



CITY PLANNING, DEVELOPMENT AND BUSINESS AFFAIRS COMMITTEE

Minutes

for the meeting on

Tuesday, 4 February 2025

in the Colonel Light Room, Adelaide Town Hall

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Our Adelaide.
Bold.
Aspirational.
Innovative.

Present – The Right Honourable the Lord Mayor, Dr Jane Lomax-Smith
Councillor Noon (Chair)
Councillor Martin (Deputy Chair)
Deputy Lord Mayor, Councillor Elliott and Councillors Abrahamzadeh, Couros, Davis, Giles,
Hou, Li and Dr Siebentritt

1 Acknowledgement of Country

Councillor Abrahamzadeh entered the Colonel Light Room at 7.18 pm.

The Chair 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 Apologies and Leave of Absence

Apology:

Councillor Snape

3 Confirmation of Minutes - 5/11/2024

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

That the Minutes of the meeting of the City Planning, Development and Business Affairs held on 5 November 2024, be taken as read and be confirmed as an accurate record of proceedings.

Carried

4 Declaration of Conflict of Interest

Councillor Martin declared a material conflict of interest in Item 7.4 [Community Land Management Plan Adelaide Central Market Amendment], pursuant to Section 75 of the *Local Government Act 1999* (SA), due to his position on the Adelaide Central Market Authority Board, and that he would leave the room during the Item.

Councillor Abrahamzadeh declared a general conflict of interest in Item 7.3 [Draft Light Square / Wauwi Master Plan Phase 2 Consultation Summary], pursuant to Section 75 of the *Local Government Act 1999* (SA), because his employer provided feedback on the consultation, but that he would stay in the room, participate in the discussion and vote on the matter.

5 Deputations

Mr Elbert Brooks addressed the meeting on Item 6.1 - Catalyst Site Policy Review Code Amendment.

The Chair thanked Mr Brooks for his deputation.

It was then –

Moved by Councillor Martin,
Seconded by Lord Mayor –

That Mr Brooks’ deputation be included in the minutes.

Carried

The deputation can be found, for information, at the conclusion of the minutes.

6 Workshops

6.1 Catalyst Site Policy Review Code Amendment

Discussion Facilitators:

Ilia Houridis, Director City Shaping
Sarah Gilmour, Associate Director Park Lands, Policy and Sustainability
Colleen McDonnell, Manager City Planning and Heritage

Precis of Topic:

To seek Council Members' feedback to finalise principles for collaboration with the State Government on a review of catalyst site policies.

During the discussion:

- Councillor Giles left the Colonel Light Room at 7.45 pm and re-entered at 7.50 pm.
- Lord Mayor left the Colonel Light Room at 7.54 pm and re-entered at 7.55 pm.
- Deputy Lord Mayor, Councillor Elliott left the Colonel Light Room at 8.01 pm and re-entered at 8.03 pm.

7 Reports for Recommendation to Council

7.1 Built Heritage Management Policy Review for Approval

Discussion ensued, during which Councillor Couros left the Colonel Light Room at 8.13 pm.

It was then –

Moved by Lord Mayor,
Seconded by Councillor Davis -

THAT THE CITY PLANNING, DEVELOPMENT AND BUSINESS AFFAIRS COMMITTEE RECOMMENDS TO COUNCIL

THAT COUNCIL

1. Notes the expanded scope of the Built Heritage Management Policy to cover the conservation and promotion of built heritage places, adaptive reuse, historic streetscapes, historic areas, archaeology, designed landscapes and public realm elements of Adelaide, North Adelaide and the Adelaide Park Lands.
2. Adopts the Built Heritage Management Policy 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 4 February 2025, to replace the Built Heritage Management Policy, dated 8 November 2016, North Adelaide Public Realm Policy and North Adelaide Public Realm Operating Guidelines.
3. Notes the Built Heritage Management (Public Realm) Operating Guidelines as contained in Attachment B to Item 7.1 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 4 February 2025 to be finalised by the Chief Executive Officer.
4. 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 7.1 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 4 February 2025, for the purposes of finalising the documents.

Discussion continued, during which Councillor Couros re-entered the Colonel Light Room at 8.17 pm.

Undertaking – Built Heritage Management Policy Review for Approval

In response to queries from Councillor Martin, an undertaking was given to include preservation and protection of vistas, that has been removed from Community Land Management Plans, in the appropriate policies and/or guidelines.

The motion was then put and carried unanimously

The Chair sought leave of the meeting to continue the meeting past 8.30 pm.

Leave was granted

7.2 Submission to the Accommodation Diversity Code Amendment consultation

Discussion ensued

Undertaking - Submission to the Accommodation Diversity Code Amendment consultation

In response to feedback from Council Members, an undertaking was given to amend the submission letter, to include the examples Members had suggested which required stronger wording and that the revised letter would be available at or before the Council meeting.

It was then –

Moved by Councillor Abrahamzadeh,
Seconded by Councillor Siebentritt -

THAT THE CITY PLANNING, DEVELOPMENT AND BUSINESS AFFAIRS COMMITTEE RECOMMENDS TO COUNCIL

THAT COUNCIL

1. Endorses the submission to the State Planning Commission on the Accommodation Diversity Code Amendment consultation 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 4 February 2025.
2. Authorises the Chief Executive Officer, or delegate, to make minor technical or typographical amendments to the submission on the Accommodation Diversity Code Amendment consultation 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 4 February 2025 for the purposes of finalising and lodging the submission.

Discussion continued

The motion was then put and carried

7.3 Draft Light Square / Wauwi Master Plan Phase 2 Consultation Summary

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

THAT THE CITY PLANNING, DEVELOPMENT AND BUSINESS AFFAIRS COMMITTEE RECOMMENDS TO COUNCIL

THAT COUNCIL

1. Notes the outcomes of phase 2 consultation on 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 4 February 2025.
2. Notes the high level of stakeholder support for draft Option 1 in 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 4 February 2025.

Discussion ensued

The motion was then put and carried unanimously

7.4 Community Land Management Plan Adelaide Central Market Amendment

Having declared a material conflict of interest in the matter, Councillor Martin left the Colonel Light Room at 8.39 pm.

It was then –

Moved by Councillor Siebentritt,
Seconded by Lord Mayor -

THAT THE CITY PLANNING, DEVELOPMENT AND BUSINESS AFFAIRS COMMITTEE RECOMMENDS TO COUNCIL

THAT COUNCIL

1. Authorises the Administration to proceed with public consultation on the amended Community Land Management Plan for the Adelaide Central Market, which is contained within Attachment A to Item 7.4 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee

held on 4 February 2025.

2. Notes the content of the proposed consultation pack, which is contained within Attachment B to Item 7.4 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 4 February 2025.
3. Notes that the Council will review the results, including the submissions received, from the public consultation process at a future meeting to determine its position on the amended Community Land Management Plan.

Carried

Councillor Martin re-entered the Colonel Light Room and Councillor Couros left the meeting at 8.41 pm.

7.5 Rescission of the Liquor Licensing Policy

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

THAT THE CITY PLANNING, DEVELOPMENT AND BUSINESS AFFAIRS COMMITTEE RECOMMENDS TO COUNCIL

THAT COUNCIL

1. Approves the rescission of the Liquor Licensing Policy dated 12 November 2013.
2. Approves the rescission of the Liquor Licensing Operating Guidelines 2013.
3. Notes the updated Development Information Guide for Licensed Premises and Liquor Licences as contained in Attachment A to Item 7.5 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 4 February 2025 to be finalised by the Chief Executive Officer or delegate.

Discussion ensued, during which Lord Mayor left the Colonel Light Room at 8.43 pm and re-entered at 8.44 pm.

The motion was then put and carried unanimously

8 Reports for Noting

Nil

Closure

The meeting closed at 8.45 pm

Councillor Noon

City Planning, Development and Business Affairs Committee Chair

Documents Attached:

Item 5 - Deputation – Elbert Brooks

Minute Item 5

City Planning Development and Business Affairs Committee, Tues. 4 Feb 2025, 7pm
Agenda Item 6.1 Catalyst Site Policy Review Framework and Principles – Workshop

Deputation: The North Adelaide Society Inc, Elbert Brooks, Chairperson

Thank you for the opportunity to make a deputation to the Committee about Item 6.1.
I will address the two key questions stated in the agenda.

Key Qn 1 Principles for collaborating with the State Government on a review of
catalyst site policy

We say:

Agreement: There is rude agreement that the current “catalyst site” policies and
criteria are not fit for purpose and warrant review.

- Council does not support catalyst site policies within residential localities and
adjacent main street/s. - Resolution 31/1/2023
- Community does not support catalyst site policies.
- Community survey summary in CoA submission p49 to expert panel
- Council’s submission to the Expert Panel reflects the 31 Jan. resolution and that
stronger design quality and transition policy is required. - Submission pages 14 & 52
- Expert Panel does not support current catalyst site policies.
- Recommendation 23 at Report page 85
- Government does not support current catalyst site policies.
- Response to expert panel report, March 2024.

Consistency: There is consistency between Council’s resolution of 31 January 2023;
the rationale of the Expert Panel for its Recommendation 23 (report page 85); and the
Government’s response.

Approach: The issue is the approach to be taken by Council. The State
Government has already agreed to the review by the State Planning Commission. The
Government requires the SPC to do so in collaboration with the CoA. We note the
Administration’s efforts to get the ball rolling.

We say the Council’s approach to the review recommended by the Expert Panel can
simply be based on 3 key sources:

First and foremost, it should accord with Council’s 31 Jan. 2023 resolution
*“in so far as catalyst sites are concerned ... Council’s view [is that] they should
not be permitted within or adjacent to residential areas, including from main
streets or business zones within the wider residential locality”*

Second, it should be consistent with Council’s submission to the Expert Panel,
which included the 31 January resolution and that policy improvements *“are
needed to address community concerns so that new development is designed
to reflect its context [and that] current catalyst site policies are insufficient to
manage the transition in height and scale of development across the city.”*

Third, it should adopt the Expert Panel’s expressly stated views and considerations
about its Recommendation 23 (i.e., Report p. 85, March 2023). That includes
design parameters, community participation, certainty, and appeal rights.

Briefly (from p. 85):

- *current policies applying to catalyst sites in the Code are more representative of strategic sites*
- *the requisite site size is not so large as to make it 'catalytic'*
- *minimum size of catalyst sites needs to be dramatically increased ... ensure the policy applies only to those truly catalytic sites*
- *Size ... [to be considered in the] review*
- *opportunity [for] additional criteria*
- *include, but is not limited to, considering the merits of:*
 - > *additional policy through both planning and non-planning mechanisms to encourage the creation of catalyst sites;*
 - > *additional design parameters to ensure ... satisfactorily transition into the urban landscape;*
 - > *bringing the community into the conversation*
 - > *giving both the applicant and community certainty;*
 - > *guidance material and*
 - > *appeal rights.*

Comments: Agenda PowerPoint

Refers to "CBD"

- It does not delineate the "CBD" in the adjacent graphic.
- It has previously been clear in City of Adelaide development plans that had "Capital City Zone" & "Central Business Policy Area".
- The City Square Mile is not the CBD; there should be no misapprehension.
- Similarly, local main streets within residential localities are not the CBD.

Refers to "City Plan"

- That is a policy and strategic policy document of the CoA. It is not a planning policy document for the purposes of the PDI Act. There is no need to expressly refer to it because the Expert Panel does not preclude considering consistent matters.

Refers to "maximum height"

- It is a vexed phrase. If one asks when a "maximum" is not a maximum; the answer is when it is in the planning and design code.
- The ordinary meaning of "maximum" is the largest amount, quantity, value, or number allowed or possible. But planning does not use the ordinary meaning. Example: Catalyst site policies for Melbourne Street West state a building height limit of 6 storeys instead of the lower limits in the zone. That is how the Administration reads the prescription (see p.374, Cttee Agenda, 5/11/24). We agree that is what is written. But SCAP approved an application that obviously exceeds 6 storeys.
- We say it is fundamental that planning prescriptions and policies provide clarity and certainty and have express quantitative limits, and we support the Expert Panel's view for there to be appeal rights.

Key Qn 2: What are Council Members' views on a new Overlay as an option to investigate in collaboration with the State Government?

We say:

This is a consequential technical implementation matter.

It will depend on the content and proposals arising from the review and consideration of options about how the review outcome is implemented.

We cannot at this time make a useful comment about that.

We realise the Minister has all the power when it comes to determining the outcome. But we note the Government's pre-election policy included:

- *planning needs community voices*
- *without strong planning laws in place, we risk losing the character of our streets and neighbourhoods, and*
- *we must not compromise on the liveability of our city.*

We welcome implementation of that approach.

Council should have that in mind in its approach to this review.

We say the framework and principles for the Council's approach should be based on:

1. Council's 31 January 2023 resolution
2. Council's submission to the Expert Panel
3. Expert Panel's consideration at page 85 of its report.

Thank you for the opportunity to speak and for your indulgence.