



COUNCIL

Minutes

for the meeting on

Tuesday, 12 November 2024

in the Council Chamber, Adelaide Town Hall

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Our Adelaide.
Bold.
Aspirational.
Innovative.

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

Deputy Lord Mayor, Councillor Snape

Councillors Abrahamzadeh, Couros, Davis, Elliott, Giles, Hou, Li, 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

Nil

7 Confirmation of Minutes - 22/10/2024

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

That the Minutes of the meeting of the Council held on 22 October 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 general conflict of interest in Item 11 [Advice of Kadaltilla / Adelaide Park Lands Authority], pursuant to Section 74 of the *Local Government Act 1999 (SA)* as he is a member of the Festival Centre Trust, but that he would stay in the room, participate in the discussion and vote on the item.

Councillor Martin declared a material conflict of interest in Item 13 [Recommendation 3 - Festival Plaza Code Amendment Consultation Submission], pursuant to Section 75 of the *Local Government Act 1999 (SA)* as he is a member of the Festival Centre Trust and that he would vacate the room for the duration of the item.

9 Deputations

Nil

10 Petitions

Nil

11 Advice of Kadaltilla / Adelaide Park Lands Authority

Councillor Martin, having declared a general conflict of interest in Item 11 [Advice of Kadaltilla / Adelaide Park Lands Authority], pursuant to Section 74 of the *Local Government Act 1999 (SA)* as he is a member of the Festival Centre Trust, stayed in the room, participated in the discussion and voted on the item.

It was then –

Moved by Councillor Elliott,
Seconded by Councillor Giles -

THAT COUNCIL

1. Notes the advice of the Kadaltilla / Adelaide Park Lands Authority from the meeting of the Board held on 24 October 2024, contained in Item 11 on the Agenda for the meeting of the Council held on 12 November 2024 in relation to:
 - 1.1 Adelaide Park Lands Management Strategy – Towards 2036 for Finalisation.
 - 1.2 Kadaltilla's Submission to the Draft Festival Plaza Code Amendment for Endorsement.
 - 1.3 Kadaltilla's Submission to the Greater Adelaide Regional Plan (the GARP) for Endorsement.

Discussion ensued, during which with the consent of the mover, seconder and the meeting, it was agreed that the motion would be taken in parts.

Parts 1, 1.2 and 1.3 of the motion were then put and carried

Discussion continued

Part 1.1 of the motion was then put and carried

12 Recommendations of the City Community Services and Culture Committee - 5 November 2024

Moved by Councillor Giles,
Seconded by Councillor Siebentritt -

12.1 Recommendation 1 - Item 7.1 - Adelaide Park Lands Community Buildings (Sport and Recreation) Policy**THAT COUNCIL**

1. Notes the public consultation summary on the draft Adelaide Park Lands Community Buildings (Sport and Recreation) Policy as contained in Attachment A to Item 7.1 on the Agenda for the meeting of the City Community Services and Culture Committee held on 5 November 2024.
2. Notes in response to public consultation, track changes to the draft Adelaide Park Lands Community Buildings (Sport and Recreation) Policy as contained in Attachment B to Item 7.1 on the Agenda for the meeting of the City Community Services and Culture Committee held on 5 November 2024.
3. Adopts the Adelaide Park Lands Community Buildings (Sport and Recreation) Policy as contained in Attachment C to Item 7.1 on the Agenda for the meeting of the City Community Services and Culture Committee held on 5 November 2024.
4. Authorises the Chief Executive Officer or delegate to make minor, typographical or syntactical updates to Attachment C to Item 7.1 on the Agenda for the meeting of the City Community Services and Culture Committee held on 5 November 2024, for the purposes of finalising the document for publication.
5. Notes the Adelaide Park Lands Community Buildings (Sport and Recreation) Priority Needs Analysis as contained in Attachment D to Item 7.1 on the Agenda for the meeting of the City Community Services and Culture Committee held on 5 November 2024, subject to removal of references to priority years in the 10 year Priority Needs Analysis and inclusion of priority tiers of funding required.
6. Requests that the Priority Needs Analysis be brought back to a future meeting of the City Community Services and Culture Committee for further discussion.

7. Approves Golden Wattle Park / Mirnu Wirra (Park 21W) and Mary Lee Park (Park 27B) as the first priority Park Lands Community Buildings projects and to receive the 'Park Lands Buildings Upgrades' capital budget allocations for 2024/25 and 2025/26.
8. Notes the \$1,763,000 for 'Park Lands Buildings Upgrades' in the 2024/2025 Business Plan and Budget will be re-timed to the 2025/26 financial year at Quarterly Forecast Two (QF2).

12.2 Recommendation 2 - Item 7.2 - Christmas in the City Action Plan 2025 - 2028 Public Consultation Outcomes

THAT COUNCIL

1. Receives the outcomes of the public consultation, Attachment A, to Item 7.2 on the Agenda for the meeting of the City Community Services and Culture Committee held on 5 November 2024, on Christmas in the City, held from 9 - 27 September 2024.
2. Approves the principles as stated in paragraph 16 of this report, which will form part of the Christmas in the City Action Plan 2025- 2028.
3. Approves the themes as stated in paragraph 18 of this report, which will form part of the Christmas in the City Action Plan 2025- 2028.
4. Notes the presentation that accompanies this report, Attachment B to Item 7.2 on the Agenda for the meeting of the City Community Services and Culture Committee held on 5 November 2024.
5. Notes the draft Christmas in the City Action Plan 2025 to 2028 is to be presented to Council in early 2025.

Discussion ensued, during which:

- With the consent of the mover, seconder and the meeting it was agreed the motion would be taken in parts. Discussion ensued on Recommendation 1.
- Councillor Davis entered the Council Chamber at 5.37 pm.
- Councillor Couros entered the Council Chamber at 5.39 pm.
- Councillor Martin, through Regulation 18 of the *Local Government (Procedures at Meetings) Regulations 2013*, sought documents, standards for facilities for major sports played on the Park Lands, to be tabled before a decision could be made. The ruling of the Lord Mayor, determined that Recommendation 1 be varied to delete parts 3 and 4 which would be brought back through the City Community Services and Culture Committee on 3 December 2024.
- Councillor Abrahamzadeh left the Council Chamber at 5.54 pm and re-entered at 5.55 pm.
- Councillor Li entered the Council Chamber at 5.59 pm.

Recommendation 1, as varied, was then put and carried

Deputy Lord Mayor, Councillor Snape requested that a division be taken on the motion, as varied

Division

For (9):

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

Against (2):

Deputy Lord Mayor, Councillor Snape and Councillor Martin.

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

Discussion ensued on Recommendation 2

Recommendation 2 was then put and carried unanimously

13 Recommendations of the City Planning, Development and Business Affairs Committee - 5 November 2024

Discussion ensued

It was then –

Moved by Councillor Noon,
Seconded by Councillor Abrahamzadeh -

13.1 Recommendation 1 - Item 7.1 - Adelaide Park Lands Management Strategy - Towards 2036 for ApprovalTHAT COUNCIL:

1. Adopts the Adelaide Park Lands Management Strategy - Towards 2036 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 5 November 2024.
2. Authorises the Chief Executive Officer, or delegate, to write to the Minister for Planning advising that Council adopted the Adelaide Park Lands Management Strategy - Towards 2036 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 5 November 2024 and confer, via exchange of letters, on the report and proposal.
3. Authorises the Chief Executive Officer, or delegate, to make minor or typographical 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 5 November 2024 for the purposes of finalising the documents.

Discussion ensued, during which Councillor Martin, through Regulation 18 of the *Local Government (Procedures at Meetings) Regulations 2013*, sought documents to be tabled before a decision could be made. The Lord Mayor ruled against the Regulation 18 motion.

Councillor Martin moved dissent against the Lord Mayor's ruling, and a Point of Order pursuant to Regulation 28 of the Regulations was called. The Point of Order was lost.

The motion was then put and carried

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

Division

For (9):

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

Against (2):

Deputy Lord Mayor, Councillor Snape and Councillor Martin

The division was declared in favour of the motion

13.2 Recommendation 2 - Item 7.2 - Submission on draft Greater Adelaide Regional Plan - for approval

Discussion ensued

It was then –

Moved by Councillor Noon,
Seconded by Councillor Abrahamzadeh -

THAT COUNCIL:

1. Endorses the submission on the draft Greater Adelaide Regional Plan as contained in Attachment A to Item 7.2 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 5 November 2024.
2. Authorises the Chief Executive Officer, or delegate, to make minor editorial or formatting amendments to finalise the submission on the draft Greater Adelaide Regional Plan as contained in Attachment A of Item 7.2 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 5 November 2024.

Discussion continued

The motion was then put and carried

13.3 Recommendation 3 - Item 7.3 - Festival Plaza Code Amendment Consultation Submission

Having declared a material conflict of interest in Item 13 [Recommendation 3 - Festival Plaza Code Amendment Consultation Submission], pursuant to Section 75 of the Local Government Act 1999 (SA) as he is a member of the Festival Centre Trust, Councillor Martin withdrew his Chair and left the Council Chamber at 6.29 pm.

It was then –

Moved by Councillor Noon,
Seconded by Councillor Siebentritt -

THAT COUNCIL:

1. Endorses the submission to the Chief Executive Officer of the Department for Housing and Urban Development on the Festival Plaza Code Amendment as contained in Attachment A of Item 7.3 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 5 November 2024.
2. Authorises the Chief Executive Officer, or delegate, to make minor technical or typographical amendments to the submission on the Festival Plaza Code Amendment as contained in Attachment A of Item 7.3 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 5 November 2024 for the purposes of finalising and lodging the submission.

Discussion ensued

The motion was then put and carried unanimously

Councillor Martin re-entered the Council Chamber at 6.32 pm.

13.4 Recommendation 4 - Item 7.4 - Adult Entertainment Premises Code Amendment for Endorsement

It was then –

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

THAT COUNCIL:

1. Endorses the amendments to the Planning and Design Code for the Adult Entertainment Premises Code Amendment as contained in Attachment A to Item 7.4 on the Agenda for the meeting of City Planning, Development and Business Affairs Committee held on 5 November 2024.
2. Endorses the Adult Entertainment Premises Code Amendment Engagement Report as contained in Attachment B to Item 7.4 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 5 November 2024.
3. Authorises the Chief Executive Officer, or delegate, to make minor typographical, syntactical and technical amendments to the documents as contained in Attachment A and Attachment B to Item 7.4 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 5 November 2024 for the purpose of seeking approval from the Minister for Planning.

13.5 Recommendation 5 - Item 7.5 - Draft Social Infrastructure (Assets) Policy for Public Consultation

THAT COUNCIL:

1. Endorses the draft City of Adelaide Social Infrastructure (Assets) Policy as contained in Attachment A to Item 7.5 on the Agenda for the City Planning, Development and Business Affairs Committee held on 5 November 2024, for the purposes of public consultation.
2. Endorses the draft City of Adelaide Social Infrastructure (Assets) Policy, Engagement Plan as contained in Attachment B to Item 7.5 on the Agenda for the City Planning, Development and Business Affairs Committee held on 5 November 2024.
3. Authorises the Chief Executive Officer, or delegate, to make minor, typographical or syntactical updates to Attachment A and Attachment B as contained in Item 7.5, on the Agenda for the City Planning, Development and Business Affairs Committee on 5 November 2024 for the purposes of finalising the documents for public consultation.

13.6 Recommendation 6 - Item 7.6 - City Safety Compliance and Enforcement PolicyTHAT COUNCIL:

1. Endorses the City Safety Compliance and Enforcement Policy, as Attachment A to Item 7.6 on the Agenda for the meeting of Council held on 5 November 2024.
2. Approves the amendments to the Order Making Policy, as Attachment B to Item 7.6 on the Agenda for the meeting of Council held on 5 November 2024.
3. Approves the rescinding of the Environmental Health Management Policy 2020.
4. Notes the City Safety Compliance and Enforcement Guideline as Attachment C to Item 7.6 on the Agenda for the meeting of Council held on 5 November 2024.

Carried

13.7 Recommendation 7 - Item 7.7 - Catalyst Site Policy Review Framework and Principles

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

That Item 7.7 - Catalyst Site Policy Review Framework and Principles, be deferred to a workshop at the next meeting of the City Planning, Development and Business Affairs Committee.

Discussion ensued, during which Councillor Davis left the Council Chamber at 6.38 pm and re-entered at 6.40 pm.

Undertaking – Catalyst Site Policy Review Framework and Principles – City Plan

In response to a query from Councillor Davis, an undertaking was given to include in the workshop, how the Catalyst Site Policy Review Framework and Principles impact the City Plan, including overlays.

The motion was then put and carried

14 Reports for Council (Chief Executive Officer's Reports)**14.1 Appointment of Deputy Lord Mayor**

Discussion ensued

Deputy Lord Mayor, Councillor Snape declared a material conflict of interest in Item 14.1 [Appointment of Deputy Lord Mayor], pursuant to Section 75 of the *Local Government Act 1999* (SA) as he is current Deputy Lord Mayor, withdrew his Chair and left the Council Chamber at 6.43 pm.

It was then –

Moved by Councillor Martin,
Seconded by Councillor Giles -

THAT COUNCIL

1. Approves Councillor Snape continuing in the role of Deputy Lord Mayor until 31 January 2025.

Discussion continued

Amendment –

Moved by Councillor Couros,
Seconded by Councillor Abrahamzadeh -

That the motion be amended to read as follows:

'THAT COUNCIL

1. Approves Councillor Snape continuing in the role of Deputy Lord Mayor until 12 January 2025.'

Carried

The motion was then put and carried, as amended

Deputy Lord Mayor, Councillor Snape re-entered the Council Chamber at 6.49 pm.

The Lord Mayor then called for nominations to the position of Deputy Lord Mayor.

Councillor Abrahamzadeh nominated Councillor Elliott, who accepted the nomination.

Deputy Lord Mayor, Councillor Snape nominated Councillor Noon, who accepted the nomination.

There being two nominations for one position, a ballot was conducted resulting in Councillor Elliott being the successful nominee.

Councillor Elliott declared a material conflict of interest in Item 14.1 [Appointment of Deputy Lord Mayor], pursuant to Section 75 of the *Local Government Act 1999* (SA) as the nominee to a position with remuneration, withdrew his Chair and left the Council Chamber at 6.54 pm.

It was then –

Moved by Councillor Abrahamzadeh,
Seconded by Councillor Siebentritt –

THAT COUNCIL

1. Notes that Council has resolved to create the position of Deputy Lord Mayor for the 2022-2026 Council Term.
2. Appoints Councillor Elliott to the position of Deputy Lord Mayor for the period commencing 13 January 2025 and concluding on 31 December 2025.

Carried

Councillor Elliott re-entered the Council Chamber at 6.54 pm.

14.2 Appointment of Council Members to the Council Assessment Panel

Moved by Councillor Abrahamzadeh,
Seconded by Councillor Hou -

THAT COUNCIL

1. Approves the appointment of a Council Member to the City of Adelaide Council Assessment Panel until 31 December 2025.
2. Approves the appointment of a deputy Council Member to the City of Adelaide Council Assessment Panel until 31 December 2025.

Carried

The Lord Mayor then called for nominations to the position of Council Member to the City of Adelaide Council Assessment Panel until 31 December 2025.

Councillor Martin nominated Deputy Lord Mayor, Councillor Snape, who accepted the nomination.

Councillor Elliott nominated Councillor Abrahamzadeh, who accepted the nomination.

There being two nominees for one position, a ballot was conducted resulting in Councillor Abrahamzadeh being the successful nominee.

Councillor Abrahamzadeh declared a material conflict of interest in Item 14.2 [Appointment of Council Members to the Council Assessment Panel], pursuant to Section 75 of the *Local Government Act 1999* (SA) as the nominee to a position with remuneration, withdrew his Chair and left the Council Chamber at 7.00 pm.

It was then –

Moved by Councillor Hou,
Seconded by Councillor Couros -

THAT COUNCIL

1. Appoints Councillor Abrahamzadeh as a member of the Council Assessment Panel for the period commencing 1 January 2025 and ending 31 December 2025.

Carried

Councillor Abrahamzadeh re-entered the Council Chamber at 7.00 pm.

The Lord Mayor then called for nominations to the position of Deputy Council Member to the City of Adelaide Council Assessment Panel until 31 December 2025.

Councillor Hou nominated Councillor Couros, who accepted the nomination.

Deputy Lord Mayor, Councillor Snape nominated Councillor Noon, who accepted the nomination.

There being two nominees for one position, a ballot was conducted resulting in Councillor Noon being the successful nominee.

Councillor Noon declared a material conflict of interest in Item 14.2 [Appointment of Council Members to the Council Assessment Panel], pursuant to Section 75 of the *Local Government Act 1999* (SA) as the nominee to a position with remuneration, withdrew her Chair and left the Council Chamber at 7.04 pm.

It was then –

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

THAT COUNCIL

1. Appoints Councillor Noon as a deputy member of the Council Assessment Panel for the period commencing 1 January 2025 and ending 31 December 2025.

Carried

Councillor Noon re-entered the Council Chamber at 7.05 pm.

15 Lord Mayor's Reports

The Lord Mayor addressed the meeting on the following:

- Citizenship Ceremony
- Grattan Street Paniyiri
- Made in SA Shorts Gala
- Civic Receptions - 50th anniversary of Bike Adelaide, the 30th anniversary of the Helpmann Academy and a welcoming event for the Australasian Engineering Heritage Conference
- Christmas Pageant
- Remembrance Day service on North Terrace
- City of Adelaide's win at the Australian Institute of Landscape Architects National Landscape Architecture Award for the Place of Reflection project.
- Lighting of the Christmas Tree in Victoria Square

It was then –

Moved by Councillor Noon,
Seconded by Councillor Siebentritt –

That the report be received and noted.

Carried

16 Councillors' Reports

Councillor Noon addressed the meeting on her attendance at the Australian of the Year Awards, Adelaide Film Festival closing night and the Christmas Pageant.

Councillor Siebentritt addressed the meeting on his attendance at the Communication, Language and Culture Network and the West End Association.

Councillor Elliott addressed the meeting on his attendance at the Pride March, Feast Picnic in the Park and the 50th Anniversary of Bike Adelaide.

Councillor Davis addressed the meeting on the attendance at the next meeting, of Emilia Sterjova, the youngest Mayor in Australia's history, when she was elected Mayor of Whittlesea.

During the discussion,

- Councillor Couros left the Council Chamber at 7.09 pm and re-entered at 7.11 pm.
- Councillor Siebentritt left the Council Chamber at 7.14 pm and re-entered at 7.15 pm.

It was then -

Moved by Councillor Abrahamzadeh,
Seconded by Councillor Elliott –

That the reports be received and noted.

Carried

17 Motions on Notice

17.1 Councillor Martin - MoN - Redundant Policies and Strategies

The motion was withdrawn and will be considered at the next meeting of Council.

18 Motions without Notice

Nil

Councillor Couros sought leave of the meeting to provide the following personal explanation:

'I Mary Couros advise Council that I accept that I had a general conflict of interest at the Council meetings on:

24 October 2023 regarding Items 17.1 and 17.3; and

14 November 2023 regarding Item 17.2.

I apologise for failing to identify the conflicts and to manage them in accordance with section 75B(1) of the Local Government Act.

I request that this advice and apology be included in the minutes of this council meeting.

Thank you.'

19 Questions on Notice

19.1 Councillor Martin - QoN - Adelaide Aquatic Centre

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

The reply for Item 19.1, is attached for reference at the end of the Minutes of the meeting.

20 Questions without Notice

Undertaking – Traffic Assessment – Adelaide Aquatic Centre

In response to a query from Councillor Martin, an undertaking was given to provide Council Members with a copy of the traffic assessment that has been completed for the new Adelaide Aquatic Centre.

21 Exclusion of the Public

Moved by Councillor Siebentritt,
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) (m), (b) & (d) and section 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 12 November 2024 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 22 [Confidential Recommendations of the City Planning, Development and Business Affairs Committee – 5 November 2024] listed on the Agenda in a meeting open to the public would on balance be contrary to the public interest.

Grounds and Basis

Recommendation 1

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, particularly due to the potentially sensitive nature of the draft Code Amendment

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

Recommendation 2

This Item contains certain information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting business, prejudice the commercial position of the council and prejudice the commercial position of the person who supplied the information and confer a commercial advantage to a third party.

More specifically, the disclosure of certain information in this report could reasonably prejudice the commercial position of the council including its future commercial dealings given that it contains financial information and further direction with regard to Council's assets and strategic holdings.

Public Interest

Recommendation 1

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 will release the draft Code Amendment prior to Council endorsement of the policy approach and public engagement plan.

Recommendation 2

The Committee is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances given that the information in this report, including certain financial information and further direction, may prejudice its future commercial dealings with regard to its assets and strategic holdings. On this basis, the disclosure of 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 12 November 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 Recommendations of the City Planning, Development and Business Affairs Committee – 5 November 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), (b) & (d) of the Act.

Carried

It was then –

Moved by Councillor Elliott,
Seconded by Councillor Abrahamzadeh –

ORDER TO EXCLUDE FOR ITEM 23.1

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 12 November 2024 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 23.1 [Adelaide Central Market Authority Appointment of Board Members] 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 nominees.

Public discussion and disclosure of information in this report prior to a resolution being determined by Council may potentially implicate the nominees' reputations 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 12 November 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 [Adelaide Central Market Authority Appointment of Board Members] 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 Items 22 and 23 left the Council Chamber at 7.18 pm.

- 22 Confidential Recommendations of the City Planning, Development and Business Affairs Committee – 5 November 2024 [S90(3) (b), (d), (m)]**
- 22 Recommendation 1 - Item 10.1 - Proposal to Initiate Waste Code Amendment [S90(3) (m)]**
- 22 Recommendation 2 - Item 10.2 - City of Adelaide Property Strategy [S90(3) (b), (d)]**
- 23 Confidential Reports for Council (Chief Executive Officer's Reports)**
- 23.1 Adelaide Central Market Authority Appointment of Board Members [S90(3) (a)]**

The meeting reopened to the public at 7.19 pm.

Item 22 – Recommendation 1 - Proposal to Initiate Waste Code Amendment

Resolution and Confidentiality Order

THAT COUNCIL:

1. Endorses the Proposal to Initiate an Amendment to the Planning and Design Code for a Waste Management Code Amendment by the City of Adelaide as contained in Attachment A to Item 10.1 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 5 November 2024.
2. Authorises the Chief Executive Officer, or delegate, to make minor and technical amendments to Attachment A to Item 10.1 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 5 November 2023 for the purposes of finalising the document and seeking agreement with the Minister for Planning in relation to initiating the Code Amendment.
3. Authorises that, in accordance with Section 91(7) and (9) of the *Local Government Act 1999 (SA)* and because Item 22 [Recommendation 1 - Proposal to Initiate Waste Code Amendment] on the Agenda for the meeting of the Council held on 12 November 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:
 - 3.1. The resolution becomes public information and is included in the Minutes of the Council meeting.
 - 3.2. 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 2025.
 - 3.3. The confidentiality of the matter be reviewed in December 2025.
 - 3.4. 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.

Item 22 – Recommendation 2 - City of Adelaide Property Strategy

Confidentiality Order

In accordance with Section 91(7) & (9) of the *Local Government Act 1999 (SA)* and on the grounds that Item 22 [Recommendation 2 - City of Adelaide Property Strategy] listed on the Agenda for the meeting of the Council held on 12 November 2024 was received, discussed and considered in confidence pursuant to Section 90 (3) (b) & (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 2031.
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.

Item 23.1 – Adelaide Central Market Authority Appointment of Board Members

Confidentiality Order

In accordance with Section 97(7) & (9) of the *Local Government Act 1999 (SA)* and because Item 23.1 [Adelaide Central Market Authority Appointment of Board Members] listed on the agenda for the meeting of the Council held on 12 November 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 31 December 2024.

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 containing the Item for which the confidentiality order has been revoked.

Closure

The meeting closed at 7.19 pm

Dr Lomax-Smith
Lord Mayor

Documents Attached:

Item 19.1 – Question on Notice Reply – Distributed Separately

Councillor Martin - QoN - Adelaide Aquatic Centre

Tuesday, 12 November 2024
Council

Council Member
Councillor Phillip Martin

Public

Contact Officer:
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QUESTION ON NOTICE

Councillor Phillip Martin will ask the following Question on Notice:

Noting that work is progressing on the new Adelaide Aquatic Centre with a view to the opening the facility in about 15 months, could the Administration advise;

1. What is the status of traffic planning to ensure the safety and management of all vehicles, cyclists and pedestrians in and around the site
2. What is the planned site capacity for car and cycle parking and how does that compare to the previous arrangements
3. Has the State Government indicated if it will impose car parking charges and/or time limits, and
4. Which nearby streets in North Adelaide are expected to most impacted by higher onstreet parking demand and has it been determined how that can that be managed without adversely impacting on business, residents and their customers/visitors?

REPLY

Current status of traffic planning

1. The State Government through the Department for Infrastructure and Transport (DIT) and its project team have an approved traffic management plan in place. These are supported through City Works Permits (CWPs).
2. The CoA maintains ongoing communication with the State Government Project Team, raising concerns and ensuring appropriate action is taken when necessary. CoA site visits are undertaken to ensure compliance with the CWPs and traffic management standards, with inspections occurring weekly or as needed.

Planned site capacity for car and cycle parking

3. On 20 June 2023, the Department for Infrastructure and Transport (DIT) presented an 'Adelaide Aquatic Centre Development' update to the City Finance and Governance Committee, which was received by Council at its meeting on 27 June 2023.

4. The presentation included the following key metrics for car parking:

Key Metrics	Original Centre	New Centre
Car Park Area	8,600 sqm (266 car parks)	12,500 sqm (375 car parks)

- 5. The Department for Infrastructure and Transport (DIT) has confirmed that it will deliver 375 car parking spaces to accommodate visitors to the new Centre. This remains in line with their initial proposal and planning consents provided through the State Commission Assessment Panel (SCAP).
- 6. It should be noted that within the 375 spaces, there is provision for 6 electric vehicle charging points.
- 7. Access to the car park will remain via Jeffcott Road.

No proposed car parking charges and/or time limits

- 8. The State Government has not indicated that parking charges or time limits will be imposed.
- 9. The Park Lands Lease Agreement which is currently being negotiated with the State Government, contains a Park Lands Lease Agreement clause, which states that the Lessee must not impose any restrictions or limits (including charging any fees or time-related fines) in relation to the parking of vehicles on that portion of the Leased Area identified on the Plan to be set aside for parking, without the consent of Council.

Management of any higher on-street parking demand in North Adelaide

- 10. The State Government’s Code Amendment for the Adelaide Aquatic Centre amended car parking provisions in the Adelaide Park Lands Zone and the Aquatic Centre Subzone of the Planning and Design Code. The amendments place less emphasis on using on street parking, as follows:
 - 10.1. *Provide adequate on-site car parking taking into account the availability of on-street parking, public transport access, walking and cycling connections, and the availability of shared parking arrangements.*
 - 10.2. *Minimise the extent and impact of car parking on the Adelaide Park Lands through landscaping and other design strategies.*
- 11. The previous Adelaide Aquatic Centre did rely on some on-street parking along Barton Terrace West and Jeffcott Street.
- 12. DIT has completed a traffic assessment for the new Adelaide Aquatic Centre.

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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