



COUNCIL MINUTES

for the meeting

Tuesday, 10 September 2024

in the Council Chamber, Adelaide Town Hall

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Present – The Right Honourable the Lord Mayor, Dr Jane Lomax-Smith (Presiding)
Councillors Davis, Elliott, Giles, Hou, Li, Noon and Dr Siebentritt

1 Acknowledgement of Country

Councillor Elliott entered the Council Chamber at 5.31 pm.

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:

Deputy Lord Mayor, Councillor Snape and Councillor Couros

On Leave:

Councillors Abrahamzadeh and Martin

7 Confirmation of Minutes - 27/8/2024

Moved by Councillor Elliott,
Seconded by Councillor Giles -

That the Minutes of the meeting of the Council held on 27 August 2024, be taken as read and be confirmed as an accurate record of proceedings.

Carried

8 Declaration of Conflict of Interest

Nil

9 Deputations

Nil

10 Petitions

Nil

11 Recommendations of the City Community Services and Culture Committee - 3 September 2024**11.1 Recommendation 1 - Item 7.1 - Draft Cultural Policy - Discussion Paper**

Moved by Councillor Giles,
Seconded by Councillor Davis -

THAT COUNCIL

1. Requests Administration to review the Cultural Policy Discussion Paper with a view to reflect and emphasise the following:
 - Significant memorial days in the Council calendar
 - Council's sponsorship of significant events
 - Multiculturalism
 - Clarifying the City of Adelaide's unique role in the evolution of the city's culture
 - Recognise the role of Local Government as distinct from Federal and State Government
 - Consolidation opportunities in relation to existing policies
 - Clearly articulate and build a unique City of Adelaide culture
2. Notes the proposed City of Adelaide Culture Round Table to be held as part of the engagement on the City of Adelaide Cultural Policy Discussion Paper, to be chaired by the Lord Mayor.

Discussion ensued

The motion was then put and carried unanimously

12 Recommendations of the City Planning, Development and Business Affairs Committee - 3 September 2024

Moved by Councillor Noon,
Seconded by Councillor Siebentritt -

12.1 Recommendation 1 - Item 7.1 - City of Adelaide's Economic Development Strategy for EndorsementTHAT COUNCIL:

1. Endorses the Economic Development Strategy – A thriving economy for all, 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 3 September 2024.
2. Authorises the Chief Executive Officer, or delegate, to make minor, syntactical and technical amendments to the document 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 3 September 2024, for the purposes of finalising the document for publication.

12.2 Recommendation 2 - Item 7.2 - City Plan - Adelaide 2036 for EndorsementTHAT COUNCIL:

1. Endorses the City Plan – Adelaide 2036 as contained in Attachment A to Item 7.2 on the Agenda for the City Planning, Development and Business Affairs Committee held on 3 September 2024.
2. Notes the updated Consultation Summary for the draft City Plan – Adelaide 2036 as contained in Attachment B to Item 7.2 on the Agenda for the City Planning, Development and Business Affairs Committee held on 3 September 2024.
3. Authorises the Chief Executive Officer or delegate to make minor and technical amendments to the document contained in Attachment A to Item 7.2 on the Agenda for the City Planning, Development and Business Affairs Committee held on 3 September 2024 for the purpose of finalising the document for publication.

Discussion ensued

The motion was then put and 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:

- The Advertiser Bush Summit
- Festival City ADL's board function
- SALA, month-long celebration of more than 8000 artists' works.
- Presenting Alyssa Powell-Ascura with the City of Adelaide Award for her 'Halo Halo' exhibition at SALA's closing ceremony
- Dale Chihuly glass art, being set up in the Adelaide Botanic Garden for the opening on 27 September
- Next DC A1 Adelaide data centre on Pirie Street
- LGA webinar regarding the Local Government Grants Commission funding distribution mechanism.

It was then –

Moved by Councillor Davis,
Seconded by Councillor Noon –

That the report be received and noted.

Carried

15 Councillors' Reports

Councillor Giles addressed the meeting to acknowledge the work of the horticulture staff and to thank them for their assistance in the following areas – Green Pakapakanthi group – Tiny Forest 2, on the western side of the wetlands and the anniversary celebration that was held in the Dame Roma Mitchell Garden, run by the Adelaide Day Centre.

It was then -

Moved by Councillor Davis,
Seconded by Councillor Hou –

That the report be received and noted.

Carried

16 Motions on Notice**16.1 Deputy Lord Mayor, Councillor Snape - MoN - Australia China International Film Festival**

Moved by Councillor Li,
Seconded by Councillor Siebentritt -

THAT COUNCIL:

1. Acknowledges that 2024 marks the 10th anniversary of the staging of the Australia China International Film Festival.
2. Welcomes the news that for the first time, and not the last, the Festival this year will be held in Adelaide.
3. Congratulates this year's organisers and extends our best wishes for the success of opening ceremony at the National Wine Centre, and the closing ceremony at the Adelaide Convention Centre.
4. Requests the Lord Mayor to provide a letter of welcome to event organisers.

Discussion ensued

Amendment –

Moved by Councillor Hou,
Seconded by Councillor Davis -

That the motion be amended to read as follows:

'That Council:

1. Notes that the 2024 Australia China International Film Festival will be held in Adelaide in November 2024.
2. Extends its gratitude to the event organiser, Shelly Yu, a member of the Adelaide Promoter Program, for her efforts in bringing this event to Adelaide, setting a precedent for future events.
3. Acknowledges that the Lord Mayor has agreed to provide a letter of welcome to the event organiser and will host a welcoming breakfast in the Queen Adelaide Room in November 2024.
4. Requests that the administration explore additional ways the Council can support this event, considering the organiser's willingness to continue hosting the festival in Adelaide for the next five years.'

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

'That Council:

1. Notes that the 2024 Australia China International Film Festival will be held in Adelaide in November 2024, noting that the Festival provides a unique opportunity to bolster South Australia's economy. This will be achieved not only through increased tourism but also by driving revenue for local businesses such as hotels, restaurants, and retail outlets, while further strengthening cultural ties and international relations.

2. Extends its gratitude to the event organiser, Shelly Yu, a member of the Adelaide Promoter Program, for her efforts in bringing this event to Adelaide, setting a precedent for future events. We note that the opening ceremony at the National Wine Centre, the Adelaide Zoo meet and greet, education and investment workshops, the Marriott Hotel accommodation partnership, and the closing ceremony at the Adelaide Convention Centre, are all hosted in venues located within the City of Adelaide.
3. Acknowledges that the Lord Mayor has agreed to provide a letter of welcome to the event organiser and will host a welcoming breakfast in the Queen Adelaide Room in November 2024.
4. Requests that the administration explore additional ways the Council can support this event, considering the organiser's willingness to continue hosting the festival in Adelaide for the next five years. Requests that the Lord Mayor provides a letter of request for funding, addressed to the Premier of South Australia, Peter Malinauskas, Minister for Tourism Zoe Bettison (Federal counterpart, Minister Farrell), and Minister for Arts Andrea Michaels (Federal counterpart, Minister Bourke), highlighting:
 - The significance of strengthening South Australia's relations with China, particularly in the areas of tourism, trade, and the arts.
 - That more than 1,000 tourism packages to South Australia have already been sold overseas, combining festival activities with sightseeing opportunities.
 - With 29% of Adelaide's residents speaking Mandarin, the city is an ideal location for this Festival.
 - The ongoing economic and cultural benefits this Festival will bring to Adelaide.
 - The potential to secure the Festival in Adelaide for the next five years, similar to the support provided by the State Government of Queensland and the City of Brisbane Council.

The amendment, as varied, was then put and carried

Discussion continued

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

17 Motions without Notice

Nil

18 Questions on Notice

Nil

19 Questions without Notice

CEO Undertaking – Councillor Hou – Adelaide Promoter Program

In response to a query from Councillor Hou, an undertaking was given to provide Council Members with an update on the Adelaide Promoter Program.

Discussion ensued

20 Exclusion of the Public

Moved by Councillor Hou,
Seconded by Councillor Elliott -

ORDER TO EXCLUDE FOR ITEM 21

THAT COUNCIL:

1. Having taken into account the relevant consideration contained in section 90(3) (b) and section 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 10 September 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 – 3 September 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 commercial 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 on a third party.

The disclosure of information in this report may adversely impact project viability, prejudice the ability to undertake/participate in future negotiations on the proposal and prejudice the Council's commercial position and opportunity for Council to participate in future like considerations or discussions.

Public Interest

The Committee is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the disclosure of this information may severely prejudice Council's ability to discuss/participate or influence a proposal for the benefit of the Council and the community in this matter and in relation to other contract negotiations.

2. Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this meeting of the Council dated 10 September 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 – 3 September 2024] listed in the Agenda, on the grounds that such item of business, contains information and matters of a kind referred to in section 90(3) (b) of the Act.

Carried

Moved by Councillor Noon,
Seconded by Councillor Elliott -

ORDER TO EXCLUDE FOR ITEM 22

THAT COUNCIL:

1. Having taken into account the relevant consideration contained in section 90(3) (m) and section 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 10 September 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 – 3 September 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 as it contains information regarding the draft Code Amendment that is not appropriate to be made public prior to the commencement of public engagement, due to the identification of individual properties in the draft Code Amendment.

The disclosure of information in this report could reasonably breach confidentiality of information prior to public engagement of the draft Code Amendment.

Public Interest

This Item is confidential as it contains information regarding the draft Code Amendment that is not appropriate to be made public prior to the commencement of public engagement, due to the identification of individual properties in the draft Code Amendment.

The disclosure of information in this report could reasonably breach confidentiality of information prior to public engagement of the draft Code Amendment.

2. Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this meeting of the Council dated 10 September 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 – 3 September 2024] 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) (m) of the Act.

Carried

Members of the public and corporation staff not involved with Items 21 and 22 left the Council Chamber at 6.13 pm.

**21 Confidential Recommendation of the City Community Services and Culture Committee
- 3 September 2024 [S90(3) (b)]**

**21.1 Recommendation 1 - Item 10.1 - Park Lands Community Buildings (Sport and
Recreation) Policy and Investment Plan [S90(3) (b)]**

**22 Confidential Recommendation of the City Planning, Development and Business Affairs
Committee - 3 September 2024 [S90(3) (m)]**

**22.1 Recommendation 1 - Item 10.1 - Code Amendment - Historic Area Statement Update
[S90(3) (m)]**

The meeting reopened to the public at 6.17 pm.

Item 21 - Confidential Recommendation of the City Community Services and Culture Committee - 3 September 2024

Resolution and Confidentiality Order

THAT COUNCIL:

1. Approves the draft Adelaide Park Lands Community Building (Sport and Recreation) Policy as contained in Attachment A to Item 10.1 on the Agenda for the meeting of the City Community Services and Culture Committee held on 3 September 2024, with the inclusion of a capacity to contribute criteria, for public consultation.
2. Notes the draft Adelaide Park Lands Community Buildings (Sport and Recreation) Investment Plan as contained in Attachment B to Item 10.1 on the Agenda for the meeting of the City Community Services and Culture Committee held on 3 September 2024.
3. Notes the proposed projects within the draft Investment Plan will be reviewed annually as part of the Annual Business Plan and Budget Process.
4. Notes the draft Adelaide Park Lands Community Buildings (Sport and Recreation) Investment Plan be reviewed following adoption of the Adelaide Park Lands Community Building (Sport and Recreation) Policy.
5. Authorises that, 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] listed on the Agenda for the meeting of the Council held on Tuesday 10 September 2024 was received, discussed and considered in confidence pursuant to Section 90(3) (b) of the Local Government Act 1999 (SA), this meeting of the Council do order that
 - 5.1. The resolution become public information and included in the Minutes of the Council meeting.
 - 5.2. The Draft Adelaide Park Lands Community Building (Sport and Recreation) Policy (Attachment A) become public on approval by Council for the purpose of public consultation.
 - 5.3. 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 2025.
 - 5.4. The confidentiality of the matter be reviewed in December 2024.
 - 5.5. 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.

Item 22 - Confidential Recommendation of the City Planning, Development and Business Affairs Committee - 3 September 2024

Resolution and Confidentiality Order

THAT COUNCIL:

1. Endorses the draft Historic Area Statements Update Code Amendment documents as contained in Attachment A, Attachment B and Attachment C to Item 10.1 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 3 September 2024, for the purposes of public consultation.
2. Notes the draft Historic Area Statement Update Code Amendment Engagement Plan as contained in Attachment C to Item 10.1 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 3 September 2024 will update and replace the draft Engagement Plan endorsed by Council on 8 August 2023.
3. Authorises the Chief Executive Officer or delegate to make minor typographical, syntactical and technical amendments to the documents contained in Attachment A to Attachment C to Item 10.1 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 3 September 2024 for the purpose of finalising the documents for public consultation.

4. Authorises that, in accordance with Section 91(7) and (9) of *the Local Government Act 1999 (SA)* and because Item 22 [Confidential Recommendation of the City Planning, Development and Business Affairs Committee – 3 September 2024] listed on the Agenda for the meeting of the Council held on 10 September 2024 was received, discussed and considered in confidence pursuant to Section 90(3)(m) of *the Local Government Act 1999 (SA)*, this meeting of the Council do order that:
 - 4.1. The resolution becomes public information and is included in the Minutes of the Council meeting.
 - 4.2. The report, the discussion and any other associated information submitted to this meeting and the Minutes of this meeting in relation to the matter remain confidential and not available for public inspection until the public consultation for the draft Code Amendment has commenced or 31 December 2024.
 - 4.3. The confidentiality of the matter be reviewed in December 2024.
 - 4.4. The Chief Executive Officer be delegated the authority to review and revoke all or part of the order herein and directed to present a report containing the Item for which the confidentiality order has been revoked.

Closure

The meeting closed at 6.17 pm

Dr Jane Lomax-Smith
Lord Mayor

Date of confirmation:

Documents Attached:

Nil