



COUNCIL MINUTES

for the meeting

Tuesday, 28 May 2024

in the Council Chamber, Adelaide Town Hall

© 2024 CITY OF ADELAIDE. ALL RIGHTS RESERVED.



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

Deputy Lord Mayor, Councillor Snape

Councillors Abrahamzadeh, Couros, Davis, Elliott, Hou, 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 Kaurna people of the Adelaide Plains and pays respect to Elders past and present. We recognise 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.

Councillor Noon entered the Council Chamber at 6.02 pm.

6 Apologies and Leave of Absence

On Leave:

Councillors Giles and Li

7 Confirmation of Minutes - 14/5/2024

Moved by Councillor Abrahamzadeh,

Seconded by Councillor Noon -

That the Minutes of the meeting of the Council held on 14 May 2024, be taken as read and be confirmed as an accurate record of proceedings.

8 Declaration of Conflict of Interest

Councillor Martin, declared a material conflict of interest in relation to funding for the Adelaide Zero Project within the recommendation of the special City Finance and Governance Committee – 28 May 2024 [Draft 2024/25 Business Plan and Budget - savings target update], pursuant to Section 75 of the Local Government Act 1999 (SA), as his daughter works for the Adelaide Zero Project, and would therefore vacate his Chair, at the time the recommendation was discussed.

Councillor Couros declared a general conflict of interest in Item 12 - Recommendation 7.3 [2024/2025 Business Plan and Budget – Review of Fees and Charges], pursuant to Section 74 of the *Local Government Act 1999* (SA), as she has a family business but that she would stay in the room, participate in the debate and vote on the matter in the best interests of the community.

Councillor Davis, declared a material conflict of interest in Item 23.1 [Councillor Martin – QoN – Court of Disputed Return Costs], pursuant to Section 75 of the Local Government Act 1999 (SA), as has an involvement with the litigation, and would therefore vacate his Chair at the time the item was discussed.

9 Deputations

Ms Joyce Van Der Sman addressed the Council:

- In support of Councillor Martin's Motion on Notice, to name a street after Sister Janet Mead and to give background to her life and work.

The Lord Mayor thanked Ms Van Der Sman for her deputation.

The Lord Mayor sought leave of the meeting to bring forward Item 17.2 - Councillor Martin – MoN – Sister Janet Mead, for consideration prior to Item 11.

Leave was granted

17.2 Councillor Martin - MoN - Sister Janet Mead

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

That Council;

Asks the Administration to prepare a report consistent with Council Policy on the possible naming of a street in the City of Adelaide after the late Sister Janet Mead to honour her contribution to our community, including her tireless work to assist the homeless.

Discussion ensued, during which Councillor Elliott left the Council Chamber at 6.16 pm and re-entered at 6.20 pm.

The motion was then put and carried unanimously

10 Petitions

Nil

11 Audit and Risk Committee Report - 15 May 2024

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

1. Recommendation 1 – Item 6.1 - 2023/24 Business Plan & Budget Quarter 3 Update

THAT COUNCIL

1. Receives the City of Adelaide 2023/24 Q3 Progress Report and updated Long Term Financial Plan projections as provided in Attachment A to Item 6.1 on the Agenda for the meeting of the Audit and Risk Committee held 15 May 2024.

2. Approves adjustments for the 2023/24 Business Plan and Budget (BP&B) as identified in this report and reflected in Attachment A to Item 6.1 on the Agenda for the meeting of the Audit and Risk Committee held 15 May 2024.
3. Notes the year-to-date Operating (Financial Performance) for the quarter ending 31 March 2024, which includes:
 - 3.1. Total operating income of \$176.175m
 - 3.2. Total Operating expenses (including depreciation) of \$161.668m
 - 3.3. An operating surplus of \$14.507m
 - 3.4. Total Capital Expenditure of \$60.147m
 - 3.5. Net cash surplus position of \$20.475m.
4. Approves the budgeted year end Operating Position, which includes:
 - 4.1. Total operating income of \$234.470m
 - 4.2. Total operating expenses (including depreciation) of \$227.655m
 - 4.3. An operating surplus of \$6.815m
5. Approves total capital expenditure of \$99.556m for 2023/24 year.
6. Approves total borrowings of \$23.593m projected to 30 June 2024.
7. Receives the Council Subsidiary Q3 updates as provided as Attachments B, C, D and E to Item 6.1 on the Agenda for the meeting of the Audit and Risk Committee held on 15 May 2024.

Carried

12 Recommendations of the City Finance and Governance Committee - 21 May 2024

12.1 Recommendation 1 - Item 7.1 – 2023/24 BP&B Quarter 3 Update

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

THAT COUNCIL:

1. Receives the City of Adelaide 2023/24 Quarter 3 Progress Report and updated Long Term Financial Plan projections as provided in Attachment A to Item 7.1 on the Agenda for the meeting of the City Finance and Governance Committee held on 21 May 2024, and notes the highlights of deliverables, status updates and risks and opportunities provided for Projects, Portfolios and Subsidiaries.
2. Approves adjustments for the 2023/24 Business Plan and Budget as identified in this report and reflected in Attachment A to Item 7.1 on the Agenda for the meeting of the City Finance and Governance Committee held on 21 May 2024.
3. Notes the year-to-date Operating (Financial Performance) for the quarter ending 31 March 2024, which includes:
 - 3.1. Total operating income of \$176.175m
 - 3.2. Total Operating expenses (including depreciation) of \$161.668M
 - 3.3. An operating surplus of \$14.507m
 - 3.4. Total Capital Expenditure of \$60.147m
 - 3.5. Net cash surplus position of \$20.475m.
4. Approves the budgeted year end Operating Position, which includes:
 - 4.1. Total operating income of \$234.470m

- 4.2. Total operating expenses (including depreciation) of \$227.655m
- 4.3. An operating surplus of \$6.815m.
5. Approves total capital expenditure of \$99.556m for 2023/24 year.
6. Approves total borrowings of \$23.593m projected to 30 June 2024.
7. Receives the Council Subsidiary Quarter 3 updates as provided as Attachments B, C, D and E to Item 7.1 on the Agenda for the meeting of the City Finance and Governance Committee held on 21 May 2024.

Discussion ensued, during which Councillor Davis left the Council Chamber at 6.41 pm and re-entered at 6.43 pm.

The motion was then put and carried

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

Division

For (5):

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

Against (4):

Councillors Abrahamzadeh, Couros, Davis and Hou.

The division was declared in favour of the motion

12.2 Recommendation 2 - Item 7.2 - 2024/25 Business Plan & Budget Update

Moved by Councillor Davis,
Seconded by Councillor Siebentritt -

THAT COUNCIL

1. Notes the savings identified from the draft 2024/25 budgets for grant, sponsorship and strategic partnerships (Attachment A to Item 7.2 on the Agenda for the meeting of the City Finance and Governance Committee held on 21 May 2024), proposed strategic projects and operating savings, as requested by Council in Item 12.1 of the Agenda for the meeting of the Council held 23 April 2024 meeting.
2. Notes the Committee feedback regarding the savings that have been proposed including the desire to retain funding in areas supporting AEDA, heritage and homelessness and the request for administration to identify additional operational savings to achieve the desired savings targets.

Carried

The Lord Mayor sought leave of the meeting to consider Item 17.3 – Councillor Noon – MoN – Parklet Operators who pay an additional fee, prior to Recommendation 3 - Item 7.3 - 2024/2025 Business Plan and Budget – Review of Fees and Charges.

Leave was granted

17.3 Councillor Noon - MoN - Parklet Operators who pay an additional fee

Moved by Councillor Noon,
Seconded by Councillor Hou -

That Council:

Noting that parklets connected to restaurants enhance the ambiance of an area, the City of Adelaide team has been promoting parklets and supporting businesses to increase their number since the initiative began in 2021. Currently, there are 19 parklet operators in the city. Besides the parklet permit fee, 5 of these operators are charged an additional fee to compensate for the loss of revenue from the car parks removed to make space for the parklets.

That the additional fee charged to parklet operators be discontinued commencing the next fiscal year, and this change is reflected in the Fees & Charges section of the Budget for 2024/25, which will be a reduction to this line item of \$20k.

Discussion ensued, during which:

- With the consent of the mover, seconder and the meeting the motion was varied to read replace the word 'That' with the word 'Resolves'.
- Councillor Davis left the Council Chamber at 7.12 pm.

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

12.3 Recommendation 3 - Item 7.3 - 2024/2025 Business Plan and Budget - Review of Fees and Charges

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

THAT COUNCIL

1. Adopts the schedule of Fees and Charges set by Council for the 2024/25 Business Plan and Budget as included in Attachment A to Item 7.3 on the Agenda for the meeting of the City Finance and Governance Committee held on 21 May 2024.
2. Notes the schedule of Fees and Charges set under delegation by Council for the 2024/25 Business Plan and Budget as included in Attachment B to Item 7.3 on the Agenda for the meeting of the City Finance and Governance Committee held on 21 May 2024.
3. Adopts the schedule of Fees and Charges set by Council for the Adelaide Economic Development Agency for the 2024/25 Business Plan and Budget as included in Attachment C to Item 7.3 on the Agenda for the meeting of the City Finance and Governance Committee held on 21 May 2024.
4. Notes the schedule of General Fees and Charges set by Statute included in Attachment D to Item 7.3 on the Agenda for the meeting of the City Finance and Governance Committee held on 21 May 2024. These fees will be updated in June/July 2024 once gazetted by State Government.
5. Notes the schedule of Commercial Business Fees and Charges set under delegation by Council for the 2024/25 Business Plan and Budget as included in Attachment E to Item 7.3 on the Agenda for the meeting of the City Finance and Governance Committee held on 21 May 2024.
6. Notes the base level increase of 3.25% being applied to most fees and charges, which is a reflection of the most recent forecast for 2024/25 CPI from South Australian Centre for Economic Studies (SACES).

The motion was carried on the
casting vote of the Lord Mayor

Councillor Davis re-entered the Council Chamber at 7.17 pm.

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

Division

For (4)

Deputy Lord Mayor, Councillor Snape and Councillors Elliott, Martin and Siebentritt.

Against (5):

Councillors Abrahamzadeh, Couros, Davis, Hou and Noon.

The division was declared against the motion

12.4 Recommendation 4 - Item 7.4 - Council representatives on AEDA Board Selection Panel

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

THAT COUNCIL

1. Notes the amendments to the Adelaide Economic Development Agency Charter relating to Item 12 Recommendation 2 on the Agenda for Council Meeting held 28 November 2023, approved by Council and subsequently published in the South Australian Government Gazette on 30 November 2023. This includes reducing the number of Council Members appointed to the Adelaide Economic Development Agency Board Selection Panel from three to two.

Carried

The Lord Mayor called for nominations for 2 Council Members to the Adelaide Economic Development Agency Board Selection Panel for the remainder of the 2022-2026 Council term.

Deputy Lord Mayor, Councillor Snape nominated Councillors Noon and Giles. Councillor Noon accepted the nomination and Councillor Giles had previously advised she would accept if nominated.

Councillor Abrahamzadeh nominated Councillor Couros, who accepted the nomination.

There being 3 nominations for 2 positions, a ballot was conducted resulting in Councillors Giles and Couros being the successful nominees.

It was then –

Moved by Councillor Abrahamzadeh,
Seconded by Councillor Siebentritt -

THAT COUNCIL

2. Appoints Councillor Couros and Councillor Giles to the Adelaide Economic Development Agency Board Selection Panel for the remainder of the 2022-2026 Council term.

Carried

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

Division

For (8):

Deputy Lord Mayor, Councillor Snape and Councillors Abrahamzadeh, Couros, Davis, Elliott, Hou, Martin and Siebentritt.

Against (1)

Councillor Noon.

The division was declared in favour of the motion

12.5 Recommendation 5 - Item 7.5 - Civic Recognition and Protocol Policy

Moved by Councillor Couros,
Seconded by Councillor Abrahamzadeh -

THAT COUNCIL:

1. Adopts the Civic Recognition and Protocol Policy as contained in Attachment A to Item 7.5 on the City Finance and Governance Committee Agenda on 21 May 2024.
2. Revokes Part 8 of the City of Adelaide Standing Orders and the residual remainder as adopted by Council in June 2022.
3. Notes that the City Community Services and Culture Committee will consider and make recommendations for items that require a decision of Council under the Civic Recognition and Protocol Policy.

4. Notes that at the next committee structure review a report will be provided regarding the feasibility of establishing a committee under section 41 of the *Local Government Act 1999* (SA) for the purposes of Civic Recognition.
5. Notes that the Civic Recognition Working Group will be disbanded upon adoption of the Civic Recognition and Protocol Policy as contained in Attachment A to Item 7.5 on the Agenda of the City Finance and Governance Committee on 21 May 2024.
6. Authorises the Acting Chief Executive Officer or delegate to make minor editorial typographical or syntactical updates as required to finalise the Civic Recognition and Protocol Policy as contained in Attachment A to Item 7.5 on the Agenda for the meeting of the City Finance and Governance Committee held on 21 May 2024.

Discussion ensued, during which Councillor Siebentritt left the Council Chamber at 7.32 pm and re-entered at 7.33 pm.

The motion was then put and carried

12.6 Recommendation 6 - Item 7.6 - Live Streaming of Public Meetings

Moved by Councillor Couros,
Seconded by Councillor Noon -

THAT COUNCIL

1. Receives the report.
2. Notes that City of Adelaide Committees established under section 41 and 126 of the *Local Government Act 1999* (SA) will consider the inclusion of a provision within their Terms of Reference to enable live streaming of their public meetings at the next scheduled review.
3. Notes that Administration will work with the Kadaltilla/ Adelaide Park Lands Authority Board to consider the inclusion of a provision to enable live streaming of their public meetings within the Kadaltilla / Adelaide Park Lands Authority Charter.
4. Notes that Administration will work with the Council Assessment Panel to consider the inclusion of a provision to enable live streaming of their public meetings within their Terms of Reference.

Carried unanimously

12.7 Recommendation Special City Finance and Governance Committee - 28 May 2024 - Item 3.1 - Draft 2024/25 Business Plan and Budget - savings target update

Moved by Councillor Elliott,
Seconded by Councillor Siebentritt -

THAT THE CITY FINANCE AND GOVERNANCE COMMITTEE RECOMMENDS TO COUNCIL

THAT COUNCIL

1. Endorses the identified savings as per Option 2 of Attachment A to item 3.1 on the Agenda for the meeting of the Special City Finance and Governance Committee held 28 May 2024 excluding the Adelaide Zero Project for the purposes of the final 2024/25 Business Plan and Budget to be presented to Council for adoption on 25 June 2024.
2. Notes:
 - 2.1 All Pre-Commitments are fully funded
 - 2.2 Mainstreets / Precinct Group funding be reinstated to provide 6 months of payments pending review
 - 2.3 The reinstatement of the AEDA Commercial Events and Sponsorship Program (\$500k) be reallocated to Strategic Partnerships (\$175k) and Events and Festival Sponsorship (\$325k)
 - 2.4 Reinstatement of Heritage and Sustainability grants funding to 2023/24 funding levels.

3. Notes that the funding allocations to support External Grant Funding programs will be monitored by Administration over the first quarter of 2024/25 and be prioritised for review as part of the Q1 Business Plan and Budget Review.
4. Endorses the identified savings to the Adelaide Zero Project as per Option 2 of Attachment A to item 3.1 on the Agenda for the meeting of the Special City Finance and Governance Committee held 28 May 2024.

Councillor Martin, having declared a conflict of interest, left the Council Chamber at 7.38 pm.

Amendment –

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

‘That part 2.2 of the motion be amended to read as follows -

2.2 Mainstreets / Precinct Group funding be fully reinstated to provide 12 months of payments pending review.’

Discussion ensued, during which Councillor Martin re-entered the Council Chamber at 7.42 pm and left at 7.42 pm.

Leave of the meeting was sought to separate the motion into parts to allow Councillor Martin to re-enter the meeting.

Leave was not granted

Discussion continued, during which:

- With the consent of the mover, seconder and the meeting, the amendment was varied to read as follows:
‘2.2 Mainstreets / Precinct Group funding fully reinstated, whilst the review is occurring with a report to come back by December 2024.’
- Councillor Couros left the Council Chamber at 7.50 pm and re-entered at 7.51 pm.
- Councillor Abrahamzadeh left the meeting at 7.51 pm.

The amendment, as varied, was then put and carried

Amendment –

Moved by Councillor Davis,
Seconded by Councillor Couros -

‘That part 2.3 of the motion be amended to read as follows -

2.3 The full reinstatement of the AEDA Commercial Events and Sponsorship Program.’

Discussion ensued

The amendment was then put and lost

Councillor Davis requested that a division be taken on the amendment.

Division

For (3)

Councillors Couros, Davis and Hou.

Against (4):

Deputy Lord Mayor, Councillor Snape and Councillors Elliott, Noon and Siebentritt.

The division was declared against the amendment

The motion, as amended, was then put and carried

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

Division

For (4)

Deputy Lord Mayor, Councillor Snape and Councillors Elliott, Noon and Siebentritt.

Against (3):

Councillors Couros, Davis and Hou.

The division was declared in favour of the motion as amended

Councillor Martin re-entered the Council Chamber at 8.09 pm.

13 Recommendations of the Infrastructure and Public Works Committee - 21 May 2024

Moved by Councillor Elliott,
Seconded by Councillor Hou -

13.1 Recommendation 1 - Item 7.1 - Capital Project Update - April 2024

THAT COUNCIL

1. Notes the Capital Works Program Update for April 2024 as contained within this report and Attachment A to Item 7.1 on the Agenda for the meeting of the Infrastructure & Public Works Committee held on 21 May 2024.

13.2 Recommendation 2 - Item 7.2 - Adoption of the Buildings Asset Management Plan

THAT COUNCIL

1. Receives the community feedback for the draft Buildings Asset Management Plan included in the Engagement Summary & Submissions Report provided in Attachment A to Item 7.2 on the Agenda for the meeting of the Infrastructure and Public Works Committee held on 21 May 2024.
2. Notes that the draft Buildings Asset Management Plan was presented to the Audit and Risk Committee on 12 April 2024 for review and comment, where recommendations were made to provide additional granularity for the condition distribution of each building category as well as financially quantify the asset renewal backlog identified within the Plan.
3. Notes that there were no changes made to the draft Buildings Asset Management Plan in response to the feedback received through community consultation and the advice received from the Audit and Risk Committee, other than minor editorial and formatting changes in response to Audit and Risk Committee feedback.
4. Adopts the Buildings Asset Management Plan provided in Attachment B and C to Item 7.2 on the Agenda for the meeting of the Infrastructure and Public Works Committee held on 21 May 2024
5. Notes that the adopted Buildings Asset Management Plan will be included into the 24/25 Business Plan and Budget and Long Term Financial Plan.
6. Notes that the Buildings Asset Management Plan will be reviewed on an annual basis, where any material changes to financial forecasts will be considered through the Annual Business Plan and Budget process and incorporated as updates to the Long Term Financial Plan.
7. Authorises the Acting Chief Executive Officer or delegate to make minor and technical amendments as required (including updates to adopted budgets in the Long Term Financial Plan), to the Buildings Asset Management Plan documents contained in Attachments B and C to Item 7.2 on the Agenda for the meeting of the Infrastructure and Public Works Committee held on 21 May 2024.

13.3 Recommendation 3 - Item 7.3 - Draft Naming Policy for RoadsTHAT COUNCIL

1. Defers the item to a future meeting of the Infrastructure and Public Works Committee.

13.4 Recommendation 4 - Item 7.4 - Public Electric Vehicle (EV) Charging Infrastructure Operating GuidelinesTHAT COUNCIL

1. Approves the City of Adelaide Public Electric Vehicle (EV) Charging Infrastructure Operating Guidelines contained in Attachment A to Item 7.4 on the Agenda for the meeting of the Infrastructure and Public Works Committee held on 21 May 2024.
2. Authorises the Acting Chief Executive Officer or delegate to make minor, syntactical or technical amendments to the City of Adelaide Public Electric Vehicle (EV) Charging Infrastructure Operating Guidelines contained in Attachment A to Item 7.4 on the Agenda for the meeting of the Infrastructure and Public Works Committee held on 21 May 2024.
3. Notes the intent to use the City of Adelaide Public Electric Vehicle (EV) Charging Infrastructure Operating Guidelines to inform a procurement process seeking 25 public EV charging bay at priority locations identified within the Electric Vehicle (EV) Charging Infrastructure Transition Roadmap.

Carried

14 Reports for Council (Chief Executive Officer's Reports)**14.1 2023/24 Q4 Quarterly Forward Procurement Report**

Moved by Councillor Elliott,
Seconded by Councillor Siebentritt -

THAT COUNCIL

1. Notes the procurements set out in Attachment A to Item 14.1 on the Agenda for the meeting of Council held on 28 May 2024, which will be released to the market during Quarter 4 of the 2023/2024 financial year.

Carried

15 Lord Mayor's Reports

The Lord Mayor addressed the meeting on the following activities:

- Reconciliation Week breakfast
- Citizenship Ceremony
- Zonta Women's Achievement Awards
- Qingdao delegation to celebrate the 10th anniversary of the Sister City relationship
- AEDA Business Summit
- National Volunteer Week Award Ceremony

It was then -

Moved by Councillor Davis,
Seconded by Councillor Noon –

That the report be received and noted.

Carried

16 Councillors' Reports

16.1 Reports from Council Members

Councillor Davis addressed the meeting on his attendance at the following functions:

- SA Police Band at the Town Hall, AEDA Business Summit, Reconciliation Breakfast and other Reconciliation Week functions.

During the discussion, Councillor Hou left the meeting at 8.14 pm.

Councillor Noon addressed the meeting on her attendance at the following functions:

- Local Government Association SA Ordinary Meeting welcome drinks and Conference, AEDA Summit and speech on behalf of the Lord Mayor for the opening of the Cabaret Fringe Festival.

Deputy Lord Mayor, Councillor Snape addressed the meeting on his attendance at the following functions:

- Citizenship Ceremony and the Zonta's Women's Achievement Awards.

It was then –

Moved by Councillor Martin,
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 16.1 on the Agenda for the meeting of the Council held on 28 May 2024).
2. Notes the summary of Council Members' meeting attendance (Attachment B to Item 16.1 on the Agenda for the meeting of the Council held on 28 May 2024).
3. Notes that reports from Council Members tabled at the meeting of the Council held on 28 May 2024 will be included in the Minutes of the meeting.

Carried

The Lord Mayor sought leave of the meeting to continue the meeting past 8.30 pm, until all items had been considered.

Leave was granted

17 Motions on Notice

17.1 Councillor Martin - MoN - Lombard Street Upgrade

Councillor Mary Couros, declared a material conflict of interest in Item 17.1 [Councillor Martin - MoN - Lombard Street Upgrade], pursuant to Section 75 of the Local Government Act 1999 (SA), because she owns a business next door, withdrew her Chair and left the Council Chamber at 8.20 pm.

It was then –

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

That Council;

Requests the Administration prepare a report on the possible inclusion of the Lombard Street, North Adelaide council owned land within the O'Connell Street (Mainstreet Project).

Asks that the report considers opportunities to add further greening, additional street furniture and / or other features, including appropriate public toilet facilities and present the findings and costs associated with the proposal to a future Infrastructure and Public Works Committee.

Discussion ensued, during which:

- Councillor Davis moved an amendment to delete reference to public toilet facilities, which lapsed for want of a seconder.

- Councillor Davis left the Council Chamber at 8.30 pm which collapsed the quorum of the meeting.

The Lord Mayor suspended the meeting for a period of 5 minutes to enable quorum to return at 8.30 pm.

Councillor Davis re-entered the Council Chamber at 8.37 pm and left the meeting.

Item 17.1 was unable to be dealt with without a quorum present.

Councillor Couros re-entered the Council Chamber at 8.39 pm and the meeting moved on to consider Item 17.4.

17.4 Councillor Noon - MoN - AEDA to assist Council in realising new revenue opportunities

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

Noting that the Adelaide Economic Development Agency's (AEDA) purpose is to work closely with businesses, industry groups, state government agencies and other relevant organisations, to deliver a range of programs designed to stimulate the city's economic growth:

That Council requests that AEDA Board consider a range of revenue opportunities that Council might consider adopting to address future budget shortfalls.

Discussion ensued, during which with the consent of the mover, seconder and the meeting, the motion was varied to include the words ' , as part of the Strategic Planning process,' after the word 'opportunities'.

The motion, as varied, was then put and carried

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

Division

For (5):

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

Against (1):

Councillor Couros.

The division was declared in favour of the motion, as varied

17.5 Councillor Noon - MoN - Staging area for the Mounted Operations Unit

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

Noting that there has been recent publicity over concerns from City of Adelaide businesses in the area where works have commenced on the new staging area for the Mounted Operations Unit:

That Council;

Request the Lord Mayor write to the State Government to seek that they provide project based communication updates to rate payers immediately adjacent and impacted by the development of the staging area for the Mounted Operations Unit in the CBD. The purpose of this communication is to ensure that all relevant stakeholders have a comprehensive understanding of the project.

Discussion ensued

Undertaking - Staging area for the Mounted Operations Unit

In response to a query from Councillor Couros, an undertaking was given to provide Council Members with the number of complaints received about the staging area for the Mounted Operations Unit.

The motion was then put and carried

18 Motions without Notice

Nil

19 Questions on Notice**19.1 Councillor Martin - QoN - Student Accommodation Parking Impacts****19.2 Councillor Martin - QoN - AEDA Business Advice****19.3 Councillor Elliott - QoN - SmartMove Strategy**

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

The replies for Items 19.1 – 19.3, are attached for reference at the end of the Minutes of the meeting.

20 Questions without NoticeUndertaking – Item 19.2 – Councillor Martin – QoN – AEDA Business Advice

In response to a query from Councillor Martin, an undertaking was given to provide Council Members with further information on the cost of small business advice and funding to the programs referred to in the reply to Item 19.2.

21 Exclusion of the Public

Moved by Councillor Noon,
Seconded by Councillor Martin -

ORDER TO EXCLUDE FOR ITEM 22

THAT COUNCIL:

1. Having taken into account the relevant consideration contained in section 90(3) (e) & (i) and section 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 28 May 2024 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 22 [Confidential Audit and Risk Committee Report – 15 May 2024] listed on the Agenda in a meeting open to the public would on balance be contrary to the public interest.

Grounds and Basis

This Item is confidential in nature because the report includes information on Council litigation.

The disclosure of information in this report could reasonably be expected to prejudice the outcome of Council's actual litigation.

2. Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this meeting of the Council dated 28 May 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 [Councillor Martin – Question on Notice – Court of Disputed Returns Costs] 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) (e) & (i) of the Act.

ORDER TO EXCLUDE FOR ITEM 23.1

THAT COUNCIL:

1. Having taken into account the relevant consideration contained in section 90(3) (h) and section 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 28 May 2024 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 23.1 [Councillor Martin – Question on Notice – Court of Disputed Returns Costs] listed on the Agenda in a meeting open to the public would on balance be contrary to the public interest.

Grounds and Basis

This Item is confidential in nature because the reply to the Question on Notice includes legal advice.

2. Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this meeting of the Council dated 28 May 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 23.1 [Councillor Martin – Question on Notice – Court of Disputed Returns Costs] 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) (h) of the Act.

Carried

Members of the public and Corporation staff present not directly involved with Items 22 and 23.1, left the Council Chamber at 8.53 pm.

- 22 Confidential Audit and Risk Committee Report - 15 May 2024 [S90(3) (e), (i)]**
- 23 Confidential Question on Notice**
- 23.1 Councillor Martin - QoN - Court of Disputed Return Costs [S90(3) (h)]**

The meeting re-opened to the public at 8.57 pm.

Item 23.1 – Councillor Martin – QoN – Court of Disputed Return Costs

Confidentiality Order

In accordance with Section 91 (7) & (9) of the *Local Government Act 1999* (SA) and on the grounds that Item 23.1 [Councillor Martin – QoN – Court of Disputed Returns] listed on the Agenda for the meeting of the Council held on 28 May 2024 was received, discussed and considered in confidence pursuant to Section 90 (3) (h) of the *Local Government Act 1999* (SA) this meeting of Council, do order that:

1. 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 all court proceedings on the matter have concluded.
2. The confidentiality of this matter be reviewed in December 2024.
3. The Acting Chief Executive Officer be delegated 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 8.57 pm

Dr Jane Lomax-Smith
Lord Mayor

Date of confirmation:

Documents Attached:

Items 19.1 – 19.3 - Question on Notice Replies - Distributed Separately

Councillor Martin - QoN - Student Accommodation Parking Impacts

Tuesday, 28 May 2024
Council

Council Member
Councillor Phillip Martin

Public

Contact Officer:
Iliia Houridis, Director City Shaping

QUESTION ON NOTICE

Councillor Phillip Martin will ask the following Question on Notice:

'Could the Administration advise;

1. If the completion of student accommodation towers on North Terrace and in other City locations have had any noticeable impact on demand for nearby on street (paid or unpaid) parking or on the revenue of neighbouring Council owned off street parking and
2. What, if any, impacts it believes there could be on all nearby parking and the Grenfell Street transport corridor if a new student accommodation tower was created on the site of the Crown and Anchor Hotel, together with any likely required mitigating actions?'

REPLY

1. Standard analysis of paid parking performance and expiation trends have not detected any material impacts which are attributed to changes in the supply of student accommodation, noting there has not been a specific study undertaken.
2. Based on the current plans, the proposed student accommodation development in Grenfell Street contains no parking spaces within the site, and 120 bicycle parking spaces.
3. The State Government's Planning and Design Code has no minimum car parking requirement for the North Terrace and Crown and Anchor development sites.
4. On-street parking in the near vicinity of the subject location is typically designed for short-term use, promoting access to the area and turnover of vehicles. The on-street parking in the area is not convenient for long-term vehicle storage and parking.
5. There are a number of off-street parking stations in the area, however an assessment has not been undertaken to determine the potential impacts that an additional student apartment building would have on these stations.
6. Anecdotally, it is noted that residents of purpose-built student accommodation buildings do not always own or use private vehicles which require regular parking. These developments are designed to address the amenity for student accommodation and not long term / permanent housing.
7. Residents in apartment complexes are not eligible for residential parking permits in City of Adelaide's current Operating Guidelines.

8. There are multiple facets to parking demand and availability. It is noted that increasing the residential population in the City while balancing impacts to parking, transport and other public amenities, is a complex challenge.

| | |
|--|---|
| | To prepare this reply in response to the question on notice took approximately 5.5 hours. |
|--|---|

- END OF REPORT -

QUESTION ON NOTICE

Councillor Phillip Martin will ask the following Question on Notice:

'Noting the role of the Council operated Enterprise Adelaide and the Council funded/AEDA delivered Business SA advice services offered to sole traders and small business operators in the City of Adelaide until 2020 and 2023 respectively, could the Administration advise;

1. How has AEDA replaced or is planning to replace the professional advice that was offered by the former services to business operators, particularly about landlord/lease issues and other financial obligations and
2. In the absence of any replacement service, how has AEDA directed/proposes to direct the funding provided by Council as part of it 23/24 budget and the proposed 24/25 budget?'

REPLY

1. Prior to AEDA's formation, the City of Adelaide entered into an arrangement with Business SA to provide small businesses with basic information and advice. The release of the South Australian Government's Small and Family Business Strategy in mid-2023 included funding for the Office of Small and Family Business to employ staff whose dedicated role is to provide information and advice to small business operators. In addition, the State Government is also funding a range of organisations to deliver business mentoring, support services and workshops for small business operators including those in the City of Adelaide. The State Government continues to fund the Office of the Small Business Commissioner to provide low-cost dispute resolution on matters impacting their day-to-day operations, including landlord/lease issues.
2. Given this changing environment, the AEDA Board resolved to target the 2023-24 Strategic Partnerships program towards initiatives that supported small growth-oriented businesses in the City of Adelaide. The Board considered it important that the activities it supported complemented, rather than duplicated, State funded activities. As advised via e-news on 14 November 2023, funding was provided to the University of Adelaide's Thinclab, MTP Connect and Southstart to deliver these programs. These programs, funded through the 2023-24 budget are currently underway. The Board will consider its future approach through the development of its Strategic Plan and informed by the outcomes achieved through the current programs.

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

QUESTION ON NOTICE

Councillor David Elliott will ask the following Question on Notice:

'Noting the approach outlined in the SmartMove Strategy 2012-2022 to install or upgrade bicycle facilities during road renewals and upgrades:

- a) How many city street renewal projects have been delivered by Council Jan 2012 to Apr 2024;
- b) How many city street upgrade projects have been delivered by Council Jan 2012 to Apr 2024;
- c) How many city street renewals Jan 2012 to Apr 2024 have introduced new bicycle facilities (total number and as percentage of renewal projects);
- d) How many city street upgrades Jan 2012 to Apr 2024 have introduced new bicycle facilities (total number and as percentage of renewal projects);
- e) How many kilometres of new bike lanes (where there were no bike lanes before) have been installed on city streets Jan 2012 to Apr 2024;
- f) How many kilometres of upgraded bike lanes (from bike lane to buffered or separated bike lanes) have been installed on city streets Jan 2012 to Apr 2024;
- g) How many separated bikeway trials have been investigated, and how many have been implemented Jan 2012 to Apr 2024;
- h) How much has council spent per financial year on road renewals FY2012/13 to FY2023/24, and how much of that expenditure has been dedicated to the installation of new or upgrade of existing bike lanes (not including reinstating existing facilities like-for-like)?'

REPLY

1. The Smart Move Strategy initiated in 2012 sought to set the direction for creating great streets and places for people making the city safer and easier to access for all users.
2. The Strategy included eight desired outcomes, including "Safe Cycling" which sought many outcomes including:
 - 2.1. separated bike lanes completing a network of continuous, connected and low-stress priority bicycle routes in the City.
 - 2.2. implementing separated bicycle lanes or paths on busy traffic streets.
 - 2.3. improving public end-of-trip bicycle facilities.

- 2.4. improving bicycle routes to and within the Park Lands, particularly the paths that link to key inner suburbs.
- 2.5. Bike Direct routes and greenways; and expanding the Adelaide City Bike hire scheme to encourage greater use by residents, businesses, and visitors.
3. The Question on Notice will require a comprehensive investigation of specific projects over a 12-year period, and therefore is not able to be addressed within the timeframes for this Council Meeting.
4. The Administration will respond to the questions posed once the relevant data is sourced and prepare a report to be presented to a future Infrastructure and Public Works Committee.

| | |
|--|---|
| 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 -

Document is Restricted