



# COUNCIL MINUTES

for the meeting

Tuesday, 13 August 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, Elliott, Giles, 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.

## **6 Apologies and Leave of Absence**

Apologies:

Councillors Davis and Li

## **7 Confirmation of Minutes - 23/7/2024**

Moved by Councillor Abrahamzadeh,  
Seconded by Councillor Siebentritt

That the Minutes of the meeting of the Council held on 23 July 2024, be taken as read and be confirmed as an accurate record of proceedings.

Carried

**8 Declaration of Conflict of Interest**

Nil

**9 Deputations****9.1 Dr Anthony Stimson - Deputation - Boer War Memorial**

Dr Anthony Stimson addressed the Council:

- To speak against the proposal to add the name of Harry Morant to the South African War Memorial, as President of the SA Boer War Association.

The Lord Mayor thanked Dr Stimson for his deputation.

During the presentation, Councillor Couros left the Council Chamber at 5.38 pm and re-entered at 5.39 pm.

**9.2 Mr Adam Pearce - Deputation - Boer War Memorial**

Mr Adam Pearce addressed the Council:

- To consider alternative options for the inclusion of Harry Morant's name, including a plaque on the pavement outside of the designated state heritage place.

The Lord Mayor thanked Mr Pearce for his deputation.

No other deputations were given leave of the meeting to address the meeting.

**10 Petitions****10.1 Petition – Inclusion of Sergeant Harry 'Breaker' Morant on the South Australian Boer War Memorial**

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

**THAT COUNCIL**

1. Receives the petition containing 23 signatories, distributed as a separate document to Item 10.1 on the Agenda for the meeting of the Council held on 13 August 2024.

Carried

**11 Recommendations of the City Community Services and Culture Committee - 6 August 2024****11.1 Recommendation 1 - Item 7.1 - South African (Boer) War Memorial**

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

**THAT COUNCIL**

1. Notes the cultural significance of the South African (Boer) War Memorial on North Terrace and its heritage listing.
2. Endorses and reaffirms the decision of past Councils, that the South African (Boer) War Memorial is a closed historical site of cultural significance and does not provide consent as the owner of the Memorial and owner of the land for the proposal to amend or alter the South African (Boer) War Memorial on North Terrace to include 'Sergeant, HH. 'Breaker' Morant' or any other names.

Discussion ensued

The motion was then put and carried unanimously

**11.2 Recommendation 2 - Item 7.2 - Park Lands Leasing - Expressions of Interest: Carriageway Park / Tuthangga (Park 17) and Blue Gum Park / Kurangga (Park 20)**

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

**THAT COUNCIL**

1. Notes the Expression of Interest submissions received for the two Park Lands facilities as shown in Attachment A to Item 7.2 on the Agenda for the meeting of the City Community Services and Culture Committee held on Tuesday 6 August 2024.
2. Authorises the Chief Executive Officer or delegate to enter into five-year lease (and licence) agreements with the following applicants:
  - 2.1. Touch Football South Australia – Carriageway Park / Tuthangga (Park 17)
  - 2.2. Pulteney Grammar School – Blue Gum Park / Kurangga (Park 20).
3. Notes that Administration will arrange a meeting with the North Western Junior Soccer Association to identify opportunities for accessing Park Lands facilities, including the playing fields programmed by the City of Adelaide in Victoria Park / Pakapakanthi (Park 16).

Carried

**12 Recommendations of the City Planning, Development and Business Affairs Committee - 6 August 2024****12.1 Recommendation 1 - Item 7.1 - Draft City Plan - Adelaide 2036 - Consultation Summary**

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

**THAT COUNCIL:**

1. Receives the draft City Plan – Adelaide 2036 Consultation Summary as 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 6 August 2024.
2. Notes the final City Plan – Adelaide 2036 is proposed to be presented to the City Planning, Development and Business Affairs Committee and Council in September 2024 with the view to submit to the State Government as part of the Greater Adelaide Regional Plan consultation. This ensures that Council has been given the time to consider any further feedback before ratification at Council for submission to the State Government.

**Undertaking**

In response to queries from Council Members, an undertaking was given for administration to provide clarity on the feedback received through the consultation process and ensure that it is addressed in the final report back to Committee and Council.

It was then –

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

**THAT COUNCIL:**

1. Receives the draft City Plan – Adelaide 2036 Consultation Summary as 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 6 August 2024.
2. Notes the final City Plan – Adelaide 2036 is proposed to be presented to the City Planning, Development and Business Affairs Committee and Council in September 2024 with the view to submit to the State Government as part of the Greater Adelaide Regional Plan consultation.

Carried

Moved by Councillor Noon,  
Seconded by Councillor Martin -

**12.2 Recommendation 2 - Item 7.2 - Council's Submission on the Draft Adelaide Park Lands Management Strategy (APLMS)**

THAT COUNCIL:

1. Approves the submission summarising the response to the draft Adelaide Park Lands Management Strategy (APLMS) – Towards 2036 for submission to the Kadaltilla / Adelaide Park Lands Authority (Kadaltilla).
2. Authorises the Chief Executive Officer to make any minor editorial and formatting changes as required to finalise the submission as contained in Attachment A to Item 7.2 on the Agenda for the meeting of the Council held on 6 August 2024.

**12.3 Recommendation 3 - Item 7.3 - Light Square Master Plan**

THAT COUNCIL:

1. Receives options for staging the draft Light Square / Wauwi Master Plan as contained in Item 7.3 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 6 August 2024.
2. Endorses the draft Light Square / Wauwi Master Plan as 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 6 August 2024, for the purposes of public consultation, subject to further clarification in the Master Plan of the planning, detailed design and construction phases, and how a staged approach to implementation could also be considered.

Carried

**12.4 Recommendation 4 - Item 7.4 - Review of Outdoor Dining - Leigh Street, Peel Street and Topham Mall**

Moved by Councillor Noon,  
Seconded by Councillor Martin -

THAT COUNCIL:

1. Notes the outcomes of the review of pedestrian access and outdoor dining furniture in Leigh Street, Peel Street and Topham Mall as contained in this report.
2. Notes that outdoor dining furniture is to remain located at the kerb in Leigh Street in line with Council's Outdoor Dining Guidelines, advice from stakeholder groups, and in consideration of the Disability Discrimination Act 1992.
3. Notes the continued use of building-aligned outdoor dining furniture in Peel Street as supported by the Outdoor Dining Guidelines, with improvements made to consistency and shorelines.

Carried

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

**13.1 Nomination for Local Government Association President**

The Lord Mayor, declared a material conflict of interest in Item 13.1 [Nomination for Local Government Association President], pursuant to Section 75 of the *Local Government Act 1999* (SA), being the nominee to a position with remuneration, vacated the Chair and left the Council Chamber at 6.06 pm.

Deputy Lord Mayor, Councillor Snape took the Chair at 6.06 pm.

It was then –

Moved by Councillor Noon,  
Seconded by Councillor Siebentritt -

THAT COUNCIL

1. Approves the nomination of Lord Mayor, Dr Jane Lomax-Smith for the position of Local Government Association of SA President.

Discussion ensued

The motion was then put and carried unanimously

The Lord Mayor re-entered the Council Chamber and retook the Chair at 6.11 pm.

**13.2 2024 Local Government Finance Authority's Annual General Meeting**

It was then –

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

THAT COUNCIL

1. Notes the call for a representative from Council to for the Local Government Finance Authority Annual General Meeting on Friday 22 November 2024.
2. Appoints the Lord Mayor, Dr Jane Lomax-Smith as Council's representative at the 2024 Local Government Finance Authority Annual General Meeting.

Carried

**13.3 Nomination for Local Government Finance Authority Board Member**

Mr Michael Sedgman, Chief Executive Officer declared a material conflict of interest in Item 13.3 [Nomination for Local Government Finance Authority Board Member], pursuant to Section 75 of the *Local Government Act 1999* (SA), being the nominee to a position with remuneration, withdrew his Chair and left the Council Chamber at 6.12 pm.

It was then –

Moved by Councillor Giles,  
Seconded by Councillor Noon -

THAT COUNCIL

1. Notes the call for nominations for the Local Government Finance Authority of South Australia Board.
2. Endorses the nomination of its Chief Executive Officer, Michael Sedgman, to the Local Government Finance Authority of South Australia as a Board Member.

Discussion ensued

The motion was then put and carried unanimously

Mr Michael Sedgman, Chief Executive Officer re-entered the Council Chamber at 6.13 pm.

**13.4 Proposed item for Business for Local Government Association AGM**

Moved by Councillor Noon,  
Seconded by Councillor Elliott -

THAT COUNCIL

1. Notes that Annual General Meetings and Ordinary General Meetings of the Local Government Association of SA consider items of strategic importance to local government and the LGA, as recommended by the South Australian Regional Organisation of Councils (SAROC), Greater Adelaide Regional Organisation of Councils (GAROC) or the LGA Board of Directors.

2. Approves the following item of business to be submitted to the next meeting of GAROC on 23 September 2024 for discussion at the Local Government Association of South Australia (LGA) Annual General Meeting on 22 November 2024:

- 2.1 That the Annual General Meeting request the LGA to advocate to the Commonwealth Government to reform taxation policies which impact housing, and for investment and incentives which assist in the development of more affordable and accessible housing.

Discussion ensued, during which Councillor Hou left the Council Chamber at 6.14 pm and re-entered at 6.16 pm.

The motion was then put and carried

#### 14 Lord Mayor's Reports

The Lord Mayor addressed the meeting on the following activities:

- Sister City visit to George Town, Penang
- Last Lap fun day event at the Adelaide Aquatic Centre
- Launch of the City of Adelaide's Adaptive Reuse City Housing Initiative (ARCHI)
- Adelaide Park Lands stakeholder event at Light ADL
- Launch of the OzAsia Festival program at the Adelaide Festival Centre.

During the discussion, Councillor Abrahamzadeh left the Council Chamber at 6.18 pm and re-entered at 6.19 pm.

It was then –

Moved by Councillor Noon,  
Seconded by Councillor Giles –

That the report be received and noted.

Carried

#### 15 Councillors' Reports

Councillor Elliott addressed the meeting on the Penang delegation and advised that gifts received on the trip will be donated to the City of Adelaide Civic Collection.

Deputy Lord Mayor, Councillor Snape addressed the meeting on the following activities attended as Acting Lord Mayor:

- Hiroshima and Nagasaki Vigil
- 'Organic Visions' - Bearded Dragon Gallery Art exhibition opening event
- Australian Institute of Building 2024 Professional Excellence in Building Awards
- Botanic Gardens Hearing Caterpillars Festival
- Smart Cities Council Asia Pacific Conference

Councillor Elliott left the Council Chamber at 6.27 pm.

It was then -

Moved by Councillor Noon,  
Seconded by Councillor Couros –

That the reports be received and noted.

Carried

**16 Motions on Notice****16.1 Councillor Couros - MoN - Adaptive Reuse for City of Adelaide Properties**

Moved by Councillor Couros,  
Seconded by Councillor Hou -

That Council:

Requests administration to bring a report that outlines which City of Adelaide properties could be considered as adaptive reuse project in line with our strategic plan and ARCHI scheme.

Discussion ensued, during which Councillor Elliott re-entered the Council Chamber at 6.31 pm.

Amendment –

Moved by Councillor Noon,  
Seconded by Councillor Martin -

That the motion be amended by inclusion of the following:

‘, noting that the City of Adelaide owns several buildings within the City and North Adelaide that provide community benefit and/or commercial revenue stream for Council.

The report should include what impact there would be on the community if the ARCHI scheme was applied to these properties?’

The amendment was then put and carried

The motion, as amended, was then put and carried

**16.2 Councillor Martin - MoN - Elected Member Developer Contact Register**

Councillor Martin withdrew his motion from consideration.

**16.3 Councillor Couros - MoN - Council Acknowledges the passing of Helen Oxenham OAM**

Moved by Councillor Couros,  
Seconded by Councillor Noon -

That Council:

1. Notes with sadness the passing of Helen Oxenham OAM, an activist, feminist, trailblazer, and advocate for women experiencing domestic violence in Adelaide for over 40 years.
2. Acknowledges her creation of commemorative art spaces, throughout South Australia to honour women who have died due to domestic and family violence.
3. Notes that “A Place of Courage” memorial is to be placed at Bonython Park to provide a place for healing, grieving, reflection, and education.
4. Requests the Lord Mayor to write to her family to express condolences and the City of Adelaide’s gratitude for her dedication to fighting domestic violence and for women’s rights.

Discussion ensued

The motion was then put and carried unanimously

**16.4 Deputy Lord Mayor, Councillor Snape - MoN - Returning Hard Stand to Park Lands – Netball Courts**

Deputy Lord Mayor, Councillor Snape gave a personal explanation as to why he was withdrawing his motion from consideration.

**16.5 Deputy Lord Mayor, Councillor Snape - MoN- Australia China International Film Festival**

Deputy Lord Mayor, Councillor Snape withdrew his motion from consideration.



**16.6 Councillor Martin - MoN - Street Furniture and On Street Advertising**

Councillor Couros, declared a general conflict of interest in Item 16.6 [Councillor Martin - MoN - Street Furniture and On Street Advertising], pursuant to Section 74 of the *Local Government Act 1999* (SA), due to business privately owned, but that she would stay in the meeting and act in the best interests of the community.

It was then -

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

That Council:

Outlining Council's obligation to observe our Access and Inclusion Policy, the Disability Discrimination Act 1992, Royal Society for the Blind and other stakeholder advice, asks the Administration to communicate, using the means of existing digital and print publications and personal contact, with all businesses operating at ground level in the City of Adelaide;

1. The obligation to place outdoor dining furniture/fixtures, as well as queue lines (unless otherwise agreed) and on footpath advertising, including A-frame signs, digital advertising screens and products (unless otherwise agreed), away from building shorelines in accordance with Council Policies and Guidelines
2. The contact details for advice from the City of Adelaide about any related issues, and
3. The possibility of expiations and/or loss of Outdoor Dining Spaces as a result of not complying.

Discussion ensued, during which Councillor Couros left the Council Chamber at 7.04 pm.

The motion was then put and carried

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

Division

For (5):

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

Against (3):

Councillors Abrahamzadeh, Elliott and Hou.

The division was declared in favour of the motion

Councillor Couros re-entered the Council Chamber at 7.10 pm, advised that she would have to leave and left the meeting at 7.10 pm.

**17 Motions without Notice**

Nil

**18 Questions on Notice****18.1 Councillor Martin - QoN - Loss or Gain of Park Lands**

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

The reply for Item 18.1, is attached for reference at the end of the Minutes of the meeting

**19 Questions without Notice**Undertaking - Councillor Martin – QwN – Park Lands

In response to a Question without Notice from Councillor Martin, the CEO gave an undertaking to provide Council Members with information in relation to the reply to Item 18.1 – Councillor Martin - QoN - Loss or Gain of Park Lands, if between 2018-2022 the loss of park lands is 21,800 square metres and the return is only 2891 square metres?

**20 Exclusion of the Public**

Moved by Councillor Noon,  
Seconded by Councillor Abrahamzadeh –

**THAT COUNCIL:**

1. Having taken into account the relevant consideration contained in section 90(3) (a) and section 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 13 August 2024 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 21.1 [Appointment of Adelaide Economic Development Agency Board Member] 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 confidential information that must be considered in confidence in order to protect the personal affairs of the nominee. Public discussion and disclosure of information in this report prior to a resolution being determined by Council may potentially implicate the nominee's reputation in the business community.

2. Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this meeting of the Council dated 13 August 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 21.1 [Appointment of Adelaide Economic Development Agency Board Member] listed in the Agenda, on the grounds that such item of business, contains information and matters of a kind referred to in section 90(3) (a) of the Act.

Carried

Members of the public and corporation staff not involved with Item 21.1 left the Council Chamber at 7.13 pm.

**21 Confidential Reports for Council (Chief Executive Officer's Reports)**

**21.1** Appointment of Adelaide Economic Development Agency Board Member [S90(3) (a)]

The meeting reopened to the public at 7.14 pm.

Item 21.1 - Appointment of Adelaide Economic Development Agency Board Member

#### Confidentiality Order

In accordance with Section 91(7) & (9) of the *Local Government Act 1999* (SA) and because Item 21.1 [Adelaide Economic Development Agency Appointment of Board Member] listed on the Agenda for the meeting of the Council held on 13 August 2024 was received, discussed and considered in confidence pursuant to Section 90(3)(a) of the *Local Government Act 1999* (SA), this meeting of the Council do order that:

1. The resolution, report, discussion and any other associated information submitted to this meeting in relation to the matter remain confidential and not available for public inspection until the successful candidate has accepted the position and the unsuccessful applicants have been advised of the recruitment process outcome.
2. 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 to containing the Item for which the confidentiality order has been revoked.

#### **Closure**

The meeting closed at 7.14 pm

Dr Jane Lomax-Smith  
Lord Mayor

Date of confirmation:

Documents Attached:

Item 18.1 - Councillor Martin - QoN - Loss or Gain of Park Lands, Reply – Distributed Separately

# Councillor Martin - QoN - Loss or Gain of Park Lands

Tuesday, 13 August 2024  
Council

**Council Member**  
Councillor Phillip Martin

Public

**Contact Officer:**  
Ilia Houridis, Director City Shaping

## QUESTION ON NOTICE

### Councillor Martin will ask the following Question on Notice:

'Following a recent controversy over a pamphlet distributed to City ratepayers and titled the "... The Malinauskas Government is returning... our Park Lands ...", could the Administration advise, for the period March 2022 to August 2024, how many hectares of Park Lands have been;

1. Developed or are in the process of being developed by the State Government to make way for built form of any description, including car parks?
2. Restored to open space by the State Government and are now accessible for recreation or passive enjoyment by all South Australians as Park Lands?'

## REPLY

1. In the period between March 2022 to August 2024, the State Government made public announcements relating to Park Lands projects that have been developed or are in the process of being developed on the following sites in the Adelaide Park Lands:
  - 1.1. Adelaide Aquatic Centre, Denise Norton Park / Pardipardinyilla (Park 2):
    - 1.1.1. New Adelaide Aquatic Centre redevelopment of 9,500 square metres according to the development application lodged on 1 August 2024 with the State Commission Assessment Panel.
    - 1.1.2. Return of 1,000 square metres to Adelaide Park Lands according to Frequently Asked Questions on the Department for Infrastructure and Transport website ([Link 1](#)).
  - 1.2. Adelaide Botanic High School Expansion, Frome Park / Nellie Raminyemmerin Park:
    - 1.2.1. Built form development of 1,800 square metres.
  - 1.3. Helen Mayo Park:
    - 1.3.1. Vesting of 1,891 square metres of Helen Mayo Park to the care and control of the City of Adelaide.
    - 1.3.2. Investment of \$1.5M in Helen Mayo Park to restore Helen Mayo Park to Park Lands as per the State Government media release dated 26 November 2022 ([Link 2](#)).
  - 1.4. New Women's and Children's Hospital, Bonython Park / Tulya Wardli (Park 27):
    - 1.4.1. Site area of 20,000 square metres and over 1,300 car parks as per Frequently Asked Questions on the State Government's project website dated September 2022 ([Link 3](#)).

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