sergeant for his deputation.

The Lord Mayor requested leave of the meeting to move forward Item 16.2 – Deputy Lord Mayor, Councillor Snape – MoN – Albert (Bert) Edwards Plaque for consideration.

Leave was granted

**16.2 Deputy Lord Mayor, Councillor Snape - MoN - Albert (Bert) Edwards Plaque**

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

That Council investigate options for the installation of a historical plaque memorialising the life and achievements of former Adelaide City Councillor Albert (Bert) Edwards at his grave in West Terrace Cemetery or Edwards Place; the replacement of the missing sign at Albert Edwards Court and opportunities for the placement of Heritage Plaques on suitable relevant sites.

Discussion ensued

The motion was then put and carried unanimously

**10 Petitions**

Nil

**11 Recommendations of the City Community Services and Culture Committee - 6 February 2024**

Discussion ensued

It was then –

Moved by Councillor Giles,  
Seconded by Councillor Noon -

**11.1 Recommendation 1 - Item 9.1 - Community Development Discussion Paper****THAT COUNCIL**

1. Notes the Community Development Discussion Paper as per Attachment A to Item 9.1 on the Agenda for the meeting of the City Community Services and Culture Committee held on 6 February 2024.
2. Approves the preparation of a Community Development Strategy and implementation plan to support the delivery of an impactful Community Development approach in this term of Council.

**11.2 Recommendation 2 - Item 9.2 - Draft Funding Programs Policy**THAT COUNCIL

1. Endorses the draft Funding Programs Policy, Attachment A to Item 9.2 on the Agenda for the City Community Services and Culture Committee held on 6 February 2024, for the purpose of public consultation.
2. Endorses the draft Funding Programs Policy High-Level Engagement Plan contained in Attachment B to Item 9.2 on the Agenda for the City Community Services and Culture Committee held on 6 February 2024.
3. Authorises the Acting Chief Executive Officer or delegate to make minor and technical amendments to the documents contained in Attachment A and Attachment B to Item 9.2 on the Agenda for the City Community Services and Culture Committee held on 6 February 2024, for the purposes of finalising the documents for public consultation.

**11.3 Recommendation 3 - Item 9.3 - Housing Strategy - Investing in Our Housing Future**THAT COUNCIL

1. Notes the draft Housing Strategy – Investing in Our Housing Future, Consultation Summary contained in Attachment A to Item 9.3 on the Agenda for the meeting of the City Community Services and Culture Committee held on 6 February 2024.
2. Adopts the Housing Strategy – Investing in Our Housing Future contained in Attachment B to Item 9.3 on the Agenda for the meeting of the City Community Services and Culture Committee held on 6 February 2024.
3. Authorises the Acting Chief Executive Officer or delegate to make minor and technical amendments to the document contained in Attachment B to Item 9.3 on the Agenda for the meeting of the City Community Services and Culture Committee held on 6 February 2024, for the purposes of finalising the document.

**11.5 Recommendation 5 - Item 9.5 - Draft Disability Access and Inclusion Plan 2023-2024**THAT COUNCIL

1. Endorses the draft Disability Access and Inclusion Plan contained in Attachment A to Item 9.5 on the Agenda for the meeting of the City Community Services and Culture Committee held on 6 February 2024, for the purpose of public consultation.
2. Endorses the draft Disability Access and Inclusion Plan Engagement Plan contained in Attachment B to Item 9.5 on the Agenda for the meeting of the City Community Services and Culture Committee held on 6 February 2024, for the purpose of public consultation.
3. Authorises the Acting Chief Executive Officer or delegate to make minor, typographical or syntactical updates to the documents contained in Attachment A and Attachment B to Item 9.5 on the Agenda for the meeting of the City Community Services and Culture Committee held on 6 February 2024, for the purposes of finalising the documents for public consultation.

Carried

**11.4 Recommendation 4 - Item 9.4 - Homelessness Strategy - Everyone's Business**

Having declared his conflict of interest, Councillor Martin left the Council Chamber at 5.44 pm.

It was then –

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

**Recommendation 4 – Item 9.4 - Homelessness Strategy – Everyone’s Business**THAT COUNCIL

1. Notes the draft Homelessness Strategy – Everyone’s Business, Consultation Summary contained in Attachment A to Item 9.4 on the Agenda for the meeting of the City Community Services and Culture Committee held on 6 February 2024.

2. Adopts the Homelessness Strategy – Everyone’s Business, contained in Attachment B to Item 9.4 on the Agenda for the meeting of the City Community Services and Culture Committee held on 6 February 2024.
3. Authorises the Acting Chief Executive Officer or delegate to make minor, typographical or syntactical updates to the documents contained in Attachment A and Attachment B to Item 9.4 on the Agenda for the meeting of the City Community Services and Culture Committee held on 6 February 2024, to finalise the document.

Carried unanimously

Councillor Martin re-entered the Council Chamber at 5.45 pm.

## **11.6 Recommendation 6 - Item 9.6 - Ellis Park / Tampawardli (Park 24) Sports Facilities**

Discussion ensued

It was then –

Moved by Councillor Siebentritt,  
Seconded by Councillor Couros -

### THAT COUNCIL

1. Approves the Adelaide Comets Football Club (‘the Club’) undertaking facility improvements to Ellis Park / Tampawardli (Park 24) as shown in Attachment A to Item 9.6 on the Agenda for the meeting of the City Community Services and Culture Committee held on 6 February 2024, subject to:
  - 1.1. The permanent 1.1 metre high fence around the main pitch incorporating double gates without locks is open on non-game days. There is no permanent signage except for information relating to public access. The recommendation for double gates to be open on non-game days will signal to the public that the playing field is accessible. Further, signage approved by Council detailing information of when the lessee utilises the grounds and, therefore, is not accessible for public use.
  - 1.2. The temporary outer spectator fence to be installed no earlier than 24 hours before the first scheduled game and removed within 24 hours following the conclusion of the final scheduled game, and only displaying wayfinding signage and stored off-site on non-game days.
  - 1.3. The use of exposed aggregate concrete for new pathways along the northern and western boundaries of the main pitch and no pathways on eastern and southern boundaries.
  - 1.4. Accessible parking accommodated within the internal roadway.
  - 1.5. Tree planting along the northern, western and southern boundaries of the Club’s licensed area with species selection informed by the Administration.
  - 1.6. Detailed landscape plans, including emergency/maintenance access and storage on the western side of the building, submitted to the Administration for approval.

Much discussion continued, during which:

- Councillor Abrahamzadeh entered the Council Chamber at 5.49 pm.
- Councillor Elliott moved an amendment to defer the matter, which lapsed for want of a seconder.

The motion was then put and lost

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

Division

For (4):

Councillors Abrahamzadeh, Couros, Davis and Siebentritt.

Against (5):

Deputy Lord Mayor, Councillor Snape and Councillors Elliott, Giles, Martin and Noon.

The division was declared against the motion

Councillor Davis left the Council Chamber at 6.15 pm.

## **12 Recommendations of the City Planning, Development and Business Affairs Committee - 6 February 2024**

Discussion ensued

It was then –

Moved by Councillor Noon,  
Seconded by Councillor Siebentritt -

### **12.1 Recommendation 1 - Item 7.1 - Incentives for Sustainability Environmental Outcomes Review and Future Options**

#### THAT COUNCIL:

1. Notes the calculated environmental outcomes of the Incentives for Sustainability Program, including the Sustainability Incentives Scheme and Circular Economy Incentives, from July 2015 to December 2023 as outlined in this report.
2. Approves amendments to the Incentives for Sustainability Program to restructure the program to enable smaller scale and larger scale incentives in line with the priorities in the draft Integrated Climate Strategy that deliver tangible emissions savings, subject to 2024/25 budget deliberations.
3. Adopts the Sustainability Incentive Scheme Operating Guidelines provided as Attachment A to Item 7.1 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 6 February 2024.
4. Authorises the Acting Chief Executive Officer or delegate to make minor edits to finalise the amended Sustainability Incentives Scheme Operating Guidelines provided as Attachment A to Item 7.1 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 6 February 2024.
5. Requests administration to consider other alternative ways to reduce community carbon emissions and report back to the City Planning, Development and Business Affairs Committee.

### **12.2 Recommendation 2 - Item 7.2 - Heritage Incentives Scheme Operating Guidelines**

#### THAT COUNCIL:

1. Adopts the revised Heritage Incentives Scheme Operating Guidelines dated 30 January 2024 provided as Attachment A to Item 7.2 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 6 February 2024.
2. Authorises the Acting Chief Executive Officer or delegate to make minor edits to finalise the revised Heritage Incentives Scheme Operating Guidelines dated 30 January 2024 provided as Attachment A to Item 7.2 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 6 February 2024.
3. Authorises the Acting Chief Executive Officer or delegate to write to the Chief Executive of the Department for Environment and Water seeking a State Government funding contribution for State Heritage Places in the City of Adelaide.
4. Authorises the Lord Mayor to write to the Deputy Premier, Hon. Susan Close seeking a State Government funding contribution towards conservation of State Heritage Places in the City of Adelaide.

### **12.3 Recommendation 3 - Item 7.3 - Adaptive Reuse Funding Mechanism**

#### THAT COUNCIL:

1. Approves a Residential Adaptive Reuse Incentive Scheme for prioritisation as part of the 2024/25 Annual Business Plan process.

2. Authorises the Acting Chief Executive Officer or delegate to prepare Operating Guidelines for a Residential Adaptive Reuse Incentive Scheme.
3. Authorises the Acting Chief Executive Officer or delegate to amend the Noise Management Incentive Scheme such that residential adaptive reuse projects are eligible for professional advice and funding.
4. Notes the Acting Chief Executive Officer will advise the Department of Premier and Cabinet of Council's decision for a Residential Adaptive Reuse Incentive Scheme to support the Adaptive Reuse City Housing Initiative (ARCHI), auspiced by the Capital City Committee.

Carried

### 13 Reports for Council (Chief Executive Officer's Reports)

Nil

### 14 Lord Mayor's Reports

The Lord Mayor addressed the meeting on the following activities:

- St Jerome's Laneway Festival, Bonython Park
- GAROC's Local Government Participation and Elections Review forum
- Women's Cricket One Day International Australia v South Africa
- Capital City Committee meeting
- Lunar New Year celebrations, unveiling of new artwork in Chinatown

It was then –

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

That the report be received.

Carried

### 15 Councillors' Reports

Councillor Noon addressed the meeting on her attendance at the Flinders University City campus opening.

Councillor Davis re-entered the Council Chamber at 6.17 pm.

Deputy Lord Mayor, Councillor Snape addressed the meeting on his attendance at the Bangladeshi victory celebration.

Councillor Couros addressed the meeting on her attendance at an art exhibition.

It was then -

Moved by Deputy Lord Mayor, Councillor Snape,  
Seconded by Councillor Elliott –

That the verbal reports of Councillors Noon and Couros and Deputy Lord Mayor, Councillor Snape be received.

Carried

### 16 Motions on Notice

#### 16.1 Councillor Abrahamzadeh - MoN - City Business Assistance

Councillor Siebentritt declared a general conflict of interest in Item 16.1 [Councillor Abrahamzadeh - MoN - City Business Assistance], pursuant to Section 74 of the Local Government Act 1999 (SA) as his wife is a State Government employee, involved in working with the business community, but that he would stay in the meeting, be involved in the debate and vote on the matter.

Moved by Councillor Abrahamzadeh,  
Seconded by Councillor Davis -

That Council:

1. Notes the permanent closure of five Adelaide CBD based night-time entertainment venues over the December 2023- January 2024 period.
2. Requests Lord Mayor and/or Acting Council CEO to meet with relevant stakeholders (ie Business SA, AHA, Adelaide West End Association, Consumer and Business Services and others) to discuss challenges facing the night time economy.
3. Requests Council Administration to compile this feedback and present it to Council before the end of March 2024, exploring a variety of options to assist the sector including consideration of a business assistance package in the 2024 - 25 Budget; and seeking state government assistance.

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

'That Council:

1. Notes the permanent closure of five Adelaide CBD based night-time entertainment venues over the December 2023- January 2024 period.
2. Requests Lord Mayor and/or Acting Council CEO supported by AEDA administration, to jointly facilitate a round table forum with all relevant stakeholders to discuss challenges facing the night time economy.
3. Requests Council Administration to compile this feedback and present it to Council before the end of the financial year, exploring a variety of options to assist the sector including consideration of a business assistance package in the 2024 - 25 Budget; and seeking state government assistance.'

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

## 17 Motions without Notice

Nil

## 18 Questions on Notice

Nil

## 19 Questions without Notice

Discussion ensued

In response to queries from Councillors Davis and Martin, an undertaking was given to provide Council Members with information on the elements that have been cut from the previously consulted upon design of the Hindley Street upgrade.

## 20 Exclusion of the Public

Moved by Councillor Davis,  
Seconded by Councillor Abrahamzadeh -

ORDER TO EXCLUDE FOR ITEM 21

THAT COUNCIL:

1. Having taken into account the relevant consideration contained in section 90(3) (j) and section 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 13 February 2024 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 21 [Confidential Recommendation of the City Community Services and Culture Committee] 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 material provided on a confidential basis which the State Government has requested be considered in confidence on the grounds that the details of the request are sensitive in nature and the release of this information prematurely may be misleading. The disclosure of information in this report could reasonably be expected to prejudice the position and any negotiations with external parties of the State Government.

Public Interest

The City of Adelaide 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 information may result in release of information prior to the finalisation of the matter by the State Government. The disclosure of this information may materially and adversely affect the viability of the matter and prejudice Council's ability to discuss/participate or influence a proposal for the benefit of the Council and the community in this matter which on balance would be contrary to the public interest.

2. Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this meeting of the Council dated 13 February 2024 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 21 [Confidential Recommendation of the City Community Services and Culture Committee] 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) of the Act.

Carried

Moved by Councillor Davis,  
Seconded by Councillor Abrahamzadeh -

## ORDER TO EXCLUDE FOR ITEM 22

THAT COUNCIL:

1. Having taken into account the relevant consideration contained in section 90(3) (d) and section 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 13 February 2024 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] 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 Council's commercial position, including its future commercial dealings, given that it contains financial information and further direction regarding the Council's assets and strategic land holdings.

Public Interest

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

2. Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this meeting of the Council dated 13 February 2024 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] 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) (d) of the Act.

Carried

Members of the public and Corporation staff present not directly involved with Items 21 and 22, left the Council Chamber at 6.57 pm.

**21 Confidential Recommendation of the City Community Services and Culture Committee - 6 February 2024**

**21.1** Item 21.1 - Recommendation 1 - Item 7.1 - Park Lands Licence Request [S90(3) (j)]

**22 Confidential Recommendation of the City Planning, Development and Business Affairs Committee - 6 February 2024**

**22.1** Item 22.1 - Recommendation 1 - Item 10.1 - Assignment of Lease [S90(3) (d)]

The meeting re-opened to the public at 6.59 pm.

Item 21 - Confidential Recommendation of the City Community Services and Culture Committee - 6 February 2024

#### Confidentiality Order

In accordance with Section 91(7) and (9) of the *Local Government Act 1999 (SA)* and because Item 21 [Confidential Recommendation of the City Community Services and Culture Committee] was received, discussed and considered in confidence pursuant to Section 90(3) (j) of the *Local Government Act 1999 (SA)*, this meeting of the Council do order that:

1. The resolution, the report, and the discussion submitted to this meeting and the Minutes of this meeting in relation to the matter remain confidential and not available for public inspection until the initiative becomes public.
2. The letter provided as Link 1 in the report in relation to the matter remain confidential and not available for public inspection until approval is provided by the Minister of Human Services.
3. The Acting Chief Executive Officer or delegate be delegated the authority to review and revoke all or part of the order herein and directed to present a report containing the Item for which the confidentiality order has been revoked.

Item 22 - Confidential Recommendation of the City Planning, Development and Business Affairs Committee - 6 February 2024

#### Confidentiality Order

In accordance with Section 91(7) & (9) of the *Local Government Act 1999 (SA)* and because Item 22 [Confidential Recommendation of the City Planning, Development and Business Affairs Committee] listed on the Agenda for the meeting of the Council held on 13 February 2024 was received, discussed and considered in confidence pursuant to Section 90(3) (d) of the *Local Government Act 1999 (SA)*, this meeting of the Council do order that:

1. the resolution, the report, the discussion and any other associated information submitted to this meeting and the Minutes of this meeting in relation to the matter remain confidential and not available for public inspection until 31 December 2034;
2. the confidentiality of the matter be reviewed in December 2025;
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 6.59 pm

Dr Jane Lomax-Smith  
Lord Mayor

Date of confirmation:

Documents Attached:

Nil