



COUNCIL

Agenda and Reports

for the meeting on

Tuesday, 24 June 2025

at 6.45 pm

in the Council Chamber, Adelaide Town Hall

© 2025 City of Adelaide. All Rights Reserved.

Our Adelaide.
Bold.
Aspirational.
Innovative.

Members: The Right Honourable the Lord Mayor, Dr Jane Lomax-Smith (Presiding)
 Deputy Lord Mayor, Councillor Martin
 Councillors Abrahamzadeh, Couros, Davis, Giles, Martin, Dr Siebentritt and Snape

Agenda

Item	Pages
1. Acknowledgement of Country The Lord Mayor will state: ‘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 will state: ‘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 will state: ‘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 will state: ‘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 will ask all present to 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 - 10/6/2025 That the Minutes of the meeting of the Council held on 10 June 2025, be taken as read and be confirmed as an accurate record of proceedings. View public 10 June 2025 Minutes.	
8. Declaration of Conflict of Interest	

9. **Deputations**
Granted at time of Agenda Publication – 20/6/2025
Nil
10. **Petitions**
Nil
Recommendation/Advice from Committee/s
11. **Advice of the Audit and Risk Committee – 13 June 2025** 4 - 6
12. **Recommendations of the Reconvened Finance and Governance Committee - 24 June 2025**
To be tabled at the meeting
13. **Recommendations of the Infrastructure and Public Works Committee - 24 June 2025**
To be tabled at the meeting
14. **Reports for Council (Chief Executive Officer's Reports)**
14.1 Adoption of valuations and declaration of rates 7 - 12
15. **Lord Mayor's Reports**
16. **Councillors' Reports**
16.1 Reports from Council Members 13 - 15
17. **Motions on Notice**
17.1 Councillor Couros - MoN - Reinstatement of Parklet for Jack and Jill's Restaurant and Bar and Review of Parklet Fees 16 - 18
18. **Motions without Notice**
19. **Questions on Notice**
19.1 Councillor Davis - QoN - Trade Union Event 19
20. **Questions without Notice**
21. **Exclusion of the Public** 20 - 23
In accordance with sections 90(2),(3) and (7) of the *Local Government Act 1999 (SA)* Council will consider whether to discuss in confidence the reports contained within sections 22 and 23 of this Agenda.
Confidential Recommendation/Advice from Committee/s
22. Confidential Recommendation of the Reconvened City Finance and Governance Committee - 10 June 2025 [s 90(3) (a)] 24 - 26
23. Confidential Recommendation of the Reconvened City Finance and Governance Committee - 24 June 2025 [s 90(3) [(b), (d)]
To be tabled at the meeting
24. **Closure**

Advice of the Audit and Risk Committee
Report – 13 June 2025

Tuesday, 24 June 2025
Council

Strategic Alignment - Our Corporation

Program Contact:
Rebecca Hayes, Associate
Director Governance & Strategy

Public

Approving Officer:
Anthony Spartalis, Chief
Operating Officer

EXECUTIVE SUMMARY

The Audit and Risk Committee’s role is to report to Council and provide appropriate advice and recommendations on matters relevant to its Terms of Reference. The Committee acts to facilitate informed decision making in relation to the discharge of Council’s legislative responsibilities and duties.

The Audit and Risk Committee is required to report to Council after every meeting.

This report presents the outcomes of the Audit and Risk Committee meeting of 13 June 2025 ([Link 1](#)).

RECOMMENDATION	
<u>THAT COUNCIL</u>	
1.	Notes that the Audit and Risk Committee met on 13 June 2025.

DISCUSSION

1. The Audit and Risk Committee met on Friday 13 June 2025 and considered the following items:
 - 1.1. Site Contamination Internal Audit
 - 1.2. Interim Report on the 2025 External Audit
 - 1.3. Internal Audit Plan Update
 - 1.4. CONFIDENTIAL – Payment Card Industry (PCI) Compliance Review [S90(3) (e)]
 - 1.5. CONFIDENTIAL - Appointment of Internal Auditor [S90(3) (k)]
2. The public component of the Agenda with reports for the meeting can be viewed at [Link 1](#).
3. No matters were referred to Committee or Council for decision.

Resolutions of the Committee

4. Item 6.1 - Site Contamination Internal Audit

THAT THE AUDIT AND RISK COMMITTEE

1. Notes the Site Contamination Internal Audit report as contained in Attachment A to Item 6.1 on the Agenda for the meeting of the Audit and Risk Committee held on 13 June 2025.
2. Endorses the responses of the Administration to the Site Contamination Internal Audit report as contained in Attachment A to Item 6.1 on the Agenda for the meeting of the Audit and Risk Committee held on 13 June 2025.

5. Item 6.2 - Interim Report on the 2025 External Audit

THAT THE AUDIT AND RISK COMMITTEE

1. Notes the Interim Report on the 2025 External Audit as contained in Attachment A to Item 6.2 on the Agenda for the meeting of the Audit and Risk Committee held on 13 June 2025.

6. Item 6.3 - Internal Audit Plan Update

THAT THE AUDIT AND RISK COMMITTEE

1. Approves the deferral of the IT Governance Framework and On-Street Parking internal audits as outlined in Item 6.3 on the Agenda for the meeting of the Audit and Risk Committee held on 13 June 2025.
2. Notes the progress of the completion of Internal Audit Actions as outlined in Item 6.3 on the Agenda for the meeting of the Audit and Risk Committee held on 13 June 2025.

7. CONFIDENTIAL – Payment Card Industry Compliance Review

THAT THE AUDIT AND RISK COMMITTEE

1. Notes the Payment Card Industry Data Security Standard, Self-Assessment Questionnaire D for Merchants and Attestation of Compliance report provided as contained in **Attachment A** to Item 11.1 on the Agenda for the meeting of the Audit and Risk Committee held on 13 June 2025.
2. In accordance with Section 91 (7) & (9) of the *Local Government Act 1999* (SA) and on the grounds that Item 11.1 (CONFIDENTIAL – Payment Card Industry (PCI) Compliance Review) listed on the Agenda for the meeting of the Audit and Risk Committee held on 13 June 2025 was received, discussed and considered in confidence pursuant to Section 90 (3) (e) of the *Local Government Act 1999* (SA), this meeting of the Audit and risk Committee, do order that:
 - 2.1 The report, Attachment A and discussion of the meeting in relation to the matter remain confidential and not available for public inspection until 31 December 2026.
 - 2.2 The confidentiality of the matter be reviewed in December 2025.
 - 2.3 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.

8. Item 11.2 CONFIDENTIAL – Appointment of Internal Auditor

THAT THE AUDIT AND RISK COMMITTEE

1. Receives and notes the report.
2. In accordance with Section 91 (7) & (9) of the *Local Government Act 1999* (SA) and on the grounds that Item 11.2 listed on the Agenda for the meeting of the Audit and Risk Committee held on 13 June 2025 was received, discussed and considered in confidence pursuant to Section 90 (3) (k) of the *Local Government Act 1999* (SA), this meeting of the Audit and Risk Committee, do order that: -
 - 2.1. The resolution becomes public information and is included in the Minutes of the meeting.
 - 2.2. 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 31 December 2030.
 - 2.3. The confidentiality of the matter be reviewed in December 2025.
 - 2.4. 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.

DATA AND SUPPORTING INFORMATION

Link 1 - [Agenda for the Audit and Risk Committee on Friday, 13th June, 2025](#)

ATTACHMENTS

Nil

- END OF REPORT -

Adoption of valuations and declaration of rates 2025/26

Tuesday, 24 June 2025
Council

Strategic Alignment - Our Corporation

Program Contact:
Natalie Johnston, Associate
Director Finance & Procurement

Public

Approving Officer:
Anthony Spartalis, Chief
Operating Officer

EXECUTIVE SUMMARY

Council adoption of valuations is required to enable the declaration of rates for 2025/26 in accordance with Section 167 of the Act. The Annual Value comprised within the Assessment Record amounts to a total of \$1,470,175,261 of which \$1,173,692,416 represents the total value of the rateable land within the area of the Council.

It is proposed that Council's rate revenue is generated through differential general rates in the dollar for residential, non-residential and vacant land property, namely \$0.115205 for residential property, \$0.141126 for non-residential property, and \$0.230409 for vacant land

The *Landscape South Australia Act 2019* (SA) imposes the duty on councils to charge a levy as though it were a separate rate under Chapter 10 of the Act, on rateable land in the defined area of the Green Adelaide Board. It is proposed to set a separate rate of \$0.001678 to recover this amount on behalf of the Board.

Council approval of the proposed Rundle Mall differential separate rate of \$0.031792 is required to ensure the marketing and management of the Rundle Mall Precinct can continue during 2025/26, including actions and initiatives to promote Rundle Mall as a destination for shopping and to enhance the vibrancy of the precinct.

The above are required to enable Council to adopt the 2025/26 Annual Business Plan and Budget.

RECOMMENDATION

THAT COUNCIL

Part 1 – Adoption of Valuations

1. Adopts for rating purposes for 2025/26, the valuations of land within the Council's area based on Annual Value, pursuant to Section 167 (2)(b) of the *Local Government Act 1999* (SA) (the Act). The Annual Value comprised within the Assessment Record amount to a total of \$1,470,175,261 of which \$1,173,692,416 represents the total value of the rateable land within the area of the Council.

Part 2 – Declaration of Rates

2. Declares the following differential general rates for the year ending 30 June 2026, to apply to all rateable land within the Council area (having considered and taken into account the general principles of rating outlined in Section 150 of the Act, and in accordance with Section 153 (2) of the Act, issues of consistency and equity across Council areas in the imposition of rates on various sectors of the business and wider community, the Council pursuant to sections 152(1)(a), 153(1)(b) and 156(1)(a) of the Act and Regulation 14 of the *Local Government (General) Regulations 2013*):
 - 2.1. \$0.115205 in the dollar of the \$331,774,116 value for all rateable land with a Category 1 (residential land) use.
 - 2.2. \$0.141126 in the dollar of the \$837,914,150 value for all rateable land use with category 2 (commercial shop), category 3 (commercial office), category 4 (commercial other), category 5 (industry light) and category 6 (industry other), category 7 (primary production), and category 9 (other) land uses

2.3. \$0.230409 in the dollar of the \$4,004,150 value for all rateable land with a Category 8 (vacant land) use.

3. Declares pursuant to Section 69 of the Landscape South Australia Act 2019 and Section 154 of the Act, a separate rate of \$0.001678 in the dollar on the \$1,173,692,416 value of all land within the City of Adelaide, which falls within the Green Adelaide Region, so as to reimburse the Council for the amount contributed or to be contributed by the Council to the Green Adelaide Board.
 4. Declares pursuant to Sections 154 (1), and (2)(a) of the Act, a separate rate of \$0.031792 in the dollar (to be known as the Rundle Mall separate rate) for the period 1 July 2025 to 30 June 2026, on the annual value of all rateable land within the Rundle Mall Precinct (except land within the Rundle Mall Precinct, which has a residential land use) being the area bounded by the:
 - 4.1. Southern alignment of North Terrace between Pulteney and King William Streets.
 - 4.2. Eastern alignment of King William Street between North Terrace and Grenfell Street.
 - 4.3. Northern alignment of Grenfell Street between King William and Pulteney Streets.
 - 4.4. Western alignment of Pulteney Street between Grenfell Street and North Terrace.
 5. Notes that the Rundle Mall differential separate rate will generate approximately \$4.169 million in 2025/26.
 6. Determines pursuant to Section 153 (3) of the Act, that it will not apply a maximum increase on general rates on rateable land that constitutes the principal place of residence of a principal ratepayer, given the rate relief to be provided under Section 166 through a 'Special Discretionary Rate Rebate' in accordance with Council's Rating Policy.
 7. Approves pursuant to the provisions of Section 181 of the Act, all rates and charges which have been imposed for the financial year ending 30 June 2026 will fall due in four equal or approximately equal instalments on the following days or if these days fall on a weekend or public holiday on the next business day: 1 September 2025; 1 December 2025; 2 March 2026; 1 June 2026.
-

IMPLICATIONS AND FINANCIALS

City of Adelaide 2024-2028 Strategic Plan	Strategic Alignment – Our Corporation Effective and compliant rating helps ensure responsible financial management through the principle of intergenerational equity while delivering quality services.
Policy	Rates and Valuations have been prepared in accordance with Council's Rating Policy.
Consultation	Community consultation on the draft 2025/26 Business Plan & Budget commenced at 9.00am on Tuesday 6 May 2025 and concluded on midnight Tuesday 27 May 2025, which reflected the expected revenue to be raised contingent upon valuations and declaration of rates.
Resource	Rate revenue, as Council's revenue source, underpins the 2025/26 Business Plan & Budget, which identifies how Council's resources will be allocated in meeting the 2025/26 deliverables and objectives of the Strategic Plan and other related plans and strategies.
Risk / Legal / Legislative	Sections 151 (3) and 167 (1)-(8) of the Act detail the legislative requirements in relation to Council adopting a valuation. The raising of rates is in-line with Sections 150 and 153 (2) of the Act. Sections 167 (6) and 170 of the Act requires Council to publish the appropriate notices in the Government Gazette and local Newspapers, within 21 days of the adoption of valuations and declaration of rates for 2025/26.
Opportunities	Not as a result of this report
24/25 Budget Allocation	Not as a result of this report
Proposed 25/26 Budget Allocation	Not as a result of this report
Life of Project, Service, Initiative or (Expectancy of) Asset	Not as a result of this report
24/25 Budget Reconsideration (if applicable)	Not as a result of this report
Ongoing Costs (eg maintenance cost)	Not as a result of this report
Other Funding Sources	Not as a result of this report

DISCUSSION

Valuations

1. Council adoption of valuations is required to enable the declaration of rates for 2025/26 in accordance with Section 167 of the Act.
2. Rates revenue provides a significant source of the funding required for Council to achieve its business plan objectives for 2025/26.
3. Adoption of the valuation is prescribed by sections within Chapter 10 of the Act. The following provisions of the Act apply:
 - 3.1. Section 151 (3) - Council may declare rates on the basis of the annual value if the Council declared rates in respect of that land on that basis for the previous financial year.
 - 3.2. Section 167 (1) - Council must not declare a rate for a particular financial year without first adopting the valuations that are to apply to land within its area for rating purposes for that year.
 - 3.3. Section 167 (3) (a) (ii) in relation to the adoption of valuations under subsection (2)(b)—the valuations may be up to five years old.
 - 3.4. Section 167 (6) - Notice of the adoption of valuations must be published in the Gazette within 21 days after the date of the adoption.
4. For the 2025/26 rating year, valuations have been prepared for all properties including new developments, and additions and alterations, by an independent external provider. The valuations for 2025/26 have been prepared based on the 'Annual Assessed Value' methodology.
5. The total of the valuation for 2025/26 is the valuation applying to the land within the area of the Corporation of the City of Adelaide.
6. The total valuation is \$1,470,175,261 and the total annual value of rateable land is \$1,173,692,416. The total annual value for land exempt from council rates is \$296,482,845.

Rates

7. The general principles of rating are contained within Section 150 of the Act. A Council should, when making and adopting policies and determinations concerning rates under this Act, consider the following principles:
 - 7.1. Section 150(a) rates constitute a system of taxation for local government purposes (generally based on the value of land).
 - 7.2. Rating policies should make reasonable provision with respect to strategies to provide relief from rates (where appropriate), and any such strategies should avoid narrow or unreasonably restrictive criteria and should not require ratepayers to meet onerous application requirements.
 - 7.3. The Council should, in making any decision, consider the financial effects of the decision on future generations.
8. Consideration has been given to issues of consistency and equity across Council areas in the imposition of rates on various residential and business sectors, and the wider community, as required in accordance with Section 153 (2) of the Act.
9. Section 156 (1) (a) of the Act allows Council to impose differential rates according to the use of the land as prescribed in Regulation 14 (1) of the *Local Government (General) Regulations 2013* (SA). The categories of land use for the purposes of imposing differential general rates are as follows:
 - 9.1. Residential
 - 9.2. Commercial – Shop
 - 9.3. Commercial – Office
 - 9.4. Commercial – Other
 - 9.5. Industrial – Light
 - 9.6. Industrial – Other
 - 9.7. Primary Production
 - 9.8. Vacant Land
 - 9.9. Other

10. It is proposed that Council's rate revenue is generated through differential general rates in the dollar for residential, non-residential and vacant land property, namely:
 - 10.1. \$0.115205 for residential
 - 10.2. \$0.141126 for non-residential
 - 10.3. \$0.230409 for vacant land
11. Section 181 of the Act enables all rates and charges which have been imposed for the financial year ending 30 June 2026 to fall due in four equal or approximately equal instalments on the following days or if these days fall on a weekend or public holiday on the next business day: 1 September 2025; 1 December 2025; 2 March 2026; 1 June 2026.

Rates – Separate Rates: Landscape Levy and Rundle Mall Levy

12. From 1 July 2020, the *Landscape South Australia Act 2019* (SA) replaced the *Natural Resources Management Act 2004* (SA). The previous Natural Resource Management Levy was replaced with a Landscape Levy commencing from the 2020/21 financial year.
13. The amount to be collected from ratepayers on behalf of the Green Adelaide Board (the Board) in the 2025/26 financial year is \$1,880,673.
14. The *Landscape South Australia Act 2019* (SA) imposes the duty on councils to charge a levy as though it were a separate rate under Chapter 10 of the Act, on rateable land in the defined area of the Board. Such a rate must be fixed and calculated to raise the same amount as the Council's share to be contributed to the Board (considering any rebates/remissions in Division 5, Chapter 10). As such, it is proposed to set a separate rate of \$0.001678 to recover this amount on behalf of the Board.
15. Council approval of the proposed Rundle Mall differential separate rate of \$0.031792 is required to ensure the marketing and management of the Rundle Mall Precinct can continue during 2025/26, including actions and initiatives to promote Rundle Mall as a destination for shopping and to enhance the vibrancy of the precinct.
16. The Rundle Mall Precinct refers to an area bordered by King William Street, North Terrace, Pulteney Street and Grenfell Street, as follows:
 - 16.1. Southern alignment of North Terrace between Pulteney and King William Streets.
 - 16.2. Eastern alignment of King William Street between North Terrace and Grenfell Street.
 - 16.3. Northern alignment of Grenfell Street between King William and Pulteney Streets.
 - 16.4. Western alignment of Pulteney Street between Grenfell Street and North Terrace.
17. The Rundle Mall differential separate rate is contributed by non-residential ratepayers within the defined Rundle Mall Precinct.
18. The Rundle Mall differential separate rate is declared pursuant to Section 154 (1) and (7) of the Act.
19. The Adelaide Economic Development Agency (AEDA), a Council subsidiary, has full responsibility for Rundle Mall management, operations, marketing and business development. Council's Administration provides corporate support, including cleaning, insurance, finance, audit and governance services, with the direct cost of these services reimbursed by AEDA.
20. The Rundle Mall differential separate rate is collected by Council on behalf of AEDA.
21. AEDA has advised its budget for 2025/26 assumes separate rate revenue of \$4.139 million, as approved by the AEDA Board. Any variation following the finalisation of the valuations for 2025/26 will be brought to Council in the first budget review for 2025/26.

Rates – Exemptions

22. Council's practice is to identify and value all land in the Council area. Once identified, rateability of each separate piece of land is assessed. Section 147 of the Act specifies those types of properties that shall be exempt from council rates. The City of Adelaide has the highest proportion of 'rate-exempt' properties of any Council in South Australia. In 2025/26 approximately \$41.8 million of rates revenue will be foregone in respect of 'rate exempt' properties.
23. Unalienated Crown land and land used or held by the Crown, or an instrumentality of the Crown is exempt from council rates if it is used for a public purpose (including an educational purpose), except any land held or occupied by the Crown under lease or licence, or where the property is used for domestic purposes.

24. University land is exempt from council rates when the University has been established by statute, excepting any residential or domestic land use.
25. The Recreation Grounds Rates and *Taxes Exemption Act 1981* (SA) specifies that recreation grounds shall be exempt from council rates where the land is occupied under a lease, licence or permit granted by the Council and is used by the occupier for the purposes of sport and recreation.
26. Council land is exempt from council rates where it is occupied or held by the Council, except where any such land is held from the Council under a lease or licence.
27. The *Fire and Emergency Services Act 2005* (SA) specifies that land occupied or held by an emergency services organisation will be exempt from council rates.
28. There are several Acts of Parliament which specifically exempt certain properties from paying council rates.
29. Council is mindful that wherever properties are exempt from paying council rates, or where a rebate is applied, those rates foregone must be contributed by the rest of the community. The principles of equity dictate that Council remains diligent in only awarding exemptions where they are warranted.

ATTACHMENTS

Nil

- END OF REPORT -

Reports from Council Members

Tuesday, 24 June 2025
Council

Strategic Alignment - Our Corporation

Program Contact:
Rebecca Hayes, Associate
Director Governance & Strategy

Public

Approving Officer:
Anthony Spartalis, Chief
Operating Officer

EXECUTIVE SUMMARY

The purpose of this report is to:

- 1. Inform Council of Council Member activities and functions that Council Members have attended on behalf of the Lord Mayor for the period 20 May to 19 June 2025.
- 2. Provide a summary of Council Members' attendance at meetings for the period 20 May to 19 June 2025.

Council Members may also table reports on activities undertaken on Boards and Committees where they are representing Council, and these reports will be included in the Minutes of the meeting

RECOMMENDATION

THAT COUNCIL

- 1. Notes the Council Member activities and functions attended on behalf of the Lord Mayor (Attachment A to Item 16.1 on the Agenda for the meeting of the Council held on 24 June 2025).
- 2. Notes the summary of meeting attendance by Council Members (Attachment B to Item 16.1 on the Agenda for the meeting of the Council held on 24 June 2025)
- 3. Notes that reports from Council Members tabled at the meeting of the Council held on 24 June 2025 will be included in the Minutes of the meeting.

ATTACHMENTS

Attachment A – Council Member activities and functions attended on behalf of the Lord Mayor

Attachment B – Summary of Council Member meeting attendance

- END OF REPORT -

FUNCTIONS ATTENDED ON BEHALF OF THE LORD MAYOR: 20 May - 19 June 25

COUNCIL MEMBER	DATE	EVENT TITLE	EVENT DETAILS
Councillor Phillip Martin (Deputy Lord Mayor)	22/05/25	2025 National Volunteer Week Awards	Queen Adelaide Room
Councillor Janet Giles	22/05/25	National Reconciliation Week 2025	Community Kitchen Adelaide Central Market
Councillor Arman Abrahamzadeh	23/05/25	Cabaret Fringe Festival Opening Night VIP preview	Arthur Art Bar
Councillor Janet Giles	30/05/25	Ramsay Art Prize 2025 Official Opening	Art Gallery of South Australia
Councillor Phillip Martin (Deputy Lord Mayor)	31/05/25	South Australia's History Festival Closing	Ayers House
Councillor Phillip Martin (Deputy Lord Mayor)	06/06/25	Dancer - a National Portrait Gallery touring exhibition	David Roche Gallery
Councillor Dr Mark Siebentritt	11/06/25	Renew Adelaide Fauna Studio Housewarming Invitation	Fauna Ceramics Studio
Councillor Janet Giles	13/06/25	SA Refugee Week Launch	Parliament House Balcony Room
Councillor Janet Giles	14/06/25	Mambo! AdYO Plays Bernstein	Elder Hall

COUNCIL MEMBER MEETINGS ATTENDED: 20 May - 19 June 25

COUNCIL MEMBER	DATE	EVENT TITLE	EVENT DETAILS
Councillor Mary Couros	11/06/25	Adelaide Festival Board Meeting	Attended as Representative

Council Member Meeting Attendance

	City Infrastructure and Public Works Committee 20 May 2025	City Finance and Governance Committee 20 May 2025	Adelaide Economic Development Agency Board Meeting 22 May 2025	Kadaltilla / Adelaide Park Lands Authority 22 May 2025	City Finance and Governance Committee - Reconvened 27 May 2025	Council 27 May 2025	CEO Performance Review Panel 2 June 2025	City Community Services and Culture Committee 3 June 2025
Lord Mayor Dr Jane Lomax-Smith	✓	✓	✓	✓	✓	✓	✓	✓
Councillor Phillip Martin (Deputy Lord Mayor)	✓	✓			✓	✓	✓	✓
Councillor Arman Abrahamzadeh	✓	✓			✓	✓		✓
Councillor Mary Couros					✓	✓		✓
Councillor Henry Davis	✓	✓			✓	✓		✓
Councillor Janet Giles					✓	✓		✓
Councillor Mark Siebentritt	✓	✓			✓	✓	✓	✓
Councillor Keiran Snape				✓	✓	✓		✓
Total number	5	5	1	2	8	8	3	8

Page 15

	City Planning, Development and Business Affairs Committee 3 June 2025	City Finance and Governance Committee - Special 3 June 2025	City Finance and Governance Committee - Reconvened 3 June 2025	City Finance and Governance Committee - Reconvened 10 June 2025	Council 10 June 2025	Audit and Risk Committee 13 June 2025	Total meetings held	Total meetings attended
Lord Mayor Dr Jane Lomax-Smith	✓	✓	✓	✓	✓		14	13
Councillor Phillip Martin (Deputy Lord Mayor)	✓	✓	✓	✓	✓	✓	12	12
Councillor Arman Abrahamzadeh	✓	✓	✓		✓		10	9
Councillor Mary Couros	✓	✓	✓	✓	✓		10	8
Councillor Henry Davis	✓	✓	✓		✓		10	9
Councillor Janet Giles	✓	✓	✓		✓	✓	11	8
Councillor Mark Siebentritt	✓	✓	✓	✓	✓		11	11
Councillor Keiran Snape	✓	✓	✓	✓	✓		11	9
Total number	8	8	8	5	8	2		

Key:

	Apology
	Apology - meeting commenced prior to 5pm
	Leave
	Absent
	Not a Member
	Proxy Member (not in attendance)
	Ex-officio Member

Councillor Couros - MoN - Reinstatement of Parklet for Jack and Jill's Restaurant and Bar and Review of Parklet Fees

Tuesday, 24 June 2025
Council

Council Member
Councillor Mary Couros

Public

Contact Officer:
Jo Podoliak, Director City
Community

MOTION ON NOTICE

Councillor Mary Couros will move a motion and seek a seconder for the matter shown below to facilitate consideration by the Council:

'That Council requests the Chief Executive Officer:

1. To reinstate the parklet previously installed for the use of Jack and Jill's Restaurant and Bar at the expense of the City of Adelaide, and in consultation with the business regarding its preferred design and timeframe for reinstallation.
2. To waive the Outdoor Dining & Loss of Carparking Revenue Fees applied to all Parklet holders for the 2023/24 due to inconsistent charges applied.
3. To prepare a report to Council in July 2025 reviewing each individual parklet owner's fees and charges applied and paid in 2024/25 alongside their proposed fees for 2025/26, with the intent of supporting fairness, transparency, and business viability across the city.'

ADMINISTRATION COMMENT

1. Reinstatement of Jack and Jill's Parklet

- 1.1 Council's preference was, and always had been, for the parklet permit fees to be paid, the permit to be renewed and the parklet to remain operational.
- 1.2 Despite repeated contact, fees totalling over \$34,000 across the 2023/24 and 2024/25 financial years remained outstanding.
- 1.3 During this time the parklet continued to operate in the public realm, generating revenue for the business without a valid permit.
- 1.4 The fees charged to Jack and Jill's were in accordance with the Council endorsed fee rates of 2023/24 and 2024/25 which were affirmed by Council at its meeting on 10 December 2024.
- 1.5 Administration engaged with the business on numerous occasions to seek a positive resolution to this matter. This included offers of a payment plan, in addition to ways the business could reduce the outstanding fee by approximately \$11,000. These offers were not taken up.
- 1.6 Engagement with the business also included discussion with the owner around the option for owner to remove and retain the parklet infrastructure.
- 1.7 Administration initially advised the owner that the parklet would be removed if fees weren't paid in November 2024. Since then, Council provided more than four further dates in which to agree to a payment plan before removal would occur.
- 1.8 On each occasion, enforcement action was delayed while Administration continued to negotiate in good faith to achieve an outcome that allowed the parklet to remain in place.

- 1.9 With no valid permit in place for the structure, a payment plan not agreed, and over \$34,000 of fees outstanding, Administration considered the only remaining option was to take enforcement action and remove the parklet.
- 1.10 The business owner was advised that the structure would be removed and disposed of, in line with Council's powers under the *Local Government Act 1999* (SA).
- 1.11 As the structure has been removed and disposed of, it cannot be reinstated.
- 1.12 The cost to construct a new parklet has not been costed.
- 1.13 Council's financial contribution and budget impact for the parklet at Jack and Jill's to date has included:
 - 1.13.1 \$11,000 – contributed by Council towards construction the parklet in the form of a grant issued to the business owner in 2022.
 - 1.13.2 \$34,000 – invoiced permit fees which remain unpaid for the parklet's use across 2023/24 and 2024/25.
 - 1.13.3 \$30,000 – estimated additional forgone paid parking revenue since the parklet was installed, beyond what is considered within the permit fee.
 - 1.13.4 \$9,500 – cost to remove and dispose of the unauthorised structure from the public realm.
- 1.14 Reinstatement of the parklet by Council will present significant reputational risk for Council and will increase challenges to the broader collection of fees for all permit activities, and the ability to enforce compliance to permit conditions when required.

2. **Waiving 2023/24 Fees for Parklet Operators**

- 2.1 The Motion on Notice (MoN) seeks to waive 'Outdoor Dining & Loss of Carparking Revenue Fees' for all parklet operators.
- 2.2 The 2023/24 endorsed parklet fees included two components:
- 2.3 A fee related to amount of space occupied by the parklet, on a per square metre basis.
 - 2.3.1 The per square metre rate was discounted if a business had no access to footpath outdoor dining.
- 2.4 Loss of paid parking revenue if a parklet occupied a paid parking bay, where relevant.
- 2.5 The parklet fee is distinct from outdoor dining fees, which are set at a lower per square metre rate.
- 2.6 There are over 550 businesses operating outdoor dining on the footpath, which pay outdoor dining permit fees.
- 2.7 It is possible for a business to operate both outdoor dining on the footpath, and a parklet on the road/parking bay, and therefore pay both fees.
- 2.8 It is understood the intent of Part 2 of the Motion on Notice (MoN) is to waive both components of the 2023/24 parklet fee, rather than waive outdoor dining fees for all outdoor dining permit holders.
- 2.9 Part 2 of this MoN would have the same effect as the MoN moved on 10 December 2024.
- 2.10 Regulation 12 sections (3) and (4) of the *Local Government (Procedures at Meetings) Regulations 2013* (SA) states that:
 - (3) *A motion the effect of which, if carried, would be to revoke or amend a resolution passed since the last general election of the council must be brought by written notice of motion.*
 - (4) *If a motion under subregulation (3) is lost, a motion to the same effect cannot be brought—*
 - (a) *until after the expiration of 12 months; or*
 - (b) *until after the next general election, whichever is the sooner.*
- 2.11 As such, this component of the MoN is ultra vires.

3. **Parklet fees in 2024/25 and 2025/26**

- 3.1 In accordance with the 10 December 2024 resolution of Council, the parklet fee model was reviewed as part of the draft 2025/26 Annual Business Plan & Budget.

- 3.2 A 15 April 2025 City Finance and Governance Committee workshop demonstrated the impact of a newly proposed parklet fee model on each individual parklet operator. The workshop content is available at the following link – [PowerPoint Presentation](#).
- 3.3 Following the 15 April 2025 Committee workshop and report, the adopted 2025/26 parklet fee simplifies the approach to a single rate of \$165 per square metre per annum and no longer considers the loss of paid parking revenue.
- 3.4 The 2025/26 Business Plan & Budget – Review of Fees and Charges report was endorsed on 22 April 2025, link - [2025/2026 Business Plan and Budget Review of Fees and Charges](#). The report noted that the revised parklet fee was not intended to be applied retrospectively:
13. *New fees and charges reviewed include:*
- 13.1. *A change to 2025/26 Parklet fees to simplify the model and introduce quarterly invoicing. This fee is recommended to be applied from 2025/26 on and not applied retrospectively.*
- 3.5 The annual permit is from 1 September – 31 August and the table below shows:
- 3.5.1 The 2024/25 fees for each parklet operator and the current payment status. All fees were charged in accordance with the endorsed 2024/25 fee schedule.
- 3.5.2 Anticipated 2025/26 fees based on the recently endorsed fee model.
- 3.6 The majority of parklet operators will receive a reduction in their fee under the revised model, collectively saving parklet operators approximately \$50,000 per annum.
- 3.7 Any fee increase is by CPI, with a maximum increase of \$120 per annum.

Should the motion be carried, the following implications of this motion should be considered. Note any costs provided are estimates only – no quotes or prices have been obtained:	
Public consultation	Not applicable
External consultant advice	Not applicable
Legal advice / litigation (eg contract breach)	The unauthorised structure was removed from the public realm as per Council's powers in the <i>Local Government Act 1999</i> .
Impacts on existing projects	Should point 1 of the Motion on Notice be endorsed, it creates risks to the ongoing collection of other permit fees and management compliance to permit conditions.
Budget reallocation	Should point 1 of the Motion on Notice be endorsed, budget would need to be found in the 2025/26 financial year. Should point 2 of the Motion on Notice be endorsed, refunds of permit fees would need to be absorbed in the 2025/26 budget.
Capital investment	Not applicable
Staff time in preparing the workshop / report requested in the motion	Should point 1 of the Motion on Notice be endorsed, staff time will be required to assist planning and constructing a new structure. Exact time is not known and is subject to design considerations.
Other	Not applicable
Staff time in receiving and preparing this administration comment	To prepare this administration comment in response to the motion on notice took approximately 5 hours.

- END OF REPORT -

Councillor Davis - QoN - Trade Union Event

Tuesday, 24 June 2025
Council

Council Member
Councillor Henry Davis

Public

Contact Officer:
Michael Sedgman, Chief Executive
Officer

QUESTION ON NOTICE

Councillor Henry Davis will ask the following Question on Notice:

‘What was the total cost to host the trade union event held by the Lord Mayor?’

Please include all associated costs, including in-kind contributions such as staff time, room hire, and any other resources used.

The Lord Mayor will provide a reply at the meeting, the reply and question will be included in the Minutes of the meeting.

- END OF REPORT -

Program Contact:

Anthony Spartalis, Chief
Operating Officer

Approving Officer:

Michael Sedgman, Chief
Executive Officer

Public

EXECUTIVE SUMMARY

Section 90(2) of the *Local Government Act 1999 (SA)* (the Act), states that a Council may order that the public be excluded from attendance at a meeting if the Council considers it to be necessary and appropriate to act in a meeting closed to the public to receive, discuss or consider in confidence any information or matter listed in section 90(3) of the Act.

It is the recommendation of the Chief Executive Officer that the public be excluded from this Council meeting for the consideration of information and matters contained in the Agenda.

For the following Committee Reports for Recommendation to Council seeking consideration in confidence

- 22** Confidential Recommendation of the Reconvened City Finance and Governance Committee – 10 June 2025 [section 90(3) (a) of the Act]
- 23** Confidential Recommendation of the Reconvened City Finance and Governance Committee – 24 June 2025 [section 90(3) (b) & (d) of the Act]

The Order to Exclude for Items 22 and 23:

1. Identifies the information and matters (grounds) from section 90(3) of the Act utilised to request consideration in confidence.
2. Identifies the basis – how the information falls within the grounds identified and why it is necessary and appropriate to act in a meeting closed to the public.
3. In addition, identifies for the following grounds – section 90(3) (b), (d) or (j) of the Act - how information open to the public would be contrary to the public interest.

ORDER TO EXCLUDE FOR ITEM 22

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 24 June 2025 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 Reconvened City Finance and Governance Committee – 10 June 2025] 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 matters that must be considered in confidence because of potential changes of staff placement recommended in the Precinct Review not yet discussed with the individuals involved.

The disclosure of information in this report would unfairly affect employees who are yet to be consulted with, as the current proposed model is not yet finalised and the proposed impacts may or may not actually materialise.

2. Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this meeting of the Council dated 24 June 2025 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 Reconvened City Finance and Governance Committee – 10 June 2025] 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.

ORDER TO EXCLUDE FOR ITEM 23

THAT COUNCIL:

1. Having taken into account the relevant consideration contained in section 90(3) (b) & (d) and section 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 24 June 2025 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 23 [Confidential Recommendation of the Reconvened City Finance and Governance Committee – 24 June 2025] listed on the Agenda in a meeting open to the public would on balance be contrary to the public interest.

Basis

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

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 result in release of information prior to the finalisation of 'commercial in confidence' negotiation with the proponent and because the disclosure of Council's commercial position 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 24 June 2025 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 [Confidential Recommendation of the Reconvened City Finance and Governance Committee – 24 June 2025] 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) & (d) of the Act.

DISCUSSION

1. Section 90(1) of the *Local Government Act 1999 (SA)* (the Act) directs that a meeting of Council must be conducted in a place open to the public.
2. Section 90(2) of the Act, states that a Council may order that the public be excluded from attendance at a meeting if Council considers it to be necessary and appropriate to act in a meeting closed to the public to receive, discuss or consider in confidence any information or matter listed in section 90(3) of the Act.
3. Section 90(3) of the Act prescribes the information and matters that a Council may order that the public be excluded from.
4. Section 90(4) of the Act, advises that in considering whether an order should be made to exclude the public under section 90(2) of the Act, it is irrelevant that discussion of a matter in public may -
 - (a) *cause embarrassment to the council or council committee concerned, or to members or employees of the council; or*
 - (b) *cause a loss of confidence in the council or council committee; or*
 - (c) *involve discussion of a matter that is controversial within the council area; or*
 - (d) *make the council susceptible to adverse criticism.*
5. Section 90(7) of the Act requires that an order to exclude the public:
 - 5.1 Identify the information and matters (grounds) from section 90(3) of the Act utilised to request consideration in confidence.
 - 5.2 Identify the basis – how the information falls within the grounds identified and why it is necessary and appropriate to act in a meeting closed to the public.
 - 5.3 In addition identify for the following grounds – section 90(3) (b), (d) or (j) of the Act - how information open to the public would be contrary to the public interest.
6. Section 83(5) of the Act has been utilised to identify in the Agenda and on the Report for the meeting, that the following report is submitted seeking consideration in confidence.
 - 6.1 Information contained in Item 22 – Confidential Recommendation of the Reconvened City Finance and Governance Committee – 10 June 2025
 - 6.1.1 Is subject to Existing Confidentiality Orders dated 10/6/2025.
 - 6.1.2 The grounds utilised to request consideration in confidence is section 90(3) (a) of the Act
 - (a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead)
 - 6.2 Information contained in Item 23 – Confidential Recommendation of the Reconvened City Finance and Governance Committee – 24 June 2025
 - 6.2.1 Is subject to Existing Confidentiality Orders dated 24/6/2025.
 - 6.2.2 The grounds utilised to request consideration in confidence is section 90(3) (b) & (d) of the Act
 - (b) information the disclosure of which –
 - (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or prejudice the commercial position of the council; and
 - (ii) would, on balance, be contrary to the public interest.
 - (d) commercial information of a confidential nature (not being a trade secret) the disclosure of which –
 - (i) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and
 - (ii) would, on balance, be contrary to the public interest.

ATTACHMENTS

Nil

- END OF REPORT -

Document is Restricted