

Council Meeting Agenda & Reports

6 September 2021

Our Vision

*A City which values its heritage, cultural diversity,
sense of place and natural environment.*

*A progressive City which is prosperous, sustainable
and socially cohesive, with a strong community spirit.*

City of Norwood Payneham & St Peters
175 The Parade, Norwood SA 5067

Telephone 8366 4555
Facsimile 8332 6338
Email townhall@npsp.sa.gov.au
Website www.npsp.sa.gov.au



City of
Norwood
Payneham
& St Peters

2 September 2021

To all Members of the Council

NOTICE OF MEETING

I wish to advise that pursuant to Sections 83 and 87 of the *Local Government Act 1999*, the next Ordinary Meeting of the Norwood Payneham & St Peters Council, will be held in the Council Chambers, Norwood Town Hall, 175 The Parade, Norwood, on:

Monday 6 September 2021, commencing at 7.00pm.

Please advise Tina Zullo on 8366 4545 or email tzullo@npsp.sa.gov.au, if you are unable to attend this meeting or will be late.

Yours faithfully



Mario Barone
CHIEF EXECUTIVE OFFICER

City of Norwood Payneham & St Peters
175 The Parade, Norwood SA 5067

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City of
**Norwood
Payneham
& St Peters**

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VENUE Council Chambers, Norwood Town Hall

HOUR

PRESENT

Council Members

Staff

APOLOGIES

ABSENT

1. **KAURNA ACKNOWLEDGEMENT**
2. **OPENING PRAYER**
3. **CONFIRMATION OF THE MINUTES OF THE SPECIAL COUNCIL MEETING HELD ON 18 AUGUST 2021**
4. **MAYOR'S COMMUNICATION**
5. **DELEGATES COMMUNICATION**
6. **QUESTIONS WITHOUT NOTICE**
7. **QUESTIONS WITH NOTICE**
Nil
8. **DEPUTATIONS**
Nil
9. **PETITIONS**

9.1 PETITION – AVENUE ROAD, PAYNEHAM – TRAFFIC MANAGEMENT

REPORT AUTHOR: General Manager, Governance & Community Affairs
GENERAL MANAGER: Chief Executive Officer
CONTACT NUMBER: 8366 4549
FILE REFERENCE: qA76306
ATTACHMENTS: A - C

PURPOSE OF REPORT

The purpose of this report is to table a petition which has been received regarding traffic management issues associated with Avenue Road, Payneham.

BACKGROUND

The petitioners are requesting that the Council consider the following matters in relation to Avenue Road, Payneham:

- *reduce the speed limit from 50kph to 40kph to decrease the risk of a vehicle collision and pedestrian accident;*
- *increase speed limit signage;*
- *implement speed humps and or slow points to physically reduce motorist speed (as seen on Devitt Road);*
- *implement safe pedestrian crossing/walkway; and*
- *reduce/restrict entry/exit into Avenue Road via Payneham Road and/or Marian Road.*

A copy of the petition is contained in **Attachment A**.

The petition was provided to signatories in hard copy and this has been signed by a total of ten (10) people, including the convenors of the petition.

The petition was also provided as an electronic online petition which has been “signed” by 99 people (including one anonymous person). A copy of the online petition is contained within **Attachment B**.

In accordance with the *Local Government (Procedures at Meetings) Regulations 2013*, a petition to the Council must:

- be legibly written, typed or printed;
- clearly set out the request or submission of the petitioners;
- include the name, address and signature of each person who signed or endorsed the petition; and
- be addressed to the Council and delivered to the Principal Office of the Council.

On this basis, the online petition is not a valid petition.

The Council’s website clearly set outs the process associated with petitions and includes a template which citizens can use when wanting to present a petition to the Council. In respect to the petition which has been submitted to the Council, the template which is provided on the website is the template which the convenors of the petition have provided to the Council. The petition contained within Attachment A constitutes a valid petition to the Council.

In addition to the petition, the convenors of the petition have provided a document containing various photographs highlighting the issues. A copy of the photographs is contained within **Attachment C**.

In accordance with the Council’s *Privacy Policy*, the personal information of the petitioners, (ie the street addresses) have been redacted from the petition. The names of the signatories and the suburb which have been included on the petition have not been redacted from the petition.

RELEVANT STRATEGIC DIRECTIONS & POLICIES

The relevant Goals contained in *CityPlan 2030* are:

Outcome 1: Social Equity

Objective 1.2: A people friendly, integrated and sustainable transport network.

Strategy:

1.2.4 Provide appropriate traffic management to enhance residential amenity.

DISCUSSION

The petitioners are requesting that the Council considers options to address the issues associated with the speed of traffic in Avenue Road, Payneham.

In addition, the petitioners have requested that the Council consider installing a pedestrian crossing and restricting access into Avenue Road via Payneham Road and/or Marian Road.

The Council's *Local Area Traffic Management Policy* sets out the following process in respect to petitions which are received regarding traffic management issues:

Petitions

Petitions regarding traffic management issues which are received by the Council, will be referred to the Committee for consideration.

The Committee shall acknowledge the petition and note that Council staff will then investigate the issues which are raised through the petition. The process which will be used by Council staff in addressing the matter shall be the same as that which is set out in the Traffic Management Investigations Section of this Policy.

RECOMMENDATION

That the petition which has been received regarding the traffic management issues associated with Avenue Road, Payneham be referred to the Council's Traffic Management & Road Safety Committee, in accordance with the Council's *Local Area Traffic Management Policy*.

Attachments – Item 9.1

Attachment A

Petition Avenue Road, Payneham Traffic Management

City of Norwood Payneham & St Peters
175 The Parade, Norwood SA 5067

Telephone 8366 4555
Facsimile 8332 6338
Email townhall@npsp.sa.gov.au
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City of
Norwood
Payneham
& St Peters

PETITION

To the City of Norwood Payneham & St Peters

175 The Parade, Norwood SA 5067
PO BOX 204, Kent Town SA 5071

Telephone 8366 4555
Facsimile 8332 6338
Email townhall@npsp.sa.gov.au
Website www.npsp.sa.gov.au

ABN 11 390 194 824



City of
Norwood
Payneham
& St Peters

PETITION CONTACT DETAILS (Convenor of Petition)

Name: Adam Meola & Jessica Salvi

Address: [REDACTED] Avenue Road Payneham SA 5070

Phone:

Mobile: [REDACTED]

Email: [REDACTED]

Part 1: The petition of: (identify the individuals or group – eg: the residents of The City of Norwood Payneham & St Peters)

Residents of Avenue Road, Payneham/Glynde and the City of Norwood, Payneham & St Peters community. For our family, friends, children, cyclists, pedestrians and elderly.

Part 2: Matter of concern to petitioners: (outline the circumstances of the matter)

We, the undersigned, are concerned residents who urge the council leaders at the Norwood, Payneham, St. Peter's (NPSP) Council to act on the immediate risk and danger of traffic congestion and motorist speeding on Avenue Rd.

Avenue Road acts a thoroughfare between the traffic heavy Payneham RD and Marian RD. Due to this, and in combination with Avenue Road's vastly narrow width and locally parked vehicles, Avenue RD residents are constantly subject to the strenuous danger of motorist speeding and high-volume non-local traffic congestion.

Current road-safety issues experienced on Avenue Rd are as below:

- Motorists speeding causing immediate risk to residents, pedestrians, cyclists
- Significant challenge to safely reverse out of resident's driveway
- Consistent and excessive noise pollution due to speeding, beeping and high volume of heavy traffic experienced through the entirety of the day and night
- Inadequate signage to alert motorists of the current speed limit
- Lack of 'slow points' and/or speed humps to physically maintain a reduced speed and deter motorist from speeding
- Narrow road width resulting in the inability for residents to safely park and exit their cars with high volume of traffic
- High traffic congestion in front of resident's homes due to narrow road width, parked cars and high-volume motor vehicles coming from all directions
- Insufficient pedestrian crossings/walkways for safe movement around street due to high volume of motor vehicles

Part 3: The petitioners request / submission is that the Council: (outline the action that the petitioners are requesting Council should or should not take)

It is evident that the critical road-safety issues present on Avenue Rd require the immediate action of council to:

- Reduce the speed limit from 50km/h to 40km/h to decrease the immediate risk of a vehicle collision and pedestrian accident. This will also work to reduce noise pollution.
- Vastly increase signage of the 40km/h speed limit and changed traffic conditions to alert motorist
- Implement appropriate speed humps and or 'slow points' to physically reduce motorists speed (as seen on Devitt Avenue)
- Implement safe pedestrian crossing/walkway
- Reduce/restrict entry/exit into Avenue Rd via Payneham Rd and/or Marian Rd

HELP MAKE AVENUE ROAD, PAYNEHAM SAFER

DATE: 10/07/2021

PETITION ORGANISER: ADAM MEOLA + JESSICA SALVI

CONTACT: [REDACTED]

We, the undersigned, are concerned residents who urge the council leaders at the Norwood, Payneham, St. Peter's (NPSP) Council to act on the immediate risk and danger of traffic congestion and motorist speeding on Avenue RD.

Avenue Road acts a thoroughfare between the traffic heavy Payneham RD and Marian RD. Due to this, and in combination with Avenue Road's vastly narrow width and locally parked vehicles, Avenue RD residents are constantly subject to the strenuous danger of motorist speeding and high-volume non-local traffic congestion.

Current road-safety issues experienced on Avenue RD due to the high volume of non-local traffic and motorist speeding include:

- Inappropriate speed limit (50km/h) for its residents, pedestrians, cyclists and frequent non-local traffic to be in a safe street and living environment
 - Inadequate signage to alert motorists of the current speed limit
- Alarming inadequate 'slow points' and/or speed humps to physically maintain a reduced speed and deter motorist from speeding
- Narrow road width resulting in the inability to safely maintain the current high volume traffic and appropriate side parking for local residents causing traffic congestion and motorists to travel in extremely close proximity to parked cars and footpaths
- The infrastructure to adhere to the NPSP council community values of sustainable transport to create 'safer and more attractive streets and living environments'
- State governments proposal 'Road safety action plan' to invest in safer roads in order to provide lower speed environments where motor vehicles and bicycles travel at comparable speeds on quiet streets.

It is evident that the critical road-safety issues present on Avenue RD require the immediate action of council to:

- Reduce the speed limit from 50km/h to 40km/h to decrease the immediate risk of a vehicle collision and pedestrian accident. This will also work to reduce noise pollution.
- Vastly increase signage of the 40km/h speed limit and changed traffic conditions to alert motorist
 - Implement appropriate speed humps and or 'slow points' to physically reduce motorists speed
- Consult with Avenue RD residents and the broader community to create a safer street for its residents, pedestrians, cyclists and motorists

NAME	ADDRESS	SIGNATURE
Carlo Braacchi	[REDACTED] Avenue Rd	[REDACTED SIGNATURES]
Maria Fugaro	[REDACTED] Avenue Rd	
Joy Mack	[REDACTED] AVENUE RD	
Maw, Mary BOUND	[REDACTED] "	
Miriam Hendry	[REDACTED] "	
Lynd Smith	[REDACTED] "	
VAL MCCURDY	[REDACTED] LEWIS RD SLYANDE	
Dennis McCurdy	" " "	

Attachment B

Petition Avenue Road, Payneham Traffic Management

City of Norwood Payneham & St Peters
175 The Parade, Norwood SA 5067

Telephone 8366 4555
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Email townhall@npsp.sa.gov.au
Website www.npsp.sa.gov.au



City of
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Payneham
& St Peters

Urgent reduction in traffic congestion and speed limit required for a safer Avenue Rd.



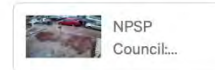
 Adam Meola started this petition to [Norwood Payneham St Peters Council](#)

We, the undersigned, are concerned residents who urge the council leaders at the Norwood, Payneham, St. Peter's (NPSP) Council to act on the immediate risk and danger of traffic congestion and motorist speeding on Avenue Rd.


92 have signed. Let's get to 100!




 At 100 signatures, this petition is more likely to be featured in recommendations!



 Share on Facebook

 Send a Facebook message

 Send an email to friends

 Tweet to your followers

Name	City	State	Postal Code	Country	Signed On
Adam Meola				Australia	27/06/2021
Jessica Salvi	Adelaide			Australia	27/06/2021
Mikaela Pontecorvo	Adelaide			Australia	27/06/2021
Eva Jakob	Adelaide			Australia	27/06/2021
Victoria Savino	Adelaide			Australia	27/06/2021
Rita Del Giacco	Adelaide			Australia	27/06/2021
Franca Caporlingua	Adelaide			Australia	27/06/2021
Josephine Meola	Adelaide			Australia	27/06/2021
Marie Fiorita	Adelaide			Australia	27/06/2021
Joseph Meola	Adelaide			Australia	27/06/2021
Robert fiorita	Adelaide			Australia	27/06/2021
Ruby Sinclair				Australia	27/06/2021
Sophia M				Australia	27/06/2021
Anna Del Giacco	Adelaide			Australia	27/06/2021
Grace Fiorita	Adelaide			Australia	27/06/2021
Harvey Cannon				Australia	27/06/2021
Bianca Femia				Australia	27/06/2021
Grace Burg				Australia	27/06/2021
Alexander Ribarich				Australia	27/06/2021
Tracey Farina				Australia	27/06/2021
Fiore Salvi	Adelaide			Australia	27/06/2021
Anna Savino	Adelaide			Australia	27/06/2021
Toni Howard	Payneham			Australia	27/06/2021
Amanda Stasi	Payneham			Australia	27/06/2021
Lisa Camarinha	Adelaide			Australia	27/06/2021
emily howard	Payneham			Australia	27/06/2021
Kayla Holding	Adelaide			Australia	27/06/2021
Luigi Caporlingua	Adelaide			Australia	27/06/2021
Tony Meola	Adelaide			Australia	27/06/2021
Angela Meola	Adelaide			Australia	27/06/2021
Dylan Boscaini	Adelaide			Australia	27/06/2021
Joshua Boscaini	St Peterrs			Australia	27/06/2021
Danielle Silvestri	Adelaide			Australia	27/06/2021
Chloe HolmanHarria	Adelaide			Australia	28/06/2021
Cathy D'Aloia	Adelaide			Australia	28/06/2021
Nicholas Tedesco	Adelaide			Australia	30/06/2021
Mario Boscaini	St peters			Australia	30/06/2021
Lina Biscaini	Marden			Australia	30/06/2021
Patrick Tedesco	Adelaide			Australia	1/07/2021
Maria Wylie				Australia	1/07/2021
Tuyet Tran				Australia	1/07/2021
Andrew McGlashan				Australia	1/07/2021
Jasmine Hiohi				Australia	1/07/2021
Patrick Eid				Australia	1/07/2021
Amanda Alcock	Adelaide			Australia	1/07/2021
Belinda Connor	Adelaide			Australia	2/07/2021
Gian Carlesso	Adelaide			Australia	2/07/2021
Natalie Carlesso	Payneham			Australia	2/07/2021
Alice Emanuele	Adelaide			Australia	2/07/2021

Chris Connor	Adelaide	Australia	2/07/2021
Hannah Slee	Adelaide	Australia	2/07/2021
Smantha Slee	Adelaide	Australia	2/07/2021
Mel Delaney	Adelaide	Australia	2/07/2021
Matt Royal	Adelaide	Australia	2/07/2021
Belinda Kon	Payneham	Australia	2/07/2021
Melissa Meola	Adelaide	Australia	3/07/2021
Kayla Burge	Glynde	Australia	5/07/2021
Emma Jane	Adelaide	Australia	5/07/2021
Bob Elliott	Adelaide	Australia	5/07/2021
Adriano Saccardo	Adelaide	Australia	5/07/2021
Sondra Schinell	Adelaide	Australia	5/07/2021
Domenic Harb	Adelaide	Australia	5/07/2021
Grace Schinella	Adelaide	Australia	5/07/2021
Diana Sangregorio	Adelaide	Australia	6/07/2021
Vincent Amadio	Adelaide	Australia	6/07/2021
Nigel Kraft	Glynde	Australia	6/07/2021
Justin Clear	Adelaide	Australia	6/07/2021
Darren Farley		Australia	6/07/2021
Elvira Adam	Adelaide	Australia	6/07/2021
Anthony Calvanese	Adelaide	Australia	6/07/2021
Ainsley Maconochie	Glynde	Australia	7/07/2021
Kelli Shanahan	Payneham	Australia	7/07/2021
Tamara Delloso	Adelaide	Australia	7/07/2021
Brayden Paues	Adelaide	Australia	7/07/2021
Patricia Moebus		Australia	7/07/2021
kathrynne grundy		Australia	7/07/2021
Carole Dawes		Australia	7/07/2021
Mouli Liyanaarachchi		Australia	8/07/2021
Jessica Robinson		Australia	8/07/2021
Brian Olywack		Australia	8/07/2021
Lisa Lee		Australia	8/07/2021
Sophia Economou		Australia	8/07/2021
Hubert Hicks		Australia	8/07/2021
Taliska Crispin		Australia	8/07/2021
Anoymous		Australia	8/07/2021
Gabriel Palacios		Australia	8/07/2021
Laura Devlin		Australia	8/07/2021
Amy Lynch		Australia	8/07/2021
Tim L.	Adelaide	Australia	8/07/2021
Michelle McIntyre-Hook	Adelaide	Australia	9/07/2021
Joseph Aquilina	Payneham	Australia	9/07/2021
Sophie Edwards	Glynde	Australia	13/07/2021
Julie Richardson	Adelaide	Australia	18/07/2021
Steven Richardson	Adelaide	Australia	18/07/2021
Gemma M	Adelaide	Australia	19/07/2021
Danielle R	Payneham	Australia	22/07/2021
Sarina Gabrielli	Adelaide	Australia	22/07/2021
Christy John	Adelaide	Australia	3/08/2021
Kay Raymond	Adelaide	Australia	4/08/2021

Attachment C

Petition Avenue Road, Payneham Traffic Management

City of Norwood Payneham & St Peters
175 The Parade, Norwood SA 5067

Telephone 8366 4555
Facsimile 8332 6338
Email townhall@npsp.sa.gov.au
Website www.npsp.sa.gov.au



City of
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& St Peters

URGENT TRAFFIC AND SPEED LIMIT REDUCTION FOR A SAFER AVENUE RD

Petition to the Norwood Payneham St Peters Council

HEAVY VEHICLES THROUGH SUBURBAN STREET

[1] Parked Vehicle

[2] Driving Vehicle



[1] Parked Vehicle

[2] Driving Vehicle



[1] Parked Vehicle
[2] Driving Vehicle

EXCESSIVE TRAFFIC CONGESTION



[1] Parked Vehicle

[2] Driving Vehicle



[1] Parked Vehicle

[2] Driving Vehicle

NEAR MISSES WITH ONCOMING TRAFFIC, SPEEDING MOTORIST & PARKED CARS



[1] Parked Vehicle

[2] Driving Vehicle



[1] Parked Vehicle
[2] Driving Vehicle



- [1] Parked Vehicle
- [2] Driving Vehicle
- [3] Pedestrian



[1] Parked Vehicle

[2] Driving Vehicle

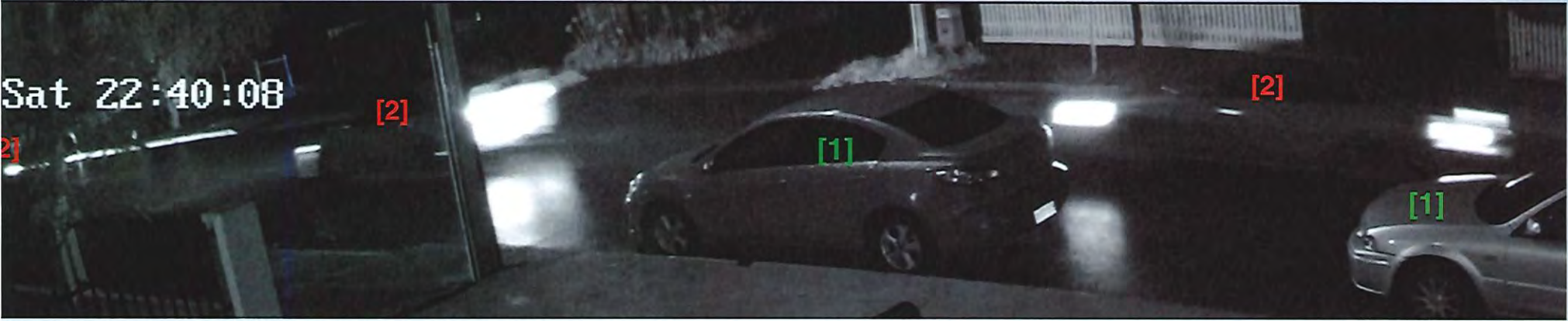


[1] Parked Vehicle

[2] Driving Vehicle



[1] Parked Vehicle
[2] Driving Vehicle



10. WRITTEN NOTICES OF MOTION

10.1 CREATIVE HOARDINGS POLICY – SUBMITTED BY MAYOR ROBERT BRIA

NOTICE OF MOTION: Creative Hoardings Policy
SUBMITTED BY: Mayor Robert Bria
FILE REFERENCE: qA1039
ATTACHMENTS: Nil

Pursuant to Regulation 12(1) of the *Local Government (Procedures at Meetings) Regulations 2013*, the following Notice of Motion has been submitted by Mayor Robert Bria.

NOTICE OF MOTION

That staff investigate the merits of introducing a Creative Hoardings Policy and prepare a report for Council's consideration.

REASONS IN SUPPORT OF MOTION

Increasingly, large building sites are using art as part of their hoarding as opposed to cyclone fencing with hessian cloth or plain wooden boards. In Adelaide, a recent example of extensive hoarding with art is the former Royal Adelaide Hospital site and Lot Fourteen on North Terrace.

Given there are currently large developments taking place in our City, such as the Coles Norwood site and Beulah Road, Norwood, it may be worth Council investigating whether it should adopt a policy that provides clear guidelines for the use of art and creative image on hoardings.

While such a policy may not apply to current developments, it may be a useful reference point for any future Council re-development (parks, libraries, etc.) as well as privately funded commercial or residential developments.

There are a number of councils in other jurisdictions across Australia that have a Creative Hoardings Policy.

The options for images on creative hoardings could vary depending on location or the type of structure that is being built. For example, the Woollahra Municipal Council's (Sydney) Creative Hoarding Policy provides options for:

- Licensed artwork – artwork selected and licenses by Council;
- Historic images - local historic photographs sourced from Council archives; and
- Bespoke artwork – developer may commission their own artwork with Council approval.

If supported by the Council, the introduction of a Creative Hoardings Policy will provide the following benefits:

- Provide visual interest to the community at construction sites within the council area;
- Give opportunities to local artists and designers to publicly display their work (over extended periods of time); and
- Creates or enhances 'place making' in Norwood Payneham & St Peters.

Links to *CityPan 2030*:

Cultural Vitality

Objective 2.1 (An artistic, creative and visually interesting City)

2.1.1 – Use the arts to enliven public spaces and create a 'sense of place'

2.1.2 - Provide opportunities and places for creative expression for all people

2.1.3 – Attract and support cultural and creative organisations, businesses and individuals

STAFF COMMENT
PREPARED BY GENERAL MANAGER, URBAN PLANNING & ENVIRONMENT

A report, as requested, will be provided to the Council.

10.2 ADDITIONAL FUNDING FOR URBAN GREENING PROGRAM – SUBMITTED BY CR SCOTT SIMS

NOTICE OF MOTION: Additional Funding for Urban Greening Program
SUBMITTED BY: Cr Scott Sims
FILE REFERENCE: qA1039 qA74835
ATTACHMENTS: Nil

Pursuant to Regulation 12(1) of the *Local Government (Procedures at Meetings) Regulations 2013*, the following Notice of Motion has been submitted by Cr Scott Sims.

NOTICE OF MOTION

That the Council's 2021-2022 operational budget be amended to provide \$9,600 in additional funding for the planting of a further 120 new trees, as part of the Council's Urban Greening Program.

REASONS IN SUPPORT OF MOTION

There has been overwhelming community support and positive feedback for Council's 2021 Urban Greening Program. In just over a week, the trial funding was exhausted and 120 vouchers have been issued to residents to procure and plant new trees.

Many residents in suburbs with 20% or less green canopy have been requesting vouchers and wanting to plant trees on their property to assist with creating a greener City.

There is currently a wait list for further properties and vouchers.

This motion essentially doubles the trial to result in the planting of 240 new trees by residents across the Council area.

STAFF COMMENT

PREPARED BY GENERAL MANAGER, URBAN PLANNING & ENVIRONMENT

The intent of the Council's Urban Greening Program was to trial an alternative to the Council's traditional approach to the planting of new trees across the Council area and to understand the level of community interest in planting trees on private land, where the Council is providing a financial contribution and guidance on what trees to plant. The supply of trees was not intended to match the likely demand, as the demand could be many times more than the funding allocated to the Program. The number of trees planted is not of major relevance in the first year of the Program. Whilst the 'over subscription' is a strong indicator that the program is well received by the community, more analysis of the value of the Program needs to be undertaken. For instance, whilst the take-up rate is strong, we need to understand how many of the trees are actually planted throughout the year and of those, how many survived and thrived as that will provide a true indication of the value of the alternative approach.

10.3 ARTS STRATEGY REVIEW – SUBMITTED BY CR SCOTT SIMS

NOTICE OF MOTION: Arts Strategy Review
SUBMITTED BY: Cr Scott Sims
FILE REFERENCE: qA1039
ATTACHMENTS: Nil

Pursuant to Regulation 12(1) of the *Local Government (Procedures at Meetings) Regulations 2013*, the following Notice of Motion has been submitted by Cr Scott Sims.

NOTICE OF MOTION

1. That a new Public Arts Strategy be developed and presented to Council this financial year, with a scope covering (but not limited to) reviewing and integrating the Thinking Through the City Strategic Plan (which has now lapsed), the Public Art Program, Art on Parade, and the Quadrennial Public Art major art commissions.
2. The Public Art Policy be updated to align with the newly developed Public Art Strategy.
3. Council delay this year's planned commissioning of another Quadrennial Public Art project until the new Strategy has been completed.
4. That funding be allocated from the Quadrennial Arts project budget to develop the new Public Arts Strategy via an external arts expert or consultant.
5. This year's Quadrennial Public Art Assessment Panel be disbanded by the Council.

REASONS IN SUPPORT OF MOTION

The motion has been put forward for Council to seriously consider and look at reviewing our approach to public art.

Currently, Council has a number of art-related programs and projects, however no clear vision has been articulated regarding their aims, there is little obvious coordination between the elements, or reporting on program and project implementation.

We need a broader, integrated Strategy that delivers bang for our buck as well as demonstrating support for local artists, effective activation of a variety of public spaces and community engagement.

Since 2006, the Council has commissioned three major art projects: Spectrum (Osmond Terrace, Norwood), Fallow (St Peters Street), and Perpetual Sun (Corner Magill Road and Nelson Street). However, it is not clear that these installations have met the original intent of placemaking, positioning of the Council in regard to arts, or creating an Arts Trail for residents and visitors to enjoy. The public art commissioned in Kent Town as part of the Thinking Through the City Strategic Plan has arguably been more effective in achieving these goals, at a small fraction of the cost of these major art projects.

Meanwhile, contrary to the current Public Arts Policy, public art has not been included in major projects such as the Norwood Oval redevelopment or the proposed Burchell Reserve project, from which the budgeted public art element was in fact removed.

It is also arguable that our current approach to public art excludes several types of practice that Council should be supporting, such as literature, architecture, cinema, music and theatre.

**STAFF COMMENT
PREPARED BY GENERAL MANAGER, GOVERNANCE & COMMUNITY AFFAIRS**

The Council has two (2) documents relating to Arts.

The first is the document titled *Thinking Through the City*, which is ostensibly the Council's endorsed Strategic Plan for public artworks.

This Plan is a 10 year Plan which covers the period 2009 to 2019.

The Plan is scheduled for review and subject to the outcome of the review, the preparation of a new Strategic Plan. Due to other priorities which have been endorsed by the Council and workload over the last twelve (12) months and the implications of COVID-19, work on a new document was scheduled to commence in the second half of this financial year with a review of work to date and a subsequent funding submission for consideration as part of the 2022-2023 Budget to engage a suitably qualified consultant to assist in preparing a new Plan.

The second relevant document is the Council's *Public Art Policy*.

This Policy was originally endorsed by the Council in 2007 and has been reviewed in 2011, 2016 and most recently in 2019. It is scheduled to be reviewed again in 2023.

The Policy identifies that there are three (3) categories of public art each forming separate components of a dynamic and integrated public art program.

1. *Integrated Art - art incorporated into infrastructure projects such as paving, gates, lighting, signage, street furniture, playground equipment, railings, landscaping etc. This is often referred to as 'site specific', as it is designed and made for the specific place in which it is installed. Production of such art involves collaboration between planners, architects, artists and engineers at an early stage in the development of a project.*
2. *Community Art – art involving a high degree of community consultation and participation. Crucial to this form of public art is the process of skill development and the connections this process fosters within and between communities. Community Art often communicates a message of social, historic or environmental importance to those involved in the design and making of the work. Its processes are usually facilitated by an artist and can involve **all forms of visual and performing arts**. The completed work is referred to as public art.*
3. *Stand Alone Art - art commissioned for particular sites or a series of sites which may be permanent or temporary and includes hired works and works on loan. This can range from iconic works marking gateways to the City, to interpretive work which comments on or describes issues or events. Examples of interpretive work might be murals, signage, performance or sculpture. Stand Alone Art can also include ephemeral works for short term display such as projection art.*

The Council's Public Art Policy includes the commissioning of a major public artwork (ie. the Quadrennial Public Artwork), once in every term of the Council.

The Policy currently includes the full spectrum of the arts including public art, music, visual and performing arts.

These various components are funded based on the funds available and the various priorities which are agreed to by the Council – noting that funds are always limited and there will always be competition for funds.

As set out above, a review of the current Public Art Strategy (Thinking Trough the City), is scheduled to be reviewed. This review can include discussion on whether the Strategy should include all forms of "art" as this would seem a sensible approach.

Whilst the Council can, if it wishes, revoke any policy, including the *Public Art Policy*, there does not appear to be any justification to do so “mid-stream”, given the Budget allocations over the last four (4) years to complete the commissioning of the next Quadrennial Public Art instalment.

Proceeding on the basis of reviewing the Council's Arts Strategy and its Policy in the 2022-2023, would seem a logical course of action, given that a program and funding has only recently been endorsed by the Council.

Recommended Approach

As it is not considered at this stage to be urgent, this matter should be considered as part of the Council's 2022-2023 Budget and if endorsed by the Council, completed as part of the 2022-2023 Budget.

This would also provide the Council with adequate time to adjust, if required, any budgetary allocations towards public art programs generally and in particular, the Quadrennial Public Art component of the Policy, as this timeframe reflects the first year of the term of the new Council.

Deferring (essentially cancelling) the commissioning of the Council's Quadrennial Public Art for the term of this Council, does not align with both *CityPlan 2030* or the Council's *Public Art Policy*.

10.4 WEBBE STREET CAR PARK – TRAFFIC FLOWS – SUBMITTED BY CR JOHN MINNEY

NOTICE OF MOTION: Webbe Street Carpark – Traffic Flows
SUBMITTED BY: Cr John Minney
FILE REFERENCE: qA1039
ATTACHMENTS: Nil

Pursuant to Regulation 12(1) of the *Local Government (Procedures at Meetings) Regulations 2013*, the following Notice of Motion has been submitted by Cr John Minney.

NOTICE OF MOTION

Staff to prepare a report to Council on the pros and cons of reversing the traffic flows in Webbe Street and Harris Street.

REASONS IN SUPPORT OF MOTION

With the proposed new lights arrangement at the intersection of George Street and The Parade, it may be advantageous to have left turn from George Street into Webbe Street to assist with the movement of vehicles and to help with congestion.

It may also assist with the traffic movement into and out from the Norwood Place underground car park.

STAFF COMMENT

PREPARED BY GENERAL MANAGER, URBAN PLANNING & ENVIRONMENT

As this matter relates to traffic management issues, if this Motion is supported, the matter will be referred to the Council's Traffic Management & Road Safety Committee.

10.5 WRITTEN NOTICES OF MOTION – CONFIDENTIAL ITEM - COUNCIL RELATED MATTER

Refer to Confidential Item 14.3 of this Agenda.

11. STAFF REPORTS

Section 1 – Strategy & Policy

Reports

11.1 REVIEW OF COMMUNITY LAND MANAGEMENT PLANS

REPORT AUTHOR: Manager, Governance, Legal & Property
GENERAL MANAGER: General Manager, Governance & Community Affairs
CONTACT NUMBER: 8366 4507
FILE REFERENCE: fA5005 qA76691 qA2030
ATTACHMENTS: A - C

PURPOSE OF REPORT

The purpose of this report is to present to the Council proposed amendments to the Council's *Community Land Management Plans* for the Council's consideration and endorsement for community consultation.

BACKGROUND

All Councils are required to prepare and adopt Community Land Management Plans for Community Land within their respective area pursuant to Section 196 of the *Local Government Act 1999* (the Act).

At its meeting held on 1 June 2020, the Council adopted the following *Community Land Management Plans* pursuant to Section 196(1) of the Act:

- *Strategic Overview – Community Land Management Plan;*
- *Parks & Reserves – Community Land Management Plan;*
- *Sporting Facilities – Community Land Management Plan;*
- *Civic & Community Facilities – Community Land Management Plan;* and
- *Operational & Other Community Land – Community Land Management Plan.*

A copy of the *Community Land Management Plans* is contained within **Attachment A**.

A review of the Plans has been undertaken following one (1) year of operation. A number of amendments are proposed to correct minor administrative errors and to update the Plans in accordance with other Council strategic plans and legislative changes. In addition, some changes have been made to the leasing and licensing provisions in the Plans to accommodate existing arrangements entered into with tenants since the adoption of the Plans in June 2020 and proposed arrangements moving forward.

The proposed amendments to the Plans are contained within **Attachment B** and **Attachment C** for the Council's consideration and endorsement for community consultation.

RELEVANT STRATEGIC DIRECTIONS & POLICIES

Social Equity

Objective 1.3 An engaged and participating community.

Strategy 1.3.2 Provide opportunities for community input in decision-making and program development.

FINANCIAL AND BUDGET IMPLICATIONS

Not Applicable.

EXTERNAL ECONOMIC IMPLICATIONS

Not Applicable.

SOCIAL ISSUES

Not Applicable.

CULTURAL ISSUES

Not Applicable.

ENVIRONMENTAL ISSUES

Not Applicable.

RESOURCE ISSUES

Not Applicable.

RISK MANAGEMENT

Regular review of the Council's *Community Land Management Plans* is necessary to ensure consistency and compliance with other Council strategic plans, operational requirements and relevant legislation. A failure to do so risks exposing the Council to liability for non-compliance with its Plans in the management of Community Land in the City.

COVID-19 IMPLICATIONS

Not Applicable.

CONSULTATION

- **Elected Members**

The Council last considered the Council's *Community Land Management Plans* at its meetings held on 2 March 2020 and 1 June 2020.

- **Community**

Prior to adopting a proposal for amendment of a *Community Land Management Plan*, the Council is required to undertake community consultation and give public notice with respect to the proposed amendment of the Plan pursuant to Section 198(2) of the Act.

Consultation is proposed to be conducted for a period of three (3) weeks with public notices to be placed on the Council's website and in the Advertiser newspaper. Copies of the amended Plans will be available for inspection at the Norwood Town Hall and online on the Council's website for the duration of the consultation period.

- **Staff**

General Manager, Governance & Community Affairs
Manager, Economic Development & Strategic Projects
Manager, Urban Planning & Sustainability

- **Other Agencies**

Pursuant to Section 196(4) of the Act, the Council is required to consult with the owner of any community land that is not in the Council's ownership, but which falls under the Council's care, control and management, with respect to a proposal for amendment of a *Community Land Management Plan*. As such, the following entities and persons will be consulted on the amended Plans: the Department for Environment and Water; the Commissioner of Highways and Perpetual Corporate Trust Ltd.

DISCUSSION

Following adoption of the Council's *Community Land Management Plans* in June 2020, a comprehensive review of the Plans has been undertaken and a number of amendments are proposed. In addition to correcting minor administrative errors that have been identified in the Plans since their adoption, a number of amendments are also proposed to ensure the Plans are consistent with recent updates to the Council's key strategic plans.

In particular, the Management Strategies tables attached as Appendix B to each of the Plans have been reviewed and updated to reflect the updated Objectives, Strategies and Performance Targets in *CityPlan 2030*, following the review of the Council's Strategic Plan in December 2020. This will ensure that the Council's management of Community Land is consistent with the Council's broader strategic objectives across the City.

In addition, the Strategic Management Proposals included in each of the Plans have been amended to reflect any updates to strategic projects in the Council's *Long-Term Financial Plan 2021-2031* and the Council's *Annual Business Plan 2021-2022*. Amendments have also been made to the *Strategic Overview – Community Land Management Plan* to refer to the updated *Planning, Development & Infrastructure Act 2016* and the *Planning and Design Code*, which commenced operation after the Plans were first adopted.

A number of changes have also been made to the leasing and licensing provisions in the *Community Land Management Plans* to accommodate existing arrangements entered into with tenants since the adoption of the Plans in June 2020 and proposed arrangements moving forward.

For example, the provisions relating to the former 'Brick + Mortar' premises located at 49 George Street have been amended to permit the leasing of this premises on a commercial basis, consistent with the Council's recent Expression of Interest process and resolution to enter into negotiations with a tenant to lease this premises on a commercial basis. Similarly, the provisions relating to Patterson Sportsground have been amended to permit the Council to enter into licence agreements over the sportsground for a term of 10 years, consistent with the term length for lease agreements over the clubrooms. This reflects the recent arrangements entered into with the East Torrens Baseball Club and the East Torrens Payneham Lacrosse Club for this facility.

A provision has also been included in each of the Plans to enable the Council to enter into lease arrangements for car parks on Community Land with providers of publicly accessible electric vehicle charging stations for a term of up to 15 years, consistent with the Council's recent Request for Tender process which sought proposals from operators to provide electric vehicle charging stations throughout the City.

The description of facilities at Norwood Oval and Payneham Oval in the *Sporting Facilities – Community Land Management Plan*, has also been updated to reflect the recent upgrades to these facilities.

A provision has also been included in the *Parks & Reserves – Community Land Management Plan* to provide that organised sport is not permitted at Felixstow Reserve, on the basis of comments and issues which have been raised by Elected Members and the local community over the past year, which indicated that use of the Reserve for organised sport on several occasions had a detrimental impact on the availability of this public space for use by the broader community for informal recreation and community activities.

A table which outlines the proposed amendments to the each of the Plans is contained within **Attachment B**. This should be read with the current version of the Plans contained within **Attachment A**.

An additional table which outlines the proposed amendments to the Management Strategies table attached to each of the Plans (with amendments marked in red) is contained within **Attachment C**.

Although Section 198(3) of the Act provides that public consultation on a proposed amendment to a *Community Land Management Plan* is not required for minor amendments that have '*no impact or no significant impact on the interests of the community*', due to the proposed amendments to the leasing and licensing provisions in the Plans and the more substantial amendments to the Management Strategies tables to ensure consistency with the recent update to *CityPlan 2030*, it is proposed to conduct community consultation on the entirety of the proposed amendments to the Plans pursuant to Section 198(2) of the Act.

If the Council resolves to proceed with the proposed amendments, the Plans will be updated with the proposed amendments and copies of the amended Plans will be made available for inspection during the consultation period.

A subsequent report will be presented to the Council following completion of the consultation period to present the amended Plans to the Council for adoption.

OPTIONS

The Council can determine not to proceed with the proposed amendments to the *Community Land Management Plans*, however, this is not recommended. To ensure that the Plans remain up-to-date and consistent with other Council strategic plans, operational requirements and relevant legislation, it is recommended that the Council determines to proceed with the proposed amendment of the Plans and endorses the amended Plans for community consultation.

CONCLUSION

At its meeting held on 1 June 2020, the Council adopted four (4) *Community Land Management Plans* pursuant to Section 196(1) of the *Local Government Act 1999*. Following one (1) year of operation, a comprehensive review of the Plans has now been completed and a number of proposed amendments are presented to the Council for its consideration and endorsement for community consultation. The amendments are proposed to correct minor administrative errors, to update the Plans in accordance with other Council strategic plans and legislative changes, and to reflect recent and proposed leasing and licensing arrangements over a number of Council facilities.

COMMENTS

Nil.

RECOMMENDATION

That the Council resolves to amend the Council's *Community Land Management Plans* contained within **Attachment A**, as per the documents contained in **Attachment B** and **Attachment C**, and endorses the amended Plans for the purpose of undertaking community consultation in accordance with Section 198(2) of the *Local Government Act 1999*.

Attachments – Item 11.1

Attachment A

Review of Community Land Management Plans

City of Norwood Payneham & St Peters
175 The Parade, Norwood SA 5067

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City of
**Norwood
Payneham
& St Peters**



Community Land Management Plan

Strategic Overview



City of
Norwood
Payneham
& St Peters

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Adoption and Review

This Community Land Management Plan Overview was adopted by the Council on 1 June 2020.

The Council will review this Plan within three years of the adoption date, or otherwise as required from time-to-time.

Cover: St Peters Billabong
Right: Payneham Oval Playground



Strategic Overview

What is Community Land?

Most land which is owned by councils, except roads, is classified as Community Land under Section 193 of the *Local Government Act 1999* (the Act). Community Land includes parks and reserves, sporting facilities and civic and community buildings.

The Act places certain restrictions on how councils can use and dispose of Community Land. This includes the requirement for Community Land to have its classification as Community Land revoked prior to the land being sold. Various public consultation requirements also attach to dealings with Community Land (including leasing) by councils.

What are Community Land Management Plans?

Pursuant to Section 196 of the Act, all councils are required to prepare and adopt management plans for Community Land within their Local Government Area.

These Community Land Management Plans are required to contain certain information, including the council's objectives and performance targets for management of the land. The adoption or amendment of a Plan (excluding minor administrative changes) requires community consultation.

Pursuant to Section 207 of the Act, councils must also keep a public register of all Community Land which is located within its Local Government Area. The register must contain the information prescribed by the Act (including, for example, the legal description of the land, its common name, and details of any lease over the land).

A copy of the Council's Community Land Register is contained within **Appendix A**.

The Council also maintains a Lease & Licence Register which contains the information required by Section 207 of the Act and Regulation 23 of the *Local Government (General) Regulations 1999*.

A copy of the Council's Lease & Licence Register is contained within **Appendix B**.



Mandala, Osmond Terrace

Key Objectives

The key objectives of the Council's Community Land Management Plans are to:

- clearly outline the Council's objectives for use and management of Community Land;
- guide the decisions of the Council and other government agencies in relation to the use and management of the Council's Community Land;
- provide accessible information to the community about Community Land within the City; and
- identify opportunities for efficient, equitable and innovative use of Council-owned land and facilities.

Structure and Interpretation

For the purposes of its Community Land Management Plans, the Council has identified four main categories of Community Land, each of which have their own Plan namely; – parks and reserves, sporting facilities, civic and community facilities, and operational and other Community Land.

These four categories are derived from the primary function of the Community Land and its intended use and role as public open space in the City.

For instance, a Council reserve that includes community tennis courts alongside other recreational facilities, has been classified as a reserve, rather than a sporting facility. Cruikshank Reserve and St Peters River Park are an exception to this and have been classified both as reserves and as sporting facilities, as these reserves contain dedicated or highly utilised sporting facilities alongside public open space. As such, the provisions of both Community Land Management Plans will apply to each of these parcels of land.

Together, the Council's four Community Land Management Plans form a comprehensive management strategy for all Community Land within the City of Norwood Payneham & St Peters.

Legislative and Strategic Framework

The Council's Community Land Management Plans are part of a broader legislative and strategic framework, including State Government legislation and internal Council policies and strategies. Together, these documents govern the way Community Land across the City is used and managed by the Council.

The Council's Community Land Management Plans have been developed in accordance with and are consistent with the Council policies, strategies and management plans set out below, in addition to all relevant legislation, regulations, codes of practice and guidelines as introduced or amended from time-to-time.

In the event of any inconsistency between the provisions of another Council plan or policy and a Community Land Management Plan, the other plan or policy will prevail.

These Community Land Management Plans will be updated to ensure consistency with other Council policies and strategies (including *CityPlan 2030: Shaping Our Future*) from time-to-time as required.

A brief description of some of the Council's key strategies and plans is set out below.

CityPlan 2030: Shaping Our Future

This is the Council's Strategic Management Plan, prepared in accordance with Section 122 of the Act. Adopted in 2008, this plan set out the strategic direction of the City over the next 20 years and beyond, focusing on four key outcomes of: Social Equity, Cultural Vitality, Economic Prosperity and Environmental Sustainability.

Open Space Strategy

This strategy provides a framework for the Council to effectively manage, maintain, enhance and develop its open space network for the benefit of a variety of stakeholders in the community.

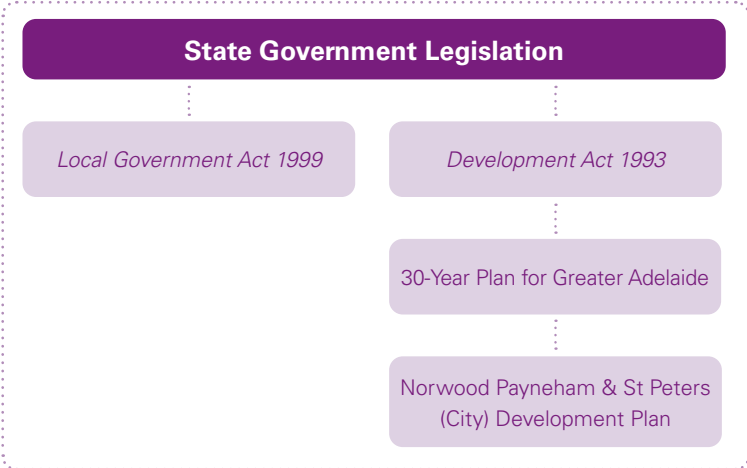
Asset Management Plans

These plans, as required by Section 122 of the Act, set out the Council's proposed strategies for the management, maintenance and replacement of the Council's major infrastructure and assets across their lifecycle. The Council maintains the following Asset Management Plans:

- Recreation & Open Space Infrastructure and Asset Management Plan;
- Community Buildings Infrastructure and Asset Management Plan;
- Roads, Footpaths and Kerb & Water Table Infrastructure and Asset Management Plan; and
- Stormwater Drainage Infrastructure and Asset Management Plan.

Other Strategies and Plans

A variety of other strategies and plans are in place to provide direction for the development and use of key Council assets which are often situated on Community Land including, the Council's Access & Inclusion Plan, Swimming Centres Long-Term Strategy, Playgrounds Strategy and Tennis Facilities Strategy.



Our Community Land

Within the City, there is a broad variety of Community Land that is regularly used by sports clubs and community groups, casual recreational users, local residents and visitors to our City.

The network of Community Land, including parks and reserves, community centres and libraries, sporting facilities and linear trails, provides a space for people to connect, learn and relax.

Community Land also contributes to the unique 'sense of place' in our City — a City which values and is recognised by its heritage, cultural diversity and natural environment.

The Council has 72 parks and reserves, 10 sporting facilities, 11 civic and community facilities and 26 parcels of operational and other Community Land.

Categories of Community Land

The four categories of Community Land covered by the Council's Community Land Management Plans are as follows:

Parks and Reserves

Parks and reserves are characterised as areas of green open space open that are suitable for use by a broad cross-section of the community, usually for informal and passive recreational activities. They range in size from local 'pocket' parks to large linear parks and natural conservation areas.

Sporting Facilities

This category of Community Land includes both indoor and outdoor sporting facilities that are used primarily for formal and organised sporting activities. These facilities include buildings (e.g. clubrooms) and open space (ranging from ovals, to tennis courts and swimming pools). Sporting facilities may be used by sole user groups under lease arrangements or under shared-use or casual hire arrangements that also ensure public access.

Civic and Community Facilities

Civic and community facilities are Council-owned buildings which are operated to provide a civic or community purpose for the City, including activities such as Council administration, provision of community services and activities, and public meeting spaces. Some facilities are managed solely by the Council, while others are managed under leasing and licensing arrangements by various user groups.

Operational and Other Community Land

This category incorporates all other Community Land held by the Council for various operational purposes. This land is often comprised of small parcels of land that provide linkages between existing open space, physical barriers between the public road network and privately-owned land, or which operate as part of the Council's stormwater management system.

Categories of Community Land Map

Legend

-  Parks & Reserves
-  Sporting Facilities
-  Civic & Community Facilities
-  Operational & Other Community Land





Management of Community Land

Pursuant to Section 199 of the Act, the Council is required to manage its Community Land in accordance with any Community Land Management Plan for that land.

The management of Community Land includes all stages in the life cycle of that land, from creation or acquisition, to ongoing maintenance, upgrade and redevelopment, and disposal or sale. It also includes the use of that land by members of the local community, various groups and organisations, and the Council itself — whether under leasing, licensing or casual hire arrangements, or for the holding of community events.

The Act imposes various procedural requirements in relation to certain dealings with community land (including, for example, community consultation for leases or licenses over five years, or revocation of community land classification prior to sale).

Each of the Council's Community Land Management Plans includes a Management Strategies table that contains the Council's specific objectives, strategies, performance targets and measures for management of that category of Community Land, as required by Section 196(3) of the Act.

Each Plan also includes strategic management proposals planned by the Council over the next three to five years for the upgrade or redevelopment of specific parcels of community land (i.e. by way of Masterplan, concept plan and/or construction). This information will be updated from time-to-time as needed.

Some Community Land is subject to trusts, dedications, reservations and other restrictions which control how the land can be used. Where relevant, this information is included in the Community Land Register for that land.

Appendix A

Community Land Register

#	Name of Land	Address of Land	Certificate of Title	Plan and Parcel	Notes	Lease / Licence*	Land area (approximate m ²)
PARKS AND RESERVES							
1	Adey Reserve	Scott Street / Hampden Street, Firlie SA 5070	5257 / 763	F137824 A2 F137824 A3 F137824 A4 F137824 A5 F137824 A6 F137824 A7 F137824 A8 F137824 A9 F137824 A10 F137824 A11 F137824 A12 F137824 A13 F137824 A14 F137824 A15 F137824 A16 F137824 A17 F137824 A18 F137824 A19 F137824 A20 F137824 A21		Lease	1,8011
2	Alfred Street Park	Lot 12 Alfred Street, Norwood SA 5067	5329/285	D44293 A12			227
3	Arabella Court Reserve	Allotment 712 Arabella Court, Marden SA 5070	6190/522	D114413 A712			693
4	Barry Skinner Reserve	Applebee Crescent, Norwood SA 5067	5819/872 5542/380	D13429 A40 D13430 A39	Previously named Osmond Square		2,019
5	Bishops Place Reserve	Lot 8 Shipsters Road, Kensington SA 5068	5825/788 919/159	04256 A8			211
6	Booroo Street Reserve	Lot 8 Booroo Street, Joslin SA 5070 Lot 9 Holton Court, St Peters SA 5069	5517/315 5516/866	D29191 A8 D29191 A9			2,370

#	Name of Land	Address of Land	Certificate of Title	Plan and Parcel	Notes	Lease / Licence*	Land area (approximate m ²)
7	Borthwick Memorial Gardens	Corner of Payneham Road and Portrush Road, Payneham SA 5070	5102/353 5102/354	D34464 A202 D1333 A4 D34464 A203, A204			1,851
8	Borthwick Park	51C Bridge Street, Kensington SA 5068 12 Richmond Street, Kensington SA 5068 44 Thornton Street, Kensington SA 5068 Lot 25 Thornton Street, Kensington SA 5068	5549/330 5733/3 5548/244 5742/149	D41630 A14 D979 A16 F139010 A30 F138905 A25			7,547
9	Bridge Road Reserve	Lot 44 Rosella Street, Payneham SA 5070 Lot 45 Bridge Street, Payneham SA 5070 Lot 46 Bridge Street, Payneham SA 5070	2796/122	D6824 A44 D6824 A45 D6824 A46			3,104
10	Broad Street Reserve	Lot 32 Broad Street, Marden SA 5070	6014/350	D6608 A32			1,324
11	Buik Crescent Reserve	Lot 93 Buik Crescent, Marden SA 5070	2202/10	D4832 A93			3,114
12	Burchell Reserve	50 Sixth Avenue, St Peters SA 5069	5261/695 5837/244	F138133 A10 F138133 A11 F138133 A12 F138133 A13 F138133 A14 D796 A598	Includes tennis courts		6,642
13	Chimney Park	Muller Street and Stephen Street, Norwood SA 5067	5542/383 5542/389 5542/394 5819/871	D13341 A108 D13108 A104 D13108 A101 D13429 A38			1,661

#	Name of Land	Address of Land	Certificate of Title	Plan and Parcel	Notes	Lease / Licence*	Land area (approximate m ²)
14	Church Avenue Reserve	Church Avenue, Norwood SA 5067	280/148 5872/781	D798 A17 F138950 A70			758
15	Cliff Goodwin Reserve	Lot 46 Eighth Avenue, St Peters SA 5069	5837/560	D882 A725			3,160
16	College Road Reserve	Corner of Fullarton Road and The Parade West, Kent Town SA 5067	6062/342	F219201 A70			247
17	Cruikshank Reserve	Corner of Phillis Street and Clifton Street, Maylands SA 5069	5807/109 5824/191 5827/929 5832/304 5831/945 5785/757	F135048 A97 F135049 A98 F135050 A99 F135051 A100 F135052 A1 D1210 A12	Also Sporting Facility Includes tennis courts, netball courts and clubrooms	Lease	5,323
18	Dan and Nan Manning Playground and Walkway	30 Fisher Street, Norwood SA 5067 Lot 35 Gray Street, Norwood SA 5067	5093/300 5372/729	D34470 A1 D45476 A35			407

#	Name of Land	Address of Land	Certificate of Title	Plan and Parcel	Notes	Lease / Licence*	Land area (approximate m ²)
19	Drage Reserve	Lot 74 Riverside Drive, Felixstow SA 5070	6032/942	DP 7849 A74	A portion of unmade road adjoining the end of Briar Road and Riverside Drive extends into Drage Reserve until the centre line of the River Torrens (no CT)		73,675
		Lot 4 Briar Rd, Felixstow SA 5070	5744/455	FP 40075 A4			
		Lot 6 Briar Rd, Felixstow SA 5070	5306/476	FP 40075 A6			
		Lot 20 Briar Rd, Felixstow SA 5070	5306/470 5306/471	DP 42573 A20 DP 42573 A21			
		Andrea Way, Klemzig SA 5087	Pt 2667/180 (from centre line of River Torrens)	DP 6512 Pt Lot 57	Registered Proprietor: City of Port Adelaide Enfield		
		Spring Grove, Klemzig SA 5087	Pt 5416/452 (from centre line of River Torrens)	DP 21178 Pt Lot 16	Registered Proprietor: Minister for Environment and Water		
		River Street, Klemzig SA 5087	Pt CR 5753/973	H106100 S3287	Registered Proprietor: The Crown Custodian: City of Port Adelaide Enfield Land from centre line of River Torrens Land dedicated for gravel and sand purposes pursuant to the <i>Crown Lands Act, 1929</i> by Gazette 01/10/1903		

#	Name of Land	Address of Land	Certificate of Title	Plan and Parcel	Notes	Lease / Licence*	Land area (approximate m ²)	
20	Dunstan Adventure Playground	Stephen Terrace, St Peters SA 5069	5807/996	F29953 Q20, Q22			13,290	
		Winchester Street, St Peters SA 5069	CR 5754/508	H105100 S1190	Registered Proprietor: The Crown			
					Custodian: City of Norwood Payneham & St Peters	Land dedicated for recreation and plantation purposes pursuant to the <i>Crown Lands Act, 1929</i> , by Gazette 28/03/1985.		
			5459/464	D882 A747	Registered Proprietor: Minister for Environment and Water			
21	Dunstone Grove	Payneham Road, Stepney SA 5069	Pt 5774/726	F134917 A66	That portion of the Reserve forming the entrance from Payneham Road to Cornish Street		1,562	
		N/A	615/200	R3402 AA				
22	Edin Smith Walk	Lot 37 Appelbee Crescent, Norwood SA 5067	5542/381	D13430 A37			1,608	
		19 Osmond Tce, Norwood SA 5067	5490/729 5542/382	D12985 A106 D13343 A36				
23	Felixstow Reserve	Lot 100 Spring Grove, Klemzig SA 5087	6032/941	D76306 A100	Includes wetlands The portion of land on the northern side of the River Torrens falls within the boundary of the Town of Walkerville	Licence	71,389	
24	Gage Street Reserve	Lot 2 Gage Street, St Morris SA 5068	6061/154 6061/153	D83405 A2 D83405 A3, A4			553	

#	Name of Land	Address of Land	Certificate of Title	Plan and Parcel	Notes	Lease / Licence*	Land area (approximate m ²)
25	Garden of Remembrance	188 OG Road, Felixstow SA 5070	Pt 5859/643	D58460 A100			2,232
26	Glenbrook Close Reserve	Lot 39 Glenbrook Close, Marden SA 5070	5064/975	D32029 A39			2,677
27	Glenbrook Close Reserve No 2	Lot 41 Glenbrook Close, Marden SA 5070	5064/977	D32029 A41			501
28	Glenbrook Close Reserve No 3	Lot 40 Glenbrook Close, Marden SA 5070	5064/976	D32029 A40			630
29	Glenbrook Close Reserve No 4	Lot 39 Glenbrook Close, Marden SA 5070	5064/974	D32029 A38			294
30	Hannaford Reserve	77A Seventh Avenue, St Peters SA 5069	5668/598 5738/197 5738/198 5774/982 5826/829	F135834 A83 F135836 A85 F135835 A84 D796 A635 F135850 A99			5,406
		Sixth Avenue, St Peters SA 5069	5360/70	F135850 A100			
31	Hanson Reserve	Lot 101 Newcastle Street, Heathpool SA 5068	5976/717	F24019 A101			1,353
32	Hardiman Reserve	Lot 101, The Parade West, Kent Town SA 5067	5093 / 89 5641 / 848	F100138 A27 F213583 A101	Intersection of The Parade, The Parade West, Flinders Street and Fullarton Road		699
33	Hutchinson Park	4 Free Street, Norwood SA 5067	5079/239	F100077 A52			4,533
		2 Bond Street, Norwood SA 5067	5560/392	F100119 A68			
		6 Bond Street, Norwood SA 5067	5084/550 5847/967	F100119 A69 F40411 A71			

#	Name of Land	Address of Land	Certificate of Title	Plan and Parcel	Notes	Lease / Licence*	Land area (approximate m ²)
34	James Coke Park	Coke Street, Norwood SA 5067	5485/526	F9944 A23			2,840
		Edward Street, Norwood SA 5067	5935/603	D26935 A105			
35	Joslin Reserve	Fourth Avenue, Joslin	5774/771	D2183 A16, A17		Licence	7,314
			5807/290	D2183 A18			
			5818/4	D2183 A19			
			5821/233	F135901 A50			
		88-92 Third Avenue, Joslin SA 5070	5821 / 234	F135889 A38			
36	Kensington Pioneer Park	Lot 39 Maesbury Street, Kensington SA 5068	5811/205	F138919 A39			1,624
37	Koster Park	24 Avonmore Avenue, Trinity Gardens SA 5068	5731/14	D1143 A146			8,617
				D1143 A147			
				D1143 A150			
				D1143 A151			
				D1143 A169			
			5785/299	D1143 A191			
			5793/944	D1143 A190			
			5821/666	D1143 A172			
	D1143 A173						
		5840/263	D1143 A168				

#	Name of Land	Address of Land	Certificate of Title	Plan and Parcel	Notes	Lease / Licence*	Land area (approximate m ²)
38	Linde Reserve	Payneham Road, Stepney SA 5069	Pt 5774/726	F134917 A66	Linde Reserve comprises the whole of the Reserve on both sides of Second Creek, excluding the entrance from Payneham Road to Cornish Street.	Leases	25,363
		Nelson Street, Stepney SA 5069	6109/870 5888/57 5888/72 5888/44	D90885 A900 F218459 A42 F134924 A73 F134815 A64		Licence	
		62 Nelson Street, Stepney SA 5069	5612/599	D134922 A71		Includes Nelson Street Cottages, St Peters Youth Centre and ampitheatre, field, and Linde Community Garden.	
		64 Nelson Street, Stepney SA 5069	5799/121	D134922 A72	The land comprising Allotment 129 in Filed Plan 4431 is to be held in perpetuity as a public reserve or recreation ground with the name of Linde to be preserved. Should the land be sold, Section 201(3)(b) of the <i>Local Government Act 1999</i> applies.		
		66 Nelson Street, Stepney SA 5069	5799/117	F134916 A65			
		68 Nelson Street, Stepney SA 5069	5799/119	F134921 A70			
		70 Nelson Street, Stepney SA 5069	5799 / 115	F134919 A68			
		Nelson Street / Stepney Street, Stepney SA 5069	989/10	F4431 A129			
		45 Stepney Street, Stepney SA 5069	5495/429	F4431 A127			
Stepney Street, Stepney SA 5067	5515/208 5694/773	F4431 A128 F4431 A130					
39	Linear Park–Gilberton	Lot 36 Gilberton Street, Gilberton SA 5081	Pt 5875/665	D22127 Q7, Q8	Land managed by the Town of Walkerville, to the west of the centre line of the River Torrens		6,687
		Lot 31 Eighth Avenue, St Peters SA 5069	Pt 5832/927 Pt 5853/87	F136687 A36 F136682 A31			
40	Mary MacKillop Park	Phillips Street, Kensington SA 5068	6233/346	D122639 A101			921
41	Maurice Clayton Reserve	43A Frederick Street, Maylands SA 5069	5097/557	D19612 A2			3,331
		44A Augusta Street, Maylands SA 5069	5717/315	F134959 A8			

#	Name of Land	Address of Land	Certificate of Title	Plan and Parcel	Notes	Lease / Licence*	Land area (approximate m ²)
42	May Street Reserve No 1	Hampden Street, Firle May Street, Firle SA 5070	Pt 3769/52	D8519 A22	Reserve comprises Pt CT 3890/22 (D4967 A77) which is Public Road		310
43	May Street Reserve No 2	May Street, Firle SA 5070	Pt 3769/52	D8519 A21	Reserve comprises Pt CT 3890/22 (D4967 A76) which is Public Road		580
44	May Street Reserve No 3	May Street, Firle SA 5070 Sommers Avenue, Firle SA 5070 Gage Street, Firle SA 5070	2647/161 2692/169	D4967 A84 F100997 A7	Reserve comprises Pt CT 3890/22 (D4967 A75) which is Public Road Registered Proprietor: George Luscombe Martin, Arnold Roy Martin & Walter Leslie Martin		335
45	Memorial Gardens	The Parade, Norwood SA 5067	6130/133 Pt 6130/134	D31103 A11 D31103 A10			2,606
46	Mitchell Lane Reserve	Allotment 701 Arabella Court, Marden SA 5070	6162/583	D110652 A701			120
47	Old Mill Reserve	Lot 24 Richmond Street, Hackney SA 5069 Corner of Richmond Street and Hackney Road, Hackney SA 5069 Corner of Richmond Street and Hackney Road, Hackney SA 5069	5484/267 5484/269 5815/811 5820/576 Pt CR 5923/345 5815/813 5484/259 5688/807 5484/261 5484/265	F11072 A24 F11072 A25 F11072 A26 F11072 A27 D58667 A104 F11072 A20 F11072 A21 F136464 A13 F11072 A22 F11072 A23	Registered Proprietor: The Crown Custodian: Minister for Environment and Water Registered Proprietor: Minister for Environment and Water		7,983

#	Name of Land	Address of Land	Certificate of Title	Plan and Parcel	Notes	Lease / Licence*	Land area (approximate m ²)
48	Orlando Court Reserve	Allotment 700 Orlando Court, Marden SA 5070	6172/769	D112183 A700			440
49	Otto Park	21 Second Avenue, St Peters SA 5069	5705/980	F136593 A42			2,863
50	Player Avenue Reserve	26 Player Avenue, St Peters SA 5069	5538/617	D22127 A3			1,268
51	Regent Gardens	Thornton Street, Kensington SA 5068	5488/779	F9782 A1 R7638 AA			826
52	Richards Park	10 Osmond Terrace, Norwood SA 5067	5490/485	F75 A9	Minister owns adjacent land at 19 Edward Street, Norwood (CT 5468/104)	Lease Underlease	12,880
	Lot 16 Magill Road, Norwood SA 5067	5845/580	F11604 A16				
	6-8 Osmond Tce, Norwood SA 5067	5857/775	F75 A10				
	132 Magill Rd, Norwood SA 5067	5297/871	F139486 A6				
53	River Street Buffer Reserve	Allotment 15 River Street, Marden SA 5070	5519/625	D24378 A15			1,943
54	River Torrens Linear Park Section Number Two	Richmond Street, Hackney SA 5069	5389/439	D44733 A100	Registered Proprietor: Perpetual Corporate Trust Ltd ACN 000 341 533		8,174
	Hackney Road, Hackney SA 5069	Pt CR 5923/345	D58667 A104	Registered Proprietor: The Crown	Custodian: Minister for Environment and Water		
	Richmond Street, Hackney SA 5069	5459/267 5459/79	F18091 A40 F18091 A41	Registered Proprietor: Minister for Environment and Water			
	Torrens Street, College Park SA 5069	5410/924	F15982 A35				

#	Name of Land	Address of Land	Certificate of Title	Plan and Parcel	Notes	Lease / Licence*	Land area (approximate m ²)
55	River Torrens Linear Park Section Number Four	Player Avenue, St Peters SA 5069	5824/688	F15548 A39			37,810
			5461/592	F15548 A36			
			5828/320	F15547 A34			
			5471/540	D12370 A2			
			5824/245	F15547 A31			
			5824/242	F15547 A30			
			5824/241	F15547 A29			
			5493/352	F15547 A28			
			5492/981	F15547 A27			
			5493/351	F15547 A26			
			5620/980	F15547 A25			
			5730/375	F15547 A24			
			5824/243	F15547 A23			
			5824/244	F15547 A22			
		5714/839	D12944 A48				
		5714/838	D12943 A50				
5130/921	F15548 A18						
	Swing Bridge Lane, St Peters SA 5069	5462/951 5800/394	F15548 A42 D54937 A105				
	River Street, St Peters SA 5069	5875/664	D22127 Q4				
	Stephen Terrace, St Peters SA 5069	5996/865	D77244 Q72	Registered Proprietor: Minister for Environment and Water			
	Stephen Terrace, Gilberton SA 5069	5301/86	D21786 A21	Registered Proprietor: Commissioner of Highways			
56	River Torrens Linear Park Section Number Six	9 Eleventh Avenue, St Peters SA 5069	5395/384	D21787 A44	Registered Proprietor: Minister for Environment and Water		20,438
		Holton Court, St Peters SA 5069	Pt 5331/355	D29191 Q12			
		Holton Court, St Peters SA 5069	5301/114	D29191 Q11	Registered Proprietor: Commissioner of Highways		

#	Name of Land	Address of Land	Certificate of Title	Plan and Parcel	Notes	Lease / Licence*	Land area (approximate m ²)			
57	River Torrens Linear Park Section Number Seven	82-90 Lambert Road, Joslin SA 5070	5462/443	F16864 A102	Registered Proprietor: Minister for Environment and Water		69,650			
		Koolaman Street, Joslin SA 5070	Pt 5331/355 5463/40	D29191 Q7 F16863 A95						
		Battams Road, Royston Park SA 5070	Pt 5068/625 Pt 5381/820	D21785 Q22 F203838 Q92, Q93						
		Lambert Road, Royston Park SA 5070	Pt 5463/41	F16864 A104						
		Holton Court, St Peters SA 5069	5301/114	D29191 Q11	Registered Proprietor: Commissioner of Highways					
		Battams Road, Royston Park SA 5070	5068/190 Pt 5127/199	D21785 A21 F33975 A403						
58	River Torrens Linear Park Section Number Eight	Lot 15 River Street, Marden SA 5070	5519/625	DP24378 A15	Registered Proprietor: Minister for Environment and Water		38,300			
		Glenbrook Close, Marden SA 5070	Pt 5977/41	D24378 Q13						
		Lower Portrush Road, Marden SA 5070	6043/805	D15914 A20						
		Glenbrook Close, Marden SA 5070	5751/100	D15913 A22						
		River Street, Marden SA 5070	5301/96	D24378 Q16				Registered Proprietor: Commissioner of Highways		
		Alexander Lane, Marden SA 5070	5301/73	D15915 A26						

#	Name of Land	Address of Land	Certificate of Title	Plan and Parcel	Notes	Lease / Licence*	Land area (approximate m ²)
59	River Torrens Linear Park Section Number Nine	Lower Portrush Rd, Marden SA 5070	5185/102	D32042 Q11	Registered Proprietor: Minister for Environment and Water		75,640
		Church Street, Marden SA 5070	5466/58	D19035 A30			
		Lower Portrush Road, Marden SA 5070	5471/360 6043/805 5827/542 5749/384	D19035 A24 D15914 A20 D19035 A27 F127639 A5			
60	Scott Street Reserve	Lot 38 Almond Avenue, Glynde SA 5070	2585/136	D6294 A38	D7452 A24 in CT 3135/125, comprising portion of the Reserve, is vested in the Council as Public Road		3,277
		25 Scott Street, Glynde SA 5070	2670/69	D6508 A63			
		Lot 24 Scott Street, Glynde SA 5070	2670/67	D6461 A24			
61	St Morris Reserve	Seventh Avenue, St Morris SA 5068	5129/787 5129/786	D36670 A421 D36670 A423			8,023
62	St Peters River Park	Lot 10 River Street, St Peters SA 5069	Pt 5875/802	D22127 Q9, Q10	Also Sporting Facility	Licences	92,643
					Includes L G Perriam Memorial Oval and St Peters Billabong		
		Lot 31 Eighth Avenue, St Peters SA 5069	Pt 5853/87 5750/168 5262/161 5261/579	F136682 A31 F136697 A46 F138132 A8, A9 F138138 Q23, Q24			
		Lot 46 Eighth Avenue, College Park	339/70	F136689 A38			
		Lot 46 Eighth Avenue, College Park SA 5069	329/181, 182	D882 A725A			
		23 River Street, St Peters SA 5069	5547/589	F136779 A28			
		Lot 10 River Street, St Peters SA 5069	5329/205	F136688 A37			
	Lot 36 Gilbert Street, Gilberton SA 5081	Pt 5832/927 Pt 5875/665	F136687 A36 D22127 Q7				

#	Name of Land	Address of Land	Certificate of Title	Plan and Parcel	Notes	Lease / Licence*	Land area (approximate m ²)
63	Stacey Reserve	30 Bakewell Road, Evandale SA 5069	5602/675	F215433 A95 F215433 A96			1,544
64	Stanford Reserve	1 Loch Street, Stepney SA 5069	5445/273	F215433 A96			1,309
65	Syd Jones Reserve	77-81 Coorara Ave, Firle SA 5070	5842/437 5671/805 5674/438 5673/408	DP 4647 A13, A14, A15 DP 4647 A16 DP 4647 A17 DP 4647 A18	Includes building	Lease	4,504
66	Trenorden Park	Maesbury Street, Kensington SA 5068	5461/483	F3311 A2			1,729
67	Twelftree Reserve	Lots 458–463 Torrens Street, College Park SA 5069	5715/829	D796 A458 D796 A459 D796 A460 D796 A461 D796 A462 D796 A463			6,927
68	White Reserve	Third Avenue, Royston Park SA 5070	5944/447	D3236 A156			1,563
69	Willow Bend Reserve No 1	Willow Bend, Marden SA 5070	5847/964	D56974 A53			692
70	Willow Bend Reserve No 2	Broad Street, Marden SA 5070	5847/963	D56974 A52			3,029
71	Willowbank Crescent Reserve	Pitt Street, Marden SA 5070	2249/136	D6913 A16			1,194
72	Woodroffe Gardens	Theresa Street, Norwood SA 5067	5247/343	D34225 A102			646

#	Name of Land	Address of Land	Certificate of Title	Plan and Parcel	Notes	Lease / Licence*	Land area (approximate m ²)
SPORTING FACILITIES							
1	Buttery Sportsground	259 Portrush Road, Norwood SA 5067	5872/151 5872/152 5872/153	D58030 A51 D58030 A52 D58030 A53	Includes croquet green, tennis courts and clubrooms	Leases Licence	7,909
2	Cruikshank Reserve	Corner of Phillis Street and Clifton Street, Maylands SA 5069	5807/109 5824/191 5827/929 5832/304 5831/945 5785/757	F135048 A97 F135049 A98 F135050 A99 F135051 A100 F135052 A1 D1210 A12	Also Reserve Includes tennis courts, netball courts and clubrooms	Lease	5,323
3	John Horrocks Memorial Green	65-69 Breaker St, St Morris SA 5068	5700/559	D2589 A82	Includes tennis courts and building	Lease	3,490
4	Norwood Oval	4 Woods Street, Norwood SA 5067 75 The Parade, Norwood SA 5067	6130/129 6130/148 Pt 6130/134	F35168 A7 D87096 A51 D31103 A10	Includes clubrooms and grandstand with facilities. The land to the north of Allotments 10 and 11 in Deposited Plan 31103 is to be perpetually held by the Council for the purpose of open air games and recreation	Leases Underlease Licence	28,943
5	Norwood Swimming Centre	Lot 102 Phillips Street, Kensington SA 5068	5759/406	D16233 A102			3,721
6	Patterson Sportsground	20 Turner Street, Felixstow SA 5070	Pt 5859/643 Pt 5386/506	D58460 A100 D42573 Q23	Includes sportsground and clubrooms	Leases Licences	35,252
7	Payneham Memorial Swimming Centre	188 O G Road, Felixstow SA 5070	Pt 5859/643 Pt 5386/506 5744/453	D58460 A100 D42573 Q23 F40075 A16	Includes clubrooms	Licences	13,650
8	Payneham Oval	26 Rosella Street, Payneham SA 5070	5839 / 146	D372 A115 D372 A51 D372 A52 D372 A116 D372 A63 D372 A64	Includes oval, clubrooms, tennis courts and playground	Lease Underlease Licences	40,442
			N/A	D372 A117	Whole of the land in General Memorial Registered No 80 Book 474 (NUA)		

#	Name of Land	Address of Land	Certificate of Title	Plan and Parcel	Notes	Lease / Licence*	Land area (approximate m ²)
9	St Peters River Park	Lot 10 River Street, St Peters SA 5069	Pt 5875/802	D22127 Q9, Q10	Also Reserve		92,643
		Lot 31 Eighth Avenue, St Peters SA 5069	Pt 5853/87	F136682 A31	Includes L G Perriam Memorial Oval and St Peter's Billabong		
		Lot 46 Eighth Avenue, College Park	339/70	F136689 A38			
		Lot 31 Eighth Avenue, St Peters SA 5069	5750/168 5262/161 5261/579	F136697 A46 F138132 A8, A9 F138138 Q23, Q24			
		Lot 46 Eighth Avenue, College Park SA 5069	329/181, 182	D882 A725A			
		23 River Street, St Peters SA 5069	5547/589	F136779 A28			
		Lot 10 River Street, St Peters SA 5069	5329/205	F136688 A37			
		Lot 36 Gilbert Street, Gilberton SA 5069	Pt 5832/927 Pt 5875/665	F136687 A36 D22127 Q7			
10	Trinity Gardens Soldiers Memorial Reserve	Corner Hereford Ave, Albermarle Ave and Canterbury Ave, Trinity Gardens SA 5068	5793/815	D2666 A127	Includes tennis courts, bowling green and clubrooms Subject to a Trust Deed dated 2 July 1924 which requires the Reserve 'to be used, kept, and held as an open space and recreation ground for the use of the persons resident on the remainder of the forty acres of land hereinbefore mentioned and for the use of the public' and on the further conditions set out in the Deed (see Lease dated 15 June 1998 for more details).	Leases	10,151

#	Name of Land	Address of Land	Certificate of Title	Plan and Parcel	Notes	Lease / Licence*	Land area (approximate m ²)
CIVIC AND COMMUNITY FACILITIES							
1	Beulah Road Community Hall	31 Beulah Road, Norwood SA 5067	5752/340	D14768 A1		Lease	556
2	Norwood Institute Building	110 The Parade, Norwood SA 5067	5079/779	F100054 A51	Includes Norwood Library	Leases	531
3	Norwood Town Hall Civic Centre	Lot 1 The Parade, Norwood SA 5067 161-169 The Parade, Norwood SA 5067	6037/165 6083/292 6083/293	D69685 A1 26507F110 C26507F111	Includes 49 George Street premises, Norwood Concert Hall and Don Pyatt Hall	Lease	3,447
4	Payneham Community Centre	374 Payneham Road, Payneham and 2 Arthur Street, Payneham SA 5070	5464/648 5530/477	F13004 A101 F13004 A102	Includes playground	Licences	6,352
5	Payneham Library and Community Facilities Complex	2 Turner Street, Felixstow SA 5070	6233/72 5744/454 Pt 5744/453 Pt 5386/506	D122244 A10 F40075 A15 F40075 A16 D42573 Q23			5,400
6	Payneham Senior Citizens Centre	54-58 Coorara Avenue, Payneham South 5070	5807/541 5816/66 5839/300	D1793 A70 D1793 A71 D1793 A72		Lease	3,404
7	Payneham Youth Centre	24 Turner Street, Felixstow SA 5070	5828/683 Pt 5386/506	F40075 A18 D42573 Q23	Adjacent to Patterson Sportsground	Lease	3,430
8	St Peters Child Care Centre	42-46 Henry Street, Stepney SA 5069	5554/194 Pt 5729/969	F212439 A132, A133 F211841 A245	Adjacent to Linde Reserve		2,137
9	St Peters Civic Centre Complex	101 Payneham Road, St Peters SA 5069	5847/278 5847/279 5827/303 5830/817	F136449 A98 F136450 A99 F136451 A100 F136452 A1	Includes St Peters Library and Units 3 and 4	Leases	4,573
10	St Peters Rotary Club Shed	46A Henry Street, Stepney SA 5069	5729/969	F211841 A245	Adjacent to Linde Reserve and St Peters Child Care Centre	Lease	837
11	Works Depot	30 Davis Road, Glynde SA 5070	5630/933	D50583 A53			5,937

#	Name of Land	Address of Land	Certificate of Title	Plan and Parcel	Notes	Lease / Licence*	Land area (approximate m ²)
OPERATIONAL AND OTHER COMMUNITY LAND							
1	Amherst Avenue Drainage Reserve	Lot 104 Amherst Avenue, Trinity Gardens SA 5068	5635/729	F216656 A104	Between 48 and 50 Amherst Ave and 49 and 51 Annesley Avenue		68
2	Breaker Street Drainage Reserve	Lot 1 and 2 Breaker Street, St Morris SA 5068 Lot 30A Hereford Avenue, Trinity Gardens SA 5068	5290/534	F149500 Q1, Q2 F217626 A90			328
3	Donegal Street Reserve	Donegal Street, Norwood SA 5067	6183/172	F251739 A43			438
4	Felixstow Car Park	487 Payneham Road, Felixstow SA 5070	6106/107	F128115 A81	Also known as 'Glynde Corner Car Park'		995
5	Lower Portrush Road Buffer Reserve No 1	Lower Portrush Road, Marden SA 5070	5064/978	D32029 A42			13
6	Lower Portrush Road Buffer Reserve No 2	Lower Portrush Road, Marden SA 5070	5064/979	D32029 A43			135
7	Lower Portrush Road Buffer Reserve No 3	Lower Portrush Road, Marden SA 5070	5847/966	D56974 A55			128
8	Magdalen Street Drainage Reserve	Lot 65 Magdalen Street, College Park SA 5069	5798/338	F136516 A65	Between 1A and 3A Magdalen Street		87
9	Margaret Street and Hampden Street Drainage Reserve	Lot 91 and 17 Margaret Street, Firle SA 5070	418/42 5867/111	D3212 A91 C21161 A11			1292
10	Marian Road Drainage Reserve No 1	Lot 20 Marian Road, Payneham South SA 5070	5479/345	D47195 A20			753
11	O G Road Car Park	Payneham Road, Felixstow SA 5070	Pt 5859/643	D58460 A100	Adjacent to Payneham Memorial Swimming Centre		2968
12	O G Screening Reserve No 1	O G Road, Felixstow SA 5070	5150/301	D37987 A99			110

#	Name of Land	Address of Land	Certificate of Title	Plan and Parcel	Notes	Lease / Licence*	Land area (approximate m ²)
13	O G Screening Reserve No 2	O G Road, Felixstow SA 5070	5150/300	D37987 A98			311
14	Oxford Place Reserve	Lot 7 Gray Street, Norwood SA 5067	5353/567	D45400 A105 D2788 A7			98
15	Pam Avenue Drainage Reserve	Lot 11 Pam Street, Firle SA 5070	5809/158 5809/159 2047/161	F218038 A140 F218039 A150 D5940 A11			660
16	Payneham Drainage Reserve No 2	Lot 2 Rosella Street, Payneham SA 5070	5557/18 2829/14	D49469 A2 D7014 A29	Payneham Drainge Reserve No 1 is held by the Council in Fee Simple (Public Road) (CT 546/58)		1,180
17	St Margarets Crescent Reserve No 1	Lot 23 Briar Road, Felixstow SA 5070	5061/745	D33115 A23			233
18	St Margarets Crescent Reserve No 2	Lot 25 St Margarets Crescent, Felixstow SA 5070	5061/747	D33115 A25			130
19	St Margarets Crescent Reserve No 3	Lot 24 St Margarets Crescent, Felixstow SA 5070	5061/746	D33115 A24			139
20	St Peters Street Car Park	1-3 and 5 St Peters Street, St Peters SA 5069	5441/169 5441/171 5440/496	F21849 A965 F21849 A964 F21849 A966	Across the street from St Peters Civic Centre Complex		968
21	Third Avenue Drainage Reserve No 1	Lot 96 Third Avenue, St Peters SA 5069	5814/424	F135747 A96	Between 65 and 67 Third Avenue		82
22	Third Creek Drainage Reserve No 4	Lot 100 Payneham Road and Lot 205, Cann Close, Felixstow SA 5070	Pt 5859/643 Pt 5386/506	D58460 A100 D42573 Q23	Reserve runs alongside Patterson Sportsground and over Turner Street, and joins Turner Street Drainage Reserve		5,264
23	Turner Street Buffer Reserve	Lot 202 Wisteria Grove, Felixstow SA 5070	5736/452	D54134 A204			20

#	Name of Land	Address of Land	Certificate of Title	Plan and Parcel	Notes	Lease / Licence*	Land area (approximate m ²)
24	Turner Street Drainage Reserve	Lot 205 Cann Close, Felixstow SA 5070	Pt 5386/506 5306/475	D42573 Q22 D42573 A205	Joins Third Creek Drainage Reserve No 4		2,764
25	Vogt Place Buffer Reserve	Lot 202 Wisteria Grove, Felixstow SA 5070	5736/451	D54134 A203			814
26	Webbe Street Car Park	Lot 115 Harris Street, Norwood SA 5067	6013/738	F47093 A141, 142	Adjacent to Norwood Town Hall Civic Centre		4,948
			6013/736	F47093 A115			
			6013/740	F47093 A190			
			6013/741	F47093 A195			
			6013/742	F47093 A196			
			6013/743	F47093 A199			
			6013/744	F47093 A1115			
			6013/737	F47093 A136			
			6013/735	F47093 A135 D756 A34			
			5731/290	D756 A32, A33			
			6013/736	F139677 A16			
			5775/590	F139267 A87			
			6025/377	F47093 A188			
			6013/734	D74380 A2			

Notes:

*For further details relating to a Lease or Licence, see the Council's Lease & Licence Register, available at: www.npsp.sa.gov.au
The information provided in this Register was correct at the time of publication.

Appendix B

Lease and Licence Register

#	Property	Address	Certificate of Title	Lessee	Term	Leased Land	Permitted Use
LEASES							
1	Adey Reserve	Scott Street / Hampden Street, Firle SA 5070	5257 / 763	Italian Home Delivered Meals & Services Inc ('PISA')	1 September 2003 – 31 August 2008 (in holding over)	Portion of premises – building*	Meal preparation and related services
2	Beulah Road Community Hall	31 Beulah Road, Norwood SA 5067	5752/340	Beulah Road Community Hall Management Committee	1990 - ongoing	Portion of premises – building*	Operation of a community facility
3	Buttery Sportsground	259 Portrush Road, Norwood SA 5067	5872/151 5872/152 5872/153	Norwood Tennis Club	2020–2040 (in negotiation)	Portion of premises – tennis courts and clubrooms*	Tennis games and training
				Norwood Croquet Club	Ongoing	Portion of premises – croquet green and clubrooms*	Croquet games and training
				The South Australian China Painters' Association Inc.	Ongoing	Portion of premises - clubrooms*	Art and cultural recreation
4	Cruikshank Reserve	Corner of Phillis Street and Clifton Street, Maylands SA 5069	5807/109 5824/191 5827/929 5832/304 5831/945 5785/757	Maylands Sports Centre Incorporated (St Peters Tennis Club & Gems Netball)	1 January 2004 – 31 December 2023	Portion of premises – tennis/netball courts and building*	Tennis and netball games and training
5	John Horrocks Memorial Green	65-69 Breaker St, St Morris SA 5068	5700/559	Holmesdale Memorial Tennis Club Inc	1 April 2013 – 31 March 2023	Whole of premises	Tennis games and training
6	Linde Reserve	Stepney Street, Stepney SA 5069	5694/773	NPSP Community Garden Association Incorporated	1 April 2016 – 31 March 2021	Portion of premises – Linde Community Garden*	Operation of community garden
7	Marden Practice Pitches	57-59 Lower Portrush Road, Marden SA 5070	6065/217	Azzurri Club Limited ('Azzurri Soccer Club')	1 January 1996 – 30 December 2094	Whole of premises (practice pitches)	Soccer training and games

#	Property	Address	Certificate of Title	Lessee	Term	Leased Land	Permitted Use
8	Nelson Street Cottages	64 Nelson St, Stepney SA 5069	5799/121	Women's Community Centre (SA) Incorporated	1 July 2017 – 30 June 2022	Portion of premises – cottage and yard*	Provision of information, programs and services to women and ancillary purposes
		66 Nelson St, Stepney SA 5069	5799/117	No Strings Attached Theatre of Disability Inc	1 January 2017 – 31 December 2021	Portion of premises – cottage and yard*	Conducting workshops, office and storage
		68 Nelson Street, Stepney SA 5069	5799/119	Next Step Physio Clinic Pty Ltd	1 June 2019 – 31 May 2024	Portion of premises – cottage and yard*	Operation of a physiotherapy practice and associated activities
9	Norwood Institute Building	110 The Parade, Norwood SA 5067		Roma Mitchell Community Legal Centre Incorporated	13 September 1989 - 31 October 1999 (in holding over)	Portion of premises – basement*	Provision of community legal services
				South Australian Chess Association Incorporated	Ongoing – in holding over	Portion of premises – 1st floor room*	Playing of chess
10	Norwood Oval	4 Woods Street and 75 The Parade, Norwood SA 5067		Norwood Football Club Incorporated	1 January 2018 – 30 December 2022	Portion of premises – oval and buildings*	Playing of AFL matches and training and approved sporting / social / cultural purposes
				Norwood RSL Sub Branch Incorporated	29 January 2012 – 28 January 2017 (in holding over)	Portion of premises – RSL building*	Operation of Norwood RSL
				Vodafone Network Pty Ltd	In negotiation	Sublease – portion of premises*	Use and maintenance of telecommunications equipment
11	Patterson Sportsground	20 Turner Street, Felixstow SA 5070	Pt 5859/643	East Torrens Payneham Baseball Club Incorporated	1 October 1980 - 31 March 1995 (in holding over)	Portion of premises – clubrooms*	Operation of baseball clubrooms
				East Torrens Payneham Lacrosse Club Incorporated	1 April 1980 - 30 September 1995 (in holding over)	Portion of premises – clubrooms*	Operation of lacrosse clubrooms

# Property	Address	Certificate of Title	Lessee	Term	Leased Land	Permitted Use
12 Payneham Oval	26 Rosella Street, Payneham SA 5070	5839 / 146 General Memorial Reg No 80 Book 474	Payneham Sports Association Incorporated	1 November 2001 – 31 October 2022	Portion of premises – clubrooms*	Sporting and social club including operation of licensed bar
			EFM Corporate Pty Ltd	1 June 2017 – 31 January 2022	Sublease – portion of clubrooms*	Health and fitness programs and classes
			East Adelaide Payneham Tennis Club Inc	2020–2040 (in negotiation)	Portion of premises – tennis courts*	Playing and practising of tennis and associated activities
13 Payneham Senior Citizens Centre	54-58 Coorara Avenue, Payneham South 5070	5807/541 5816/66 5839/300	Payneham Senior Citizens Over 50s Club Inc	Ongoing – in holding over	Whole of premises	Operation of senior citizens centre
14 Payneham Youth Centre	24 Turner St, Felixstow SA 5070	5828/683 5386/506	Payneham Youth Centre Coo-ee Club Inc. and Minister for Education and Child Development	1 November 1978 – 30 October 2020	Portion of premises – building*	Youth club activities and school use
15 Richards Park	6-10 Osmond Terrace, Norwood SA 5067	5490/485 5845/580 5857/775 5297/871	Minister for Education and Child Development	1 July 2015 – 30 June 2025	Portion of premises*	Playground and outdoor recreation activities for use by children at Margaret Ives Community Children's Centre Incorporated
			Margaret Ives Community Children's Centre Inc	1 July 2015 – 30 June 2025	Sublease – portion of premises as above*	As above
16 St Peters Rotary Club Shed	46A Henry St, Stepney SA 5069	5729/969	Rotary Club of St Peters	1 July 2002 – 30 June 2007 (in holding over)	Whole of premises	Storage and related activities associated with the Lessee's fundraising activities

#	Property	Address	Certificate of Title	Lessee	Term	Leased Land	Permitted Use
17	St Peters Civic Centre Complex	101 Payneham Road, St Peters SA 5069	5847/278 5847/279 5827/303 5830/817	Progressive Music Broadcasting Association Inc (Three D Radio Station)	7 December 2017 – 6 December 2022	Portion of premises – Unit 4*	Community radio station and other purposes including office administration, meetings and media libraries
				Eastern Health Authority Incorporated	1 June 2012 – 31 May 2022	Portion of premises – Unit 3*	Administrative offices and others purposes including medical clinics, training facilities and resource centre
18	Syd Jones Reserve	77-81 Coorara Ave, Firle SA 5070	5842/437 5671/805 5674/438 5673/408	Payneham Table Tennis Academy	Ongoing – in holding over	Portion of premises – building*	Playing and practising of table tennis
19	Trinity Gardens Soldiers’ Memorial Reserve	Corner Hereford Ave, Albermarle Ave and Canterbury Ave,	5793/815	Trinity Gardens Soldiers Memorial Reserve Association Incorporated	1 July 2007 – 30 June 2017 (in holding over)	Whole of premises	Playing tennis and lawn bowls and other
				Trinity Gardens Soldiers’ Memorial Reserve Tennis Club Incorporated	1 July 2007 – 29 June 2017 (in holding over)	Sublease – portion of premises – tennis courts and clubrooms*	Playing tennis and other approved purposes
				Trinity Gardens Bowling Club Incorporated	1 July 2007 – 29 June 2017 (in holding over)	Sublease – portion of premises – bowling green and clubrooms*	Playing lawn bowls and other approved purposes

#	Property	Address	Certificate of Title	Lessee	Term	Leased Land	Permitted Use
LICENCES							
1	Dunstone Grove	Nelson Street, Stepney Payneham Road, Stepney	5799/117 5774/726	Progressive Broadcasting Music Association Inc	1 January 2020 – 31 December 2020 (annual renewal)	Portion of premises – St Peters Youth Centre amphitheatre*	Hillbilly Hoot community event
2	Joslin Reserve	Third and Fourth Avenues, Joslin SA 5070	5774/771 5807/290 5818/4 5821/233 5821 / 234	Sustainable Communities South Australia Incorporated	1 April 2020 – 31 March 2021 (annual renewal)	Portion of premises*	Essential Edibles Produce Swap community event
3	Linde Reserve	Stepney Street, Stepney SA 5069	5694/773	City of Norwood Payneham & St Peters	2 April 2016 – 31 March 2021	Portion of premises – Linde Community Garden	Electricity supply equipment
4	Marden Practice Pitches	57-59 Lower Portrush Road, Marden SA 5070	6065/217	Minister for Education and Children's Services	4 April 2016 – 3 April 2036	Whole of premises (practice pitches)	Soccer training and games (use by Marden Senior College and Open Access) College)
5	Norwood Oval	4 Woods Street and 75 The Parade, Norwood SA 5067		Department of Education & Child Development	30 April 1928 – in perpetuity	Portion of premises – oval*	School recreation and sport
6	Patterson Sportsground	20 Turner Street, Felixstow SA 5070	Pt 5859/643 Pt 5386/506	East Torrens Payneham Baseball Club Incorporated	1 October 2020 – 31 March 2021 (annual renewal)	Portion of premises – sportsground*	Baseball games and practice
				East Torrens Payneham Lacrosse Club Incorporated	1 April 2020 – 30 September 2020 (annual renewal)	Portion of premises – sportsground*	Lacrosse games and practice
				Minister for Education and Child Development	15 August 1966 – Ongoing	Portion of premises – sportsground*	Use of grounds by adjacent School
				Canine Behavioural School Inc	1 April 2020 – 30 September 2020 (annual renewal)	Portion of premises – sportsground*	Dog obedience training

#	Property	Address	Certificate of Title	Lessee	Term	Leased Land	Permitted Use
7	Payneham Memorial Swimming Centre	188 O G Road, Felixstow SA 5070	Pt 5859/643 Pt 5386/506 5744/453	Payneham Swimming Club	October 2020 – April 2021 (issued annually for swimming season)	Portion of premises – clubroom*	Sports-related activities and club meetings
				Norwood Swimming Club Inc	October 2020 – April 2021 (issued annually for swimming season)	Portion of premises – clubroom*	Sports-related activities and club meetings
				Department of Education & Child Development	October 2020 – April 2021 (issued annually for swimming season)	Portion of premises – clubroom*	Sports-related activities and club meetings
8	Payneham Oval	26 Rosella Street, Payneham SA 5070	5839 / 146 General Memorial Reg No 80 Book 474	Payneham Sports Association Inc	Ongoing – in holding over	Portion of premises – Oval*	Cricket and football games and practice
9	St Peters River Park	River Street and Eighth Avenue, St Peters SA 5069	5853/87 5875/802 339/70	East Adelaide Primary School	1 April 2020 – 31 March 2021 (issued annually)	Portion of premises – L G Perriam Memorial Oval*	School sports practice

Notes:

*Refer to Lease documentation for plan of leased premises – available upon request
The information contained within this Register was accurate at the date of publication.

Further Information

For information on the Council's Community Land Management Plans, please visit www.npsp.sa.gov.au or phone 8366 4555.

You can also visit the Council's Customer Service Centre at the Norwood Town Hall, 175 The Parade, Norwood.

Additional Copies

The Community Land Management Plan: *Strategic Overview* can be viewed online at www.npsp.sa.gov.au

Additional copies may also be obtained by:

- visiting Norwood Town Hall
- visiting any of the Council's Libraries
- emailing townhall@npsp.sa.gov.au
- contacting the Council on 8366 4555
- writing to the Council at PO Box 204, Kent Town SA 5074

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Website www.npsp.sa.gov.au



City of
**Norwood
Payneham
& St Peters**



Parks & Reserves

Community Land Management Plan



City of
Norwood
Payneham
& St Peters

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Adoption and Review

The Parks & Reserves Community Land Management Plan was adopted by the Council on 1 June 2020.

The Council will review this Plan within three years of the adoption date, or otherwise as required from time-to-time.

Cover: Felixstow Reserve

Right: Felixstow Reserve Basketball Court



Parks & Reserves

This Community Land Management Plan has been prepared pursuant to Section 196 of the *Local Government Act 1999* (the Act).

Background

The City of Norwood Payneham & St Peters is known for its high-quality open spaces, natural environment and unique cultural heritage, all of which contribute to the City's unique 'sense of place'.

There are 72 parks and reserves located throughout the City. Despite this, the Council does not have an abundance of public open space. Many parks and reserves are small in size and are classified either as Local or Neighbourhood Open Space under the Council's *Open Space Strategy* (e.g. local 'pocket parks' that cater to the immediate neighbourhood). A number of open space areas also contain dedicated outdoor sporting facilities.

Linde Reserve, Felixstow Reserve and St Peters River Park are three iconic reserves located within the City and each provide a unique experience for residents and visitors. Further information on these reserves is provided in this Plan.

What land does this include?

An excerpt from the Council's Community Land Register listing all parks and reserves within the City is contained within **Appendix A**.

Cruikshank Reserve and St Peters River Park are both classified as both reserves and as sporting facilities. As such, the provisions of both Community Land Management Plans will apply to these reserves.

Description

Parks and reserves are generally characterised as areas of green open space that are suitable for use by a broad cross-section of the community for informal and passive recreational activities. They range in size from local 'pocket parks' to large linear parks and natural conservation areas.

Reserves often contain recreational and community facilities such as play equipment, public barbeques, pathways and landscaping, seating and shelters, exercise equipment and public art. Some reserves within the City also contain sporting facilities such as tennis courts and sportsgrounds.

Other reserves incorporate natural conservation areas, which support native species and remnant vegetation with minimal human modification. Certain areas of reserve have also been revegetated with native species to reflect a pre-development landscape or act as a biodiversity corridor. The River Torrens Linear Park and the St Peters River Park and St Peters Billabong are examples of this within the City.

This category of Community Land also includes formal gardens, which are formally designed spaces incorporating elements such as flower beds, pathways, water features and civic monuments, for example, the Memorial Gardens on The Parade, Norwood.

Additionally, reserves may simply comprise open space corridors and walkways. These often contain pedestrian and cycle paths that provide linkages between open space facilities and the public road network (for example, the Dan & Nan Manning Playground and Walkway and May Street Reserve in Firlie).

Parks and Reserves Map



Legend

1	Adey Reserve	37	Koster Park
2	Alfred Street Park	38	Linde Reserve
3	Arabella Court Reserve	39	Linear Park–Gilberton
4	Barry Skinner Reserve	40	Mary MacKillop Park
5	Bishops Place Reserve	41	Maurice Clayton Reserve
6	Booroo Street Reserve	42	May Street Reserve No 1
7	Borthwick Memorial Gardens	43	May Street Reserve No 2
8	Borthwick Park	44	May Street Reserve No 3
9	Bridge Road Reserve	45	Memorial Gardens
10	Broad Street Reserve	46	Mitchell Lane Reserve
11	Buik Crescent Reserve	47	Old Mill Reserve
12	Burchell Reserve	48	Orlando Court Reserve
13	Chimney Park	49	Otto Park
14	Church Avenue Reserve	50	Player Avenue Reserve
15	Cliff Goodwin Reserve	51	Regent Gardens
16	College Road Reserve	52	Richards Park
17	Cruikshank Reserve	53	River Street Buffer Reserve
18	Dan and Nan Manning Playground and Walkway	54	River Torrens Linear Park Section Number Two
19	Drage Reserve	55	River Torrens Linear Park Section Number Four
20	Dunstan Adventure Playground	56	River Torrens Linear Park Section Number Six
21	Dunstone Grove	57	River Torrens Linear Park Section Number Seven
22	Edin Smith Walk	58	River Torrens Linear Park Section Number Eight
23	Felixstow Reserve	59	River Torrens Linear Park Section Number Nine
24	Gage Street Reserve	60	Scott Street Reserve
25	Garden of Remembrance	61	St Morris Reserve
26	Glenbrook Close Reserve	62	St Peters River Park
27	Glenbrook Close Reserve No 2	63	Stacey Reserve
28	Glenbrook Close Reserve No 3	64	Stanford Reserve
29	Glenbrook Close Reserve No 4	65	Syd Jones Reserve
30	Hannaford Reserve	66	Trenorden Park
31	Hanson Reserve	67	Twelftree Reserve
32	Hardiman Reserve	68	White Reserve
33	Hutchinson Park	69	Willow Bend Reserve No 1
34	James Coke Park	70	Willow Bend Reserve No 2
35	Joslin Reserve	71	Willowbank Crescent Reserve
36	Kensington Pioneer Park	72	Woodroofe Gardens

Purpose of the Land

In general terms, Community Land comprising parks and reserves is held by the Council for one or more of the following purposes:

- to provide public open space for the use, enjoyment and benefit of the community;
- to facilitate the provision of community, health, recreational, educational, cultural and tourism facilities, services and activities across the City;
- to provide opportunities for informal and formal recreational, community and sporting activities;
- to provide opportunities for social interaction and connection, relaxation and physical activity;
- to protect and enhance the lifestyle, amenity and sense of place in the City;
- to protect and enhance the natural environment, including areas of remnant vegetation, biodiversity and waterways and riparian zones; and
- to protect, enhance and promote areas of cultural heritage and Aboriginal heritage and history within the City.

Key Management Objectives

The Council will seek to manage all Community Land in accordance with all applicable legislative requirements and relevant Council policies, strategies and management plans, including the Council's Strategic Management Plan *CityPlan 2030*, as introduced or amended from time-to-time.

In addition, the Council will seek to manage all Community Land in accordance with the following key management objectives:

- to protect, enhance and expand public open space;
- to maintain the quality and useability of open space over time;
- to provide a range of services and facilities that benefit the City and cater to a variety of community needs for ratepayers, residents and visitors;
- to provide convenient and accessible public spaces for people of all ages, backgrounds and abilities;
- to permit a broad range of land uses and activities in appropriate locations to promote dynamic community life within the City;
- to protect and enhance the natural environment and promote sustainable and efficient management practices; and
- to identify and pursue opportunities for more efficient, equitable and innovative use of Council land and facilities, taking into account changing community needs over time.

A Management Strategies table that contains the Council's specific objectives, strategies, performance targets and measures for the management of parks and reserves (as required by Section 196(3) of the Act), is contained within **Appendix B**.

The categories included in the Management Strategies table apply only to the extent that they are relevant to each parcel of land (for instance, for those reserves that do not contain playgrounds, the management objectives, strategies and targets relating to playgrounds will not apply).

Strategic Management Proposals

The Council intends to undertake the following proposals for the parks and reserves listed below (and otherwise in accordance with the Council's *2018–2028 Long-Term Financial Plan*):

Park / Reserve	Management Proposal	Objective
Adey Reserve	Masterplan* and Construction	Upgrade of reserve including construction of new playground
Borthwick Park	Construction**	Upgrade of Second Creek
Burchell Reserve	Masterplan and Construction	Upgrade of reserve, community tennis courts and existing facilities
Dunstan Adventure Playground	Masterplan and Construction	Upgrade of reserve including existing playground
Hannaford Reserve	Masterplan and Construction	Upgrade of reserve and playground
Twelftree Reserve	Masterplan and Construction	Upgrade of reserve

*A *Masterplan/Concept Plan* is a long-term plan which sets out at a conceptual level the proposed vision for the Council park or reserve. It includes future development and redevelopment proposals.

**Construction refers to the physical delivery of the concept outlined in the Masterplan or Concept Plan.

Trusts, Dedications and Other Restrictions

Where Community Land is subject to a trust, dedication, reservation or other restriction that controls the use or management of that land, this information is included in the Community Land Register in **Appendix A**.



Leasing and Licensing

Pursuant to Section 202 of the Act, the following leasing and licensing arrangements are authorised for all Community Land comprising parks and reserves (unless otherwise stated in this Plan):

Type of Arrangement	Length of Term	Authorised Uses
Leases (exclusive use)	Up to five years	Any use consistent with the purpose of the land as set out in this Plan. In the case of dedicated Crown land, the lease must be consistent with the dedicated purpose of that land.
Licences (non-exclusive use)	Six months – one year	Any use consistent with the purpose of the land as set out in this Plan.
Casual Hire (non-exclusive use)	Up to six months	Use of the land for a business purpose may be granted where it occurs on a single occasion or on a short-term basis (up to the maximum term length), subject to approval. In the case of dedicated Crown land, the lease must be consistent with the dedicated purpose of that land.

Notes:

- All existing leases, licences and casual hire arrangements in place with respect to Community Land comprising parks and reserves at the time of adoption of this Plan, are taken to be authorised for the purposes of this Plan.
- Where a lease or licence is proposed to be granted for a term of more than five years, or where a use of Community Land outside the authorised uses is proposed, this will be at the Council's discretion in all respects, and the Council is required to comply with its public consultation policy pursuant to Section 202(3) of the Act.
- The Council can approve the use of Community Land for a business purpose in accordance with the provisions of this Community Land Management Plan, pursuant to Section 200 of the Act.
- The Council may grant an Authorisation to Landscape a Verge under Section 202 of the Act with respect to any Community Land comprising parks and reserves (at its discretion and subject to conditions) for a maximum term of 21 years.
- The land comprising Arabella Court Reserve, Marden (contained within Certificate of Title Volume 6190 Folio 522) is subject to the following Easement, required in connection with the division of this land and creation of the Reserve:
 - Grant of Easement from the City of Norwood Payneham & St Peters to the registered proprietor of Certificate of Title Volume 6190 Folio 517 for eaves and gutters over portion of allotment 712 (Reserve) marked 'A' in Deposited Plan 114413, and in accordance with the terms of the Easement.



Linde Reserve

Linde Reserve is a picturesque and well-utilised reserve located in Stepney. The Reserve spans from Nelson Street on the east to Stepney Street on the west, with Second Creek running through the centre of the Reserve, and comprises approximately 25,363 square metres.

Linde Reserve is an ideal location for outdoor events and community gatherings and provides opportunities for informal recreation and sporting activities in its large areas of green open space.

The reserve is classified as Regional Open Space in the Council's *Open Space Strategy*.

The three cottages on Nelson Street at the edge of the reserve are utilised by various community groups and organisations under lease agreements, while the St Peters Youth Centre and amphitheatre are regularly hired by casual users for functions, meetings and community classes.



Linde Reserve includes the following facilities and features:

- Cottage No. 1 – 68 Nelson Street, Stepney
- Cottage No. 2 – 66 Nelson Street, Stepney
- Cottage No. 3 – 64 Nelson Street, Stepney
- St Peters Youth Centre
- Outdoor amphitheatre
- Second Creek
- Linde Community Garden
- Car parking (accessed off Stepney Street, Cornish Street and Nelson Street)
- Field, basketball ring and soccer goals
- Public toilets, barbeque and seating
- Play equipment

Dunstone Grove forms a tree-lined entrance to Linde Reserve from Payneham Road (up until it meets Cornish Street), and comprises approximately 1,562 square metres.

For more information about Linde Reserve, see the Community Land Register excerpt contained within **Appendix A**.



Purpose of the Land

The purpose for which Linde Reserve is held is to:

- provide public open space for the use, enjoyment and benefit of the community;
- facilitate the provision of community, health, recreational, educational, cultural and tourism facilities, services and activities in the City;
- provide opportunities for informal and formal recreational, community and sporting activities;
- provide opportunities for social interaction and connection, relaxation and physical activity;
- protect and enhance the lifestyle, amenity and sense of place in the City; and
- protect and enhance the natural environment, including areas of remnant vegetation, biodiversity and waterways and riparian zones (including Second Creek).

Management of the Land

Please refer to the Management Strategies table contained within **Appendix B**, for the Council's specific objectives, strategies, performance targets and measures for the management of parks and reserves including Linde Reserve.

Trusts, Dedications and Other Restrictions

The land comprising Allotment 129 in Filed Plan 4431 (being a portion of Linde Reserve, west of Second Creek and comprising the main field) is to be held in perpetuity as a public reserve or recreation ground with the name of 'Linde' to be preserved. The land was purchased by the Council with the assistance of State Government funds under the former *Public Parks Act 1943*. Should such land be sold, the Council will either be required to reimburse the State Government the current value of the land, or reapply the proceeds for the acquisition or development of other land for public or community use, or for the provision of community facilities (*Local Government Act 1999* Section 201(3)(b)).

Although not comprised within the Reserve, the privately-owned dwellings situated at 52A Henry Street immediately adjacent Linde Reserve have a planning condition requiring tube fences (see DA 160/0096/96).

Leasing and Licensing

Pursuant to Section 202 of the Act, the following leasing and licensing arrangements are authorised for the Community Land comprising Linde Reserve:

Type of Arrangement	Length of Term	Authorised Uses
Leases (exclusive use)	Up to five years	<p>Only the three Cottages at 64, 66 and 68 Nelson Street and the Linde Community Garden may be leased.</p> <p>Any use consistent with the Purpose of the Land set out in this Plan.</p> <p>68 Nelson Street may be leased on a commercial basis, for any use consistent with the Purpose of the Land set out in this Plan.</p>
Licences (non-exclusive use)	Six months – one year	<p>All areas within the reserve, including the St Peters Youth Centre.</p> <p>Any use consistent with the Purpose of the Land set out in this Plan. Use of the Land for a business purpose may be granted where it occurs on a single occasion or on a short-term basis (up to the maximum term length), subject to approval.</p>
Casual Hire (non-exclusive use)	Up to six months	<p>Any use consistent with the Purpose of the Land set out in this Plan. Use of the Land for a business purpose may be granted where it occurs on a single occasion or on a short-term basis (up to the maximum term length), subject to approval.</p>

Notes:

- All existing leases, licences and casual hire arrangements in place with respect to Linde Reserve at the time of adoption of this Plan, are taken to be authorised for the purposes of this Plan.
- Where a lease or licence is proposed to be granted for a term of more than five years, or where a use of Community Land outside the Authorised Uses is proposed, this will be at the Council's discretion in all respects, and the Council is required to comply with its public consultation policy pursuant to Section 202(3) of the Act.
- The Council can approve the use of Community Land for a business purpose in accordance with the provisions of this Community Land Management Plan, pursuant to Section 200 of the Act.

History of the Land

In 1913, the Corporation of the Town of St Peters received a gift of land from Johanna Persson, the niece of the late Haken Linde (1820–1907), beginning the creation of Linde Reserve. Haken Linde played a prominent role in the establishment of the township of Stepney and was a member of the former St Peters Council. He was one of the largest property owners in the area and owned much of the land surrounding and included within Linde Reserve today. Notably, from the 1870s, Linde transformed the insolvent East Torrens Distillation and Wine-Making Company into the successful Phoenix Distillery, located on Nelson Street and Henry Street, Stepney.

Following Linde's death in 1907, discussions were held between Johanna Persson and the Corporation of the Town of St Peters regarding the establishment of a public reserve on some of Linde's land located adjacent to Second Creek. On 23 March 1914, the gift of land to the Council was finalised. On 28 March 1916, the 'Declaration of the Trust of Linde Reserve' was drawn up and registered by E.W. Benham (solicitor) of Adelaide for the Council. The Linde Reserve Trust was established in the form of a 'perpetual trust' which ensured that it was dealt with in a prescribed manner and held 'in trust for all times hereafter'.

From 1918, a portion of Linde Reserve was authorised for use by the St Peters Bowling Club under a lease arrangement entered into with the St Peters Council. A state-of-the-art bowling green and clubhouse was established. The land comprising the practice green was acquired by the Council in 1920 and extended in 1957. The Bowling Club continued to operate at the site until 2001.

In 1936, the Council acquired the land which straddled Second Creek, immediately east of the Bowling Club site and including the Scout Hall site and in 1938, the natural topography of Linde Reserve was altered by the straightening and concreting of Second Creek to facilitate industrial run-off from the adjacent distillery.

The portion of land now known as Dunstone Grove, spanning from Payneham Road to Cornish Street, was purchased in 1945 in order to provide an entrance to the Reserve from Payneham Road. This land was named after Mayor Dr Horace Dunstone who died unexpectedly in 1945. Mr Dunstone served as Mayor of St Peters from 1942–1945 and played a key role in the acquisition of land to expand the area of Linde Reserve for the benefit of the community. A stone archway was established as a memorial entrance to the Reserve from Payneham Road, and the entrance was named 'Dunstone Grove'.



Between 1965 and 1980 the remainder of the properties fronting Nelson Street and 45 Stepney Street were acquired by the St Peters Council, mostly with assistance provided by the Public Park Subsidy Scheme operated by the State Government.

In 2008–2009, the City of Norwood Payneham & St Peters prepared the Dunstone Grove – Linde Reserve Masterplan to upgrade the Reserve and Second Creek and encourage greater public usage. The Reserve was identified as a regionally significant parcel of open space and was ideally situated to provide good vehicular, pedestrian and public transport access due to its location within the ‘Stepney Triangle’, bordered by three major roads (Payneham Road, Magill Road and Nelson Street). The Council successfully obtained State Government funding under the Regional Open Space Enhancement Scheme, and Federal Government funding to supplement the Council’s contribution to the Reserve redevelopment.

The redevelopment was completed in 2011 and resulted in the replacement of the concrete-lined Second Creek with a wider and more natural creek system and the establishment of an underground stormwater harvesting and reuse system. The project also saw the demolition of the Perriam Centre and Dunstone Grove Scout Hall, the upgrade of the three Nelson Street cottages and the St Peters Youth Centre, the creation of the outdoor amphitheatre, and the reconfiguration of the Stepney and Nelson Street car parks. The redevelopment also created a newly designed large open grassed field and a community garden on the south-western side of Second Creek (the former Bowling Club site), along with two new playgrounds and public facilities including lighting, toilets and barbeques. A number of interpretive cultural heritage artwork installations celebrating Kurna aboriginal heritage and Stepney’s German history, including the 19th century German Migrant Memorial Bronze Sculpture, were also commissioned for the site.

As part of the Masterplan process, the property at 48 Nelson Street was identified as surplus to the Council requirements. The sale of this property was also intended to provide the Council with additional funds to offset the costs associated with upgrading the Reserve and the St Peters Town Hall Complex Redevelopment Project that was being undertaken at that time. The 1856 original wine-barn at the rear of the property (which was part of the East Torrens Distillation Company) was retained as part of 48 Nelson Street, and the northern boundary was re-aligned to enable additional open space to be added to the Reserve. The sale of 48 Nelson Street was finalised in 2018.



Felixstow Reserve

Felixstow Reserve is one of the Council's largest reserves at approximately 71,389 square metres and is classified as Regional Open Space in the Council's *Open Space Strategy*. The Reserve is located at Langman Grove, Felixstow and comprises large open grassed areas, wetlands and a portion of the River Torrens Linear Park.

Following the completion of the Felixstow Reserve redevelopment in 2019, the Reserve represents a modern example of public open space, incorporating environmentally sensitive design, recognition of Aboriginal cultural heritage and history, and contemporary fitness and nature-focused spaces. The reserve was recognised with numerous prestigious awards in 2019, including:

- 2019 Australian Institute of Landscape Architecture (AILA) Award in the Parks and Open Space category
- 2019 AILA SA Award of Excellence in the Cultural Heritage category
- Award of Excellence in Public Engagement and Community Planning from the Planning Institute of Australia (PIA)

The wetlands established at Felixstow Reserve cover approximately one third of the total area of the Reserve, and form part of the ERA (Eastern Regional Alliance) Water Waterproofing Eastern Adelaide Stormwater Harvesting and Re-Use Project.



Felixstow Reserve includes the following facilities and features:

- Open grassed areas
- Wetlands (managed by ERA Water)
- Walking trails and shared pedestrian/cycling path
- Fitness stations
- Nature play spaces
- Kurna Interpretive Trail (including cultural heritage markers)
- Canoe Scar Tree
- Basketball, netball and bocce facilities
- Public toilets, barbeque and seating

For more information about Felixstow Reserve, see the Community Land Register excerpt contained in **Appendix A**.



Purpose of the Land

The purpose for which Felixstow Reserve is held is to:

- provide public open space for the use, enjoyment and benefit of the community;
- provide opportunities for informal and formal recreational, community and sporting activities;
- provide opportunities for social interaction and connection, relaxation and physical activity;
- protect and enhance the lifestyle, amenity and sense of place in the City;
- protect and enhance the natural environment, including areas of remnant vegetation, biodiversity, waterways, wetlands and riparian zones;
- facilitate the harvesting, treatment, storage and re-use of stormwater;
- protect, enhance and promote areas of cultural heritage and Aboriginal heritage and history within the City; and
- provide regional open space as part of the River Torrens Linear Park for the use, enjoyment and benefit of the community as a recreational and educational resource and a tourism asset.

Management of the Land

Please refer to the Management Strategies table contained within **Appendix B** for the Council's specific objectives, strategies, performance targets and measures for the management of parks and reserves including Felixstow Reserve.

Leasing and Licensing

Pursuant to Section 202 of the Act, the following leasing and licensing arrangements are authorised for the Community Land comprising Felixstow Reserve:

Type of Arrangement	Length of Term	Authorised Uses
Leases (exclusive use)	Nil	Not Applicable.
Licences (non-exclusive use)	Six months – one year	Any use consistent with the Purpose of the Land set out in this Plan.
Casual Hire (non-exclusive use)	Up to six months	Use of the Land for a business purpose may be granted where it occurs on a single occasion or on a short-term basis (up to the maximum term length), subject to approval.

Notes:

- All existing licences and casual hire arrangements in place with respect to Felixstow Reserve at the time of adoption of this Plan, are taken to be authorised for the purposes of this Plan.
- Where a lease or licence is proposed to be granted for a term of more than five years, or where a use of Community Land outside the Authorised Uses is proposed, this will be at the Council's discretion in all respects, and the Council is required to comply with its public consultation policy pursuant to Section 202(3) of the Act.
- The Council can approve the use of Community Land for a business purpose in accordance with the provisions of this Community Land Management Plan, pursuant to Section 200 of the Act.

History of the Land

The Kurna Nation are the Traditional Owners of the area which is known as the Adelaide Plains and on which Felixstow Reserve is located. 'Karrawirra Parri' is the Kurna name for the River Torrens and 'Karrawirra' is the name for the ancient red gum forest that once bordered the River as it traversed the Adelaide Plains with its creeks. Along the river and its creeks there remains historical evidence of Kurna culture which contributes to a complex and sophisticated understanding of Country that is more than 40,000 years old.

Prior to European settlement, Felixstow Reserve was part of the course of the River Torrens/Karrawirra Parri, which split into an anabranch creating a small island close to Fourth Creek. This area was a natural floodplain for the River Torrens/Karrawirra Parri, surrounded by ancient red gums and with an abundant food source and supply of resources for Kurna ceremonial and other purposes. The adjacent waterways remain significant and important for Kurna people. Their traditional seasonal activities and dreaming stories are connected to the River Torrens/Karrawirra Parri and Fourth Creek/Mariyarta Parri, which starts at Morialta and ends its journey on this site.

Following establishment of the Province of South Australia in 1835, the South Australian Company secured title to numerous sections of land along the River Torrens, including Sections 306 and 307, which today are known as 'Felixstow'. The land comprising Section 306 was leased to Reverend Thomas Quinton Stow (1801–1862), the first Congregational Minister in the colony, as the alluvial soils were ripe for horticultural crops. Reverend Stow named the area 'Felixstow', a variation of his family's home county in Suffolk, 'Felixstowe'. Stow purchased the land from the South Australian Company in the 1850s and passed it to his sons, who continued to cultivate the orangery, fruit trees, vineyards and other horticultural crops in the area. Third Creek, which ran through the western portion of this land to the Torrens, was later diverted from its original course and straightened.

In 1865, Charles Pitt Jnr purchased a portion of Stow's land and continued the nursery, known as 'Felixstow Nursery'. In 1887, horticulturalist and plant propagator Henry Wicks (1854–1939) purchased the land on the adjacent Section 307, establishing his 'Riverside' residence and the successful 'Riverside Nursery', which was known around Australia and overseas. The advent of two World Wars, and the Great Depression in the 1930s, coupled with the pressure of population growth and the ever-expanding suburbs across the Adelaide Plains, meant that Wicks' nursery at Felixstow was sold for subdivision following his death in 1939.



The area immediately adjacent Riverside Drive and Langman Grove to the River Torrens was not built on because it was subject to intermittent flooding until the Kangaroo Creek Dam was built during the period 1966–1969. The land from Langman Grove to the east was purchased by the South Australian Housing Trust for housing, as the post war baby boom and migration in the 1950s saw the subdivision of much of the area. The City of Payneham purchased a portion of this land adjacent to the River Torrens to maintain as a reserve for recreation and sport, which is now Felixstow Reserve.

A major Masterplan process was undertaken by the City of Norwood Payneham & St Peters for Felixstow Reserve in 2013–2015, in connection with the Eastern Regional Alliance Water (ERA Water) Waterproofing Eastern Adelaide Stormwater Harvesting and Re-Use Project. The creation of wetlands at the Reserve as part of this Project presented an opportunity to undertake an integrated redevelopment of the whole Reserve, which had been a relatively underutilised area of open space. The Reserve redevelopment was funded by the Council and the State Government through the Local Government Stimulus package, while the ERA Water project was funded by the three member councils of ERA Water (the City of Norwood Payneham & St Peters, the City of Burnside and the Town of Walkerville), together with State and Federal Government funding.

The ERA Water Project will see the harvesting and treatment of stormwater collected from Third and Fourth Creeks during winter, stored in underground aquifers and recovered for use in summer for irrigating public reserves across the partnering council areas. The wetlands located at Felixstow Reserve will act as a stormwater treatment site and incorporate a system of bio-filtration infrastructure, pipelines, inlets, tanks, pumps, bores and weirs for this purpose.

The redevelopment of the Reserve was completed in February 2019. The Reserve now includes the new wetlands and associated infrastructure along with upgraded community facilities including shared cycling / pedestrian paths, exercise equipment, a nature play area for children, recreational sport facilities, upgraded barbeque and picnic facilities and additional car parking.

In redeveloping the Reserve, opportunities were taken to illustrate the rich cultural history of the River Torrens as a significant waterway for the Aboriginal people. As such, representatives of the Kurna Nation were involved in the Masterplan process and the completed Reserve incorporates a number of cultural heritage elements including preservation of the Canoe Scar Tree (located on the banks of Fourth Creek/ Marriyarta Pari, and an important cultural marker to the Kurna people), interpretive signage and various Kurna cultural markers along the Kurna Interpretive Trail.



St Peters River Park

St Peters River Park is a reserve surrounded by the natural environment – bounded on its east by the St Peters Billabong and on its west by the River Torrens Linear Park. It is the largest Council reserve at approximately 92,643 square metres and is classified as Regional Open Space in the Council's *Open Space Strategy*.

The reserve includes the L G Perriam Memorial Oval, which is well-utilised by local sporting groups, and the River Torrens Linear Park trail which is available for use by pedestrians and cyclists.

The urban wetlands habitat of the St Peters Billabong is also situated within the reserve and is home to a wide variety of native birdlife and plant species. The Billabong is regularly maintained by the Friends of the Billabong Group, who undertake planting and weed control programs, with the aim of restoring native habitat, increasing biodiversity and improving the quality of water flowing into the River Torrens.

St Peters River Park is accessible via Goss Court or River Street. A view of the Billabong can also be captured from Cliff Goodwin Reserve on Eighth Avenue.



St Peters River Park includes the following facilities and features:

- L G Perriam Memorial Oval
- St Peters Billabong
- River Torrens Linear Park trail
- Public toilets, barbeque and seating
- Car parking (accessed from River Street)

With the exception of the parcel of land known as 'Cliff Goodwin Reserve', all of the land located to the east of the centreline of the River Torrens is known as 'St Peters River Park'.

For more information about St Peters River Park, see the Community Land Register excerpt contained within **Appendix A**.



Purpose of the Land

The purpose for which St Peters River Park is held is to:

- provide public open space for the use, enjoyment and benefit of the community;
- provide opportunities for informal and formal recreational, community and sporting activities;
- provide opportunities for social interaction and connection, relaxation and physical activity;
- protect and enhance the lifestyle, amenity and sense of place in the City;
- protect and enhance the natural environment, including areas of remnant vegetation, biodiversity, and waterways and riparian zones (including the St Peters Billabong); and
- provide regional open space as part of the River Torrens Linear Park for the use, enjoyment and benefit of the community as a recreational and educational resource, and as a tourism asset.

Management of the Land

Please refer to the Management Strategies table contained within **Appendix B** for the Council's specific objectives, strategies, performance targets and measures for the management of parks and reserves including St Peters River Park.

Leasing and Licensing

Pursuant to Section 202 of the Act, the following leasing and licensing arrangements are authorised for the Community Land comprising St Peters River Park:

Type of Arrangement	Length of Term	Authorised Uses
Leases (exclusive use)	Nil	Not Applicable.
Licences (non-exclusive use)	Six months – one year	Any use consistent with the Purpose of the Land set out in this Plan. Use of the Land for a business purpose may be granted where it occurs on a single occasion or on a short-term basis (up to the maximum term length), subject to approval.
Casual Hire (non-exclusive use)	Up to six months	Sporting uses by junior teams are to be preferred to senior teams at L G Perriam Memorial Oval.

Notes:

- All existing licences and casual hire arrangements in place with respect to St Peters River Park and the St Peters Billabong at the time of adoption of this Plan, are taken to be authorised for the purposes of this Plan.
- Where a lease or licence is proposed to be granted for a term of more than five years, or where a use of Community Land outside the Authorised Uses is proposed, this will be at the Council's discretion in all respects, and the Council is required to comply with its public consultation policy pursuant to Section 202(3) of the Act.
- The Council can approve the use of Community Land for a business purpose in accordance with the provisions of this Community Land Management Plan, pursuant to Section 200 of the Act.

History of the Land

The body of water that forms the St Peters Billabong at St Peters River Park was once part of the River Torrens, which formed a natural oxbow in the current Billabong location as the River meandered westward.

In the late 1970's, work was undertaken to isolate the oxbow from the main river channel in order to create a recreational 'lake'. Two weirs were installed at either end of the new channel to control water levels and flow. This enabled only a portion of flows from Second Creek to enter the original oxbow section of the River, thereby creating the Billabong that exists today. Around the same time, a volunteer group known as the Friends of the Billabong, dedicated to maintaining and enhancing the natural environment at the Billabong, was established.

In 1971 (prior to the above-mentioned works), land adjacent to the River Torrens and located within the oxbow, which had previously been used as a rubbish dump, was acquired by the St Peters Council. This occurred alongside the construction of the Kangaroo Creek Dam during the period 1966–1969, as part of a comprehensive flood mitigation plan to control the River Torrens and flooding in the western suburbs. An Oval, to be known as L G Perriam Memorial Oval, was constructed by the Council on top of the rubbish dump land and built up with silt from the River Torrens. This also resulted in the adjustment of the Council boundary in this location between the Town of Walkerville and the St Peters Council, with the boundary to run along the centre of the River Torrens and the land comprising the Oval to be included within the boundary of the St Peters Council.

The L G Perriam Memorial Oval was named in honour of Lindsay Gordon Perriam, who served as Mayor of St Peters between 1957 and 1964. Mr Perriam was a member of the St Peters Council for 25 years and was a founder of the St Peters Elderly Citizens Club. During the First World War, he joined the Australian Imperial Force and served at Gallipoli and on the Western Front with the 4th Army Service Corps. The Oval was named after Mr Perriam in honour of his commitment to improving the quality of life in the Town of St Peters through his participation in Local Government.



By the late 1990s, large amounts of organic matter and sediment had accumulated in the Billabong, preventing it from functioning as a healthy aquatic water body. At its meeting held on 5 November 2001, the City of Norwood Payneham & St Peters considered and endorsed a major reconfiguration of the Billabong as proposed by the Adelaide and Mount Lofty Ranges Natural Resources Management Board ('the NRM Board'), in order to enhance the existing Billabong site and improve the quality of water flowing into the River Torrens. The proposal included the formation of a northern and southern pond, the construction of a Gross Pollutant Trap (GPT) at the intersection of St Peters Street and Eighth Avenue, erosion control measures and a variety of habitat enhancement measures for bird and aquatic species. This work was entirely funded by the NRM Board. The adjacent L G Perriam Memorial Oval was also re-levelled and re-turfed at this time, and an automatic irrigation system installed. However, the reconfiguration work did not resolve the water quality issues, and the condition of the Billabong continued to deteriorate.

In 2006, it was acknowledged that the Gross Pollutant Trap, which was an integral part of the previous design, was having little impact on removing organic matter from the system. Following further studies in 2010, the NRM Board recommended converting the Billabong into a groundwater dominated system (rather than stormwater-based) to improve water quality. Due to funding difficulties, the initial scope of work to be undertaken and funded by the NRM Board was revised and somewhat reduced. Stage 1 of the works were completed in 2016, including removal of a diversion weir in Second Creek, blocking of flows from Second Creek into the Billabong, and decommissioning of the GPT. Stage 2 of the works, including water control measures and establishing aquatic plants in the Billabong, are in progress.

As a result of the above works, the Billabong is now fed from several permanent subterranean springs that discharge beneath the Billabong.

Appendix A

*Community Land Register
Parks and Reserves*

#	Name of Land	Address of Land	Certificate of Title	Plan and Parcel	Notes	Lease / Licence*	Land area (approximate m ²)
1	Adey Reserve	Scott Street / Hampden Street, Firle SA 5070	5257 / 763	F137824 A2 F137824 A3 F137824 A4 F137824 A5 F137824 A6 F137824 A7 F137824 A8 F137824 A9 F137824 A10 F137824 A11 F137824 A12 F137824 A13 F137824 A14 F137824 A15 F137824 A16 F137824 A17 F137824 A18 F137824 A19 F137824 A20 F137824 A21		Lease	1,8011
2	Alfred Street Park	Lot 12 Alfred Street, Norwood SA 5067	5329/285	D44293 A12			227
3	Arabella Court Reserve	Allotment 712 Arabella Court, Marden SA 5070	6190/522	D114413 A712			693
4	Barry Skinner Reserve	Applebee Crescent, Norwood SA 5067	5819/872 5542/380	D13429 A40 D13430 A39	Previously named Osmond Square		2,019
5	Bishops Place Reserve	Lot 8 Shipsters Road, Kensington SA 5068	5825/788 919/159	04256 A8			211
6	Booroo Street Reserve	Lot 8 Booroo Street, Joslin SA 5070 Lot 9 Holton Court, St Peters SA 5069	5517/315 5516/866	D29191 A8 D29191 A9			2,370

#	Name of Land	Address of Land	Certificate of Title	Plan and Parcel	Notes	Lease / Licence*	Land area (approximate m ²)
7	Borthwick Memorial Gardens	Corner of Payneham Road and Portrush Road, Payneham SA 5070	5102/353 5102/354	D34464 A202 D1333 A4 D34464 A203, A204			1,851
8	Borthwick Park	51C Bridge Street, Kensington SA 5068 12 Richmond Street, Kensington SA 5068 44 Thornton Street, Kensington SA 5068 Lot 25 Thornton Street, Kensington SA 5068	5549/330 5733/3 5548/244 5742/149	D41630 A14 D979 A16 F139010 A30 F138905 A25			7,547
9	Bridge Road Reserve	Lot 44 Rosella Street, Payneham SA 5070 Lot 45 Bridge Street, Payneham SA 5070 Lot 46 Bridge Street, Payneham SA 5070	2796/122	D6824 A44 D6824 A45 D6824 A46			3,104
10	Broad Street Reserve	Lot 32 Broad Street, Marden SA 5070	6014/350	D6608 A32			1,324
11	Buik Crescent Reserve	Lot 93 Buik Crescent, Marden SA 5070	2202/10	D4832 A93			3,114
12	Burchell Reserve	50 Sixth Avenue, St Peters SA 5069	5261/695 5837/244	F138133 A10 F138133 A11 F138133 A12 F138133 A13 F138133 A14 D796 A598	Includes tennis courts		6,642
13	Chimney Park	Muller Street and Stephen Street, Norwood SA 5067	5542/383 5542/389 5542/394 5819/871	D13341 A108 D13108 A104 D13108 A101 D13429 A38			1,661

#	Name of Land	Address of Land	Certificate of Title	Plan and Parcel	Notes	Lease / Licence*	Land area (approximate m ²)
14	Church Avenue Reserve	Church Avenue, Norwood SA 5067	280/148 5872/781	D798 A17 F138950 A70			758
15	Cliff Goodwin Reserve	Lot 46 Eighth Avenue, St Peters SA 5069	5837/560	D882 A725			3,160
16	College Road Reserve	Corner of Fullarton Road and The Parade West, Kent Town SA 5067	6062/342	F219201 A70			247
17	Cruikshank Reserve	Corner of Phillis Street and Clifton Street, Maylands SA 5069	5807/109 5824/191 5827/929 5832/304 5831/945 5785/757	F135048 A97 F135049 A98 F135050 A99 F135051 A100 F135052 A1 D1210 A12	Also Sporting Facility Includes tennis courts, netball courts and clubrooms	Lease	5,323
18	Dan and Nan Manning Playground and Walkway	30 Fisher Street, Norwood SA 5067 Lot 35 Gray Street, Norwood SA 5067	5093/300 5372/729	D34470 A1 D45476 A35			407

#	Name of Land	Address of Land	Certificate of Title	Plan and Parcel	Notes	Lease / Licence*	Land area (approximate m ²)
19	Drage Reserve	Lot 74 Riverside Drive, Felixstow SA 5070	6032/942	DP 7849 A74	A portion of unmade road adjoining the end of Briar Road and Riverside Drive extends into Drage Reserve until the centre line of the River Torrens (no CT)		73,675
		Lot 4 Briar Rd, Felixstow SA 5070	5744/455	FP 40075 A4			
		Lot 6 Briar Rd, Felixstow SA 5070	5306/476	FP 40075 A6			
		Lot 20 Briar Rd, Felixstow SA 5070	5306/470 5306/471	DP 42573 A20 DP 42573 A21			
		Andrea Way, Klemzig SA 5087	Pt 2667/180 (from centre line of River Torrens)	DP 6512 Pt Lot 57	Registered Proprietor: City of Port Adelaide Enfield		
		Spring Grove, Klemzig SA 5087	Pt 5416/452 (from centre line of River Torrens)	DP 21178 Pt Lot 16	Registered Proprietor: Minister for Environment and Water		
		River Street, Klemzig SA 5087	Pt CR 5753/973	H106100 S3287	Registered Proprietor: The Crown Custodian: City of Port Adelaide Enfield Land from centre line of River Torrens Land dedicated for gravel and sand purposes pursuant to the <i>Crown Lands Act, 1929</i> by Gazette 01/10/1903		

#	Name of Land	Address of Land	Certificate of Title	Plan and Parcel	Notes	Lease / Licence*	Land area (approximate m ²)
20	Dunstan Adventure Playground	Stephen Terrace, St Peters SA 5069	5807/996	F29953 Q20, Q22			13,290
		Winchester Street, St Peters SA 5069	CR 5754/508	H105100 S1190	Registered Proprietor: The Crown		
					Custodian: City of Norwood Payneham & St Peters	Land dedicated for recreation and plantation purposes pursuant to the <i>Crown Lands Act, 1929</i> , by Gazette 28/03/1985.	
			5459/464	D882 A747	Registered Proprietor: Minister for Environment and Water		
		5301/120 Pt 5331/357	F29953 A21 D36722 A13	Registered Proprietor: Commissioner of Highways			
21	Dunstone Grove	Payneham Road, Stepney SA 5069	Pt 5774/726	F134917 A66	That portion of the Reserve forming the entrance from Payneham Road to Cornish Street		1,562
		N/A	615/200	R3402 AA			
22	Edin Smith Walk	Lot 37 Appelbee Crescent, Norwood SA 5067	5542/381	D13430 A37			1,608
		19 Osmond Tce, Norwood SA 5067	5490/729 5542/382	D12985 A106 D13343 A36			
23	Felixstow Reserve	Lot 100 Spring Grove, Klemzig SA 5087	6032/941	D76306 A100	Includes wetlands The portion of land on the northern side of the River Torrens falls within the boundary of the Town of Walkerville	Licence	71,389
24	Gage Street Reserve	Lot 2 Gage Street, St Morris SA 5068	6061/154 6061/153	D83405 A2 D83405 A3, A4			553

#	Name of Land	Address of Land	Certificate of Title	Plan and Parcel	Notes	Lease / Licence*	Land area (approximate m ²)
25	Garden of Remembrance	188 OG Road, Felixstow SA 5070	Pt 5859/643	D58460 A100			2,232
26	Glenbrook Close Reserve	Lot 39 Glenbrook Close, Marden SA 5070	5064/975	D32029 A39			2,677
27	Glenbrook Close Reserve No 2	Lot 41 Glenbrook Close, Marden SA 5070	5064/977	D32029 A41			501
28	Glenbrook Close Reserve No 3	Lot 40 Glenbrook Close, Marden SA 5070	5064/976	D32029 A40			630
29	Glenbrook Close Reserve No 4	Lot 39 Glenbrook Close, Marden SA 5070	5064/974	D32029 A38			294
30	Hannaford Reserve	77A Seventh Avenue, St Peters SA 5069	5668/598 5738/197 5738/198 5774/982 5826/829	F135834 A83 F135836 A85 F135835 A84 D796 A635 F135850 A99			5,406
		Sixth Avenue, St Peters SA 5069	5360/70	F135850 A100			
31	Hanson Reserve	Lot 101 Newcastle Street, Heathpool SA 5068	5976/717	F24019 A101			1,353
32	Hardiman Reserve	Lot 101, The Parade West, Kent Town SA 5067	5093 / 89 5641 / 848	F100138 A27 F213583 A101	Intersection of The Parade, The Parade West, Flinders Street and Fullarton Road		699
33	Hutchinson Park	4 Free Street, Norwood SA 5067	5079/239	F100077 A52			4,533
		2 Bond Street, Norwood SA 5067	5560/392	F100119 A68			
		6 Bond Street, Norwood SA 5067	5084/550 5847/967	F100119 A69 F40411 A71			

#	Name of Land	Address of Land	Certificate of Title	Plan and Parcel	Notes	Lease / Licence*	Land area (approximate m ²)
34	James Coke Park	Coke Street, Norwood SA 5067	5485/526	F9944 A23			2,840
		Edward Street, Norwood SA 5067	5935/603	D26935 A105			
35	Joslin Reserve	Fourth Avenue, Joslin	5774/771	D2183 A16, A17		Licence	7,314
			5807/290	D2183 A18			
			5818/4	D2183 A19			
			5821/233	F135901 A50			
		88-92 Third Avenue, Joslin SA 5070	5821 / 234	F135889 A38			
36	Kensington Pioneer Park	Lot 39 Maesbury Street, Kensington SA 5068	5811/205	F138919 A39			1,624
37	Koster Park	24 Avonmore Avenue, Trinity Gardens SA 5068	5731/14	D1143 A146			8,617
				D1143 A147			
				D1143 A150			
				D1143 A151			
				D1143 A169			
			5785/299	D1143 A191			
			5793/944	D1143 A190			
			5821/666	D1143 A172			
	D1143 A173						
		5840/263	D1143 A168				

#	Name of Land	Address of Land	Certificate of Title	Plan and Parcel	Notes	Lease / Licence*	Land area (approximate m ²)
38	Linde Reserve	Payneham Road, Stepney SA 5069	Pt 5774/726	F134917 A66	Linde Reserve comprises the whole of the Reserve on both sides of Second Creek, excluding the entrance from Payneham Road to Cornish Street.	Leases	25,363
		Nelson Street, Stepney SA 5069	6109/870 5888/57 5888/72 5888/44	D90885 A900 F218459 A42 F134924 A73 F134815 A64		Licence	
		62 Nelson Street, Stepney SA 5069	5612/599	D134922 A71		Includes Nelson Street Cottages, St Peters Youth Centre and ampitheatre, field, and Linde Community Garden.	
		64 Nelson Street, Stepney SA 5069	5799/121	D134922 A72	The land comprising Allotment 129 in Filed Plan 4431 is to be held in perpetuity as a public reserve or recreation ground with the name of Linde to be preserved. Should the land be sold, Section 201(3)(b) of the <i>Local Government Act 1999</i> applies.		
		66 Nelson Street, Stepney SA 5069	5799/117	F134916 A65			
		68 Nelson Street, Stepney SA 5069	5799/119	F134921 A70			
		70 Nelson Street, Stepney SA 5069	5799 / 115	F134919 A68			
		Nelson Street / Stepney Street, Stepney SA 5069	989/10	F4431 A129			
		45 Stepney Street, Stepney SA 5069	5495/429	F4431 A127			
Stepney Street, Stepney SA 5067	5515/208 5694/773	F4431 A128 F4431 A130					
39	Linear Park–Gilberton	Lot 36 Gilberton Street, Gilberton SA 5081	Pt 5875/665	D22127 Q7, Q8	Land managed by the Town of Walkerville, to the west of the centre line of the River Torrens		6,687
		Lot 31 Eighth Avenue, St Peters SA 5069	Pt 5832/927 Pt 5853/87	F136687 A36 F136682 A31			
40	Mary MacKillop Park	Phillips Street, Kensington SA 5068	6233/346	D122639 A101			921
41	Maurice Clayton Reserve	43A Frederick Street, Maylands SA 5069	5097/557	D19612 A2			3,331
		44A Augusta Street, Maylands SA 5069	5717/315	F134959 A8			

#	Name of Land	Address of Land	Certificate of Title	Plan and Parcel	Notes	Lease / Licence*	Land area (approximate m ²)
42	May Street Reserve No 1	Hampden Street, Firle May Street, Firle SA 5070	Pt 3769/52	D8519 A22	Reserve comprises Pt CT 3890/22 (D4967 A77) which is Public Road		310
43	May Street Reserve No 2	May Street, Firle SA 5070	Pt 3769/52	D8519 A21	Reserve comprises Pt CT 3890/22 (D4967 A76) which is Public Road		580
44	May Street Reserve No 3	May Street, Firle SA 5070 Sommers Avenue, Firle SA 5070 Gage Street, Firle SA 5070	2647/161 2692/169	D4967 A84 F100997 A7	Reserve comprises Pt CT 3890/22 (D4967 A75) which is Public Road Registered Proprietor: George Luscombe Martin, Arnold Roy Martin & Walter Leslie Martin		335
45	Memorial Gardens	The Parade, Norwood SA 5067	6130/133 Pt 6130/134	D31103 A11 D31103 A10			2,606
46	Mitchell Lane Reserve	Allotment 701 Arabella Court, Marden SA 5070	6162/583	D110652 A701			120
47	Old Mill Reserve	Lot 24 Richmond Street, Hackney SA 5069 Corner of Richmond Street and Hackney Road, Hackney SA 5069 Corner of Richmond Street and Hackney Road, Hackney SA 5069	5484/267 5484/269 5815/811 5820/576 Pt CR 5923/345 5815/813 5484/259 5688/807 5484/261 5484/265	F11072 A24 F11072 A25 F11072 A26 F11072 A27 D58667 A104 F11072 A20 F11072 A21 F136464 A13 F11072 A22 F11072 A23	Registered Proprietor: The Crown Custodian: Minister for Environment and Water Registered Proprietor: Minister for Environment and Water		7,983

#	Name of Land	Address of Land	Certificate of Title	Plan and Parcel	Notes	Lease / Licence*	Land area (approximate m ²)
48	Orlando Court Reserve	Allotment 700 Orlando Court, Marden SA 5070	6172/769	D112183 A700			440
49	Otto Park	21 Second Avenue, St Peters SA 5069	5705/980	F136593 A42			2,863
50	Player Avenue Reserve	26 Player Avenue, St Peters SA 5069	5538/617	D22127 A3			1,268
51	Regent Gardens	Thornton Street, Kensington SA 5068	5488/779	F9782 A1 R7638 AA			826
52	Richards Park	10 Osmond Terrace, Norwood SA 5067	5490/485	F75 A9	Minister owns adjacent land at 19 Edward Street, Norwood (CT 5468/104)	Lease Underlease	12,880
	Lot 16 Magill Road, Norwood SA 5067	5845/580	F11604 A16				
	6-8 Osmond Tce, Norwood SA 5067	5857/775	F75 A10				
	132 Magill Rd, Norwood SA 5067	5297/871	F139486 A6				
53	River Street Buffer Reserve	Allotment 15 River Street, Marden SA 5070	5519/625	D24378 A15			1,943
54	River Torrens Linear Park Section Number Two	Richmond Street, Hackney SA 5069	5389/439	D44733 A100	Registered Proprietor: Perpetual Corporate Trust Ltd ACN 000 341 533		8,174
	Hackney Road, Hackney SA 5069	Pt CR 5923/345	D58667 A104	Registered Proprietor: The Crown	Custodian: Minister for Environment and Water		
	Richmond Street, Hackney SA 5069	5459/267 5459/79	F18091 A40 F18091 A41	Registered Proprietor: Minister for Environment and Water			
	Torrens Street, College Park SA 5069	5410/924	F15982 A35				

#	Name of Land	Address of Land	Certificate of Title	Plan and Parcel	Notes	Lease / Licence*	Land area (approximate m ²)
55	River Torrens Linear Park Section Number Four	Player Avenue, St Peters SA 5069	5824/688	F15548 A39			37,810
			5461/592	F15548 A36			
			5828/320	F15547 A34			
			5471/540	D12370 A2			
			5824/245	F15547 A31			
			5824/242	F15547 A30			
			5824/241	F15547 A29			
			5493/352	F15547 A28			
			5492/981	F15547 A27			
			5493/351	F15547 A26			
			5620/980	F15547 A25			
			5730/375	F15547 A24			
			5824/243	F15547 A23			
		5824/244	F15547 A22				
		5714/839	D12944 A48				
		5714/838	D12943 A50				
		5130/921	F15548 A18				
55	River Torrens Linear Park Section Number Four	Swing Bridge Lane, St Peters SA 5069	5462/951	F15548 A42			37,810
			5800/394	D54937 A105			
55	River Torrens Linear Park Section Number Four	River Street, St Peters SA 5069	5875/664	D22127 Q4			37,810
55	River Torrens Linear Park Section Number Four	Stephen Terrace, St Peters SA 5069	5996/865	D77244 Q72	Registered Proprietor: Minister for Environment and Water		37,810
55	River Torrens Linear Park Section Number Four	Stephen Terrace, Gilberton SA 5069	5301/86	D21786 A21	Registered Proprietor: Commissioner of Highways		37,810
56	River Torrens Linear Park Section Number Six	9 Eleventh Avenue, St Peters SA 5069	5395/384	D21787 A44	Registered Proprietor: Minister for Environment and Water		20,438
		Holton Court, St Peters SA 5069	Pt 5331/355	D29191 Q12			
56	River Torrens Linear Park Section Number Six	Holton Court, St Peters SA 5069	5301/114	D29191 Q11	Registered Proprietor: Commissioner of Highways		20,438

#	Name of Land	Address of Land	Certificate of Title	Plan and Parcel	Notes	Lease / Licence*	Land area (approximate m ²)			
57	River Torrens Linear Park Section Number Seven	82-90 Lambert Road, Joslin SA 5070	5462/443	F16864 A102	Registered Proprietor: Minister for Environment and Water		69,650			
		Koolaman Street, Joslin SA 5070	Pt 5331/355 5463/40	D29191 Q7 F16863 A95						
		Battams Road, Royston Park SA 5070	Pt 5068/625 Pt 5381/820	D21785 Q22 F203838 Q92, Q93						
		Lambert Road, Royston Park SA 5070	Pt 5463/41	F16864 A104						
		Holton Court, St Peters SA 5069	5301/114	D29191 Q11	Registered Proprietor: Commissioner of Highways					
		Battams Road, Royston Park SA 5070	5068/190 Pt 5127/199	D21785 A21 F33975 A403						
58	River Torrens Linear Park Section Number Eight	Lot 15 River Street, Marden SA 5070	5519/625	DP24378 A15	Registered Proprietor: Minister for Environment and Water		38,300			
		Glenbrook Close, Marden SA 5070	Pt 5977/41	D24378 Q13						
		Lower Portrush Road, Marden SA 5070	6043/805	D15914 A20						
		Glenbrook Close, Marden SA 5070	5751/100	D15913 A22						
		River Street, Marden SA 5070	5301/96	D24378 Q16				Registered Proprietor: Commissioner of Highways		
		Alexander Lane, Marden SA 5070	5301/73	D15915 A26						

#	Name of Land	Address of Land	Certificate of Title	Plan and Parcel	Notes	Lease / Licence*	Land area (approximate m ²)
59	River Torrens Linear Park Section Number Nine	Lower Portrush Rd, Marden SA 5070	5185/102	D32042 Q11	Registered Proprietor: Minister for Environment and Water		75,640
		Church Street, Marden SA 5070	5466/58	D19035 A30			
		Lower Portrush Road, Marden SA 5070	5471/360 6043/805 5827/542 5749/384	D19035 A24 D15914 A20 D19035 A27 F127639 A5			
60	Scott Street Reserve	Lot 38 Almond Avenue, Glynde SA 5070	2585/136	D6294 A38	D7452 A24 in CT 3135/125, comprising portion of the Reserve, is vested in the Council as Public Road		3,277
		25 Scott Street, Glynde SA 5070	2670/69	D6508 A63			
		Lot 24 Scott Street, Glynde SA 5070	2670/67	D6461 A24			
61	St Morris Reserve	Seventh Avenue, St Morris SA 5068	5129/787 5129/786	D36670 A421 D36670 A423			8,023
62	St Peters River Park	Lot 10 River Street, St Peters SA 5069	Pt 5875/802	D22127 Q9, Q10	Also Sporting Facility	Licences	92,643
					Includes L G Perriam Memorial Oval and St Peters Billabong		
		Lot 31 Eighth Avenue, St Peters SA 5069	Pt 5853/87 5750/168 5262/161 5261/579	F136682 A31 F136697 A46 F138132 A8, A9 F138138 Q23, Q24			
		Lot 46 Eighth Avenue, College Park	339/70	F136689 A38			
		Lot 46 Eighth Avenue, College Park SA 5069	329/181, 182	D882 A725A			
		23 River Street, St Peters SA 5069	5547/589	F136779 A28			
		Lot 10 River Street, St Peters SA 5069	5329/205	F136688 A37			
	Lot 36 Gilbert Street, Gilberton SA 5081	Pt 5832/927 Pt 5875/665	F136687 A36 D22127 Q7				

#	Name of Land	Address of Land	Certificate of Title	Plan and Parcel	Notes	Lease / Licence*	Land area (approximate m ²)
63	Stacey Reserve	30 Bakewell Road, Evandale SA 5069	5602/675	F215433 A95 F215433 A96			1,544
64	Stanford Reserve	1 Loch Street, Stepney SA 5069	5445/273	F215433 A96			1,309
65	Syd Jones Reserve	77-81 Coorara Ave, Firle SA 5070	5842/437 5671/805 5674/438 5673/408	DP 4647 A13, A14, A15 DP 4647 A16 DP 4647 A17 DP 4647 A18	Includes building	Lease	4,504
66	Trenorden Park	Maesbury Street, Kensington SA 5068	5461/483	F3311 A2			1,729
67	Twelftree Reserve	Lots 458–463 Torrens Street, College Park SA 5069	5715/829	D796 A458 D796 A459 D796 A460 D796 A461 D796 A462 D796 A463			6,927
68	White Reserve	Third Avenue, Royston Park SA 5070	5944/447	D3236 A156			1,563
69	Willow Bend Reserve No 1	Willow Bend, Marden SA 5070	5847/964	D56974 A53			692
70	Willow Bend Reserve No 2	Broad Street, Marden SA 5070	5847/963	D56974 A52			3,029
71	Willowbank Crescent Reserve	Pitt Street, Marden SA 5070	2249/136	D6913 A16			1,194
72	Woodroffe Gardens	Theresa Street, Norwood SA 5067	5247/343	D34225 A102			646

Notes:

*For further details relating to a Lease or Licence, see the Council's Lease & Licence Register, available at: www.npsp.sa.gov.au
The information provided in this Register was correct at the time of publication.

Appendix B

*Management Strategies
Parks and Reserves*

#	Category	Objectives	Strategies	Performance Targets	Performance Measures
1	Public Access	To provide reserves, facilities and spaces that are fit-for-purpose, safe, well-maintained and accessible for people of all ages, backgrounds and abilities*	Design and provide safe, high quality facilities and spaces	Achieve a resident satisfaction rating of 4.2 or above, and a business satisfaction rating of 3.8 or above in relation to public access to open space All upgrades and redevelopments are compliant with relevant legislation, strategies and standards relating to public access (including, e.g., Disability Discrimination Act 1992 (Cth), National Disability Strategy, Building Code of Australia, Australian Standards)	Community Survey (undertaken every two (2) years) – level of resident satisfaction Audit of upgrades and redevelopments once completed
			Implement the Council's <i>Access & Inclusion Strategy</i> and <i>Access & Inclusion Policy</i> (as amended from time-to-time)	Citizens of all ages and abilities have equitable access to building, open space and services available in the City	Annual reporting on Access & Inclusion Strategy
			Identify opportunities for accessible and inclusive elements in all Masterplans for upgrades and redevelopments of Council reserves, facilities and public places	All upgrades and redevelopments include accessible or inclusive elements	Review of Masterplans prior to Council endorsement
2	Cultural Vitality	Dynamic community life in public places and precincts*	Broaden the range of land uses and activities in appropriate locations	Achieve a rating of 4.2 or above out of 5.0 in the Council's Community Surveys in relation to open space	Community Survey (undertaken every two years) – level of resident satisfaction
			Create and provide interesting and colourful public places to encourage interaction and gatherings		
			Host and facilitate community events and activities	Achieve at least 70% of residents attending a Council-run event in the Council's Community Surveys	Community Survey (undertaken every two years) – level of resident satisfaction
			Value and promote the City's rich cultural and built heritage*	Protect and enhance places, streetscapes, precincts and landmarks which reflect the built and cultural history of the City Promote the value of heritage protection through cultural heritage programs and events	Install a minimum of two historic plaques and signposts within the Council area, each financial year Number of historic plaques and signposts installed by the Council each financial year

#	Category	Objectives	Strategies	Performance Targets	Performance Measures
3	Economic Development	Cosmopolitan business precincts contributing to the prosperity of the City*	Promote use of Council reserves, facilities and public places to activate the surrounding precinct Promote the City as a tourist destination	Achieve an agreement rating from businesses of 3.2 or above out of 5.0 in the Council's Community Survey	Community Survey (undertaken every two years) – level of resident satisfaction
4	Environmental Sustainability	Sustainable and efficient management of water, waste, energy and other resources*	Investigate and implement innovative waste reduction initiatives Incorporate "zero waste" or low waste principles into community event planning Implement mechanisms to make better use of water resources including the harvesting and re-use of stormwater Implementation of the Eastern Regional Alliance (ERA) Waterproofing Eastern Adelaide Stormwater Harvesting and Re-Use Project Prioritise the purchase of recycled products and materials in the replacement or upgrade of Council assets in reserves, facilities and public places, for all relevant product types	Achieve a 2% increase in community recycling and green waste diverted from landfill from the 2015/2016 level across the City, each financial year Install recycling and/or food and garden organics bins at Council reserves, facilities and public places where practicable All community events held by the Council are "zero waste" Reduction in mains water usage Connection of all Council parks and reserves to the Council's recycled water supply Purchase corporate materials to comprise the equivalent of 10% of the weight of collected kerbside recyclables per annum (and increasing annually, until this reaches 50%)	Tonnes of community recycling and green waste diverted from landfill as a percentage of the total waste collected, measured each financial year Number of recycling and food and garden organics bins installed per year Number of "zero waste" community events held by Council each year Volume of stormwater harvested each year Number of parks and reserves connected to the Council's recycled water supply Reporting requirements under LGA Circular Procurement Pilot Project
		Mitigating and adapting to the impacts of a changing climate*	Introduce climate change adaptation initiatives in Council-owned assets and public places where practicable	Reduce the amount of Corporate greenhouse gas emissions by 5% from the 2015/2016 level by 2020/2021 Achieve Resilient East tree canopy and water sensitive urban design (WSUD) targets	Annual amount of greenhouse gas emissions generated by Corporate activities Tree planting data and installation of WSUD devices in reserves and public spaces

#	Category	Objectives	Strategies	Performance Targets	Performance Measures
5	Public Amenity	All Council reserves and facilities maintained as smoke-free facilities	Educating the community about the Council's <i>Smoke-Free Policy</i>	No smoking in designated smoke-free areas in the City	Review of the number of complaints received regarding smoking in smoke-free areas annually
6	Leasing, Licensing and Casual Hire	Public and private use of Council reserves and facilities is managed in an equitable, efficient and consistent manner	<p>New leases and licences are assessed against a leasing and licensing strategy</p> <p>Maintenance of a Lease and Licence Register</p> <p>Community Land Management Plans regulate unauthorised uses and tenure for leasing and licensing of public open space and facilities.</p> <p>Regular inspections of leased / licensed / hired reserves and facilities to ensure compliance by users</p>	<p>Development of a leasing and licensing strategy for all Council owned properties</p> <p>All leases, licences and hire arrangements are up-to-date and compliant with relevant legislative requirements</p> <p>Leased / licensed / hired facilities are used in accordance with the terms of their lease / licence / hire arrangement</p>	<p>Adoption of a leasing and licensing strategy by the Council</p> <p>Review of Lease & Licence Register annually</p> <p>Inspection records for properties</p>
		Increased, varied and shared use of Council reserves and facilities through suitable occupancy arrangements	Explore opportunities for increased and varied use of Council reserves and facilities (both short-term and long-term)	Highest and best usage of all Council reserves and facilities	Annual review to determine usage and occupancy of Council reserves and facilities
				Development of a leasing and licensing strategy for all Council owned properties	Adoption of a leasing and licensing strategy by the Council
7	Urban Design	Pleasant, well designed and sustainable urban environments*	Encourage sustainable and quality urban design outcomes in all Council reserves and facilities	Achieve a satisfaction rating of 4.3 or above out of 5.0 with the character of the local area	Community Survey (undertaken every two years) – level of resident satisfaction
		Sustainable and attractive open spaces*	Maximise the extent of landscaping and green infrastructure utilised in Council reserves, facilities and public places (where practicable)	All upgrades and redevelopments of Council reserves, facilities and public places incorporate landscaping and/or green infrastructure elements	Audit of upgrades and redevelopments once completed

#	Category	Objectives	Strategies	Performance Targets	Performance Measures
8	Public Art	To create an artistic, creative, cultural and visually interesting City*	<p>Facilitate public arts projects through the Council's Public Art Program, in accordance with the Council's <i>Public Art Policy</i></p> <p>Include funding for development and design of public artwork in all major Council projects</p>	Public artwork included in all major Council projects, where practicable	Number of major projects incorporating public artwork each year
			Continued implementation of the Council's Quadrennial Public Art Program	Commission a major public artwork every four years	Major public artwork installed every four years
9	Graffiti, Vandalism and Litter	Council reserves, facilities and public places are maintained free from graffiti, vandalism and litter in the interests of public amenity and safety	<p>Provision of public waste bins at all Council reserves and facilities</p> <p>Public waste bins are emptied in accordance with the Council's service standard (frequency dependent upon location)</p> <p>Explore options to implement 'Smart City' technology in relation to waste management in high usage areas</p> <p>Community education regarding waste management and reporting of incidents of littering, graffiti and/or vandalism</p>	No complaints regarding litter and provision of / access to public waste bins	Review of CRMs relating to litter and provision of/access to public waste bins
			General inspection and monitoring of reserves for graffiti, vandalism and litter	Inspection of approximately five reserves per month, and otherwise as required	Inspection and maintenance records
			CRMs in relation to graffiti, vandalism and litter are investigated and action taken where practicable (including reporting to the Police where required)	CRMs are actioned in accordance with the Council's service standard	Review of CRM responses against the Council's service standard, monthly
			Volunteer Graffiti Removal Program across the City (priority removal for offensive content)	Continued implementation of the Volunteer Graffiti Removal Program	Records of Graffiti Removal Program
			Explore opportunities for urban design to reduce risk of graffiti and/or vandalism in upgrades or redevelopments of Council reserves, facilities and public places	All Masterplans for Council reserves, facilities and public places incorporate urban design that seeks to reduce the risk of graffiti and/or vandalism (where relevant)	Review of Masterplans prior to Council endorsement

#	Category	Objectives	Strategies	Performance Targets	Performance Measures
10	Animal Management	Animal management in Council reserves, facilities and public places is conducted in accordance with the objectives set out in the Council's <i>2019–2024 Dog & Cat Management Plan</i>	As set out in the <i>2019–2024 Dog & Cat Management Plan</i> (as amended from time-to-time)	As set out in the <i>2019–2024 Dog & Cat Management Plan</i> (as amended from time-to-time)	As set out in the <i>2019–2024 Dog & Cat Management Plan</i> (as amended from time-to-time)
11	Pest Control	To maintain public safety and amenity in Council reserves, facilities and public places	<p>General inspection and monitoring of reserves for pest control</p> <p>Annual termite inspections of Council buildings</p> <p>Treatment of pest infestations if and when they arise (e.g., bees, ant, cockroach, rodents, possums, pigeons)</p>	Inspection of approximately five reserves per month, and otherwise as required	Inspection and maintenance records
			CRMs in relation to pest control are investigated and action taken where practicable	CRMs are actioned in accordance with the Council's service standard	Review of CRM responses against the Council's service standard, monthly
		To conduct pest control in an environmentally sustainable manner where practicable	Utilisation of environmentally sustainable pest control measures where practicable	Relocation of up to 50% of bee infestations at Council reserves, facilities and public places	Review of CRMs relating to bee infestations and action taken
12	Vegetation and Landscaping	Vegetation, landscaping and grassed areas at Council reserves, facilities and public places are fit-for-purpose, safe and well-maintained	<p>Regular vegetation maintenance program at all Council reserves, facilities and public places (including, e.g., pruning, fertilising, irrigation, mulching, plant replacement) (frequency dependent upon type of vegetation)</p> <p>General inspection and monitoring of reserves for vegetation and landscaping</p> <p>CRMs in relation to vegetation and landscaping are investigated and action taken where practicable</p>	<p>Delivery of maintenance program</p> <p>Development of maintenance plans for all Council reserves and facilities upon completion of reserve upgrade or redevelopment</p> <p>Inspection of approximately five reserves per month, and otherwise as required</p> <p>CRMs are actioned in accordance with the Council's service standard</p>	<p>Inspection and maintenance records</p> <p>Number of maintenance plans developed</p> <p>Inspection and maintenance records</p> <p>Review of CRM responses against the Council's service standard, monthly</p>

#	Category	Objectives	Strategies	Performance Targets	Performance Measures
		Thriving and healthy habitats for native flora and fauna*	<p>Identify and protect remnant vegetation and enhance habitat quality</p> <p>Establish a network of linked open spaces and wildlife corridors</p> <p>Revegetate designated areas with local native species</p> <p>Facilitate community participation and find opportunities to work with local community groups in relation to revegetation and biodiversity-related programs</p>	Undertake at least two initiatives to promote the value of native flora and fauna per year	Number of initiatives to promote and educate the community about the value of native flora and fauna, per year
			Site management and maintenance of the St Peters Billabong to be conducted in accordance with any specific management plan for the Billabong, in connection with the Adelaide & Mount Lofty Ranges NRM Board (or other relevant body), as amended from time-to-time	St Peters Billabong is maintained in accordance with applicable management plan (if any)	Review of management and maintenance as required under plan (if any)
		Trees at Council reserves, facilities and public places are healthy, structurally sound and well-maintained	<p>Tree management program for selected trees in specified locations (including, e.g., adjacent high-usage Council facilities), with annual inspection and monitoring</p> <p>General inspection and monitoring of trees by a qualified arborist to assess tree condition and identify faults, dead trees or fallen branches (before programmed works, prior to major Council events, and otherwise as required)</p>	Continued implementation of tree management program and general inspection and monitoring regime	Inspection and monitoring records (annually or otherwise as required)
			Cataloguing of Council trees across the City (dependent upon availability of resources)	Development of a comprehensive register for all Council trees in the City	Register developed
			CRMs in relation to trees are investigated and action taken where practicable	CRMs are actioned in accordance with the Council's service standard	Review of CRM responses against the Council's service standard, monthly

#	Category	Objectives	Strategies	Performance Targets	Performance Measures	
13	Watercourses and Wetlands	Healthy and sustainable watercourses *	Revegetate and restore natural watercourses	Incorporate water sensitive urban design (WSUD)/stormwater capture and treatment considerations in at least two Council projects each year	Number of projects with WSUD/stormwater capture and treatment considerations per year	
			Improve the water quality in our City's watercourses			
			Encourage the capture and re-use of stormwater and reduce stormwater run-off	Inspection of approximately five reserves per month, and otherwise as required		
			General inspection and monitoring of reserves for watercourses and wetlands (where relevant)			Inspection and maintenance records
CRMs in relation to watercourses and wetlands are investigated and action taken where practicable	CRMs are actioned in accordance with the Council's service standard	Review of CRM responses against the Council's service standard, monthly				
14	Drainage and Stormwater Management	Healthy and sustainable watercourses*	Encourage the capture and re-use of stormwater and reduce stormwater run-off from Council reserves, facilities and public places	Incorporate water sensitive urban design (WSUD) / stormwater capture and treatment considerations in at least two (2) Council projects each year	Number of projects with WSUD/stormwater capture and treatment considerations per year	
			To seek equitable flood protection across the City	Development and review of the Flood Mapping and Management Strategy	Reduction in local area flooding (particularly in high priority areas in the City, as identified in the Flood Mapping and Management Strategy)	Number of reported incidents of local area flooding per storm event
				Implementation of the Stormwater Drainage Infrastructure and Asset Management Plan		
				Implementation of the Council's 15-year Drainage Program across the City	Trunk mains across the City are capable of transferring a 100-year flow	
				Implementation of an annual scheduled maintenance program for all side entry pits across the city		
	Continued implementation of gross pollutant trap cleaning and inspection program for relevant creeks and rivers (frequency dependent upon rain events)		Review of Drainage Program annually in Budget process			
	CRMs in relation to drainage and stormwater management are investigated and action taken where practicable	CRMs are actioned in accordance with the Council's service standard	Review of CRM responses against the Council's service standard, monthly			

#	Category	Objectives	Strategies	Performance Targets	Performance Measures
15	Irrigation	<p>Irrigation systems at Council reserves, facilities and public places are fit-for-purpose, safe and well-maintained</p> <p>Utilise best practice and sound horticultural principles to maximise efficient use of water</p>	<p>Irrigation of Council reserves, facilities and public places is managed in accordance with the Council's Irrigation Policy and Irrigation Management Plans</p>	<p>Irrigation of Council reserves, facilities and public places (where relevant) meets the Irrigated Public Open Space (IPOS) Code of Practice requirements and relevant legislative requirements</p>	<p>Review of water use and irrigation practices against IPOS Code of Practice, annually (or otherwise as required)</p>
			<p>Automatic or manual irrigation systems programmed to meet the needs of each area (including, e.g., soil type, grass type, use of area, water quality, climatic conditions)</p>		
			<p>Inspections and monitoring of irrigation systems to assess asset condition, performance and maintenance as required</p>	<p>Inspection of approximately five reserves per month and otherwise as required</p>	<p>Inspection and maintenance records</p>
			<p>CRMs in relation to irrigation are investigated and action taken where practicable</p>	<p>CRMs are actioned in accordance with the Council's service standard</p>	<p>Review of CRM responses against the Council's service standard, monthly</p>
16	Building Maintenance	<p>Convenient and accessible buildings and facilities that are fit-for-purpose, safe and well-maintained*</p> <p>Sustainable and efficient management of water, energy and other resources in Council buildings and facilities</p>	<p>Management of Council buildings in accordance with the Council's Infrastructure & Asset Management Plans, policies, strategies and statutory requirements</p>	<p>Continued asset management in accordance with Infrastructure & Asset Management Plans, Council policies, strategies and statutory requirements</p>	<p>Asset Management Plan reviewed every five (5) years</p>
			<p>Incorporation of water saving / re-use, energy reduction and sustainability measures into existing buildings during repair or upgrade, or as opportunities arise</p>	<p>All buildings are compliant with Australian Standards and statutory requirements (where practicable, taking into account physical and heritage limitations of assets)</p>	
			<p>Building Condition Audit conducted every ten years</p>	<p>Continued implementation of Building Condition Audit every ten years</p>	<p>Building Condition Audit Process reviewed annually</p>
			<p>Planned building maintenance program to ensure key services are provided as required (frequency dependent upon service) (e.g. cleaning, essential safety provision testing and maintenance, pest control)</p>	<p>Delivery of maintenance program</p>	<p>Compliance certificates for building maintenance</p>
			<p>Inspection and monitoring of Council buildings and facilities to assess asset condition and performance as required</p>	<p>Continued implementation of inspection and monitoring regime</p>	<p>Inspection and maintenance records</p>

#	Category	Objectives	Strategies	Performance Targets	Performance Measures
		To maintain the City's rich cultural and built heritage*	Management of Council buildings in accordance with the Council's Infrastructure & Asset Management Plans, policies, strategies and statutory requirements	Continued preservation of the Council's heritage building assets	Asset Management Plan reviewed every five (5) years Building Condition Audit Process reviewed annually Compliance certificates for building maintenance Inspection and maintenance records
			CRMs in relation to building maintenance are investigated and action taken where practicable	CRMs are actioned in accordance with the Council's service standard	Review of CRM responses against the Council's service standard, monthly
17	Public Toilets	Public toilets at Council reserves, facilities and public places are well-maintained, safe and accessible to all members of the community To prevent vandalism and antisocial behaviour in the vicinity of public toilets	Public toilets are regularly cleaned and maintained (at a minimum of three (3) times per week, dependent upon location and usage) All public toilets are locked between sunset and sunrise Security monitoring (dependent upon standard of public toilet facility)	Upgrade of at least one public toilet facility per year (including in connection with an upgrade / redevelopment process) to incorporate automated locking, security monitoring and DDA compliance	Number of public toilet facilities upgraded per year
			CRMs in relation to public toilets are investigated and action taken where practicable	CRMs are actioned in accordance with the Council's service standard	Review of CRM responses against the Council's service standard, monthly
18	Public Lighting	Council reserves, facilities and public places are lit for safety and amenity	Public lighting installed or upgraded to appropriate lighting levels where practicable (where Council responsible for lighting infrastructure) Use LED or energy efficient lighting where practicable	Public lighting installed and maintained in accordance with Australian standards	Maintenance and upgrade records
			CRMs in relation to public lighting are investigated and action taken where practicable	CRMs are actioned in accordance with the Council's service standard	Review of CRM responses against the Council's service standard, monthly

#	Category	Objectives	Strategies	Performance Targets	Performance Measures
19	Playgrounds and associated structures (including, e.g. shade structures and sails, exercise equipment)	Playgrounds and associated structures at Council reserves and facilities are fit-for purpose, safe and well-maintained	Annual external audit of all playground equipment and surfacing against Australian Standards	All playgrounds and associated structures are compliant with Australian Standards and legislative requirements	Audit records
			Monthly inspection and monitoring of all playgrounds and associated structures to assess asset condition, performance and maintenance	Continued implementation of inspection and monitoring regime	Inspection and maintenance records
			CRMs in relation to playgrounds and associated structures are investigated and action taken where practicable	CRMs are actioned in accordance with the Council's service standard	Review of CRM responses against the Council's service standard, monthly
		To provide a range of innovative, accessible and contemporary play spaces in the City	Playgrounds are upgraded in accordance with the Council's <i>Playground Strategy</i>	Create or improve five innovative playgrounds in the City in accordance with the Council's <i>Playground Strategy</i>	Number of innovative playgrounds implemented over life of Strategy
			Identify opportunities to incorporate accessible and inclusive play equipment in Masterplan for upgrades and redevelopments of Council reserves and facilities	All new or upgraded playgrounds include accessible and inclusive play equipment and associated structures	Play space design compliance report for all new playgrounds and associated structures
				Exercise equipment is included in all upgraded or redeveloped reserves or facilities where identified in Masterplans	Number of reserves incorporating exercise equipment

#	Category	Objectives	Strategies	Performance Targets	Performance Measures
20	Outdoor Furniture and Associated Structures (includes, e.g., seats, benches, tables, shelters, barbecues, litter bins, drinking fountains, signage, dog poo bag dispensers)	Outdoor furniture and associated structures in Council reserves, facilities and public places are fit-for-purpose, safe and well-maintained	Inspection and monitoring of outdoor furniture and associated structures to assess asset condition, performance and maintenance	All outdoor furniture and associated structures are compliant with Australian Standards and legislative requirements Inspection of approximately five reserves per month, and otherwise as required	Inspection and maintenance records
			CRMs in relation to outdoor furniture and associated structures are investigated and action taken where practicable	CRMs are actioned in accordance with the Council's service standard	Review of CRM responses against the Council's service standard, monthly
21	Fencing, Retaining Walls and Associated Structures	Fencing, retaining walls and associated structures at Council reserves, facilities and public places are fit-for-purpose, safe and well-maintained	Inspection and monitoring of fencing, retaining walls and associated structures to assess asset condition, performance and maintenance	All fencing, retaining walls and associated structures are compliant with Australian Standards and legislative requirements Inspection of approximately five reserves per month, and otherwise as required	Inspection and maintenance records
			CRMs in relation to fencing, retaining walls and associated structures are investigated and action taken where practicable	CRMs are actioned in accordance with the Council's service standard	Review of CRM responses against the Council's service standard, monthly
22	Roadways, Car Parks and Paths	Roadways, car parks and paths at Council reserves, facilities and public places are fit-for-purpose, safe and well-maintained	Regular inspections and monitoring of roadways, car parks and paths to assess asset condition, performance and maintenance Regular street sweeping of car parks and roadways (approximately every six weeks)	All newly constructed car parking is compliant with Australian Standards and legislative requirements, and is paved Inspection of approximately five reserves per month, and otherwise as required Implementation of inspection and monitoring regime and street sweeping program	Inspection and maintenance records
			CRMs in relation to roadways, car parks and paths are investigated and action taken where practicable	CRMs are actioned in accordance with the Council's service standard	Review of CRM responses against the Council's service standard, monthly

#	Category	Objectives	Strategies	Performance Targets	Performance Measures
23	Oval, Sportsground and Other Surface Maintenance (including, e.g. grassed surfaces utilised for informal recreation / sport)	Ovals, sportsgrounds and other surfaces are fit-for-purpose, safe and well-maintained	<p>Inspection and monitoring of ovals, sportsgrounds and other surfaces to assess condition, performance and maintenance</p> <p>Regular mowing and weed control program (frequency dependent upon season and usage requirements at each location)</p> <p>Irrigation of ovals, sportsgrounds and other surfaces is managed in accordance with the Council's <i>Irrigation Policy</i> and Irrigation Management Plans</p>	<p>All ovals, sportsgrounds and selected grassed surfaces are maintained in accordance with the Irrigated Public Open Space (IPOS) Code of Practice requirements, Australian Standards and relevant sporting code requirements</p> <p>Inspection of approximately two ovals and sportsgrounds per month, and otherwise as required</p>	<p>Monthly external audit against IPOS Code of Practice</p> <p>Inspection and maintenance records</p>
			<p>CRMs in relation to oval, sportsground and other surface maintenance are investigated and action taken where practicable</p>	<p>CRMs are actioned in accordance with the Council's service standard</p>	<p>Review of CRM response actions and timeframes by responsible officers, monthly</p>
24	Tennis Courts and Associated Facilities (e.g. clubrooms)	Tennis facilities are fit-for-purpose, safe and well-maintained	<p>Public and/or Club usage of tennis facilities is managed in accordance with the Council's <i>Tennis Facilities Policy</i> (or other relevant policy in place from time-to-time)</p> <p>Court maintenance undertaken in accordance with the Council's <i>Tennis Facilities Policy</i> and any relevant lease agreement</p> <p>Court reconstruction works are undertaken in accordance with the Council's <i>Tennis Facilities Policy</i> (or the equivalent policy in place from time-to-time), and relevant legislative standards and sporting code requirements</p>	<p>All tennis facilities are compliant with relevant legislative standards and sporting code requirements upon upgrade or redevelopment</p>	<p>Audit of tennis court upgrades upon completion</p>
			<p>CRMs in relation to tennis courts and associated facilities are investigated and action taken where practicable</p>	<p>CRMs are actioned in accordance with the Council's service standard</p>	<p>Review of CRM response actions and timeframes by responsible officers, monthly</p>

Notes:
 *See the Council's Strategic Management Plan *CityPlan 2030: Shaping Our Future*, for the Council's strategic objectives for the City.
 'CRMs' – CRMs are Customer Requests logged in the Council's Customer Request Management System. CRMs are investigated and action taken where practicable (ie within Council budgetary limits, and in accordance with the Council's service standard and timeframe, for that category of request).

Further Information

For information on the Council's Community Land Management Plans, please visit www.npsp.sa.gov.au or phone 8366 4555.

You can also visit the Council's Customer Service Centre at the Norwood Town Hall, 175 The Parade, Norwood.

Additional Copies

The Community Land Management Plan: *Parks & Reserves* can be viewed online at www.npsp.sa.gov.au

Additional copies may also be obtained by:

- visiting Norwood Town Hall
- visiting any of the Council's Libraries
- emailing townhall@npsp.sa.gov.au
- contacting the Council on 8366 4555
- writing to the Council at PO Box 204, Kent Town SA 5074

City of Norwood Payneham & St Peters
175 The Parade, Norwood SA 5067

Telephone 8366 4555
Facsimile 8332 6338
Email townhall@npsp.sa.gov.au
Website www.npsp.sa.gov.au



City of
**Norwood
Payneham
& St Peters**



Sporting Facilities

Community Land Management Plan



City of
Norwood
Payneham
& St Peters

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Adoption and Review

The Sporting Facilities Community Land Management Plan was adopted by the Council on 1 June 2020.

The Council will review this Plan within three years of the adoption date, or otherwise as required from time-to-time.

*Cover: Norwood Oval and Memorial Gardens
Right: Payneham Cricket Club*



Sporting Facilities

This Community Land Management Plan has been prepared pursuant to Section 196 of the *Local Government Act 1999* (the Act).

Background

The City of Norwood Payneham & St Peters has a diversity of sporting facilities — ten in total located throughout the City — ranging from large ovals to neighbourhood tennis courts.

Norwood Oval, Payneham Oval and Patterson Sportsground, are the City's largest sportsgrounds and are used under lease and licence arrangements by local football, cricket, lacrosse and baseball clubs. Norwood Oval is classified as State Open Space in the Council's Open Space Strategy (the only public open space with this classification in the City), while Payneham Oval and Patterson Sportsground are classified as Regional Open Space. Further information on the two ovals is provided later in this Plan.

There are seven tennis court facilities throughout the City. Five of these are dedicated club facilities that range in classification from Local to District and Regional Open Space. In some locations, several different sporting clubs (e.g. tennis, croquet and bowling) have co-located at the one site. The Council also has two swimming centres, namely the Norwood Swimming Centre and the Payneham Memorial Swimming Centre, which are available for general public and club use.

What land does this include?

An excerpt from the Council's Community Land Register listing all sporting facilities is contained within **Appendix A**.

Cruikshank Reserve and St Peters River Park are classified both as reserves and as sporting facilities. As such, the provisions of both Community Land Management Plans will apply to that land.

Description

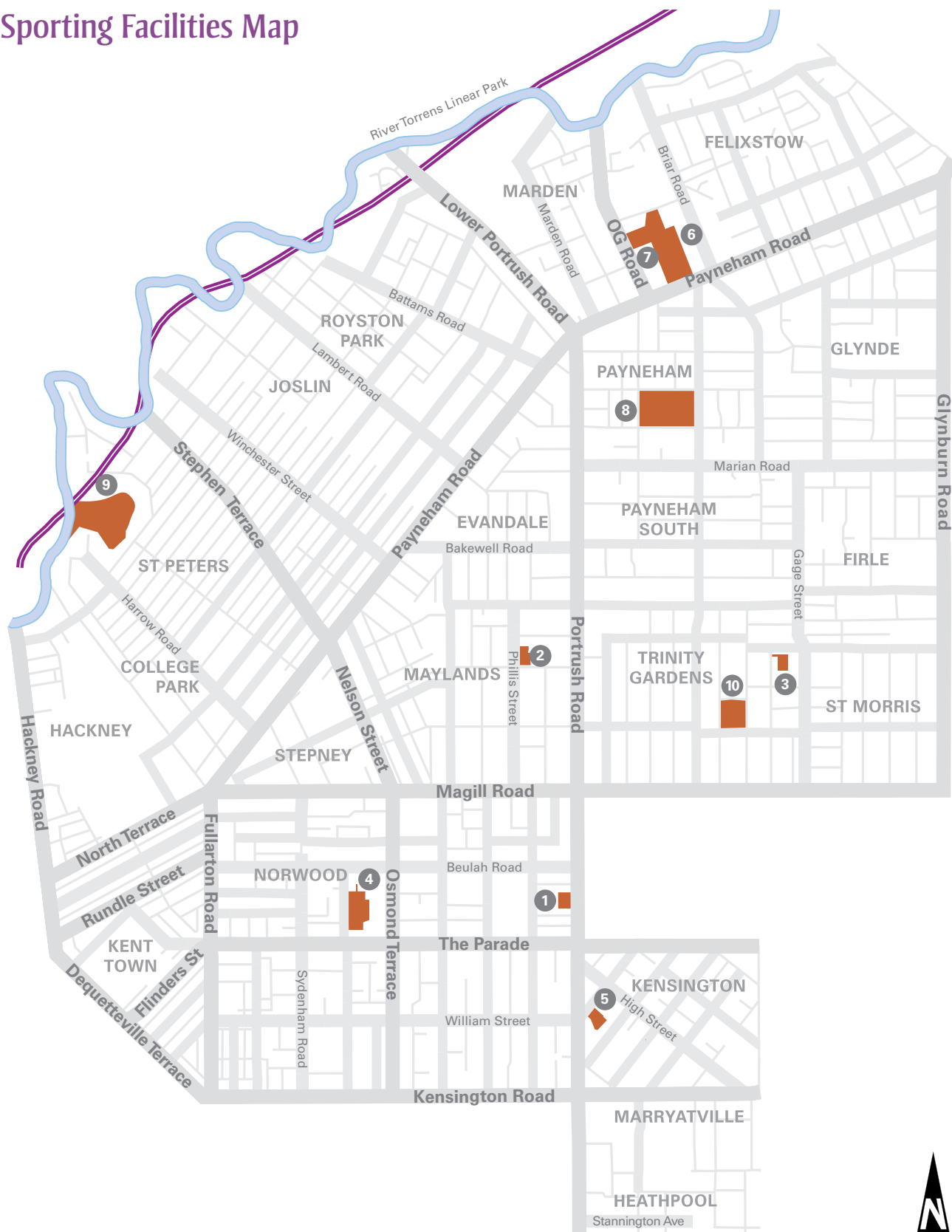
Sporting facilities comprise both indoor and outdoor sporting facilities that are used primarily for formal and organised sporting activities by various sporting groups and clubs.

Outdoor facilities may include ovals, sportsgrounds, tennis courts, bowling greens, swimming pools and cricket pitches (e.g. Norwood Oval, Patterson Sportsground, and the Norwood and Payneham Memorial Swimming Centres).

Indoor facilities may include indoor courts and activity spaces (e.g. the Payneham Youth Centre).

Larger sporting facilities often include clubrooms, community buildings and grandstands in addition to outdoor facilities, and are often utilised by a number of different sporting clubs and community groups. Some sporting facilities are open for use by the general public or under casual hire arrangements, while others are managed under lease and/or licence arrangements with groups that have exclusive use of the site.

Sporting Facilities Map



Legend

-
- | | |
|----|--|
| 1 | Buttery Sportsground |
| 2 | Cruikshank Reserve |
| 3 | John Horrocks Memorial Green |
| 4 | Norwood Oval |
| 5 | Norwood Swimming Centre |
| 6 | Patterson Sportsground |
| 7 | Payneham Memorial Swimming Centre |
| 8 | Payneham Oval |
| 9 | St Peters River Park |
| 10 | Trinity Gardens Soldiers' Memorial Reserve |
-

Purpose of the Land

In general terms, Community Land comprising sporting facilities is held by the Council for one or more of the following purposes:

- provide public open space and a range of sporting facilities for the use, enjoyment and benefit of the community;
- facilitate the provision of community, health, recreational, educational, cultural and tourism facilities, services and activities across the City;
- provide opportunities for informal and formal recreational, community and sporting activities;
- provide opportunities for social interaction and connection, relaxation and physical activity; and
- protect and enhance the lifestyle, amenity and 'sense of place' in the City.

Key Management Objectives

The Council will seek to manage all Community Land in accordance with all applicable legislative requirements and all relevant Council policies, strategies and management plans (including the Council's Strategic Management Plan CityPlan 2030), as introduced or amended from time-to-time.

In addition, the Council will seek to manage all Community Land in accordance with the following key management objectives to:

- protect, enhance and expand public open space;
- maintain the quality and useability of open space over time;
- provide a range of services and facilities that benefit the City and cater to a variety of community needs (for ratepayers, residents and visitors);
- provide convenient and accessible public spaces for people of all ages, backgrounds and abilities;
- permit a broad range of land uses and activities in appropriate locations to promote dynamic community life within the City;
- protect and enhance the natural environment and promote sustainable and efficient management practices; and
- identify and pursue opportunities for more efficient, equitable and innovative use of Council land and facilities, taking into account changing community needs over time.

A Management Strategies table that contains the Council's specific objectives, strategies, performance targets and measures for management of sporting facilities (as required by Section 196(3) of the Act) is contained within **Appendix B**.

The categories included in the Management Strategies table apply only to the extent that they are relevant to each parcel of land (for instance, for those sporting facilities that do not contain tennis courts, the management objectives, strategies and targets relating to tennis courts will not apply).

Strategic Management Proposals

The Council intends to undertake the following proposals for the sporting facilities listed below (and otherwise in accordance with the Council's *2018–2028 Long-Term Financial Plan*):

Sporting Facility	Management Proposal	Objective
Buttery Sportsground	Masterplan* and Construction**	Reconstruction of tennis courts and associated infrastructure
Norwood Oval	Construction	Development of new clubrooms and members' facilities, and upgrade of facilities in the Western Stand
Norwood Swimming Centre	Masterplan and Construction	Upgrade of existing facilities and establishment of recreational facilities
Patterson Sportsground	Masterplan	High-level vision for the upgrade of existing facilities
Payneham Memorial Swimming Centre	Masterplan and Construction	Upgrade of existing facilities and establishment of aquatic and recreational facilities
Payneham Oval	Construction	Reconstruction of tennis courts and associated infrastructure
	Construction	Establishment of new unisex change room facilities

*A *Masterplan or Concept Plan* is a long-term plan which sets out at a conceptual level the proposed vision for the Council facility. It includes future development and redevelopment proposals.

***Construction* refers to the physical delivery of the concept outlined in the *Masterplan or Concept Plan*.

Trusts, Dedications and Other Restrictions

Where community land is subject to a trust, dedication, reservation or other restriction that controls the use or management of that land, this information is included in the Community Land Register in **Appendix A**.



Leasing and Licensing

Pursuant to Section 202 of the Act, the following leasing and licensing arrangements are authorised for all community land comprising sporting facilities (unless otherwise stated in this Plan):

Type of Arrangement	Length of Term	Authorised Uses
Leases (exclusive use)	Up to ten years (Five + five)	Buttery Sportsground (Croquet Green and Clubrooms), John Horrocks Memorial Green, Trinity Gardens, Soldiers Memorial Reserve (Bowling Green and Clubrooms), Norwood Oval, Patterson Sportsground and Payneham Oval may be leased for any use consistent with the Purpose of the Land set out in this Plan.
	Up to 20 years	Buttery Sportsground (Tennis Courts and Clubrooms), Cruikshank Reserve (Tennis Courts and Clubrooms), John Horrocks Memorial Green, Payneham Oval Tennis Courts, and Trinity Gardens, Soldiers Memorial Reserve (Tennis Courts and Clubrooms) may be leased for any use consistent with the Purpose of the Land set out in this Plan, and in accordance with the Council's <i>Tennis Facilities Policy</i> (as amended from time-to-time).
Licences (non-exclusive use)	six months – one year	Any use consistent with the Purpose of the Land set out in this Plan.
Casual Hire (non-exclusive use)	Up to six months	Use of the land for a business purpose may be granted where it occurs on a single occasion or on a short-term basis (up to the maximum term length), subject to approval.

Notes:

- All existing leases, licences and casual hire arrangements in place with respect to community land comprising parks and reserves at the time of adoption of this plan, are taken to be authorised for the purposes of this plan.
- Where a lease or licence is proposed to be granted for a term of more than five years, or where a use of community land outside the authorised uses is proposed, this will be at the Council's discretion in all respects, and the Council is required to comply with its public consultation policy pursuant to Section 202(3) of the Act.
- The Council can approve the use of Community Land for a business purpose in accordance with the provisions of this Community Land Management Plan, pursuant to Section 200 of the Act.



Norwood Oval

Norwood Oval is the Council's premier sporting facility comprising approximately 28,943 square metres and the only sporting facility in the City classified as State Open Space under the Council's *Open Space Strategy*. It is held by the Council for the purpose of playing and practising Australian Rules Football and other spectator sports, along with community events.

Norwood Oval is an iconic landmark that has been used for a variety of sporting and community events over its history — including football, baseball, soccer, rugby union, boxing, tennis, cricket, lacrosse, lawn bowls, car rallies, cultural festivals and entertainment events. The Oval has been the primary home ground of the Norwood Football Club ('the Redlegs') in the South Australian National Football League (SANFL) since 1901 and used by the Adelaide Crows in the AFL Women's League (AFLW) since 2017.

The Oval includes the following features and facilities:

- State-level grass oval
- Brick ticket office on the promenade
- Sir Edwin T Smith Pavilion
- Western Stand (including Mayor's Parlour and change rooms)
- Wolf Blass Community Centre (including members' facilities and Premier's Bar)
- Cooper's Hill viewing area
- Car park



The Oval is located adjacent to the Memorial Gardens on The Parade, which commemorate the sacrifice and service of Australian men and women who served during World War II. The oval shares a common boundary with Norwood Primary School on Osmond Terrace and maintains an entrance off Beulah Road.

For more information about Norwood Oval, see the Community Land Register excerpt contained within **Appendix A**.



Purpose of the Land

The purpose for which Norwood Oval is held is to:

- provide an oval for the playing / practising of Australian Rules Football and other spectator sports;
- facilitate the provision of community, health, recreational, educational, cultural and tourism facilities, services and activities in the City;
- provide opportunities for informal and formal recreational, community and sporting activities;
- provide opportunities for social interaction and connection, relaxation and physical activity; and
- protect and enhance the lifestyle, amenity and 'sense of place' in the City.

Management of the Land

Please refer to the Management Strategies table contained within **Appendix B** for the Council's specific objectives, strategies, performance targets and measures for the management of sporting facilities including Norwood Oval.

Trusts, Dedications and Other Restrictions

The Norwood Oval land to the north of Allotments 10 and 11 in Deposited Plan 31103, is to be perpetually held by the Council 'upon trust that the said land be used and maintained as and for a place of open air games and recreation in like manner as the said land has been heretofore used' (see Indenture Agreement dated 16 October 1905).

Leasing and Licensing

Pursuant to Section 202 of the Act, the following leasing and licensing arrangements are authorised for the Community Land comprising Norwood Oval:

Type of Arrangement	Length of Term	Authorised Uses
Leases (exclusive use)	Up to ten years (Five + five)	Any use consistent with the Purpose of the Land set out in this Plan.
Licences (non-exclusive use)	Up to one year	Any use consistent with the Purpose of the Land set out in this Plan. Use of the Land for a business purpose may be granted where it occurs on a single occasion or on a short-term basis (up to the maximum term length), subject to approval.
Casual Hire (non-exclusive use)	Up to four days	Any use consistent with the Purpose of the Land set out in this Plan. Use of the Land for a business purpose may be granted where it occurs on a single occasion or on a short-term basis (up to the maximum term length), subject to approval. Use of the Wolfblass Community Centre for a business purpose must be in accordance with the conditions of the Development Approval for the building.

Notes:

- All existing leases, licences and casual hire arrangements in place with respect to Norwood Oval at the time of adoption of this Plan, are taken to be authorised for the purposes of this Plan.
- Where a lease or licence is proposed to be granted for a term of more than five years, or where a use of Community Land outside the Authorised Uses is proposed, this will be at the Council's discretion in all respects, and the Council is required to comply with its public consultation policy pursuant to Section 202(3) of the Act.
- The Council can approve the use of Community Land for a business purpose in accordance with the provisions of this Community Land Management Plan, pursuant to Section 200 of the Act.

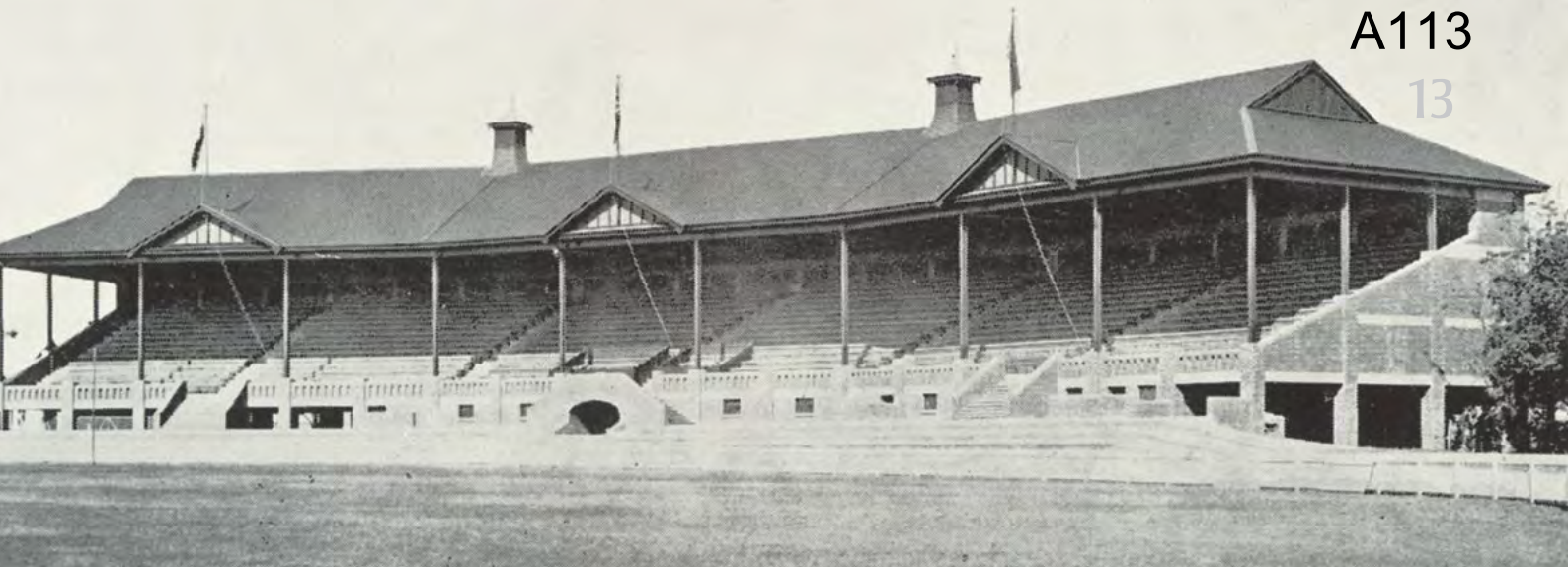
History of the Land

The land that comprises Norwood Oval was originally owned by William and Hannah Clarke, who established a house, vineyard and garden on the site in 1850. In 1896, the land was purchased by Mr Thomas Verco and was leased to the East Torrens Recreation Ground Company Limited for development as a shared recreational ground. The land was used primarily by the Norwood Football Club and the East Torrens Cricket Club.

In 1900, the vines were removed, the oval was formed and change rooms were constructed. The first football match was played on the oval on Saturday 4 May 1901 between the Norwood and Sturt Football Clubs. The Norwood Football Club was established in 1878 and is one of the oldest teams in the South Australian National Football League. In 1902, the Norwood Football Club relocated its training and club rooms to Norwood Oval, and a permanent grandstand was built on the north-western side of the oval (later converted in 1937 into a hall for use by the Returned Services League (RSL)).

In 1905, the principal shareholders of the East Torrens Recreation Ground Company (Sir Edwin Thomas Smith, John Darling, James Hall, Arthur Edmund Shepherd, William Oswald Whitridge and Arthur William Piper) transferred the lease agreement to the Corporation of the Town of Kensington & Norwood. The right to purchase the freehold title to the recreation ground was guaranteed, but the transfer of the lease to the Council was made upon trust that the land would be used and maintained as a place for open air games and recreation.

The land was subsequently purchased by Sir Edwin T Smith, and in 1910, he transferred the freehold title to the land to the Council as a gift upon the same trusts as mentioned above. In 1929, the Sir Edwin T Smith Pavillion was built at the southern end of the oval and it was acclaimed as one of the best appointed pavilions in Australia at that time. In 1928, the Council also negotiated a transfer of the land comprising the original Osmond Terrace entrance to the oval to the Education Department (today the location of Norwood Primary School), in return for a strip of land on the eastern boundary of the oval in order to widen the oval by 30 feet. This agreement also granted the scholars of the then Norwood Central School free use of the oval in perpetuity for the purposes of a sports field and recreation ground at agreed times of use.



In the 1950s, Norwood Oval became the first suburban oval to erect light towers, which led to it becoming a key venue for night football and other sports, including baseball throughout the 1950s–1970s. The Centenary Pavilion was built in 1953 to accommodate an increase in spectators and was named in honour of the centenary of the City of Kensington & Norwood. In 1963, the Pavilion was extended northwards and named after William Essery Jnr, former Mayor and longstanding Norwood Football Club patron. In 1968, the Redlegs Club was officially opened in the adjacent Woods Street, with all social and administrative activities of the Football Club transferred to the new premises.

The South Australian Baseball Team was also a tenant of the oval from 1951 to 1988. During this time, the oval hosted the Claxton Shield competition on six occasions. In 1989, the Australian Baseball League was formed, with the Adelaide Giants team playing all home games at Norwood Oval. Following the collapse of the ABL in 1999, the Claxton Shield was revived in 2003, with baseball games returning to Norwood Oval in 2009.

A record crowd at the oval was set in 1971 when 20,280 spectators arrived to watch a SANFL match between Norwood and their rivals, Port Adelaide. In 1972, after 71 years, the East Torrens Cricket Club ceased using the oval, with removal of the cricket square to improve the Oval as a football venue. In 1973, the oval hosted the first ever SANFL Elimination Final, with home team Norwood defeating Port Adelaide. The first national night series of football games was held in 1976, with televised matches attracting even more spectators to the oval.

The Norwood Football Club took over grounds management at the oval in 1987 under a ten year lease from the City of Kensington & Norwood. A further long-term lease was granted to the Club in 1997, for use of the oval for the playing of AFL matches and training, and for any other sporting, social or cultural purposes approved by the Council.

From 2010, the oval was the home ground of the Adelaide Bite team in the new Australian Baseball League, who used the oval until 2016.

In 2005, the oval was named Coopers Stadium upon request of the Norwood Football Club, as Coopers Brewery was a major sponsor of the Club.

Works were undertaken to upgrade the oval facilities in 2011, and in 2015, discussions commenced between the City of Norwood Payneham & St Peters and the Norwood Football Club regarding the construction of a new multi-purpose community facility and clubrooms between the Sir Edwin T Smith Pavilion and the Centenary Pavilion. Following a significant donation to the Club from renowned winemaker and Norwood Football Club benefactor, Wolf Blass, for the purpose of constructing this facility, the Council agreed to its naming as the Wolf Blass Community Centre. The Centre includes member's facilities for the Club, the Premier's Bar, and newly constructed unisex change rooms (to facilitate the growing AFL Women's League).

In 2017, the Adelaide Crows women's team played a game at Norwood Oval in the inaugural season of the AFL Women's League (AFLW), following which they made the oval their primary home ground, playing all three home games at the Oval in the 2018 season.



Payneham Oval

Payneham Oval is a well-utilised and high-quality sporting oval within the City of Norwood Payneham & St Peters, comprising approximately 29,138 square metres. It is classified as Regional Open Space in the Council's *Open Space Strategy* and is regularly used by local football and cricket clubs for practice and games, as well as being available for general public use.

Like Norwood Oval, Payneham Oval has played an important role as public open space for the local community since its creation, and has hosted a variety of sporting and community events over the years, including football, cricket, cycling, trotting and tennis.

Payneham Oval is the only oval within the City which has a cricket pitch suitable for hosting Adelaide Turf Cricket Association games and A1 Premier Grand Finals.

Payneham Oval also includes the adjacent tennis courts and playground, bringing the total area of this Community Land to approximately 40,442 square metres. The tennis courts are well-utilised by local clubs and are also available for general public hire, while the playground is a popular destination for both locals and visitors, developed as one of five innovative playgrounds throughout the City under the Council's *Playground Strategy*.



The oval includes the following facilities:

- Regional-level grass oval
- Practice cricket pitch enclosure
- Clubroom building
- Tennis courts
- Play equipment
- Basketball ring
- Public toilets, barbeque and seating
- Car park

For more information about Payneham Oval, see the Community Land Register excerpt contained within **Appendix A**.



Purpose of the Land

The purpose for which this land is held is to:

- provide an oval for the playing/practising of spectator sports;
- provide public open space for the use, enjoyment and benefit of the community;
- facilitate the provision of community, health, recreational, educational, cultural and tourism facilities, services and activities in the City;
- provide opportunities for informal and formal recreational, community and sporting activities;
- provide opportunities for social interaction and connection, relaxation and physical activity; and
- protect and enhance the lifestyle, amenity and 'sense of place' in the City.

Management of the Land

Please refer to the Management Strategies table contained within **Appendix B** for the Council's specific objectives, strategies, performance targets and measures for the management of sporting facilities including Payneham Oval.

Leasing and Licensing

Pursuant to Section 202 of the Act, the following leasing and licensing arrangements are authorised for the community land comprising Payneham Oval:

Type of Arrangement	Length of Term	Authorised Uses
Leases (exclusive use)	Up to ten years (Five + five)	The clubrooms and oval may be leased. Any use consistent with the Purpose of the Land set out in this Plan.
	Up to 20 years	The Payneham Oval Tennis Courts may be leased. Any use consistent with the Purpose of the Land set out in this Plan.
Licences (non-exclusive use)	Six months – one year	Only the clubrooms, oval and tennis courts may be licensed. Any use consistent with the Purpose of the Land set out in this Plan. Use of the land for a business purpose may be granted where it occurs on a single occasion or on a short-term basis (up to the maximum term length), subject to approval.
Casual Hire (non-exclusive use)	Up to six months	The clubrooms, oval, tennis courts and grassed area adjacent to the playground may be hired. Any use consistent with the Purpose of the Land set out in this Plan. Use of the land for a business purpose may be granted where it occurs on a single occasion or on a short-term basis (up to the maximum term length), subject to approval.

Notes:

- All existing leases, licences and casual hire arrangements in place with respect to Payneham Oval at the time of adoption of this Plan, are taken to be authorised for the purposes of this Plan.
- Where a lease or licence is proposed to be granted for a term of more than five (5) years, or where a use of Community Land outside the Authorised Uses is proposed, this will be at the Council's discretion in all respects, and the Council is required to comply with its public consultation policy pursuant to Section 202(3) of the Act.
- The Council can approve the use of Community Land for a business purpose in accordance with the provisions of this Community Land Management Plan, pursuant to Section 200 of the Act.

History of the Land

In 1838, Samuel Payne subdivided the area of Payneham and set aside four acres of land as a public reserve bordered by James Street and Arthur Street, which would later become Payneham Oval. The first recorded sporting activity to take place on the reserve was a cricket match in 1868. The Payneham Cricket Club was also founded in that year, and from 1875 played many matches at the reserve.

In 1883, the District Council of Payneham was created (the land comprising the reserve was previously under the jurisdiction of the Stepney District Council), and the reserve was placed under the control of three trustees, Henry McRostie, Robert Taylor and Herbert Cook, to oversee its development. Subsequently, the Payneham Reserve Oval Committee was formed and the reserve became home to a number of cricket and football matches.

In 1892, 32 trees from the Payneham Nursery were planted on the western boundary of the oval and the Payneham Cricket Club requested permission from the trustees to lay down an asphalt cricket pitch and to erect a shed for the players. Cricket was played on Payneham Reserve throughout the 1890s and into the 1900s. The East Torrens Cricket Association was established in 1898 and in 1904, the Payneham Ramblers joined the Payneham Cricket Club to become the Payneham United Cricket Club. The Payneham Cricket Club won its first premiership in 1908, and played in 20 grand finals from 1909–1931, winning 13 premierships during that period.

While some football was played at Payneham Reserve from 1882, it was not until 1895 that an organised Payneham football team entered the Eastern Suburban Football Association. The Payneham Football Club was established in 1901, and in 1902, the Club was admitted to the Suburban Football Association. The Norwood Union Football Club (with which it would later merge) was established in 1902. Records also show that members of the Payneham Tennis Club made their first appearance playing tennis games at Payneham Reserve in December 1899.

In 1916, the land comprising Payneham Reserve was handed over to the then Payneham District Council by the trustees. As the Great War progressed, the District Council of Payneham proposed the creation of a Soldiers Memorial Garden and Bandstand at the Reserve — this was completed in 1924. In 1919, the Payneham Cycling and Athletic Club was established and the new Payneham Oval, as it was then called by the Council, would become home to regular competitive cycling. In 1922, additional market garden land to the east of the reserve was purchased to increase its size.



The foundation stone was laid for the Payneham Oval Grandstand in 1927. It was constructed at the north-west corner of the oval and provided seating for more than 250 people. It was considered the pride of the town when opened in 1928. The opening of Payneham Oval heralded a new era for sport and recreation in the district. By 1928, the long-awaited tennis courts were laid on the northern end of the reserve near Arthur Street. The three tennis courts were used by St Aidan's Tennis Club and the Firle Tennis Club. A new grass wicket was established at the oval in 1930, and in 1932, the opening round of the inaugural Adelaide Turf Cricket Association competition was held.

From 1928 to the late 1930s, Payneham Oval became the centre of competitive cycling in Adelaide. In 1929, a crowd of more than 5,000 people attended the Payneham Cycling Track to watch a world record attempt by renowned cyclists, and in 1936, Payneham Oval was chosen to host the selection trials for the Berlin Olympics later that year. However, the Council was also under pressure from the local trotting community to make Payneham Oval home for trotting trials in preparation for competitions at Wayville. The issue caused division in the community and amongst the various groups using Payneham Oval. The cycle track embankment was lowered and covered with shell-grit for trotting.

In 1938, the Payneham RSL sub-branch was formed and held its first meeting in the Soldiers Memorial Bandstand. Subsequent meetings were held in the clubrooms which were part of the grandstand complex. During World War II, the oval was again used for drill exercises and community carnivals to raise funds for the war effort. The Payneham Cycling Club also regained ground at this time, and required a new raised bank near the goalposts on the oval. In 1948, the District Council of Payneham gave the go-ahead for greyhound coursing at the oval, which was controversial in the local community. It lasted until 1954. In 1955, floodlights were erected mainly for football and the track lighting was dispensed with. In 1951, a new playground was erected to the west of the Soldiers Memorial Bandstand at the oval.

Throughout the 1960s–1980s, significant upgrades were undertaken to the buildings and grounds at Payneham Oval — this included the construction of a social room and canteen, new change rooms, a bar and member's lounge, new upstairs clubrooms, along with construction of a new practice area and expansion of the centre wicket area for the cricket club. In 1988–1989, the Payneham Oval Tennis Courts were extended and upgraded, with the Payneham and Veterans Tennis Clubs commencing use of these courts as their home courts.

The Payneham Sports Association was formed in 1976, comprised of the Payneham Cricket Club and the Payneham Football Club. And in 1995–1996, the Payneham Football Club and the Norwood Union Football Club merged to form the Payneham Norwood Union Football Club.

Further upgrades were undertaken to the clubrooms by way of a loan agreement entered into between the Council and the Clubs in 1995–1996. In 2004–2005, a major upgrade of the cricket practice pitch netting occurred.

In 2013, concept plans were prepared by the City of Norwood Payneham & St Peters for the redevelopment of the Payneham Oval Playground. This proposed to upgrade the existing children's play area at the oval, to make it one of five (5) strategically located 'innovative' playgrounds throughout the City pursuant to the Council's Playground Strategy. The Council contributed significant funds to the project, which was completed in 2015.

In 2017–2018, the Council contributed significant funding (together with grant funding received from the South Australian State Government) for the reconstruction of the centre cricket pitches at Payneham Oval, subject to a repayment arrangement with the Cricket Club. In 2019, works were completed to upgrade the oval clubrooms utilised by both the Football and Cricket Clubs in order to improve accessibility, including the installation of a lift and accessible toilets.



Norwood Swimming Centre

Located just off The Parade, Norwood, the Norwood Swimming Centre is a classic Australian local pool that has provided generations of residents with fun-filled memories since its opening in 1957.

Built over Second Creek and surrounded by ancient River Red Gums, the Norwood Swimming Centre is highly valued by the local community for its unique character and the natural environment which surrounds it.

On average, the Centre attracts between 35,000–40,000 patrons during the swimming season each year. Although located on a small site, the Centre caters for lap swimming, swimming lessons, school carnivals, water safety programs and general recreational swimming and fitness.

Norwood Swimming Centre includes the following facilities:

- 50 metre swimming pool
- Shaded learners/toddler pool
- Change rooms and bathroom facilities
- Barbeques and kiosk

For more information about the Norwood Swimming Centre, see the Community Land Register excerpt contained within **Appendix A**.



Purpose of the Land

The purpose for which Norwood Swimming Centre is held is to:

- provide aquatic and recreation facilities for the City;
- facilitate the provision of community, health, recreational, educational, cultural and tourism facilities, services and activities across the City;
- provide opportunities for informal and formal recreational, community and sporting activities; and
- provide opportunities for social interaction and connection, relaxation and physical activity.

Management of the Land

Please refer to the Management Strategies table contained within **Appendix B** for the Council's specific objectives, strategies, performance targets and measures for the management of sporting facilities including Norwood Swimming Centre.

Trusts, Dedications and Other Restrictions

Listed as a Local Heritage Place.



Leasing and Licensing

Pursuant to Section 202 of the Act, the following leasing and licensing arrangements are authorised for the Community Land comprising Norwood Swimming Centre:

Type of Arrangement	Length of Term	Authorised Uses
Leases (exclusive use)	Nil	Not Applicable.
Licences (non-exclusive use)	Six months – one year	Only the kiosk may be licensed. Any use consistent with the Purpose of the Land set out in this Plan. Use of the Land for a business purpose may be granted where it occurs on a single occasion or on a short-term basis (up to the maximum term length), subject to approval.
Casual Hire (non-exclusive use)	Up to six months	The grassed area adjacent to the swimming pool may be hired. Any use consistent with the Purpose of the Land set out in this Plan. Use of the Land for a business purpose may be granted where it occurs on a single occasion or on a short-term basis (up to the maximum term length), subject to approval.

Notes:

- All existing licences and casual hire arrangements in place with respect to Norwood Swimming Centre at the time of adoption of this Plan, are taken to be authorised for the purposes of this Plan.
- Where a lease or licence is proposed to be granted for a term of more than five years, or where a use of Community Land outside the Authorised Uses is proposed, this will be at the Council's discretion in all respects, and the Council is required to comply with its public consultation policy pursuant to Section 202(3) of the Act.
- The Council can approve the use of Community Land for a business purpose in accordance with the provisions of this Community Land Management Plan, pursuant to Section 200 of the Act.

History of the Land

In 1938, the former Corporation of the Town of Kensington and Norwood acquired a portion of land adjacent to Philips Street, Kensington and Third Creek which would later become the first outdoor chlorinated fresh water pool in the Adelaide metropolitan area.

An ambitious plan was launched by the Council to build a public swimming pool at the Phillips Street site, made possible following the recently guaranteed water supply to Adelaide from the Mannum pipeline. Inspired by the Melbourne Olympics, the Norwood Pool was built as an Olympic sized pool. It was the first outdoor chlorinated fresh water pool in the Adelaide metropolitan area. The filtration plant cost \$20,000 and was state of the art technology for the day. The Pool was officially opened on 23 February 1957 by the Premier of South Australia, Sir Thomas Playford. The development included the establishment of a caravan park and a motel adjacent to the pool, all part of recreational life in the 1950s–1960s.

The only other public pools then operating in Adelaide at this time were the old City Baths on King William Road in the city, the sea-water pool at Henley Beach, the old Crystal Pool at Unley and the Gilberton Pool in the River Torrens. As such, the new Norwood Pool was in great demand. From 1957, it was home to the Norwood Water-Polo Team and the Norwood Swimming Club established by Mrs Nora Nelligan (1912–1997). Nora Nelligan (nee Maguire) was a swimming instructor who taught life-saving, learn to swim lessons and rehabilitation for injured, disabled and intellectually impaired persons at the Norwood Pool. She continued to instruct and educate 30,000 men, women and children in the art of safe swimming until she retired in 1985, and was awarded an Order of Australia for her services to the sport of swimming.



Another legend was Harry Gallagher, who trained many of Australia's greatest swimmers and who conducted specialist coaching sessions at the Norwood Pool. In 1960, Gallagher organised for Dawn Fraser, Australia's golden girl of swimming, to do exhibition laps as part of a scout swimming carnival at the Norwood Pool. The Pool has since hosted other swimming legends over the years, including Haley Lewis, Samatha Riley, Shelly Taylor Smith and Susie O'Neil, as well as being featured on a number of television programs and the film 'Look Both Ways'.

Between 1956–1967, the Corporation of the City of Kensington and Norwood acquired further adjoining land, increasing the footprint of the site through to Thornton Street.

In 1988, the southern portion of the Council's land which spanned from Phillips Street to Thornton Street and adjoined Portrush Road, was sold by the Council to the South Australian Housing Trust, leaving the portion of land to the north that is the Swimming Centre site today. The adjoining land remains used as housing trust land to this day.

In 2001, the Norwood Swimming Centre was listed as a Local Heritage Place under the *Heritage Places Act 1993* and the Council's Development Plan, on the basis that it displays historical, economic or social themes that are of importance to the local area, it has played an important part in the lives of local residents, it is associated with notable local personalities or events, and it is a notable landmark in the area. Listing as Local Heritage Place provides recognition of the pool's importance to the local area, and ensures that certain planning controls are in place which ensure that any future work on the site is undertaken in a manner which is sympathetic to those heritage values.

In 2008, the Council undertook a comprehensive review of the Norwood Swimming Centre's infrastructure and determined that an upgrade would be required in light of its condition. As a result of this, in 2017 the Council developed its *Swimming Centres Long-Term Strategy* to ensure that the Council's Swimming Assets would continue to be managed, maintained and developed to meet the current and changing needs of the community.

Under the Strategy, the focus is to future proof the current infrastructure at the Centre in line with the cultural heritage of the site. Subject to a Masterplan process, it is proposed to maintain, refurbish and upgrade aspects of the existing pool facilities and amenities, and to establish new recreational aquatic facilities (including, eg, an inflatable obstacle course), in line with growing community expectations of what modern swimming centres should provide.



Payneham Memorial Swimming Centre

Opened in 1968 and conveniently located adjacent to the Payneham Library and Community Facilities Complex, the Payneham Memorial Swimming Centre is the Council's premier swimming facility. The Centre has three pools which cater to different aquatic skill levels, along with clubrooms that are regularly used by local swimming clubs.

On average, the Centre attracts between 75,000–80,000 patrons during the swimming season each year. The Centre currently caters for lap swimming, swimming lessons, club swimming, canoe polo, school carnivals, water safety programs and general recreational swimming and fitness. Community events such as the Council's Australia Day 'Poolside' event are also regularly held at the Centre.

Payneham Memorial Swimming Centre includes the following facilities:

- Olympic sized pool
- Learner medium sized pool
- Toddler pool
- Clubrooms/office
- Change rooms and bathroom facilities
- Barbeques and kiosk
- Car park

For more information about the Payneham Memorial Swimming Centre, see the Community Land Register excerpt contained within **Appendix A**.



Purpose of the Land

The purpose for which Payneham Memorial Swimming Centre is held is to:

- provide aquatic and recreation facilities for the City;
- facilitate the provision of community, health, recreational, educational, cultural and tourism facilities, services and activities across the City;
- provide opportunities for informal and formal recreational, community and sporting activities; and
- provide opportunities for social interaction and connection, relaxation and physical activity.

Management of the Land

Please refer to the Management Strategies table contained within **Appendix B** for the Council's specific objectives, strategies, performance targets and measures for the management of sporting facilities including Payneham Memorial Swimming Centre.



Leasing and Licensing

Pursuant to Section 202 of the Act, the following leasing and licensing arrangements are authorised for the Community Land comprising Payneham Memorial Swimming Centre:

Type of Arrangement	Length of Term	Authorised Uses
Leases (exclusive use)	Nil	Not Applicable.
Licences (non-exclusive use)	Six months – one year	<p>Only the clubrooms/office and kiosk may be licensed.</p> <p>Any use consistent with the Purpose of the Land set out in this Plan.</p> <p>Use of the Land for a business purpose may be granted where it occurs on a single occasion or on a short-term basis (up to the maximum term length), subject to approval.</p>
Casual Hire (non-exclusive use)	Up to six months	<p>The grassed area adjacent to the swimming pool may be hired.</p> <p>Any use consistent with the Purpose of the Land set out in this Plan.</p> <p>Use of the Land for a business purpose may be granted where it occurs on a single occasion or on a short-term basis (up to the maximum term length), subject to approval.</p>

Notes:

- All existing licences and casual hire arrangements in place with respect to Payneham Memorial Swimming Centre at the time of adoption of this Plan, are taken to be authorised for the purposes of this Plan.
- Where a lease or licence is proposed to be granted for a term of more than five years, or where a use of Community Land outside the Authorised Uses is proposed, this will be at the Council's discretion in all respects, and the Council is required to comply with its public consultation policy pursuant to Section 202(3) of the Act.
- The Council can approve the use of Community Land for a business purpose in accordance with the provisions of this Community Land Management Plan, pursuant to Section 200 of the Act.

History of the Land

The former City of Payneham acquired the land between Payneham Road, O G Road and Turner Street between 1964–1967, following the division of this land by the Minister of Education and the establishment of a scheme for the use and development of the land under the *Recreation Grounds (Joint Schemes) Act 1947*.

In December 1964, the new City of Payneham Civic Centre was opened on the corner of O G Road and Payneham Road, and the idea for an Olympic-size swimming pool, paddling pool and learners pool to be located on the land adjacent Third Creek was put forward shortly after.

The development of a modern public pool was a joint 'War Memorial Project' between the City of Payneham, the Payneham RSL, and the St Peters and Payneham Rotary Clubs, with funds contributed by all parties including the local community.

In August 1966, it was reported that 'work is to start on a joint recreation scheme at Felixstow to provide playing fields, lawns and gardens near Third Creek. When completed, the area will be transformed into a comprehensive sports centre with the addition of the Payneham Memorial Swimming Pool'.

On 10 February 1968, the Payneham Memorial Swimming Pool was officially opened by the Mayor of Payneham, Max Redden. Before a crowd of over one thousand people, the Mayor stated that 'rate payers would continue to be proud of this magnificent facility for years to come'. Built to honour those who had served their country in war, it was a sign that times were changing as Payneham became one of the fastest growing urban areas east of Adelaide.

The history of the Payneham Swimming Club began in 1942 as Richardson's Industries Patriotic Club, based at the Adelaide City Baths. In 1951, the Chrysler Corporation of America purchased T.J. Richardson & Sons Motor Body Builders and the swimming club then became known as the Chrysler Swimming Club. In 1969, the Adelaide City Baths were demolished to make way for the Festival Centre and so the Chrysler Swimming Club relocated to the newly opened Payneham Memorial Swimming Pool. It then became known as the Payneham Chrysler Swimming Club.



The Payneham Chrysler Swimming Club produced several champions and won the famous River Torrens 'Swim Thru Adelaide' from 1970 to 1977. In 1980, the Japanese company, Mitsubishi, bought Chrysler Australia but sadly withdrew its sponsorship of the swimming club. The City of Payneham stepped in and so the Club became the Payneham Swimming Club and helped nurture Olympic medallists Glen Beringen and Martin Roberts. It continues its success today.

In 2001–2002, the Payneham Civic Centre site at the corner of O G Road and Payneham Road was subdivided, rezoned and sold by the Council. The Garden of Remembrance adjacent to the corner site was, however, retained by the Council, together with the Payneham Memorial Swimming Centre land. A new Library and community centre were constructed by the Council at the corner of O G Road and Turner Street and formally opened on 1 May 2003 as the 'Payneham Library & Community Facilities Complex'.

Over the years, a range of refurbishments have been undertaken to maintain the Payneham Memorial Swimming Centre infrastructure in good order. In 2008, the Council undertook a comprehensive review of the Centre's swimming infrastructure and determined that an upgrade would be required in light of its condition, and the growing community expectations of aquatic leisure facilities. As a result of this, in 2017 the Council developed its *Swimming Centre Long-Term Strategy* to ensure that the Council's Swimming Assets would continue to be managed, maintained and developed to meet the current and changing needs of the community.

Under the Strategy, the focus is to build on the traditional programs and services of the Swimming Centre, while encouraging greater family and child usage through adding more leisure water, play and fun water features. Subject to a Masterplan process, the existing pool facilities and amenities at the Payneham Memorial Swimming Centre will be refurbished and upgraded, and new recreational aquatic facilities will be established (including, eg, an interactive Water Play Park and inflatable obstacle course). As a result, it is hoped that the Centre will become a water based recreational destination for the Eastern Region.

Appendix A

*Community Land Register
Sporting Facilities*

#	Name of Land	Address of Land	Certificate of Title	Plan and Parcel	Notes	Lease / Licence*	Land area (approximate m ²)
1	Buttery Sportsground	259 Portrush Road, Norwood SA 5067	5872/151 5872/152 5872/153	D58030 A51 D58030 A52 D58030 A53	Includes croquet green, tennis courts and clubrooms	Leases Licence	7,909
2	Cruikshank Reserve	Corner of Phillis Street and Clifton Street, Maylands SA 5069	5807/109 5824/191 5827/929 5832/304 5831/945 5785/757	F135048 A97 F135049 A98 F135050 A99 F135051 A100 F135052 A1 D1210 A12	Also Reserve Includes tennis courts, netball courts and clubrooms	Lease	5,323
3	John Horrocks Memorial Green	65-69 Breaker St, St Morris SA 5068	5700/559	D2589 A82	Includes tennis courts and building	Lease	3,490
4	Norwood Oval	4 Woods Street, Norwood SA 5067 75 The Parade, Norwood SA 5067	6130/129 6130/148 Pt 6130/134	F35168 A7 D87096 A51 D31103 A10	Includes clubrooms and grandstand with facilities. The land to the north of Allotments 10 and 11 in Deposited Plan 31103 is to be perpetually held by the Council for the purpose of open air games and recreation	Leases Underlease Licence	28,943
5	Norwood Swimming Centre	Lot 102 Phillips Street, Kensington SA 5068	5759/406	D16233 A102			3,721
6	Patterson Sportsground	20 Turner Street, Felixstow SA 5070	Pt 5859/643 Pt 5386/506	D58460 A100 D42573 Q23	Includes sportsground and clubrooms	Leases Licences	35,252
7	Payneham Memorial Swimming Centre	188 O G Road, Felixstow SA 5070	Pt 5859/643 Pt 5386/506 5744/453	D58460 A100 D42573 Q23 F40075 A16	Includes clubrooms	Licences	13,650
8	Payneham Oval	26 Rosella Street, Payneham SA 5070	5839 / 146	D372 A115 D372 A51 D372 A52 D372 A116 D372 A63 D372 A64	Includes oval, clubrooms, tennis courts and playground	Lease Underlease Licences	40,442
			N/A	D372 A117	Whole of the land in General Memorial Registered No 80 Book 474 (NUA)		

#	Name of Land	Address of Land	Certificate of Title	Plan and Parcel	Notes	Lease / Licence*	Land area (approximate m ²)
9	St Peters River Park	Lot 10 River Street, St Peters SA 5069	Pt 5875/802	D22127 Q9, Q10	Also Reserve		92,643
		Lot 31 Eighth Avenue, St Peters SA 5069	Pt 5853/87	F136682 A31	Includes L G Perriam Memorial Oval and St Peter's Billabong		
		Lot 46 Eighth Avenue, College Park	339/70	F136689 A38			
		Lot 31 Eighth Avenue, St Peters SA 5069	5750/168 5262/161 5261/579	F136697 A46 F138132 A8, A9 F138138 Q23,Q24			
		Lot 46 Eighth Avenue, College Park SA 5069	329/181, 182	D882 A725A			
		23 River Street, St Peters SA 5069	5547/589	F136779 A28			
		Lot 10 River Street, St Peters SA 5069	5329/205	F136688 A37			
		Lot 36 Gilbert Street, Gilberton SA 5069	Pt 5832/927 Pt 5875/665	F136687 A36 D22127 Q7			
10	Trinity Gardens Soldiers Memorial Reserve	Corner Hereford Ave, Albermarle Ave and Canterbury Ave, Trinity Gardens SA 5068	5793/815	D2666 A127	Includes tennis courts, bowling green and clubrooms Subject to a Trust Deed dated 2 July 1924 which requires the Reserve 'to be used, kept, and held as an open space and recreation ground for the use of the persons resident on the remainder of the forty acres of land hereinbefore mentioned and for the use of the public' and on the further conditions set out in the Deed (see Lease dated 15 June 1998 for more details).	Leases	10,151

Appendix B

Management Strategies

Sporting Facilities

#	Category	Objectives	Strategies	Performance Targets	Performance Measures
1	Public Access	To provide reserves, facilities and spaces that are fit-for-purpose, safe, well-maintained and accessible for people of all ages, backgrounds and abilities*	Design and provide safe, high quality facilities and spaces	Achieve a resident satisfaction rating of 4.2 or above, and a business satisfaction rating of 3.8 or above in relation to public access to open space All upgrades and redevelopments are compliant with relevant legislation, strategies and standards relating to public access (including, e.g., Disability Discrimination Act 1992 (Cth), National Disability Strategy, Building Code of Australia, Australian Standards)	Community Survey (undertaken every two (2) years) – level of resident satisfaction Audit of upgrades and redevelopments once completed
			Implement the Council’s Access & Inclusion Strategy and Access & Inclusion Policy (as amended from time-to-time)	Citizens of all ages and abilities have equitable access to building, open space and services available in the City	Annual reporting on Access & Inclusion Strategy
			Identify opportunities for accessible and inclusive elements in all Masterplans for upgrades and redevelopments of Council reserves, facilities and public places	All upgrades and redevelopments include accessible or inclusive elements	Review of Masterplans prior to Council endorsement
2	Cultural Vitality	Dynamic community life in public places and precincts*	Broaden the range of land uses and activities in appropriate locations	Achieve a rating of 4.2 or above out of 5.0 in the Council’s Community Surveys in relation to open space	Community Survey (undertaken every two years) – level of resident satisfaction
			Create and provide interesting and colourful public places to encourage interaction and gatherings		
			Host and facilitate community events and activities	Achieve at least 70% of residents attending a Council-run event in the Council’s Community Surveys	Community Survey (undertaken every two years) – level of resident satisfaction
			Value and promote the City’s rich cultural and built heritage*	Protect and enhance places, streetscapes, precincts and landmarks which reflect the built and cultural history of the City Promote the value of heritage protection through cultural heritage programs and events	Install a minimum of two historic plaques and signposts within the Council area, each financial year

#	Category	Objectives	Strategies	Performance Targets	Performance Measures
3	Economic Development	Cosmopolitan business precincts contributing to the prosperity of the City*	Promote use of Council reserves, facilities and public places to activate the surrounding precinct Promote the City as a tourist destination	Achieve an agreement rating from businesses of 3.2 or above out of 5.0 in the Council's Community Survey	Community Survey (undertaken every two years) – level of resident satisfaction
4	Environmental Sustainability	Sustainable and efficient management of water, waste, energy and other resources*	Investigate and implement innovative waste reduction initiatives	Achieve a 2% increase in community recycling and green waste diverted from landfill from the 2015/2016 level across the City, each financial year	Tonnes of community recycling and green waste diverted from landfill as a percentage of the total waste collected, measured each financial year
				Install recycling and/or food and garden organics bins at Council reserves, facilities and public places where practicable	Number of recycling and food and garden organics bins installed per year
			Incorporate "zero waste" or low waste principles into community event planning	All community events held by the Council are "zero waste"	Number of "zero waste" community events held by Council each year
			Implement mechanisms to make better use of water resources including the harvesting and re-use of stormwater	Reduction in mains water usage	Volume of stormwater harvested each year
			Implementation of the Eastern Regional Alliance (ERA) Waterproofing Eastern Adelaide Stormwater Harvesting and Re-Use Project	Connection of all Council parks and reserves to the Council's recycled water supply	Number of parks and reserves connected to the Council's recycled water supply
			Prioritise the purchase of recycled products and materials in the replacement or upgrade of Council assets in reserves, facilities and public places, for all relevant product types	Purchase corporate materials to comprise the equivalent of 10% of the weight of collected kerbside recyclables per annum (and increasing annually, until this reaches 50%)	Reporting requirements under LGA Circular Procurement Pilot Project
		Mitigating and adapting to the impacts of a changing climate*	Introduce climate change adaptation initiatives in Council-owned assets and public places where practicable	Reduce the amount of Corporate greenhouse gas emissions by 5% from the 2015/2016 level by 2020/2021	Annual amount of greenhouse gas emissions generated by Corporate activities
				Achieve Resilient East tree canopy and water sensitive urban design (WSUD) targets	Tree planting data and installation of WSUD devices in reserves and public spaces

#	Category	Objectives	Strategies	Performance Targets	Performance Measures
5	Public Amenity	All Council reserves and facilities maintained as smoke-free facilities	Educating the community about the Council's <i>Smoke-Free Policy</i>	No smoking in designated smoke-free areas in the City	Review of the number of complaints received regarding smoking in smoke-free areas annually
6	Leasing, Licensing and Casual Hire	Public and private use of Council reserves and facilities is managed in an equitable, efficient and consistent manner	New leases and licences are assessed against a leasing and licensing strategy	Development of a leasing and licensing strategy for all Council owned properties	Adoption of a leasing and licensing strategy by the Council
			Maintenance of a Lease and Licence Register	All leases, licences and hire arrangements are up-to-date and compliant with relevant legislative requirements	Review of Lease & Licence Register annually
			Community Land Management Plans regulate unauthorised uses and tenure for leasing and licensing of public open space and facilities. Regular inspections of leased / licensed / hired reserves and facilities to ensure compliance by users	Leased / licensed / hired facilities are used in accordance with the terms of their lease / licence / hire arrangement	Inspection records for properties
		Increased, varied and shared use of Council reserves and facilities through suitable occupancy arrangements	Explore opportunities for increased and varied use of Council reserves and facilities (both short-term and long-term)	Highest and best usage of all Council reserves and facilities	Annual review to determine usage and occupancy of Council reserves and facilities
				Development of a leasing and licensing strategy for all Council owned properties	Adoption of a leasing and licensing strategy by the Council
7	Urban Design	Pleasant, well designed and sustainable urban environments*	Encourage sustainable and quality urban design outcomes in all Council reserves and facilities	Achieve a satisfaction rating of 4.3 or above out of 5.0 with the character of the local area	Community Survey (undertaken every two years) – level of resident satisfaction
		Sustainable and attractive open spaces*	Maximise the extent of landscaping and green infrastructure utilised in Council reserves, facilities and public places (where practicable)	All upgrades and redevelopments of Council reserves, facilities and public places incorporate landscaping and/or green infrastructure elements	Audit of upgrades and redevelopments once completed

#	Category	Objectives	Strategies	Performance Targets	Performance Measures
8	Public Art	To create an artistic, creative, cultural and visually interesting City*	<p>Facilitate public arts projects through the Council’s Public Art Program, in accordance with the Council’s <i>Public Art Policy</i></p> <p>Include funding for development and design of public artwork in all major Council projects</p>	Public artwork included in all major Council projects, where practicable	Number of major projects incorporating public artwork each year
			Continued implementation of the Council’s Quadrennial Public Art Program	Commission a major public artwork every four years	Major public artwork installed every four years
9	Graffiti, Vandalism and Litter	Council reserves, facilities and public places are maintained free from graffiti, vandalism and litter in the interests of public amenity and safety	<p>Provision of public waste bins at all Council reserves and facilities</p> <p>Public waste bins are emptied in accordance with the Council’s service standard (frequency dependent upon location)</p> <p>Explore options to implement ‘Smart City’ technology in relation to waste management in high usage areas</p> <p>Community education regarding waste management and reporting of incidents of littering, graffiti and/or vandalism</p>	No complaints regarding litter and provision of / access to public waste bins	Review of CRMs relating to litter and provision of/access to public waste bins
			General inspection and monitoring for graffiti, vandalism and litter	Inspection of approximately two sporting facilities per month, and otherwise as required	Inspection and maintenance records
			CRMs in relation to graffiti, vandalism and litter are investigated and action taken where practicable (including reporting to the Police where required)	CRMs are actioned in accordance with the Council’s service standard	Review of CRM responses against the Council’s service standard, monthly
			Volunteer Graffiti Removal Program across the City (priority removal for offensive content)	Continued implementation of the Volunteer Graffiti Removal Program	Records of Graffiti Removal Program
			Explore opportunities for urban design to reduce risk of graffiti and/or vandalism in upgrades or redevelopments of Council reserves, facilities and public places	All Masterplans for Council reserves, facilities and public places incorporate urban design that seeks to reduce the risk of graffiti and/or vandalism (where relevant)	Review of Masterplans prior to Council endorsement

#	Category	Objectives	Strategies	Performance Targets	Performance Measures
10	Animal Management	Animal management in Council reserves, facilities and public places is conducted in accordance with the objectives set out in the Council's <i>2019–2024 Dog & Cat Management Plan</i>	As set out in the <i>2019–2024 Dog & Cat Management Plan</i> (as amended from time-to-time)	As set out in the <i>2019–2024 Dog & Cat Management Plan</i> (as amended from time-to-time)	As set out in the <i>2019–2024 Dog & Cat Management Plan</i> (as amended from time-to-time)
11	Pest Control	To maintain public safety and amenity in Council reserves, facilities and public places	General inspection and monitoring of two sporting facilities for pest control	Inspection of approximately two sporting facilities per month, and otherwise as required	Inspection and maintenance records
			Annual termite inspections of Council buildings		
			Treatment of pest infestations if and when they arise (e.g., bees, ant, cockroach, rodents, possums, pigeons)		
		To conduct pest control in an environmentally sustainable manner where practicable	Utilisation of environmentally sustainable pest control measures where practicable	Relocation of up to 50% of bee infestations at Council reserves, facilities and public places	Review of CRM responses against the Council's service standard, monthly
12	Vegetation and Landscaping	Vegetation, landscaping and grassed areas at Council reserves, facilities and public places are fit-for-purpose, safe and well-maintained	Regular vegetation maintenance program at all Council reserves, facilities and public places (including, e.g., pruning, fertilising, irrigation, mulching, plant replacement) (frequency dependent upon type of vegetation)	Delivery of maintenance program	Inspection and maintenance records
			General inspection and monitoring of two sporting facilities for vegetation and landscaping	Development of maintenance plans for all Council reserves and facilities upon completion of reserve upgrade or redevelopment	Inspection and maintenance records
			CRMs in relation to pest control are investigated and action taken where practicable	CRMs are actioned in accordance with the Council's service standard	Review of CRM responses against the Council's service standard, monthly
			CRMs in relation to vegetation and landscaping are investigated and action taken where practicable	Inspection of approximately two sporting facilities per month, and otherwise as required	Inspection and maintenance records
				CRMs are actioned in accordance with the Council's service standard	Review of CRM responses against the Council's service standard, monthly

#	Category	Objectives	Strategies	Performance Targets	Performance Measures
		Thriving and healthy habitats for native flora and fauna*	<p>Identify and protect remnant vegetation and enhance habitat quality</p> <p>Establish a network of linked open spaces and wildlife corridors</p> <p>Revegetate designated areas with local native species</p> <p>Facilitate community participation and find opportunities to work with local community groups in relation to revegetation and biodiversity-related programs</p>	Undertake at least two initiatives to promote the value of native flora and fauna per year	Number of initiatives to promote and educate the community about the value of native flora and fauna, per year
			Site management and maintenance of the St Peters Billabong to be conducted in accordance with any specific management plan for the Billabong, in connection with the Adelaide & Mount Lofty Ranges NRM Board (or other relevant body), as amended from time-to-time	St Peters Billabong is maintained in accordance with applicable management plan (if any)	Review of management and maintenance as required under plan (if any)
		Trees at Council reserves, facilities and public places are healthy, structurally sound and well-maintained	<p>Tree management program for selected trees in specified locations (including, e.g., adjacent high-usage Council facilities), with annual inspection and monitoring</p> <p>General inspection and monitoring of trees by a qualified arborist to assess tree condition and identify faults, dead trees or fallen branches (before programmed works, prior to major Council events, and otherwise as required)</p>	Continued implementation of tree management program and general inspection and monitoring regime	Inspection and monitoring records (annually or otherwise as required)
			Cataloguing of Council trees across the City (dependent upon availability of resources)	Development of a comprehensive register for all Council trees in the City	Register developed
			CRMs in relation to trees are investigated and action taken where practicable	CRMs are actioned in accordance with the Council's service standard	Review of CRM responses against the Council's service standard, monthly

#	Category	Objectives	Strategies	Performance Targets	Performance Measures
13	Drainage and Stormwater Management	Healthy and sustainable watercourses*	Encourage the capture and re-use of stormwater and reduce stormwater run-off from Council reserves, facilities and public places	Incorporate water sensitive urban design (WSUD) / stormwater capture and treatment considerations in at least two (2) Council projects each year	Number of projects with WSUD/stormwater capture and treatment considerations per year
		To seek equitable flood protection across the City	Development and review of the Flood Mapping and Management Strategy	Reduction in local area flooding (particularly in high priority areas in the City, as identified in the Flood Mapping and Management Strategy)	Number of reported incidents of local area flooding per storm event
			Implementation of the Stormwater Drainage Infrastructure and Asset Management Plan	Trunk mains across the City are capable of transferring a 100-year flow	Review of Drainage Program annually in Budget process
			Implementation of the Council's 15-year Drainage Program across the City		
	Implementation of an annual scheduled maintenance program for all side entry pits across the city				
	Continued implementation of gross pollutant trap cleaning and inspection program for relevant creeks and rivers (frequency dependent upon rain events)				
		CRMs in relation to drainage and stormwater management are investigated and action taken where practicable	CRMs are actioned in accordance with the Council's service standard	Review of CRM responses against the Council's service standard, monthly	
14	Irrigation	Irrigation systems at Council reserves, facilities and public places are fit-for-purpose, safe and well-maintained	Irrigation of Council reserves, facilities and public places is managed in accordance with the Council's Irrigation Policy and Irrigation Management Plans	Irrigation of Council reserves, facilities and public places (where relevant) meets the Irrigated Public Open Space (IPOS) Code of Practice requirements and relevant legislative requirements	Review of water use and irrigation practices against IPOS Code of Practice, annually (or otherwise as required)
		Utilise best practice and sound horticultural principles to maximise efficient use of water	Automatic or manual irrigation systems programmed to meet the needs of each area (including, e.g., soil type, grass type, use of area, water quality, climatic conditions)		
			Inspections and monitoring of irrigation systems to assess asset condition, performance and maintenance as required	Inspection of approximately five sporting facilities per month and otherwise as required	Inspection and maintenance records
			CRMs in relation to irrigation are investigated and action taken where practicable	CRMs are actioned in accordance with the Council's service standard	Review of CRM responses against the Council's service standard, monthly

#	Category	Objectives	Strategies	Performance Targets	Performance Measures	
15	Building Maintenance	Convenient and accessible buildings and facilities that are fit-for-purpose, safe and well-maintained*	Management of Council buildings in accordance with the Council's Infrastructure & Asset Management Plans, policies, strategies and statutory requirements	Continued asset management in accordance with Infrastructure & Asset Management Plans, Council policies, strategies and statutory requirements	Asset Management Plan reviewed every five (5) years	
			Incorporation of water saving / re-use, energy reduction and sustainability measures into existing buildings during repair or upgrade, or as opportunities arise	All buildings are compliant with Australian Standards and statutory requirements (where practicable, taking into account physical and heritage limitations of assets)		
			Building Condition Audit conducted every ten years	Continued implementation of Building Condition Audit every ten years		Building Condition Audit Process reviewed annually
			Planned building maintenance program to ensure key services are provided as required (frequency dependent upon service) (e.g. cleaning, essential safety provision testing and maintenance, pest control)	Delivery of maintenance program		Compliance certificates for building maintenance
			Inspection and monitoring of Council buildings and facilities to assess asset condition and performance as required	Continued implementation of inspection and monitoring regime		Inspection and maintenance records
		To maintain the City's rich cultural and built heritage*	Management of Council buildings in accordance with the Council's Infrastructure & Asset Management Plans, policies, strategies and statutory requirements	Continued preservation of the Council's heritage building assets	Asset Management Plan reviewed every five (5) years Building Condition Audit Process reviewed annually Compliance certificates for building maintenance Inspection and maintenance records	
			CRMs in relation to building maintenance are investigated and action taken where practicable	CRMs are actioned in accordance with the Council's service standard		Review of CRM responses against the Council's service standard, monthly

#	Category	Objectives	Strategies	Performance Targets	Performance Measures
16	Public Toilets	<p>Public toilets at Council reserves, facilities and public places are well-maintained, safe and accessible to all members of the community</p> <p>To prevent vandalism and antisocial behaviour in the vicinity of public toilets</p>	<p>Public toilets are regularly cleaned and maintained (at a minimum of three (3) times per week, dependent upon location and usage)</p>	<p>Upgrade of at least one public toilet facility per year (including in connection with an upgrade / redevelopment process) to incorporate automated locking, security monitoring and DDA compliance</p>	<p>Number of public toilet facilities upgraded per year</p>
			<p>All public toilets are locked between sunset and sunrise</p>		
			<p>Security monitoring (dependent upon standard of public toilet facility)</p>		
			<p>CRMs in relation to public toilets are investigated and action taken where practicable</p>	<p>CRMs are actioned in accordance with the Council's service standard</p>	<p>Review of CRM responses against the Council's service standard, monthly</p>
17	Public Lighting	<p>Council reserves, facilities and public places are lit for safety and amenity</p>	<p>Public lighting installed or upgraded to appropriate lighting levels where practicable (where Council responsible for lighting infrastructure)</p>	<p>Public lighting installed and maintained in accordance with Australian standards</p>	<p>Maintenance and upgrade records</p>
			<p>Use LED or energy efficient lighting where practicable</p>		
			<p>CRMs in relation to public lighting are investigated and action taken where practicable</p>		
			<p>CRMs in relation to public lighting are investigated and action taken where practicable</p>	<p>CRMs are actioned in accordance with the Council's service standard</p>	<p>Review of CRM responses against the Council's service standard, monthly</p>
18	<p>Playgrounds and associated structures</p> <p>(including, e.g. shade structures and sails, exercise equipment)</p>	<p>Playgrounds and associated structures at Council reserves and facilities are fit-for purpose, safe and well-maintained</p>	<p>Annual external audit of all playground equipment and surfacing against Australian Standards</p>	<p>All playgrounds and associated structures are compliant with Australian Standards and legislative requirements</p>	<p>Audit records</p>
			<p>Monthly inspection and monitoring of all playgrounds and associated structures to assess asset condition, performance and maintenance</p>		
			<p>CRMs in relation to playgrounds and associated structures are investigated and action taken where practicable</p>		
			<p>Continued implementation of inspection and monitoring regime</p>	<p>Inspection and maintenance records</p>	
			<p>CRMs in relation to playgrounds and associated structures are investigated and action taken where practicable</p>	<p>CRMs are actioned in accordance with the Council's service standard</p>	<p>Review of CRM responses against the Council's service standard, monthly</p>

#	Category	Objectives	Strategies	Performance Targets	Performance Measures
		To provide a range of innovative, accessible and contemporary play spaces in the City	Playgrounds are upgraded in accordance with the Council's <i>Playground Strategy</i>	Create or improve five innovative playgrounds in the City in accordance with the Council's <i>Playground Strategy</i>	Number of innovative playgrounds implemented over life of Strategy
			Identify opportunities to incorporate accessible and inclusive play equipment in Masterplan for upgrades and redevelopments of Council reserves and facilities	All new or upgraded playgrounds include accessible and inclusive play equipment and associated structures	Play space design compliance report for all new playgrounds and associated structures
			Identify opportunities to incorporate exercise equipment in Masterplans for upgrades and redevelopments of Council reserves and facilities	Exercise equipment is included in all upgraded or redeveloped reserves or facilities where identified in Masterplans	Number of reserves incorporating exercise equipment
19	Outdoor Furniture and Associated Structures (includes, e.g., seats, benches, tables, shelters, barbecues, litter bins, drinking fountains, signage, dog poo bag dispensers)	Outdoor furniture and associated structures in Council reserves, facilities and public places are fit-for-purpose, safe and well-maintained	Inspection and monitoring of outdoor furniture and associated structures to assess asset condition, performance and maintenance	All outdoor furniture and associated structures are compliant with Australian Standards and legislative requirements Inspection of approximately two sporting facilities per month, and otherwise as required	Inspection and maintenance records
			CRMs in relation to outdoor furniture and associated structures are investigated and action taken where practicable	CRMs are actioned in accordance with the Council's service standard	Review of CRM responses against the Council's service standard, monthly

#	Category	Objectives	Strategies	Performance Targets	Performance Measures
20	Fencing, Retaining Walls and Associated Structures	Fencing, retaining walls and associated structures at Council reserves, facilities and public places are fit-for-purpose, safe and well-maintained	Inspection and monitoring of fencing, retaining walls and associated structures to assess asset condition, performance and maintenance	All fencing, retaining walls and associated structures are compliant with Australian Standards and legislative requirements Inspection of approximately two sporting facilities per month, and otherwise as required	Inspection and maintenance records
			CRMs in relation to fencing, retaining walls and associated structures are investigated and action taken where practicable	CRMs are actioned in accordance with the Council's service standard	Review of CRM responses against the Council's service standard, monthly
			CRMs in relation to public toilets are investigated and action taken where practicable	CRMs are actioned in accordance with the Council's service standard	Review of CRM responses against the Council's service standard, monthly
21	Roadways, Car Parks and Paths	Roadways, car parks and paths at Council reserves, facilities and public places are fit-for purpose, safe and well-maintained	Regular inspections and monitoring of roadways, car parks and paths to assess asset condition, performance and maintenance Regular street sweeping of car parks and roadways (approximately every six weeks)	All newly constructed car parking is compliant with Australian Standards and legislative requirements, and is paved Inspection of approximately two sporting facilities per month, and otherwise as required Implementation of inspection and monitoring regime and street sweeping program	Inspection and maintenance records
			CRMs in relation to roadways, car parks and paths are investigated and action taken where practicable	CRMs are actioned in accordance with the Council's service standard	Review of CRM responses against the Council's service standard, monthly

#	Category	Objectives	Strategies	Performance Targets	Performance Measures
22	Oval, Sportsground and Other Surface Maintenance (including, e.g. grassed surfaces utilised for informal recreation / sport)	Ovals, sportsgrounds and other surfaces are fit-for-purpose, safe and well-maintained	<p>Inspection and monitoring of ovals, sportsgrounds and other surfaces to assess condition, performance and maintenance</p> <p>Regular mowing and weed control program (frequency dependent upon season and usage requirements at each location)</p> <p>Irrigation of ovals, sportsgrounds and other surfaces is managed in accordance with the Council's <i>Irrigation Policy</i> and <i>Irrigation Management Plans</i></p>	<p>All ovals, sportsgrounds and selected grassed surfaces are maintained in accordance with the Irrigated Public Open Space (IPOS) Code of Practice requirements, Australian Standards and relevant sporting code requirements</p> <p>Inspection of approximately two ovals and sportsgrounds per month, and otherwise as required</p>	<p>Monthly external audit against IPOS Code of Practice</p> <p>Inspection and maintenance records</p>
			CRMs in relation to oval, sportsground and other surface maintenance are investigated and action taken where practicable	CRMs are actioned in accordance with the Council's service standard	Review of CRM response actions and timeframes by responsible officers, monthly
23	Tennis Courts and Associated Facilities (e.g. clubrooms)	Tennis facilities are fit-for-purpose, safe and well-maintained	<p>Public and/or Club usage of tennis facilities is managed in accordance with the Council's <i>Tennis Facilities Policy</i> (or other relevant policy in place from time-to-time)</p> <p>Court maintenance undertaken in accordance with the Council's <i>Tennis Facilities Policy</i> and any relevant lease agreement.</p> <p>Court reconstruction works are undertaken in accordance with the Council's <i>Tennis Facilities Policy</i> (or the equivalent policy in place from time-to-time), and relevant legislative standards and sporting code requirements</p>	All tennis facilities are compliant with relevant legislative standards and sporting code requirements upon upgrade or redevelopment	Audit of tennis court upgrades upon completion
			CRMs in relation to tennis courts and associated facilities are investigated and action taken where practicable	CRMs are actioned in accordance with the Council's service standard	Review of CRM response actions and timeframes by responsible officers, monthly

#	Category	Objectives	Strategies	Performance Targets	Performance Measures
24	Swimming Pools	<p>Providing convenient and accessible aquatic facilities and services, which are safe, fit-for-purpose and well-maintained</p> <p>Swimming centre assets are managed, maintained and developed to effectively meet the current and changing needs of the community</p>	Swimming Centre assets are managed and developed in accordance with the Council's <i>Swimming Centres Long-Term Strategy</i> (which includes provision for future upgrades, capital works and scheduled programmed maintenance)	Implementation of the <i>Swimming Centres Long-Term Strategy</i>	Completion of upgrade, capital and maintenance works as provided for in the Strategy
			Implementation of the Royal Lifesaving Australia Guidelines for Safe Pool Operations	Maintenance of Swimming Centre assets and operation of an aquatic environment in accordance with applicable standards and legislative requirements	EHA inspection report in relation to water chemistry testing, annually
			Promotion of water safety and supervision requirements (e.g. program implementation, signage, handouts, lifeguards)		WH&S audit, annually
			Inspection, monitoring and cleaning of pool area and change rooms daily		
			Water chemistry testing (minimum five hourly)		
			Providing a diverse range of aquatic recreation opportunities (including, e.g. Swim School, holiday and VacSwim programs)	Continued implementation of aquatic recreation programs at both Council Pools	End of season report on operation of Swimming Centres, annually (including, e.g. attendance, programs, events, revenue)
			CRMs in relation to swimming pools are investigated and action taken where practicable	CRMs are actioned in accordance with the service standard	Review of CRM response actions and timeframes by responsible officers, monthly

Notes:

*See the Council's Strategic Management Plan *CityPlan 2030: Shaping Our Future*, for the Council's strategic objectives for the City.

'CRMs' – CRMs are Customer Requests logged in the Council's Customer Request Management System. CRMs are investigated and action taken where practicable (ie within Council budgetary limits, and in accordance with the Council's service standard and timeframe, for that category of request).

Further Information

For information on the Council's Community Land Management Plans, please visit www.npsp.sa.gov.au or phone 8366 4555.

You can also visit the Council's Customer Service Centre at the Norwood Town Hall, 175 The Parade, Norwood.

Additional Copies

The Community Land Management Plan: *Sporting Facilities* can be viewed online at www.npsp.sa.gov.au

Additional copies may also be obtained by:

- visiting Norwood Town Hall
- visiting any of the Council's Libraries
- emailing townhall@npsp.sa.gov.au
- contacting the Council on 8366 4555
- writing to the Council at PO Box 204, Kent Town SA 5074

City of Norwood Payneham & St Peters
175 The Parade, Norwood SA 5067

Telephone 8366 4555
Facsimile 8332 6338
Email townhall@npsp.sa.gov.au
Website www.npsp.sa.gov.au



City of
**Norwood
Payneham
& St Peters**



Civic & Community Facilities

Community Land Management Plan



City of
Norwood
Payneham
& St Peters

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Adoption and Review

The Civic & Community Facilities Community Land Management Plan was adopted by the Council on 1 June 2020.

The Council will review this Plan within three years of the adoption date, or otherwise as required from time-to-time.

Cover: Norwood Town Hall
 Right: St Peters Rotary Club



Civic & Community Facilities

This Community Land Management Plan has been prepared pursuant to Section 196 of the *Local Government Act 1999* (the Act).

Background

Civic and community facilities play a vital role in enabling the Council to conduct its day-to-day administrative operations and provide services to the community. They provide a meeting place for community groups, a space to learn new skills and connect with others, and face-to-face contact with Council staff. They are some of the most well-known and utilised Council facilities, including the Norwood Town Hall, the St Peters Civic Centre Complex and the Payneham Community Centre.

The Council has a total of 11 civic and community facilities throughout the City.

Many of these facilities have a long history and contribute to the rich cultural and built heritage of our City. Increasingly, community buildings are being reimagined and redesigned as modern and inclusive community hubs that provide access to multi-purpose spaces and interactive technology.

Central to the role of the Council, the Council's Customer Service Centre operates out of the Norwood Town Hall located at 175 The Parade, Norwood, and provides a range of services to members of the community every day — from payment of rates and dog registration, to permit applications, to taking enquiries and providing information about the full range of Council services.

The Council also has three Libraries located within the City — the Norwood Library, the St Peters Library and the Payneham Library — reflective of the history and location of the three former Councils that amalgamated to form the City of Norwood Payneham & St Peters.

The Council's Works Depot, located in Glynde and the Council owned and operated St Peters Child Care Centre, located in Stepney, are also included within this category of Community Land.

What land does this include?

An excerpt from the Council's Community Land Register listing all civic and community facilities is contained within **Appendix A**.

Description

Civic and community facilities are Council-owned buildings which operate to provide a civic or community purpose for the City, including activities such as Council administration, provision of community services and activities, and public meeting spaces.

These facilities include community halls and centres, library complexes, child care centres and administrative buildings for Council staff.

Some of these facilities are operated by the Council and made available for casual hire by members of the community (for instance, the Payneham Community Centre), and some are operated by community groups under lease agreements.

Civic and Community Facilities Map



Legend

1 Beulah Road Community Hall

2 Norwood Institute Building
(includes Norwood Library)

3 Norwood Town Hall Civic Centre

4 Payneham Community Centre

5 Payneham Library and
Community Facilities Complex

6 Payneham Senior Citizens Centre

7 Payneham Youth Centre

8 St Peters Child Care Centre

9 St Peters Civic Centre Complex
(includes St Peters Library)

10 St Peters Rotary Club Shed

11 Works Depot

Purpose of the Land

In general terms, Community Land comprising civic and community facilities is held by the Council for one or more of the following purposes:

- to facilitate the provision of community, health, recreational, educational, cultural and tourism facilities, services and activities across the City;
- to provide opportunities for social interaction and connection, relaxation and physical activity;
- to protect and enhance the lifestyle, amenity and 'sense of place' in the City;
- to protect, enhance and promote cultural and built heritage within the City; and
- to facilitate the provision of civic, operational and administrative functions by the Council.

Key Management Objectives

The Council will seek to manage all Community Land in accordance with all applicable legislative requirements and all relevant Council policies, strategies and management plans (including the Council's Strategic Management Plan *CityPlan 2030*), as introduced or amended from time-to-time.

In addition, the Council will seek to manage all Community Land in accordance with the following Key Management Objectives to:

- protect, enhance and expand public open space;
- maintain the quality and useability of open space over time;
- provide a range of services and facilities that benefit the City and cater to a variety of community needs (for ratepayers, residents and visitors);
- provide convenient and accessible public spaces for people of all ages, backgrounds and abilities;
- permit a broad range of land uses and activities in appropriate locations to promote dynamic community life within the City;
- protect and enhance the natural environment and promote sustainable and efficient management practices; and
- identify and pursue opportunities for more efficient, equitable and innovative use of Council land and facilities, taking into account changing community needs over time.

A Management Strategies table that contains the Council's specific objectives, strategies, performance targets and measures for management of civic and community facilities (as required by Section 196(3) of the Act) is contained within **Appendix B**.

The categories included in the Management Strategies apply only to the extent that they are relevant to each parcel of land (for instance, the management objectives, strategies and targets relating to playgrounds will not apply to all civic and community facilities, and specific management provisions relate to the St Peters Child Care Centre).

Strategic Management Proposals

The Council intends to undertake the following proposals for the civic and community facilities listed below (and otherwise in accordance with the Council's 2018–2028 Long-Term Financial Plan):

Facility	Management Proposal	Objective
Norwood Institute Building and Norwood Town Hall Civic Centre	In accordance with the Council's resolution dated 3 April 2018: 1. That the Norwood Library be included in the Long-Term Financial Plan (LTFP) for the period 2018–2019 to 2027–2028 as a strategic project beginning 2024–2026 with an initial budget of \$3.5m. 2. That during the 2018–2022 Council term, the Council commences investigations regarding the potential options for the Norwood Library which includes, but is not limited to, its location, design and function as a multi-purpose facility (e.g. information services, entrepreneurial hub, etc.) The premises at 49 George Street (adjacent the Norwood Town Hall) has been identified as a potential future location for the Norwood Library.	As per the Management Proposal.
Payneham Library and Community Facilities Complex	Masterplan*	High-level vision for the upgrade of existing facilities including the playground and car park.
Payneham Youth Centre	Masterplan*	High-level vision for the upgrade of existing facilities.

*A Masterplan / Concept Plan is a long-term plan which sets out at a conceptual level the proposed vision for the Council facility. It includes future development and redevelopment proposals.

Trusts, Dedications and Other Restrictions

Where Community Land is subject to a trust, dedication, reservation or other restriction that controls the use or management of that land, this information is included in the Community Land Register in **Appendix A**.



St Peter's Library

RECLAIMED STORM WATER - DO NOT DRINK

Leasing and Licensing

Pursuant to Section 202 of the Act, the following leasing and licensing arrangements are authorised for all Community Land comprising civic and community facilities:

Type of Arrangement	Length of Term	Authorised Uses
Leases (exclusive use)	Up to five years	<p>The following land may be leased: Beulah Road Community Hall, Norwood Institute Building (excluding the Norwood Library), Payneham Senior Citizens Centre, Payneham Youth Centre, St Peters Civic Centre Complex (units 3 and 4), St Peters Rotary Club Shed and the Norwood Town Hall Civic Centre (49 George Street premises), for any use consistent with the Purpose of the Land set out in this Plan.</p> <p>Units 3 and 4 within the St Peters Civic Centre Complex may be leased on a commercial basis, for any use consistent with the Purpose of the land set out in this Plan.</p>
Licences (non-exclusive use)	Six months – one year	<p>The following land may be licensed: Beulah Road Community Hall, Norwood Institute Building (excluding the Norwood Library), Payneham Senior Citizens Centre, Payneham Youth Centre, St Peters Civic Centre Complex (units 3 and 4), St Peters Rotary Club Shed and the Norwood Town Hall Civic Centre (49 George Street premises), for any use consistent with the Purpose of the Land set out in this Plan.</p> <p>Use of the land for a business purpose may be granted where it occurs on a single occasion or on a short-term basis (up to the maximum term length), subject to approval.</p>
Casual Hire (non-exclusive use)	Up to six months	<p>Any land excluding the St Peters Child Care Centre and the Works Depot may be hired.</p> <p>Any use consistent with the Purpose of the Land set out in this Plan.</p> <p>Use of the land for a business purpose may be granted where it occurs on a single occasion or on a short-term basis (up to the maximum term length), subject to approval.</p> <p>For any hire of the Payneham Community Centre, any use that comprises the operation of a commercial business from the Centre as the sole or primary location of that business on an ongoing basis, is not authorised.</p>

Notes:

- All existing leases, licences and casual hire arrangements in place with respect to Community Land comprising civic and community facilities at the time of adoption of this Plan, are taken to be authorised for the purposes of this Plan.
- The Council can approve the use of Community Land for a business purpose in accordance with the provisions of this Community Land Management Plan, pursuant to Section 200 of the Act.
- Where a lease or licence is proposed to be granted for a term of more than five years, or where a use of Community Land outside the Authorised Uses is proposed, this will be at the Council's discretion in all respects, and the Council is required to comply with its public consultation policy pursuant to Section 202(3) of the Act.

Appendix A

Community Land Register

Civic and Community Facilities

#	Name of Land	Address of Land	Certificate of Title	Plan and Parcel	Notes	Lease / Licence*	Land area (approximate m ²)
1	Beulah Road Community Hall	31 Beulah Road, Norwood SA 5067	5752/340	D14768 A1		Lease	556
2	Norwood Institute Building	110 The Parade, Norwood SA 5067	5079/779	F100054 A51	Includes Norwood Library	Leases	531
3	Norwood Town Hall Civic Centre	Lot 1 The Parade, Norwood SA 5067 161–169 The Parade, Norwood SA 5067	6037/165 6083/292 6083/293	D69685 A1 26507F110 C26507F111	Includes 49 George Street premises, Norwood Concert Hall and Don Pyatt Hall	Lease	3,447
4	Payneham Community Centre	374 Payneham Road, Payneham and 2 Arthur Street, Payneham SA 5070	5464/648 5530/477	F13004 A101 F13004 A102	Includes playground	Licences	6,352
5	Payneham Library and Community Facilities Complex	2 Turner Street, Felixstow SA 5070	6233/72 5744/454 Pt 5744/453 Pt 5386/506	D122244 A10 F40075 A15 F40075 A16 D42573 Q23			5,400
6	Payneham Senior Citizens Centre	54–58 Coorara Avenue, Payneham South 5070	5807/541 5816/66 5839/300	D1793 A70 D1793 A71 D1793 A72		Lease	3,404
7	Payneham Youth Centre	24 Turner Street, Felixstow SA 5070	5828/683 Pt 5386/506	F40075 A18 D42573 Q23	Adjacent to Patterson Sportsground	Lease	3,430
8	St Peters Child Care Centre	42–46 Henry Street, Stepney SA 5069	5554/194 Pt 5729/969	F212439 A132, A133 F211841 A245	Adjacent to Linde Reserve		2,137
9	St Peters Civic Centre Complex	101 Payneham Road, St Peters SA 5069	5847/278 5847/279 5827/303 5830/817	F136449 A98 F136450 A99 F136451 A100 F136452 A1	Includes St Peters Library and Units 3 and 4	Leases	4,573
10	St Peters Rotary Club Shed	46A Henry Street, Stepney SA 5069	5729/969	F211841 A245	Adjacent to Linde Reserve and St Peters Child Care Centre	Lease	837
11	Works Depot	30 Davis Road, Glynde SA 5070	5630/933	D50583 A53			5,937

Notes:

*For further details relating to a Lease or Licence, see the Council's Lease & Licence Register, available at: www.npsp.sa.gov.au

The information provided in this Register was correct at the time of publication.

Appendix B

Management Strategies

Civic and Community Facilities

#	Category	Objectives	Strategies	Performance Targets	Performance Measures
1	Public Access	To provide reserves, facilities and spaces that are fit-for-purpose, safe, well-maintained and accessible for people of all ages, backgrounds and abilities*	Design and provide safe, high quality facilities and spaces	Achieve a resident satisfaction rating of 4.2 or above, and a business satisfaction rating of 3.8 or above in relation to public access to open space All upgrades and redevelopments are compliant with relevant legislation, strategies and standards relating to public access (including, e.g., Disability Discrimination Act 1992 (Cth), National Disability Strategy, Building Code of Australia, Australian Standards)	Community Survey (undertaken every two (2) years) – level of resident satisfaction Audit of upgrades and redevelopments once completed
			Implement the Council’s <i>Access & Inclusion Strategy</i> and <i>Access & Inclusion Policy</i> (as amended from time-to-time)	Citizens of all ages and abilities have equitable access to building, open space and services available in the City	Annual reporting on Access & Inclusion Strategy
			Identify opportunities for accessible and inclusive elements in all Masterplans for upgrades and redevelopments of Council reserves, facilities and public places	All upgrades and redevelopments include accessible or inclusive elements	Review of Masterplans prior to Council endorsement
2	Cultural Vitality	Dynamic community life in public places and precincts*	Broaden the range of land uses and activities in appropriate locations	Achieve a rating of 4.2 or above out of 5.0 in the Council’s Community Surveys in relation to open space	Community Survey (undertaken every two years) – level of resident satisfaction
			Create and provide interesting and colourful public places to encourage interaction and gatherings		
			Host and facilitate community events and activities	Achieve at least 70% of residents attending a Council-run event in the Council’s Community Surveys	Community Survey (undertaken every two years) – level of resident satisfaction
			Value and promote the City’s rich cultural and built heritage*	Protect and enhance places, streetscapes, precincts and landmarks which reflect the built and cultural history of the City Promote the value of heritage protection through cultural heritage programs and events	Install a minimum of two historic plaques and signposts within the Council area, each financial year Number of historic plaques and signposts installed by the Council each financial year

#	Category	Objectives	Strategies	Performance Targets	Performance Measures
3	Economic Development	Cosmopolitan business precincts contributing to the prosperity of the City*	Promote use of Council reserves, facilities and public places to activate the surrounding precinct Promote the City as a tourist destination	Achieve an agreement rating from businesses of 3.2 or above out of 5.0 in the Council's Community Survey	Community Survey (undertaken every two years) – level of resident satisfaction
4	Environmental Sustainability	Sustainable and efficient management of water, waste, energy and other resources*	Investigate and implement innovative waste reduction initiatives Incorporate "zero waste" or low waste principles into community event planning Implement mechanisms to make better use of water resources including the harvesting and re-use of stormwater Implementation of the Eastern Regional Alliance (ERA) Waterproofing Eastern Adelaide Stormwater Harvesting and Re-Use Project Prioritise the purchase of recycled products and materials in the replacement or upgrade of Council assets in reserves, facilities and public places, for all relevant product types	Achieve a 2% increase in community recycling and green waste diverted from landfill from the 2015/2016 level across the City, each financial year Install recycling and/or food and garden organics bins at Council reserves, facilities and public places where practicable All community events held by the Council are "zero waste" Reduction in mains water usage Connection of all Council parks and reserves to the Council's recycled water supply Purchase corporate materials to comprise the equivalent of 10% of the weight of collected kerbside recyclables per annum (and increasing annually, until this reaches 50%) Reduce the amount of Corporate greenhouse gas emissions by 5% from the 2015/2016 level by 2020/2021 Achieve Resilient East tree canopy and water sensitive urban design (WSUD) targets	Tonnes of community recycling and green waste diverted from landfill as a percentage of the total waste collected, measured each financial year Number of recycling and food and garden organics bins installed per year Number of "zero waste" community events held by Council each year Volume of stormwater harvested each year Number of parks and reserves connected to the Council's recycled water supply Reporting requirements under LGA Circular Procurement Pilot Project Annual amount of greenhouse gas emissions generated by Corporate activities Tree planting data and installation of WSUD devices in reserves and public spaces
		Mitigating and adapting to the impacts of a changing climate*	Introduce climate change adaptation initiatives in Council-owned assets and public places where practicable		

#	Category	Objectives	Strategies	Performance Targets	Performance Measures
5	Public Amenity	All Council reserves and facilities maintained as smoke-free facilities	Educating the community about the Council's <i>Smoke-Free Policy</i>	No smoking in designated smoke-free areas in the City	Review of the number of complaints received regarding smoking in smoke-free areas annually
6	Leasing, Licensing and Casual Hire	Public and private use of Council reserves and facilities is managed in an equitable, efficient and consistent manner	<p>New leases and licences are assessed against a leasing and licensing strategy</p> <p>Maintenance of a Lease and Licence Register</p> <p>Community Land Management Plans regulate unauthorised uses and tenure for leasing and licensing of public open space and facilities.</p> <p>Regular inspections of leased / licensed / hired reserves and facilities to ensure compliance by users</p>	<p>Development of a leasing and licensing strategy for all Council owned properties</p> <p>All leases, licences and hire arrangements are up-to-date and compliant with relevant legislative requirements</p> <p>Leased / licensed / hired facilities are used in accordance with the terms of their lease / licence / hire arrangement</p>	<p>Adoption of a leasing and licensing strategy by the Council</p> <p>Review of Lease & Licence Register annually</p> <p>Inspection records for properties</p>
		Increased, varied and shared use of Council reserves and facilities through suitable occupancy arrangements	Explore opportunities for increased and varied use of Council reserves and facilities (both short-term and long-term)	Highest and best usage of all Council reserves and facilities	Annual review to determine usage and occupancy of Council reserves and facilities
				Development of a leasing and licensing strategy for all Council owned properties	Adoption of a leasing and licensing strategy by the Council
7	Urban Design	Pleasant, well designed and sustainable urban environments*	Encourage sustainable and quality urban design outcomes in all Council reserves and facilities	Achieve a satisfaction rating of 4.3 or above out of 5.0 with the character of the local area	Community Survey (undertaken every two years) – level of resident satisfaction
		Sustainable and attractive open spaces*	Maximise the extent of landscaping and green infrastructure utilised in Council reserves, facilities and public places (where practicable)	All upgrades and redevelopments of Council reserves, facilities and public places incorporate landscaping and/or green infrastructure elements	Audit of upgrades and redevelopments once completed

#	Category	Objectives	Strategies	Performance Targets	Performance Measures
8	Public Art	To create an artistic, creative, cultural and visually interesting City*	<p>Facilitate public arts projects through the Council's Public Art Program, in accordance with the Council's <i>Public Art Policy</i></p> <p>Include funding for development and design of public artwork in all major Council projects</p>	Public artwork included in all major Council projects, where practicable	Number of major projects incorporating public artwork each year
			Continued implementation of the Council's Quadrennial Public Art Program	Commission a major public artwork every four years	Major public artwork installed every four years
9	Graffiti, Vandalism and Litter	Council reserves, facilities and public places are maintained free from graffiti, vandalism and litter in the interests of public amenity and safety	<p>Provision of public waste bins at all Council reserves and facilities</p> <p>Public waste bins are emptied in accordance with the Council's service standard (frequency dependent upon location)</p> <p>Explore options to implement 'Smart City' technology in relation to waste management in high usage areas</p> <p>Community education regarding waste management and reporting of incidents of littering, graffiti and/or vandalism</p>	No complaints regarding litter and provision of / access to public waste bins	Review of CRMs relating to litter and provision of/access to public waste bins
			General inspection and monitoring for graffiti, vandalism and litter	Inspection of approximately two civic and community facilities per month, and otherwise as required	Inspection and maintenance records
			CRMs in relation to graffiti, vandalism and litter are investigated and action taken where practicable (including reporting to the Police where required)	CRMs are actioned in accordance with the Council's service standard	Review of CRM responses against the Council's service standard, monthly
			Volunteer Graffiti Removal Program across the City (priority removal for offensive content)	Continued implementation of the Volunteer Graffiti Removal Program	Records of Graffiti Removal Program
			Explore opportunities for urban design to reduce risk of graffiti and/or vandalism in upgrades or redevelopments of Council reserves, facilities and public places	All Masterplans for Council reserves, facilities and public places incorporate urban design that seeks to reduce the risk of graffiti and/or vandalism (where relevant)	Review of Masterplans prior to Council endorsement

#	Category	Objectives	Strategies	Performance Targets	Performance Measures
10	Animal Management	Animal management in Council reserves, facilities and public places is conducted in accordance with the objectives set out in the Council's <i>2019–2024 Dog & Cat Management Plan</i>	As set out in the <i>2019–2024 Dog & Cat Management Plan</i> (as amended from time-to-time)	As set out in the <i>2019–2024 Dog & Cat Management Plan</i> (as amended from time-to-time)	As set out in the <i>2019–2024 Dog & Cat Management Plan</i> (as amended from time-to-time)
11	Pest Control	To maintain public safety and amenity in Council reserves, facilities and public places	Annual termite inspections of Council buildings	Annual termite inspections	Inspection and maintenance records
			Treatment of pest infestations if and when they arise (e.g., bees, ant, cockroach, rodents, possums, pigeons)		
		CRMs in relation to pest control are investigated and action taken where practicable	CRMs are actioned in accordance with the Council's service standard	Review of CRM responses against the Council's service standard, monthly	
		To conduct pest control in an environmentally sustainable manner where practicable	Utilisation of environmentally sustainable pest control measures where practicable	Relocation of up to 50% of bee infestations at Council reserves, facilities and public places	Review of CRMs relating to bee infestations and action taken
12	Vegetation and Landscaping	Vegetation, landscaping and grassed areas at Council reserves, facilities and public places are fit-for-purpose, safe and well-maintained	Regular vegetation maintenance program at all Council reserves, facilities and public places (including, e.g., pruning, fertilising, irrigation, mulching, plant replacement) (frequency dependent upon type of vegetation)	Delivery of maintenance program Development of maintenance plans for all Council reserves and facilities upon completion of reserve upgrade or redevelopment	Inspection and maintenance records Number of maintenance plans developed
			CRMs in relation to vegetation and landscaping are investigated and action taken where practicable	CRMs are actioned in accordance with the Council's service standard	Review of CRM responses against the Council's service standard, monthly

#	Category	Objectives	Strategies	Performance Targets	Performance Measures
		Thriving and healthy habitats for native flora and fauna*	<p>Identify and protect remnant vegetation and enhance habitat quality</p> <p>Establish a network of linked open spaces and wildlife corridors</p> <p>Revegetate designated areas with local native species</p> <p>Facilitate community participation and find opportunities to work with local community groups in relation to revegetation and biodiversity-related programs</p>	Undertake at least two initiatives to promote the value of native flora and fauna per year	Number of initiatives to promote and educate the community about the value of native flora and fauna, per year
			Site management and maintenance of the St Peters Billabong to be conducted in accordance with any specific management plan for the Billabong, in connection with the Adelaide & Mount Lofty Ranges NRM Board (or other relevant body), as amended from time-to-time	St Peters Billabong is maintained in accordance with applicable management plan (if any)	Review of management and maintenance as required under plan (if any)
		Trees at Council reserves, facilities and public places are healthy, structurally sound and well-maintained	<p>Tree management program for selected trees in specified locations (including, e.g., adjacent high-usage Council facilities), with annual inspection and monitoring</p> <p>General inspection and monitoring of trees by a qualified arborist to assess tree condition and identify faults, dead trees or fallen branches (before programmed works, prior to major Council events, and otherwise as required)</p>	Continued implementation of tree management program and general inspection and monitoring regime	Inspection and monitoring records (annually or otherwise as required)
			Cataloguing of Council trees across the City (dependent upon availability of resources)	Development of a comprehensive register for all Council trees in the City	Register developed
			CRMs in relation to trees are investigated and action taken where practicable	CRMs are actioned in accordance with the Council's service standard	Review of CRM responses against the Council's service standard, monthly

#	Category	Objectives	Strategies	Performance Targets	Performance Measures
13	Drainage and Stormwater Management	Healthy and sustainable watercourses*	Encourage the capture and re-use of stormwater and reduce stormwater run-off from Council reserves, facilities and public places	Incorporate water sensitive urban design (WSUD) / stormwater capture and treatment considerations in at least two (2) Council projects each year	Number of projects with WSUD/stormwater capture and treatment considerations per year
		To seek equitable flood protection across the City	Development and review of the Flood Mapping and Management Strategy Implementation of the Stormwater Drainage Infrastructure and Asset Management Plan Implementation of the Council's 15-year Drainage Program across the City Implementation of an annual scheduled maintenance program for all side entry pits across the city Continued implementation of gross pollutant trap cleaning and inspection program for relevant creeks and rivers (frequency dependent upon rain events)	Reduction in local area flooding (particularly in high priority areas in the City, as identified in the Flood Mapping and Management Strategy) Trunk mains across the City are capable of transferring a 100-year flow	Number of reported incidents of local area flooding per storm event Review of Drainage Program annually in Budget process
			CRMs in relation to drainage and stormwater management are investigated and action taken where practicable	CRMs are actioned in accordance with the Council's service standard	Review of CRM responses against the Council's service standard, monthly
14	Irrigation	Irrigation systems at Council reserves, facilities and public places are fit-for-purpose, safe and well-maintained	Irrigation of Council reserves, facilities and public places is managed in accordance with the Council's Irrigation Policy and Irrigation Management Plans	Irrigation of Council reserves, facilities and public places (where relevant) meets the Irrigated Public Open Space (IPOS) Code of Practice requirements and relevant legislative requirements	Review of water use and irrigation practices against IPOS Code of Practice, annually (or otherwise as required)
		Utilise best practice and sound horticultural principles to maximise efficient use of water	Automatic or manual irrigation systems programmed to meet the needs of each area (including, e.g., soil type, grass type, use of area, water quality, climatic conditions)		
			Inspections and monitoring of irrigation systems to assess asset condition, performance and maintenance as required	Inspection of approximately five civic and community facilities per month and otherwise as required	Inspection and maintenance records
			CRMs in relation to irrigation are investigated and action taken where practicable	CRMs are actioned in accordance with the Council's service standard	Review of CRM responses against the Council's service standard, monthly

#	Category	Objectives	Strategies	Performance Targets	Performance Measures
15	Building Maintenance	Convenient and accessible buildings and facilities that are fit-for-purpose, safe and well-maintained*	Management of Council buildings in accordance with the Council's Infrastructure & Asset Management Plans, policies, strategies and statutory requirements	Continued asset management in accordance with Infrastructure & Asset Management Plans, Council policies, strategies and statutory requirements	Asset Management Plan reviewed every five (5) years
		Sustainable and efficient management of water, energy and other resources in Council buildings and facilities	Incorporation of water saving / re-use, energy reduction and sustainability measures into existing buildings during repair or upgrade, or as opportunities arise	All buildings are compliant with Australian Standards and statutory requirements (where practicable, taking into account physical and heritage limitations of assets)	
			Building Condition Audit conducted every ten years	Continued implementation of Building Condition Audit every ten years	Building Condition Audit Process reviewed annually
			Planned building maintenance program to ensure key services are provided as required (frequency dependent upon service) (e.g. cleaning, essential safety provision testing and maintenance, pest control)	Delivery of maintenance program	Compliance certificates for building maintenance
		Inspection and monitoring of Council buildings and facilities to assess asset condition and performance as required	Continued implementation of inspection and monitoring regime	Inspection and maintenance records	
	To maintain the City's rich cultural and built heritage*	Management of Council buildings in accordance with the Council's Infrastructure & Asset Management Plans, policies, strategies and statutory requirements	Continued preservation of the Council's heritage building assets	Asset Management Plan reviewed every five (5) years Building Condition Audit Process reviewed annually Compliance certificates for building maintenance Inspection and maintenance records	
		CRMs in relation to building maintenance are investigated and action taken where practicable	CRMs are actioned in accordance with the Council's service standard	Review of CRM responses against the Council's service standard, monthly	

#	Category	Objectives	Strategies	Performance Targets	Performance Measures
16	Public Toilets	<p>Public toilets at Council reserves, facilities and public places are well-maintained, safe and accessible to all members of the community</p> <p>To prevent vandalism and antisocial behaviour in the vicinity of public toilets</p>	<p>Public toilets are regularly cleaned and maintained (at a minimum of three (3) times per week, dependent upon location and usage)</p> <p>All public toilets are locked between sunset and sunrise</p> <p>Security monitoring (dependent upon standard of public toilet facility)</p> <p>CRMs in relation to public toilets are investigated and action taken where practicable</p>	<p>Upgrade of at least one public toilet facility per year (including in connection with an upgrade / redevelopment process) to incorporate automated locking, security monitoring and DDA compliance</p> <p>CRMs are actioned in accordance with the Council's service standard</p>	<p>Number of public toilet facilities upgraded per year</p> <p>Review of CRM responses against the Council's service standard, monthly</p>
17	Public Lighting	<p>Council reserves, facilities and public places are lit for safety and amenity</p>	<p>Public lighting installed or upgraded to appropriate lighting levels where practicable (where Council responsible for lighting infrastructure)</p> <p>Use LED or energy efficient lighting where practicable</p> <p>CRMs in relation to public lighting are investigated and action taken where practicable</p>	<p>Public lighting installed and maintained in accordance with Australian standards</p> <p>CRMs are actioned in accordance with the Council's service standard</p>	<p>Maintenance and upgrade records</p> <p>Review of CRM responses against the Council's service standard, monthly</p>

#	Category	Objectives	Strategies	Performance Targets	Performance Measures	
18	Playgrounds and associated structures (including, e.g. shade structures and sails, exercise equipment)	Playgrounds and associated structures at Council reserves and facilities are fit-for purpose, safe and well-maintained	Annual external audit of all playground equipment and surfacing against Australian Standards	All playgrounds and associated structures are compliant with Australian Standards and legislative requirements	Audit records	
			Monthly inspection and monitoring of all playgrounds and associated structures to assess asset condition, performance and maintenance	Continued implementation of inspection and monitoring regime	Inspection and maintenance records	
			CRMs in relation to playgrounds and associated structures are investigated and action taken where practicable	CRMs are actioned in accordance with the Council's service standard	Review of CRM responses against the Council's service standard, monthly	
			To provide a range of innovative, accessible and contemporary play spaces in the City	Playgrounds are upgraded in accordance with the Council's <i>Playground Strategy</i>	Create or improve five innovative playgrounds in the City in accordance with the Council's <i>Playground Strategy</i>	Number of innovative playgrounds implemented over life of Strategy
			Identify opportunities to incorporate accessible and inclusive play equipment in Masterplan for upgrades and redevelopments of Council reserves and facilities	All new or upgraded playgrounds include accessible and inclusive play equipment and associated structures	Play space design compliance report for all new playgrounds and associated structures	
		Identify opportunities to incorporate exercise equipment in Masterplans for upgrades and redevelopments of Council reserves and facilities	Exercise equipment is included in all upgraded or redeveloped reserves or facilities where identified in Masterplans	Number of reserves incorporating exercise equipment		
19	Outdoor Furniture and Associated Structures (includes, e.g., seats, benches, tables, shelters, barbecues, litter bins, drinking fountains, signage, dog poo bag dispensers)	Outdoor furniture and associated structures in Council reserves, facilities and public places are fit-for-purpose, safe and well-maintained	Inspection and monitoring of outdoor furniture and associated structures to assess asset condition, performance and maintenance	All outdoor furniture and associated structures are compliant with Australian Standards and legislative requirements Inspection of approximately two civic and community facilities per month, and otherwise as required	Inspection and maintenance records	
			CRMs in relation to outdoor furniture and associated structures are investigated and action taken where practicable	CRMs are actioned in accordance with the Council's service standard	Review of CRM responses against the Council's service standard, monthly	

#	Category	Objectives	Strategies	Performance Targets	Performance Measures
20	Fencing, Retaining Walls and Associated Structures	Fencing, retaining walls and associated structures at Council reserves, facilities and public places are fit-for-purpose, safe and well-maintained	Inspection and monitoring of fencing, retaining walls and associated structures to assess asset condition, performance and maintenance	All fencing, retaining walls and associated structures are compliant with Australian Standards and legislative requirements Inspection of approximately two civic and community facilities per month, and otherwise as required	Inspection and maintenance records
			CRMs in relation to fencing, retaining walls and associated structures are investigated and action taken where practicable	CRMs are actioned in accordance with the Council's service standard	Review of CRM responses against the Council's service standard, monthly
21	Roadways, Car Parks and Paths	Roadways, car parks and paths at Council reserves, facilities and public places are fit-for purpose, safe and well-maintained	Regular inspections and monitoring of roadways, car parks and paths to assess asset condition, performance and maintenance	All newly constructed car parking is compliant with Australian Standards and legislative requirements, and is paved Inspection of approximately five civic and community facilities per month, and otherwise as required	Inspection and maintenance records
			Regular street sweeping of car parks and roadways (approximately every six weeks)	Implementation of inspection and monitoring regime and street sweeping program	
			CRMs in relation to roadways, car parks and paths are investigated and action taken where practicable	CRMs are actioned in accordance with the Council's service standard	Review of CRM responses against the Council's service standard, monthly

#	Category	Objectives	Strategies	Performance Targets	Performance Measures
22	Child Care Centre	<p>To provide quality and inclusive early childhood education and care services</p> <p>Child care centre facilities are fit-for-purpose, safe and well-maintained</p>	<p>Child care centre facilities and the delivery of services are managed in accordance with the Quality Improvement Plan (QIP), Strategic Plan and Business Plan for the Centre</p> <p>Implementation of the Early Years Learning Framework curriculum (or other approved learning framework)</p> <p>Ensuring Centre staff hold the necessary qualifications, accreditations, registrations and certifications (including, e.g., working with children, first aid, teacher registration)</p>	<p>Management of child care centre facilities and service delivery in accordance with the National Quality Framework (comprising the Education and Care Services National Law and the Education and Care Services National Regulations) and other relevant legislative requirements (including, e.g. food handling and safety, occupational health and safety, child safe environments)</p>	<p>Self-assessment and internal review of QIP (against the National Quality Standard), annually</p> <p>Assessment and rating against National Quality Standard by the Australian Children's Education & Care Quality Authority (ACECQA), three yearly</p>
			<p>Room and yard checks to ensure compliance, daily</p>	<p>Management of child care centre facilities and service delivery in accordance with the relevant legislative requirements relating to food handling and safety and occupational health and safety.</p>	<p>Internal OH&S Audit, quarterly</p> <p>Eastern Health Authority food safety audit, annually</p>
			<p>Child Care Centre & Pre-School Committee to provide feedback on the Centre's Strategic Plan and Business Plan, and to undertake general oversight of issues related to child welfare, programming and safety of the Centre</p>	<p>Management of child care centre facilities and service delivery in accordance with the Centre's Strategic Plan and Business Plan</p>	<p>Quarterly Committee report to the Council</p>
			<p>CRMs are investigated and action taken where practicable</p>	<p>CRMs in relation to the Child Care Centre are actioned in accordance with the service standard</p>	<p>Review of CRM response actions and timeframes by responsible officers, monthly</p>

Notes:

*See the Council's Strategic Management Plan *CityPlan 2030: Shaping Our Future*, for the Council's strategic objectives for the City.

'CRMs' – CRMs are Customer Requests logged in the Council's Customer Request Management System. CRMs are investigated and action taken where practicable (ie within Council budgetary limits, and in accordance with the Council's service standard and timeframe, for that category of request).

Further Information

For information on the Council's Community Land Management Plans, please visit www.npsp.sa.gov.au or phone 8366 4555.

You can also visit the Council's Customer Service Centre at the Norwood Town Hall, 175 The Parade, Norwood.

Additional Copies

The Community Land Management Plan: *Civic & Community Facilities* can be viewed online at www.npsp.sa.gov.au

Additional copies may also be obtained by:

- visiting Norwood Town Hall
- visiting any of the Council's Libraries
- emailing townhall@npsp.sa.gov.au
- contacting the Council on 8366 4555
- writing to the Council at PO Box 204, Kent Town SA 5074

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City of
**Norwood
Payneham
& St Peters**



Operational & Other Community Land

Community Land Management Plan



City of
Norwood
Payneham
& St Peters

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Adoption and Review

The Operational & Other Community Land Community Land Management Plan was adopted by the Council on 1 June 2020.

The Council will review this Plan within three years of the adoption date, or otherwise as required from time-to-time.



Operational & Other Community Land

This Community Land Management Plan has been prepared pursuant to Section 196 of the *Local Government Act 1999* (the Act).

Background

Councils hold a wide variety of property, including land that may not be broadly utilised by the general public, but which plays an important role in enabling the Council to carry out its operational functions. For instance, land which forms part of the Council's stormwater management system, which provides linkage between public spaces, or which provides screening for residential development adjacent to the public road network.

The Council has 26 pieces of operational land located throughout the City.

What land does this include?

An excerpt from the Council's Community Land Register listing all operational and other Community Land is contained within **Appendix A**.

Description

This category of Community Land incorporates all other Community Land held by the Council, aside from reserves and parks, sporting facilities, and civic and community facilities. This land is often comprised of small parcels of land that serve various operational purposes, including, e.g.:

- drainage reserves — this land forms part of the stormwater management system and acts to manage stormwater flows during storm events, it may contain drainage infrastructure or encompass a natural watercourse (e.g. Amherst Avenue Drainage Reserve or Turner Street Drainage Reserve);
- road 'buffer' and 'screening' reserves — this land acts as a barrier between privately-owned property and public roads to deflect noise and wind and to maintain visual amenity for adjacent landowners, and often includes vegetation as a natural screen (e.g. Lower Portrush Road Buffer Reserve); and
- land utilised for car parking (e.g. St Peters Street Car Park).

Operational and Other Community Land Map



Legend

1	Amherst Avenue Drainage Reserve
2	Breaker Street Drainage Reserve
3	Donegal Street Reserve
4	Felixstow Car Park
5	Lower Portrush Road Buffer Reserve No 1
6	Lower Portrush Road Buffer Reserve No 2
7	Lower Portrush Road Buffer Reserve No 3
8	Magdalen Street Drainage Reserve
9	Margaret Street and Hampden Street Drainage Reserve
10	Marian Road Drainage Reserve No 1
11	O G Road Car Park
12	O G Screening Reserve No 1
13	O G Screening Reserve No 2
14	Oxford Place Reserve
15	Pam Avenue Drainage Reserve
16	Payneham Drainage Reserve No 2
17	St Margarets Crescent Reserve No 1
18	St Margarets Crescent Reserve No 2
19	St Margarets Crescent Reserve No 3
20	St Peters Street Car Park
21	Third Avenue Drainage Reserve No 1
22	Third Creek Drainage Reserve No 4
23	Turner Street Buffer Reserve
24	Turner Street Drainage Reserve
25	Vogt Place Buffer Reserve
26	Webbe Street Car Park

Purpose of the Land

In general terms, operational and other Community Land is held by the Council for one or more of the following purposes:

- to protect and enhance the lifestyle, amenity and 'sense of place' in the City;
- to protect and enhance the natural environment, including areas of remnant vegetation, biodiversity and waterways and riparian zones;
- to act as part of the stormwater management system and manage stormwater flows throughout the City;
- to provide 'buffer' and 'screening' zones between private property and Council land or public roads; and
- to facilitate the provision of the Council's operational functions (including provision of car parking and infrastructure) across the City.

Key Management Objectives

The Council will seek to manage all Community Land in accordance with all applicable legislative requirements and all relevant Council policies, strategies and management plans (including the Council's Strategic Management Plan *CityPlan 2030*), as introduced or amended from time-to-time.

In addition, the Council will seek to manage all Community Land in accordance with the following key management objectives to:

- protect, enhance and expand public open space;
- maintain the quality and useability of open space over time;
- provide a range of services and facilities that benefit the City and cater to a variety of community needs (for ratepayers, residents and visitors);
- provide convenient and accessible public spaces for people of all ages, backgrounds and abilities;
- permit a broad range of land uses and activities in appropriate locations to promote dynamic community life within the City;
- protect and enhance the natural environment and promote sustainable and efficient management practices; and
- identify and pursue opportunities for more efficient, equitable and innovative use of Council land and facilities, taking into account changing community needs over time.

A Management Strategies table that contains the Council's specific objectives, strategies, performance targets and measures for management of operational and other Community Land (as required by Section 196(3) of the Act) is contained within **Appendix B**.

The categories included in the Management Strategies apply only to the extent that they are relevant to each parcel of land (for instance, the management objectives, strategies and targets relating to buildings or roadways may not apply to all operational and other Community Land).

Trusts, Dedications and Other Restrictions

Where Community Land is subject to a trust, dedication, reservation or other restriction that controls the use or management of that land, this information is included in the Community Land Register in **Appendix A**.

Leasing and Licensing

Pursuant to Section 202 of the Act, the following leasing and licensing arrangements are authorised for all operational and other Community Land (unless otherwise stated in this Plan):

Type of Arrangement	Length of Term	Authorised Uses
Leases (exclusive use)	Up to one year	Any use consistent with the Purpose of the Land set out in this Plan.
Licences (non-exclusive use)	Up to one year	Use of the land for a business purpose may be granted where it occurs on a single occasion or on a short-term basis (up to the maximum term length), subject to approval
Casual Hire (non-exclusive use)	Nil	Not Applicable.

Notes:

- All existing leases, licences and casual hire arrangements in place with respect to operational and other Community Land at the time of adoption of this Plan, are taken to be authorised for the purposes of this Plan
- Where a lease or licence is proposed to be granted for a term of more than five years, or where a use of Community Land outside the Authorised Uses is proposed, this will be at the Council's discretion in all respects, and the Council is required to comply with its public consultation policy pursuant to Section 202(3) of the Act.
- The Council can approve the use of Community Land for a business purpose in accordance with the provisions of this Community Land Management Plan, pursuant to Section 200 of the Act.

Appendix A

*Community Land Register
Operational and Other
Community Land*

#	Name of Land	Address of Land	Certificate of Title	Plan and Parcel	Notes	Lease / Licence*	Land area (approximate m ²)
1	Amherst Avenue Drainage Reserve	Lot 104 Amherst Avenue, Trinity Gardens SA 5068	5635/729	F216656 A104	Between 48 and 50 Amherst Ave and 49 and 51 Annesley Avenue		68
2	Breaker Street Drainage Reserve	Lot 1 and 2 Breaker Street, St Morris SA 5068	5290/534	F149500 Q1, Q2			328
		Lot 30A Hereford Avenue, Trinity Gardens SA 5068	5706/819	F217626 A90			
3	Donegal Street Reserve	Donegal Street, Norwood SA 5067	6183/172	F251739 A43			438
4	Felixstow Car Park	487 Payneham Road, Felixstow SA 5070	6106/107	F128115 A81	Also known as 'Glynde Corner Car Park'		995
5	Lower Portrush Road Buffer Reserve No 1	Lower Portrush Road, Marden SA 5070	5064/978	D32029 A42			13
6	Lower Portrush Road Buffer Reserve No 2	Lower Portrush Road, Marden SA 5070	5064/979	D32029 A43			135
7	Lower Portrush Road Buffer Reserve No 3	Lower Portrush Road, Marden SA 5070	5847/966	D56974 A55			128
8	Magdalen Street Drainage Reserve	Lot 65 Magdalen Street, College Park SA 5069	5798/338	F136516 A65	Between 1A and 3A Magdalen Street		87
9	Margaret Street and Hampden Street Drainage Reserve	Lot 91 and 17 Margaret Street, Firlie SA 5070	418/42 5867/111	D3212 A91 C21161 A11			1292
10	Marian Road Drainage Reserve No 1	Lot 20 Marian Road, Payneham South SA 5070	5479/345	D47195 A20			753
11	O G Road Car Park	Payneham Road, Felixstow SA 5070	Pt 5859/643	D58460 A100	Adjacent to Payneham Memorial Swimming Centre		2968
12	O G Screening Reserve No 1	O G Road, Felixstow SA 5070	5150/301	D37987 A99			110
13	O G Screening Reserve No 2	O G Road, Felixstow SA 5070	5150/300	D37987 A98			311

#	Name of Land	Address of Land	Certificate of Title	Plan and Parcel	Notes	Lease / Licence*	Land area (approximate m ²)
14	Oxford Place Reserve	Lot 7 Gray Street, Norwood SA 5067	5353/567	D45400 A105 D2788 A7			98
15	Pam Avenue Drainage Reserve	Lot 11 Pam Street, Firle SA 5070	5809/158 5809/159 2047/161	F218038 A140 F218039 A150 D5940 A11			660
16	Payneham Drainage Reserve No 2	Lot 2 Rosella Street, Payneham SA 5070	5557/18 2829/14	D49469 A2 D7014 A29	Payneham Drainage Reserve No 1 is held by the Council in Fee Simple (Public Road) (CT 546/58)		1,180
17	St Margarets Crescent Reserve No 1	Lot 23 Briar Road, Felixstow SA 5070	5061/745	D33115 A23			233
18	St Margarets Crescent Reserve No 2	Lot 25 St Margarets Crescent, Felixstow SA 5070	5061/747	D33115 A25			130
19	St Margarets Crescent Reserve No 3	Lot 24 St Margarets Crescent, Felixstow SA 5070	5061/746	D33115 A24			139
20	St Peters Street Car Park	1-3 and 5 St Peters Street, St Peters SA 5069	5441/169 5441/171 5440/496	F21849 A965 F21849 A964 F21849 A966	Across the street from St Peters Civic Centre Complex		968
21	Third Avenue Drainage Reserve No 1	Lot 96 Third Avenue, St Peters SA 5069	5814/424	F135747 A96	Between 65 and 67 Third Avenue		82
22	Third Creek Drainage Reserve No 4	Lot 100 Payneham Road and Lot 205, Cann Close, Felixstow SA 5070	Pt 5859/643 Pt 5386/506	D58460 A100 D42573 Q23	Reserve runs alongside Patterson Sportsground and over Turner Street, and joins Turner Street Drainage Reserve		5,264
23	Turner Street Buffer Reserve	Lot 202 Wisteria Grove, Felixstow SA 5070	5736/452	D54134 A204			20
24	Turner Street Drainage Reserve	Lot 205 Cann Close, Felixstow SA 5070	Pt 5386/506 5306/475	D42573 Q22 D42573 A205	Joins Third Creek Drainage Reserve No 4		2,764

#	Name of Land	Address of Land	Certificate of Title	Plan and Parcel	Notes	Lease / Licence*	Land area (approximate m ²)
25	Vogt Place Buffer Reserve	Lot 202 Wisteria Grove, Felixstow SA 5070	5736/451	D54134 A203			814
26	Webbe Street Car Park	Lot 115 Harris Street, Norwood SA 5067	6013/738	F47093 A141, 142	Adjacent to Norwood Town Hall Civic Centre		4,948
			6013/736	F47093 A115			
			6013/740	F47093 A190			
			6013/741	F47093 A195			
			6013/742	F47093 A196			
			6013/743	F47093 A199			
			6013/744	F47093 A1115			
			6013/737	F47093 A136			
			6013/735	F47093 A135			
				D756 A34			
			5731/290	D756 A32, A33			
			6013/736	F139677 A16			
			5775/590	F139267 A87			
			6025/377	F47093 A188			
			6013/734	D74380 A2			

Notes:

*For further details relating to a Lease or Licence, see the Council's Lease & Licence Register, available at: www.npsp.sa.gov.au
The information provided in this Register was correct at the time of publication.

Appendix B

*Management Strategies
Operational and Other
Community Land*

#	Category	Objectives	Strategies	Performance Targets	Performance Measures
1	Public Access	To provide reserves, facilities and spaces that are fit-for-purpose, safe, well-maintained and accessible for people of all ages, backgrounds and abilities*	Design and provide safe, high quality facilities and spaces	Achieve a resident satisfaction rating of 4.2 or above, and a business satisfaction rating of 3.8 or above in relation to public access to open space All upgrades and redevelopments are compliant with relevant legislation, strategies and standards relating to public access (including, e.g., Disability Discrimination Act 1992 (Cth), National Disability Strategy, Building Code of Australia, Australian Standards)	Community Survey (undertaken every two years) – level of resident satisfaction Audit of upgrades and redevelopments once completed
			Implement the Council’s Access & Inclusion Strategy and Access & Inclusion Policy (as amended from time-to-time)	Citizens of all ages and abilities have equitable access to building, open space and services available in the City	Annual reporting on Access & Inclusion Strategy
			Identify opportunities for accessible and inclusive elements in all Masterplans for upgrades and redevelopments of Council reserves, facilities and public places	All upgrades and redevelopments include accessible or inclusive elements	Review of Masterplans prior to Council endorsement
2	Cultural Vitality	Dynamic community life in public places and precincts*	Broaden the range of land uses and activities in appropriate locations	Achieve a rating of 4.2 or above out of 5.0 in the Council’s Community Surveys in relation to open space	Community Survey (undertaken every two years) – level of resident satisfaction
			Create and provide interesting and colourful public places to encourage interaction and gatherings		
			Host and facilitate community events and activities	Achieve at least 70% of residents attending a Council-run event in the Council’s Community Surveys	Community Survey (undertaken every two years) – level of resident satisfaction
			Value and promote the City’s rich cultural and built heritage*	Protect and enhance places, streetscapes, precincts and landmarks which reflect the built and cultural history of the City Promote the value of heritage protection through cultural heritage programs and events	Install a minimum of two historic plaques and signposts within the Council area, each financial year

#	Category	Objectives	Strategies	Performance Targets	Performance Measures
3	Economic Development	Cosmopolitan business precincts contributing to the prosperity of the City*	Promote use of Council reserves, facilities and public places to activate the surrounding precinct Promote the City as a tourist destination	Achieve an agreement rating from businesses of 3.2 or above out of 5.0 in the Council's Community Survey	Community Survey (undertaken every two years) – level of resident satisfaction
4	Environmental Sustainability	Sustainable and efficient management of water, waste, energy and other resources*	Investigate and implement innovative waste reduction initiatives Incorporate "zero waste" or low waste principles into community event planning Implement mechanisms to make better use of water resources including the harvesting and re-use of stormwater Implementation of the Eastern Regional Alliance (ERA) Waterproofing Eastern Adelaide Stormwater Harvesting and Re-Use Project Prioritise the purchase of recycled products and materials in the replacement or upgrade of Council assets in reserves, facilities and public places, for all relevant product types	Achieve a 2% increase in community recycling and green waste diverted from landfill from the 2015/2016 level across the City, each financial year Install recycling and/or food and garden organics bins at Council reserves, facilities and public places where practicable All community events held by the Council are "zero waste" Reduction in mains water usage Connection of all Council parks and reserves to the Council's recycled water supply Purchase corporate materials to comprise the equivalent of 10% of the weight of collected kerbside recyclables per annum (and increasing annually, until this reaches 50%) Reduce the amount of Corporate greenhouse gas emissions by 5% from the 2015/2016 level by 2020/2021 Achieve Resilient East tree canopy and water sensitive urban design (WSUD) targets	Tonnes of community recycling and green waste diverted from landfill as a percentage of the total waste collected, measured each financial year Number of recycling and food and garden organics bins installed per year Number of "zero waste" community events held by Council each year Volume of stormwater harvested each year Number of parks and reserves connected to the Council's recycled water supply Reporting requirements under LGA Circular Procurement Pilot Project Annual amount of greenhouse gas emissions generated by Corporate activities Tree planting data and installation of WSUD devices in reserves and public spaces
		Mitigating and adapting to the impacts of a changing climate*	Introduce climate change adaptation initiatives in Council-owned assets and public places where practicable		

#	Category	Objectives	Strategies	Performance Targets	Performance Measures
5	Public Amenity	All Council reserves and facilities maintained as smoke-free facilities	Educating the community about the Council's <i>Smoke-Free Policy</i>	No smoking in designated smoke-free areas in the City	Review of the number of complaints received regarding smoking in smoke-free areas annually
6	Leasing, Licensing and Casual Hire	Public and private use of Council reserves and facilities is managed in an equitable, efficient and consistent manner	<p>New leases and licences are assessed against a leasing and licensing strategy</p> <p>Maintenance of a Lease and Licence Register</p> <p>Community Land Management Plans regulate unauthorised uses and tenure for leasing and licensing of public open space and facilities.</p> <p>Regular inspections of leased / licensed / hired reserves and facilities to ensure compliance by users</p>	<p>Development of a leasing and licensing strategy for all Council owned properties</p> <p>All leases, licences and hire arrangements are up-to-date and compliant with relevant legislative requirements</p> <p>Leased / licensed / hired facilities are used in accordance with the terms of their lease / licence / hire arrangement</p>	<p>Adoption of a leasing and licensing strategy by the Council</p> <p>Review of Lease & Licence Register annually</p> <p>Inspection records for properties</p>
		Increased, varied and shared use of Council reserves and facilities through suitable occupancy arrangements	Explore opportunities for increased and varied use of Council reserves and facilities (both short-term and long-term)	Highest and best usage of all Council reserves and facilities	Annual review to determine usage and occupancy of Council reserves and facilities
				Development of a leasing and licensing strategy for all Council owned properties	Adoption of a leasing and licensing strategy by the Council
7	Urban Design	Pleasant, well designed and sustainable urban environments*	Encourage sustainable and quality urban design outcomes in all Council reserves and facilities	Achieve a satisfaction rating of 4.3 or above out of 5.0 with the character of the local area	Community Survey (undertaken every two years) – level of resident satisfaction
		Sustainable and attractive open spaces*	Maximise the extent of landscaping and green infrastructure utilised in Council reserves, facilities and public places (where practicable)	All upgrades and redevelopments of Council reserves, facilities and public places incorporate landscaping and/or green infrastructure elements	Audit of upgrades and redevelopments once completed

#	Category	Objectives	Strategies	Performance Targets	Performance Measures
8	Graffiti, Vandalism and Litter	Council reserves, facilities and public places are maintained free from graffiti, vandalism and litter in the interests of public amenity and safety	Provision of public waste bins at all Council reserves and facilities	No complaints regarding litter and provision of / access to public waste bins	Review of CRMs relating to litter and provision of/access to public waste bins
			Public waste bins are emptied in accordance with the Council’s service standard (frequency dependent upon location)		
			Explore options to implement ‘Smart City’ technology in relation to waste management in high usage areas		
			Community education regarding waste management and reporting of incidents of littering, graffiti and/or vandalism		
			CRMs in relation to graffiti, vandalism and litter are investigated and action taken where practicable (including reporting to the Police where required)		
Volunteer Graffiti Removal Program across the City (priority removal for offensive content)	Continued implementation of the Volunteer Graffiti Removal Program	Records of Graffiti Removal Program			
		Explore opportunities for urban design to reduce risk of graffiti and/or vandalism in upgrades or redevelopments of Council reserves, facilities and public places	All Masterplans for Council reserves, facilities and public places incorporate urban design that seeks to reduce the risk of graffiti and/or vandalism (where relevant)	Review of Masterplans prior to Council endorsement	
9	Animal Management	Animal management in Council reserves, facilities and public places is conducted in accordance with the objectives set out in the Council’s <i>2019–2024 Dog & Cat Management Plan</i>	As set out in the <i>2019–2024 Dog & Cat Management Plan</i> (as amended from time-to-time)	As set out in the <i>2019–2024 Dog & Cat Management Plan</i> (as amended from time-to-time)	As set out in the <i>2019–2024 Dog & Cat Management Plan</i> (as amended from time-to-time)

#	Category	Objectives	Strategies	Performance Targets	Performance Measures
10	Pest Control	To maintain public safety and amenity in Council reserves, facilities and public places	CRMs in relation to pest control are investigated and action taken where practicable	CRMs are actioned in accordance with the Council's service standard	Review of CRM responses against the Council's service standard, monthly
		To conduct pest control in an environmentally sustainable manner where practicable	Utilisation of environmentally sustainable pest control measures where practicable	Relocation of up to 50% of bee infestations at Council reserves, facilities and public places	Review of CRMs relating to bee infestations and action taken
11	Vegetation and Landscaping	Vegetation, landscaping and grassed areas at Council reserves, facilities and public places are fit-for-purpose, safe and well-maintained	Regular vegetation maintenance program at all Council reserves, facilities and public places (including, e.g., pruning, fertilising, irrigation, mulching, plant replacement) (frequency dependent upon type of vegetation)	Delivery of maintenance program Development of maintenance plans for all Council reserves and facilities upon completion of reserve upgrade or redevelopment	Inspection and maintenance records Number of maintenance plans developed
			CRMs in relation to vegetation and landscaping are investigated and action taken where practicable	CRMs are actioned in accordance with the Council's service standard	Review of CRM responses against the Council's service standard, monthly
		Thriving and healthy habitats for native flora and fauna*	Identify and protect remnant vegetation and enhance habitat quality	Undertake at least two initiatives to promote the value of native flora and fauna per year	Number of initiatives to promote and educate the community about the value of native flora and fauna, per year
			Establish a network of linked open spaces and wildlife corridors Revegetate designated areas with local native species Facilitate community participation and find opportunities to work with local community groups in relation to revegetation and biodiversity-related programs		
	Site management and maintenance of the St Peters Billabong to be conducted in accordance with any specific management plan for the Billabong, in connection with the Adelaide & Mount Lofty Ranges NRM Board (or other relevant body), as amended from time-to-time	St Peters Billabong is maintained in accordance with applicable management plan (if any)	Review of management and maintenance as required under plan (if any)		

#	Category	Objectives	Strategies	Performance Targets	Performance Measures
		Trees at Council reserves, facilities and public places are healthy, structurally sound and well-maintained	<p>Tree management program for selected trees in specified locations (including, e.g., adjacent high-usage Council facilities), with annual inspection and monitoring</p> <p>General inspection and monitoring of trees by a qualified arborist to assess tree condition and identify faults, dead trees or fallen branches (before programmed works, prior to major Council events, and otherwise as required)</p>	Continued implementation of tree management program and general inspection and monitoring regime	Inspection and monitoring records (annually or otherwise as required)
			Cataloguing of Council trees across the City (dependent upon availability of resources)	Development of a comprehensive register for all Council trees in the City	Register developed
			CRMs in relation to trees are investigated and action taken where practicable	CRMs are actioned in accordance with the Council's service standard	Review of CRM responses against the Council's service standard, monthly
12	Watercourses and Wetlands	Healthy and sustainable watercourses*	<p>Revegetate and restore natural watercourses</p> <p>Improve the water quality in our City's watercourses</p> <p>Encourage the capture and re-use of stormwater and reduce stormwater run-off</p>	Incorporate water sensitive urban design (WSUD)/stormwater capture and treatment considerations in at least two Council projects each year	Number of projects with WSUD/stormwater capture and treatment considerations er year
			General inspection and monitoring of reserves for watercourses and wetlands (where relevant)	Inspection of approximately five reserves per month, and otherwise as required	Inspection and maintenance records
			CRMs in relation to watercourses and wetlands are investigated and action taken where practicable	CRMs are actioned in accordance with the Council's service standard	Review of CRM responses against the Council's service standard, monthly

#	Category	Objectives	Strategies	Performance Targets	Performance Measures
13	Drainage and Stormwater Management	Healthy and sustainable watercourses*	Encourage the capture and re-use of stormwater and reduce stormwater run-off from Council reserves, facilities and public places	Incorporate water sensitive urban design (WSUD) / stormwater capture and treatment considerations in at least two (2) Council projects each year	Number of projects with WSUD/stormwater capture and treatment considerations per year
		To seek equitable flood protection across the City	<p>Development and review of the Flood Mapping and Management Strategy</p> <p>Implementation of the Stormwater Drainage Infrastructure and Asset Management Plan</p> <p>Implementation of the Council's 15-year Drainage Program across the City</p> <p>Implementation of an annual scheduled maintenance program for all side entry pits across the city</p> <p>Continued implementation of gross pollutant trap cleaning and inspection program for relevant creeks and rivers (frequency dependent upon rain events)</p>	<p>Reduction in local area flooding (particularly in high priority areas in the City, as identified in the Flood Mapping and Management Strategy)</p> <p>Trunk mains across the City are capable of transferring a 100-year flow</p>	<p>Number of reported incidents of local area flooding per storm event</p> <p>Review of Drainage Program annually in Budget process</p>
			CRMs in relation to drainage and stormwater management are investigated and action taken where practicable	CRMs are actioned in accordance with the Council's service standard	Review of CRM responses against the Council's service standard, monthly

#	Category	Objectives	Strategies	Performance Targets	Performance Measures
14	Irrigation	<p>Irrigation systems at Council reserves, facilities and public places are fit-for-purpose, safe and well-maintained</p> <p>Utilise best practice and sound horticultural principles to maximise efficient use of water</p>	<p>Irrigation of Council reserves, facilities and public places is managed in accordance with the Council's Irrigation Policy and Irrigation Management Plans</p>	<p>Irrigation of Council reserves, facilities and public places (where relevant) meets the Irrigated Public Open Space (IPOS) Code of Practice requirements and relevant legislative requirements</p>	<p>Review of water use and irrigation practices against IPOS Code of Practice, annually (or otherwise as required)</p>
			<p>Automatic or manual irrigation systems programmed to meet the needs of each area (including, e.g., soil type, grass type, use of area, water quality, climatic conditions)</p>		
			<p>Inspections and monitoring of irrigation systems to assess asset condition, performance and maintenance as required</p>	<p>Inspection of five parcels of operational and community land per month and otherwise as required</p>	<p>Inspection and maintenance records</p>
			<p>CRMs in relation to irrigation are investigated and action taken where practicable</p>	<p>CRMs are actioned in accordance with the Council's service standard</p>	<p>Review of CRM responses against the Council's service standard, monthly</p>
15	Public Lighting	<p>Council reserves, facilities and public places are lit for safety and amenity</p>	<p>Public lighting installed or upgraded to appropriate lighting levels where practicable (where Council responsible for lighting infrastructure)</p>	<p>Public lighting installed and maintained in accordance with Australian standards</p>	<p>Maintenance and upgrade records</p>
			<p>Use LED or energy efficient lighting where practicable</p>		
			<p>CRMs in relation to public lighting are investigated and action taken where practicable</p>	<p>CRMs are actioned in accordance with the Council's service standard</p>	<p>Review of CRM responses against the Council's service standard, monthly</p>

#	Category	Objectives	Strategies	Performance Targets	Performance Measures
16	Outdoor Furniture and Associated Structures (includes, e.g., seats, benches, tables, shelters, barbecues, litter bins, drinking fountains, signage, dog poo bag dispensers)	Outdoor furniture and associated structures in Council reserves, facilities and public places are fit-for-purpose, safe and well-maintained	Inspection and monitoring of outdoor furniture and associated structures to assess asset condition, performance and maintenance	All outdoor furniture and associated structures are compliant with Australian Standards and legislative requirements	Inspection and maintenance records
			CRMs in relation to outdoor furniture and associated structures are investigated and action taken where practicable	CRMs are actioned in accordance with the Council's service standard	Review of CRM responses against the Council's service standard, monthly
17	Fencing, Retaining Walls and Associated Structures	Fencing, retaining walls and associated structures at Council reserves, facilities and public places are fit-for-purpose, safe and well-maintained	Inspection and monitoring of fencing, retaining walls and associated structures to assess asset condition, performance and maintenance	All fencing, retaining walls and associated structures are compliant with Australian Standards and legislative requirements	Inspection and maintenance records
			CRMs in relation to fencing, retaining walls and associated structures are investigated and action taken where practicable	CRMs are actioned in accordance with the Council's service standard	Review of CRM responses against the Council's service standard, monthly
18	Roadways, Car Parks and Paths	Roadways, car parks and paths at Council reserves, facilities and public places are fit-for purpose, safe and well-maintained	Regular inspections and monitoring of roadways, car parks and paths to assess asset condition, performance and maintenance	All newly constructed car parking is compliant with Australian Standards and legislative requirements, and is paved	Inspection and maintenance records
			Regular street sweeping of car parks and roadways (approximately every six weeks)	Implementation of inspection and monitoring regime and street sweeping program	
			CRMs in relation to roadways, car parks and paths are investigated and action taken where practicable	CRMs are actioned in accordance with the Council's service standard	Review of CRM responses against the Council's service standard, monthly

Notes:

*See the Council's Strategic Management Plan *CityPlan 2030: Shaping Our Future*, for the Council's strategic objectives for the City.

'CRMs' – CRMs are Customer Requests logged in the Council's Customer Request Management System. CRMs are investigated and action taken where practicable (ie within Council budgetary limits, and in accordance with the Council's service standard and timeframe, for that category of request).

Further Information

For information on the Council's Community Land Management Plans, please visit www.npsp.sa.gov.au or phone 8366 4555.

You can also visit the Council's Customer Service Centre at the Norwood Town Hall, 175 The Parade, Norwood.

Additional Copies

The Community Land Management Plan: *Operational & Other Community Land* can be viewed online at www.npsp.sa.gov.au

Additional copies may also be obtained by:

- visiting Norwood Town Hall
- visiting any of the Council's Libraries
- emailing townhall@npsp.sa.gov.au
- contacting the Council on 8366 4555
- writing to the Council at PO Box 204, Kent Town SA 5074

City of Norwood Payneham & St Peters
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Website www.npsp.sa.gov.au



City of
**Norwood
Payneham
& St Peters**

Attachment B

Review of Community Land Management Plans

City of Norwood Payneham & St Peters
175 The Parade, Norwood SA 5067

Telephone 8366 4555
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City of
**Norwood
Payneham
& St Peters**

REVIEW OF COMMUNITY LAND MANAGEMENT PLANS – PROPOSED AMENDMENTS

STRATEGIC OVERVIEW		
Page no.	Proposed amendment	Comments
4	<p>Legislative and Strategic Framework</p> <p>Asset Management Plans</p> <p>The Council maintains the following Asset Management Plans:</p> <ul style="list-style-type: none"> • Buildings Infrastructure Asset Management Plan • Civil Infrastructure Asset Management Plan • Stormwater Management Infrastructure Asset Management Plan • Recreation and Open Space Infrastructure Asset Management Plan 	References to Asset Management Plans updated.
4	<p>Other Strategies and Plans</p> <p>A variety of other strategies and plans are in place to provide direction for the development and use of key Council assets which are often situated on Community Land including, for example, the Council's <i>Open Space Strategy</i>, <i>Smart City Plan</i>, <i>Access and Inclusion Plan</i>, <i>Swimming Centres Long-Term Strategy</i>, <i>Playgrounds Strategy</i> and <i>Tennis Facilities Strategy</i>.</p>	Included references to new City-wide strategies (e.g. the <i>Smart City Plan</i>).
5	<p>State Government Legislation</p> <p>Replace <i>Development Act 1993</i> with <i>Planning, Development & Infrastructure Act 2016</i></p> <p>Replace <i>Norwood Payneham & St Peters (City) Development Plan</i> with <i>Planning & Design Code</i></p> <p>City of NPSP</p> <p>Replace 'Open Space Strategy' with 'Long-Term Financial Plan' in infographic.</p>	Updated references to legislation and Council strategic plans.
14	<p>Community Land Register</p> <p>17 Cruickshank Reserve</p>	To correct spelling of Reserve name.

PARKS & RESERVES		
Page no.	Proposed amendment	Comments
5	<p>Strategic Management Proposals</p> <p>Park / Reserve: Burchell Reserve</p> <p>Management Proposal: Masterplan and Construction</p> <p>Objective: Upgrade of reserve including community tennis courts, seating, toilets and landscaping</p>	Project updated from the Council's <i>Annual Business Plan 2021-2022</i> .
5	<p>Strategic Management Proposals</p> <p>Park / Reserve: River Torrens Linear Park</p> <p>Management Proposal: Construction</p> <p>Objective: Upgrade of shared path (Stage 2) between the intersection of Battams Road / Ninth Street, Royston Park and Twelftree Reserve, College Park</p>	Project added from the Council's <i>Annual Business Plan 2021-2022</i> .
5	<p>Strategic Management Proposals</p> <p>Park / Reserve: Dunstan Adventure Playground</p> <p>Management Proposal: Masterplan and Construction</p> <p>Objective: Upgrade of reserve including existing playground and carpark and new toilet facilities</p>	Project updated from the Council's <i>Annual Business Plan 2021-2022</i> .
7	<p>Leasing and Licensing</p> <p>Type of Arrangement: Leases (exclusive use) <u>(new line)</u></p> <p>Length of Term: Up to 15 years (Five + Five + Five)</p> <p>Authorised Uses: Car parks on any of the land included in this Plan may be used on a commercial basis for the provision of publicly accessible electric vehicle charging stations.</p> <p>In the case of dedicated Crown land, the lease must be consistent with the dedicated purpose of that land.</p>	Added to enable the Council to enter into Lease arrangements with providers of publicly accessible electric vehicle charging stations as per the Council's recent tender process and in line with the Council's strategic objectives in <i>CityPlan 2030</i> and the <i>Smart City Plan</i> .
7	<p>Notes</p> <p>Amend and add reference to easement dealing number:</p> <ul style="list-style-type: none"> The land comprising Arabella Court Reserve, Marden (contained within Certificate of Title Volume 6190 Folio 522) is subject to an Easement over the land marked 'A' on D114413 for eaves and gutters (TG13348364). 	Updated to refer to LTO dealing number following registration of easement.

11	<p><u>Linde Reserve</u></p> <p>Management of the Land</p> <p>Leasing and Licensing</p> <p>Type of Arrangement: Leases (exclusive use) <u>(new line)</u></p> <p>Length of Term: Up to 15 years (Five + Five + Five)</p> <p>Authorised Uses: Car parks at Linde Reserve may be used on a commercial basis for the provision of publicly accessible electric vehicle charging stations.</p>	<p>Added to enable the Council to enter into Lease arrangements with providers of publicly accessible electric vehicle charging stations as detailed above.</p>
16	<p><u>Felixstow Reserve</u></p> <p>Purpose of the Land</p> <ul style="list-style-type: none"> • provide opportunities for informal recreational, community and sporting activities; 	<p>Amended to remove reference to 'formal' sporting activities. See further comments below.</p>
17	<p><u>Felixstow Reserve</u></p> <p>Management of the Land</p> <p>Leasing and Licensing</p> <p>Type of Arrangement: Leases (exclusive use) <u>(new line)</u></p> <p>Length of Term: Up to 15 years (Five + Five + Five)</p> <p>Authorised Uses: Car parks at Felixstow Reserve may be used on a commercial basis for the provision of publicly accessible electric vehicle charging stations.</p>	<p>Added to enable the Council to enter into Lease arrangements with providers of publicly accessible electric vehicle charging stations as detailed above.</p>
	<p>Type of Arrangement: Licences <u>(new line)</u></p> <p>Length of Term: Up to 42 years (21 + 21)</p> <p>Authorised Uses: The wetlands may be licensed for the authorised term.</p> <p>Access for use, monitoring and maintenance of the wetlands and associated infrastructure in connection with the 'Waterproofing Eastern Adelaide' stormwater harvesting project.</p>	<p>Authorised Licences updated to include the existing Licence between the Council and ERA Water for management of the wetlands.</p>
	<p>Type of Arrangement: Licences & Casual Hire</p> <p>Authorised Uses: Any use consistent with the Purpose of the Land set out in this Plan. Organised sport is not permitted.</p> <p>Use of the Land for a business purpose may be granted where it occurs on a single occasion or on a short-term basis (up to the maximum term length), subject to approval.</p>	<p>Authorised uses amended to provide that organised sporting activities are not permitted at the Reserve.</p>

23	<p><u>St Peters River Park</u></p> <p>Management of the Land</p> <p>Leasing and Licensing</p> <p>Type of Arrangement: Leases (exclusive use) <u>(new line)</u></p> <p>Length of Term: Up to 15 years (Five + Five + Five)</p> <p>Authorised Uses: Car parks at St Peters River Park may be used on a commercial basis for the provision of publicly accessible electric vehicle charging stations.</p>	<p>Added to enable the Council to enter into Lease arrangements with providers of publicly accessible electric vehicle charging stations as detailed above.</p>
30	<p>Community Land Register</p> <p>17 Cruickshank Reserve</p>	<p>To correct spelling of Reserve name.</p>

SPORTING FACILITIES		
Page no.	Proposed amendment	Comments
7	<p>Leasing and Licensing</p> <p>Type of Arrangement: Leases (exclusive use)</p> <p>Length of Term: Up to ten years (Five + five)</p> <p>Authorised Uses: BATTERY Sportsground (Croquet Green and Clubrooms), Trinity Gardens Soldiers' Memorial Reserve (Bowling Green and Clubrooms), Patterson Sportsground (Clubrooms) and Payneham Oval (Clubrooms) may be leased for any use consistent with the Purpose of the Land set out in this Plan.</p> <p>Any lease of Norwood Oval may permit business operations where such operations are directed towards and consistent with the Purpose of the Land set out in this Plan.</p>	<p>Updated to provide for Leases of the <u>Clubrooms</u> at Patterson Sportsground and Payneham Oval and Licences of the <u>Playing Field / Oval</u> at each facility. Also updated to provide the same term length for Leases and Licences of those facilities.</p> <p>This reflects existing arrangements with Sports Clubs at these facilities.</p> <p>Added wording to expressly authorise business operations at Norwood Oval by the Norwood Football Club where these operations are directed towards and consistent with the purpose of the land (i.e. to provide an oval for AFL and for recreational, community and sporting activities).</p>
	<p>Type of Arrangement: Leases (exclusive use) <u>(new line)</u></p> <p>Length of Term: Up to 15 years (Five + Five + Five)</p> <p>Authorised Uses: Car parks on any of the land included in this Plan may be used on a commercial basis for the provision of publicly accessible electric vehicle charging stations.</p>	<p>Added a provision to enable the Council to enter into Lease arrangements with providers of publicly accessible electric vehicle charging stations as set out above.</p>
	<p>Type of Arrangement: Licences (non-exclusive use) <u>(new line)</u></p> <p>Length of Term: Up to ten years (Five + five)</p> <p>Authorised Uses: Patterson Sportsground (Playing Field) and Payneham Oval (Oval) may be licensed for the authorised term.</p> <p>Any use consistent with the Purpose of the Land set out in this Plan.</p>	<p>Updated to provide for Leases of the <u>Clubrooms</u> at Patterson Sportsground and Payneham Oval and Licences of the <u>Playing Field / Oval</u> at each facility. Also updated to provide the same term length for Leases and Licences of those facilities.</p> <p>This reflects existing arrangements with Sports Clubs at these facilities.</p>

	<p>Type of Arrangement: Licences (non-exclusive use) (new line)</p> <p>Length of Term: Up to 20 years (Ten + ten)</p> <p>Authorised Uses: Buttery Sportsground (Tennis Courts) may be licensed for the authorised term.</p> <p>Any use consistent with the Purpose of the Land set out in this Plan.</p>	<p>Added a provision to enable licensing of the Buttery Sportsground Tennis Courts for a term of 10 + 10 years, to reflect the proposed Licence arrangement between the Norwood Tennis Club and Prince Alfred College for use of the Courts under the Club's Lease.</p>
8	<p>Norwood Oval</p> <p>Following a major redevelopment completed in September 2020, Norwood Oval includes the following facilities:</p> <ul style="list-style-type: none"> • State-level grass oval • Sir Edwin T Smith Pavilion (including home team change rooms, gymnasium, public amenities, offices and merchandise outlet) • Members' facilities (including function centre, Premier's Bar, public amenities and kitchen) • Western Stand (including Mayor's Parlour, unisex away change rooms) • Cooper's Hill viewing area • Brick ticket office on the promenade • Car park 	<p>Description updated to reflect the completion of the recent redevelopment of the facilities at Norwood Oval.</p>
11	<p>Norwood Oval</p> <p>Leasing and Licensing</p> <p>Type of Arrangement: Leases (exclusive use)</p> <p>Length of Term: Up to ten years (Five + five)</p> <p>Authorised Uses: Any lease of Norwood Oval may permit business operations where such operations are directed towards and consistent with the Purpose of the Land set out in this Plan.</p>	<p>Added wording (as above) to expressly authorise business operations at Norwood Oval by the Norwood Football Club where these operations are directed towards and consistent with the purpose of the land (i.e. to provide an oval for AFL and for recreational, community and sporting activities).</p>
13	<p>Norwood Oval</p> <p>History of the Land</p> <p>The Council partnered with the Norwood Football Club to deliver the project, which included new members' facilities within the newly named 'Wolf Blass Community Centre', following a significant donation to the Club from winemaker and Club benefactor, Wolf Blass, towards the project. In particular, the upgrade included a new 180-seat capacity function centre and the Premier's Bar, together with upgrades to change rooms and amenities, including new unisex away change rooms to accommodate the growing AFL Women's League.</p> <p>The redevelopment has substantially improved the quality and diversity of the facilities at Norwood Oval and will meet the needs and expectations of current and future</p>	<p>Updated second to last paragraph to reflect recent redevelopment of the facilities at Norwood Oval.</p>

	players and officials, particularly as female participation in football continues to grow.	
15	<p>Payneham Oval</p> <p>The oval includes the following facilities:</p> <ul style="list-style-type: none"> • Regional-level grass oval • Practice cricket pitch enclosure • Clubrooms (including access lift, accessible toilets and unisex change rooms) • Six tennis courts • Play equipment • Basketball ring • Public toilets, barbeque and seating • Car park 	Description updated to reflect recent upgrades to Payneham Oval Clubrooms and Tennis Courts.
17	<p>Payneham Oval</p> <p>Leasing and Licensing</p> <p>Type of Arrangement: Leases (exclusive use)</p> <p>Length of Term: Up to ten years (Five + five)</p> <p>Authorised Uses: The clubrooms may be leased.</p> <p>Any use consistent with the Purpose of the Land set out in this Plan.</p>	Updated to remove reference to leasing of the Oval.
	<p>Type of Arrangement: Leases (exclusive use) (<u>new line</u>)</p> <p>Length of Term: Up to 15 years (Five + Five + Five)</p> <p>Authorised Uses: Car parks at Payneham Oval may be used on a commercial basis for the provision of publicly accessible electric vehicle charging stations.</p>	Added a provision to enable the Council to enter into Lease arrangements with providers of publicly accessible electric vehicle charging stations as set out above.
	<p>Type of Arrangement: Leases (exclusive use)</p> <p>Length of Term: Up to 20 years</p> <p>Authorised Uses: The Payneham Oval Tennis Courts may be leased.</p> <p>Any use consistent with the Purpose of the Land set out in this Plan, and in accordance with the Council's <i>Tennis Facilities Policy</i> (as amended from time-to-time).</p>	Added reference to the Council's <i>Tennis Facilities Policy</i> in relation to the Lease of the Payneham Oval Tennis Courts.
	<p>Type of Arrangement: Licences (non-exclusive use)</p> <p>Length of Term: Up to ten years (Five + five) (<u>new line</u>)</p> <p>Authorised Uses: The oval may be licensed for the authorised term.</p> <p>Any use consistent with the Purpose of the Land set out in this Plan.</p>	Updated to enable licencing of the Oval for the same term length as leases of the Clubrooms.

19	<p>Payneham Oval</p> <p>History of the Land</p> <p>Upgrading the Payneham Oval clubrooms formed Stage 2 of the redevelopment of the Payneham Oval Complex, with Stage 1 comprising the new playground completed in August 2015. The upgrade of the clubrooms included upgrades to the existing building and the installation of an access lift, accessible toilets, new unisex change rooms, new air conditioning, improved lighting and solar panels. The clubrooms upgrade was completed over 2019-2020.</p> <p>In 2020-2021, the tennis facilities at Payneham Oval were upgraded, including the construction of six new tennis courts, lighting, seating and a court booking system for public use. The upgrade will provide modern playing facilities for the community and the East Adelaide Payneham Tennis Club for the next 20 years.</p>	Updated final paragraph to reflect recent upgrades to Payneham Oval Clubrooms and Tennis Courts.
29	<p>Payneham Memorial Swimming Centre</p> <p>Type of Arrangement: Leases (exclusive use)</p> <p>Length of Term: Up to 15 years (Five + Five + Five)</p> <p>Authorised Uses: Car parks on any of the land included in this Plan may be used on a commercial basis for the provision of publicly accessible electric vehicle charging stations.</p>	Added a provision to enable the Council to enter into Lease arrangements with providers of publicly accessible electric vehicle charging stations as set out above.

CIVIC & COMMUNITY FACILITIES		
Page no.	Proposed amendment	Comments
5	<p>Strategic Management Proposals</p> <p>Facility: Norwood Town Hall Civic Centre</p> <p>Management Proposal: Feasibility Study and Masterplan</p> <p>Objective: Refurbishment of the Norwood Concert Hall, dependent upon the Council's decision on the location of the Norwood Library.</p> <hr/> <p>Facility: Norwood Institute Building</p> <p>Management Proposal: Feasibility Study and Masterplan</p> <p>Objective: Redevelopment of the Norwood Library in its present location or relocation to the Norwood Town Hall Civic Centre.</p>	<p>Project updated from the Council's <i>Long-Term Financial Plan</i>.</p>
7	<p>Leasing and Licensing</p> <p>Type of Arrangement: Leases (exclusive use)</p> <p>Length of Term: Up to five years</p> <p>Authorised Uses: The following land may be leased: Beulah Road Community Hall, Norwood Institute Building (excluding the Norwood Library), Payneham Senior Citizens Centre, Payneham Youth Centre, St Peters Civic Centre Complex (Units 3 and 4), St Peters Rotary Club Shed and the Norwood Town Hall Civic Centre (49 George Street premises), for any use consistent with the Purpose of the Land set out in this Plan.</p> <p>Units 3 and 4 within the St Peters Civic Centre Complex and the 49 George Street premises at the Norwood Town Hall Civic Centre may be leased on a commercial basis, for any use consistent with the Purpose of the land set out in this Plan.</p>	<p>Made provision for the 49 George Street premises to be leased on a commercial basis, as per the Council's recent Expression of Interest process to lease this premises on a commercial basis.</p>
	<p>Type of Arrangement: Leases (exclusive use) <u>(new line)</u></p> <p>Length of Term: Up to 15 years (Five + Five + Five)</p> <p>Authorised Uses: Car parks on any of the land included in this Plan may be used on a commercial basis for the provision of publicly accessible electric vehicle charging stations.</p>	<p>Added a provision to enable the Council to enter into Lease arrangements with providers of publicly accessible electric vehicle charging stations as set out above.</p>

OPERATIONAL & OTHER COMMUNITY LAND		
Page no.	Proposed amendment	Comments
5	<p>Leasing and Licensing</p> <p>Type of Arrangement: Leases (exclusive use) <u>(new line)</u></p> <p>Length of Term: Up to 15 years (Five + Five + Five)</p> <p>Authorised Uses: Car parks on any of the land included in this Plan may be used on a commercial basis for the provision of publicly accessible electric vehicle charging stations.</p>	<p>Added a provision to enable the Council to enter into Lease arrangements with providers of publicly accessible electric vehicle charging stations as set out above.</p>

Attachment C

Review of Community Land Management Plans

City of Norwood Payneham & St Peters
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City of
**Norwood
Payneham
& St Peters**

PARKS & RESERVES

#	Category	Objectives	Strategies	Performance Targets	Performance Measures
1	Public Access and Mobility	Provide facilities and spaces that are fit-for-purpose, safe, well-maintained and accessible for people of all ages, backgrounds and abilities	Design and provide safe, high quality facilities and spaces for all people	Achieve a resident perception rating higher than the average from the previous four Council Community Surveys for the level of community satisfaction with the access to services and facilities.	Community Survey (undertaken every two (2) years) – level of resident satisfaction
			Provide safe and accessible movement for all people	All upgrades and redevelopments are compliant with relevant legislation, strategy and standards relating to public access (including, eg, <i>Disability Discrimination Act 1992 (Cth)</i> , <i>National Disability Strategy</i> , <i>Building Code of Australia</i> , <i>Australian Standards</i>)	Audit of upgrades and redevelopments once completed
			Implement the Council's Access & Inclusion Strategy and Access & Inclusion Policy (as amended from time-to-time)	Citizens of all ages and abilities have equitable access to building, open space and services in the City	Annual reporting on <i>Access & Inclusion Strategy</i>
		Identify opportunities for accessible and inclusive elements in all Master Plans for upgrades and redevelopments of Council reserves, facilities and public places	All upgrades and redevelopments include accessible or inclusive elements	Review of Master Plans prior to Council endorsement	
		Improve smart mobility options / outcomes in Council reserves, facilities and public places	Explore opportunities to improve city parking with smart technology	Consider and incorporate smart technology and smart mobility options in upgrades of Council reserves, facilities and public place upgrades (where practicable)	Performance measures as per the Council's Smart City Implementation Strategy and Smart City Action Plan (as amended from time-to-time)
			Facilitate smart mobility options (e.g. micro-mobility, active travel, green transport)	Targets otherwise as outlined in the Council's Smart City Implementation	

COMMUNITY LAND MANAGEMENT PLANS – MANAGEMENT STRATEGIES TABLE – PROPOSED AMENDMENTS

#	Category	Objectives	Strategies	Performance Targets	Performance Measures
				Strategy and Smart City Action Plan (as amended from time-to-time)	
			Facilitate uptake of electric vehicles (EV) and roll-out of EV charging infrastructure	Enter into arrangements with up to two (2) private sector proponents to install a maximum of 16 publicly accessible electric vehicle (EV) charging stations at key locations across the City over the period 2021-2036, with a minimum of two (2) charging stations installed within the period 2021-2023.	Number of EV charging stations installed in 2021-2023 and 2021-2036
2	Cultural Vitality	Dynamic community life in public places and precincts*	Facilitate a mix of land uses and activities in appropriate locations in balance with amenity and character	Undertake the design or upgrade of at least one public space per annum	The number of designs or upgrades undertaken to community spaces by the Council
			Create and provide interesting and vibrant public spaces to encourage interaction and gatherings		
		Host and facilitate community events and activities	Hold a minimum of six major community events per year	The number of community events held	
		Value and promote the City's rich cultural and built heritage*	Protect and enhance places, streetscapes, precincts and landmarks which reflect the built and cultural history of our City	Achieve a resident perception rating higher than the average from the previous four Council community surveys for the level of community satisfaction with cultural heritage programs provided by the Council	Community Survey undertaken by the Council every two years
3	Economic Development	Cosmopolitan business precincts contributing to	Promote use of Council reserves, facilities and public places to activate the surrounding precinct	Year-on-year increase in the number of business promotional initiatives held	The number of promotional initiatives

COMMUNITY LAND MANAGEMENT PLANS – MANAGEMENT STRATEGIES TABLE – PROPOSED AMENDMENTS

#	Category	Objectives	Strategies	Performance Targets	Performance Measures
		the prosperity of the City*	Promote the City as a visitor destination		undertaken by the Council
4	Environmental Sustainability	Sustainable and efficient management of resources*	Investigate and implement innovative waste reduction and education initiatives	<p>Year-on-year increase in community recycling and green waste diverted from landfill across the City</p> <p>Install recycling and/or food and garden organics bins at Council reserves, facilities and public places where practicable</p>	<p>Tonnes of community recycling and green waste diverted from landfill as a percentage of the total waste collected, measured each financial year</p> <p>Number of recycling and food and garden organics bins installed per year</p>
			Incorporate “zero waste” or low waste principles into community event planning	All community events held by the Council are “zero waste”	Number of “zero waste” community events held by Council each year
			Prioritise the purchase of recycled products and materials in the replacement or upgrade of Council assets in reserves, facilities and public places, for all relevant product types	Year-on-year increase in corporate purchases of products of materials that contain recycled content	The weight (tonnes) of recycled content purchased by the Council, as reported under the LGA Circular Procurement Pilot Project
		Mitigating and adapting to the impacts of climate change*	Undertake climate change adaptation initiatives for our assets, public spaces, services and operations	Achieve a resident perception rating higher than the average from the previous four Council Community Surveys for the level of community satisfaction with the Council's response to climate change	Community Survey undertaken by the Council every two years

COMMUNITY LAND MANAGEMENT PLANS – MANAGEMENT STRATEGIES TABLE – PROPOSED AMENDMENTS

#	Category	Objectives	Strategies	Performance Targets	Performance Measures
			Implement actions from the Resilient East Action Plan 2020-2025	Refer to timeframes for actions in the Action Plan	Resilient East reporting on Action Plan each financial year
5	Public Amenity	All Council reserves and facilities maintained as smoke-free facilities	Educating the community about the Council's Smoke-Free Policy	No smoking in smoke-free areas	Review of the number of complaints received regarding smoking in smoke-free areas annually
		Improve the usage and amenity of public and green spaces	<p>Integrate digital technology into parks and green spaces to improve amenity, sustainability and safety</p> <p>Leverage smart data collection to improve planning and management of parks and public space</p> <p>Investigate the usage of smart sensors to enhance the collection and activation of data to improve public asset management</p>	<p>Consider and incorporate digital and smart technology in upgrades of Council reserves, facilities and public place upgrades (where practicable)</p> <p>Targets otherwise as outlined in the Council's Smart City Implementation Strategy and Smart City Action Plan (as amended from time-to-time)</p> <p>Performance measures as per the Council's Smart City Implementation Strategy and Smart City Action Plan (as amended from time-to-time)</p>	Performance measures as per the Council's Smart City Implementation Strategy and Smart City Action Plan (as amended from time-to-time)
6	Leasing, Licensing & Casual Hire	Public and private use of Council reserves and facilities is managed in an equitable, efficient and consistent manner	<p>New leases and licences are assessed against a leasing and licensing strategy</p> <p>Maintenance of a Lease and Licence Register</p> <p>Community Land Management Plans prevent long-term leasing</p>	<p>Development of a leasing and licensing policy framework for the City</p> <p>All leases, licences and hire arrangements are up-to-date and compliant with relevant legislative requirements</p>	<p>Adoption of a leasing and licensing policy framework by the Council</p> <p>Review of Lease & Licence Register annually</p>

COMMUNITY LAND MANAGEMENT PLANS – MANAGEMENT STRATEGIES TABLE – PROPOSED AMENDMENTS

#	Category	Objectives	Strategies	Performance Targets	Performance Measures
			<p>of public open space and facilities</p> <p>Regular inspections of leased / licensed / hired reserves and facilities to ensure compliance by users</p>	<p>Leased / licensed / hired facilities are used in accordance with the terms of their lease / licence / hire arrangement</p>	<p>Inspection records for properties</p>
		<p>Increased, varied and shared use of Council reserves and facilities through suitable occupancy arrangements</p>	<p>Explore opportunities for increased and varied use of Council reserves and facilities (both short-term and long-term)</p>	<p>Highest and best usage of all Council reserves and facilities</p> <p>Development of a leasing and licensing strategy for the City</p>	<p>Annual review to determine usage and occupancy of Council reserves and facilities</p> <p>Adoption of a leasing and licensing strategy by the Council</p>
7	Urban Design	<p>Pleasant, well designed and sustainable urban environments*</p>	<p>Encourage sustainable and quality urban design outcomes in all Council reserves and facilities</p> <p>Maximise the extent of green landscaping provided in new development and in the public realm</p>	<p>Undertake the design or upgrade of at least one public space per annum</p>	<p>The number of designs or upgrades undertaken to community spaces by the Council</p>
		<p>Sustainable streets and open spaces*</p>	<p>Protect, enhance and expand public open space</p> <p>Integrate green infrastructure into streetscapes and public spaces</p>	<p>All upgrades and redevelopments of Council reserves, facilities and public places incorporate landscaping and/or green infrastructure elements</p>	<p>Audit of upgrades and redevelopments once completed</p>

COMMUNITY LAND MANAGEMENT PLANS – MANAGEMENT STRATEGIES TABLE – PROPOSED AMENDMENTS

#	Category	Objectives	Strategies	Performance Targets	Performance Measures
8	Public Art	To create an artistic, creative, cultural and visually interesting City*	Facilitate public arts projects through the Council's Public Art Program, in accordance with the Council's Public Art Policy	Public artwork included in all major Council projects, where practicable	Number of major projects incorporating public artwork each year
			Include funding for development and design of public artwork in all major Council projects		
			Continued implementation of the Council's Quadrennial Public Art Program	Commission a major public artwork every four (4) years	Major public artwork installed every four (4) years
9	Graffiti, Vandalism & Litter	Council reserves, facilities and public places are maintained free from graffiti, vandalism and litter in the interests of public amenity and safety	Provision of public waste bins at all Council reserves and facilities	No complaints regarding litter and provision of / access to public waste bins	Review of CRMs relating to litter and provision of / access to public waste bins
			Public waste bins are emptied in accordance with the Council's service standard (frequency dependent upon location)		
			Community education regarding waste management and reporting of incidents of littering, graffiti and/or vandalism		
			General inspection and monitoring of reserves	Inspection of approximately (5) reserves per month, and otherwise as required	Inspection and maintenance records
			CRMs in relation to graffiti, vandalism and litter are investigated and action taken where practicable (including reporting to the Police where required)	CRMs are actioned in accordance with the Council's service standard	Review of CRM responses against the Council's service standard, monthly

COMMUNITY LAND MANAGEMENT PLANS – MANAGEMENT STRATEGIES TABLE – PROPOSED AMENDMENTS

#	Category	Objectives	Strategies	Performance Targets	Performance Measures
			Volunteer Graffiti Removal Program across the City (priority removal for offensive content)	Continued implementation of the Volunteer Graffiti Removal Program	Records of Graffiti Removal Program
			Explore opportunities for urban design to reduce risk of graffiti and/or vandalism in upgrades or redevelopments of Council reserves, facilities and public places	All Master Plans for Council reserves, facilities and public places incorporate urban design that seeks to reduce the risk of graffiti and/or vandalism (where relevant)	Review of Master Plans prior to Council endorsement
10	Animal Management	Animal management in Council reserves, facilities and public places is conducted in accordance with the objectives set out in the Council's <i>2019-2024 Dog & Cat Management Plan</i>	As set out in the Council's <i>2019-2024 Dog & Cat Management Plan</i> (as amended from time-to-time)	As set out in the Council's <i>2019-2024 Dog & Cat Management Plan</i> (as amended from time-to-time)	As set out in the Council's <i>2019-2024 Dog & Cat Management Plan</i> (as amended from time-to-time)
11	Pest Control	To maintain public safety and amenity in Council reserves, facilities and public places	<p>General inspection and monitoring of reserves</p> <p>Annual termite inspections of Council buildings</p> <p>Treatment of pest infestations if and when they arise (eg, bees, ant, cockroach, rodents, possums, pigeons, fruit fly)</p> <p>CRMs are investigated and action taken where practicable</p>	<p>Inspection of approximately (5) reserves per month, and otherwise as required</p> <p>CRMs are actioned in accordance with the Council's service standard</p>	<p>Inspection and maintenance records</p> <p>Review of CRM responses against the Council's service standard, monthly</p>

COMMUNITY LAND MANAGEMENT PLANS – MANAGEMENT STRATEGIES TABLE – PROPOSED AMENDMENTS

#	Category	Objectives	Strategies	Performance Targets	Performance Measures
		To conduct pest control in an environmentally sustainable manner where practicable	Utilisation of environmentally sustainable pest control measures where practicable	Relocation of up to 50% of bee infestations at Council reserves, facilities and public places	Review of CRMs relating to bee infestations and action taken
12	Vegetation and Landscaping	Vegetation, landscaping and grassed areas at Council reserves, facilities and public places are fit-for-purpose, safe and well-maintained	Regular vegetation maintenance program at all Council reserves, facilities and public places (including, eg, pruning, fertilising, irrigation, mulching, plant replacement) (frequency dependent upon type of vegetation) General inspection and monitoring of reserves for vegetation and landscaping CRMs in relation to vegetation and landscaping are investigated and action taken where practicable	Delivery of maintenance program Development of maintenance plans for all Council reserves and facilities upon completion of reserve upgrade or redevelopment Inspection of approximately five (5) reserves per month, and otherwise as required CRMs are actioned in accordance with the Council's service standard	Inspection and maintenance records Number of maintenance plans developed Review of CRM responses against the Council's service standard, monthly
		Sustainable streets and open spaces*	Protect, diversify and increase green cover Establish a network of linked open spaces for wildlife habitat	Plant a minimum of 500 new trees per year in streets and/or public spaces.	The number of new trees planted by the Council (LiDAR Analysis – Mapping Data)
		Thriving and healthy habitats for native flora and fauna *	Identify and protect existing native vegetation and enhance habitat quality Revegetate designated areas with local native species where appropriate	Undertake at least two (2) initiatives to promote the value of native flora and fauna per year	Number of initiatives to promote and educate the community about the value of native flora and fauna, per year

COMMUNITY LAND MANAGEMENT PLANS – MANAGEMENT STRATEGIES TABLE – PROPOSED AMENDMENTS

#	Category	Objectives	Strategies	Performance Targets	Performance Measures
			Facilitate community participation in revegetation programs and gardening programs, where appropriate		
			Site management and maintenance of the St Peters Billabong to be conducted in accordance with any specific management plan for the Billabong, in connection with the Adelaide & Mount Lofty Ranges NRM Board (or other relevant body), as amended from time-to-time	St Peters Billabong is maintained in accordance with applicable management plan (if any)	Review of management and maintenance as required under plan (if any)
		Trees at Council reserves, facilities and public places are healthy, structurally sound and well-maintained	<p>Tree management program for selected trees in specified locations (including, eg, adjacent high-usage Council facilities), with annual inspection and monitoring</p> <p>General inspection and monitoring of trees by a qualified arborist to assess tree condition and identify faults, dead trees or fallen branches (before programmed works, prior to major Council events, and otherwise as required)</p>	<p>Continued implementation of tree management program and general inspection and monitoring regime</p> <p>Development of a Tree Strategy for the City</p>	<p>Inspection and monitoring records (annual and as otherwise required)</p> <p>Development of Strategy</p>
			Cataloguing of Council trees across the City (dependent upon availability of resources)	Development of a comprehensive register for all Council trees in the City	Register developed

COMMUNITY LAND MANAGEMENT PLANS – MANAGEMENT STRATEGIES TABLE – PROPOSED AMENDMENTS C10

#	Category	Objectives	Strategies	Performance Targets	Performance Measures
			CRMs in relation to trees are investigated and action taken where practicable	CRMs are actioned in accordance with the Council's service standard	Review of CRM responses against the Council's service standard, monthly
13	Watercourses and Wetlands	Sustainable and efficient management of resources*	Improve the water quality in our City's watercourses Make better use of water resources including the harvesting and re-use of stormwater	Incorporate water sensitive urban design (WSUD) / stormwater capture and treatment considerations in reserve and public place upgrades (where practicable) Achieve a resident perception rating higher than the average from the previous four Council Community Surveys for the level of satisfaction with the Council's management and use of water	Number of projects with WSUD / stormwater capture and treatment considerations per year Community Survey undertaken by the Council every two years
			General inspection and monitoring of reserves for watercourses and wetlands (where relevant)	Inspection of approximately (5) reserves per month, and otherwise as required	Inspection and maintenance records
			CRMs in relation to watercourses and wetlands are investigated and action taken where practicable	CRMs are actioned in accordance with the Council's service standard	Review of CRM responses against the Council's service standard, monthly
14	Drainage & Stormwater Management	Sustainable and efficient management of resources*	Encourage the capture and re-use of stormwater and reduce stormwater run-off from Council reserves, facilities and public places	Incorporate water sensitive urban design (WSUD) / stormwater capture and treatment considerations in reserve and public place upgrades (where practicable)	Number of projects with WSUD / stormwater capture and treatment considerations per year

COMMUNITY LAND MANAGEMENT PLANS – MANAGEMENT STRATEGIES TABLE – PROPOSED AMENDMENTS C11

#	Category	Objectives	Strategies	Performance Targets	Performance Measures
			<p>Implementation of the Eastern Regional Alliance (ERA) Waterproofing Eastern Adelaide Stormwater Harvesting and Re-Use Project</p>	<p>Connection of all Council parks and reserves to the Council's recycled water supply</p>	<p>Number of parks and reserves connected to the Council's recycled water supply</p>
		To seek equitable flood protection across the City	<p>Manage stormwater to reduce the risks of flooding</p> <p>Development and review of the Flood Mapping and Management Strategy</p> <p>Implementation of the Stormwater Infrastructure Asset Management Plan</p> <p>Implementation of the Council's 15-year Drainage Program across the City</p> <p>Implementation of an annual scheduled maintenance program for all side entry pits</p> <p>Continued implementation of gross pollutant trap cleaning and inspection program for relevant creeks and rivers (frequency dependent upon rain events)</p>	<p>Reduction in local area flooding (particularly in high priority areas in the City, as identified in the Flood Mapping and Management Strategy)</p> <p>Trunk mains are capable of transferring a 100-year flow</p>	<p>Number of reported incidents of local area flooding per storm event</p> <p>Review of Drainage Program annually in Budget process</p>
			<p>CRMs in relation to drainage and stormwater management are investigated and action taken where practicable</p>	<p>CRMs are actioned in accordance with the Council's service standard</p>	<p>Review of CRM responses against the Council's service standard, monthly</p>

COMMUNITY LAND MANAGEMENT PLANS – MANAGEMENT STRATEGIES TABLE – PROPOSED AMENDMENTS C12

#	Category	Objectives	Strategies	Performance Targets	Performance Measures
15	Irrigation	<p>Irrigation systems at Council reserves, facilities and public places are fit-for-purpose, safe and well-maintained</p> <p>Utilise best practice and sound horticultural principles to maximise efficient use of water</p>	<p>Irrigation of Council reserves, facilities and public places is managed in accordance with the Council's Irrigation Policy and Irrigation Management Plans</p> <p>Automatic or manual irrigation systems programmed to meet the needs of each area (including, eg, soil type, grass type, use of area, water quality, climatic conditions)</p>	<p>Irrigation of Council reserves, facilities and public places (where relevant) meets the Irrigated Public Open Space (IPOS) Code of Practice requirements and relevant legislative requirements</p>	<p>Review of water use and irrigation practices against IPOS Code of Practice, annually (or otherwise as required)</p>
			<p>Inspections and monitoring of irrigation systems to assess asset condition, performance and maintenance as required</p>	<p>Inspection of approximately five (5) reserves per month and otherwise as required</p>	<p>Inspection and maintenance records</p>
			<p>CRMs in relation to irrigation are investigated and action taken where practicable</p>	<p>CRMs are actioned in accordance with the Council's service standard</p>	<p>Review of CRM responses against the Council's service standard, monthly</p>
16	Building Maintenance	<p>Convenient and accessible buildings and facilities that are fit-for-purpose, safe and well-maintained</p> <p>Sustainable and efficient management of water, energy and other resources in Council buildings and facilities</p>	<p>Design and provide safe, high quality facilities and spaces for all people</p> <p>Management of Council buildings in accordance with the Council's <i>Building Infrastructure Asset Management Plan</i>, policies, strategies and statutory requirements</p> <p>Incorporation of water saving / re-use, energy reduction and sustainability measures into</p>	<p>Continued asset management in accordance with the Council's <i>Building Infrastructure Asset Management Plan</i>, Council policies, strategies and statutory requirements</p> <p>All buildings are compliant with Australian Standards and statutory requirements (where practicable, taking into account physical and heritage limitations of assets)</p>	<p><i>Building Infrastructure Asset Management Plan</i> reviewed every five (5) years</p>

COMMUNITY LAND MANAGEMENT PLANS – MANAGEMENT STRATEGIES TABLE – PROPOSED AMENDMENTS **C13**

#	Category	Objectives	Strategies	Performance Targets	Performance Measures
			existing buildings during repair or upgrade, or as opportunities arise		
			Building Condition Audit conducted every ten (10) years, and reviewed annually	Continued implementation of Building Condition Audit every ten years	Building Condition Audit Process reviewed annually
			Planned building maintenance program to ensure key services are provided as required (frequency dependent upon service) (e.g. cleaning, essential safety provision testing and maintenance, pest control)	Delivery of maintenance program	Compliance certificates for building maintenance
			Inspection and monitoring of Council buildings and facilities to assess asset condition and performance as required	Continued implementation of inspection and monitoring regime	Inspection and maintenance records
			CRMs in relation to building maintenance are investigated and action taken where practicable	CRMs are actioned in accordance with the Council's service standard	Review of CRM responses against the Council's service standard, monthly
17	Public Toilets	Public toilets at Council reserves, facilities and public places are well-maintained, safe and accessible to all members of the community	Public toilets are regularly cleaned and maintained (at a minimum of three (3) times per week, dependent upon location and usage) All public toilets are locked between sunrise and sunset	Upgrade of at least one (1) public toilet facility per year (including in connection with an upgrade / redevelopment process) to incorporate automated locking, security monitoring and DDA compliance	Number of public toilet facilities upgraded per year

COMMUNITY LAND MANAGEMENT PLANS – MANAGEMENT STRATEGIES TABLE – PROPOSED AMENDMENTS C14

#	Category	Objectives	Strategies	Performance Targets	Performance Measures
		To prevent vandalism and antisocial behaviour in the vicinity of public toilets	Security monitoring (dependent upon standard of public toilet facility)		
			CRMs in relation to public toilets are investigated and action taken where practicable	CRMs are actioned in accordance with the Council's service standard	Review of CRM responses against the Council's service standard, monthly
18	Public Lighting	Council reserves, facilities and public places are lit for safety and amenity	Public lighting installed or upgraded to appropriate lighting levels where practicable (where Council responsible for lighting infrastructure)	Public lighting installed and maintained in accordance with Australian standards	Maintenance and upgrade records
			Use LED or energy efficient lighting where practicable		
			CRMs in relation to public lighting are investigated and action taken where practicable	CRMs are actioned in accordance with the Council's service standard	Review of CRM responses against the Council's service standard, monthly
19	Playgrounds and associated structures (including, eg, shade structures and shade sails, exercise equipment)	Playgrounds and associated structures at Council reserves and facilities are fit-for purpose, safe and well-maintained	Annual external audit of all playground equipment and surfacing against Australian Standards	All playgrounds and associated structures are compliant with Australian Standards and legislative requirements	Audit records
			Monthly inspection and monitoring of all playgrounds and associated structures to assess asset condition, performance and maintenance		

COMMUNITY LAND MANAGEMENT PLANS – MANAGEMENT STRATEGIES TABLE – PROPOSED AMENDMENTS C15

#	Category	Objectives	Strategies	Performance Targets	Performance Measures
			CRMs in relation to playgrounds and associated structures are investigated and action taken where practicable	CRMs are actioned in accordance with the Council's service standard	Review of CRM responses against the Council's service standard, monthly
		To provide a range of innovative, accessible and contemporary play spaces	Playgrounds are upgraded in accordance with the Council's <i>Playground Strategy</i>	Create or improve five (5) innovative playgrounds in the City in accordance with the Council's Playground Strategy	Number of innovative playgrounds implemented over life of Strategy
			Identify opportunities to incorporate accessible and inclusive play equipment in Master Plans for upgrades and redevelopments of Council reserves and facilities	All new or upgraded playgrounds include accessible and inclusive play equipment and associated structures	Play space design compliance report for all new playgrounds and associated structures
			Identify opportunities to incorporate exercise equipment in Master Plans for upgrades and redevelopments of Council reserves and facilities	Exercise equipment is included in all upgraded or redeveloped reserves or facilities where identified in Master Plans	Number of reserves incorporating exercise equipment
20	Outdoor Furniture & Associated Structures (includes, eg, seats, benches, tables, shelters, barbecues, litter bins, drinking fountains, signage, dog	Outdoor furniture and associated structures in Council reserves, facilities and public places are fit-for-purpose, safe and well-maintained	Inspection and monitoring of outdoor furniture and associated structures to assess asset condition, performance and maintenance	All outdoor furniture and associated structures are compliant with Australian Standards and legislative requirements Inspection of approximately five (5) reserves per month, and otherwise as required	Inspection and maintenance records
			CRMs in relation to outdoor furniture and associated structures are investigated and action taken where practicable	CRMs are actioned in accordance with the Council's service standard	Review of CRM responses against the Council's service standard, monthly

COMMUNITY LAND MANAGEMENT PLANS – MANAGEMENT STRATEGIES TABLE – PROPOSED AMENDMENTS C16

#	Category	Objectives	Strategies	Performance Targets	Performance Measures
	poo bag dispensers)				
21	Fencing, Retaining Walls and Associated Structures	Fencing, retaining walls and associated structures at Council reserves, facilities and public places are fit-for-purpose, safe and well-maintained	Inspection and monitoring of fencing, retaining walls and associated structures to assess asset condition, performance and maintenance	All fencing, retaining walls and associated structures are compliant with Australian Standards and legislative requirements Inspection of approximately five (5) reserves per month, and otherwise as required	Inspection and maintenance records
			CRMs in relation to fencing, retaining walls and associated structures and investigated and action taken where practicable	CRMs are actioned in accordance with the Council's service standard	Review of CRM responses against the Council's service standard, monthly
22	Roadways, Car Parks and Paths	Roadways, car parks and paths at Council reserves, facilities and public places are fit-for purpose, safe and well-maintained	Regular inspections and monitoring of roadways, car parks and paths to assess asset condition, performance and maintenance Regular street sweeping of carparks and roadways (approximately every six (6) weeks)	All newly constructed car parking is compliant with Australian Standards and legislative requirements, and is paved Inspection of approximately five (5) reserves per month, and otherwise as required Implementation of inspection and monitoring regime and street sweeping program	Inspection and maintenance records
			CRMs in relation to roadways, car parks and paths are investigated and action taken where practicable	CRMs are actioned in accordance with the Council's service standard	Review of CRM responses against the Council's service standard, monthly

C17

COMMUNITY LAND MANAGEMENT PLANS – MANAGEMENT STRATEGIES TABLE – PROPOSED AMENDMENTS

#	Category	Objectives	Strategies	Performance Targets	Performance Measures
23	Oval, Sportsground and Other Surface Maintenance (including, eg, grassed surfaces utilised for informal recreation / sport)	Ovals, sportsgrounds and other surfaces are fit-for-purpose, safe and well-maintained	Inspection and monitoring of ovals, sportsgrounds and other surfaces to assess condition, performance and maintenance Regular mowing and weed control program (frequency dependent upon season and usage requirements at each location) Irrigation of ovals, sportsgrounds and other surfaces is managed in accordance with the Council's <i>Irrigation Policy</i> and Irrigation Management Plans	All ovals, sportsgrounds and selected grassed surfaces are maintained in accordance with the Irrigated Public Open Space (IPOS) Code of Practice requirements, Australian Standards and relevant sporting code requirements Inspection of two (2) ovals and sportsgrounds per month, and otherwise as required	Monthly external audit against IPOS Code of Practice Inspection and maintenance records
			CRMs in relation to oval, sportsground and other surface maintenance are investigated and action taken where practicable	CRMs are actioned in accordance with the Council's service standard	Review of CRM response actions and timeframes by responsible officers, monthly
24	Tennis Courts & Associated Facilities (eg clubrooms)	Tennis facilities are fit-for-purpose, safe and well-maintained	Public and/or Club usage of tennis facilities managed in accordance with the Council's <i>Tennis Facilities Policy</i> (or other relevant policy in place from time-to-time) Court maintenance undertaken in accordance with the Council's <i>Tennis Facilities Policy</i> and any relevant lease agreement.	All tennis facilities are compliant with relevant legislative standards and sporting code requirements upon upgrade or redevelopment	Audit of tennis court upgrades upon completion

COMMUNITY LAND MANAGEMENT PLANS – MANAGEMENT STRATEGIES TABLE – PROPOSED AMENDMENTS C18

#	Category	Objectives	Strategies	Performance Targets	Performance Measures
			Court reconstruction works are undertaken in accordance with the Council's <i>Tennis Facilities Policy</i> (or the equivalent policy in place from time-to-time), and relevant legislative standards and sporting code requirements		
			CRMs in relation to tennis courts and associated facilities are investigated and action taken where practicable	CRMs are actioned in accordance with the Council's service standard	Review of CRM response actions and timeframes by responsible officers, monthly

Notes:

* See the Council's Strategic Management Plan *CityPlan 2030: Shaping Our Future*, for the Council's strategic objectives for the City.

'**CRMs**' – CRMs are Customer Requests logged in the Council's Customer Request Management System. CRMs are investigated and action taken where practicable (i.e. within Council budgetary limits, and in accordance with the Council's service standard and timeframe, for that category of request).

ADDITIONAL PROVISIONS – SPORTING FACILITIES

#	Category	Objectives	Strategies	Performance Targets	Performance Measures
25	Swimming Pools	Providing convenient and accessible aquatic facilities and services, which are safe, fit-for-purpose and well-maintained	Swimming Centre assets are managed and developed in accordance with the Council's <i>Swimming Centres Long-Term Strategy</i> (which includes provision for future upgrades, capital works and scheduled programmed maintenance)	Implementation of the <i>Swimming Centres Long-Term Strategy</i>	Completion of upgrade, capital and maintenance works as provided for in the Strategy
		Swimming centre assets are managed, maintained and developed to effectively meet the current and changing needs of the community	Implementation of the Royal Lifesaving Australia Guidelines for Safe Pool Operations Promotion of water safety and supervision requirements (eg program implementation, signage, handouts, lifeguards) Inspection, monitoring and cleaning of pool area and change rooms daily Water chemistry testing (minimum five (5) hourly)	Maintenance of Swimming Centre assets and operation of an aquatic environment in accordance with applicable standards and legislative requirements	EHA inspection report in relation to water chemistry testing, annually WH&S audit, annually
			Providing a diverse range of aquatic recreation opportunities (including, eg, Swim School, holiday and VacSwim programs)	Continued implementation of aquatic recreation programs at both Council Pools	End of season report on operation of Swimming Centres, annually (including, eg, attendance, programs, events, revenue)

COMMUNITY LAND MANAGEMENT PLANS – MANAGEMENT STRATEGIES TABLE – PROPOSED AMENDMENTS C20

#	Category	Objectives	Strategies	Performance Targets	Performance Measures
			CRMs in relation to swimming pools are investigated and action taken where practicable	CRMs are actioned in accordance with the service standard	Review of CRM response actions and timeframes by responsible officers, monthly

ADDITIONAL PROVISIONS – CIVIC & COMMUNITY FACILITIES

#	Category	Objectives	Strategies	Performance Targets	Performance Measures
22	Child Care Centre	To provide quality and inclusive early childhood education and care services Child care centre facilities are fit-for-purpose, safe and well-maintained	Child care centre facilities and the delivery of services are managed in accordance with the Quality Improvement Plan (QIP), Strategic Plan and Business Plan for the Centre Implementation of the Early Years Learning Framework curriculum (or other approved learning framework) Ensuring Centre staff hold the necessary qualifications, accreditations, registrations and certifications (including, eg, working with children, first aid, teacher registration)	Management of child care centre facilities and service delivery in accordance with the National Quality Framework (comprising the Education and Care Services National Law and the Education and Care Services National Regulations) and other relevant legislative requirements (including, eg, food handling and safety, occupational health and safety, child safe environments)	Self-assessment and internal review of QIP (against the National Quality Standard), annually Assessment and rating against National Quality Standard by the Australian Children’s Education & Care Quality Authority (ACECQA), three (3) yearly
			Room and yard checks to ensure compliance, daily	Management of child care centre facilities and service delivery in accordance with the relevant legislative requirements relating to food handling and safety and occupational health and safety	Internal OH&S Audit, quarterly Eastern Health Authority food safety audit, annually
			Child Care Centre & Pre-School Committee to provide feedback on the Centre’s Strategic Plan and Business Plan, and to undertake general oversight of issues related to child welfare, programming and safety of the Centre	Management of child care centre facilities and service delivery in accordance with the Centre’s Strategic Plan and Business Plan	Quarterly Committee report to the Council

COMMUNITY LAND MANAGEMENT PLANS – MANAGEMENT STRATEGIES TABLE – PROPOSED AMENDMENTS ^{C22}

#	Category	Objectives	Strategies	Performance Targets	Performance Measures
			CRMs in relation to the Child Care Centre are investigated and action taken where practicable	CRMs are actioned in accordance with the service standard	Review of CRM response actions and timeframes by responsible officers, monthly

Section 2 – Corporate & Finance
Reports

11.2 MONTHLY FINANCIAL REPORT – JULY 2021

REPORT AUTHOR: Financial Services Manager
GENERAL MANAGER: General Manager, Corporate Services
CONTACT NUMBER: 8366 4585
FILE REFERENCE: qA78171
ATTACHMENTS: A

PURPOSE OF REPORT

The purpose of this report is to provide the Council with information regarding its financial performance for the year ended July 2021.

BACKGROUND

Section 59 of the *Local Government Act 1999* (the Act), requires the Council to keep its resource allocation, expenditure and activities and the efficiency and effectiveness of its service delivery, under review. To assist the Council in complying with these legislative requirements and the principles of good corporate financial governance, the Council is provided with monthly financial reports detailing its financial performance compared to its Budget.

RELEVANT STRATEGIC DIRECTIONS AND POLICIES

Nil

FINANCIAL AND BUDGET IMPLICATIONS

Financial sustainability is as an ongoing high priority for the Council. The Council adopted a Budget which forecasts an Operating Surplus of \$471,000 for the 2021-2022 Financial Year.

For the period ended July 2021, the Council's Operating Surplus is \$951,000 against a budgeted Operating Surplus of \$724,000, resulting in a favourable variance of \$227,000.

EXTERNAL ECONOMIC IMPLICATIONS

Not Applicable.

SOCIAL ISSUES

Not Applicable.

CULTURAL ISSUES

Not Applicable.

ENVIRONMENTAL ISSUES

Not Applicable.

RESOURCE ISSUES

Not Applicable.

RISK MANAGEMENT

Not Applicable.

CONSULTATION

- **Elected Members**
Not Applicable
- **Community**
Not Applicable.
- **Staff**
Responsible Officers and General Managers.
- **Other Agencies**
Not Applicable.

DISCUSSION

For the period ended July 2021, the Council's Operating Surplus is \$951,000 against a budgeted Operating Surplus of \$724,000, resulting in a favourable variance of \$227,000.

Employee expenses are \$140,000 to the adopted budget which is the result of the following:

- vacancies anticipated to be filled in the adopted budget which have not yet been filled (\$40,000);
- vacancies anticipated to be filled in the adopted budget which are being back filled (\$6,000);
- cancelation of events in July at the Norwood Concert Hall as a result of COVID-19 restrictions resulted in reduction in the hours casual staff were engaged (\$11,000); and,
- timing variance related to the timing of leave actually being taken as compared to budget expectations.

The residual variance to budget is primarily due to expenditure timings compared to actual expenditure which is not uncommon for the beginning of the Financial Year. There are no individually significant variances. The Monthly Financial report is contained in **Attachment A**.

OPTIONS

Nil

CONCLUSION

Nil

COMMENTS

Nil

RECOMMENDATION

That the July 2021 Monthly Financial Report be received and noted.

Attachments – Item 11.2

Attachment A

Monthly Financial Report July 2021

City of Norwood Payneham & St Peters
175 The Parade, Norwood SA 5067

Telephone 8366 4555
Facsimile 8332 6338
Email townhall@npsp.sa.gov.au
Website www.npsp.sa.gov.au

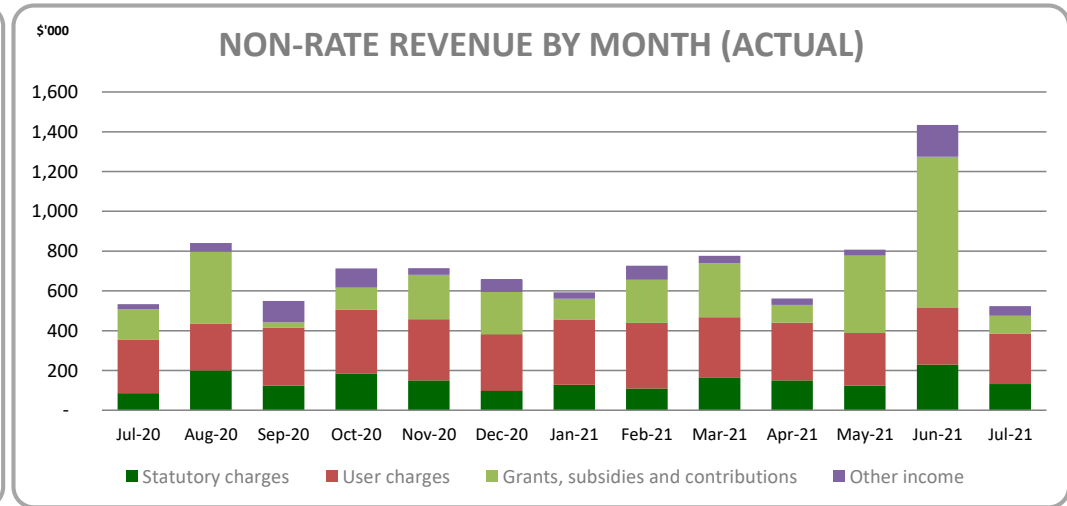
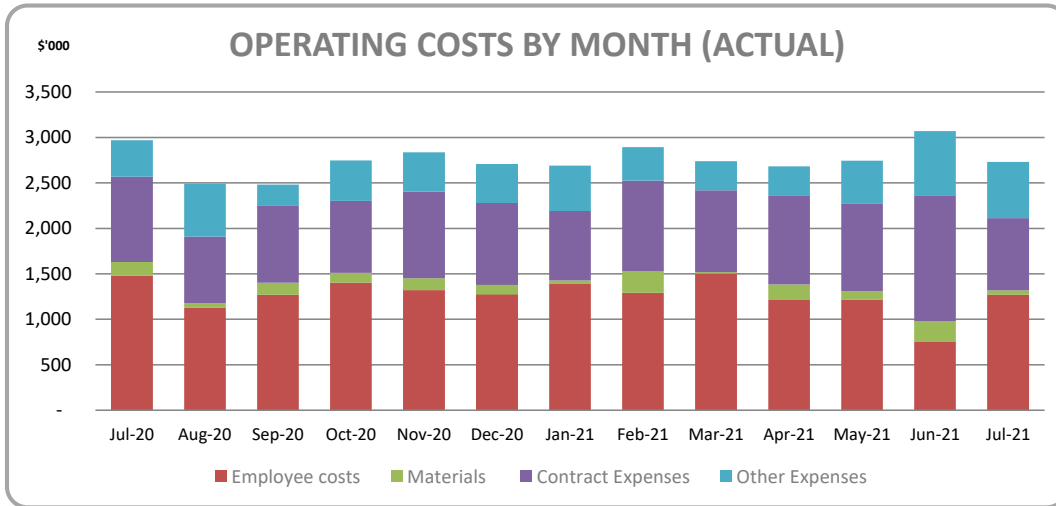


City of
**Norwood
Payneham
& St Peters**

CITY OF NORWOOD PAYNEHAM & ST PETERS

Financial Performance for the period ended 31 July 2021					
LYTD Actual		YTD Actual	YTD Revised	Var	Var %
\$'000		\$'000	Budget \$'000	\$'000	
	Revenue				
3,001	Rates Revenue	3,156	3,161	(4)	(0%)
85	Statutory Charges	132	144	(13)	(9%)
268	User Charges	254	281	(27)	(10%)
9	Grants, Subsidies and Contributions	90	88	2	2%
3	Investment Income	1	9	(8)	(88%)
45	Other	47	13	34	261%
8	Reimbursements	1	-	1	
3,420	Total Revenue	3,681	3,696	(15)	(0%)
	Expenses				
1,666	Employee Expenses	1,270	1,410	140	10%
1,134	Contracted Services	780	791	11	1%
43	Energy	14	37	23	63%
71	Insurance	67	59	(8)	(14%)
50	Legal expense	12	13	0	2%
18	Materials	15	26	11	42%
75	Parts, Accessories and Consumables	34	63	29	46%
36	Water	19	25	6	23%
221	Sundry	459	488	29	6%
-	Depreciation, Amortisation and Impairment	-	-	-	
47	Finance Costs	58	61	2	4%
3,360	Total Expenses	2,729	2,972	242	8%
60	Operating Surplus/(Deficit)	951	724	227	31%

Summary of Net Cost of Divisions for the period				
Division	YTD Actual	YTD Budget	Var	Var %
	\$'000	\$'000	\$'000	
Chief Executive Office	(277)	(342)	65	19%
Corporate Services	(678)	(705)	27	4%
Governance and Community Affairs	(82)	(100)	18	18%
Urban Planning and Environment	(199)	(199)	(1)	0%
Urban Services	(968)	(1,090)	122	11%
Operating Surplus/(Deficit) (before Rate Revenue)	(2,205)	(2,437)	231	10%
Rate Revenue	3,156	3,161	(4)	0%
Operating Surplus/(Deficit)	951	724	227	31%



CITY OF NORWOOD PAYNEHAM & ST PETERS

Project Summary for period ended 31 July 2021

	YTD Actual	YTD Budget	Remaining Annual Budget
	\$'000	\$'000	\$'000
Operating Projects			
Income			
Social Equity	-	-	362
Environmental Sustainability	(4)	-	(4)
Cultural Vitality	-	-	-
Economic Prosperity	-	-	-
Corporate Management	-	-	-
Total Income	(4)	-	358
Expenses			
Social Equity	38	369	331
Environmental Sustainability	4	171	167
Cultural Vitality	-	108	108
Economic Prosperity	-	72	72
Corporate Management	4	33	29
Total Expenses	45	752	707

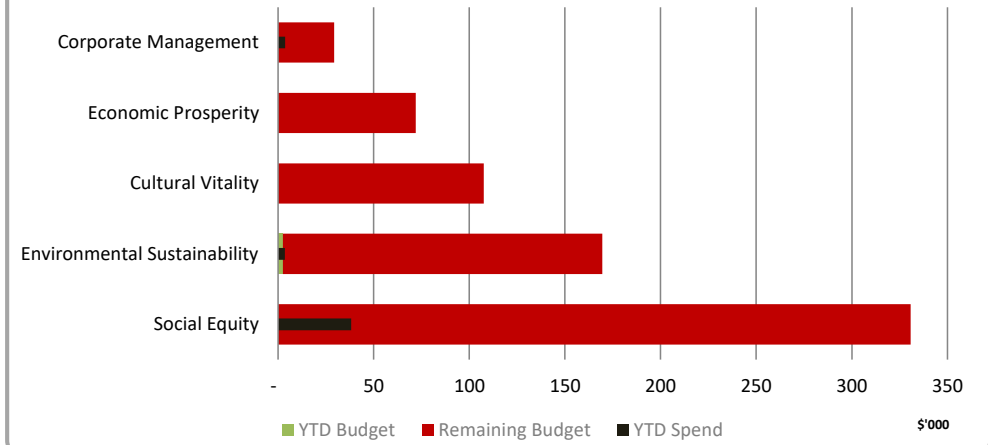
Net Cost of Operating Projects	(50)	(752)	(349)
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Capital Projects			
Income			
Social Equity	(1)	(1)	(2,945)
Environmental Sustainability	-	-	(2,620)
Cultural Vitality	-	-	-
Economic Prosperity	-	-	-
Corporate Management	-	-	-
Total Income	(1)	(1)	(5,565)
Expenses			
Social Equity	17	11	14,611
Environmental Sustainability	4	-	7,443
Cultural Vitality	-	-	17
Economic Prosperity	-	-	-
Corporate Management	2	2	116
Total Expenses	23	13	22,188

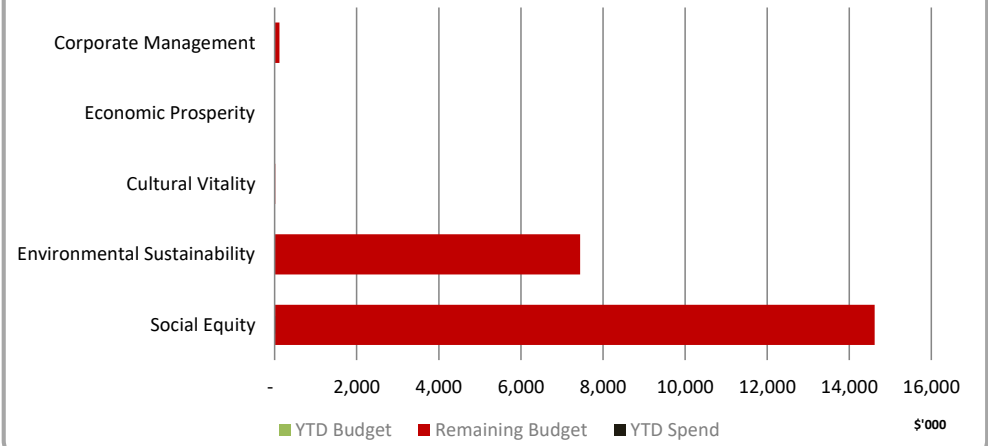
Net Cost of Capital Projects	(23)	(14)	(27,753)
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Key areas to highlight:

SERVICE INITIATIVES (inc. Carry Forwards)



NEW ASSETS & RENEWALS (inc. Carry Forwards)

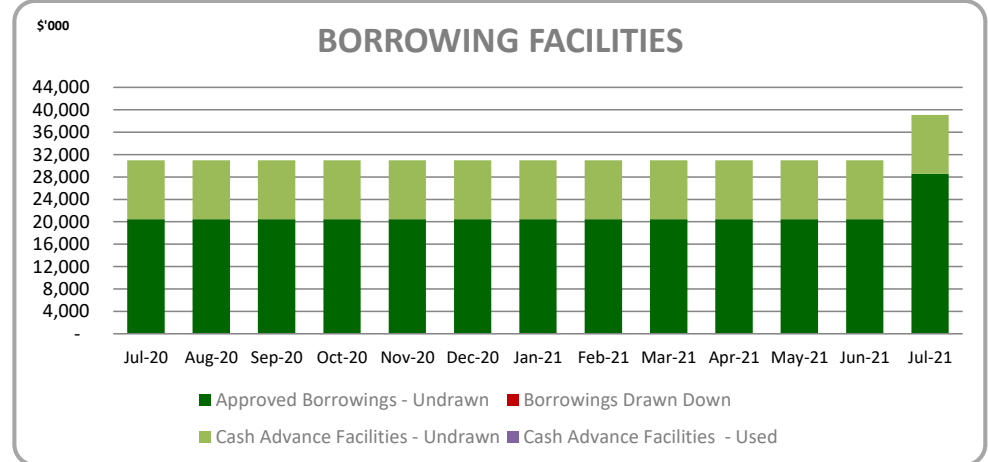
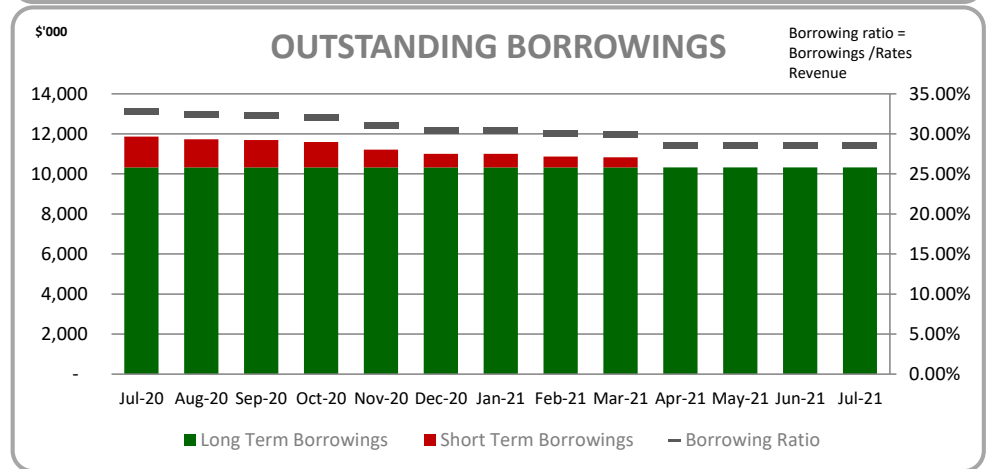
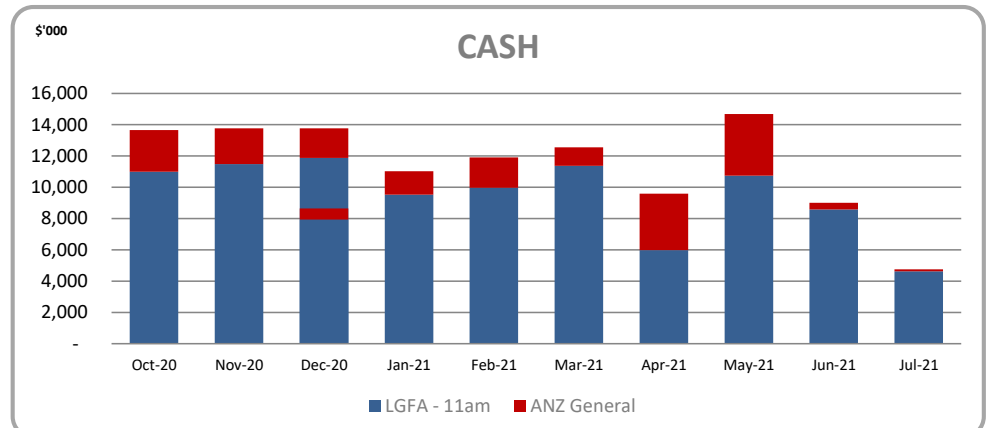


CITY OF NORWOOD PAYNEHAM & ST PETERS

Statement of Financial position as at 31 July 2021

	Jul-21	Jun-21	Movement	June 2021
	Actual	Actual		
	\$'000	\$'000	\$'000	\$'000
ASSETS				
Current Assets				
Bank and Cash	3,268	7,070	(3,802)	7,070
Accounts receivables	40,342	4,152	36,191	4,152
Less : Provision for Bad Debts	(349)	(349)	-	(349)
Total Current Assets	43,261	10,873	32,389	10,873
Non-current Assets				
Financial Assets	-	-	-	-
Investments in Joint Ventures	2,496	2,496	-	2,496
Infrastructure, Property, Plant and Equipment	496,072	496,438	(366)	496,438
Total Non-current Assets	498,568	498,934	(366)	498,934
Total Assets	541,829	509,806	32,023	509,806
LIABILITIES				
Current Liabilities				
Trade and Other Payables	#REF!	8,142	#REF!	8,142
Borrowings	-	-	-	-
Provisions	1,572	1,713	(140)	1,713
Total Current Liabilities	#REF!	9,855	#REF!	9,855
Non-current Liabilities				
Borrowings	10,323	10,323	-	10,323
Provisions	2,912	2,912	-	2,912
Investments in Joint Ventures	1,348	1,348	-	1,348
Total Non-current Liabilities	14,584	14,584	-	14,584
Total Liabilities	#REF!	24,439	#REF!	24,439
NET ASSETS	#REF!	485,368	#REF!	485,368
EQUITY				
Accumulated Surplus	59,158	58,206	951	58,206
Asset Revaluation Reserves	427,162	427,162	-	427,162
TOTAL EQUITY	486,319	485,368	951	485,368

Key areas to highlight YTD :



11.3 AUDIT COMMITTEE ANNUAL REPORT TO COUNCIL

REPORT AUTHOR: General Manager, Corporate Services
GENERAL MANAGER: Chief Executive Officer
CONTACT NUMBER: 8366 4585
FILE REFERENCE: qA63320/A225587
ATTACHMENTS: A - B

PURPOSE OF REPORT

The purpose of the report is to present the Audit Committee's Annual Report for the year ended 30 June 2021.

BACKGROUND

The Audit Committee's 2020-2021 Work Program, requires an Annual Report to be provided to the Council which addresses the following:

- *outlining outputs relative to the audit committee's work program and the results of a self-assessment of performance for the preceding period including whether it believes any changes to its Terms of Reference are appropriate;*
- *outlining any identified training needs;*
- *advising future work program proposals; and*
- *invite comment from the Council on all of the above.*

At its meeting held on 10 August 2021, the Audit Committee considered and approved the Annual Report for the year ended 30 June 2021 and the 2021-2022 Work Program.

RELEVANT POLICIES & STRATEGIC DIRECTIONS

Not Applicable.

FINANCIAL IMPLICATIONS

Nil.

SOCIAL ISSUES

Nil.

CULTURAL ISSUES

Nil.

ENVIRONMENTAL ISSUES

Nil.

RESOURCE ISSUES

Nil.

RISK MANAGEMENT

Nil.

CONSULTATION

- **Elected Members**
Mayor Bria, Cr Minney (Presiding Member) and Cr Stock are Members of the Council's Audit Committee.
- **Community**
Not Applicable.
- **Staff**
Not Applicable.
- **Other Agencies**
Not Applicable.

DISCUSSION

The Audit Committee's 2020-2021 Annual Report which details the activities that have been undertaken by the Committee during the year and the proposed 2021-2022 Audit Committee Work Program is contained in **Attachment A**.

The Annual Report to the Council also requires the Audit Committee to determine whether its Terms of Reference remain appropriate. The *Statutes Amendment (Local Government Review) Bill 2020*, recently passed both Houses of Parliament, with assent to the *Statutes Amendment (Local Government Review) Act 2021* (the Act) being provided on 17 June 2021. The Act will have a number of impacts on the operations of Audit Committees in Local Government and as a consequence the *Terms of Reference* for Audit Committees. While it is still unclear when the provisions of the Act will come into effect, it is anticipated that the reforms that require minimal or moderate implementation or supporting regulation will commence once proclaimed. Given the reforms which relate to the operations of Audit Committees, it is expected that the proclamation will occur early in the transition period. As the timing is unclear, there are no recommended changes to the *Terms of Reference* at this stage. A copy of the Terms of Reference is contained in **Attachment B**.

OPTIONS

Not Applicable.

CONCLUSION

Nil.

COMMENTS

If Elected Members have any questions or require clarification in relation to specific items, and/or any issues arising from this report, do not hesitate to contact the General Manager, Corporate Services, Sharon Perkins on 8366 4585, prior to the meeting.

RECOMMENDATION

That the report be received and noted and that the Audit Committee be thanked for its oversight of the Councils Financial Governance Framework.

Attachments – Item 11.3

Attachment A

Audit Committee Annual Report to Council

City of Norwood Payneham & St Peters
175 The Parade, Norwood SA 5067

Telephone 8366 4555
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City of
**Norwood
Payneham
& St Peters**



2020-2021

Audit Committee Annual Report



City of
Norwood
Payneham
& St Peters

Introduction

This report outlines the activities undertaken by the City of Norwood Payneham & St Peters Audit Committee during the 2020-2021 financial year, against the Committee's Annual Work Plan and the Committee's Terms of Reference.

Conduct of Meetings

In relation to the 2020-2021 Audit Work Program, the Committee met on four (4) occasions, with the following Members in attendance:

Date	Number of Members Attending
26 October 2020	5
22 February 2021	4
24 May 2021	5
10 August 2021	5

Committee Member	Number of Meetings Attended
Mayor Robert Bria	5
Cr John Minney (Presiding Member)	5
Cr Mike Stock	5
Ms Sandra DiBlasio	5
Ms Brigid O'Neill	4

Committee Activities

The following table sets out the principal issues addressed by the Committee during 2020-2021:

Principal Issues Examined	Comment/Status	Recommendations made to the Council
2019-2020 Annual Financial Statements	Completed	Adoption of Financial Statements recommended to the Council
Financial Performance against the Adopted Budget	Completed	Report be received and noted
External Auditors Correspondence <ul style="list-style-type: none"> • 2019-2020 Audit Completion Report • 2019-2020 Audit Opinion & Auditors report to Council • 2020-2021 External Audit Plan 	Completed	Report be received and noted
Strategic Management Plans <ul style="list-style-type: none"> • <i>CityPlan 2030: Shaping the Future</i> • Long Term Financial Plan • Infrastructure and Asset Management Plans 	Completed	Report be received and noted.

Principal Issues Examined	Comment/Status	Recommendations made to the Council
<p>Policies</p> <ul style="list-style-type: none"> • Budget Review Policy & Guidelines • Accounting for Assets and Liabilities Policy • Credit Card Policy; • COVID-19 Financial Hardship Policy; • Rating Policy; • Budget Policy & Guidelines • Funding Policy; • Goods & Services Tax • Public Liability Insurance for Community Groups when hiring Council Owned Facilities • Expenditure Policy • Credit Policy • Salaries and Wages Administration Policy • Asset & Land Disposal Policy • Asset Impairment Policy • Asset Revaluation Policy 	Completed	<p>The following Policies were reviewed by the Committee and no changes were recommended to the Council.</p> <ul style="list-style-type: none"> • Budget Review Policy & Guidelines • Budget Policy & Guidelines • Funding Policy; • Goods & Services Tax • Credit Policy • Asset& Land Disposal Policy • Asset Impairment Policy • Asset Revaluation Policy <p>The following Policies were reviewed by the Committee and subject to minor administrative amendments, were recommended to Council for adoption;</p> <ul style="list-style-type: none"> • Credit Card Policy; • Public Liability Insurance for Community Groups when hiring Council Owned Facilities • Expenditure Policy • Salaries and Wages Administration Policy • <p>The following Policies underwent a major review or were developed and were recommended to Council for adoption;</p> <ul style="list-style-type: none"> • Rating Policy; • Contract Management Policy <p>The following Policies were reviewed by the Committee and were recommended to Council to be revoked or suspended;</p> <ul style="list-style-type: none"> • Accounting for Assets and Liabilities Policy • COVID-19-Financial Hardship Policy-;

Principal Issues Examined	Comment/Status	Recommendations made to the Council
Internal Controls & Risk Management Assessment (Regular Agenda Item)	Completed	Report be received and noted
Borrowing & Investment Performance	Completed	Report be received and noted
Internal Audit Reviews	Completed	<ul style="list-style-type: none"> • Procurement Post Implementation • Sale Service & Revenue Process • Contract Management Framework
Governance Arrangements – Council's Regional Subsidiaries (Regular Agenda Item)	Completed	<p>The following issues were considered</p> <ul style="list-style-type: none"> • Regional Subsidiaries – Annual Financial Statements for the year ended 30 June 2020 • Long Term Financial Plan <ul style="list-style-type: none"> - Eastern Health Authority; - ERA Water • Budget Reviews • 2021-2022 Annual Business Plans and Budgets
Cyber Security Review	Completed	Report be received and noted
Insurance Coverage and Claims	Completed	Report be received and noted
Annual Business Plan and Budget	Completed	<ol style="list-style-type: none"> 1. That the Audit Committee impresses on the Council, the need to maintain the proposed rate revenue increase at no less than 4.35% for the 2021-2022 financial year. 2. That the Council give serious consideration to the identification of Capital Projects that could be deferred to future years in order to improve the cash flow position for the 2021-2022 financial year.
Budget Review <ul style="list-style-type: none"> • Mid-Year Review • Third Quarter Review 	Completed	Report be received and noted

During 2020-2021, Committee Members attended the following training courses/sessions:

Training Course/Session	Date(s)	Provider	Members Attending
Nil			

Audit Committee Evaluation

During July 2021, the Committee undertook a self-assessment of its Terms of Reference and its own performance for the year ended 30 June 2021. This self-assessment has taken into account, factors such as:

- the Committee's Work Program;
- the Committee's operating environment;
- the stage of maturity of the Committee;
- Council's strategic directions;
- Council's risk and control environment;
- current and emerging trends and factors;
- the outcomes of previous self-assessments.

The Committee's comments and recommendations resulting from the self-assessment of its Terms of Reference are set out in the table below:

Terms of Reference Item	Comment(s)	Recommendation(s)
Nil		

A summary of the conclusions of the Committee's self-assessment of its own performance are summarised below.

Issues	Comment(s)	Recommendation(s)
• the clarity of its role and purpose;	Considered appropriate.	Nil
• its capacity to operate independently;	Considered adequate.	Nil
• the expertise and experience of its members including training available;	Considered appropriate.	Nil
• the Committee Members' understanding of the Council, Local Government sector and external issues such as economic and environment impacts;	Considered appropriate.	Nil
• meeting operation – frequency, length, agenda papers, follow-up of outstanding issues etc.;	Considered appropriate.	Nil
• resources available to the Committee;	Considered satisfactory.	Nil
• the Committee's working relationship with Council and the senior management team;	No difficulties have been experienced since the formation of the Committee.	Nil
• the Committee Members' understanding of financial indicators (and targets for these) being used to assess the Council's performance;	The latest financial indicators submitted to the Council e.g. following Budget revisions.	Nil
• the appropriateness of its Work Program;	Considered to be adequate for 2020-2021	Nil
• National Competition Policy compliance;	Content of report provided to the Council on 21 January 2008 previously discussed by the	Nil

Issues	Comment(s)	Recommendation(s)
	Committee.	
<ul style="list-style-type: none"> the Committee's access to appropriate Council information; 	External Members comfortable with access to Elected Members, Council staff and information.	Nil
<ul style="list-style-type: none"> the extent to which the Committee's advice is contributing to the effective operation of the Council; 	No adverse reports have been received by Committee Members on the performance of the Committee.	Nil
<ul style="list-style-type: none"> matters for investigation. 	There are no matters before the Committee requiring investigation.	Nil

Following from its self-assessment process the Committee recommends training/professional development for its members:

Training/Professional Development Need	Committee Member
Opportunities for training through the Local Government Association to be provided by the General Manager, Governance & Community Affairs as they become available.	All Members.

2021-2022 Audit Committee Work Program

Activity	Meeting for Consideration	Current Status / Outcomes	Follow-up Action	Date Completed
1 Financial Reporting (LGA – Section 126(4)(a))				
1.1 Ensure that financial information included in publications for external audiences accurately reflects key accrual based financial information and where appropriate sector-endorsed financial indicators:				
<ul style="list-style-type: none"> Annual Business Plan; 	May 2022			
<ul style="list-style-type: none"> Annual Financial Statements; 	October 2021			
1.2 Review financial performance indicators provided to Council as part of Budget Reviews.	February 2022. May 2022			
2 Strategic Management and Annual Business Plans (LGA – Section 126(4)(ab))				
2.1 The Audit Committee should satisfy itself regarding the:				
<ul style="list-style-type: none"> consistency of the Council's strategic plan with its long-term financial plan and annual business plan; 	October 2021 (LTFP) April/May 2022 (ABP)			
<ul style="list-style-type: none"> consistency of Council's long-term financial plan with its infrastructure and asset management plan (I&AMP); 	October 2021			
<ul style="list-style-type: none"> soundness of the I&AMP; e.g. Is it supported by engineering and other professional assessments regarding the condition of Council's infrastructure assets; 	October 2021			
<ul style="list-style-type: none"> likely impact on Council's ongoing financial sustainability of implementation of its suite of strategic management plans; and 	October 2021			
<ul style="list-style-type: none"> appropriateness of the indicators (financial and other) to measure achievements of the strategic plan and annual business plan. 	May 2022			
2 Exercise of Powers under Section 130A (LGA – Section 126(4)(ac))				
3.1 Determine whether a recommendation to the Council is required to request its auditor or some other person to:				
<ul style="list-style-type: none"> examine and report on any matter considered significant relating to financial management or the efficiency and economy of the management of Council's resources that would not be addressed or included as part of the annual audit. 	As required			

2021-2022 Audit Committee Work Program

Activity	Meeting for Consideration	Current Status / Outcomes	Follow-up Action	Date Completed
4 Liaising with External Auditor (LGA – Section 126(4)(b))				
4.1 Meet with the Council's external auditor to: <ul style="list-style-type: none"> discuss any points of concern raised by the External Auditor in their interim audit; assess the appropriateness of the Council's response to matters raised in the interim audit; discuss any qualifications raised in the most recent audit or comments made in the accompanying management letter; and assess the appropriateness of the Council's response to matters so raised. 	Meeting following the receipt of External Audit Reports			
4.2 Ensure compliance with regulation 22 (1) of the <i>Local Government (Financial Management) Regulations 2011</i> which prevent a Council from engaging its auditor to provide any services to the Council outside the scope of the auditor's functions under the <i>Local Government Act 1999</i> .	July 2022			
5 Internal Controls and Risk Management Systems (LGA – Section 126(4)(c))				
5.1 Identify whether weaknesses in internal controls have been previously identified, e.g. by management or Council's external auditor, and if so whether action has been taken to have them addressed: <ul style="list-style-type: none"> consider the range of documented internal control policies and procedures; and whether they are being followed. 	Standing Agenda Item			
5.2 Develop and monitor the delivery of the Council's Strategic Internal Audit Plan by: <ul style="list-style-type: none"> meeting with the Council's Internal Auditors to discuss any points of concern raised by the Internal Auditor, as part of the delivery of the Strategic Audit Plan; assessing the appropriateness of the Council's response to matters raised in the Internal Audit Reports; and annually review the appropriateness of the Council's three (3) year Strategic Internal Audit Plan. 	As required	Meeting following the receipt of the Internal Audit Report		February 2022

2021-2022 Audit Committee Work Program

Activity	Meeting for Consideration	Current Status / Outcomes	Follow-up Action	Date Completed
5.3 Review Management's assessment of the Council's major risks.	Standing Agenda Item			
5 Internal Controls and Risk Management Systems (LGA – Section 126(4)(c) Cont.				
5.3 Establish whether locally appropriate strategies exist to minimise the likelihood of occurrence and adverse consequence for obvious and major risks. Consider:				
<ul style="list-style-type: none"> • whether an assessment has been undertaken to identify foreseeable events with potentially catastrophic consequences and actions established to minimise their likelihood and effect e.g. <ul style="list-style-type: none"> ◦ whether a business continuity plan has been developed in case of major damage to key Council properties or other, (e.g. computer, assets); ◦ whether there are significant risks that have been identified by Council's insurers that have not been reasonably addressed and therefore could jeopardise insurance cover in this regard; and ◦ adequacy of insurance coverage. ◦ Annual Review of Insurance Claims 	July 2022			
5.4 Review the appropriateness of the range and content of Council's financial policies and practices:				
<ul style="list-style-type: none"> • as per Policy Development Timetable. 	Standing Agenda Item			
5.5 Review the Council's financial governance arrangements and the effectiveness of those arrangements including:				
<ul style="list-style-type: none"> • Management/reporting of Council's regional subsidiaries. • the processes in place to ensure: <ul style="list-style-type: none"> ◦ all Council Members and the executive team have appropriate knowledge of key financial governance principles, issues and reporting tools in the context of Local Government financial sustainability; and, ◦ where warranted, existing knowledge and skills are augmented with locally appropriate training and support 	Standing Agenda Item			

2021-2022 Audit Committee Work Program

Activity	Meeting for Consideration	Current Status / Outcomes	Follow-up Action	Date Completed
6 Reporting				
6.1 Ensure that significant, urgent matters identified through the work program are formally and promptly reported to Council:	As required			
6.2 Report annually to the Council; <ul style="list-style-type: none"> <li data-bbox="152 507 891 628">• outlining outputs relative to the audit committee's work program and the results of a self-assessment of performance for the preceding period including whether it believes any changes to its Terms of Reference are appropriate; <li data-bbox="152 635 891 660">• outlining any identified training needs; <li data-bbox="152 667 891 692">• advising future work program proposals; and <li data-bbox="152 699 891 708">• invite comment from the Council on all of the above. 	July 2022			

Attachment B

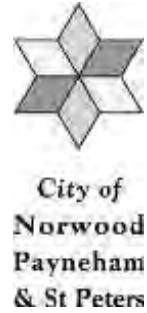
Audit Committee Annual Report to Council

City of Norwood Payneham & St Peters
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City of
Norwood
Payneham
& St Peters



AUDIT COMMITTEE

TERMS OF REFERENCE

1. ESTABLISHMENT

- 1.1 The City of Norwood Payneham & St Peters Audit Committee is established under Section 41 of the *Local Government Act 1999* and the Regulations thereunder, for the purposes of Section 126 of the Act.
- 1.2 The Committee will be known as the Audit Committee.
- 1.3 The Committee may be wound up at any time by resolution of the Council.
- 1.4 These Terms of Reference were adopted by the Council on 3 December 2018.

2. OBJECTIVES

The principal objective of the Audit Committee is to add value to and improve, the City of Norwood Payneham & St Peters' operations, by assisting the Council to meet its legislative and probity requirements as required by the *Local Government Act 1999* and other relevant Legislation, Standards and Codes.

3. ROLE AND FUNCTIONS

- 3.1 The Audit Committee is an independent advisory Committee of the Council. The primary role of the Audit Committee is to assist the Council in the effective conduct of its responsibilities in respect to financial reporting, management of risk, maintaining a reliable system of internal controls that facilitates the organisation's ethical development.

The Audit Committee is established to assist the co-ordination of relevant activities of management and the external auditor in order to facilitate the achievement of organisational objectives in an efficient and effective manner.

As part of the Council's governance obligations to its citizens, the Council has constituted an Audit Committee to facilitate:

- the enhancement of the credibility and objectivity of internal and external financial reporting;
- propose and provide information relevant to a review of the Council's Strategic Management Plans and Annual Business Plan;
- the review and reporting on any matter relating to financial management or the efficiency and economy with which the Council manages its resources;
- effective management of financial and other risks and the protection of the Council's assets;
- compliance with laws and regulations related to financial and risk management as well as use of best practice guidelines;
- the provision of an effective means of communication between the external auditor, management and the Council;
- proposing and reviewing the exercise of powers under Section 130A of the *Local Government Act 1999*.
- review Annual Financial Statements to ensure that they present fairly the state of affairs of the Council;

- liaising with the Council's Auditor; and
- reviewing the adequacy of accounting, internal control reporting and other financial management systems and practices of the Council on a regular basis.

4. DELEGATED AUTHORITY

- 4.1 Pursuant to Section 44 of the *Local Government Act 1999*, the Audit Committee does not enjoy the delegation of any powers, functions and duties of the Council. All decisions of the Committee will, therefore, constitute only recommendations to the Council.

5. DUTIES AND RESPONSIBILITIES

- 5.1 The following are the duties and responsibilities of the Audit Committee:
- (a) To review the scope of the external audit plan and programme and the effectiveness of the proposed external audit work. This review should consider whether, over a period of years, the external audit plan systemically addresses:
 - internal controls over significant areas of risk, including non-financial management control systems;
 - internal controls over revenue, expenditure, assets and liability processes;
 - the efficiency, effectiveness and economy of significant Council programmes; and
 - compliance with regulation, policies, best practice guidelines, instructions and contractual arrangements.
 - (b) Review the appropriateness of special external audit assignments undertaken by external audit at the request of the Council or the Chief Executive Officer.
 - (c) Critically analyse and follow up any external audit report which raises significant issues relating to risk management, internal control, financial reporting and other accountability or governance issues and any other matters relevant under the Committee's Terms of Reference. Review management's response to and actions taken as a result of the issues raised.
 - (d) Monitor the risk exposure of the Council by determining if appropriate risk management processes and adequate management information systems are in place.
 - (e) Monitor ethical standards and related party transactions by determining whether the systems of control are adequate.
 - (f) Review the Council's draft Annual Financial Report, focusing on:
 - accounting policies and practices;
 - changes to accounting policies and practices;
 - the process used in making significant accounting estimates;
 - significant adjustments to the financial report (if any) arising from the audit process;
 - compliance with accounting standards and other reporting requirements; and
 - significant variances from prior years.
 - (g) Recommend adoption of the Annual Financial Report to the Council. Review any significant changes that may arise subsequent to any such recommendation but prior to the financial report being signed.
 - (h) Discuss with the external auditor, the scope of the annual financial report audit and the planning of the audit.
 - (i) Discuss with the external auditor, issues arising from the annual financial report audit, including any management letter issued by the auditor and the resolution of such matters.
 - (j) Review tendering policies and processes and advise the Council on appropriateness of those policies and any suggested amendments.

- (k) Review the annual performance statement and recommend its adoption to the Council.
 - (l) Review issues relating to national competition policy, financial reporting by the Council's business units and comparative performance indicators.
 - (m) To review the scope of the internal audit plan and programme and the effectiveness of the proposed internal audit work. This review should consider whether, over a period of years, the internal audit plan systemically addresses:
 - internal controls over significant areas of risk, including non-financial management control systems;
 - the efficiency, effectiveness and economy of significant Council programmes
 - compliance with regulation, policies, best practice guidelines, instructions and contractual arrangements; and
 - business improvement and performance efficiency reviews.
 - (n) Identify and refer specific projects or investigations deemed necessary through the Chief Executive Officer and the Council if appropriate. Oversee any subsequent investigations, including overseeing of the investigation of any suspected cases of fraud within the organisation.
 - (o) Monitor the progress of any major litigation against the Council.
 - (p) Address issues brought to the attention of the Audit Committee, including responding to requests from the Council for advice that are within the parameters of the Committee's Terms of Reference.
 - (q) Report to the Council after each meeting, in the form of minutes or otherwise, and as necessary and provide an annual report to Council summarising the activities undertaken during the year.
 - (r) The Audit Committee in conjunction with the Council and the Chief Executive Officer should develop the Committee's performance indicators.
- 5.2 The Audit Committee, through the Chief Executive Officer and following authorisation from the Council and within the scope of its responsibilities, may seek information or obtain expert advice on matters of concern.

6. MEMBERSHIP AND CONDITIONS OF APPOINTMENT

- 6.1 Membership of the Committee will comprise:
- the Mayor;
 - two (2) Elected Members as determined by resolution of the Council; and
 - two (2) Independent Members who are appointed by the Council and who are determined by the Council to have experience relevant to the functions of the Audit Committee.
- 6.2 The Council will appoint one (1) of the Members as the Presiding Member,
- 6.3 The Membership of the Committee comprises of the following:
- Mayor Robert Bria;
 - Cr John Minney (Elected Member, Presiding Member)
 - Cr Mike Stock (Elected Member)
 - Ms Sandra DiBlasio (Independent Member); and
 - Ms Brigid O'Neill (Independent Member).
- 6.4 Conditions of Appointment shall include:
- (a) Independent Members will have senior business or financial management/reporting knowledge and experience, in particular, experience relevant to the functions of an audit committee and be conversant with the financial and other reporting requirements.

The evaluation of potential members will be undertaken by the Mayor and Chief Executive Officer and the two (2) Elected Members appointed to the Audit Committee taking account of the experience and qualifications of candidates and their likely ability to apply appropriate analytical and strategic management skills, and a recommendation for appointment put to Council.

- (b) At the end of each Committee term, sitting Independent Members, following an Expression of Interest, will be recommended for re-appointment for a further two (2) years.
- (c) Where a vacancy exists, Expressions of Interest from Independent Members shall be made by the Council by way of a public advertisement and be for a term of two (2) years or some other period as determined by the Council. The term of the appointment should be arranged to ensure an orderly rotation and continuity of membership despite changes to Council's Elected Members.
- (c) Remuneration will be paid to each Independent Member of the Committee (based on a set fee per meeting attended).
- (d) Elected Members will be appointed for a term of two (2) years or some other period as determined by the Council.

7. REMOVAL OF A MEMBER

- 7.1 Membership of the Audit Committee continues for the term of the Committee, unless a Member resigns from the Committee or is removed earlier by resolution of Council.
- 7.2 If the Council proposes to remove a Member of the Committee, it must give written notice to the Member of its intention to do so and provide that Member with the opportunity to be heard at a Council meeting which is open to the public, if that Member so requests.

8. OPERATIONAL MATTERS

- 8.1. The Committee shall act at all times in strict accordance with the *Local Government Act 1999* and any other relevant legislation.
- 8.2 In particular, the Committee shall act at all times in strict accordance with the *Local Government Act 1999* and Part 2 of the *Local Government (Procedures at Meetings) Regulations 2000*, provided that the Committee may alter in whole or in part the application of Part 2 of the Regulations, where it forms the opinion that such alterations are necessary for the better operation of its meetings.
- 8.3 The Committee shall meet at the Norwood Town Hall, 175 The Parade, Norwood, in accordance with the responsibilities imposed upon it at Clause 5 of these Terms of Reference and otherwise on such dates and at such times as the Presiding Member of the Committee or the Committee, by resolution, may determine.
- 8.4 A quorum for a meeting of the Committee shall be three (3) members of the Committee, one (1) of whom shall be an Independent Member.
- 8.5 If the Presiding Member of the Committee is absent from a meeting, then the Members present will determine between themselves who will preside at the meeting.
- 8.6 All decisions of the Committee shall be made on the basis of a majority decision of the members present.
- 8.7 Insofar as the *Local Government Act 1999* and Regulations and these Terms of Reference do not prescribe the procedure to be observed in relation to the conduct of a meeting of the Committee, the Committee may determine its own procedure.

9. MEETINGS

- 9.1 The Committee shall meet at least quarterly (ie at least four (4) times each year) at appropriate times in the reporting and audit cycle and otherwise as required.
- 9.2 A schedule of meetings will be developed and agreed to by the Committee. As an indicative guide, meetings will be arranged to coincide with relevant Council reporting deadlines, the development of Strategic Plans, the Annual Business Plan and Budgets and to coincide with the finalisation of the Financial Statements and the draft Annual Report to the Minister.
- 9.3 Notice of each meeting confirming the venue, time and date, together with an agenda of items to be discussed, shall be forwarded to each member of the Audit Committee, no later than three (3) clear business days before the date of the meeting. Supporting papers, reports and documents shall be sent to the Audit Committee Members at the same time.
- 9.4 Additional meetings shall be convened at the discretion of the Presiding Member or at the written request of any member of the Committee or external auditor.
- 9.5 The Chief Executive Officer should attend all meetings and other Members of the Council or the Council staff may be invited to attend at the discretion of the Committee, to advise and provide information when required.
- 9.6 Representatives of the external auditor may be invited to attend at the discretion of the Committee but **must** attend meetings at which the draft Annual Financial Report and results of the external audit are considered.
- 9.7 The Council shall provide secretarial and administrative support to the Committee, through the Chief Executive Officer or his delegate.

10. REPORTING TO THE COUNCIL

- 10.1 Pursuant to Section 41(8) of the *Local Government Act 1999*, all decisions of the Audit Committee will be referred to the Council as recommendations of the Committee. The reporting of the decisions of the Committee in this manner, in accordance with Clause 1.2 of these Terms of Reference, will satisfy the requirements of Section 41(8).
- 10.2 In addition, the Committee shall report annually to the Council summarising the activities of the Committee during the previous financial year.

11. MINUTES OF MEETINGS

- 11.1 The Chief Executive Officer shall ensure that the proceedings and resolutions of all meetings of the Audit Committee, including recording the names of those present and in attendance, are minuted and that the minutes otherwise comply with the requirements of the Local Government (Procedures at Meetings) Regulations 2000.
- 11.2 Minutes of Audit Committee meetings shall be circulated within five (5) days after a meeting to all Members of the Audit Committee and to all Members of the Council and will (as appropriate) be available to the public.

12. TERM OF THE COMMITTEE

- 12.1 The Committee will be wound up without further action by the Council at the conclusion of the term of the Committee.
- 12.2 The term of the Committee expires on 30 November 2020.

Section 3 – Governance & General Reports

11.4 EASTERN HEALTH AUTHORITY CHARTER REVIEW

REPORT AUTHOR: General Manager, Urban Planning & Environment
GENERAL MANAGER: Chief Executive Officer
CONTACT NUMBER: 8366 4501
FILE REFERENCE: qA69175
ATTACHMENTS: A - C

PURPOSE OF REPORT

The purpose of this report is to advise the Council of proposed amendments to the Eastern Health Authority (EHA) Charter and to seek the Council's position on the proposed amendments, to assist in finalising the current Charter review process.

BACKGROUND

Pursuant to Clause 19 of Schedule 2 of the *Local Government Act 1999*, a Regional Subsidiary is required to have a Charter which is prepared by the Subsidiary's Constituent Councils. The Charter is required to be reviewed every four (4) years. The last review of the Eastern Health Authority Charter was finalised in May 2016. A review of the current Charter commenced in June 2020.

An initial review of the current EHA Charter was undertaken by the Authority's Administration, including seeking advice in relation to what aspects of the Charter need to be amended from a legal and best practice perspective. The proposed changes were considered by the EHA Board, at meetings held on 2 December 2020 and 25 February 2021.

On 11 March 2021, the Authority's Chief Executive Officer sought feedback from the Constituent Councils regarding the proposed changes to the Charter and invited Constituent Councils to provide any additional comments or suggestions in relation to the review of the Charter that they would like considered.

The changes proposed to the Charter by the Authority's Administration primarily relate to governance matters. Of these, two of the proposed changes are considered noteworthy.

Firstly, if the Authority's Chief Executive Officer proposes to undertake an activity outside of the area of the Constituent Councils, the current Charter provisions require the Chief Executive Officer to obtain unanimous approval from the EHA Board and all of the Constituent Councils. This is a time consuming process that can lead to EHA missing opportunities to undertake an activity that could benefit the Constituent Councils. In this context, it is proposed to amend the Charter to allow for approval of an activity outside of the area of the Constituent Councils to be obtained, following unanimous endorsement from the EHA Board and the concurrence of the Chief Executive Officers (CEOs) of the Constituent Councils. The proposed change to the Charter would not affect the current allied requirement that any activity presented for approval would need to align with the Public Health Services currently detailed in the EHA Annual Business Plan to ensure that the Authority only undertakes 'extra' activities that align with its core business functions and that would be of benefit to the Constituent Councils.

The second matter relates to the Chairperson of the EHA Board. The Authority's Audit Committee has suggested that the Chairperson should be an Independent Member. The EHA Board considered the feedback from its Audit Committee and were of the collective opinion that the current arrangement where the Chair is elected from Constituent Council Board Members is suitable when considering the size and structure of EHA and the nature of business transacted at Board meetings. As such, no change to this aspect of the Charter has been recommended by the Authority's Administration.

A copy of the Current EHA Charter is contained in **Attachment A**. A table summarising all of the proposed changes to the EHA Charter and a 'marked up' copy of the Charter including the proposed changes, is contained in **Attachment B**.

The Authority's Chief Executive Officer was advised by letter dated 17 March 2021, that a staff level, the City of Norwood Payneham & St Peters has no objections to the proposed changes to the EHA Charter.

On 6 July 2021, the Authority's Chief Executive Officer sent further correspondence to the Constituent Councils summarising the initial comments which were received from all Constituent Councils regarding the proposed changes to the EHA Charter. As a number of the changes have not received unanimous endorsement from the Constituent Councils, the amendments require further clarification and consideration.

Amendments to the EHA Charter can only be made by unanimous resolution of the Constituent Councils and it is therefore necessary for the Council to consider and endorse any proposed amendments to the Charter.

A copy of correspondence from the Authority's Chief Executive Officer dated 6 July 2021, including a summary of the proposed changes to the EHA Charter and discussion on the unresolved issues, is contained in **Attachment C**.

RELEVANT STRATEGIC DIRECTIONS & POLICIES

Not Applicable.

FINANCIAL AND BUDGET IMPLICATIONS

Not Applicable.

EXTERNAL ECONOMIC IMPLICATIONS

Not Applicable.

SOCIAL ISSUES

Not Applicable.

CULTURAL ISSUES

Not Applicable.

ENVIRONMENTAL ISSUES

Not Applicable.

RESOURCE ISSUES

Not Applicable.

RISK MANAGEMENT

The requirement for the Charter to be reviewed is a legislative compliance issue and the review has been undertaken within the timeframes prescribed in the *Local Government Act 1999*.

COVID-19 IMPLICATIONS

Not Applicable.

CONSULTATION

- **Elected Members**
Cr Sue Whittington and Cr Garry Knoblauch are the Council's appointees on the Authority's Board of Management and have been involved with the various stages of the Charter review process.
- **Community**
Not Applicable.
- **Staff**
Not Applicable.

- **Other Agencies**
Not Applicable.

DISCUSSION

A review of the EHA Charter has been undertaken and the affected clauses and their current status are set out below:

Clause 1.7 – Area of Activity

The suggested change enables the Authority to undertake an activity outside of the Constituent Council areas, subject to obtaining unanimous endorsement from the EHA Board Members and the concurrence of the Chief Executive Officers of the Constituent Councils. Currently, unanimous approval is required to be obtained from the EHA Board and the Constituent Councils rather than the Constituent Council Chief Executive Officers. The lengthy timeframes associated with obtaining endorsement from the five (5) EHA Constituent Councils could result in the Authority missing out on an opportunity to undertake an 'extra' activity that could benefit the Constituent Councils. For example, if a Council (other than an EHA Constituent Council) calls for Expressions of Interest to provide vaccination services to local businesses in their council area, the Authority's Chief Executive might be interested in tendering for EHA to provide the service on the basis that it aligns with EHA's core functions and could provide the Authority with additional revenue that in turn could offset some of the annual financial contributions that Constituent Councils make to EHA. However, the current need to obtain unanimous endorsement from the EHA Board Members and all of the Constituent Councils could take a significant amount of time to obtain and this could comprise the Authority's ability to submit a tender within the required timeframe.

The City of Burnside has requested some re-drafting of the suggested amendment to make it clear that any 'extra' activity that the Authority seeks to undertake outside of the Constituent Council areas is not at the detriment of the Constituent Councils and to include principles and factors that would be considered when assessing a proposal to undertake an activity outside of the Constituent Council areas.

The Campbelltown City Council has suggested that the revised clause should require the unanimous support of the Chief Executive Officers of the Constituent Councils to align with the requirement to obtain the unanimous endorsement of the EHA Board Members.

The Town of Walkerville does not support the proposed clause amendment on the basis that the Authority has provided no evidence to suggest that the current process had delayed or prevented an activity outside of the Constituent Council areas from being considered or advanced.

The Campbelltown City Council's suggestion that the revised clause should require the unanimous support of the Chief Executive Officers of the Constituent Councils to align with the requirement to obtain the unanimous endorsement of the EHA Board Members is supported. The need to obtain unanimous endorsement from the Chief Executive Officers of the Constituent Councils provides an extra 'check and balance' in the approval process for the Authority to undertake an 'extra' activity outside of the Constituent Council areas and the additional requirement is not considered too burdensome on the Authority.

The City of Burnside's suggestion that the revised Clause make it clear that any 'extra' activity that the Authority seeks to undertake outside of the Constituent Council areas is not at the detriment of the Constituent Councils and to include principles and factors that would be considered when assessing a proposal to undertake an activity outside of the Constituent Council areas is considered unnecessary. As each proposal is unique, issues that require consideration would necessarily be included in the Authority's business case that would be considered by the EHA Board and the Chief Executive Officers of the Constituent Council's. In addition, part of existing Clause 1.7 (that is not proposed to be amended) states that EHA may only undertake an activity outside of the area of the Constituent Councils where it is necessary or expedient to the performance by EHA of its functions and that the activity reflects activities included in EHA's Annual Business Plan. In this context, it is considered that the changes the City of Burnside are seeking for Clause 1.7 have no work to do. That said, if the other Constituent Councils agree with the City of Burnside's suggested change, then it is recommended that the Council accept the suggested amendment in the interest of achieving consensus and expediting the Charter Review process.

Clause 1.8 – Common Seal

Clause 1.8 of the EHA Charter relates to the use of the Common Seal to authenticate corporate documents. It is proposed to delete parts (b) and (c) of the Clause as they replicate existing requirements stipulated in the *Local Government Act 1999* in relation to the circumstances in which a common seal should be used and who should affix the common seal.

The suggested change is unanimously supported by the Constituent Councils.

Clause 2.1 – Board of Management - Functions

Clause 2.1 of the EHA Charter prescribes the functions of the EHA Board of Management. It is proposed to amend subclause (f) to remove the reference to the Board assisting with the Development of the Regional Public Health Plan and the Authority's Annual Business Plan. The amendment is proposed on the basis that the EHA Board (in its capacity as the governing body of EHA) must adopt the Authority's Annual Business Plan and therefore it is not necessary for the Clause to refer to Board assisting in the development of the Plan. In addition, the Regional Public Health Plan is considered to be a plan of the Constituent Councils that is adopted by each of the Constituent Councils rather than EHA. The elements of the Regional Public Health Plan that are directly relevant to EHA are reflected in EHA's Annual Business Plan, which is endorsed by the EHA Board. This rationale for the suggested changes to Clause 2.1 is based on legal advice obtained by EHA's Administration.

The Campbelltown City Council has requested the reinstatement of subclause (f) to enable Board participation in the development of the Regional Public Health Plan and the Authority's Annual Business Plan.

The Campbelltown City Council's position is not supported on the basis that the suggested change to the Charter correctly distinguishes the role of the EHA Board in considering and either endorsing or rejecting the proposed Business Plan rather than formally contributing to the early stages of its development. Nothing in the suggested change to Clause 2.1 prevents the Board from having early informal input into the development of the Annual Business Plan.

That said, if the other Constituent Councils agree with the Campbelltown City Council's suggested change, then it is recommended that the Council accept the suggested reinstatement of subclause (f) of Clause 2.1 in the interest of achieving consensus and expediting the Charter Review process.

Clause 2.2 – Membership of the EHA Board

It is proposed to amend Clause 2.3 of the EHA Charter to clarify that Board Members can either be Elected Members or a member of a Council's Administration. Other minor wording changes are proposed that have no effect on the meaning or effect of the Clause.

The suggested changes are unanimously supported by the Constituent Councils.

Clause 2.4 – Board Policies and Codes

It is proposed to amend Clause 2.4 of the EHA Charter to remove references to the EHA Board being consulted or involved on the development of policies and codes. The rationale for this is that the EHA Board (in its capacity as the governing body of EHA) must adopt policies, codes etc. and therefore Board Members provide their input by discussing, debating and ultimately adopting or not adopting and policies and codes when they are presented to the Board for endorsement.

It is also proposed to amend the Clause to reflect that EHA has developed its own Code of Conduct for Board Members.

The suggested changes are unanimously supported by the Constituent Councils.

Clause 2.5 – Chair of the Board

It is proposed to amend several parts of Clause 2.4 of the EHA Charter.

Firstly, it is proposed to amend the Clause to clarify that in circumstances where resignation of the Chairperson occurs or the Chairperson is absent, the Deputy Chairperson will act as the Chairperson until the election of the a new Chairperson or in the case of absenteeism, until the Chairperson returns. The suggested change is unanimously supported by the Constituent Councils.

The Authority's Audit Committee has suggested a further change to the Clause to the effect that the Chairperson should be an Independent Member. The Committee's rationale for this request is that:

- it is best practice and good governance;
- an Independent Chairperson is primarily free of Conflicts of Interest (Risk Management);
- able to act as a conciliatory element when and if elements of the Board differ; and
- the Independent Chairperson is best placed to manage other Board Members' Conflicts of Interest.

The current wording of the Clause prohibits Board Members from receiving remuneration for attendance at meetings. It is unlikely that an Independent Chairperson would consider taking on such a role without remuneration. As such, if the Constituent Councils endorse the suggested change, the market would need to be tested in this regard and it is anticipated that the sitting fee for this role would be in the order of \$450 to \$600 per meeting.

The EHA Board considered the feedback from its Audit Committee and are of the collective opinion that the current arrangement where the Chair is elected from Constituent Council Board representatives is suitable when considering the size and structure of EHA and the nature of business transacted at Board meetings. As such, no change to the Charter has been recommended by EHA's Administration. The Board's position is supported.

The Town of Walkerville is the only Constituent Council to date that supports the Audit Committee's recommendation, namely that the Chairperson should be an Independent Member.

Clause 3.2 – Special Meetings

It is proposed to amend Clause 3.2 of the EHA Charter to require the provision of four (4) hours of notice to convene a Special meeting of the EHA Board, rather than the current requirement of one (1) hour notice.

The suggested change is unanimously supported by the Constituent Councils.

Clause 3.3 – Telephone or Video Conferencing

Clause 3.3 of the EHA Charter sets out the circumstances in which Special Meetings of the EHA Board can occur by telephone or video conference. It is proposed to delete the descriptive parts of this Clause and include them in meeting procedure document to be adopted by the Authority's Chief Executive.

The Campbelltown City Council and the Town of Walkerville have suggested that procedures relating to the conduct of Board Meetings should be determined by the EHA Board and not the Chief Executive. This feedback has been agreed to by the Authority's Administration and it is suggested that the Clause be further re-drafted to reflect that the EHA Board will determine Board Meeting procedure documents. This approach is supported.

Clauses 3.6 & 3.8 – Quorum and Voting

It is proposed to amend Clauses 3.6 and 3.8 of the EHA Charter to clarify that a quorum is required for business to be transacted and that Board Members attending meetings by electronic means must vote on a question arising from a decision at the meeting.

The suggested changes are unanimously supported by the Constituent Councils.

Clause 3.9 – Circular Resolutions

It is proposed to simplify Clause 3.9 of the EHA Charter by including the requirements for circular resolutions (resolutions passed without the need for a Board meeting) in a procedure document that is to be adopted by the Board.

The suggested change is unanimously supported by the Constituent Councils.

Clause 4.3 – Functions of the Chief Executive Officer

It is proposed to change some minor wording of Clause 4.3, none of which changes the meaning or effect of the Clause.

The suggested change is unanimously supported by the Constituent Councils.

Clause 4.4 – Acting Chief Executive Officer

It is proposed to change Clause 4.4, to clarify that the Chief Executive Officer may appoint a suitable person to act as Chief Executive Officer and remove the ability for the Board to revoke the appointment.

The suggested change is unanimously supported by the Constituent Councils.

Clause 5 – Staff of EHA

It is proposed to change Clause 5, to reflect provisions in the *Local Government Act, 1999*. The changes do not affect the meaning or effect of the Clause.

The suggested change is unanimously supported by the Constituent Councils.

Clause 6 – Regional Public Health Plan

It is proposed to change Clause 6, to reflect the current state of the Regional Public Health Planning review and reporting process.

The suggested change is unanimously supported by the Constituent Councils.

Clause 7 – Insurance & Superannuation Requirements

Some minor wording changes are proposed to Clause 7, none of which affect the meaning or effect of the Clause.

The suggested change is unanimously supported by the Constituent Councils.

Clause 8 – Business Plan

Clause 8(c) states:

8.1 Contents of the Business Plan

(c) A draft of the Business Plan will be provided to the Constituent Councils ~~on a date to be determined~~ for the endorsement of the majority of those councils.

EHA's Administration is proposing to delete the reference to the date to tidy up any ambiguity about the meaning of the Clause.

The Town of Walkerville has considered the proposed amendment and have advised that it supports the unanimous endorsement of the Constituent Councils, not the majority. The Town of Walkerville was the only Council to provide comment on Clause 8(c).

The proposed change to Clause 8 is supported on the basis that the current inclusion of the words ‘on a date to be determined’ add no value to the meaning of the Clause. The remainder of the wording requires the draft Business Plan to be provided to the Constituent Councils for endorsement, which by implication requires the Business Plan to be forwarded on for endorsement. The date on which this occurs is of no relevance.

Clause 8(b) of the EHA Charter requires the Authority to submit its Annual Report to the Constituent Councils by 30 September each year. It is proposed to amend the Clause to require the submission by 15 October each year to allow the Authority additional time to compile the report. The Town of Walkerville and Campbelltown City Council have raised concerns with the suggested timeline change as the longer timeframe will impact Council operations and approval processes for the Constituent Council Annual reports.

In light of the concerns which have been raised and the impacts on the Constituent Councils from an operational perspective of the proposed amendment, the Authority’s Administration has suggested retaining the current date of 30 September to submit its Annual Report to the Constituent Councils. This position is supported.

Clause 12.3 – Alteration & Review of Charter

Some minor wording changes are proposed to Clause 12.3, to reflect revised *Local Government Act* requirements for the publishing of the EHA Charter.

The suggested change is unanimously supported by the Constituent Councils.

Additional Matter – Membership of the Board

The Town of Walkerville has suggested reducing the number of Board Members from two (2) per Constituent Council to one (1) per Constituent Council, with an Independent Chairperson. The Town of Walkerville considers the current arrangements too unwieldy.

No other Constituent Council has raised a similar concern during the current Charter Review process and the Town of Walkerville has not provided any evidence (or reasons in support) that the current arrangements are unwieldy. As such, their suggestion is not supported.

A number of grammatical changes to the EHA Charter have also been suggested by EHA’s Administration.

Next Steps

It is necessary to consider how the Constituent Councils can gain consensus on the clauses that have not been unanimously agreed. Table 1 below sets out the outstanding clauses for which a unanimous position has yet to be reached among the Constituent Councils, albeit recognising that some of the ‘agreed clauses’ have only been agreed to date at Administration level.

TABLE 1: REVISED EHA CHARTER CLAUSES YET TO BE UNANIMOUSLY ENDORSED

Clause	Name	Summary Content
2.1	Board Functions	Discussion/re-drafting if required likely to obtain consensus position
3.3	Telephone & Video Conferencing	Re-drafting likely to obtain consensus position
8.2(b)	Business Plan	Retention of existing submission date likely to obtain consensus position
1.7	Area of Activity	Town of Walkerville have singular position. Re-drafting likely to obtain consensus position of four Councils.
2.2	Membership of Board	Town of Walkerville have singular position
2.5	Chairperson of Board	Town of Walkerville have singular position
8.1(c)	Business Plan	Town of Walkerville have singular position.

The Authority's Chief Executive Officer is of the opinion that unanimous consensus of the Constituent Councils can be achieved in relation to Clauses 2.1, 3.3 and 8.2(b) of the EHA Charter with some further clarification of the suggested changes and/or some re-drafting of the wording of the Clauses. The same applies for Clause 1.7 with the exception of the Town of Walkerville. The view of the Authority's Chief Executive Officer is supported for the reasons stated in this report. In addition, it is clear that, subject to this Council's consideration of the suggested changes to the EHA Charter, the Town of Walkerville has a singular position with respect to the suggested changes to Clauses 1.7, 2.2, 2.5 and 8.1(c).

In this context, given that the Town of Walkerville has recently provided notice of its intention to withdraw from EHA, effective from 30 June 2022 and that their position in respect to Clauses 1.7, 2.2, 2.5 and 8.1(c) is not supported by any of the other Constituent Councils, it is considered unnecessary to address their outstanding concerns.

OPTIONS

The Council can either resolve to approve or reject the proposed changes to the EHA Charter.

If the Council resolves to approve the proposed changes to the EHA Charter, it is important to note that any amendments to the Charter can only be made by the unanimous resolution of the Constituent Councils and therefore the Town of Walkerville's concerns and objections to proposed changes to Clauses 1.7, 2.2, 2.5 and 8.1(c), would prevent the changes from being implemented and this in turn will delay the finalisation of the Charter review process. In this context, it is suggested that the Council has three (3) options available.

Option 1

If the Council is happy to endorse the suggested changes to the EHA Charter, it could advise the Authority's Chief Executive of its position and request that the Charter Review process be deferred until after 30 June 2022, at which point the Town of Walkerville will no longer be a Constituent Council of EHA. This would enable the finalisation of the Charter in the second half of 2022, as the remaining Constituent Councils are likely to reach to a unanimous position on the proposed changes to the EHA Charter.

This option is not recommended because it would delay the timely review of the EHA Charter.

Option 2

If the Council is satisfied with the suggested changes and endorses the changes to the EHA Charter, it could advise the Authority's Chief Executive of its position and request that the Chief Executive Officer convene a meeting of Senior Executives or Chief Executives of each of the Constituent Councils with the aim of reaching consensus on the outstanding issues of concern to the respective Constituent Councils.

This option is not recommended on the basis that it is a resource intense option in light of the fact that only one of the Constituent Councils has a singular position of the majority of unresolved proposed changes to the EHA Charter.

Option 3

If the Council endorses the suggested changes to the EHA Charter, it could advise the Authority's Chief Executive of its position and request that EHA write to the Town of Walkerville requesting that it re-consider its position regarding objections to proposed changes to Clauses 1.7, 2.2, 2.5 and 8.1(c) of the EHA Charter and that such correspondence include any available additional supporting information and rationale for the proposed changes to assist the Town of Walkerville's re-consideration of the proposed changes to the Charter. Noting, that the Town of Walkerville has advised that it will be withdrawing its membership of the Eastern Health Authority.

This option is recommended on the basis that it is the most efficient and likely pathway forward that could result in the finalisation of the Charter review process in a timely manner.

CONCLUSION

The requirement for the EHA Charter to be reviewed is a legislative compliance issue and the review is being undertaken within the timeframes prescribed in the *Local Government Act 1999*.

The proposed changes will enhance the Authority's ability to carry out its responsibilities and activities and tightens up some existing governance arrangements with respect to Board meetings and the role of Board Members and the Authority's Chief Executive Officer.

In light of the contents of this report, it is recommended that the Council advise the Eastern Health Authority Inc. Board of Management, that:

1. the proposed changes to the EHA Charter, as detailed in Attachment B to this report, are endorsed;
2. that the Council does not object to the re-drafting of Clauses 1.7, 2.1, 3.3 and 8(b) to address concerns expressed by the City of Burnside and the Campbelltown City Council, as outlined in the body of this report, should that be deemed necessary in order to facilitate the timely review of the EHA Charter; and
3. that the Authority's Chief Executive Officer write to the Town of Walkerville, requesting that the Town of Walkerville re-consider its position regarding its objections to proposed changes to Clauses 1.7, 2.2, 2.5 and 8.1(c) of the EHA Charter and that such correspondence include any available additional supporting information and rationale for the proposed changes to assist the Town of Walkerville's re-consideration of the proposed changes to the Charter.

COMMENTS

Nil.

RECOMMENDATION

That the Council advise the Eastern Health Authority Inc. Board of Management, that:

1. The proposed changes to the EHA Charter, as detailed in Attachment B to this report, are endorsed.
2. That the Council does not object to the re-drafting of Clauses 1.7, 2.1, 3.3 and 8(b) to address concerns expressed by the City of Burnside and The Campbelltown City Council, as outlined in the body of this report, should that be deemed necessary in order to facilitate the timely review of the EHA Charter; and
3. That the Authority's Chief Executive Officer write to the Town of Walkerville, requesting that the Town of Walkerville re-consider its position regarding its objections to proposed changes to Clauses 1.7, 2.2, 2.5 and 8.1(c) of the Charter and that such correspondence include any available additional supporting information and rationale for the proposed changes to assist the Town of Walkerville's re-consideration of the proposed changes to the Charter.

Attachments – Item 11.4

Attachment A

EHA Charter Review

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City of
Norwood
Payneham
& St Peters

eha EASTERN
HEALTH
AUTHORITY

**Charter
2016**



local councils working together to protect the health of the community

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1. EASTERN HEALTH AUTHORITY

1.1. Regional subsidiary

Eastern Health Authority (**EHA**) is a regional subsidiary established under section 43 of the Act.

1.2. Constituent Councils

The Constituent Councils of EHA are:

- a) City of Norwood Payneham & St Peters;
- b) City of Burnside;
- c) Campbelltown City Council;
- d) City of Prospect; and
- e) The Corporation of the Town of Walkerville,

(Constituent Councils).

1.3. Preamble

The field of Environmental health continues to increase in complexity and diversity, making it difficult for small to medium size councils to attract and retain staff who are experienced and fully skilled across the legislative demands placed on Local Government.

EHA's size, structure and sole focus on environmental health puts it in an ideal position to provide high quality, specialist services to the community on behalf of its Constituent Councils. This in turn ensures Constituent Councils are meeting their broad environmental health legislative responsibilities.

1.4. Purpose

EHA is established by the Constituent Councils for the purpose of providing public and environmental health services primarily to and within the areas of the Constituent Councils.

1.5. Functions

For, or in connection with its purpose, EHA may undertake the following functions:

- a) take action to preserve, protect and promote public and environmental health within the area of the Constituent Councils;
- b) cooperate with other authorities involved in the administration of public and environmental health;

- c) promote and monitor public and environmental health whether in or, so far as the Act and the charter allows, outside the area of the Constituent Councils;
- d) assist the Constituent Councils to meet their legislative responsibilities in accordance with the SA Public Health Act, the *Food Act 2001* (SA), the *Supported Residential Facilities Act 1992* (SA), the *Expiation of Offences Act 1996* (SA), the *Housing Improvement Act 1940* (SA) (or any successor legislation to these Acts) and any other legislation regulating similar matters that the Constituent Councils determine is appropriate within the purposes of EHA;
- e) establish objectives and policy priorities for the promotion and protection of public and environmental health within the areas of the Constituent Councils;
- f) provide immunisation programs for the protection of public health within the areas of the Constituent Councils or to ensure that such programs are provided;
- g) promote and monitor standards of hygiene and sanitation;
- h) promote and monitor food safety standards;
- i) identify risks to public and environmental health within the areas of the Constituent Councils;
- j) monitor and regulate communicable and infectious disease control;
- k) licence and monitor standards in Supported Residential Facilities;
- l) ensure that remedial action is taken to reduce or eliminate adverse impacts or risks to public and environmental health;
- m) provide, or support the provision of, educational information about public and environmental health and provide or support activities within the areas of the Constituent Councils to preserve, protect or promote public health;
- n) keep the Constituent Councils abreast of any emerging opportunities, trends and issues in public and environmental health; and
- o) any other functions described in the Charter or assigned by the Constituent Councils to EHA consistent with EHA's purpose.

1.6. Powers

EHA has the powers necessary for the carrying out of its functions, and may:

- a) enter into contracts or arrangements with any government agency or authority, or councils, including the Constituent Councils;
- b) appoint, employ, remunerate, remove or suspend officers, managers, employees and agents;
- c) enter into contracts with any person for the acquisition or provision of goods and services;
- d) receive financial contributions from the Constituent Councils;
- e) publish information;
- f) acquire, hold, deal with and dispose of any real or personal property, subject to the requirements of the Constituent Councils;
- g) open and operate bank accounts;
- h) acquire funds for the purpose of its functions or operations by entering into loan agreements;
- i) invest any of the funds of EHA in any investment with the LGA Finance Authority, provided that in exercising this power of investment EHA must:
 - (a) exercise the care, diligence and skill that a prudent person of business would exercise in managing the affairs of other persons; and
 - (b) avoid investments that are speculative or hazardous in nature;
- j) raise revenue by applying for grants and other funding from the State of South Australia or the Commonwealth of Australia and their respective agencies or instrumentalities on behalf of the Constituent Councils or on its own behalf.

1.7. **Area of activity**

EHA may only undertake an activity outside the area of the Constituent Councils where that activity has been approved by unanimous decision of the Constituent Councils as being necessary or expedient to the performance by EHA of its functions and is an activity included in the EHA business plan.

1.8. **Common seal**

- a) EHA shall have a common seal upon which its corporate name shall appear in legible characters.
- b) The common seal shall not be used without the authorisation of a resolution of EHA and every use of the common seal shall be recorded in a register.
- c) The affixing of the common seal shall be witnessed by the Chair or Deputy Chair or such other Board member as the Board may appoint for the purpose.
- d) The common seal shall be kept in the custody of the Chief Executive Officer or such other person as EHA may from time to time decide.

2. **BOARD OF MANAGEMENT**

2.1. **Functions**

The Board is responsible for managing all activities of EHA and ensuring that EHA acts in accordance with the Charter. The Board will:

- a) formulate plans and strategies aimed at improving the activities of EHA;
- b) provide input and policy direction to EHA;
- c) monitor, oversee and evaluate the performance of the Chief Executive Officer.
- d) ensure that ethical behaviour and integrity is maintained in all activities undertaken by EHA;
- e) subject to clause 3.10, ensure that the activities of EHA are undertaken in an open and transparent manner;
- f) assist with the development of the Public Health Plan and Business Plan; and

- g) exercise the care, diligence and skill that a prudent person of business would exercise in managing the affairs of other persons.

2.2. Membership of the Board

- a) Each Constituent Council must appoint:
 - (a) one elected member; and
 - (b) one other person who may be an officer, employee or elected member of that Constituent Council or an independent person,
to be Board members and may at any time revoke these appointments and appoint other persons on behalf of that Constituent Council.
- b) A Board Member shall be appointed for the term of office specified in the instrument of appointment, and at the expiration of the term of office will be eligible for re-appointment by the Constituent Council.
- c) Each Constituent Council must give notice in writing to EHA of the elected members it has appointed as Board Members and of any revocation of any of those appointments.
- d) Any person authorised by a Constituent Council may attend (but not participate in) a Board meeting and may have access to papers provided to Board Members for the purpose of the meeting.
- e) The provisions regarding the office of a board member becoming vacant as prescribed in the Act apply to all Board Members.
- f) Where the office of a board member becomes vacant, the relevant Constituent Council will appoint another person as a Board member.
- g) The Board may by a two thirds majority vote of the Board Members present (excluding the Board Member who is the subject of a recommendation under this clause g)) make a recommendation to the relevant Constituent Council requesting that the Constituent Council terminate the appointment of a Board Member in the event of:
 - (a) any behaviour of the Board Member which in the opinion of the Board amounts to impropriety;
 - (b) serious neglect of duty in attending to their responsibilities as a Board Member;

- (c) breach of fiduciary duty to EHA, a Constituent Council or the Constituent Councils;
 - (d) breach of the duty of confidentiality to EHA, a Constituent Council or the Constituent Councils;
 - (e) breach of the conflict of interest provisions of the Act; or
 - (f) any other behaviour that may, in the opinion of the Board, discredit EHA.
- h) The members of the Board shall not be entitled to receive any remuneration in respect of their attendance at meetings or on any other business of the Board.

2.3. **Conduct of Board Members**

- a) Subject to clauses 20(6) and 20(7), Schedule 2 to the Act, the provisions regarding conflict of interest prescribed in the Act apply to Board Members.
- b) Board Members are not required to comply with Division 2, Part 4, Chapter 5 (Register of Interests) of the Act.
- c) Board Members must at all times act in accordance with their duties under the Act.

2.4. **Board policies and codes**

- a) EHA must, in consultation with the Board Members ensure that appropriate policies, practices and procedures are implemented and maintained in order to:
 - (a) ensure compliance with any statutory requirements; and
 - (b) achieve and maintain standards of good public administration.
- b) A code of conduct currently prescribed under section 63 of the Act will apply to Board Members as if the Board Members were elected members, except insofar as the prescribed code of conduct is inconsistent with an express provision of the charter or schedule 2 of the Act. In the event of such an inconsistency, the charter or schedule 2 of the Act (as relevant) will prevail to the extent of the inconsistency.
- c) To the extent it is able, the Board must ensure that its policies are complied with in the conduct of the affairs of EHA and are periodically reviewed and, if appropriate, amended.

- d) The audit committee will develop a schedule for the periodic review of EHA policies by 30 June each year and provide this to the Board for approval.

2.5. Chair of the Board

- a) A Chair and Deputy Chair shall be elected at the first meeting of the Board after a Periodic Election.
- b) The Chair and Deputy Chair shall hold office for a period of one year from the date of the election by the Board.
- c) Where there is more than one nomination for the position of Chair or Deputy Chair, the election shall be decided by ballot.
- d) Both the Chair and Deputy Chair shall be eligible for re-election to their respective offices at the end of the relevant one year term.
- e) If the Chair should cease to be a Board Member, the Deputy Chair may act as the Chair until the election of a new Chair.

2.6. Powers of the Chair and Deputy Chair

- a) The Chair shall preside at all meetings of the Board and, in the event of the Chair being absent from a meeting, the Deputy Chair shall preside. In the event of the Chair and Deputy Chair being absent from a meeting, the Board Members present shall appoint a member from among them, who shall preside for that meeting or until the Chair or Deputy Chair is present.
- b) The Chair and the Deputy Chair individually or collectively shall have such powers as may be decided by the Board.

2.7. Committees

- a) The Board may establish a committee for the purpose of:
 - (a) enquiring into and reporting to the Board on any matter within EHA's functions and powers and as detailed in the terms of reference given by the Board to the committee; or
 - (b) exercising, performing or discharging delegated powers, functions or duties.
- b) A member of a committee established under this clause holds office at the pleasure of the Board.
- c) The Chair of the Board is an *ex-officio* member of any committee or advisory committee established by the Board.

3. MEETINGS OF THE BOARD

3.1. Ordinary meetings

- a) Ordinary meetings of the Board will take place at such times and places as may be fixed by the Board or where there are no meetings fixed by the Board, by the Chief Executive Officer in consultation with the Chair from time to time, so that there are no less than five ordinary meetings per financial year.
- b) Notice of ordinary meetings of the Board must be given by the Chief Executive Officer to each Board Member and the chief executive officer of each Constituent Council at least three clear days prior to the holding of the meeting.

3.2. Special meetings

- a) Any two Board Members may by delivering a written request to the Chief Executive Officer require a special meeting of the Board to be held.
- b) The request must be accompanied by the proposed agenda for the meeting and any written reports intended to be considered at the meeting (if the proposed agenda is not provided the request is of no effect).
- c) On receipt of the request, the Chief Executive Officer must send a notice of the special meeting to all Board Members and Chief Executive Officers of the Constituent Councils at least four hours prior to the commencement of the special meeting.
- d) The Chair may convene special meetings of the Board at the Chair's discretion without complying with the notice requirements prescribed in clause 3.4 provided always that there is a minimum one hour notice given to Board members.

3.3. Telephone or video conferencing

- a) Special meetings of the Board convened under clause 3.2 may occur by telephone or video conference provided that at least a quorum is present.
- b) Where one or more Board Members attends a Board meeting by telephone or video conferencing, the meeting will be taken to be

open to the public, provided that members of the public can hear the discussion between Board members.

- c) Each of the Board Members taking part in a meeting via telephone or video conferencing must, at all times during the meeting, be able to hear and be heard by the other Board Members present.
- d) At the commencement of the meeting by telephone, each Board Member must announce their presence to all other Board Members taking part in the meeting.
- e) Board Members must not leave a meeting by disconnecting their telephone, audio-visual or other communication equipment, without notifying the Chair of the meeting.

3.4. **Notice of meetings**

- a) Except where clause 3.2 applies, notice of Board meetings must be given in accordance with this clause.
- b) Notice of any meeting of the Board must:
 - (a) be in writing;
 - (b) set out the date, time and place of the meeting;
 - (c) be signed by the Chief Executive Officer;

 - (d) contain, or be accompanied by, the agenda for the meeting; and
 - (e) be accompanied by a copy of any document or report that is to be considered at the meeting (as far as this is practicable).
- c) Notice under clause b) may be given to a Board Member:
 - (a) personally;
 - (b) by delivering the notice (whether by post or otherwise) to the usual place of residence of the Board Member or to another place authorised in writing by the Board Member;
 - (c) electronically via email to an email address approved by the Board Member;
 - (d) by leaving the notice at the principal office of the Constituent Council which appointed the Board Member; or

- (e) by a means authorised in writing by the Board Member being an available means of giving notice.
- d) A notice that is not given in accordance with clause c) will be taken to have been validly given if the Chief Executive Officer considers it impracticable to give the notice in accordance with that clause and takes action that the Chief Executive Officer considers reasonably practicable in the circumstances to bring the notice to the Board Member's attention.
- e) The Chief Executive Officer may indicate on a document or report provided to Board Members that any information or matter contained in or arising from the document or report is confidential until such time as the Board determines whether the document or report will be considered in confidence under clause 3.10.b).

3.5. Minutes

- a) The Chief Executive Officer must cause minutes to be kept of the proceedings at every meeting of the Board.
- b) Where the Chief Executive Officer is excluded from attendance at a meeting of the Board pursuant to clause 3.10.b), the person presiding at the meeting shall cause the minutes to be kept.

3.6. Quorum

- a) A quorum of Board Members is constituted by dividing the total number of Board Members for the time being in office by two, ignoring any fraction resulting from the division and adding one.
- b) No business will be transacted at a meeting unless a quorum is present and maintained during the meeting.

3.7. Meeting procedure

- a) The Board may determine its own procedures for the conduct of its meetings provided they are not inconsistent with the Act or the charter.
- b) Meeting procedures determined by the Board must be documented and be made available to the public.
- c) Where the Board has not determined a procedure to address a particular circumstance, the provisions of Part 2 of the *Local Government (Procedures at Meetings) Regulations 2000* (SA) shall apply.

3.8. Voting

- a) Board Members including the Chair, shall have a deliberative vote. The Chair shall not in the event of a tied vote, have a second or casting vote.
- b) All matters will be decided by simple majority of votes of the Board Members present. In the event of a tied vote the matter will lapse.
- c) Each Board Member present at a meeting must vote on a question arising for decision at the meeting.

3.9. Circular resolutions

- a) A valid decision of the Board may be obtained by a proposed resolution in writing given to all Board Members in accordance with procedures determined by the Board, where a simple majority of Board Members vote in favour of the resolution by signing and returning the resolution to the Chief Executive Officer or otherwise giving written notice of their consent and setting out the terms of the resolution to the Chief Executive Officer.
- b) A resolution consented to under clause a) is as valid and effectual as if it had been passed at a meeting of the Board.

3.10. Meetings to be held in public except in special circumstances

- a) Subject to this clause, meetings of the Board must be conducted in a place open to the public.
- b) The Board may order that the public be excluded from attendance at any meeting in accordance with the procedure under sections 90(2) and 90(3) of the Act.
- c) An order made under clause b) must be recorded in the minutes of the meeting including describing the grounds on which the order was made.

3.11. Public inspection of documents

- a) Subject to clause c), a person is entitled to inspect, without payment of a fee:
 - (a) minutes of a Board Meeting;
 - (b) reports received by the Board Meeting; and
 - (c) recommendations presented to the Board in writing and adopted by resolution of the Board.

- b) Subject to clause c), a person is entitled, on payment to the Board of a fee fixed by the Board, to obtain a copy of any documents available for inspection under clause a).
- c) Clauses a) and b) do not apply in relation to a document or part of a document if:
 - (a) the document or part of the document relates to a matter of a kind considered by the Board in confidence under clause 3.10.b); and
 - (b) the Board orders that the document or part of the document be kept confidential (provided that in so ordering the Board must specify the duration of the order or the circumstances in which it will cease to apply or a period after which it must be reviewed).

3.12. **Saving provision**

- a) No act or proceeding of EHA is invalid by reason of:
 - (a) a vacancy or vacancies in the membership of the Board; or
 - (b) a defect in the appointment of a Board Member.

4. **CHIEF EXECUTIVE OFFICER**

4.1. **Appointment**

- a) The Board shall appoint a Chief Executive Officer to manage the business of EHA on a fixed term performance based employment contract, which does not exceed five years in duration.
- b) At the expiry of a Chief Executive Officer's contract, the Board may reappoint the same person as Chief Executive Officer on a new contract of no greater than five years duration.

4.2. **Responsibilities**

- a) The Chief Executive Officer is responsible to the Board for the execution of decisions taken by the Board and for the efficient and effective management of the affairs of EHA.
- b) The Chief Executive Officer shall cause records to be kept of all activities and financial affairs of EHA in accordance with the charter, in addition to other duties provided for by the charter and those specified in the terms and conditions of appointment.

4.3. Functions of the Chief Executive Officer

The functions of the Chief Executive Officer shall be specified in the terms and conditions of appointment and will include terms to the effect that the Chief Executive Officer's functions may:

- a) ensure that the policies, procedures, codes of conduct and any lawful decisions of EHA are implemented and promulgated in a timely and efficient manner;
- b) undertake responsibility for the day to day operations and affairs of EHA;
- c) provide advice, assistance and reports to EHA through the Board in the exercise and performance of its powers and functions under the charter and the Act;
- d) initiate and co-ordinate proposals for consideration by EHA for developing objectives, policies and programs for the Constituent Council areas;
- e) provide information to EHA to assist EHA to assess performance against EHA plans;
- f) ensure that timely and accurate information about EHA policies and programs is regularly provided to the communities of the Constituent Councils;
- g) ensure that appropriate and prompt responses are given to specific requests for information made to EHA and, where appropriate, the Constituent Councils;
- h) ensure that the assets and resources of EHA are properly managed and maintained;
- i) maintain records that EHA and the Constituent Councils are required to maintain under the charter, the Act or another Act in respect of EHA;
- j) ensure sound principles of human resource management, health and safety to the employment of staff by EHA, including the principles listed in section 107(2) of the Act;
- k) ensure compliance with the obligations under *Work Health and Safety Act 2012* (SA) of both EHA and the Chief Executive Officer (as an 'officer' of EHA within the meaning of the WHS Act); and

- l) exercise, perform or discharge other powers, functions or duties conferred on the Chief Executive Officer by the charter, and to perform other functions lawfully directed by the Board.

4.4. **Acting Chief Executive Officer**

- a) Where an absence of the Chief Executive Officer is foreseen, the Chief Executive Officer may appoint a suitable person to act as Chief Executive Officer, provided that the Board may determine to revoke the Chief Executive Officer's appointment and appoint an alternative person as Acting Chief Executive Officer.
- b) If the Chief Executive Officer does not make or is incapable of making an appointment under clause a), a suitable person will be appointed by the Board.

5. **STAFF OF EHA**

EHA may employ any staff required for the fulfilment of its functions. The conditions on which staff are employed will be determined by the Chief Executive Officer.

6. **REGIONAL PUBLIC HEALTH PLAN**

6.1. **Obligation to prepare**

- a) EHA must prepare for the Constituent Councils a draft regional public health plan for the purposes of the South Australian Public Health Act.
- b) The draft Regional Public Health Plan must be:
 - (a) in the form determined or approved by the Minister; and
 - (b) consistent with the State Public Health Plan.
- c) In drafting the Regional Public Health Plan, EHA will take into account:
 - (a) any guidelines prepared or adopted by the Minister to assist councils prepare regional public health plans; and
 - (b) in so far as is reasonably practicable give due consideration to the regional public health plans of other councils where relevant to issues or activities under the Regional Public Health Plan.

6.2. Contents

The Regional Public Health Plan must:

- a) comprehensively assess the state of public health in the areas of the Constituent Councils;
- b) identify existing and potential public health risks and provide for strategies for addressing and eliminating or reducing those risks;
- c) identify opportunities and outline strategies for promoting public health in the areas of the Constituent Councils;
- d) address any public health issues specified by the Minister; and
- e) include information as to:
 - (a) the state and condition of public health within the area of the Constituent Councils and related trends;
 - (b) environmental, social, economic and practical considerations relating to public health within the area of the Constituent Councils; and
 - (c) other prescribed matters; and
- f) include such other information or material contemplated by the SA Public Health Act or regulations made under that Act.

6.3. Consultation

- a) EHA will submit the draft Regional Public Health Plan to the Constituent Councils for approval for the plan to be provided, on behalf of the Constituent Councils, to:
 - (a) the Minister;
 - (b) any incorporated hospital established under the *Health Care Act 2008* (SA) that operates a facility within the area of the Constituent Councils;
 - (c) any relevant Public Health Authority Partner; and
 - (d) any other person prescribed by regulation made under the SA Public Health Act.
- b) Once approved by the Constituent Councils, EHA will, on behalf of the Constituent Councils, submit a copy of the draft Regional Public Health Plan to the entities listed in clause a) and consult with the Chief Public Health Officer and the public on the draft Public Health Authority Partner.

- c) EHA will provide an amended copy of the Regional Public Health Plan to the Constituent Councils which takes into account comments received through consultation under clause b).

6.4. **Adoption of a Regional Public Health Plan**

Each Constituent Council will determine whether or not to adopt the draft Regional Public Health Plan submitted to it by EHA under clause 6.3.c).

6.5. **Implementation of a Regional Public Health Plan**

EHA is responsible for undertaking any strategy and for attaining any priority or goal which the Regional Public Health Plan specifies as EHA's responsibility.

6.6. **Review**

EHA will, on behalf of the Constituent Councils, review the current Regional Public Health Plan every five years or at shorter time intervals as directed by the Constituent Councils.

6.7. **Reporting**

- a) EHA will on a biennial basis, on behalf of the Constituent Councils, prepare a draft report that contains a comprehensive assessment of the extent to which, during the reporting period, EHA and the Constituent Councils have succeeded in implementing the Regional Public Health Plan.
- b) The reporting period for the purposes of clause a) is the two years ending on 30 June preceding the drafting of the report.
- c) EHA will comply with guidelines issued by the Chief Public Health Officer in respect of the preparation of reports on regional public health plans.
- d) EHA will submit the draft report to the Constituent Councils for approval for the draft report to be provided to the Chief Public Health Officer by 30 June 2014.

7. **FUNDING AND FINANCIAL MANAGEMENT**

7.1. **Financial management**

- a) EHA shall keep proper books of account. Books of account must be available for inspection by any Board Member or authorised representative of any Constituent Council at any reasonable time on request.

- b) EHA must meet the obligations set out in the *Local Government (Financial Management) Regulations 2011 (SA)*.
- c) The Chief Executive Officer must act prudently in the handling of all financial transactions for EHA and must provide financial reports to the Board at its meetings and if requested, the Constituent Councils.

7.2. **Bank account**

- a) EHA must establish and maintain a bank account with such banking facilities and at a bank to be determined by the Board.
- b) All cheques must be signed by two persons authorised by resolution of the Board.
- c) Any payments made by electronic funds transfer must be made in accordance with procedures approved by the external auditor.

7.3. **Budget**

- a) EHA must prepare a proposed budget for each financial year in accordance with clause 25, Schedule 2 to the Act.
- b) The proposed budget must be referred to the Board at its April meeting and to the Chief Executive Officers of the Constituent Councils by 30 April each year.
- c) A Constituent Council may comment in writing to EHA on the proposed budget by 31 May each year.
- d) EHA must, after 31 May but before the end of June in each financial year, finalise and adopt an annual budget for the ensuing financial year in accordance with clause 25, Schedule 2 to the Act.

7.4. **Funding contributions**

- a) Constituent Council shall be liable to contribute monies to EHA each financial year for its proper operation.
- b) The contribution to be paid by a Constituent Council for any financial year shall be determined by calculating the Constituent Council's proportion of EHA's overall activities in accordance with the Funding Contribution Calculation Formula (see Schedule 1).
- c) Constituent Council contributions shall be paid in two equal instalments due respectively on 1 July and 1 January each year.
- d) The method of determining contributions can be changed with the written approval of not less than two thirds of the Constituent

Councils. Where the method for calculating contributions is changed, the revised methodology will apply from the date determined by not less than two thirds of the Constituent Councils.

- e) If a council becomes a new Constituent Council after the first day of July in any financial year, the contribution payable by that council for that year will be calculated on the basis of the number of whole months (or part thereof) remaining in that year.

7.5. **Financial reporting**

- a) The Board shall present a balance sheet and the audited financial statements for the immediately previous financial year to the Constituent Councils by 31 August each year.
- b) The financial year for EHA is 1 July of a year to 30 June in the subsequent year.

7.6. **Audit**

- a) The Board shall appoint an external auditor in accordance with the *Local Government (Financial Management) Regulations 2011 (SA)*.
- b) The audit of financial statements of EHA, together with the accompanying report from the external auditor, shall be submitted to the Chief Executive Officer and the Board.
- c) The books of account and financial statements shall be audited at least once per year.
- d) EHA will maintain an audit committee as required by, and to fulfil the functions set out in, clause 30, Schedule 2 to the Act.

7.7. **Liability**

The liabilities incurred and assumed by EHA are guaranteed by all Constituent Councils in the proportions specified in the Funding Contribution Calculation Formula.

7.8. **Insolvency**

In the event of EHA becoming insolvent, the Constituent Councils will be responsible for all liabilities of EHA in proportion to the percentage contribution calculated for each Constituent Council for the financial year prior to the year of the insolvency.

7.9. Insurance and superannuation requirements

- a) EHA shall register with the LGA Mutual Liability Scheme and comply with the rules of that scheme.
- b) EHA shall register with the LGA Asset Mutual Fund or otherwise advise the Local Government Risk Services of its insurance requirements relating to local government special risks in respect of buildings, structures, vehicles and equipment under the management, care and control of EHA.
- c) If EHA employs any person it shall register with Statewide Super and the LGA Workers Compensation Scheme and comply with the rules of those schemes.

8. BUSINESS PLAN

8.1. Contents of the Business Plan

- a) EHA must each year develop in accordance with this clause a business plan which supports and informs its annual budget.
- b) In addition to the requirements for the Business Plan set out in clause 24(6) of Schedule 2 to the Act, the Business Plan will include:
 - (a) a description of how EHA's functions relate to the delivery of the Regional Public Health Plan and the Business Plan;
 - (b) financial estimates of revenue and expenditure necessary for the delivery of the Regional Public Health Plan;
 - (c) performance targets which EHA is to pursue in respect of the Regional Public Health Plan.
- c) A draft of the Business Plan will be provided to the Constituent Councils on a date to be determined for the endorsement of the majority of those councils.
- d) The Board must provide a copy of the adopted annual Business Plan and budget to the Chief Executive Officers of each Constituent Council within five business days of its adoption.

8.2. Review and assessment against the Business Plan

- a) The Board must:
 - (a) compare the achievement of the Business Plan against performance targets for EHA at least once every financial year;

- (b) in consultation with the Constituent Councils review the contents of the Business Plan on an annual basis; and
 - (c) consult with the Constituent Councils prior to amending the Business Plan.
- b) EHA must submit to the Constituent Councils, by 30 September each year in respect of the immediately preceding financial year, an annual report on the work and operations of EHA detailing achievement of the aims and objectives of its Business Plan and incorporating any other information or report as required by the Constituent Councils.

9. MEMBERSHIP

9.1. New Members

The charter may be amended by the unanimous agreement of the Constituent Councils and the approval of the Minister to provide for the admission of a new Constituent Council or Councils, with or without conditions of membership.

9.2. Withdrawal of a member

- a) Subject to any legislative requirements, including but not limited to ministerial approval, a Constituent Council may resign from EHA at any time by giving a minimum 12 months notice to take effect from 30 June in the financial year after which the notice period has expired, unless otherwise agreed by unanimous resolution of the other Constituent Councils.
- b) Valid notice for the purposes of clause a) is notice in writing given to the Chief Executive Officer and each of the Constituent Councils.
- c) The withdrawal of any Constituent Council does not extinguish the liability of that Constituent Council to contribute to any loss or liability incurred by EHA at any time before or after such withdrawal in respect of any act or omission by EHA prior to such withdrawal.
- d) Payment of monies outstanding under the charter, by or to the withdrawing Constituent Council must be fully paid by 30 June of the financial year following 30 June of the year in which the withdrawal occurs unless there is a unanimous agreement as to alternative payment arrangements by the Constituent Councils.

10. DISPUTE RESOLUTION

- a) The procedure in this clause must be applied to any dispute that arises between EHA and a Constituent Council concerning the affairs of EHA, or between the Constituent Councils concerning the affairs of EHA, including a dispute as to the meaning or effect of the charter and whether the dispute concerns a claim in common law, equity or under statute.
- b) EHA and a Constituent Council must continue to observe the charter and perform its respective functions despite a dispute.
- c) This clause does not prejudice the right of a party:
 - (a) to require the continuing observance and performance of the charter by all parties: or
 - (b) to institute proceedings to enforce payment due under the charter or to seek injunctive relief to prevent immediate and irreparable harm.
- d) Subject to clause c), pending completion of the procedure set out in clauses e) to i), a dispute must not be the subject of legal proceedings between any of the parties in dispute. If legal proceedings are initiated or continued in breach of this clause, a party to the dispute is entitled to apply for and be granted an order of the court adjourning those proceedings pending completion of the procedure set out in this clause 10.
- e) **Step 1: Notice of dispute:** A party to the dispute must promptly notify each other party to the dispute of:
 - (a) the nature of the dispute, giving reasonable details;
 - (b) what action (if any) the party giving notice seeks to resolve the dispute.

A failure to give notice under this clause e) does not entitle any other party to damages.
- f) **Step 2: Request for a meeting of the parties:** A party providing notice of a dispute under clause e) may at the same or a later time notify each other party to the dispute that the notifying party requires a meeting within 14 business days.
- g) **Step 3: Meeting of senior managers:** Where a meeting is requested under clause f), a senior manager of each party must

attend a meeting with the Board in good faith to attempt to resolve the dispute.

- h) **Step 4: Meeting of chief executive officers:** Where a meeting of senior managers held under clause g) fails to resolve the dispute, the chief executive officers of EHA and each of the Constituent Councils must attend a meeting in good faith to attempt to resolve the dispute.
- i) **Step 5: Mediation:** If the meeting held under clause h) fails to resolve the dispute, then the dispute may be referred to mediation by any party to the dispute.
- j) Where a dispute is referred to mediation under clause i):
 - (a) the mediator must be a person agreed by the parties in dispute or, if they cannot agree within 14 days, a mediator nominated by the President of the South Australian Bar Association (or equivalent office of any successor organisation);
 - (b) the role of the mediator is to assist in negotiating a resolution of a dispute;
 - (c) a mediator may not make a decision binding on a party unless the parties agree to be so bound either at the time the mediator is appointed or subsequently;
 - (d) the mediation will occur at EHA's principal office or any other convenient location agreed by both parties;
 - (e) a party is not required to spend more than the equivalent of one business day in mediation of a dispute;
 - (f) each party to a dispute will cooperate in arranging and expediting the mediation, including by providing information in the possession or control of the party reasonably sought by the mediator in relation to the dispute;
 - (g) each party will send a senior manager authorised to resolve the dispute to the mediation;
 - (h) the mediator may exclude lawyers acting for the parties in dispute;
 - (i) the mediator may retain persons to provide expert assistance to the mediator;

- (j) a party in dispute may withdraw from mediation if in the reasonable opinion of that party, the mediator is not acting in confidence or with good faith, or is acting for a purpose other than resolving the dispute;
- (k) unless otherwise agreed in writing:
 - (i) everything that occurs before the mediator is in confidence and in closed session;
 - (ii) discussions (including admissions and concessions) are without prejudice and may not be called into evidence in any subsequent legal proceedings by a party;
 - (iii) documents brought into existence specifically for the purpose of the mediation may not be admitted in evidence in any subsequent legal proceedings by a party; and
 - (iv) the parties in dispute must report back to the mediator within 14 days on actions taken based on the outcomes of the mediation; and
- (l) each party to the dispute must bear its own costs in respect of the mediation, plus an equal share of the costs and expenses of the mediator.

11. WINDING UP

- a) EHA may be wound up by the Minister acting upon a unanimous resolution of the Constituent Councils or by the Minister in accordance with clause 33(1)(b), Schedule 2 of the Act.
- b) In the event of EHA being wound up, any surplus assets after payment of all expenses shall be returned to the Constituent Councils in the proportions specified in the Funding Contribution Calculation Formula prior to the passing of the resolution to wind up.
- c) If there are insufficient funds to pay all expenses due by EHA on winding up, a levy shall be imposed on all Constituent Councils in the proportion determined under the Funding Contribution Calculation Formula prior to the passing of the resolution to wind up.

12. MISCELLANEOUS

12.1. Action by the Constituent Councils

The obligations of EHA under the charter do not derogate from the power of the Constituent Councils to jointly act in any manner prudent to the sound management and operation of EHA, provided that the Constituent Councils have first agreed by resolution of each Constituent Council as to the action to be taken.

12.2. Direction by the Constituent Councils

Any direction given to EHA by the Constituent Councils must be jointly given by the Constituent Councils to the Board of EHA by a notice or notices in writing.

12.3. Alteration and review of charter

- a) The charter will be reviewed by the Constituent Councils acting jointly at least once in every four years.
- b) The charter can only be amended by unanimous resolution of the Constituent Councils.
- c) Notice of a proposed alteration to the charter must be given by the Chief Executive Officer to all Constituent Councils at least four weeks prior to the Council meeting at which the alteration is proposed.
- d) The Chief Executive Officer must ensure that the amended charter is published in the *South Australian Government Gazette*, a copy of the amended charter is provided to the Minister and a copy is tabled for noting at the next Board meeting.

12.4. Access to information

A Constituent Council and a Board Member each has a right to inspect and take copies of the books and records of EHA for any proper purpose.

12.5. Circumstances not provided for

- a) If any circumstances arise about which the charter is silent or which are, incapable of taking effect or being implemented the Board or the Chief Executive Officer may decide the action to be taken to ensure achievement of the objects of EHA and its effective administration.
- b) Where the Chief Executive Officer acts in accordance with clause a) he or she shall report that decision at the next Board meeting.

13. INTERPRETATION

13.1. Glossary

Term	Definition
Act	<i>Local Government Act 1999 (SA)</i>
Board	board of management of EHA
Board Member	a member of EHA board appointed for the purposes of clause 2.2 of the charter.
Business Plan	a business plan compiled in accordance with part 8 of the charter
Chief Executive Officer	The chief executive officer of EHA
Chief Public Health Officer	the officer of that name appointed under the SA Public Health Act
Constituent Council	a council listed in clause 1.2 of the charter or admitted under clause 9.1.
EHA	Eastern Health Authority
Funding Contribution Calculation Formula	the formula set out in Schedule 1 to the charter.
LGA	Local Government Association of SA
LGA Asset Mutual Fund	means the fund of that name provided by Local Government Risk Services
LGA Mutual Liability Scheme	means the scheme of that name conducted by the LGA.
LGA Workers Compensation Scheme	a business unit of the Local Government Association of South Australia.
Minister	South Australian Minister for Health and Aging
Periodic Election	has the meaning given in the <i>Local Government (Elections) Act 1999 (SA)</i> .
Public Health Authority Partner	is an entity prescribed or declared to be a public health authority partner pursuant to

	the SA Public Health Act
Regional Public Health Plan	the plan prepared under part 6 of the charter for the areas of the Constituent Councils.
SA Public Health Act	<i>South Australian Public Health Act 2011 (SA)</i>
State Public Health Plan	means the plan of that name under the SA Public Health Act
StatewideSuper	Statewide Superannuation Pty Ltd ABN 62 008 099 223
Supported Residential Facility	has the meaning given in the <i>Supported Residential Facilities Act 1992 (SA)</i> .

13.2. Interpreting the charter

- a) The charter will come into effect on the date it is published in the *South Australian Government Gazette*.
- b) The charter supersedes previous charters of the Eastern Health Authority.
- c) The charter must be read in conjunction with Schedule 2 to the Act.
- d) EHA shall conduct its affairs in accordance with Schedule 2 to the Act except as modified by the charter as permitted by Schedule 2 to the Act.
- e) Despite any other provision in the charter:
 - (a) if the Act prohibits a thing being done, the thing may not be done;
 - (b) if the Act requires a thing to be done, that thing must be done; and
 - (c) if a provision of the charter is or becomes inconsistent with the Act, that provision must be read down or failing that severed from the charter to the extent of the inconsistency.

Schedule 1 – Funding Contribution Calculation Formula

The funding contribution required from each Constituent Council is based on an estimated proportion of EHA's overall activities occurring within its respective area.

The estimated proportion is determined using the Funding Contribution Calculation Formula which is detailed on the following page.

In the formula, activities conducted by EHA on behalf of Constituent Councils have been weighted according to their estimated proportion of overall activities (see table below).

It should be noted that the weighted proportion allocated to administration is divided evenly between the Constituent Councils.

A calculation of each Constituent Councils proportion of resources used for a range of different activities is made. This occurs annually during the budget development process and is based on the best available data from the preceding year.

The formula determines the overall proportion of estimated use for each council by applying the weighting to each activity.

Activity	Weighted % of Activities
Administration	12.5%
Food Safety Activity	35.0%
Environmental Health Complaints	7.0%
Supported Residential Facilities	6.5%
Cooling Towers	6.5%
Skin Penetration	0.5%
Swimming Pools	2%
Number of Year 8 & 9 Enrolments	15.0%
Number of clients attending clinics	15.0%
Total	100%

Activity Description	Code	Activity weighting	Constituent Council -1	Constituent Council - 2	Constituent Council - 3	Constituent Council - 4	Constituent Council - 5	Total
Administration (to be shared evenly)	A	12.5%	12.5%/ CC	12.5%/ CC	12.5%/ CC	12.5%/ CC	12.5%/ CC	12.5%
Food Safety Activity.	B	35%	(N/B)x AW	(N/B)x AW	(N/B)x AW	(N/B)x AW	(N/B)x AW	28.5%
Environmental Health Complaints	C	7%	(N/C)x AW	(N/C)x AW	(N/C)x AW	(N/C)x AW	(N/C)x AW	11%
Supported Residential Facilities.	D	6.5%	(N/D)x AW	(N/D)x AW	(N/D)x AW	(N/D)x AW	(N/D)x AW	10%
High Risk Manufactured Water Systems	E	6.5%	(N/E)x AW	(N/E)x AW	(N/E)x AW	(N/E)x AW	(N/E)x AW	3%
Skin Penetration	F	0.5%	(N/F)x AW	(N/F)x AW	(N/F)x AW	(N/F)x AW	(N/F)x AW	2%
Public Access Swimming Pools.	G	2%	(N/G)x AW	(N/G)x AW	(N/G)x AW	(N/G)x AW	(N/G)x AW	3%
School enrolments vaccinated	H	15.0%	(N/H)x AW	(N/H)x AW	(N/H)x AW	(N/H)x AW	(N/H)x AW	15%
Clients attending public clinics	I	15.0%	(N/I)x AW	(N/I)x AW	(N/I)x AW	(N/I)x AW	(N/I)x AW	15%
Total Proportion of contribution			Sum A-I	Sum A-I	Sum A-I	Sum A-I	Sum A-I	100%

- N = Number in Constituent Council area.
- B through to I = Total number in all Constituent Councils.
- AW = Activity weighting.
- CC = Number of Constituent Councils (example provided uses five (5) Constituent Councils)

Attachment B

EHA Charter Review

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City of
Norwood
Payneham
& St Peters

Eastern Health Authority Charter Review– Summary of Amendments for Consideration.

	Title	Commentary on amendments for consideration
1.7	Area of Activity	<p>Revised clause allows for approval of an activity outside of the area of the Constituent Councils following unanimous resolution by the Board Members AND concurrence of the Chief Executive Officers of the Constituent Councils.</p> <p>Currently unanimous approval is required from Constituent Councils for this to occur which can take considerable time.</p> <p>Any activity presented for approval by the Board AND Chief Executive Officers of the Constituent Councils would align with the Public Health Services currently detailed in the EHA Annual Business Plan.</p> <p>The revised clause would allow response to opportunities that may be of benefit to EHA and its Constituent Councils in a timelier manner.</p>
1.8	Common Seal	<p>Current clause b) and c) are deleted as they are merely a replication of what is in the LG Act.</p>
2.1	Board of Management - Functions	<p>Language changed to reflect the LG Act more closely.</p> <p>Reference to developing the Public Health Plan is no longer necessary.</p> <p>In relation to the Business Plan, the Board (as the governing body of EHA through which EHA makes decisions) will adopt the business plan therefore it is not considered necessary to refer to the Board assisting in its development.</p> <p>Consideration to be given to whether there are other functions of the Board to be listed.</p>

Eastern Health Authority Charter Review– Summary of Amendments for Consideration.

<p>2.2</p> <p>2.2 c)</p>	<p>Membership of Board</p>	<p>Minor amendments for clarification purposes.</p> <p>Elected member removed to reflect alternate membership (Administration).</p>
<p>2.4 a) c)</p> <p>b)</p>	<p>Board policies and codes</p>	<p>It is unnecessary to require consultation with Board Members. The mechanism by which EHA will adopt policies etc is by the Board passing a resolution adopting the policies. The Board Members will therefore provide their input by discussing, debating and ultimately adopting and reviewing the policies that are presented to it by the CEO. Changed to reflect that EHA has developed its own code of conduct for Board Members.</p>
<p>2.5 e) f)</p> <p>Other</p>	<p>Chair of the Board</p>	<p>Changed to reflect circumstances where resignation of chair occurs, and Chair is absent.</p> <p>These clauses deal with the following circumstances:</p> <ul style="list-style-type: none"> • when the Chair ceases to be a Board member and therefore ceases to be the Chair of the Board; and • when the Chair is absent, i.e., unavailable to attend to the duties of Chair. In this circumstance, the person occupying the office of Chair is still the Chair but is merely absent, for example on holidays or unwell. <p>In both the above circumstances, the Deputy Chair will act until either a new Chair is elected (in the first circumstance) or the Chair resumes their duties.</p> <p>The EHA Audit Committee suggested the Chair should be an independent member.</p> <p>The Audit Committee rationale for this request is that:</p> <ul style="list-style-type: none"> • It is best practice and good governance; • An Independent Chair is primarily free of Conflicts of Interest (Risk Management); • Able to act as a conciliatory element when and if elements of the Board differ and • The Independent Chair is best placed to manage other Board members’ conflict of interest.

Eastern Health Authority Charter Review– Summary of Amendments for Consideration.

		<p>Clause 2.6 h) currently prohibits Board Members from receiving remuneration for attendance at meetings. It is unlikely that an Independent Chair would consider this role without remuneration. The market would need to be tested in this regard and it is anticipated that the sitting fee for this role would be in the order of \$450 to \$600 per meeting.</p> <p>The Board considered the feedback from the Audit Committee and were of the collective opinion that the current arrangement where the Chair is elected from Constituent Council Board representatives is suitable when considering the size and structure of EHA and the business transacted at Board meetings.</p>
3.2 d)	Special Meetings	Notice of meeting is changed to four hours.
3.3	Telephone or video conferencing	3.3 b) – e) to be removed from the Charter and placed into a meeting procedure document to be adopted by EHA dealing with the procedures for electronic meetings and for board members to be able to participate in meetings by electronic means. There will be detailed procedures for how such meetings are to occur and the responsibilities of board members who attend meetings via electronic means.
3.6 b)	Quorum	This amendment is merely to clarify that a quorum is required for business to be transacted, it is possible that part of a meeting only may be in quorate and in that case any business transacted during the period the meeting had quorum is valid.
3.8 c)	Voting	Amendment requires Board Members attending meetings by electronic means to vote on a question arising from a decision at the meeting.
3.9	Circular Resolutions	This amendment is made to simplify this clause. The procedures for circular resolutions will be set out in a document to be adopted by the Board (included in the meeting procedures guidelines).
4.3	Functions of the Chief Executive Officer	The functions listed in the revised clause are analogous to the functions of a CEO of a council listed in section 99 of the Act.
4.4	Acting Chief Executive Officer	Clause abbreviated to remove revocation of acting position by Board.

Eastern Health Authority Charter Review– Summary of Amendments for Consideration.

5	Staff of EHA	Revised provisions in clause are identical to provisions in the LG Act that apply to CEOs of councils.
6	Regional Public Health Plan	Clause has been amended to reflect the current state of the Regional Public Health Planning review and reporting process.
7.9 c)	Insurance and superannuation requirements	Minor change for clarity
8.1 c)	Business Plan	It is not clear based on the current wording of this clause if that only a majority of the Constituent Councils are required to endorse the business plan or only majority of the Constituent Councils are to determine the date the Business Plan is to be provided to them. This should be clarified.
8.2 b)		Consideration of changing date to 15 October to allow additional time to compile required report.
12.3	Alteration and review of charter	Clause changed to reflect revised LG Act requirement for publishing of Charter.
N/A	Other	Number of minor grammatical changes have also been made to document.



Charter

2021



local councils working together to protect the health of the community

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1. EASTERN HEALTH AUTHORITY

1.1. Regional subsidiary

Eastern Health Authority (EHA) is a regional subsidiary established under section 43 of the Act.

1.2. Constituent Councils

The Constituent Councils of EHA are:

- a) City of Norwood Payneham & St Peters;
- b) City of Burnside;
- c) Campbelltown City Council;
- d) City of Prospect; and
- e) The Corporation of the Town of Walkerville,

(Constituent Councils).

1.3. Preamble

The field of Environmental health continues to increase in complexity and diversity, making it difficult for small to medium size councils to attract and retain staff who are experienced and fully skilled across the legislative demands placed on Local Government.

EHA's size, structure and sole focus on environmental health puts it in an ideal position to provide high quality, specialist services to the community on behalf of its Constituent Councils. This in turn ensures Constituent Councils are meeting their broad environmental health legislative responsibilities.

1.4. Purpose

EHA is established by the Constituent Councils for the purpose of providing public and environmental health services primarily to and within the areas of the Constituent Councils.

1.5. Functions

For, or in connection with its purpose, EHA may undertake the following functions:

- a) take action to preserve, protect and promote public and environmental health within the area of the Constituent Councils;
- b) cooperate with other authorities involved in the administration of public and environmental health;
- c) promote and monitor public and environmental health whether in or, so far as the Act and the charter allows, outside the area of the Constituent Councils;

- d) assist the Constituent Councils to meet their legislative responsibilities in accordance with the SA Public Health Act, the *Food Act 2001* (SA), the *Supported Residential Facilities Act 1992* (SA), the *Expiation of Offences Act 1996* (SA), the *Housing Improvement Act 1940* (SA) (or any successor legislation to these Acts) and any other legislation regulating similar matters that the Constituent Councils determine is appropriate within the purposes of EHA;
- e) establish objectives and policy priorities for the promotion and protection of public and environmental health within the areas of the Constituent Councils;
- f) provide immunisation programs for the protection of public health within the areas of the Constituent Councils or to ensure that such programs are provided;
- g) promote and monitor standards of hygiene and sanitation;
- h) promote and monitor food safety standards;
- i) identify risks to public and environmental health within the areas of the Constituent Councils;
- j) monitor and regulate communicable and infectious disease control;
- k) licence and monitor standards in Supported Residential Facilities;
- l) ensure that remedial action is taken to reduce or eliminate adverse impacts or risks to public and environmental health;
- m) provide, or support the provision of, educational information about public and environmental health and provide or support activities within the areas of the Constituent Councils to preserve, protect or promote public health;
- n) keep the Constituent Councils abreast of any emerging opportunities, trends and issues in public and environmental health; and
- o) any other functions described in the Charter or assigned by the Constituent Councils to EHA consistent with EHA's purpose.

1.6. Powers

EHA has the powers necessary for the carrying out of its functions, and may:

- a) enter into contracts or arrangements with any government agency or authority, or councils, including the Constituent Councils;
- b) appoint, employ, remunerate, remove or suspend officers, managers, employees and agents;

- c) enter into contracts with any person for the acquisition or provision of goods and services;
- d) receive financial contributions from the Constituent Councils;
- e) publish information;
- f) acquire, hold, deal with and dispose of any real or personal property, subject to the requirements of the Constituent Councils;
- g) open and operate bank accounts;
- h) acquire funds for the purpose of its functions or operations by entering into loan agreements;
- i) invest any of the funds of EHA in any investment with the LGA Finance Authority, provided that in exercising this power of investment EHA must:
 - (a) exercise the care, diligence and skill that a prudent person of business would exercise in managing the affairs of other persons; and
 - (b) avoid investments that are speculative or hazardous in nature;
- j) raise revenue by applying for grants and other funding from the State of South Australia or the Commonwealth of Australia and their respective agencies or instrumentalities on behalf of the Constituent Councils or on its own behalf.

1.7. Area of activity

- a) EHA may only undertake an activity, including in relation to one or more of its functions and powers set out in clauses 1.5 and 1.6 outside the area of the Constituent Councils where that activity has been approved by EHA by a unanimous resolution supported unanimously by all the Board Members of EHA currently in office present at the relevant meeting on the basis EHA considers the activity is decision of the Constituent Councils as being necessary or expedient to the performance by EHA of its functions subject to:
 - (a) the relevant and is an activity being included in the EHA business plan;
 - (b) there being no material impact on EHA's ability to undertake its functions set out in clause 1.5;
 - (c) EHA obtaining the concurrence of the Chief Executive Officers of the Constituent Councils to EHA undertaking the relevant activity.

1.8. Common seal

- a) EHA shall have a common seal upon which its corporate name shall appear in legible characters.
- ~~b) The common seal shall not be used without the authorisation of a resolution of EHA and every use of the common seal shall be recorded in a register.~~
- ~~c) The affixing of the common seal shall be witnessed by the Chair or Deputy Chair or such other Board member as the Board may appoint for the purpose.~~
- d)b) The common seal shall be kept in the custody of the Chief Executive Officer or such other person as EHA may from time to time decide.

2. BOARD OF MANAGEMENT

2.1. Functions

The Board is ~~the governing body of EHA and is responsible for the administration of the affairs of EHA, managing all activities of EHA. A decision of the Board is a decision of EHA, and ensuring that EHA acts in accordance with the Charter.~~ In addition to the functions of the Board set out in the LG Act the Board The Board will:

- a) ~~take all reasonable and practicable steps to ensure that EHA acts in accordance with the Charter;~~
- a)b) formulate plans and strategies aimed at improving the activities of EHA;
- b)c) provide input and policy direction to EHA;
- c)d) monitor, oversee and evaluate the performance of the Chief Executive Officer;
- d)e) ensure that ethical behaviour and integrity is maintained in all activities undertaken by EHA;
- e)f) subject to clause 3.10, ensure that the activities of EHA are undertaken in an open and transparent manner; **and**
- f)g) ~~assist with the development of the Public Health Plan and Business Plan; and~~
- g)h) exercise the care, diligence and skill that a prudent person of business would exercise in managing the affairs of other persons.

2.2. Membership of the Board

- a) Each Constituent Council must appoint:
 - (a) one elected member; and

- (b) one other person who may be an officer, employee or elected member of that Constituent Council or an independent person, to be Board members and may at any time revoke these appointments and appoint other persons on behalf of that Constituent Council.
- b) A Board Member shall be appointed for the term of office specified in the instrument of appointment, and at the expiration of the term of office will be eligible for re-appointment by the Constituent Council that appointed that Board Member.
- c) Each Constituent Council must give notice in writing to EHA of the elected memberspersons it has appointed as Board Members and of any revocation of any of those appointments.
- d) Any person authorised by a Constituent Council may attend (but not participate in) a Board meeting and may have access to papers provided to Board Members for the purpose of the meeting.
- e) The provisions regarding the office of a board member becoming vacant as prescribed in the Act apply to all Board Members.
- f) Where the office of a board member becomes vacant, the relevant Constituent Council will appoint another person as a Board member for the balance of the original term or such other term as the Constituent Council determines.
- g) The Board may by a two thirds majority vote of the Board Members present (excluding the Board Member who is the subject of a recommendation under this clause ~~g)g)g)g)~~ make a recommendation to the relevant Constituent Council requesting that the Constituent Council terminate the appointment of a Board Member in the event of:
- (a) any behaviour of the Board Member which in the opinion of the Board amounts to impropriety;
 - (b) serious neglect of duty in attending to their responsibilities as a Board Member;
 - (c) breach of fiduciary duty to EHA, a Constituent Council or the Constituent Councils;
 - (d) breach of the duty of confidentiality to EHA, a Constituent Council or the Constituent Councils;
 - (e) breach of the conflict of interest provisions of the Act; or

- (f) any other behaviour that may, in the opinion of the Board, discredit EHA a Constituent Council or the Constituent Councils.
- h) The members of the Board shall not be entitled to receive any remuneration in respect of their appointment as a Board Member including their attendance at meetings of the Board or on any other business of the BoardEHA.

2.3. Conduct of Board Members

- a) Subject to clauses 20(6) and 20(7), Schedule 2 to the Act, the provisions regarding conflict of interest prescribed in the Act apply to Board Members.
- b) Board Members are not required to comply with Division 2, Part 4, Chapter 5 (Register of Interests) of the Act.
- c) Board Members must at all times act in accordance with their duties under the Act.

2.4. Board policies and codes

- a) EHA must, in consultation with the Board Members ensure that appropriate policies, practices and procedures are implemented and maintained in order to:
 - (a) ensure compliance with any statutory requirements; and
 - (b) achieve and maintain standards of good public administration.
- b) EHA will adopt a A code of conduct currently prescribed under section 63 of the Act will apply tofor Board Members as if the Board Members were elected members, except insofar as the prescribed code of conduct is inconsistent with an express provision of the charter or schedule 2 of the Act. In the event of such an inconsistency, the charter or schedule 2 of the Act (as relevant) will prevail to the extent of the inconsistency.
- c) To the extent it is able, tThe Board must, as far as it is reasonable and practicable, ensure that its EHA's policies are complied with in the conduct of the affairs of EHA and are periodically reviewed and, if appropriate, amendedreviewed at regular intervals to be determined by the Board on the recommendation of the audit committee.
- d) The audit committee will develop a schedule for the periodic review of EHA policies by 30 June each year and provide this to the Board for approval.

2.5. Chair of the Board

- a) A Chair and Deputy Chair shall be elected at the first meeting of the Board after a Periodic Election.
- b) The Chair and Deputy Chair shall hold office for a period of one year from the date of the election by the Board.
- c) Where there is more than one nomination for the position of Chair or Deputy Chair, the election shall be decided by ballot.
- d) Both the Chair and Deputy Chair shall be eligible for re-election to their respective offices at the end of the relevant one year term.
- e) If the Chair should cease to be a Board Member, [or resign their position as chair](#), the Deputy Chair may act as the Chair until the election of a new Chair.
- e)f) In the event the Chair is absent the Deputy Chair shall act as the Chair.

2.6. Powers of the Chair and Deputy Chair

- a) The Chair shall preside at all meetings of the Board and, in the event of the Chair being absent from a meeting, the Deputy Chair shall preside. In the event of the Chair and Deputy Chair being absent from a meeting, the Board Members present shall appoint a member from among them, who shall preside for that meeting or until the Chair or Deputy Chair is present.
- b) The Chair and the Deputy Chair individually or collectively shall have such powers as may be decided by [the BoardEHA](#).

2.7. Committees

- a) [The BoardEHA](#) may establish a committee for the purpose of:
 - (a) enquiring into and reporting to the Board on any matter within EHA's functions and powers and as detailed in the terms of reference given by the Board to the committee; or
 - (b) exercising, performing or discharging delegated powers, functions or duties.
- b) A member of a committee established under this clause holds office at the pleasure of [the BoardEHA](#).
- c) The Chair of the Board is an *ex-officio* member of any committee [or advisory committee](#) established by [the BoardEHA](#).

3. MEETINGS OF THE BOARD

3.1. Ordinary meetings

- a) Ordinary meetings of the Board will take place at such times and places as may be fixed by the Board or where there are no meetings fixed by the Board, by the Chief Executive Officer in consultation with the Chair from time to time, so that there are no less than five ordinary meetings per financial year.
- b) Notice of ordinary meetings of the Board must be given by the Chief Executive Officer to each Board Member and the chief executive officer of each Constituent Council at least three clear days prior to the holding of the meeting.

3.2. Special meetings

- a) Any two Board Members may by delivering a written request to the Chief Executive Officer require a special meeting of the Board to be held.
- b) The request must be accompanied by the proposed agenda for the meeting and any written reports intended to be considered at the meeting (if the proposed agenda is not provided the request is of no effect).
- c) On receipt of the request, the Chief Executive Officer must send a notice of the special meeting to all Board Members and Chief Executive Officers of the Constituent Councils at least four hours prior to the commencement of the special meeting.
- d) The Chair may convene special meetings of the Board at the Chair's discretion without complying with the notice requirements prescribed in clause 3.4 provided always that there is a minimum one-four hours notice given to Board members.

3.3. Telephone or video conferencing

- a) Special meetings of the Board convened under clause 3.2 may occur by telephone or video conference electronic means in accordance with procedures determine by EHA or the Chief Executive Officer and provided that at least a quorum is present at all times.

~~)———Where one or more Board Members attends a Board meeting by telephone or video conferencing electronic means, the meeting will be taken to be open to the public, provided that members of the public can hear the discussion between Board members.~~

~~)———Each of the Board Members taking part in a meeting via telephone or video conferencing by electronic means must, at all times during the~~

~~meeting, be able to hear and be heard by the other Board Members present.~~

- ~~) At the commencement of the meeting by telephone/electronic means, each Board Member must announce their presence to all other Board Members taking part in the meeting.~~
- ~~) Board Members attending a meeting by electronic means must not leave a meeting by disconnecting the electronic means or telephone, audio-visual or other communication equipment, without notifying the Chair of the meeting in advance.~~

3.8.3.4. Notice of meetings

- a) Except where clause 3.2 applies, notice of Board meetings must be given in accordance with this clause.
- b) Notice of any meeting of the Board must:
 - (a) be in writing;
 - (b) set out the date, time and place of the meeting;
 - (c) be signed by the Chief Executive Officer;
 - (d) contain, or be accompanied by, the agenda for the meeting; and
 - (e) be accompanied by a copy of any document or report that is to be considered at the meeting (as far as this is practicable).
- c) Notice under clause ~~b)b)b)~~ may be given to a Board Member:
 - (a) personally;
 - (b) by delivering the notice (whether by post or otherwise) to the usual place of residence of the Board Member or to another place authorised in writing by the Board Member;
 - (c) electronically via email to an email address approved by the Board Member;
 - (d) by leaving the notice at the principal office of the Constituent Council which appointed the Board Member; or
 - (e) by a means authorised in writing by the Board Member being an available means of giving notice.
- d) A notice that is not given in accordance with clause ~~c)c)c)c)~~ will be taken to have been validly given if the Chief Executive Officer considers it impracticable to give the notice in accordance with that clause and takes action that the Chief Executive Officer considers

reasonably practicable in the circumstances to bring the notice to the Board Member's attention.

- e) The Chief Executive Officer may indicate on a document or report provided to Board Members that any information or matter contained in or arising from the document or report is confidential until such time as the Board determines whether the document or report will be considered in confidence under clause ~~3.10.b)3.10.b)3.10.b)3.10.b)~~.

3.9.3.5. Minutes

- a) The Chief Executive Officer must cause minutes to be kept of the proceedings at every meeting of the Board.
- b) Where the Chief Executive Officer is excluded from attendance at a meeting of the Board pursuant to clause ~~3.10.b)3.10.b)3.10.b)3.10.b)~~, the person presiding at the meeting shall cause the minutes to be kept.

3.10.3.6. Quorum

- a) A quorum of Board Members is constituted by dividing the total number of Board Members for the time being in office by two, ignoring any fraction resulting from the division and adding one.
- b) No business will be transacted at a meeting unless a quorum is present ~~and maintained during the meeting~~.

3.11.3.7. Meeting procedure

- a) ~~The BoardEHA~~ may determine its own procedures for the conduct of its meetings provided they are not inconsistent with the Act or the charter.
- b) Meeting procedures determined by ~~the BoardEHA~~ must be documented and be made available to the public.
- c) Where the Board has not determined a procedure to address a particular circumstance, the provisions of Part 2 of the *Local Government (Procedures at Meetings) Regulations 2000* (SA) shall apply.

3.12.3.8. Voting

- a) Board Members including the Chair, shall have a deliberative vote. The Chair shall not in the event of a tied vote, have a second or casting vote.
- b) All matters will be decided by simple majority of votes of the Board Members present. In the event of a tied vote the matter will lapse.

- c) Each Board Member present at a meeting, including Board Members attending a meeting by electronic means must vote on a question arising for decision at the meeting.

3.13.3.9. Circular resolutions

- a) ~~————~~ A valid decision of the Board may be obtained by a proposed resolution in writing given to all Board Members in accordance with procedures determined by the Board, and a resolution made in accordance with such procedures is as valid and effectual as if it had been passed at a meeting of the Board where a simple majority of Board Members vote in favour of the resolution by signing and returning the resolution to the Chief Executive Officer or otherwise giving written notice of their consent and setting out the terms of the resolution to the Chief Executive Officer.

~~A resolution consented to under clause a) is as valid and effectual as if it had been passed at a meeting of the Board.~~

3.14.3.10. Meetings to be held in public except in special circumstances

- a) Subject to this clause, meetings of the BoardEHA must be conducted in a place open to the public.
- b) The BoardEHA may order that the public be excluded from attendance at any meeting in accordance with the procedure under sections 90(2) and 90(3) of the Act.
- c) An order made under clause ~~b)b)b)b)~~ must be recorded in the minutes of the meeting including describing the grounds on which the order was made.

3.15.3.11. Public inspection of documents

- a) Subject to clause ~~c)c)c)c)~~, a person is entitled to inspect, without payment of a fee:
- (a) minutes of a Board Meeting;
 - (b) reports received by the Board Meeting; and
 - (c) recommendations presented to the Board in writing and adopted by resolution of the Board.
- b) Subject to clause ~~c)c)c)c)~~, a person is entitled, on payment to the Board of a fee fixed by the Board, to obtain a copy of any documents available for inspection under clause ~~a)a)a)a)~~.
- c) Clauses ~~a)a)a)a)~~ and ~~b)b)b)b)~~ do not apply in relation to a document or part of a document if:

- (a) the document or part of the document relates to a matter of a kind considered by the Board in confidence under clause ~~3.10.b)3.10.b)3.10.b)3.10.b)~~; and
- (b) the Board orders that the document or part of the document be kept confidential (provided that in so ordering the Board must specify the duration of the order or the circumstances in which it will cease to apply or a period after which it must be reviewed).

3.16.3.12. Saving provision

- a) No act or proceeding of EHA is invalid by reason of:
 - (a) a vacancy or vacancies in the membership of the Board; or
 - (b) a defect in the appointment of a Board Member.

4. CHIEF EXECUTIVE OFFICER

4.1. Appointment

- a) ~~The Board~~EHA shall appoint a Chief Executive Officer to manage the business of EHA on a fixed term performance based employment contract, which does not exceed five years in duration.
- b) At the expiry of a Chief Executive Officer's contract, the Board may reappoint the same person as Chief Executive Officer on a new contract of no greater than five years duration.

4.2. Responsibilities

- a) The Chief Executive Officer is responsible to ~~the Board~~EHA for the execution of decisions taken by ~~the Board~~EHA and for the efficient and effective management of the affairs of EHA.
- b) The Chief Executive Officer shall cause records to be kept of all activities and financial affairs of EHA in accordance with the charter, in addition to other duties provided for by the charter and those specified in the terms and conditions of appointment.

4.3. Functions of the Chief Executive Officer

The functions of the Chief Executive Officer ~~shall be specified in the terms and conditions of appointment and will~~ include ~~to: terms to the effect that the Chief Executive Officer's functions may:~~

- a) ensure that the policies, procedures, codes of conduct and any lawful decisions of EHA are implemented and promulgated in a timely and efficient manner;

- b) undertake responsibility for the day to day operations and affairs of EHA;
- c) provide advice, assistance and reports to EHA through the Board in the exercise and performance of its powers and functions under the charter and the Act;
- d) initiate and co-ordinate proposals for consideration by EHA for developing objectives, policies and programs for the Constituent Council areas;
- e) provide information to EHA to assist EHA to assess performance against EHA plans;
- f) ensure that timely and accurate information about EHA policies and programs is regularly provided to the communities of the Constituent Councils;
- g) ensure that appropriate and prompt responses are given to specific requests for information made to EHA and, where appropriate, the Constituent Councils;
- h) ensure that the assets and resources of EHA are properly managed and maintained;
- i) maintain records that EHA and the Constituent Councils are required to maintain under the charter, the Act or another Act in respect of EHA;
- j) ensure sound principles of human resource management, health and safety to the employment of staff by EHA, including the principles listed in section 107(2) of the Act;
- k) ensure compliance with the obligations under *Work Health and Safety Act 2012* (SA) of both EHA and the Chief Executive Officer (as an 'officer' of EHA within the meaning of the WHS Act); and
- l) exercise, perform or discharge other powers, functions or duties conferred on the Chief Executive Officer by the charter, and to perform other functions lawfully directed by ~~the Board~~EHA;
- l)m) such other functions as may be specified in the terms and conditions of appointment of the Chief Executive Officer.

4.4. Acting Chief Executive Officer

- a) Where an absence of the Chief Executive Officer is foreseen, the Chief Executive Officer may appoint a suitable person to act as Chief Executive Officer, provided that the Board EHA may determine to revoke the Acting Chief Executive Officer's appointment and appoint an alternative person as Acting Chief Executive Officer.

- b) If the Chief Executive Officer does not make or is incapable of making an appointment under clause ~~a)a)a)a)~~, a suitable person will be appointed by ~~the Board~~EHA.

5. STAFF OF EHA

- ~~a) _____ EHA may employ any staff required for the fulfilment of its functions.~~
- ~~b) _____ The The Chief Executive Officer is responsible for appointing, managing, suspending and dismissing the other employees of EHA (on behalf of EHA).~~
- ~~conditions on which staff are employed will be determined by the Chief Executive Officer.~~
- ~~c) _____ The Chief Executive Officer must ensure that an appointment under this clause is consistent with strategic policies and budgets approved by EHA.~~
- ~~d) _____ The Chief Executive Officer must, in acting under this clause comply with any relevant Act, award or industrial agreement.~~
- ~~e) _____ Suspension of an employee by the Chief Executive Officer does not affect a right to remuneration in respect of the period of suspension.~~

6. REGIONAL PUBLIC HEALTH PLAN

6.1. ~~Obligation to prepare~~

- ~~) _____ EHA must prepare for the Constituent Councils a draft regional public health plan for the purposes of the South Australian Public Health Act.~~
- ~~) _____ The draft Regional Public Health Plan must be:~~
- ~~() _____ in the form determined or approved by the Minister; and~~
- ~~() _____ consistent with the State Public Health Plan.~~
- ~~) _____ In drafting the Regional Public Health Plan, EHA will take into account:~~
- ~~() _____ any guidelines prepared or adopted by the Minister to assist councils prepare regional public health plans; and~~
- ~~() _____ in so far as is reasonably practicable give due consideration to the regional public health plans of other councils where relevant to issues or activities under the Regional Public Health Plan.~~

6.9. ~~Contents~~

~~The Regional Public Health Plan must:~~

-)—comprehensively assess the state of public health in the areas of the Constituent Councils;
-)—identify existing and potential public health risks and provide for strategies for addressing and eliminating or reducing those risks;
-)—identify opportunities and outline strategies for promoting public health in the areas of the Constituent Councils;
-)—address any public health issues specified by the Minister; and
-)—include information as to:
 - ()—the state and condition of public health within the area of the Constituent Councils and related trends;
 - ()—environmental, social, economic and practical considerations relating to public health within the area of the Constituent Councils; and
 - ()—other prescribed matters; and
-)—include such other information or material contemplated by the SA Public Health Act or regulations made under that Act.

6.20.—**Consultation**

-)—EHA will submit the draft Regional Public Health Plan to the Constituent Councils for approval for the plan to be provided, on behalf of the Constituent Councils, to:
 - ()—the Minister;
 - ()—any incorporated hospital established under the *Health Care Act 2008* (SA) that operates a facility within the area of the Constituent Councils;
 - ()—any relevant Public Health Authority Partner; and
 - ()—any other person prescribed by regulation made under the SA Public Health Act.
-)—Once approved by the Constituent Councils, EHA will, on behalf of the Constituent Councils, submit a copy of the draft Regional Public Health Plan to the entities listed in clause a) and consult with the Chief Public Health Officer and the public on the draft Public Health Authority Partner.
-)—EHA will provide an amended copy of the Regional Public Health Plan to the Constituent Councils which takes into account comments received through consultation under clause b).

~~6.28.—Adoption of a Regional Public Health Plan~~

~~Each Constituent Council will determine whether or not to adopt the draft Regional Public Health Plan submitted to it by EHA under clause 6.3.c).~~

~~6.30.6.1. Implementation of a Regional Public Health Plan~~

~~EHA is responsible for undertaking any strategy and for attaining any priority or goal which the Regional Public Health Plan specifies as EHA's responsibility.~~

~~6.31.6.2. Review~~

~~EHA will, in conjunction with the Constituent Councils, review the current Regional Public Health Plan every five years or at shorter time intervals as directed by the Constituent Councils.~~

~~6.32.6.3. Reporting~~

~~a) EHA will on a biennial basis, on behalf of the Constituent Councils, prepare coordinate the preparation of a draft report that contains a comprehensive assessment of the extent to which, during the reporting period, EHA and the Constituent Councils have succeeded in implementing the Regional Public Health Plan.~~

~~b) The reporting period for the purposes of clause a) is the two years ending on 30 June preceding the drafting of the report.~~

~~c)b) EHA will comply with guidelines issued by the Chief Public Health Officer in respect of the preparation of reports on regional public health plans.~~

~~d)c) EHA will submit the draft report to the Constituent Councils for approval for the draft report to be provided to the Chief Public Health Officer by 30 June 2014 on behalf of the constituent councils as required.~~

7. FUNDING AND FINANCIAL MANAGEMENT

7.1. Financial management

a) EHA shall keep proper books of account. Books of account must be available for inspection by any Board Member or authorised representative of any Constituent Council at any reasonable time on request.

b) EHA must meet the obligations set out in the *Local Government (Financial Management) Regulations 2011 (SA)*.

c) The Chief Executive Officer must act prudently in the handling of all financial transactions for EHA and must provide financial reports to the Board at its meetings and if requested, the Constituent Councils.

7.2. Bank account

- a) EHA must establish and maintain a bank account with such banking facilities and at a bank to be determined by the Board.
- b) All cheques must be signed by two persons authorised by resolution of the Board.
- c) Any payments made by electronic funds transfer must be made in accordance with procedures approved by the external auditor.

7.3. Budget

- a) EHA must prepare a proposed budget for each financial year in accordance with clause 25, Schedule 2 to the Act.
- b) The proposed budget must be referred to the Board at its April meeting and to the Chief Executive Officers of the Constituent Councils by 30 April each year.
- c) A Constituent Council may comment in writing to EHA on the proposed budget by 31 May each year.
- d) EHA must, after 31 May but before the end of June in each financial year, finalise and adopt an annual budget for the ensuing financial year in accordance with clause 25, Schedule 2 to the Act.

7.4. Funding contributions

- a) Constituent Councils shall be liable to contribute monies to EHA each financial year for its proper operation.
- b) The contribution to be paid by a Constituent Council for any financial year shall be determined by calculating the Constituent Council's proportion of EHA's overall activities in accordance with the Funding Contribution Calculation Formula (see Schedule 1).
- c) Constituent Council contributions shall be paid in two equal instalments due respectively on 1 July and 1 January each year.
- d) The method of determining contributions can be changed with the written approval of not less than two thirds of the Constituent Councils. Where the method for calculating contributions is changed, the revised methodology will apply from the date determined by not less than two thirds of the Constituent Councils.
- e) If a council becomes a new Constituent Council after the first day of July in any financial year, the contribution payable by that council for that year will be calculated on the basis of the number of whole months (or part thereof) remaining in that year.

7.5. Financial reporting

- a) The Board shall present a balance sheet and the audited financial statements for the immediately previous financial year to the Constituent Councils by 31 August each year.
- b) The financial year for EHA is 1 July of a year to 30 June in the subsequent year.

7.6. Audit

- a) The Board shall appoint an external auditor in accordance with the *Local Government (Financial Management) Regulations 2011 (SA)*.
- b) The audit of financial statements of EHA, together with the accompanying report from the external auditor, shall be submitted to the Chief Executive Officer and the Board.
- c) The books of account and financial statements shall be audited at least once per year.
- d) EHA will maintain an audit committee as required by, and to fulfil the functions set out in, clause 30, Schedule 2 to the Act.

7.7. Liability

The liabilities incurred and assumed by EHA are guaranteed by all Constituent Councils in the proportions specified in the Funding Contribution Calculation Formula.

7.8. Insolvency

In the event of EHA becoming insolvent, the Constituent Councils will be responsible for all liabilities of EHA in proportion to the percentage contribution calculated for each Constituent Council for the financial year prior to the year of the insolvency.

7.9. Insurance and superannuation requirements

- a) EHA shall register with the LGA Mutual Liability Scheme and comply with the rules of that scheme.
- b) EHA shall register with the LGA Asset Mutual Fund or otherwise advise the Local Government Risk Services of its insurance requirements relating to local government special risks in respect of buildings, structures, vehicles and equipment under the management, care and control of EHA.
- c) If EHA employs any person itAs an employer, EHA shall register with Statewide Super and the LGA Workers Compensation Scheme and comply with the rules of those schemes.

8. BUSINESS PLAN

8.1. Contents of the Business Plan

- a) EHA must each year develop in accordance with this clause a business plan which supports and informs its annual budget.
- b) In addition to the requirements for the Business Plan set out in clause 24(6) of Schedule 2 to the Act, the Business Plan will include:
 - (a) a description of how EHA's functions relate to the delivery of the Regional Public Health Plan and the Business Plan;
 - (b) financial estimates of revenue and expenditure necessary for the delivery of the Regional Public Health Plan;
 - (c) performance targets which EHA is to pursue in respect of the Regional Public Health Plan.
- c) A draft of the Business Plan will be provided to the Constituent Councils [on a date to be determined](#) for the endorsement of the majority of those councils.
- d) The Board must provide a copy of the adopted annual Business Plan and budget to the Chief Executive Officers of each Constituent Council within five business days of its adoption.

8.2. Review and assessment against the Business Plan

- a) The Board must:
 - (a) compare the achievement of the Business Plan against performance targets for EHA at least once every financial year;
 - (b) in consultation with the Constituent Councils review the contents of the Business Plan on an annual basis; and
 - (c) consult with the Constituent Councils prior to amending the Business Plan.
- b) EHA must submit to the Constituent Councils, by [15 October30 September](#) each year in respect of the immediately preceding financial year, an annual report on the work and operations of EHA detailing achievement of the aims and objectives of its Business Plan and incorporating any other information or report as required by the Constituent Councils.

9. MEMBERSHIP

9.1. New Members

The charter may be amended by the unanimous agreement of the Constituent Councils and the approval of the Minister to provide for the admission of a new Constituent Council or Councils, with or without conditions of membership.

9.2. Withdrawal of a member

a) Subject to any legislative requirements, including but not limited to ministerial approval, a Constituent Council may resign from EHA at any time by giving a minimum 12 months notice to take effect from 30 June in the financial year after which the notice period has expired, unless otherwise agreed by unanimous resolution of the other Constituent Councils.

b) Valid notice for the purposes of clause ~~a)a)a)a)~~ is notice in writing given to the Chief Executive Officer and each of the Constituent Councils.

~~d)c)~~ The withdrawal of any Constituent Council does not extinguish the liability of that Constituent Council to contribute to any loss or liability incurred by EHA at any time before or after such withdrawal in respect of any act or omission by EHA prior to such withdrawal.

~~e)d)~~ Payment of monies outstanding under the charter, by or to the withdrawing Constituent Council must be fully paid by 30 June of the financial year following 30 June of the year in which the withdrawal occurs unless there is a unanimous agreement as to alternative payment arrangements by the Constituent Councils.

10. DISPUTE RESOLUTION

a) The procedure in this clause must be applied to any dispute that arises between EHA and a Constituent Council concerning the affairs of EHA, or between the Constituent Councils concerning the affairs of EHA, including a dispute as to the meaning or effect of the charter and whether the dispute concerns a claim in common law, equity or under statute.

b) EHA and a Constituent Council must continue to observe the charter and perform its respective functions despite a dispute.

c) This clause does not prejudice the right of a party:

(a) to require the continuing observance and performance of the charter by all parties: or

- (b) to institute proceedings to enforce payment due under the charter or to seek injunctive relief to prevent immediate and irreparable harm.
- d) Subject to clause ~~c)c)c)c)~~, pending completion of the procedure set out in clauses ~~e)e)e)e)~~ to ~~i)i)i)i)~~, a dispute must not be the subject of legal proceedings between any of the parties in dispute. If legal proceedings are initiated or continued in breach of this clause, a party to the dispute is entitled to apply for and be granted an order of the court adjourning those proceedings pending completion of the procedure set out in this clause 10.
- e) **Step 1: Notice of dispute:** A party to the dispute must promptly notify each other party to the dispute of:
- (a) the nature of the dispute, giving reasonable details;
- (b) what action (if any) the party giving notice seeks to resolve the dispute.
- A failure to give notice under this clause ~~e)e)e)e)~~ does not entitle any other party to damages.
- f) **Step 2: Request for a meeting of the parties:** A party providing notice of a dispute under clause ~~e)e)e)e)~~ may at the same or a later time notify each other party to the dispute that the notifying party requires a meeting within 14 business days.
- g) **Step 3: Meeting of senior managers:** Where a meeting is requested under clause ~~f)f)f)f)~~, a senior manager of each party must attend a meeting with the Board in good faith to attempt to resolve the dispute.
- h) **Step 4: Meeting of chief executive officers:** Where a meeting of senior managers held under clause ~~g)g)g)g)~~ fails to resolve the dispute, the chief executive officers of EHA and each of the Constituent Councils must attend a meeting in good faith to attempt to resolve the dispute.
- i) **Step 5: Mediation:** If the meeting held under clause ~~h)h)h)h)~~ fails to resolve the dispute, then the dispute may be referred to mediation by any party to the dispute.
- j) Where a dispute is referred to mediation under clause ~~i)i)i)i)~~:
- (a) the mediator must be a person agreed by the parties in dispute or, if they cannot agree within 14 days, a mediator nominated by the President of the South Australian Bar Association (or equivalent office of any successor organisation);

- (b) the role of the mediator is to assist in negotiating a resolution of a dispute;
- (c) a mediator may not make a decision binding on a party unless the parties agree to be so bound either at the time the mediator is appointed or subsequently;
- (d) the mediation will occur at EHA's principal office or any other convenient location agreed by both parties;
- (e) a party is not required to spend more than the equivalent of one business day in mediation of a dispute;
- (f) each party to a dispute will cooperate in arranging and expediting the mediation, including by providing information in the possession or control of the party reasonably sought by the mediator in relation to the dispute;
- (g) each party will send a senior manager authorised to resolve the dispute to the mediation;
- (h) the mediator may exclude lawyers acting for the parties in dispute;
- (i) the mediator may retain persons to provide expert assistance to the mediator;
- (j) a party in dispute may withdraw from mediation if in the reasonable opinion of that party, the mediator is not acting in confidence or with good faith, or is acting for a purpose other than resolving the dispute;
- (k) unless otherwise agreed in writing:
 - (i) everything that occurs before the mediator is in confidence and in closed session;
 - (ii) discussions (including admissions and concessions) are without prejudice and may not be called into evidence in any subsequent legal proceedings by a party;
 - (iii) documents brought into existence specifically for the purpose of the mediation may not be admitted in evidence in any subsequent legal proceedings by a party; and
 - (iv) the parties in dispute must report back to the mediator within 14 days on actions taken based on the outcomes of the mediation; and

- (l) each party to the dispute must bear its own costs in respect of the mediation, plus an equal share of the costs and expenses of the mediator.

11. WINDING UP

- a) EHA may be wound up by the Minister acting upon a unanimous resolution of the Constituent Councils or by the Minister in accordance with clause 33(1)(b), Schedule 2 of the Act.
- b) In the event of EHA being wound up, any surplus assets after payment of all expenses shall be returned to the Constituent Councils in the proportions specified in the Funding Contribution Calculation Formula prior to the passing of the resolution to wind up.
- c) If there are insufficient funds to pay all expenses due by EHA on winding up, a levy shall be imposed on all Constituent Councils in the proportion determined under the Funding Contribution Calculation Formula prior to the passing of the resolution to wind up.

12. MISCELLANEOUS

12.1. Action by the Constituent Councils

The obligations of EHA under the charter do not derogate from the power of the Constituent Councils to jointly act in any manner prudent to the sound management and operation of EHA, provided that the Constituent Councils have first agreed by resolution of each Constituent Council as to the action to be taken.

12.2. Direction by the Constituent Councils

Any direction given to EHA by the Constituent Councils must be jointly given by the Constituent Councils to the Board of EHA by a notice or notices in writing.

12.3. Alteration and review of charter

- a) The charter will be reviewed by the Constituent Councils acting jointly at least once in every four years.
- b) The charter can only be amended by unanimous resolution of the Constituent Councils.
- c) Notice of a proposed alteration to the charter must be given by the Chief Executive Officer to all Constituent Councils at least four weeks prior to the Council meeting at which the alteration is proposed.
- d) The Chief Executive Officer must ensure that a copy of the charter, as amended, is published on a website (or websites) determined by the chief executive officers of the Constituent Councils, a notice of the fact

~~of the amendment and a website address at which the charter is available for inspection is published in the Gazette and a copy of the charter, as amended, is provided to the Minister. the amended charter is published in the *South Australian Government Gazette*, a copy of the amended charter is provided to the Minister and a copy is tabled for noting at the next Board meeting.~~

12.4. Access to information

A Constituent Council and a Board Member each has a right to inspect and take copies of the books and records of EHA for any proper purpose.

12.5. Circumstances not provided for

- a) If any circumstances arise about which the charter is silent or which are, incapable of taking effect or being implemented the Board or the Chief Executive Officer may decide the action to be taken to ensure achievement of the objects of EHA and its effective administration.
- b) Where the Chief Executive Officer acts in accordance with clause ~~a)a)a)a)~~ he or she shall report that decision at the next Board meeting.

13. INTERPRETATION

13.1. Glossary

Term	Definition
Act	<i>Local Government Act 1999 (SA)</i>
Board	board of management of EHA
Board Member	a member of EHA board appointed for the purposes of clause 2.2 of the charter.
Business Plan	a business plan compiled in accordance with part 8 of the charter
Chief Executive Officer	The chief executive officer of EHA
Chief Public Health Officer	the officer of that name appointed under the SA Public Health Act
Constituent Council	a council listed in clause 1.2 of the charter or admitted under clause 9.1.
EHA	Eastern Health Authority
Funding Contribution Calculation Formula	the formula set out in Schedule 1 to the charter.

LGA	Local Government Association of SA
LGA Asset Mutual Fund	means the fund of that name provided by Local Government Risk Services
LGA Mutual Liability Scheme	means the scheme of that name conducted by the LGA.
LGA Workers Compensation Scheme	a business unit of the Local Government Association of South Australia.
Minister	South Australian Minister for Health and Aging
Periodic Election	has the meaning given in the <i>Local Government (Elections) Act 1999 (SA)</i> .
Public Health Authority Partner	is an entity prescribed or declared to be a public health authority partner pursuant to the SA Public Health Act
Regional Public Health Plan	the plan prepared under part 6 of the charter for the areas of the Constituent Councils.
SA Public Health Act	<i>South Australian Public Health Act 2011 (SA)</i>
State Public Health Plan	means the plan of that name under the SA Public Health Act
Statewide Super	Statewide Superannuation Pty Ltd ABN 62 008 099 223
Supported Residential Facility	has the meaning given in the <i>Supported Residential Facilities Act 1992 (SA)</i> .

13.2. Interpreting the charter

- a) The charter will come into effect on the date it is published in the *South Australian Government Gazette*.
- b) The charter supersedes previous charters of the Eastern Health Authority.
- c) The charter must be read in conjunction with Schedule 2 to the Act.
- d) EHA shall conduct its affairs in accordance with Schedule 2 to the Act except as modified by the charter as permitted by Schedule 2 to the Act.

- e) Despite any other provision in the charter:
- (a) if the Act prohibits a thing being done, the thing may not be done;
 - (b) if the Act requires a thing to be done, that thing must be done;
and
 - (c) if a provision of the charter is or becomes inconsistent with the Act, that provision must be read down or failing that severed from the charter to the extent of the inconsistency.

DRAFT

Schedule 1 – Funding Contribution Calculation Formula

The funding contribution required from each Constituent Council is based on an estimated proportion of EHA's overall activities occurring within its respective area.

The estimated proportion is determined using the Funding Contribution Calculation Formula which is detailed on the following page.

In the formula, activities conducted by EHA on behalf of Constituent Councils have been weighted according to their estimated proportion of overall activities (see table below).

It should be noted that the weighted proportion allocated to administration is divided evenly between the Constituent Councils.

A calculation of each Constituent Councils proportion of resources used for a range of different activities is made. This occurs annually during the budget development process and is based on the best available data from the preceding year.

The formula determines the overall proportion of estimated use for each council by applying the weighting to each activity.

Activity	Weighted % of Activities
Administration	12.5%
Food Safety Activity	35.0%
Environmental Health Complaints	7.0%
Supported Residential Facilities	6.5%
Cooling Towers	6.5%
Skin Penetration	0.5%
Swimming Pools	2%
Number of Year 8 & 9 Enrolments	15.0%
Number of clients attending clinics	15.0%
Total	100%

Activity Description	Code	Activity weighting	Constituent Council -1	Constituent Council - 2	Constituent Council - 3	Constituent Council - 4	Constituent Council - 5	Total
Administration (to be shared evenly)	A	12.5%	12.5%/ CC	12.5%/ CC	12.5%/ CC	12.5%/ CC	12.5%/ CC	12.5%
Food Safety Activity.	B	35%	(N/B)x AW	(N/B)x AW	(N/B)x AW	(N/B)x AW	(N/B)x AW	28.5%
Environmental Health Complaints	C	7%	(N/C)x AW	(N/C)x AW	(N/C)x AW	(N/C)x AW	(N/C)x AW	11%
Supported Residential Facilities.	D	6.5%	(N/D)x AW	(N/D)x AW	(N/D)x AW	(N/D)x AW	(N/D)x AW	10%
High Risk Manufactured Water Systems	E	6.5%	(N/E)x AW	(N/E)x AW	(N/E)x AW	(N/E)x AW	(N/E)x AW	3%
Skin Penetration	F	0.5%	(N/F)x AW	(N/F)x AW	(N/F)x AW	(N/F)x AW	(N/F)x AW	2%
Public Access Swimming Pools.	G	2%	(N/G)x AW	(N/G)x AW	(N/G)x AW	(N/G)x AW	(N/G)x AW	3%
School enrolments vaccinated	H	15.0%	(N/H)x AW	(N/H)x AW	(N/H)x AW	(N/H)x AW	(N/H)x AW	15%
Clients attending public clinics	I	15.0%	(N/I)x AW	(N/I)x AW	(N/I)x AW	(N/I)x AW	(N/I)x AW	15%
Total Proportion of contribution			Sum A-I	Sum A-I	Sum A-I	Sum A-I	Sum A-I	100%

- N = Number in Constituent Council area.
- B through to I = Total number in all Constituent Councils.
- AW = Activity weighting.
- CC = Number of Constituent Councils (example provided uses five (5) Constituent Councils)

Attachment C

EHA Charter Review

City of Norwood Payneham & St Peters
175 The Parade, Norwood SA 5067

Telephone 8366 4555

Facsimile 8332 6338

Email townhall@npsp.sa.gov.au

Website www.npsp.sa.gov.au



City of
Norwood
Payneham
& St Peters

Our Ref: D21/8311

6 July 2021

Mr Mario Barone
Chief Executive Officer
City of Norwood, Payneham & St Peters
175 The Parade
NORWOOD SA 5067

Dear Mario

RE: Eastern Health Authority (EHA) Charter Review

In March 2021, EHA wrote to its Constituent Councils requesting feedback in relation to a number of proposed amendments to the current EHA Charter and any other feedback in relation to the review process. Subsequently, feedback was received from all Constituent Councils. The full feedback which includes unanimously supported amendments is detailed in the enclosed table.

Summary of Constituent Council Feedback

In accordance with clause 12.3 of the current Charter, the Charter can only be amended by unanimous resolution of the Constituent Councils.

As seen in the enclosed table the majority of the proposed changes were unanimously endorsed by all Constituent Councils.

There are however a number of clauses where Constituent Councils had differing or opposing views.

I have detailed those clauses where unanimous agreement has not yet been determined below outlining:

- The rationale for change
- Constituent Council feedback
- Administration commentary

1.7 Area of Activity

Revised clause allows for approval of an activity outside of the area of the Constituent Councils following unanimous resolution by the Board Members and concurrence of the Chief Executive Officers of the Constituent Councils.

Currently unanimous approval is required from Constituent Councils for this to occur which can take considerable time.

Any activity presented for approval by the Board and Chief Executive Officers of the Constituent Councils would align with the Public Health Services currently detailed in the EHA Annual Business Plan.

The revised clause would allow response to opportunities that may be of benefit to EHA and its Constituent Councils in a timelier manner.

Burnside

Make it clear that the activity in an outside area is not to the material detriment of the Constituent Councils. This should be made clear in Clause 1.7(b), or in Clause 1.5 by way of explicit reference to the Constituent Councils (or some other suitable amendment); and

Include principles and factors that will be considered when assessing a proposal to undertake an activity outside of the Constituent Councils.

Campbelltown

This clause should require unanimous support of the CEO's (aligning to the unanimous support by Board representatives).

Walkerville

Not supported. No evidence has been presented to Council to suggest that the current process (unanimous resolution of Member Councils) has delayed or prevented "activity outside of the area" from being considered, explored, investigated, or advanced.

Administration Comment

Burnside and Campbelltown have requested some redrafting of the clause which will be undertaken by administration for consideration, however, Walkerville do not support any change at this stage. This will require consideration of all Constituent Councils to attempt to gain a consensus position.

2.1 Board of Management - Functions

In relation to the Business Plan, the Board (as the governing body of EHA through which EHA makes decisions) will adopt the business plan therefore it is not considered necessary to refer to the Board assisting in its development. Consideration to be given to whether there are other functions of the Board to be listed.

Campbelltown

Sub-clause f) should be reinstated to enable Board participation in Regional Health Plan and Business Plan development.

Administration Comment

Legal advice suggests that the Board (as the governing body of EHA through which EHA makes decisions) will adopt the business plan therefore it is not considered necessary to refer to the Board assisting in its development. The Board also participate in an Annual Business plan workshop and endorse a draft business plan.

The Regional Public Health Plan is considered to be the Constituent Councils plan and is adopted by each Constituent Council individually. The elements directly relevant to Eastern Health Authority in the Health Protection section of the Regional Public Health Plan mirror the work undertaken in the EHA Business Plan. Will require consideration of all Constituent Councils to attempt to gain a consensus position.

2.5 Chair of the Board

The EHA Audit Committee suggested the Chair should be an independent member.

The Audit Committee rationale for this request is that:

- It is best practice and good governance;
- An Independent Chair is primarily free of Conflicts of Interest (Risk Management);
- Able to act as a conciliatory element when and if elements of the Board differ and
- The Independent Chair is best placed to manage other Board members' conflict of interest.

Clause 2.6 h) currently prohibits Board Members from receiving remuneration for attendance at meetings. It is unlikely that an Independent Chair would consider this role without remuneration. The market would need to be tested in this regard and it is anticipated that the sitting fee for this role would be in the order of \$450 to \$600 per meeting.

The Board considered the feedback from the Audit Committee and were of the collective opinion that the current arrangement where the Chair is elected from Constituent Council Board representatives is suitable when considering the size and structure of EHA and the business transacted at Board meetings.

Norwood Payneham & St Peters

Agree with the Board's position that the current arrangement where the Chair is elected from Constituent Council Board representatives is suitable when considering the size and structure of EHA and the business transacted at Board meetings.

Walkerville

Audit Committee recommendation is supported, namely the Chair of EHA should be an Independent Member.

Administration Comment

Will require consideration of all Constituent Councils to attempt to gain a consensus position.

3.3 Telephone and video conferencing

Clause 3.3 b) – e) to be removed from the Charter and placed into a meeting procedure document to be adopted by EHA dealing with the procedures for electronic meetings and for board members to be able to participate in meetings by electronic means. There will be detailed procedures for how such meetings are to occur and the responsibilities of board members who attend meetings via electronic means.

Campbelltown

Procedures should only be determined by the EHA Board, not by the Chief Executive Officer

Walkerville

Supported, but should be placed in policy document not procedure document, which should be endorsed and reviewed by the Board.

Administration Comment

Suggest that clause be changed to remove Chief Executive Officer and require meeting procedure to be adopted by the Board. Will require consideration of all Constituent Councils to attempt to gain a consensus position.

8.1 c) Business Plan

It is not clear based on the current wording of this clause if that only a majority of the Constituent Councils are required to endorse the business plan or only majority of the Constituent Councils are to determine the date the Business Plan is to be provided to them. This should be clarified.

Walkerville

Support the unanimous endorsement of Member Councils not majority.

Administration Comment

Walkerville were the only Council to comment on this clause. Will require consideration of all Constituent Councils to attempt to gain a consensus position.

8.2b) Business Plan

Consideration of changing date to 15 October of each reporting year to allow additional time to compile required report.

Campbelltown

The timeframe for Annual Report submissions should not be extended beyond 30 September as this will impact Council operations and approval of its own Annual Report.

Walkerville

Not -supported – this amendment refers to the production of the Annual Report, which is currently due by 30 September each year. If council were to support this amendment, we would not be in a position to adopt our Annual Report before November of each year. The Local Government Act 1999 requires that Annual Reports must be adopted by 30 November of each year.

Administration Comment

Suggest retaining current date of 30 September in clause. Will require consideration of all Constituent Councils to attempt to gain a consensus position.

Additional Issue Raised**2.2 Membership of the Board****Walkerville**

Reduce the number of Board Members from two (2) per member Council to one (1) per member Council, with an Independent Chair.

Currently there are 10 Board Members. This is considered too unwieldy and should be reduced to five (5) plus an independent Chairperson.

Administration Comment

Consideration of this clause during the previous Charter review resulted in a significant delay in finalising the Charter review process. Will require consideration of all Constituent Councils to attempt to gain a consensus position.

Next Steps

It will now be necessary to consider how the Constituent Councils can gain consensus on the clauses that have not been unanimously agreed – see summary table below.

I believe that the top three items (shaded) will be easily resolved as per the summary comments. Further consideration of the bottom four items is required.

Clause	Name	Summary Comment
2.1	Board Functions	Discussion/redrafting if required likely to get consensus position
3.3	Telephone and video conferencing	Redrafting likely to get consensus position
8.2 b)	Business Plan	Retention of existing date likely to get consensus position
2.5	Chair of Board	Town of Walkerville have singular position
8.1 c)	Business Plan	Town of Walkerville have singular position
2.2	Membership of Board	Town of Walkerville have singular position
1.7	Area of Activity	Town of Walkerville have singular position against change. Redrafting likely to get consensus position of four councils.

As you are all aware the Town of Walkerville have provided EHA and its Constituent Councils notice of its intention to withdraw from EHA, effective 30 June 2022. It will be therefore necessary to revise the formula contained within the charter to accommodate this change and which will have effect from 1 July 2022. Work in relation to the required revision is ongoing.

It would be appreciated if all Constituent Council would indicate to EHA how they wish to proceed with the non-consensus items which are particular to the Town of Walkerville, in light of the Town of Walkerville decision to withdraw from EHA.

Process steps from that point, anticipating a consensus position on all clauses will include:

- Draft revised Charter developed based on legal / best practice review and outcome of meeting to gain consensus position on clauses not unanimously agreed.

- Formally request a resolution from each Constituent Council agreeing to the proposed revised Charter.
- A copy of the Charter as amended, be provided to the Minister for State/Local Government Relations and published on a website in accordance with the Local Government Act requirements.

Please feel free to contact me if you have any queries in relation to the Charter review.

Yours sincerely

A handwritten signature in black ink, appearing to read 'M. Livori', written in a cursive style.

Michael Livori
Chief Executive Officer

Eastern Health Authority Charter Review– Summary of Amendments for Consideration.

	Title	Commentary on amendments for consideration
1.7	Area of Activity	<p>Revised clause allows for approval of an activity outside of the area of the Constituent Councils following unanimous resolution by the Board Members AND concurrence of the Chief Executive Officers of the Constituent Councils. Currently unanimous approval is required from Constituent Councils for this to occur which can take considerable time.</p> <p>Any activity presented for approval by the Board AND Chief Executive Officers of the Constituent Councils would align with the Public Health Services currently detailed in the EHA Annual Business Plan.</p> <p>The revised clause would allow response to opportunities that may be of benefit to EHA and its Constituent Councils in a timelier manner.</p>
<p>Burnside Make it clear that the activity in an outside area is not to the material detriment of the Constituent Councils. This should be made clear in Clause 1.7(b), or in Clause 1.5 by way of explicit reference to the Constituent Councils (or some other suitable amendment); and Include principles and factors that will be considered when assessing a proposal to undertake an activity outside of the Constituent Councils.</p> <p>Campbelltown This clause should require unanimous support of the CEO’s (aligning to the unanimous support by Board representatives).</p> <p>Walkerville Not supported. No evidence has been presented to Council to suggest that the current process (unanimous resolution of Member Councils) has delayed or prevented “activity outside of the area” from being considered, explored, investigated or advanced.</p>		
1.8	Common Seal	Current clause b) and c) are deleted as they are merely a replication of what is in the LG Act.
<p>Unanimously Supported</p>		

Eastern Health Authority Charter Review– Summary of Amendments for Consideration.

2.1	Board of Management - Functions	<p>Language changed to reflect the LG Act more closely.</p> <p>Reference to developing the Public Health Plan is no longer necessary.</p> <p>In relation to the Business Plan, the Board (as the governing body of EHA through which EHA makes decisions) will adopt the business plan therefore it is not considered necessary to refer to the Board assisting in its development.</p> <p>Consideration to be given to whether there are other functions of the Board to be listed.</p>
<p>Campbelltown Sub-clause f) should be reinstated to enable Board participation in Regional Health Plan and Business Plan development.</p>		
2.2	Membership of Board	Minor amendments for clarification purposes.
2.2 c)		Elected member removed to reflect alternate membership (Administration).
<p>Unanimously Supported</p>		
2.4 a) c)	Board policies and codes	<p>It is unnecessary to require consultation with Board Members. The mechanism by which EHA will adopt policies etc is by the Board passing a resolution adopting the policies. The Board Members will therefore provide their input by discussing, debating and ultimately adopting and reviewing the policies that are presented to it by the CEO.</p> <p>Changed to reflect that EHA has developed its own code of conduct for Board Members.</p>
b)		
<p>Unanimously Supported</p>		

Eastern Health Authority Charter Review– Summary of Amendments for Consideration.

<p>Norwood Payneham & St Peters Agree with the Board’s position that the current arrangement where the Chair is elected from Constituent Council Board representatives is suitable when considering the size and structure of EHA and the business transacted at Board meetings.</p> <p>Walkerville Audit Committee recommendation is supported, namely the Chair of EHA should be an Independent Member.</p>		
3.2 d)	Special Meetings	Notice of meeting is changed to four hours.
3.3	Telephone or video conferencing	3.3 b) – e) to be removed from the Charter and placed into a meeting procedure document to be adopted by EHA dealing with the procedures for electronic meetings and for board members to be able to participate in meetings by electronic means. There will be detailed procedures for how such meetings are to occur and the responsibilities of board members who attend meetings via electronic means.
<p>Campbelltown Procedures should only be determined by the EHA Board, not by the Chief Executive Officer</p> <p>Walkerville Supported, but should be placed in policy document not procedure document, which should be endorsed and reviewed by the Board.</p>		
3.6 b)	Quorum	This amendment is merely to clarify that a quorum is required for business to be transacted, it is possible that part of a meeting only may be in quorate and in that case any business transacted during the period the meeting had quorum is valid.
Unanimously Supported		
3.8 c)	Voting	Amendment requires Board Members attending meetings by electronic means to vote on a question arising from a decision at the meeting.
Unanimously Supported		

Eastern Health Authority Charter Review– Summary of Amendments for Consideration.

3.9	Circular Resolutions	This amendment is made to simplify this clause. The procedures for circular resolutions will be set out in a document to be adopted by the Board (included in the meeting procedures guidelines).
Unanimously Supported		
4.3	Functions of the Chief Executive Officer	The functions listed in the revised clause are analogous to the functions of a CEO of a council listed in section 99 of the Act.
Unanimously Supported		
4.4	Acting Chief Executive Officer	Clause abbreviated to remove revocation of acting position by Board.
Unanimously Supported		
5	Staff of EHA	Revised provisions in clause are identical to provisions in the LG Act that apply to CEOs of councils.
Unanimously Supported		
6	Regional Public Health Plan	Clause has been amended to reflect the current state of the Regional Public Health Planning review and reporting process.
Unanimously Supported		
7.9 c)	Insurance and superannuation requirements	Minor change for clarity
Unanimously Supported		

Eastern Health Authority Charter Review– Summary of Amendments for Consideration.

Unanimously Supported		
8.1 c)	Business Plan	It is not clear based on the current wording of this clause if that only a majority of the Constituent Councils are required to endorse the business plan or only majority of the Constituent Councils are to determine the date the Business Plan is to be provided to them. This should be clarified.
<p>Walkerville Support the unanimous endorsement of Member Councils not majority.</p>		
8.2 b)	Business Plan	Consideration of changing date to 15 October to allow additional time to compile required report.
<p>Campbelltown The timeframe for Annual Report submissions should not be extended beyond 30 September as this will impact Council operations and approval of its own Annual Report.</p> <p>Walkerville Not -supported – this amendment refers to the production of the Annual Report, which is currently due by 30 September each year. If council were to support this amendment, we would not be in a position to adopt our Annual Report before November of each year. The <i>Local Government Act 1999</i> requires that Annual Reports must be adopted by 30 November of each year.</p>		
12.3	Alteration and review of charter	Clause changed to reflect revised LG Act requirement for publishing of Charter.
Unanimously Supported		
N/A	Other	Number of minor grammatical changes have also been made to document.
Unanimously Supported		

Eastern Health Authority Charter Review– Summary of Amendments for Consideration.

Additional Issue Raised		
2.2	Membership of the Board	
Walkerville Reduce the number of Board Members from two (2) per member Council to one (1) per member Council, with an Independent Chair. Currently there are 10 Board Members. This is considered too unwieldy and should be reduced to five (5) plus an independent Chairperson.		

11.5 Highbury Landfill Authority Charter Review

REPORT AUTHOR: General Manager, Urban Services
GENERAL MANAGER: Chief Executive Officer
CONTACT NUMBER: 8366 4523
FILE REFERENCE: qA69172
ATTACHMENTS: A - B

PURPOSE OF REPORT

The purpose of this report is to present to the Council, the draft amendment to the Highbury Landfill Authority Charter for endorsement.

BACKGROUND

The Highbury Landfill Authority (the Authority) is a Regional Subsidiary established pursuant to Section 43 of the *Local Government Act 1999*, for the purpose of facilitating the closure and post-closure management of the former Highbury Landfill site. The City of Norwood Payneham & St Peters, together with the City of Burnside and the Town of Walkerville make up the Constituent Councils of the Authority.

The Authority has reviewed the Highbury Landfill Authority's Charter as required by the *Local Government Act 1999* (the Act). A copy of the Gazetted current Charter is contained in **Attachment A** and a copy of the Charter with proposed amendments is contained in **Attachment B**.

In order to amend the Charter, the Constituent Councils must resolve to approve the amendments. Once all Constituent Councils have agreed to the amendments, the Authority's Executive Officer will as per Section 19 (5) of Schedule 2 of the *Local Government Act 1999*, be required to:

- forward a copy of the Charter as amended to the Minister for Planning and Local Government;
- publish a copy of the Charter as amended on a website determined by the CEOs of the constituent councils; and
- ensure that a notice of the fact of the amendment and a website address at which the Charter is available for inspection is published in the Government Gazette.

The Authority has engaged Norman Waterhouse Lawyers to review the Charter and the proposed amendments, to ensure that it meets all the legislative requirements by the *Local Government Act 1999*.

It should be noted that the amendments to the existing Charter must be agreed to unanimously by the Constituent Councils.

RELEVANT STRATEGIC DIRECTIONS & POLICIES

Not Applicable.

FINANCIAL AND BUDGET IMPLICATIONS

Not Applicable.

EXTERNAL ECONOMIC IMPLICATIONS

Not Applicable.

SOCIAL ISSUES

Not Applicable.

CULTURAL ISSUES

Not Applicable.

ENVIRONMENTAL ISSUES

Not Applicable.

RESOURCE ISSUES

Not Applicable.

RISK MANAGEMENT

Not Applicable.

COVID-19 IMPLICATIONS

Not Applicable.

CONSULTATION

- **Elected Members**
Cr Minney is this Council's appointee on the Authority's Board and is aware of the proposed changes to the Charter.
- **Community**
Not Applicable.
- **Staff**
Chief Executive Officer
- **Other Agencies**
Not Applicable.

DISCUSSION

A review of the Authority's Charter, as required by the *Local Government Act 1999*, has been undertaken. This process was undertaken by the Authority.

The proposed changes to the existing Charter now requires the endorsement of the Council.

The only substantive change from the original Charter is that the Authority has determined that Section 90, of the *Local Government Act 1999*, will not apply to the Authority. The Highbury Landfill Authority is set up only to manage the post closure of the Highbury Landfill and only incurs expenses to maintain the site and ensure that it meets its environmental obligations of a closed landfill. Amendments have been made to conduct the Authority's meetings generally "in camera" however, the Board at its discretion can choose to meet in public on a case-by- case basis or in accordance with an adopted policy.

This amendment is set out in Item 2.5.13 of the amended Charter, as contained in Attachment B.

Whilst the rationale for proposing to conduct all of the meetings of the Authority “in camera” is understood, it is recommended that this amendment not be endorsed by the Council as it is not in keeping with the general obligation and principles that all meetings of a Council (and in this case, a Regional Authority) should be conducted “in the open” and items should only be considered “in camera” if such items meet the requirements of Section 90. The reasons for not supporting this amendment are:

- the Highbury Landfill site is located adjacent to residential properties whose owners have taken a keen interest in the closure of the site. To hold meetings “in camera” at all times may cause a sense of mistrust amongst the public;
- the landfill site is a sensitive issue environmentally and should an environmental mishap take place then it would have unfavourable repercussions for both the Subsidiary and the Constituent Councils in supporting holding the meetings “in camera”;
- essentially, it is not good governance; and
- there are a broad range of matters that can be considered “in camera” and there is opportunity for matters to be considered “in camera” should such items meet the threshold of Section 90.

The remaining amendments have been made to ensure compliance with the requirements of the Act and associated regulations and should be endorsed.

OPTIONS

The Council can choose to endorse or not to endorse the proposed amendments to the Highbury Landfill Charter as recommended by the Authority’s Board. In this case, it is recommended that the majority of the proposed changes be endorsed, except for Section 2.5.13 of the proposed amendments to the Charter, which if allowed, will allow all future Board meetings to be held in camera, unless resolved not to do so by the Board.

CONCLUSION

Nil

COMMENTS

Nil

RECOMMENDATION

That the proposed changes to the Highbury Landfill Authority Charter as contained in Attachment B be endorsed in principle, with the following amendment:

- that Section 2.5.13 be replaced with: That Members of the public are able to attend all meetings of the Highbury Landfill Authority Board, unless prohibited by resolution of the Board under the confidentiality provisions contained in Section 90 of the *Local Government Act 1999*

Attachments – Item 11.5

Attachment A

Highbury Landfill Authority Charter Review

City of Norwood Payneham & St Peters
175 The Parade, Norwood SA 5067

Telephone 8366 4555
Facsimile 8332 6338
Email townhall@npsp.sa.gov.au
Website www.npsp.sa.gov.au



City of
**Norwood
Payneham
& St Peters**

- the name of the exemption agent making the call;
- the permit number of the authority on which the registered boat is endorsed;
- the name of the boat and the commercial boat registration number;
- the time and date the exempted activity will commence;
- the time and date the exempted activity will cease; and
- the exemption number ME9902740.

5. No other fishing activity may be undertaken while the exemption holder or their agents are engaged in the exempted activity.

6. The exemption holder must not contravene or fail to comply with the Fisheries Management Act 2007, or any other regulations made under that Act, except where specifically exempted by this

7. This notice does not purport to override the provisions or operation of any other Act including, but not limited to, the Marine Parks Act 2007. The exemption holder and his agents must comply with any relevant regulations, permits, requirements and directions from the Department of Environment, Water and Natural Resources when undertaking activities within a marine park.

Dated 23 September 2014.

P. DIETMAN, Director Operations,
Delegate of the Minister for
Agriculture, Food and Fisheries

GEOGRAPHICAL NAMES ACT 1991

NOTICE to Discontinue the Name and Assign a Name and a Boundary to a Place and to Alter the boundary of Places

NOTICE is hereby given pursuant to the provisions of the above Act that I, MICHAEL BURDETT, Surveyor-General and Delegate appointed by STEPHEN MULLIGHAN, Minister for Transport and Infrastructure, Minister of the Crown to whom the administration of the Geographical Names Act 1991, DO discontinue the name of a place and alter the boundaries of places as listed below and shown on Rack Plan 1017.

1. Discontinue the locality of **CULTANA** marked (A) on Rack Plan 1074 and include the land into the locality of **WHYALLA BARSON**.
2. Create a new locality of **CULTANA** from the land marked (B) on Rack Plan 1074.
3. Include into the locality of **WHYALLA BARSON** that area marked (C) on Rack Plan 1074.
4. Include into the locality of **MIDDLEBACK RANGE** the areas marked (D) and (E) Rack Plan 1074.
5. Exclude from the locality of **LINCOLN GAP** and include into the new locality of **CULTANA** the area marked (F) on Rack Plan 1074.
6. Include into the suburb of **PORT AUGUSTA WEST** that area marked (H) on Rack Plan 1074.
7. Include into the locality of **LINCOLN GAP** that area marked (G) on Rack Plan 1074.

Copies of Rack Plan 1074 showing the extent of the subject area can be viewed at:

- the Office of the Surveyor-General, 101 Grenfell Street, Adelaide.
- the Land Services web-site at:
www.sa.gov.au/landservices/namingproposals.

Dated 23 September 2014.

M. BURDETT, Surveyor-General
Department for Planning, Transport and Infrastructure
DPTI.2014/13764/01

GOVERNORS' PENSIONS ACT 1976

Authorisation of Governors' Pension

I, THE HONOURABLE TOM KOUTSANTONIS, MP, Treasurer of South Australia (the 'Treasurer'), pursuant to Sections 3 and 4 of the Governors' Pensions Act 1976, hereby provide for and authorise the payment of an annual pension on and from 2 September 2014, for life, of the sum of \$92 823.75 to Kevin John Scarce, a former Governor.

Dated 17 September 2014.

The Common Seal of the Treasurer was hereunto affixed by authority of the Treasurer and in the presence of:

(L.S.) C. KOUTSANTOIS, Treasurer
SEVI LIVADITIS, Witness

HIGHBURY LANDFILL AUTHORITY

CHARTER

1. Introduction

1.1 Name

The name of the subsidiary is the Highbury Landfill Authority (referred to as 'the Authority' in this Charter).

1.2 Establishment

The Authority is a regional subsidiary established pursuant to Section 43 of the Local Government Act 1999 by the:

- 1.2.1 City of Burnside;
- 1.2.2 City of Norwood, Payneham & St Peters; and
- 1.2.3 Corporation of the Town of Walkerville

1.3 Local Government Act 1999

This Charter must be read in conjunction with Parts 2 and 3 of Schedule 2 to the Local Government Act 1999. The Authority shall conduct its affairs in accordance with Schedule 2 to the Act except as modified by this Charter in a manner permitted by Schedule 2.

1.4 Purpose for which the Authority is Established

The Authority is established for the following objects and purposes:

- 1.4.1 to facilitate the closure and the post-closure of the Highbury Landfill Site;
- 1.4.2 to undertake all manner of things relating to and incidental to Clause 1.5;

1.5 Powers and Functions of the Authority

The powers, functions and duties of the Authority are to be exercised in the performance of the Authority's objects and purposes. The Authority shall have those powers, functions and duties delegated to it by the Constituent Councils from time to time that include but are not limited to:

- 1.5.1 the power to accumulate surplus funds for investment purposes;
- 1.5.2 the power to establish a reserve fund or funds clearly identified for meeting any liability or obligation of the Authority;
- 1.5.3 the power to enter into contracts, to purchase, sell, lease, hire, rent or otherwise acquire or dispose of any personal property or interests therein;
- 1.5.4 the power to employ, engage, remunerate, remove, suspend or dismiss the Manager of the Authority;
- 1.5.5 the power to return to the Constituent Councils or at their direction to the East Waste regional subsidiary any or all surplus funds upon completion of the approved remediation plan of Highbury Landfill Site;

1.5.6 the power to invest any of the funds of the Authority in any investment authorised by the Trustee Act 1936 or with the Local Government Finance Authority provided that:

1.5.6.1 in exercising this power of investment the Authority must exercise the care, diligence and skill that a prudent person of business would exercise in managing the affairs of other persons; and

1.5.6.2 the Authority must avoid investments that are speculative or hazardous in nature;

1.5.7 the power to do anything else necessary or convenient for or incidental to the exercise, performance or discharge of its powers, functions or duties.

1.6 Property

All property held by the Authority is held by it on behalf of the Constituent Councils.

1.7 Delegation by the Authority

The Authority may by resolution delegate to the Manager or to any employee of the Authority any of its powers, functions and duties under this Charter.

A delegation is revokable at will and does not prevent the Authority from acting in a matter.

2. Board of Management

The Authority is a body corporate and is governed by a Board of Management that shall have the responsibility to manage the business and other affairs of the Authority ensuring that the Authority acts in accordance with this Charter.

2.1 Functions of the Board

2.1.1 The formulation of a closure management plan and strategy for closure of the Highbury Landfill Site by the Authority.

2.1.2 The provision of professional input and direction to the Authority.

2.1.3 To monitor, oversee and measure the performance of the Manager.

2.1.4 To assist in the development of an environmentally sound and economical solution to the closure of the Highbury Landfill Site.

2.1.5 To exercise the care, diligence and skill that a prudent person of business would exercise in managing the affairs of other persons.

2.2 Membership of the Board

2.2.1 The Board shall consist of three members being one person appointed by each Constituent Council;

2.2.2 A Board Member shall be appointed for a term not exceeding three years specified in the instrument of appointment and at the expiration of the term of office will be eligible for re- appointment.

2.2.3 The term of office of a member of the Board will cease upon the Council providing written notice to the Board Member or upon the happening of any other event through which the Board Member would be ineligible to remain as a member of the Board.

2.2.4 Board Members shall be eligible for such allowances from the funds of the Authority as the Board shall determine from time to time.

2.2.5 Each Constituent Council may appoint a deputy Board Member to act in place of that Constituent Council's appointed Board Member.

2.2.6 In the absence of the Board Member, a deputy Board Member will be deemed to be the Board Member and can exercise all of the rights, privileges and obligations of the Board Member during the absence of that Board Member.

2.3 Propriety of Members of the Board

The Board Members are not required to comply with Division 2, Chapter 5 (Register of Interests) of the Act.

2.4 Chair of the Board

2.4.1 The Board shall elect a Chair from amongst the Members for a term and upon any conditions determined by the Board.

2.4.2 The Chair shall preside at all meetings of the Board and, in the event of the Chair being absent from a meeting, the members present shall appoint a member from amongst them, who shall preside for that meeting or until the Chair is present.

2.5 Meetings of the Board

2.5.1 The Board must determine procedures to apply at or in relation to its meetings provided that such procedures may not be inconsistent with any provisions of this Charter.

2.5.2 Ordinary meeting of the Board must take place at such times and places as may be fixed by the Board or the Manager of the Authority from time to time. There shall be at least one ordinary meeting of the Board held every six months.

2.5.3 Notice of ordinary meetings of the Board must be given by the Manager to each Board Member and to each Constituent Council not less than 7 clear days prior to the holding of the meeting and shall be accompanied by the agenda for the meeting and any written reports.

2.5.4 For the purposes of this sub-clause, the contemporary linking together by telephone, audio-visual or other instantaneous means ('telecommunications meeting') of a number of the members of the Board provided that at least a quorum is present, is deemed to constitute a meeting of the Board. Each of the Board members taking part in the telecommunications meeting, must at all times during the telecommunications meeting be able to hear and be heard by each of the other Board Members present. At the commencement of the meeting, each Board Member must announce his/her presence to all other Board Members taking part in the meeting. A Board Member must not leave a telecommunications meeting by disconnecting his/her telephone, audiovisual or other communication equipment, unless that Board Member has previously notified the Chair of the meeting.

2.5.5 A proposed resolution in writing and given to all Board Members in accordance with procedures determined by the Board will be a valid decision of the Board where a majority of Board Members vote in favour of the resolution by signing and returning the resolution to the Manager or otherwise giving written notice of their consent and setting out the terms of the resolution to the Manager. The resolution shall thereupon be as valid and effectual as if it had been passed at a meeting of the Board duly convened and held.

2.5.6 Any Constituent Council or Board Member may by delivering written notice to the Manager of the Authority require a special meeting of the Board to be held. The request for special meeting and the obligations upon the Manager are the same as those applying to a chief executive officer of a council in relation to special council meetings called under the Act.

2.5.7 The quorum for any meeting of the Board is two (2) Board Members.

2.5.8 Every Board Member, including the Chair, shall have a deliberative vote. The Chair shall not in the event of an equality of votes have a casting vote.

2.5.9 All matters will be decided by a majority of votes of the Board Members present.

- 2.5.10 All Board Members present at a meeting shall vote.
- 2.5.11 Subject to Clause 2.5.13, meetings of the Board must be conducted in a place open to the public.
- 2.5.12 All Board Members must keep confidential all documents and any information provided to them for their consideration prior to a meeting of the Board.
- 2.5.13 The Board may order that the public be excluded from attendance at any meeting in order to enable the Board to consider in confidence any information or matter listed in Section 90 (3) of the Act (after taking into account any relevant consideration under that subsection).
- 2.5.14 Where an order is made under Clause 2.5.13, a note must be made in the minutes of the making of the order and of the grounds on which it was made.
- 2.5.15 The Manager must cause minutes to be kept of the proceedings at every meeting of the Board.
- 2.5.16 Each member of the Board and each Constituent Council must, notwithstanding an order made pursuant to Clause 2.5.13 be supplied with a copy of all minutes of the proceedings of the meeting.
- 2.5.17 Subject to Clause 2.5.19 a person is entitled to inspect, without payment of a fee, at the office of the Authority:
- 2.5.17.1 minutes of a Board Meeting;
- 2.5.17.2 reports to the Board received at a meeting of the Board;
- 2.5.17.3 recommendations presented to the Board in writing and adopted by resolution of the Board.
- 2.5.18 Subject to Clause 2.5.19, a person is entitled, on payment of a fee fixed by the Board, to obtain a copy of any documents available for inspection under Clause 2.5.17.
- 2.5.19 Clauses 2.5.17 and 2.5.18 do not apply in relation to a document or part of a document if:
- 2.5.19.1 the document or part of the document relates to a matter of a kind referred to in Clause 2.5.13; and
- 2.5.19.2 the Board orders that the document or part of the document be kept confidential.

3. Staffing Issues

- 3.1 The Board must appoint a Manager of the Authority who has expertise in environmental management and/or waste operations and business to manage the business of the Authority on terms agreed between the Manager and the Board. The Manager may be a natural person or a body corporate.
- 3.2 The Executive Officer is responsible to the Board for the execution of all decisions made by the Board and for the efficient and effective management of the Authority.
- 3.3 The Executive Officer is subject to the same legislative responsibilities and duties as a chief executive officer of a council including but not limited to those matters set out at Parts 1 and 3 of Chapter 7 of the Act.

4. Management

4.1 Financial Management

- 4.1.1 The Authority shall keep proper books of account in accordance with the requirements of the Local Government (Financial Management) Regulations 2011;
- 4.1.2 The Authority's books of account must be available for inspection by any Board Member or authorised representative of any Constituent Council at any reasonable time on request;

4.1.3 The Authority must establish and maintain a bank account with such banking facilities and at a bank to be determined by the Board;

4.1.4 All cheques must be signed by two persons authorised by resolution of the Board;

4.1.5 Any payments made by Electronic Funds Transfer must be made in accordance with procedures which have received the prior written approval of the Auditor.

The Executive Officer must act prudently in the handling of all financial transactions for the Authority and must provide quarterly financial and corporate reports to the Board and, if requested, the Constituent Councils.

4.2 Audit

4.2.1 The Authority shall appoint an auditor in accordance with the Local Government (Financial Management) Regulations 2011, on terms and conditions set by the Board;

4.2.2 The Auditor will have the same powers and responsibilities as set out in the Local Government Act 1999, in relation to a council;

4.2.3 The audit of Financial Statements of the Authority, together with the accompanying report from the Auditor, shall be submitted to both the Board and the Constituent Councils;

4.2.4 The books of account and financial statements shall be audited at least once per year;

4.2.5 The Authority is required to establish an audit committee which will comprise of members determined or appointed by the Board in accordance with the requirements of the Local Government (Financial Management) Regulations 2011.

4.3 Business Plan

The Authority shall:

4.3.1 prepare a three year Business Plan linking the closure of the Highbury Landfill Site to strategic, operational and organisational requirements with supporting financial projections setting out the estimates of revenue and expenditure as necessary for the period;

4.3.2 in preparing and subsequently reviewing the Business Plan have regard to and where appropriate integrate the requirements of the Environment Protection Authority's Post Closure Management Plan with the provisions of the Business Plan;

4.3.3 review the Business Plan annually; and

4.3.4 consult with the Environment Protection Authority during the annual review of the Business Plan.

(See Clause 24, Part 2, Schedule 2 to the Act for the contents of the Business Plan)

4.4 Annual Budget

4.4.1 The Authority shall, after 31 May but before the end of June in each Financial Year, prepare and adopt an annual budget for the ensuing Financial Year in accordance with the Local Government Act 1999;

4.4.2 The proposed annual budget must be referred to Constituent Councils at the same time as the Manager submits it to the Board Members. The proposed annual budget must be approved by the majority of the Constituent Councils prior to adoption by the Board;

4.4.3 The Authority must provide a copy of its annual budget to the Constituent Councils within five business days after adoption by the Board;

- 4.4.4 Reports summarising the financial position and performance of the Authority against the annual budget shall be prepared and presented to the Board at each Board meeting and copies provided to the Constituent Councils within five days of the Board meeting to which they have been presented.

4.5 Reporting

- 4.5.1 The Authority must submit to the Constituent Councils by 30 September in each year in respect of the immediately preceding Financial Year, a report on the work and operations of the Authority detailing achievement of the aims and objectives of its Business Plan and incorporating the audited financial statements of the Authority and any other information or reports as required by the Constituent Councils;
- 4.5.2 The Board shall present a balance sheet and full financial report to the Constituent Councils at the end of each financial year;
- 4.5.3 The Board shall present the audited financial statements to the Constituent Councils in accordance with the requirements of the Local Government (Financial Management) Regulations 2011.

5. Miscellaneous

5.1 Equitable Share

Each of the Constituent Councils will have an equity share in the Authority as set out in the table contained at Schedule 1 to this Charter.

5.2 Withdrawal

- 5.2.1 A Constituent Council may not withdraw from the Authority except with the approval of the other Constituent Councils and the Minister.
- 5.2.2 The withdrawal of any Constituent Council does not extinguish the liability of that Constituent Council for the payment of its contribution towards any actual or contingent deficiency in the net assets of the Authority at the end of each Financial Year until the Authority is dissolved or wound up.
- 5.2.3 The withdrawal of any Constituent Council does not extinguish the liability of the withdrawing Constituent Council to contribute to any liability in respect of the Highbury Landfill Site.
- 5.2.4 The guarantee for any liability incurred or assumed by a Constituent Council survives the withdrawal by the Constituent Council.

5.3 Insurance and Superannuation Requirements

- 5.3.1 The Authority shall register with the Local Government Mutual Liability Scheme and comply with the rules of the Scheme.
- 5.3.2 The Authority shall advise the Local Government Risk Management Services of its insurance requirements relating to Local Government Special Risks including land, contamination, buildings, structures, vehicles and equipment under the management, care and control of the Authority.
- 5.3.3 Where the Authority has employees it shall register with the Local Government Superannuation and Workers Compensation Scheme and comply with the rules of the Scheme.

5.4 Winding Up

- 5.4.1 The Authority may be wound up by the Constituent Councils and with the consent of the Minister.
- 5.4.2 On winding up of the Authority, the surplus assets or liabilities of the Authority, as the case may be, shall be distributed between or become the responsibility of the Constituent Councils in the proportions of their equitable interest in accordance with Schedule 1.

- 5.4.3 If there are insufficient funds to pay all expenses due by the Authority on winding up, a levy shall be imposed on all Constituent Councils in proportion to the equity share of the Constituent Councils in the Financial Year prior to the passing of the resolution to wind up.

5.5 Dispute Resolution

About this clause:

The procedure in this clause must be applied to any dispute that arises between the Authority and a Constituent Council concerning the affairs of the Authority, or between Constituent Councils concerning the affairs of the Authority, including a dispute as to the meaning or effect of this Charter and whether the dispute concerns a claim in common law, equity or under statute.

The Authority and a Constituent Council must continue to observe and perform this Charter despite the application or operation of this clause.

This clause does not prejudice the right of a party:

to require the continuing observance and performance of this Charter by all parties; or

to institute proceedings to enforce payment due under this Charter or to seek injunctive relief to prevent immediate and irreparable harm.

Pending completion of the procedure set out in this clause, and subject to this clause, a dispute must not be the subject of legal proceedings between any of the parties in dispute. If legal proceedings are initiated or continued in breach of this provision, a party to the dispute is entitled to apply for and be granted an order of the court adjourning those proceedings pending completion of the procedure set out in this clause.

Step 1: Notice of dispute:

A party to the dispute must promptly notify each other party to the dispute:

The nature of the dispute, giving reasonable details; and

what action (if any) the party giving notice thinks will resolve the dispute;

but a failure to give such notice does not entitle any other party to damages.

Step 2: Meeting of the parties:

A party to the dispute which complies with the previous step may at the same or a later time notify in writing each other party to the dispute that the first party requires a meeting within 14 business days after the giving of such notice. In that case, each party to the dispute must send to the meeting a senior manager of that party with the Board to resolve the dispute and at the meeting make a good faith attempt to resolve the dispute.

Step 3: Mediation:

Despite whether any previous step was taken, a dispute not resolved within 30 days must be referred to mediation.

The mediator must be a person agreed by the parties in dispute or, if they cannot agree within 14 business days, a mediator nominated by the then President of the South Australian Bar Association (or equivalent officer of any successor organisation).

The role of a mediator is to assist in negotiating a resolution of a dispute. A mediator may not make a decision binding on a party unless that party has so agreed in writing.

The mediation must take place in a location in Adelaide agreed by the parties:

A party in dispute must cooperate in arranging and expediting mediation;

A party in dispute must send to the mediation a senior manager with authority to resolve the dispute.

The mediator may exclude lawyers acting for the parties in dispute and may co-opt expert assistance as the mediator thinks fit.

A party in dispute may withdraw from mediation if there is reason to believe the mediator is not acting in confidence, or with good faith or is acting for a purpose other than resolving the dispute.

Unless otherwise agreed in writing;

everything that occurs before the mediator is in confidence and in closed session;

discussions (including admissions and concessions) are without prejudice and may not be called into evidence in any subsequent litigation by a party;

documents brought into existence specifically for the purpose of the mediation may not be admitted in evidence in any subsequent legal proceedings by a party;

the parties in dispute must report back to the mediator within 14 business days on actions taken, based on the outcome of the mediation;

a party in dispute need not spend more than one day in mediation for a matter under dispute; and

a party in dispute must bear an equal share of the costs and expenses of the mediator and otherwise bears their own costs.

Step 4: Arbitration:

Despite whether any previous step was taken, a dispute not resolved within 60 days must be referred to arbitration, as to which:

there must be only one arbitrator and who is a natural person agreed by the parties or, if they cannot agree within 14 business days, an arbitrator nominated by the then Chairperson of The Institute of Arbitrators and Mediators Australia (South Australia Chapter);

the role of the arbitrator is to resolve the dispute and make decisions binding on the parties;

the arbitration must take place in an agreed location in Adelaide;

a party must cooperate in arranging and expediting arbitration;

a party must send to the arbitration a senior manager with authority to resolve the dispute; and

the parties may provide evidence and given written and verbal submissions to the arbitrator within the time set by the arbitrator;

The arbitrator must:

consider the evidence and submissions;

decide the dispute; and

give written reasons to each party.

Subject to this clause, the arbitration must take place under Rules 5 to 18 (inclusive) of the Rules of the Institute of Arbitrators and Mediators for the Conduct of Commercial Arbitrations and the provisions of the Commercial Arbitration Act 1986 (S.A.) and which Rules are taken to be incorporated by reference into this clause OR subject to this clause, the arbitrator must fix the rules of arbitration.

The costs and expenses of the arbitrator and of each party must be borne as the arbitrator decides.

5.6 Common Seal

5.6.1 The Authority will have a common seal, which may be affixed to documents requiring execution under seal and where affixed must be witnessed by the Chair of the Board and the Manager.

5.6.2 The common seal must not be affixed to a document except to give effect to a resolution of the Board.

5.6.3 The Manager must maintain a register which records the resolutions of the Board giving authority to affix the common seal and details of the documents to which the common seal has been affixed with the particulars of persons who witnessed the fixing of the seal and the date that the seal was affixed.

5.6.4 The Board may by instrument under seal authorise a person to execute documents on behalf of the Authority.

5.7 Circumstances Not Provided For

If any circumstance arises about which this Charter is silent, incapable of taking effect or being implemented according to its strict provisions, the Board has the power to consider the circumstance and determine the action to be taken.

SCHEDULE 1

Constituent Council	Equity Share %
City of Burnside.....	50.406
City of Norwood, Payneham & St Peters.....	40.357
Corporation of Town of Walkerville.....	9.237
Total	100

Attachment B

Highbury Landfill Authority Charter Review

City of Norwood Payneham & St Peters
175 The Parade, Norwood SA 5067

Telephone 8366 4555
Facsimile 8332 6338
Email townhall@npsp.sa.gov.au
Website www.npsp.sa.gov.au



City of
**Norwood
Payneham
& St Peters**

HIGHBURY LANDFILL AUTHORITY CHARTER

1. Introduction

1.1 Name

The name of the subsidiary is the Highbury Landfill Authority (referred to as 'the Authority' in this Charter).

1.2 Establishment

The Authority is a regional subsidiary established pursuant to Section 43 of the Local Government Act 1999 (the Act) by the:

1.2.1 City of Burnside;

1.2.2 City of Norwood, Payneham & St Peters; and

1.2.3 Corporation of the Town of Walkerville

(the Constituent Councils).

1.3 Local Government Act 1999

This Charter must be read in conjunction with Parts 2 and 3 of Schedule 2 to the Local Government Act 1999. The Authority shall conduct its affairs in accordance with Schedule 2 to the Act except as modified by this Charter in a manner permitted by Schedule 2.

1.4 Purpose for which the Authority is Established

The Authority is established for the following objects and purposes:

1.4.1 to facilitate the closure and the post-closure of the Highbury Landfill Site;

1.4.2 to undertake all manner of things relating to and incidental to Clause 1.5;

1.5 Powers and Functions of the Authority

The powers, functions and duties of the Authority are to be exercised in the performance of the Authority's objects and purposes. The Authority shall have all of these powers and functions as are necessary for the carrying out of the Authority's purpose. These include, but are not limited to, duties delegated to it by the Constituent Councils from time to time that include but are not limited to:

1.5.1 the power to incur expenditure:

1.5.1.1 in accordance with a budget adopted by the Authority; or

1.5.1.2 with the prior approval of the Constituent Councils; or

1.5.1.3 in accordance with the Act, in respect of expenditure not contained in a budget adopted by the Authority, for a purpose of genuine emergency or hardship;

1.5.2 the power to borrow funds from the Local Government Financial Authority (or such other entity approved by the Constituent Councils):

1.5.2.1 in accordance with a budget adopted by the Authority under this Charter;

1.5.2.2 with the prior approval of the Constituent Councils;

1.5.3 the power to accumulate surplus funds for investment purposes;

1.5.4 the power to establish a reserve fund or funds clearly identified for meeting any liability or obligation of the Authority;

1.5.5 the power to enter into any contract or arrangement;

1.5.6 the powers, to purchase, sell, lease, hire, rent or otherwise acquire or dispose of any personal property or interests therein;

1.5.7 subject to obtaining the unanimous consent of the Constituent Councils for the particular acquisition or disposal, the power to acquire or dispose of real property;

1.5.8 the power to employ, engage, remunerate, remove, suspend or dismiss the Manager of the Authority;

1.5.9 the power to return to the Constituent Councils or at their direction to the East Waste regional subsidiary any or all surplus funds upon completion of the approved remediation plan of Highbury Landfill Site;

1.5.10 the power to invest any of the funds of the Authority in any investment authorised by the Trustee Act 1936 or with the Local Government Finance Authority provided that:

1.5.10.1 in exercising this power of investment the Authority must exercise the care, diligence and skill that a prudent person of business would exercise in managing the affairs of other persons; and

1.5.10.2 the Authority must avoid investments that are speculative or hazardous in nature;

1.5.11 the powers, functions or duties delegated to the Authority by the Constituent Councils from time-to-time;

1.5.12 the power to do anything else necessary or convenient for or incidental to the exercise, performance or discharge of its powers, functions or duties.

1.6 Property

All property held by the Authority is held by it on behalf of the Constituent Councils.

1.7 Delegation by the Authority

1.7.1 The Authority may by resolution delegate to the Manager or to any employee of the Authority any of its powers, functions and duties under the Act or this Charter to:

1.7.1.1 the Manager;

1.7.1.2 a committee established by the Authority;

1.7.1.3 an employee of the Authority or a Constituent Council;

1.7.1.4 a person occupying a particular office or position.

1.7.2 A delegation is revokable at will and does not prevent the Authority from acting in a matter.

1.8 Acting Outside Area

1.8.1 The Constituent Councils consider it necessary and expedient to the attainment of the Authority's objects and purposes for

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the Authority to undertake the following activities outside the area of the Constituent Councils and accordingly authorise the Authority to undertake such activities:

1.7.1.1 8.1.1 All activities relating to, necessary for and incidental to facilitating the closure and the post-closure of the Highbury Landfill Site.

2. Board of Management

The Authority is a body corporate and is governed by a Board of Management that shall have the responsibility to manage the business and other affairs of the Authority ensuring that the Authority acts in accordance with this Charter.

2.1 Functions of the Board

- 2.1.1 The formulation of a closure management plan and strategy for closure of the Highbury Landfill Site by the Authority.
- 2.1.2 The provision of professional input and direction to the Authority.
- 2.1.3 To monitor, oversee and measure the performance of the Manager.
- 2.1.4 To assist in the development of an environmentally sound and economical -solution to the closure of the Highbury Landfill Site.
- 2.1.5 To exercise the care, diligence and skill that a prudent person of business would exercise in managing the affairs of other persons.

2.2 Membership of the Board

- 2.2.1 The Board shall consist of three members being one person appointed by each Constituent Council;
- 2.2.2 A Board Member shall be appointed for a term not exceeding three years specified in the instrument of appointment and at the expiration of the term of office will be eligible for re- appointment.
- 2.2.3 ~~The term of office of a member of the Board will become vacant in accordance with Clause 20(3) of Schedule 2 of the Act, cease upon the Constituent Council providing written notice to the Board Member or upon the happening of any other event through which the Board Member would be ineligible to remain as a member of the Board.~~
- 2.2.4 Board Members shall be eligible for such allowances from the funds of the Authority as the Board shall determine from time to time.

2.2.5 Each Constituent Council may appoint a deputy Board Member to act in place of that Constituent Council's appointed Board Member.

2.2.5.2.6 ~~Any other conditions of appointment for Board Members will be determined by the Board, subject to the agreement of the Constituent Councils.~~

2.2.5.2.7 In the absence of the Board Member, a deputy Board Member will be deemed to be the Board Member and can exercise all of the rights, privileges and obligations of the Board Member during the absence of that Board Member.

2.4.2.3 Propriety of Members of the Board

The Board Members are not required to comply with Division 2, Chapter 5 (Register of Interests) of the Act.

2.5.2.4 Chair of the Board

- 2.5.12.4.1 The Board shall elect a Chair from amongst the Members for a term and upon any conditions determined by the Board.
- 2.5.22.4.2 The Chair shall preside at all meetings of the Board and, in the event of the Chair being absent from a meeting, the members present shall appoint a member from amongst them, who shall preside for that meeting or until the Chair is present.

2.6.2.5 Meetings of the Board

2.6.12.5.1 The Board must determine procedures to apply at or in relation to its meetings provided that such procedures may not be inconsistent with any provisions of this Charter.

2.6.22.5.2 Ordinary meeting of the Board must take place at such times and places as may be fixed by the Board or the Manager of the Authority from time to time. There shall be at least one ordinary meeting of the Board held every six months.

2.6.32.5.3 Notice of ordinary meetings of the Board must be given by the Manager to each Board Member and to each Constituent Council not less than 7 clear days prior to the holding of the meeting and shall be accompanied by the agenda for the meeting and any written reports.

2.5.4 For the purposes of this sub-clause, the contemporary linking together by telephone, audio-visual, video-conferencing or other instantaneous means ('telecommunications meeting') of a number of the members of the Board is deemed to constitute a meeting of the Board provided that:

- 2.5.4.1 -at least a quorum is present;
- 2.5.4.2 notice of the telecommunications meeting is given to all Board Members in the manner determined by the Board for that purpose; and
- 2.5.4.3 each participating Board Member is capable of communicating with every other participating Board Member during the telecommunications meeting.

2.6.42.5.5 Each of the Board members taking part in the telecommunications meeting, must at all times during the telecommunications meeting be able to hear and be heard by each of the other Board Members present. At the commencement of the meeting, each Board Member must announce his/her presence to all other Board Members taking part in the meeting. A Board Member must not leave a telecommunications meeting by disconnecting his/her telephone, audiovisual or other communication equipment, unless that Board Member has previously notified the Chair of the meeting.

2.6.52.5.6 The Board may make decisions outside of a formally constituted meeting as follows: A proposed resolution in writing and given to all Board Members in accordance with procedures determined by the Board will be a valid decision of the Board where a majority of Board Members vote in favour of the resolution by signing and returning the resolution to the Manager or otherwise giving written notice of their consent and setting out the terms of the resolution to the Manager. The resolution shall thereupon be as valid and effectual as if it had been passed at a meeting of the Board duly convened and held.

2.6.62.5.7 Any Constituent Council or Board Member may by delivering written notice to the Manager of the Authority require a special meeting of the Board to be held. The request for special meeting and the obligations upon the Manager in respect of notifying Board Members are the same as those applying to a chief executive officer of a council in relation to special

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council meetings called under the Act.

~~2.6.72.5.8~~ The quorum for any meeting of the Board is two (2) Board Members.

~~2.6.82.5.9~~ Every Board Member, including the Chair, shall have a deliberative vote. The Chair shall not in the event of an equality of votes have a casting vote.

~~2.6.92.5.10~~ All matters will be decided by a majority of votes of the Board Members present.

~~2.6.102.5.11~~ Subject to any provision of the Act to the contrary, All Board Members present at a meeting shall vote on each item for decision at the meeting.

~~2.6.11~~ Subject to Clause 2.5.13, meetings of the Board must be conducted in a place open to the public.

~~2.6.122.5.12~~ All Board Members must keep confidential all documents and any information provided to them for their consideration prior to a meeting of the Board.

~~2.6.132.5.13~~ Meetings of the Board will not be conducted in a place open to the public and Chapter 6 Part 3 of the Act does not extend to the Authority. The Board may order that the public be excluded from attendance at any meeting in order to enable The Board can to consider in confidence any information or matter listed in Section 90 (3) of the Act (after taking into account any relevant consideration under that subsection).

~~2.6.142.5.14~~ Notwithstanding Clause 2.5.13, the Board may determine (either generally or on a case-by-case basis) that:

~~2.5.14.1~~ a report, document or minute or proceedings of the Board (or a part of such a document) shall be made available to the public in the manner and form determined by the Board (which may include, but not be limited to, being published on website determined by the Board);

~~2.6.14.12.5.14.2~~ that public may be admitted to a meeting of the Board or a part of a meeting of the Board, or that the proceedings of the Board or a part of those proceedings will be broadcast to the public on a website determined by the Manager. Where an order is made under Clause 2.5.13, a note must be made in the minutes of the making of the order and of the grounds on which it was made.

~~2.6.152.5.15~~ The Manager must cause minutes to be kept of the proceedings at every meeting of the Board and ensure that the minutes are presented to the next ordinary meeting of the Board for confirmation,-

~~2.6.162.5.16~~ Each member of the Board and each Constituent Council must, notwithstanding an order made pursuant to Clause 2.5.13, be supplied with a copy of all minutes of the proceedings of the meeting within five (5) days after that meeting,-

~~2.6.17~~ Subject to Clause 2.5.19 a person is entitled to inspect, without payment of a fee, at the office of the Authority:

~~2.6.17.1~~ minutes of a Board Meeting;

~~2.6.17.2~~ reports to the Board received at a meeting of the Board;

~~2.6.17.3~~ recommendations presented to the Board in writing and adopted by resolution of the Board;

~~2.6.18~~ Subject to Clause 2.5.18, a person is entitled, on payment of a fee fixed by the Board, to obtain a copy of any the documents available for inspection under Clause 2.5.16, will be included on the Authority's website.

~~2.6.19~~ Clauses 2.5.17 and 2.5.18 do not apply in relation to a document or part of a document if:

~~2.6.19.1~~ the document or part of the document relates to a matter of a kind referred to in Clause 2.5.13; and

~~2.6.19.2~~ the Board orders that the document or part of the document be kept confidential.

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3. Staffing Issues

3.1 The Board must appoint a Manager of the Authority who has expertise in environmental management and/or waste operations and business to manage the business of the Authority on terms agreed between the Manager and the Board. The Manager may be a natural person or a body corporate.

3.2 The ~~Executive Officer~~ Manager is responsible to the Board for the execution of all decisions made by the Board and for the efficient and effective management of the Authority.

3.3 The ~~Executive Officer~~ Manager is subject to the same legislative responsibilities and duties as a chief executive officer of a council including but not limited to those matters set out at Parts 1 and 3 of Chapter 7 of the Act.

~~3.3.4~~ The Manager may be, but need not be, an employee of the Authority.

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4. Management

4.1 Financial Management

4.1.1 The Authority shall keep proper books of account in accordance with the requirements of the Local Government (Financial Management) Regulations 2011;

4.1.2 The Authority's books of account must be available for inspection by any Board Member or authorised representative of any Constituent Council at any reasonable time on request.

4.1.3 The Authority must establish and maintain a bank account with such banking facilities and at a bank to be determined by the Board.

~~4.1.4~~ All cheques must be signed by two persons authorised by resolution of the Board.

~~4.1.54.1.4~~ Any payments made by Electronic Funds Transfer must be made in accordance with procedures which have received the prior written approval of the Auditor.

4.1.5 The ~~Executive Officer~~ Manager must act prudently in the handling of all financial transactions for the Authority and must provide quarterly financial and corporate reports to the Board and, if requested, the Constituent Councils.

4.2 Audit

4.2.1 The Authority shall appoint an auditor in accordance with the Local Government (Financial Management) Regulations 2011, on terms and conditions set by the Board.

4.2.2 The Auditor will have the same powers and responsibilities as set out in the Local Government Act 1999, in relation to a council.

4.2.3 The audit of Financial Statements of the Authority, together with the accompanying report from the Auditor, shall be

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submitted to both the Board and the Constituent Councils;

4.2.4 The books of account and financial statements shall be audited at least once per year;

4.3 Audit Committee

4.3.1 The Authority is required to establish an audit committee which will comprise of members determined or appointed by the Board in accordance with the requirements of the Local Government (Financial Management) Regulations 2011 to be comprised of three (3) persons nominated by the Authority and approved by the Constituent Councils;

4.3.2 The members of the Audit Committee:

4.3.2.1 must include at least one (1) person who is not a Board Member and who is determined by the Constituent Councils to have financial experience relevant to the functions of the Audit Committee; and

4.3.2.2 may include members who are members of a Constituent Council; and

4.3.2.3 must not include a Constituent Council's auditor under Section 128 of the Act or the auditor of the Authority.

4.4 Business Plan

The Authority shall:

4.4.1 must in consultation with the Constituent Councils prepare a three year and adopt a Business Plan which will continue in force for the period specified in the Business Plan or until the earlier adoption by the Authority of the new Business Plan;

4.4.2 shall ensure the Business Plan linking the closure of the Highbury Landfill Site to strategic, operational and organisational requirements with supporting financial projections setting out the estimates of revenue and expenditure as necessary for the period;

4.4.3 must in consultation with the Constituent Councils review the Business Plan annually and following such a review the Business Plan shall continue to operate for the period for which the Business Plan was adopted pursuant to clause 4.4.1;

4.4.4 in preparing and subsequently reviewing the Business Plan have regard to and where appropriate integrate the requirements of the Environment Protection Authority's Post Closure Management Plan with the provisions of the Business Plan; the Authority's Risk Review plan (as adopted by the Board from time-to-time);

4.4.5 may, after consultation with the Constituent Councils amend its Business Plan at any time; and

4.4.6 must ensure the contents of the Business Plan is in accordance with the Act and may include or set out other matters deemed appropriate by the Authority.

=

4.4.2 review the Business Plan annually; and

4.4.3 consult with the Environment Protection Authority during the annual review of the Business Plan. (See Clause 24, Part 2, Schedule 2 to the Act for the contents of the Business Plan)

4.5 Annual Budget

4.5.1 The Authority shall, after must 31 May but before the end of June in each Financial Year, prepare and adopt an annual budget for the ensuing Financial Year in accordance with the Local Government Act 1999;

4.5.2 The proposed annual budget must be referred to Constituent Councils at the same time as the Manager submits it to the Board Members. The proposed annual budget must be approved by the majority of the Constituent Councils prior to adoption by the Board;

4.5.3 The Authority must provide a copy of its annual budget to the Constituent Councils within five business days after adoption by the Board;

4.5.4 The Authority must review its budget in accordance with the Local Government (Financial Management) Regulations 2011 Reports summarising the financial position and performance of the Authority against the annual budget shall be prepared and presented to the Board at each Board meeting and copies of the review report and decision of the Authority in respect of the review must be provided to the Constituent Councils within five days of the Board meeting to which the report was they have been presented;

4.5.4

4.6 Reporting

4.6.1 The Authority must submit to the Constituent Councils by 30 September in each year in respect of the immediately preceding Financial Year, a report on the work and operations of the Authority detailing achievement of the aims and objectives of its Business Plan and incorporating the audited financial statements of the Authority and any other information or reports as required by the Constituent Councils;

4.6.2 The Board shall present a balance sheet and full financial report to the Constituent Councils at the end of each financial year;

4.6.3 The Board shall present the audited financial statements to the Constituent Councils in accordance with the requirements of the Local Government (Financial Management) Regulations 2011.

4.7 Financial Contributions

4.7.1 The Constituent Councils will contribute funds to the Authority as set out in the Budget adopted by the Authority and approved by the Constituent Councils.

4.7.2 The Constituent Councils may agree collectively or individually to provide the Authority with additional funds and/or in kind contributions at any time on such terms and conditions, if any, as determined by the relevant Constituent Council(s).

4.7-

5. Miscellaneous

5.1 Equitable Share

5.1.1 Each of the Constituent Councils will have an equity share in the Authority as set out in the table contained at Schedule 1 to this Charter.

5.1.2 In the event of the Authority's insolvency, the Constituent Councils are responsible for the liabilities of the Authority in

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proportion to the equity share of the Constituent Councils in the Financial Year of the insolvency event.

5.2 *Withdrawal*

~~5.2.1 The withdrawal of either Constituent Council is inconsistent with the requirements of Section 43 of the Act and will result in the Authority being wound up pursuant to clause 5.4 and Part 2 of Schedule 2 to the Act. A Constituent Council may not withdraw from the Authority except with the approval of the other Constituent Councils and the Minister.~~

5.2.1

5.2.2 The withdrawal of any Constituent Council does not extinguish the liability of that Constituent Council for the payment of its contribution towards any actual or contingent deficiency in the net assets of the Authority at the end of each Financial Year until the Authority is dissolved or wound up.

5.2.3 The withdrawal of any Constituent Council does not extinguish the liability of the withdrawing Constituent Council to contribute to any liability in respect of the Highbury Landfill Site.

5.2.4 The guarantee for any liability incurred or assumed by a Constituent Council survives the withdrawal by the Constituent Council.

5.3 *Insurance and Superannuation Requirements*

5.3.1 The Authority shall register with the Local Government Mutual Liability Scheme and comply with the rules of the Scheme.

5.3.2 The Authority shall advise the Local Government Risk Management Services of its insurance requirements relating to Local Government Special Risks including land, contamination, buildings, structures, vehicles and equipment under the management, care and control of the Authority.

5.3.3 Where the Authority has employees it shall register with the Local Government Superannuation Statewide Super and the Local Government Workers Compensation Scheme and comply with the rules of the Scheme.

5.4 *Winding Up*

~~5.4.1 The Authority may be wound up in accordance with the Act and will be wound up where either a Constituent Council seeks to withdraw from the Authority, by the Constituent Councils and with the consent of the Minister.~~

5.4.2 On winding up of the Authority, the surplus assets or liabilities of the Authority, as the case may be, shall be distributed between or become the responsibility of the Constituent Councils in the proportions of their equitable interest in accordance with Schedule 1.

5.4.3 If there are insufficient funds to pay all expenses due by the Authority on winding up, a levy shall be imposed on all Constituent Councils in proportion to the equity share of the Constituent Councils in the Financial Year prior to the passing of the resolution to wind up.

5.5 *Non-derogation and Direction by Constituent Councils*

~~5.5.1 The establishment of the Authority does not derogate from the power of any of the Constituent Councils to act independently in relation to a matter within the jurisdiction of the Authority.~~

~~5.5.2 Provided that the Constituent Councils have all first agreed as to the action to be taken, the Constituent Councils may jointly direct and control the Authority by resolution passed by all Constituent Councils in the same or similar terms.~~

~~5.5.3 Where the Authority is required pursuant to the Act or this Charter to obtain the approval of one (1) or more of the Constituent Councils that approval must only be granted by a resolution passed by the Constituent Council or Constituent Councils granting such approval.~~

~~5.5.4 Unless otherwise stated in this Charter where the Authority is required to obtain the approval of all of the Constituent Councils this means the approval of all of the Constituent Councils expressed in the same or similar terms.~~

~~5.5.5 For the purpose of this clause, any direction given or approval granted by one (1) or more Constituent Councils must be communicated by notice in writing provided to the Manager of the Authority together with a copy of the relevant resolutions of the Constituent Councils.~~

5.6 *Review of Charter*

~~5.6.1 The Authority must review this Charter at least once in every four (4) years in accordance with the Act.~~

~~5.6.2 This Charter may be amended with the approval of all of the Constituent Councils.~~

~~5.6.3 Before the Constituent Councils vote on a proposal to alter this Charter, they must take into account any recommendation of the Board.~~

~~5.6.4 The Manager must:~~

~~5.6.4.1 furnish a copy of the Charter, as amended, to the Minister;~~

~~5.6.4.2 ensure that a copy of the Charter, as amended, is published on a website (or websites) determined by the Chief Executive Officers of the Constituent Councils; and~~

~~5.4.2-5.6.4.3 ensure that a notice of the fact of the amendment and a website address at which the Charter is available for inspection is published in the Gazette.~~

~~5.5.7~~ *Dispute Resolution*

About this clause:

~~5.5.15.7.1~~ The procedure in this clause must be applied to any dispute that arises between the Authority and a Constituent Council concerning the affairs of the Authority, or between Constituent Councils concerning the affairs of the Authority, including a dispute as to the meaning or effect of this Charter and whether the dispute concerns a claim in common law, equity or under statute.

~~5.5.25.7.2~~ The Authority and a Constituent Council must continue to observe and perform this Charter despite the application or operation of this clause.

~~5.5.35.7.3~~ This clause does not prejudice the right of a party:

~~5.5.3-15.7.3.1~~ to require the continuing observance and performance of this Charter by all parties; or

~~5.5.3-25.7.3.2~~ to institute proceedings to enforce payment due under this Charter or to seek injunctive relief to prevent immediate and irreparable harm.

~~5.5.45.7.4~~ Pending completion of the procedure set out in this clause, and subject to this clause, a dispute must not be the subject

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of legal proceedings between any of the parties in dispute. If legal proceedings are initiated or continued in breach of this provision, a party to the dispute is entitled to apply for and be granted an order of the court adjourning those proceedings pending completion of the procedure set out in this clause.

Step 1: Notice of dispute:

5.5.5.7.5 A party to the dispute must promptly notify each other party to the dispute:

- 5.5.5.7.5.1 The nature of the dispute, giving reasonable details; and
 - 5.5.2.7.5.2 what action (if any) the party giving notice thinks will resolve the dispute,
- but a failure to give such notice does not entitle any other party to damages.

Step 2: Meeting of the parties:

A party to the dispute which complies with the previous step may at the same or a later time notify in writing each other party to the dispute that the first party requires a meeting within 14 business days after the giving of such notice. In that case, each party to the dispute must send to the meeting a senior manager of that party with the Board to resolve the dispute and at the meeting make a good faith attempt to resolve the dispute.

Step 3: Mediation:

5.5.6.7.6 Despite whether any previous step was taken, a dispute not resolved within 30 days must be referred to mediation.

5.5.7.7.7 The mediator must be a person agreed by the parties in dispute or, if they cannot agree within 14 business days, a mediator nominated by the then President of the South Australian Bar Association (or equivalent officer of any successor organisation).

5.5.8.7.8 The role of a mediator is to assist in negotiating a resolution of a dispute. A mediator may not make a decision binding on a party unless that party has so agreed in writing.

5.5.9.7.9 The mediation must take place in a location in Adelaide agreed by the parties.

5.5.10.7.10 A party in dispute must cooperate in arranging and expediting mediation.

5.5.11.7.11 A party in dispute must send to the mediation a senior manager with authority to resolve the dispute.

5.5.12.7.12 The mediator may exclude lawyers acting for the parties in dispute and may co-opt expert assistance as the mediator thinks fit.

5.5.13.7.13 A party in dispute may withdraw from mediation if there is reason to believe the mediator is not acting in confidence, or with good faith or is acting for a purpose other than resolving the dispute.

5.5.14.7.14 Unless otherwise agreed in writing:

- 5.5.14.1.7.14.1 everything that occurs before the mediator is in confidence and in closed session;
- 5.5.14.2.7.14.2 discussions (including admissions and concessions) are without prejudice and may not be called into evidence in any subsequent litigation by a party;
- 5.5.14.3.7.14.3 documents brought into existence specifically for the purpose of the mediation may not be admitted in evidence in any subsequent legal proceedings by a party;
- 5.5.14.4.7.14.4 the parties in dispute must report back to the mediator within 14 business days on actions taken, based on the outcome of the mediation;
- 5.5.14.5.7.14.5 a party in dispute need not spend more than one day in mediation for a matter under dispute; and
- 5.5.14.6.7.14.6 a party in dispute must bear an equal share of the costs and expenses of the mediator and otherwise bears their own costs.

Step 4: Arbitration:

5.5.15.7.15 Despite whether any previous step was taken, a dispute not resolved within 60 days must be referred to arbitration, as to which:

- 5.5.15.1.7.15.1 there must be only one arbitrator and who is a natural person agreed by the parties or, if they cannot agree within 14 business days, an arbitrator nominated by the then Chairperson of ~~The Institute of Arbitrators and Mediators Australia Resolution Institute (South Australia Chapter);~~
- 5.5.15.2.7.15.2 the role of the arbitrator is to resolve the dispute and make decisions binding on the parties;
- 5.5.15.3.7.15.3 the arbitration must take place in an agreed location in Adelaide;
- 5.5.15.4.7.15.4 a party must cooperate in arranging and expediting arbitration;
- 5.5.15.5.7.15.5 a party must send to the arbitration a senior manager with authority to resolve the dispute; and
- 5.5.15.6.7.15.6 the parties may provide evidence and given written and verbal submissions to the arbitrator within the time set by the arbitrator;

5.5.16.7.16 The arbitrator must:

- 5.5.16.1.7.16.1 decide the dispute; and
- 5.5.16.2.7.16.2 give written reasons to each party.

5.5.17.7.17 Subject to ~~this clause provision of this Charter to the contrary,~~ the arbitration must take place under ~~Resolution Institute Arbitration Rules Rules 5 to 18 (inclusive) of the Rules of the Institute of Arbitrators and Mediators for the Conduct of Commercial Arbitrations~~ and the provisions of the Commercial Arbitration Act 2011~~1986~~ (S.A.) and which Rules are taken to be incorporated by reference into this clause OR subject to this clause, the arbitrator must fix the rules of arbitration.

5.5.18.7.18 The costs and expenses of the arbitrator and of each party must be borne as the arbitrator decides.

5.6.5.8 *Common Seal*

5.6.1.8.1 The Authority will have a common seal, which may be affixed to documents requiring execution under seal and where affixed must be witnessed by the Chair of the Board and the Manager.

5.6.2.8.2 The common seal must not be affixed to a document except to give effect to a resolution of the Board.

5.6.3.8.3 The Manager must maintain a register which records the resolutions of the Board giving authority to affix the common

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seal and details of the documents to which the common seal has been affixed with the particulars of persons who witnessed the fixing of the seal and the date that the seal was affixed.

5.6.45.8.4 The Board may by instrument under seal authorise a person to execute documents on behalf of the Authority.

5.75.9 *Circumstances Not Provided For*

If any circumstance arises about which this Charter is silent, incapable of taking effect or being implemented according to its strict provisions, the Board has the power to consider the circumstance and determine the action to be taken.

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SCHEDULE 1

Constituent Council	Equity Share	%
City of Burnside.....	50.406	
City of Norwood, Payneham & St Peters.....	40.357	
Corporation of Town of Walkerville.....	9.237	
	Total	100

11.6 LOCAL DESIGN REVIEW SCHEME

REPORT AUTHOR: Senior Urban Planner
GENERAL MANAGER: Urban Planning & Environment
CONTACT NUMBER: 8366 4561
FILE REFERENCE: fA12761
ATTACHMENTS: A - C

PURPOSE OF REPORT

The purpose of this report is to provide the Council with information regarding the *Local Design Review Scheme* and the associated *Local Design Review Code Amendment* and seek a decision on whether the Council will participate in the Scheme.

BACKGROUND

Section 121 of the *Planning, Development & Infrastructure Act 2016*, enables the Minister for Planning and Local Government to establish a Design Review Scheme, where a person who is considering undertaking development may apply to a Design Panel for design advice. Participation in the Scheme is voluntary for Councils (which can decide whether Local Design Review will be available within their Council areas), and for applicants (if their development is within a participating council and is a prescribed development type). The Design Review Scheme supports one of the key intended planning reform outcomes of better development design outcomes.

In June 2020, the Office for Design and Architecture SA (ODASA) prepared the draft *Local Design Review Scheme* for consultation. The draft Scheme sets out the parameters and processes for establishing and delivering a Local Design Review service. Council staff provided comments on the draft Scheme, a copy of which is contained in **Attachment A**.

In February 2021, the Minister approved the Scheme to come into effect on 1 July 2021. A copy of the approved Scheme is contained in **Attachment B**. Despite being approved, the Scheme cannot be operational without an amendment to the *Planning and Design Code* which provides a mechanism for identifying which development types will be eligible for participation in the Scheme. The Scheme also only becomes operational where a Council has opted into the Scheme.

The State Planning Commission has prepared the draft *Local Design Review Code Amendment* which is currently on public consultation. A copy of the Code Amendment is contained in **Attachment C**. The Code Amendment does not require councils to determine whether or not they will participate in the Scheme. Rather, it proposes to include a procedural clause in the Code which instructs how eligible development types will be prescribed. The Code Amendment itself is relatively minor, however its release for consultation provides the Council with a timely opportunity to consider whether or not it will participate in the Scheme.

RELEVANT STRATEGIC DIRECTIONS & POLICIES

Outcome 2: Cultural Vitality

A culturally rich and diverse city, with a strong identity, history and sense of place

Objective:

2.4 Pleasant, well designed, and sustainable urban environments

FINANCIAL AND BUDGET IMPLICATIONS

The financial implications of the *Local Design Review Scheme* will vary depending on the Council's level of participation. Should the Council determine to not participate in the Scheme, there will be no financial or budget implications. However, should the Council determine to participate in the Scheme, there will be costs involved. The Scheme anticipates that Design Review Panel members will be remunerated for their participation, and that 'reasonable' costs incurred in providing the service can be (but does not have to be) passed on to the development applicants. Participating Councils may determine to absorb some or all of these costs so as to not disincentive applicants' participation due to high costs.

EXTERNAL ECONOMIC IMPLICATIONS

Nil.

SOCIAL ISSUES

The *Local Design Review Scheme* intends to contribute to better development design outcomes. Good development design outcomes can benefit both future occupants, surrounding neighbours, and the community generally through improved streetscape amenity.

CULTURAL ISSUES

Not Applicable.

ENVIRONMENTAL ISSUES

The *Local Design Review Scheme* emphasises desirable outcomes lead by South Australia's *Principles of Good Design* which, among other principles, seeks durable and sustainable developments. As such, a positive outcome of a design review process may include improved sustainability of the development.

RESOURCE ISSUES

Should the Council determine to participate, staff resources will be required to administer the Scheme, including managing applications to the Design Panel. If the Council determines to form its own Panel, a process of recruitment and engagement would also need to occur to form the Panel.

RISK MANAGEMENT

There is a risk that if the Council chooses not to participate in the Scheme, there may be criticism that good design processes are not being applied. This risk can be mitigated through the continued offering of a free pre-lodgement service, as outlined in this report.

COVID-19 IMPLICATIONS

Not Applicable.

CONSULTATION

- **Elected Members**
Not Applicable.
- **Community**
Not Applicable.
- **Staff**
General Manager, Urban Planning & Environment
Manager, Urban Planning & Sustainability
Manager, Development Assessment
- **Other Agencies**
Not Applicable.

DISCUSSION

Local Design Review Scheme

The *Local Design Review Scheme* allows applicants to seek design advice from a Panel of independent qualified experts prior to formally lodging a Development Application. The purpose of the Scheme is to improve design outcomes by involving the applicant in discussions about design at the earliest stage of the development assessment process and to create consistency for this process across Local Government. The Scheme has been developed by the Office for Design and Architecture (ODASA), which is an arm of the Planning and Land Use Services Division of the Attorney-General’s Department. Although the Scheme is recognised in the *Planning Development & Infrastructure Act 2016*, Design Review is conducted purely in an advisory capacity. To this end an applicant can choose to consider or ignore the advice provided by this Panel. This differs from the Council Assessment Panel which has a formal statutory assessment role under the Act.

Members of a Design Panel must have a tertiary qualification and at least seven (7) years of experience in a relevant field such as architecture, landscape architecture or urban design. A Design Panel may consist of as little as one (1) member and there is no maximum number of members specified in the Scheme.

For the Scheme to be available within a Local Government Area, the Council must determine to participate in the Scheme. A participating council (either independently or jointly with one or more other councils) has the option of establishing the Design Panel which will undertake a review of the design of prospective developments in its area. Alternatively, if the participating council does not establish its own Design Panel, the design review will be undertaken by a panel which has been established by an ‘Independent Design Review Administrator’ which is a person or body (such as a professional association) who has been registered for the Scheme.

The benefit of a council establishing its own Design Panel is the ability to appoint Panel Members who it deems appropriately qualified for the nature and context of development in the local area. Alternatively, a council may determine to not establish its own Design Panel due to administrative and resourcing implications. At this point, the mechanism for formalising participation in the Scheme is not clear, particularly for Councils which determine to not form their own Design Panel. It should be noted that an applicant cannot apply to an independent design panel for design review if the Council has determined that the Scheme will not be available within its Council area.

A summary of this process is outlined in **Figure 1**.

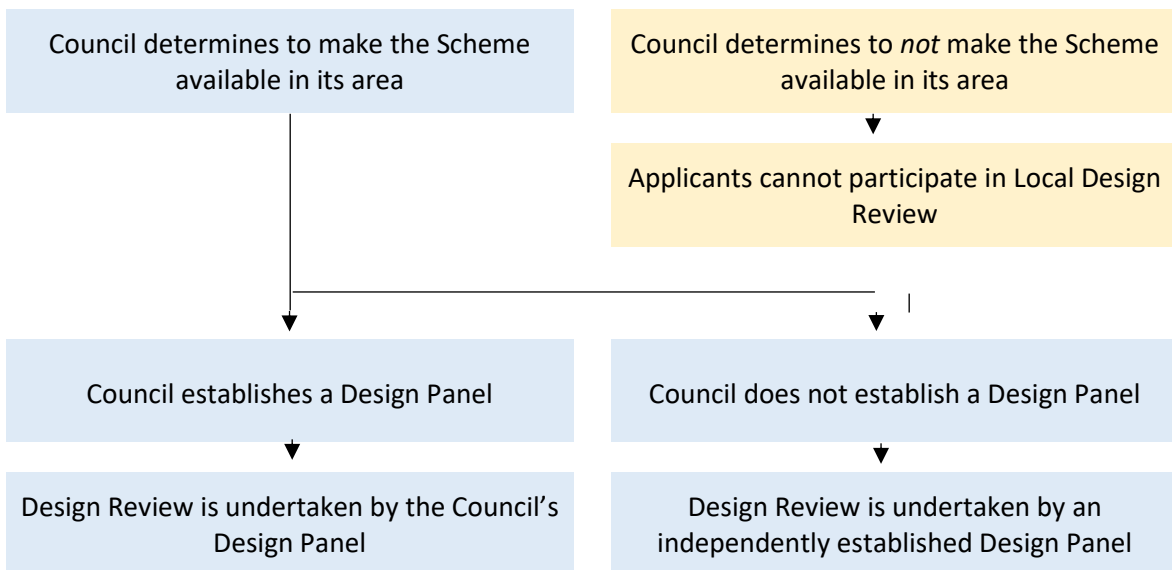


FIGURE 1 – AVAILABILITY OF LOCAL DESIGN REVIEW AND RELEVANT DESIGN PANEL

Section 121(1) of the *Planning, Development & Infrastructure Act 2016*, specifies that only developments of a class specified by the *Planning and Design Code* are eligible to participate in the design review process. The draft *Local Design Review Code Amendment* proposes to include the following clause in the Code:

- (1) *Development within the ambit of subclause (2) is specified as a class of development for the purposes of section 121(1) of the Act.*
- (2) *Development that is—*
 - (a) *within the area of a council that has determined to make design review available in its area by participating in the scheme determined by the Minister for the purposes of section 121 of the Act; and*
 - (b) *a form of development that is—*
 - i. *either restricted development or performance assessed development that has been selected by the council as a class of development for the purposes of this clause; and*
 - ii. *specified by the Chief Executive by a notice published on the SA planning portal for the purposes of this clause.*
- (3) *A council may from time to time vary the classes of development applying in its area under this clause by a further notice published by the Chief Executive on the SA planning portal at the request of the council.*

Publishing the specified classes of development on the Portal will be administratively easier than amending the Code, which is likely why this approach has been proposed.

The Scheme outlines the operational details of the design review process, including the roles and responsibilities of the applicant, the Council and the Panel. The Scheme also sets out that the Council can charge or reduce the prescribed design review fee which is currently set at \$100 plus the reasonable costs of the Design Panel to provide advice. The 'reasonable costs' would include the sitting fees for the Panel members. For the sake of comparison, the total sitting fee for all four (4) independent Council Assessment Panel members is currently \$2000 per meeting. A Council may choose to reduce or waive this fee so as to not disincentivise applicants from participating in the Scheme.

The desired outcome of the Scheme is that applicants will adopt the design advice which is provided by the Design Panel thereby resulting in an improved outcome. Pursuant to both the Scheme and the *Planning, Development and Infrastructure Act 2016*, the design advice which is provided by the Panel, must be taken into account by the relevant authority during the assessment of a formal development application and the relevant authority must consider how the lodged proposal has responded to the design advice.

The Scheme is broadly based on the existing '*State Design Review*' process which is undertaken for certain developments where the State Planning Commission is the relevant authority (which delegates the role of Development Assessment to the State Commission Assessment Panel). For example, buildings exceeding four (4) storeys within Urban Corridor Zones. State Design Review, which has operated since 2011, is a pre-lodgement service where a prospective development is reviewed by the State Design Review Panel convened by ODASA. Through this process, the applicant can elect to obtain a formal pre-lodgement agreement which avoids the need for a referral during the assessment of the development application. Due to the larger scale of eligible developments and the time-saving option for avoiding a formal referral during the development assessment process, State Design Review is an attractive and often worthwhile process for the applicants.

Current Services provided by the Council

In determining whether or not to participate in the Local Design Review Scheme, it is relevant to consider the current pre-lodgement services offered by this Council, which includes:

- a free, formalised pre-lodgement advice service with written feedback for detailed site-specific development proposals (which was temporarily suspended in the first half of 2021 due to the transition to the Planning and Design Code, but has now resumed);
- a heritage advisory service through which the Council's Heritage Advisor provides free advice available to owners of heritage buildings or properties within historic areas on a range of matters including historic building restoration and appropriate design outcomes for new development; and
- a designated Urban Planner offering advice for walk-in/ impromptu and general requests.

Providing pre-lodgement advice is an effective way of achieving better design outcomes as it provides opportunities for the applicant to refine their proposal at a stage where they may be more open to recommendations / advice and making changes, which subsequently improves their experience through the development assessment process. Council staff ordinarily provide a written response to the formalised pre-lodgement process within two (2) weeks to assist applicants to make informed decisions when purchasing properties, entering into contracts or financing agreements etc. The formalised pre-lodgement advice is provided directly by the Council's Assessment Manager, to ensure maximum consistency and reliability of advice.

The Council's heritage advisory service is a popular scheme offered on a weekly basis, with most meetings occurring on-site with the applicants and/or purchasers of property. Applicants can use the service at a pre-lodgement stage, however the Council's Heritage Advisor also provides advice to Council staff and the Council Assessment Panel during the assessment of applications to assist in achieving compliance with the Code policies and generally better outcomes from a heritage and built form perspective. These services are provided free of charge to encourage participation and there is a generally high level of satisfaction from participants. The investment by the Council is significant, both in general staff resources and in the order of \$40-\$50,000 per annum for the heritage advisory service, but has proven to be a worthwhile use of resources in the interests of achieving better development outcomes and providing a service to citizens.

Limitations and Benefits of the Local Design Review Scheme

The success of the current pre-lodgement services which are offered by the City of Norwood Payneham & St Peters, is largely due to the balance of effort versus reward for the applicant. The services are free, the level of information expected to be submitted is manageable and the response time is fast, making it a worthwhile process even for small developments with modest project costs and timeframes. Additionally, the advice is provided by the Council's Assessment Manager, who will either be determining the application under delegation or providing a recommendation to the Council Assessment Panel. Similarly, for applicants participating in the State Design Review, the complexity and time involved in the process is normally commensurate with the scale of development in terms of the project costs and timeframes and can also shorten the formal assessment process with the incentive of removing the Government Architect referral.

The Local Design Review process is likely to take significantly longer than this Council's current pre-lodgement service due to the need to form and convene a special Design Panel meeting for each proposal. It would also be more costly to both the Council and to the applicant if a fee is charged. An applicant for smaller scale development is unlikely to see the same effort versus reward balance as compared to the current systems. For the City of Norwood Payneham & St Peters, larger scale developments such as multi-storey mixed use buildings primarily occur in the Urban Corridor Zones, and in these circumstances the State Planning Commission is the relevant authority.

The majority of development applications determined at the Council are low-scale residential or small scale commercial projects which often do not exceed two-storeys. If the City of Norwood Payneham & St Peters applied a Local Design Review process to (for example) development three (3) storeys and above or the construction of five (5) or more dwellings, the Panel would be meeting very infrequently particularly given it is voluntary for proponents to participate in the process. Other Councils may have a much greater balance of medium to large scale development which warrants the resources required to establish a Local Design Review Panel, or other circumstances which may warrant the Design Review process. At this stage, Council staff are only aware of one small group of councils in the Mount Lofty Ranges region which are considering forming a joint Panel.

The Scheme is likely to be most effective for applicants who may otherwise struggle to deliver a contextually appropriate and well resolved design response. It is considered unlikely, however, that the applicants who struggle with design will be of a mind to participate in the design review process. In this respect, the Scheme is at risk of 'missing the mark' in terms of those applicants who would benefit the most from it.

Although Members of the Design Panel would provide professional advice and the relevant authority is required to take the advice into account, there is a less direct relationship and a greater chance of a difference of opinion between the Design Panel and the relevant authority. This is problematic given the legislative requirement to take into account advice received as part of a Design Panel in determining a planning consent. From a Council perspective, a Design Panel would ideally contribute to a better resolved design by the time the application is lodged, provide expert professional input to a Council Planner's assessment and may help support the planner's position when negotiating amendments with the applicant. This would be especially valuable to a council with less experienced staff or without other in-house support. The level of benefit will vary from Council to Council depending on their current systems, processes and staff experience and skill sets, in balance with the resources required to engage and maintain a Design Panel.

Good design outcomes relies first and foremost on good policy settings. The Scheme requires a Design Panel to take into account the relevant *Planning and Design Code* policies. Unfortunately, many of the policies contained in the Code are not considered to provide appropriate and localised design guidance and are not contextual, particularly when compared to former Development Plan policies. A participating council may, therefore, be reluctant to invest in a Design Panel which provides advice in relation to policies and zoning which are not actually supported by the Council, or achieving desirable outcomes.

Resource Implications

If the Council participated in the Scheme, there would still be a need to maintain current pre-lodgement services (given these cater for a broader range of applicants than Local Design Review is likely to). As such any resources required to participate in the Scheme, such as engaging and maintaining a Design Panel, would be an additional financial impost. Charging a fee to applicants would assist in offsetting costs, but this would likely disincentivise uptake of the services and would not result in cost recovery. The 'on demand' nature of the service would create unpredictability in the budget and administrative scheduling and would not provide the same level of efficiency as the Council Assessment Panel meetings, which are scheduled monthly to consider a more consistent volume of applications. As outlined above, the CAP costs in the order of \$2000 per meeting (with an average of one meeting per month).

OPTIONS

The Council has a range of options in relation to participating in the Local Design Review Scheme and providing a response to the Local Design Review Scheme Code Amendment.

Local Design Review Scheme

Option 1

The Council could determine to not make the Local Design Review Scheme available.

Option 2

The Council could determine to make the Local Design Review Scheme available, provide a list of development classes which will be eligible for Design Review, and register with the Attorney-General's Department to establish a Design Panel, either independently or jointly with another council(s)

Option 3

The Council could determine to make the Local Design Review Scheme available within the Council area, provide a list of development classes which will be eligible for Design Review, but not establish its own Design Panel, requiring any applications for Design Review to be referred to an Independent Design Panel.

Option 1 is the recommended option, as it is considered that the Local Design Review Scheme is unlikely to be of substantial benefit to the Council, its community and indeed applicants, particularly in light of the resource implications and possible low uptake of the service, as compared to the Council's existing pre-lodgement services. If this position is supported, this can be communicated in separate correspondence to the Attorney General's Department.

Local Design Review Scheme Code Amendment

Option 1

The Council could determine to not make a submission in response to the draft Local Design Review Scheme Code Amendment.

Option 2

The Council could determine to make a submission in response to the draft Local Design Review Scheme Code Amendment.

Option 1 is the recommended option, as it is a minor procedural amendment and, should the Council determine to not participate in the Scheme, the Amendment will have no impact on the City of Norwood Payneham & St Peters.

CONCLUSION

The Local Design Review Scheme purports to provide an opportunity to improve design outcomes for local 'suburban' level development. Individually, these developments may be small, but they can have a significant cumulative impact on the streetscape and amenity of a local area. Although the intent of the Scheme is positive, it is considered that the Scheme is overly resource intensive, onerous to proponents and time consuming, particularly in light of the likely scale of development which will be eligible for participation in the process. The Council's existing pre-lodgement advice service provides greater flexibility, whilst at the same time providing proponents with the level of guidance they are ordinarily seeking prior to lodging a development application. The Council has suitably trained and experienced Urban Planners who, together with input from the Council's Heritage Advisor, are able to apply the relevant design policies to achieve high quality urban design outcomes.

COMMENTS

Nil

RECOMMENDATION

1. That the Council not participate in the Local Design Review, and the Attorney-General's Department be advised of this decision.
2. That Council not lodge a submission in relation to the Local Design Review Code Amendment.

Attachments – Item 11.6

Attachment A

Local Design Review Scheme

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City of
Norwood
Payneham
& St Peters

File Number: A56415
 Enquiries To: Emily McLuskey
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**City of
 Norwood
 Payneham
 & St Peters**

21 August 2020

Mr Brad McCormack
 Senior Planning and Design Officer
 Office for Design and Architecture SA

Dear Mr McCormack

LOCAL DESIGN REVIEW SCHEME – DRAFT FOR CONSULTATION

Thank you for the opportunity to provide comments on the draft Local Design Review Scheme. The City of Norwood Payneham & St Peters (NPSP) supports good design outcomes and has consistently strived for a high level of built form through its development assessment processes and policy setting through its Development Plan. The majority of development applications which occur within the Council area are small scale developments and it is evident that even for smaller scale developments good design outcomes are imperative in shaping the local area. NPSP offers the following comments on the draft Scheme.

Current NPSP Services

In the interest of facilitating better design and development outcomes, NPSP offers the following pre-lodgement services:

- a free, formalised pre-lodgement advice service with written feedback for detailed site-specific development proposals;
- a heritage advisory service through which Council's heritage advisor, David Brown, provides advice to owners of heritage buildings or properties within historic areas on a range of matters including historic building restoration and appropriate design outcomes for new development; and
- a duty planner offering 'on-the-spot' advice for walk-in/ impromptu and general requests.

Providing pre-lodgement advice is an effective way of achieving better design outcomes as it provides opportunities for the applicant to refine their proposal at a stage where they may be more open to recommendations and making changes, which subsequently improves their experience through the development assessment process. Council staff provide a response to the formalised pre-lodgement process within 2 weeks to help customers make informed decisions when purchasing properties, entering into contracts or financial agreements etc, which a statutory 8 week assessment timeframe may not facilitate. The formalised pre-lodgement advice is provided directly by the Council's Assessment Manager, to ensure maximum consistency and reliability of advice.

The heritage advisory service is a popular scheme offered on a weekly basis, with most meetings occurring on-site with the customer. Applicants can use the service at a pre-lodgement stage, however the heritage advisor also provides internal advice to Council staff and the Council Assessment Panel during the assessment of applications to help achieve compliance with the Development Plan policies and generally better outcomes from a heritage perspective.

These services are provided free of charge to the customer to encourage participation, and there is a generally high level of satisfaction from participants. The investment by the Council is significant, both in general staff resources and in the order of \$40-\$50,000 per annum for the heritage advisory service, but has proven to be a worthwhile use of resources in the interests of customer service and development outcomes.

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Scale of Development in Local Design Review

The Local Design Review Scheme is proposed as an opt-in system which allows participating councils to determine the types of development which would be the subject of the scheme. As a result, applicants will experience inconsistency from council to council, which is arguably at odds with one of the primary intended outcomes of the new planning system. That said, it is important to recognise the contextual differences and types of development which occur in each council and a 'one-size-fits-all' approach to Local Design Review would be impractical.

For NPSP, larger scale development such as multi-storey mixed use buildings primarily occur in the Urban Corridor Zone and District Centre (Norwood) Zone where SCAP is the relevant authority through which the State Design Review process is available. The majority of NPSP development applications are low-scale residential or small scale commercial projects which often don't exceed two-storeys. If NPSP applied a Local Design Review process to, say, development 3 storeys and above or the construction of 5 or more dwellings, the Panel would be meeting very infrequently (perhaps once a year or less) particularly as it's voluntary for proponents to participate in the process. Other councils may have a much greater balance of medium to large scale development which warrants the resources required to establish a Local Design Review Panel.

Benefits of the Local Design Review Scheme

The success of NPSP's current pre-lodgement services is largely due to the balance of effort vs reward for the applicant. The services are free, the level of information expected to be submitted is manageable and the response time is fast; so it's worthwhile doing even for small developments with modest project costs and timeframes. Additionally, the advice is coming from the Council's Assessment Manager, who will either be determining the application under delegation or providing a recommendation to the Council Assessment Panel.

For applicants going through State Design Review, the complexity and time involved in the process is often advantageous to the applicant as the pre-lodgement agreement removes the need for referrals during the assessment process. The upfront investment is also commensurate with the scale of development in terms of the project costs and timeframes. This service is also free for applicants.

The Local Design Review process is likely to take significantly longer than NPSP's current pre-lodgement service and would be more costly both to the Council, and to the applicant if a fee was charged. An applicant for smaller scale development is unlikely to see the same effort vs reward balance as compared to the current systems, at least for NPSP. The Local Design Review may be useful for other councils which see a greater number of larger developments which are determined by the council rather than SCAP.

Although the Local Design Review Panel members would provide professional advice, and the relevant authority is required to take the advice into account, there is a less direct relationship and a greater chance of a difference of opinion between the Local Design Review Panel and the relevant authority. This is problematic in the legislative requirement to take into account advice received as part of a Local Design Review Panel in determining a planning consent.

From a council perspective, a Local Design Review Panel would ideally result in a better resolved development design by the time the application is lodged, provide expert professional input to a council planner's assessment and may help support the planner's position when negotiating amendments with the applicant. This would be especially valuable to a council with less experienced staff or without other in-house support. The level of benefit will vary from council to council depending on their current systems, processes and staff experience and skill sets, in balance with the resources required to engage and maintain a Local Design Review Panel. We note that engaging an independent provider would be less resource intensive, but it's assumed most participating councils would prefer the autonomy and consistency of a council appointed Panel.

Resource Implications

Although the resource implications of the Local Design Review Scheme are not yet resolved, it will inevitably be more resource intensive and administratively burdensome than NPSP's current pre-lodgement services. NPSP would maintain the current pre-lodgement services as these cater for a broader range of customers than the Local Design Review, and therefore establishing a Local Design Review Panel would be an additional financial impost in engaging design professionals and covering the costs of registration of the service. Charging a fee to applicants would assist in offsetting costs, but

this would likely disincentivise uptake of the services and would not result in cost recovery. The 'on-demand' nature of the service would create unpredictability in the budget and administrative scheduling, and would not provide the same level of efficiency as the Council Assessment Panel meetings which are scheduled monthly to consider a more consistent volume of applications. For reference, the CAP costs in the order of \$25,000 per annum with an average of one meeting a month.

The Council's Development Plan provides detailed design content, expressed mainly through qualitative policy considerations, many of which are proposed to be removed in the draft Planning and Design Code. The extent of this design policy, to be lost from the assessment process, is detailed in the Council's submission on the Phase 3 Planning and Design Code. Good design outcomes relies on good policy settings as well as good processes, with the Council having expressed its concern with policy being removed from the Code and reliance on other non-statutory processes such as design advisory panels, the proposed Design Guidelines for Historic Area Overlay, and Design Standards. It is worth noting that due to the 'one-size-fits-all' approach of the Planning and Design Code compared to current Development Plans, a council may be reluctant to invest in a Panel which provides advice in relation to policies and zoning which are not actually supported by the council or achieving desirable outcomes.

Scope of Local Design Review Assessment

Noting that the Local Design Review Panel has a very specific role of providing design advice rather than a planning assessment, to avoid the Panel providing advice which conflicts with the subsequent planning assessment it is important for the Scheme to consider the following:

- the Panel should be aware of, and take into account, relevant statutory documents such as the Planning and Design Code and Design Standards (for public realm), as well as non-statutory documents such as Historic Area Overlay Design Guidelines and Practice Guideline – Interpretation of the Local Heritage Place Overlay, Historic Area Overlay and Character Area Overlay;
- how to deal with the implications of a Code Amendment which occurs between Local Design Review and lodgement of the application; and
- recommendations or advice from the Panel which may affect decisions of other authorities such as statutory referral bodies (e.g. recommendations affecting vehicle access on an arterial road requiring DIT input), or Council infrastructure (e.g. removal of a street tree or construction of a canopy over the footpath).

Administrative Queries

The following are administrative queries relating to the operation of the Scheme:

- How and where it is proposed the Code will specify which development types are eligible for Local Design Review? Development types are likely to vary by both zone and overlay (e.g. 3 storey development in residential zones, or all new dwellings within a particular Overlay). Would an applicant be alerted to this when making an inquiry in the online Code along with the relevant zone and policy information?
- What record keeping requirements apply to a Local Design Review Panel? If the Panel is exclusive to one council, would that council could be responsible for record keeping? A Panel which serves multiple councils would need an alternative arrangement. Would an independent provider need to keep records in accordance with the State Records Act, or would this be otherwise prescribed by the Scheme?
- What indemnity insurance is required or able to be provided to a Panel? Are they covered by the Local Government Mutual Liability Scheme, do Panel members need to hold individual insurance as part of registration, or do the responsible council(s) need to manage this separately?
- What transparency is provided as part of the Local Design Review process – Section 5.1.2(h) of the draft scheme suggests the advice remains confidential but would there be any public record of developments which are considered as part this process or are they able to be the subject of a Freedom of Information request?
- Section 6.4 refers to lodging a complaint to a designated entity in relation to the designated entity; is this an appropriate process, or should the complaint be directed to an independent body such as the Commission as per complaints about a Council Assessment Panel?

- The '*Heritage and Character in the New Planning System – A Snapshot for Practitioners*' fact sheet released by the State Planning Commission in May 2019 indicated there might be an opportunity for design review for State and Local Heritage Place developments as well as development within Historic and Character areas. The draft Scheme indicates it will be up to participating councils to determine what development is subject to the Local Design Review Scheme, but is there an intent for this to apply more consistently in the circumstances outlined in the fact sheet?

Opportunities

Local Design Review Panels, once established, will be in a good position to provide feedback on the Planning and Design Code and similar instruments for future Code Amendments

In the ePlanning Development Application Processing system the applicant is prompted during the submission process to advise whether they have a statutory pre-lodgement agreement. It is recommended that the DAP also include a question about whether the applicant has received advice through the Local Design Review Scheme.

Conclusion

The Local Design Review Scheme provides an opportunity to improve design outcomes for local 'suburban' level development. Individually these developments may be small, but they can have a significant cumulative impact on the streetscape and amenity of the local area.

NPSP supports the intent of the Scheme, however at this stage it is considered that the Scheme is overly resource intensive, onerous to proponents and time consuming to suit the nature of development proposals we receive. The Council's existing pre-lodgement advice service provides greater flexibility, whilst at the same time providing proponents with the level of guidance and certainty they are seeking prior to lodging a development application. The City of NPSP have suitably trained and experienced Planning staff who, together with input from the Council's Heritage Advisor, are able to apply the relevant design policies to achieve high quality urban design outcomes.

Yours sincerely



Emily McLuskey
SENIOR URBAN PLANNER

Attachment B

Local Design Review Scheme

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City of
Norwood
Payneham
& St Peters



LOCAL DESIGN REVIEW SCHEME FOR SOUTH AUSTRALIA

Established under the *Planning, Development and Infrastructure Act 2016*

March 2021





Design Review is a pre-lodgement service that supports high-quality design outcomes, improves access to independent design expertise and assists with informed decision-making during development assessment.



Design quality of the built environment not only relates to the ‘look and feel’ of buildings and places, but also to how successfully they meet the needs of the people who use and experience them. High-quality design helps to make buildings and places better for people, our environment and the economy.

The *Planning, Development and Infrastructure Act 2016* enables South Australia’s new planning system to place greater emphasis on high-quality design. One of the ways it achieves this is by creating more opportunities to participate in Design Review under this Local Design Review Scheme (the Scheme).

This Scheme sets out consistent procedural requirements for councils who wish to provide Local Design Review within their communities and through the use of Independent Design Review Administrators.

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I. Introduction

I.1. Legislative Context

Section 121 of the *Planning, Development and Infrastructure Act 2016* (the **Act**) enables the Minister for Planning and Local Government (the **Minister**) to establish a design review scheme (the **Scheme**), where a person who is considering undertaking types of development specified in the Planning and Design Code may apply to a design panel for design advice.

It is intended that design review under this Scheme be available to development proposals in South Australia that will be assessed by relevant authorities appointed by councils.

I.2. Design Review

Design Review is an independent evaluation process where a panel of built environment experts (a **design panel**) review the design quality of a development proposal before it is lodged for assessment. Design Review is most effective when undertaken early in the planning and design process to effect positive change during design development. Proponents are typically encouraged to participate in more than one Design Review session.

The role of Design Review is not to redesign development proposals, but rather to identify and discuss opportunities to encourage high-quality design. In particular, Design Review under this Scheme provides the opportunity to obtain advice (**design advice**) in relation to:

- a) the form or content of a proposed development;
- b) how the proposed development might be changed or improved;
- c) other relevant matters that may assist with the assessment of the development; and/or
- d) other matters that may be relevant to the design of the proposed development.

The design advice is a summary of a Design Review session and is provided to the proponent to assist with design development. The design advice is also provided to the relevant authority when the development application is lodged for the purposes of development assessment.

The Act requires that any design advice provided by a design panel under this Scheme must be taken into account by the relevant authority when it is undertaking its assessment of the relevant development (insofar as may be relevant to the assessment of the proposed development by the relevant authority).

I.3. Principles of Design Review

It is important that Design Review is carried out using a robust process and that it offers consistently high standards in the quality of advice. Design Review under this Scheme is informed by the following Principles of Design Review:

- a) **Independent**
Design Review should be conducted by people who are not connected with the proponent or decision-makers so as to avoid any conflicts of interest.
- b) **Expert**
Design Review should be carried out by appropriately experienced design experts who have training in delivering constructive feedback.
- c) **Multidisciplinary**
Design Review should combine the perspectives of specialist experts, including architects, landscape architects and urban designers, with consideration of planning matters to provide a complete and rounded assessment.
- d) **Accountable**
A design panel and its advice should be clearly seen to be supporting the public's interest.
- e) **Transparent**
Information about Design Review, panel membership, funding and governance should be available to the public.
- f) **Timely**
Design Review should take place as early in the design process as possible so as to effect positive change during design development and to avoid reworking.
- g) **Advisory**
A design panel should not make decisions or give direction; it offers impartial advice and recommendations to the proponent and relevant authority.
- h) **Objective**
Design Review should appraise development proposals according to reasoned and objective principles, rather than stylistic tastes or subjective opinion.
- i) **Accessible**
The recommendations arising from Design Review should be expressed in terms that design teams, decision-makers and proponents can clearly understand and apply.

I.4. Principles of Good Design

Design Review under this Scheme and the resulting design advice must be guided by South Australia's *Principles of Good Design* as published in the *design quality policy* under section 59 of the Act.

The Principles of Good Design are:

- a) **Context**
Good design is contextual because it responds to the surrounding environment, and contributes to the existing quality and future character of a place.
- b) **Inclusive**
Good design is inclusive and universal because it creates places for everyone to use and enjoy, by optimising social opportunity and equitable access.
- c) **Durable**
Good design is durable because it creates buildings and places that are fit for purpose, adaptable and long-lasting.
- d) **Value**
Good design adds value by creating desirable places that promote community and local investment, as well as enhancing social and cultural value.
- e) **Performance**
Good design performs well because it realises the project's potential for the benefit of all users and the broader community.
- f) **Sustainable**
Good design is sustainable because it is environmentally responsible and supports long-term economic productivity, health and wellbeing.

1.5. Objects of the Scheme

The objects of this Scheme are to—

1. Support development that demonstrates high-quality design.
2. Improve access to independent and expert design advice early in the planning and design process.
3. Support consistent and informed planning decisions.
4. Facilitate collaboration between allied professionals.
5. Support South Australia's planning system to meet the objects of the Act in section 12, including to—
 - a) support and enhance the State's liveability and prosperity in ways that are ecologically sustainable and meet the needs and expectations, and reflect the diversity, of the State's communities by creating an effective, efficient and enabling planning system; and
 - b) promote certainty for people and bodies proposing to undertake development while at the same time providing scope for innovation; and
 - c) promote high standards for the built environment through an emphasis on design quality in policies, processes and practices, including by providing for policies and principles that support or promote universal design for the benefit of people with differing needs and capabilities.
6. Demonstrate practical application of the *Principles of Good Planning* identified in section 14 of the Act, particularly—
 - a) high-quality design; and
 - b) activation and liveability; and
 - c) sustainability.

1.6. Operation

This Scheme will come into operation on 1 July 2021.

1.7. Interpretations

In this Scheme, unless the contrary intention appears—

Act means the *Planning, Development and Infrastructure Act 2016*;

applicant means a proponent who has submitted an application for design review under this Scheme;

code of conduct means the code of conduct referred to in Part 8 of this Scheme;

Commission means the State Planning Commission;

constituent council means a council that has obtained, or that is a member of a group of councils that have obtained, the registration as a Local Design Review Administrator under this Scheme;

council means a council constituted under the *Local Government Act 1999*;

Department means the Attorney-General's Department;

design panel means one or more design panel members (including the panel Chair) selected for a design review session;

design review session means the design review of a proposed development;

designated entity means a Local Design Review Administrator or Independent Design Review Administrator;

Independent Design Review Administrator means the person or body recognised by the Department to administer a panel member pool under this Scheme;

Local Design Review Administrator means the council or group of councils recognised by the Department to administer design review under this Scheme;

Minister means the Minister for Planning and Local Government;

ODASA means the Office for Design and Architecture SA;

panel Chair means the Chair of a design panel;

panel member means a member of a design panel (including the panel Chair);

panel member pool means one or more pre-qualified panel members from which a design panel is selected;

proponent means a person, persons or body considering the undertaking of development;

registered architect means a person who is registered as an architect under the *Architectural Practice Act 2009*;

relevant authority means any relevant authority under section 82 of the Act.

Note: Section 14 of the *Acts Interpretation Act 1915* provides that an expression used in an instrument made under an Act has, unless the contrary intention appears, the same meaning as in the Act under which the instrument was made.

2. Establishing Design Review

2.1. Development to which this Scheme will apply

1. Design review under this Scheme will be available to any class of development specified by the Planning and Design Code.
2. If a council determines to encourage certain development proposals to participate in design review under this Scheme by—
 - a) reducing the proponent application fee under section 3.1.2(d) of this Scheme; or
 - b) applying any other incentive,

then the council should do so consistently for all development proposals within that same class of development in a manner that is transparent and accessible to the public.

2.2. Relevant Designated Entity

If a council determines to make design review available in its area by participating in this Scheme, design review in its area will be carried out—

- a) if the council is a constituent council – by a design panel established by the Local Design Review Administrator; or
- b) in any other case – by a design panel established by an Independent Design Review Administrator in accordance with the provisions of this Scheme.

2.3. Registration as a Designated Entity

1. This section applies if a council has made a determination under section 2.2.
2. A council, or a group of two or more councils, may seek registration as a Local Design Review Administrator for the purposes of this Scheme.
3. A person, body or any other appropriate entity, including a professional association, or a group of two or more professional organisations, may seek registration as an Independent Design Review Administrator for the purposes of this Scheme.
4. An application for registration as a designated entity must—
 - a) be made to the Chief Executive of the Department; and
 - b) be in the approved form determined by the Chief Executive of the Department; and
 - c) include any information specified in the approved form; and
 - d) be accompanied by any prescribed registration fee.
5. The Chief Executive of the Department may, as they think fit, accept or refuse any application for registration as a designated entity under this Scheme.
6. Registration under this Scheme will be for a period of 3 years and may be renewed by the Chief Executive of the Department from time to time on a new application for registration under this Scheme.

2.4. Design Panel Membership

1. Each designated entity may establish one panel member pool under this Scheme.
2. Each panel member pool must include at least one person who can act as a panel Chair under this Scheme.
3. All persons within a panel member pool established by a Local Design Review Administrator must be independent from the relevant council or councils and any person acting as a relevant authority for that council or those councils.
4. Each design panel must have a panel Chair.
5. Where a design panel is made up of one person, this person will be taken to be the panel Chair.
6. Where the proposed development includes built form, the panel Chair must be a registered architect.

2.5. Panel Member Selection Process

1. The panel member selection process for any designated entity must be advertised publicly, including on the SA planning portal, for a minimum of 15 business days.
2. All panel members must have at least—
 - a) a tertiary qualification in a relevant field, such as—
 - i. Architecture; or
 - ii. Landscape Architecture; or
 - iii. Urban Design; and
 - b) 7 years of professional experience relating to that field.
3. In addition to the requirement in section 2.5.2, the designated entity must be satisfied that—
 - a) panel members are highly regarded within their field; and
 - b) panel members can communicate in a clear, objective and constructive manner in relation to design quality; and
 - c) the panel member pool provides a sufficient representation of the expert skills required for design review; and
 - d) panel members can fulfil the responsibilities outlined in section 5.2 to a high standard; and
 - e) panel Chairs can fulfil the responsibilities outlined in section 5.3 to a high standard.
4. The designated entity must provide the names of the successful panel member applicant(s) to ODASA within 10 business days of the applicant(s) being notified of the outcome of their application(s).

2.6. Engagement of Panel Members

1. The designated entity must provide each panel member with an instrument of appointment.
2. An instrument of appointment provided under this section must be accompanied by a copy of the code of conduct requirements under Part 8 of this Scheme.
3. The designated entity must ensure instruments of appointment for panel members are current and valid.

2.7. Induction of Panel Members

All panel members must successfully complete an induction program, including any training, in accordance with guidelines determined by ODASA, prior to undertaking design review under this Scheme.

2.8. Administrative Requirements

1. A designated entity must have sufficient resources to meet the requirements outlined in this Scheme.
2. ODASA must ensure that a record of current designated entities and their panel members is maintained and publicly accessible on the SA planning portal.

3. Applying for Design Review

3.1. Application Process

1. A proponent who is seeking to participate in design review under this Scheme must apply to the council before lodging their development application with the relevant authority.
2. The application must—
 - a) be in the form approved by the Commission; and
 - b) include any information specified in the approved form; and
 - c) be lodged via the method outlined in the approved form; and
 - d) be accompanied by any relevant prescribed fee.
3. The council may require an applicant—
 - a) to provide such additional documents or information as may be reasonably required to assess the application; and
 - b) to remedy any defect or deficiency in any application or accompanying document or information required under this Scheme.
4. If an application for design review under this Scheme is made in relation to a class of development specified in the Planning and Design Code, the council must accept the application for design review.
5. The council and proponent may agree to undertake subsequent design review sessions before the relevant development application is lodged with the relevant authority.

3.2. Documentation

ODASA must ensure that the approved application form under section 3.1.2(a) of this Scheme is publicly accessible on the SA planning portal.

4. Preparing for Design Review

4.1. Establishing a Design Panel

1. If a constituent council receives a valid application for design review under this Scheme, the constituent council must take all reasonable steps within 5 business days to—
 - a) establish the design panel from the panel member pool with expertise suitable for the development proposal; and
 - b) confirm the date and time of the design review session with the panel members and proponent.
2. If a council that is not a constituent council receives a valid application for design review under this Scheme (and the council has made a determination under section 2.2), the council must forward the application to an Independent Design Review Administrator within 5 business days and request that they supply a design panel.
3. If section 4.1.2 applies—
 - a) the Independent Design Review Administrator must take all reasonable steps to establish the design panel from the panel member pool with expertise suitable for the development proposal and confirm with the council within 5 business days; and
 - b) the council must confirm the date and time of the design review session with the panel members and proponent.
4. Panel members should, so far as reasonably practicable, be the same persons when undertaking multiple reviews of the same project.

4.2. Preparing the Design Panel

1. Before a design review session takes place, the council must—
 - a) confirm the format of the session and coordinate the venue (if applicable); and
 - b) coordinate panel member, proponent and other stakeholder attendance; and
 - c) provide the design panel with reasonable information about—
 - i. any relevant planning instruments under Part 5 Division 2 of the Act, including specific policies or rules that are relevant to the proposal; and
 - ii. any other planning matter, design guidelines and government policy relevant to the proposal; and
 - iii. any local planning and design challenges, opportunities and priorities; and
 - iv. any other relevant matter.
2. Before a design review session takes place, panel members must—
 - a) review any information provided by the council that is relevant to the development proposal; and
 - b) identify any conflicts of interest and inform the designated entity of any such conflicts, before the session commences.
3. A panel member must not participate in any design review session where a conflict exists.

5. Undertaking Design Review

5.1. Role of the Council

1. The council must—
 - a) undertake a briefing with the design panel prior to the design review session; and
 - b) assist the panel Chair to minute the discussion from the design review session.
2. The council should provide a planning officer to—
 - a) participate in the briefing with the design panel; and
 - b) observe the design review session.

5.2. Role of the Design Panel

During the design review session, panel members must—

- a) communicate clearly, objectively and constructively (whether supportive or critical) in an accessible manner; and
- b) demonstrate strong critical and analytical skills; and
- c) treat all information acquired through performing any function relating to this Scheme confidentially.

5.3. Role of the Design Panel Chair

In addition to the responsibilities in section 5.2, the panel Chair must—

- a) lead and facilitate the design review session in a professional and considerate manner; and
- b) respectfully manage panel members, proponents or other stakeholders who express strong or conflicting opinions; and
- c) synthesise and summarise disparate or conflicting views; and
- d) summarise the design review discussion; and
- e) ensure the design review discussion is minuted accurately.

6. Design Advice

6.1. Preparing Design Advice

The design advice must be completed in a format determined by ODASA and—

- a) be an accurate summary of the design review session; and
- b) where possible, use clear and accessible language; and
- c) remain confidential until the relevant development application is lodged with the relevant authority.

6.2. Provision of Design Advice

1. The panel Chair must finalise the design advice and provide a copy to the council as soon as practicable.
2. The council must provide a copy of the finalised design advice to the proponent as soon as practicable.
3. It is intended that a copy of the finalised design advice be provided to the proponent within 5 business days after the design review session.

6.3. Correction of Errors

1. If design advice is found to contain an error, the council may withdraw it and request it be corrected by the panel Chair, and then re-issue it to the proponent.
2. The design advice must retain its original date and be clearly marked with an explanation of reissue.

6.4. Lodging Design Advice with a Development Application

1. The proponent must provide a complete copy of the most recent design advice to the relevant authority with the relevant development application.
2. The proponent must include a response to the most recent design advice, including any changes made to the proposal since the most recent design review session.

6.5. Status of the Design Advice in the Planning System

1. In considering a development application that was subject to design review under this Scheme, the relevant authority must take into account the design advice (insofar as may be relevant to the assessment of proposed development by the relevant authority).
2. The relevant authority should consider how the lodged proposal has responded to the design advice provided by the design panel.

6.6. Design Opinion on a Lodged Development Application

If a relevant authority requests that a council seek an opinion in relation to the design of a lodged development application, then the council should do so in a way that upholds the principles and objects outlined in sections 1.3, 1.4 and 1.5 of this Scheme.

7. Monitoring, Performance and Complaints

7.1. Feedback

A proponent may provide feedback to the council on their experiences of design review under this Scheme, the quality of the design advice they received, and the impact it had on the final outcome.

7.2. Annual Evaluation

1. The designated entity must undertake an annual evaluation of the operation of this Scheme in its area in a format determined by ODASA.
2. Each annual evaluation will relate to a financial year.
3. To undertake the evaluation, the designated entity must collect data on each project that was the subject of design review in the relevant year including—
 - a) the class of development; and
 - b) the address or site of the proposed development; and
 - c) any relevant planning zone, subzones and overlays; and
 - d) the estimated development cost; and
 - e) the panel members and Chair; and
 - f) the number of design review sessions undertaken; and
 - g) project status as at the end of the financial year (if known).
4. The designated entity must provide the complete evaluation report and any feedback received under section 7.1 to ODASA within 3 months of the end of the financial year.

7.3. Data Storage

Designated entities and councils participating in this Scheme must store all data collected under this Scheme securely and take such steps as may be reasonably necessary or appropriate to keep it confidential.

7.4. Complaints

1. A proponent may lodge a complaint to a council in relation to this Scheme, if the proponent—
 - a) believes that the designated entity failed to comply with, or acted in contravention of, the Act or any regulations under the Act with respect to any matter associated with this Scheme; or
 - b) believes that there has been a breach of the code of conduct; or
 - c) believes that the written design advice is not an accurate representation of the discussion from a design review session.

2. A council may lodge a complaint to an Independent Design Review Administrator in relation to this Scheme, if the council—
 - a) believes that the Independent Design Review Administrator failed to comply with, or acted in contravention of, the Act or any regulations under the Act with respect to any matter associated with this Scheme; or
 - b) believes that there has been a breach of the code of conduct; or
 - c) believes that the written design advice is not an accurate representation of the discussion from a design review session.

3. A complaint made under this Scheme must—
 - a) be made in the form approved by the council or designated entity; and
 - b) contain particulars of the allegation on which the complaint is based; and
 - c) include any other information specified by the council or designated entity.

4. The council or designated entity may refuse to investigate a complaint or, having accepted a complaint for investigation, may refuse to investigate it further, if it appears that—
 - a) the matter raised by the complaint is trivial; or
 - b) the complaint is frivolous or vexatious or is not made in good faith; or
 - c) it would be more appropriate for proceedings to be initiated in a court or tribunal constituted by law, or for the matter to be handled by another authority; or
 - d) there is some other good reason not to proceed (or further proceed) with the matter under this Scheme.

5. While no action may be brought against a panel member on the basis of any advice or other action given or taken by a design panel under section 121(8) of the Act, the designated entity may, at the conclusion of any complaints resolution process—
 - a) decide to take no further action on the complaint; or
 - b) undertake any consultation or further inquiry as the designated entity thinks fit; or
 - c) amend the design advice; or
 - d) make recommendations to the panel member; or
 - e) caution or reprimand the panel member; or
 - f) determine that a person no longer hold office as a panel member under this Scheme; or
 - g) take such other action as the designated entity thinks fit.

8. Code of Conduct

8.1. Introduction

This Part provides for standards of conduct and professionalism that are to be observed by all persons and bodies operating under the Act.

For the purposes of the Act, all persons and bodies performing a function under this Scheme must carry out, and be seen to carry out, their functions with the highest ethical standards so as to maintain public confidence in the integrity of the design review scheme under the Act.

A designated entity may also develop and maintain other code of conduct requirements for the purposes of this Scheme.

These standards and requirements constitute a code of conduct and must be read in conjunction with the requirements under the Act.

8.2. Requirements under the Act

All persons or bodies operating under this Scheme are subject to a statutory duty under section 15 of the Act as follows:

- (1) *It is expected that a person or body that—*
 - (a) *seeks to obtain an authorisation under this Act; or*
 - (b) *performs, exercises or discharges a function, power or duty under this Act; or*
 - (c) *takes the benefit of this Act or is otherwise involved in a process provided by this Act,**will—*
 - (d) *act in a cooperative and constructive way; and*
 - (e) *be honest and open in interacting with other entities under this Act; and*
 - (f) *be prepared to find reasonable solutions to issues that affect other interested parties or third parties.*
- (2) *Without limiting subsection (1), a person or body performing, exercising or discharging a function, power or duty under this Act must—*
 - (a) *exercise professional care and diligence; and*
 - (b) *act honestly and in an impartial manner; and*
 - (c) *be responsible and accountable in its conduct; and*
 - (d) *comply with any code of conduct, service benchmark or other requirement that applies in relation to the person or body.*
- (3) *The Minister may, after taking into account the advice of the Commission, establish and maintain service benchmarks for the purposes of this section.*
- (4) *The principles and benchmarks under this section—*
 - (a) *do not give rise to substantive rights or liabilities; but*
 - (b) *may lead to action being taken on account of a breach of a code of conduct or professional standard that applies in relation to a relevant person or body.*

**OFFICE FOR
DESIGN+
ARCHITECTURE SA**

 **PlanSA**



Government of South Australia
Attorney-General's Department

Attachment C

Local Design Review Scheme

City of Norwood Payneham & St Peters
175 The Parade, Norwood SA 5067

Telephone 8366 4555
Facsimile 8332 6338
Email townhall@npsp.sa.gov.au
Website www.npsp.sa.gov.au



City of
Norwood
Payneham
& St Peters

Local Design Review Code Amendment

By the State Planning Commission (the Designated Entity)

For Consultation

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HAVE YOUR SAY

This Code Amendment is on consultation from **Thursday 12 August 2021** to **Monday 27 September 2021** (six weeks).

During this time you are welcome to lodge a written submission about the proposed Code Amendment.

You may provide a submission via:

Email

LocalDesignReview@sa.gov.au

Post

Attention: Brad McCormack
Office for Design and Architecture SA
Level 1, 28 Leigh Street
Adelaide SA 5000

PlanSA Portal

[plan.sa.gov.au/have_your_say/general_consultations/public_feedback_on_initiated_code_amendment?aid=Local Design Review Code Amendment](https://plan.sa.gov.au/have_your_say/general_consultations/public_feedback_on_initiated_code_amendment?aid=Local%20Design%20Review%20Code%20Amendment)

YourSAy

yoursay.sa.gov.au/local-design-review-code-amendment

If you would like to discuss this proposed Amendment please contact:

Office for Design and Architecture SA

P: (08) 8402 1884

E: LocalDesignReview@sa.gov.au

1. WHAT IS THE PLANNING AND DESIGN CODE?

The Planning and Design Code (the Code) sets out the rules that determine what landowners can do on their land.

For instance, if you want to build a house, the Code rules will tell you how high you can build and how far back from the front of your land your house will need to be positioned. The Code will also tell you if any additional rules apply to the area where your land is located. For example, you might be in a high bushfire risk area or an area with specific rules about protecting native vegetation.

1.1. Planning and Design Code Framework

The Code is based on a framework that contains various elements called overlays, zones, sub zones and general development policies. Together these elements provide all the rules that apply to a particular parcel of land. An outline of the Code Framework is available on the SA Planning Portal.

1.2. Overlays

Overlays contain policies and maps that show the location and extent of special land features or sensitivities, such as heritage places or areas of high bushfire risk.

They may apply across one or more zones. Overlays are intended to be applied in conjunction with the relevant zone. However, where policy in a zone conflicts with the policy in an overlay, the overlay policy trumps the zone policy.

1.3. Zones

Zones are areas that share common land uses and in which specific types of development are permitted. Zones are the main element of the Code and will be applied consistently across the state.

For example, a township zone for Andamooka can be expected to apply to similar townships like Carrieton. Each zone includes information (called classification tables) that describes the types of development that are permitted in that zone and how they will be assessed.

1.4. Subzones

Subzones enable variation to policy within a zone, which may reflect local characteristics. An example is Port Adelaide centre, which has many different characteristics to typical shopping centres due to its maritime activities and uses.

1.5. General Development Policies

General development policies outline functional requirements for development, such as the need for car parking or wastewater management. While zones determine what development can occur in an area, general development policies provide guidance on how development should occur.

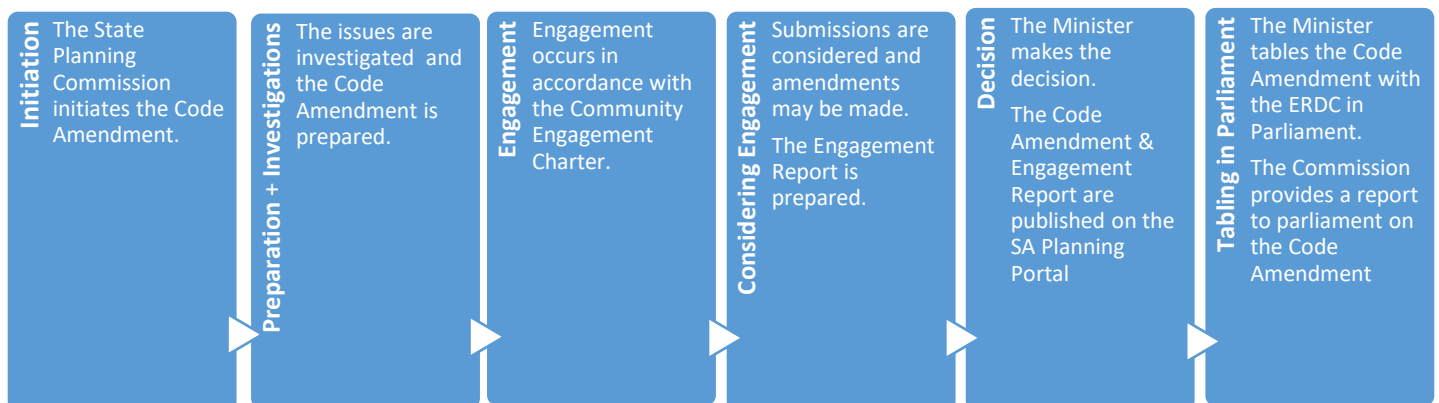
1.6. Amending the Planning and Design Code

The Planning, Development and Infrastructure Act 2016 (the Act) provides the legislative framework for undertaking amendments to the Code. The State Planning Commission (the Commission) may initiate an amendment to the Code and undertake a Code Amendment (the Amendment).

A Proposal to Initiate will define the scope of the Amendment and prescribe the investigations which must occur to enable an assessment of whether the Amendment should take place and in what form.

The Commission is responsible under the Act for ensuring the Code is maintained, reflects contemporary values relevant to planning, and readily responds to emerging trends and issues.

As designated entity for this Amendment, the Commission has undertaken investigations and will run the engagement process. The Commission will also provide a report on this Amendment (including compliance with the Community Engagement Charter) at the final stage of the Amendment process.



2. WHAT IS PROPOSED IN THIS CODE AMENDMENT?

2.1. Need for the amendment

Section 121 of the Act enables the Minister to establish a design review scheme, where a person who is considering undertaking types of development specified in the Code may apply to a design panel for design advice.

In February 2021, the Minister approved the Local Design Review Scheme for South Australia (the Scheme) to come into effect on 1 July 2021. The [approved Scheme](#) can be accessed via the PlanSA Portal:

- https://plan.sa.gov.au/_data/assets/pdf_file/0006/804075/Local_Design_Review_Scheme_for_South_Australia.pdf

The purpose of this Amendment is to enable operation of the Scheme to support high-quality design for the benefit of their communities.

The Amendment proposes to include new content in the Code to specify classes of development eligible for design review. Doing so will enable proponents of the eligible development classes to apply for Local Design Review under section 121 of the Act.

This will work in conjunction with a notice published by the Chief Executive of the Attorney-General's Department to enable councils who register to participate in the Scheme to select classes of development eligible for Local Design Review in their area. This will result in the publication of a register of participating councils and their selected classes of development on the PlanSA Portal.

2.2. Affected Area

The proposal seeks to amend the Code to give effect to the Local Design Review Scheme across the State by specifying eligible classes of development under section 121(1) of the Act.

2.3. Summary of proposed policy changes

2.3.1. Current Code Policy

There is currently no policy within the Code that relates to Local Design Review or the Scheme.

2.3.2. Proposed Code Policy

The Amendment proposes to insert new content to Part 5 of the Code, 'Table 2 – Specified matters and areas identified under the *Planning, Development and Infrastructure Act 2016*' as follows:

- (1) Development within the ambit of subclause (2) is specified as a class of development for the purposes of section 121(1) of the Act.
 - (2) Development that is—
 - (a) within the area of a council that has determined to make design review available in its area by participating in the scheme determined by the Minister for the purposes of section 121 of the Act; and
 - (b) a form of development that is—
 - i. either restricted development or performance assessed development that has been selected by the council as a class of development for the purposes of this clause; and
 - ii. specified by the Chief Executive by a notice published on the SA planning portal for the purposes of this clause.
 - (3) A council may from time to time vary the classes of development applying in its area under this clause by a further notice published by the Chief Executive on the SA planning portal at the request of the council.
-

The proposed policy changes are shown in **Attachment A**.

It is envisaged that the process established by this Amendment to specify eligible classes of development for Local Design Review would be completed by a council when they register under the Scheme.

Section 2.3 of the Scheme details the registration process for councils to offer Local Design Review in their area. Specifically, section 2.3.4 of the Scheme requires that an application for registration be made to the Chief Executive in the approved form and include any specified information.

It is proposed that this registration form include a method for councils to specify their eligible classes of development. A guiding list of development classes that the Chief Executive may consider is provided in **Attachment B**.

3. WHAT ARE THE NEXT STEPS FOR THIS CODE AMENDMENT?

3.1. Engagement

Engagement on the Code Amendment must occur in accordance with the Community Engagement Charter principles, which required that:

- engagement is genuine
- engagement is inclusive and respectful
- engagement is fit for purpose
- engagement is informed and transparent
- engagement processes are reviewed and improved.

An Engagement Plan has been prepared for this Code Amendment to ensure that engagement will be conducted and measured against the principles of the Charter.

For more information on the Community Engagement Charter please visit the PlanSA Portal:

https://plan.sa.gov.au/our_planning_system/instruments/community_engagement_charter

Engagement for this Amendment is focussed on providing information to all relevant stakeholders and ensuring they have the opportunity to provide feedback. A summary of the engagement that is occurring for this Amendment is as follows:

- Code Amendment Portal (via the PlanSA Portal)
- YourSAy consultation website
- Letters to all South Australian councils
- Letters to industry stakeholders
- Social media campaign
- Newsletter articles

Staff from the Office for Design and Architecture SA (ODASA) are also available to discuss this Amendment and answer any questions.

3.2. Engagement Already Undertaken

ODASA prepared the draft Scheme on behalf of the Minister in collaboration with the Commission, council staff from across the State, representatives from peak industry bodies and interstate government agencies with experience in Local Design Review.

Between December 2019 and February 2020, the ODASA team met with over 50 staff from 24 councils across the state and representatives from the local divisions of peak industry bodies to understand the needs and expectations in relation to Local Design Review. This early feedback guided the development of the draft Scheme.

The draft Local Design Review Scheme was available for public comment for eight weeks from 26 June to 21 August 2020. The opportunity to provide feedback was

open to everyone, with a particular focus on councils and the design, planning and development industries as future users of the Scheme.

ODASA received 39 submissions in response to the draft Scheme from councils, industry groups and community members. This feedback was used to refine and update the Scheme.

In early 2021, ODASA requested additional feedback on the updated Scheme through a targeted engagement process with staff from eight councils and representatives from six peak industry bodies.

ODASA prepared and released the [Local Design Review Scheme Engagement Summary Report](#) to document the collaborative process to develop and consult on the Scheme.

In May 2021, the Commission endorsed ODASA to undertake pre-engagement meetings with council staff and industry groups to help inform this Amendment. Two workshops were held, which highlighted:

- suggestions for various classes of development for which Local Design Review could be used across the State
- a desire for the process established by this Amendment to allow for flexibility between council areas and their various planning contexts
- the importance of ensuring the design review process can be successfully resourced by providing a focussed rather than extensive list of development eligible for design review
- the need for design review to focus on developments of concern to the community (e.g. infill development)
- a desire for the process established by this Amendment to be timely, simple and efficient for users to manage and adapt over time.

3.3. How can I have my say on the Code Amendment?

You may provide a submission about this Amendment via:

Email

LocalDesignReview@sa.gov.au

Post

Attention: Brad McCormack
Office for Design and Architecture SA
Level 1, 28 Leigh Street
Adelaide SA 5000

PlanSA Portal

[plan.sa.gov.au/have_your_say/general_consultations/public_feedback_on_initiated_code_amendment?aid=Local Design Review Code Amendment](https://plan.sa.gov.au/have_your_say/general_consultations/public_feedback_on_initiated_code_amendment?aid=Local%20Design%20Review%20Code%20Amendment)

YourSAy

yoursay.sa.gov.au/local-design-review-code-amendment

If you would like to discuss this proposed Amendment please contact:

Office for Design and Architecture SA

P: (08) 8402 1884

E: LocalDesignReview@sa.gov.au

3.4. What changes to the Code Amendment can my feedback influence?

Your feedback can influence the classes of development specified in the Code in order to be eligible for design review through the Local Design Review Scheme.

Feedback cannot influence instruments which are separate to the Code, such as the Act, regulations and the Local Design Review Scheme. This means that feedback cannot influence:

- How the Local Design Review Scheme operates
- The fact that design review is a voluntary process, as the Act establishes that design review is a voluntary process available to applicants prior to lodgement of a development application.

3.5. What will happen with my feedback?

The Commission is committed to undertaking consultation in accordance with the principles of the Community Engagement Charter and is genuinely open to considering the issues raised by people in the community.

All formal submissions will be considered by the Commission when determining whether the proposed Amendment is suitable and whether any changes should be made.

Each submission will be entered into a register and you will receive an email acknowledging receipt of your submission. Your submission will be published on the PlanSA Portal. Personal addresses, email and phone numbers will not be published, however company details will be.

The Commission will consider the feedback received when finalising the Amendment and will prepare an Engagement Report that will outline what was heard during consultation and how the proposed Amendment was changed in response to submissions.

The Engagement Report will be forwarded to the Minister, and then published on the PlanSA Portal.

3.6. Decision on the Code Amendment

Once the Engagement Report is provided to the Minister, the Commission may provide further advice to the Minister at the Minister's request, if the Code Amendment is considered significant.

The Minister will then either adopt the Code Amendment (with or without changes) or determine that the Code Amendment should not proceed. The Minister's decision will then be published on the PlanSA Portal.

If adopted, the Code Amendment will be referred to the Environment Resources and Development Committee of Parliament (ERDC) for their review. The Commission will also provide the Committee with a report on the Code Amendment, including the engagement undertaken on the Code Amendment and its compliance with the Community Engagement Charter.

4. ANALYSIS

4.1. Strategic Planning Outcomes

4.1.1. Consistency with the State Planning Policies

State Planning Policies define South Australia's planning priorities, goals and interests. They are the overarching umbrella policies that define the state's interests in land use. There are 16 State Planning Policies and six special legislative State Planning Policies.

These policies are given effect through the Code, with referral powers assigned to relevant Government Agencies (for example, the Environmental Protection Agency for contaminated land). The Code (including any Code Amendments) must comply with any principle prescribed by a State Planning Policy.

This Code Amendment is considered to be consistent with the State Planning Policies as shown in **Attachment C**.

4.1.2. Consistency with the Regional Plan

The directions set out in Regional Plans provide the long term vision and set the spatial patterns for future development within a region. This can include land use integration, transport infrastructure and the public realm.

The Commission has identified that the existing volumes of the South Australian Planning Strategy, prepared under the *Development Act 1993*, will apply until such time as the new Regional Plans are prepared and adopted. Refer to the SA Planning Portal for more information on the Commission's program for implementing Regional Plans throughout South Australia.

Where there is conflict between a Regional Plan and the State Planning Policies, the State Planning Policies will prevail.

This Code Amendment is considered to be consistent with the Regional Plan as shown in **Attachment C**.

4.1.3. Consistency with other key strategic policy documents

This Amendment aligns with and gives effect to the Local Design Review Scheme, as required by section 121(1) of the Act.

ATTACHMENT A – PROPOSED CODE POLICY

This Amendment proposes the following changes be inserted into Part 5 of the Code, 'Table 2 – Specified matters and areas identified under the *Planning, Development and Infrastructure Act 2016*':

- (1) Development within the ambit of subclause (2) is specified as a class of development for the purposes of section 121(1) of the Act.
- (2) Development that is—
 - (a) within the area of a council that has determined to make design review available in its area by participating in the scheme determined by the Minister for the purposes of section 121 of the Act; and
 - (b) a form of development that is—
 - i. either restricted development or performance assessed development that has been selected by the council as a class of development for the purposes of this clause; and
 - ii. specified by the Chief Executive by a notice published on the SA planning portal for the purposes of this clause.
- (3) A council may from time to time vary the classes of development applying in its area under this clause by a further notice published by the Chief Executive on the SA planning portal at the request of the council.

ATTACHMENT B – CLASSES OF DEVELOPMENT WHICH MAY BE ELIGIBLE FOR DESIGN REVIEW

The following classes of development may be considered by the Chief Executive as suitable for Local Design Review, subject to the context of an area where a design panel is established and the anticipated resourcing available to service the design panel.

This list is for guidance only and was informed through consultation with council staff and industry representatives.

Location Aligned with spatial layers within the Code	Class of Development
All	<ul style="list-style-type: none"> • Buildings of 3 or more building levels • Dwellings of a density exceeding medium net residential density (i.e. greater than 70 dwelling units per hectare) • Development which exceeds the maximum density or does not meet the minimum site area specified in the relevant DTS/DPF criteria • Development which exceeds the maximum building height in levels specified in the relevant DTS/DPF criteria • Development which encroaches into the public realm • Development with a development cost exceeding \$3 million • Division of land for residential purposes creating 2 or more additional allotments • Construction of 3 or more dwellings • Supported accommodation • Student accommodation
Historic Area Overlay Character Area Overlay Local Heritage Place Overlay Heritage Adjacency Overlay Hills Face Zone Significant Landscape Protection Overlay	<ul style="list-style-type: none"> • Any building (except an ancillary building)
Urban Corridor (Boulevard) Zone Urban Corridor (Main Street) Zone	<ul style="list-style-type: none"> • Development utilising incentives in 'Significant Development Sites' policy

Urban Corridor (Living) Zone Urban Corridor (Business) Zone	
Activity Centre	<ul style="list-style-type: none"> Buildings with a gross leasable floor area exceeding 1000m²
Master Planned Neighbourhood Zone Master Planned Township Zone	<ul style="list-style-type: none"> Land division proposing more than 20 additional allotments Land division involving the creation of a public road or public open space
Suburban Main Street Zone Township Main Street Zone	<ul style="list-style-type: none"> Any building which is visible from the primary street frontage (except an ancillary building)
Affordable Housing Overlay	<ul style="list-style-type: none"> Affordable housing

ATTACHMENT C – STRATEGIC PLANNING OUTCOMES

1. State Planning Policies

The State Planning Policies (SPPs) require that the Principles of Good Planning are considered in the preparation of any designated instrument, including a Code Amendment.

SPP Key Principles

There are 16 SPPs that include Objectives, Policies and Principles for Statutory Instruments (including the Planning and Design Code). The most critical SPPs in the context of this Code Amendment are:

State Planning Policy (SPP)	Code Amendment Alignment with SPPs
<p>SPP 2 – Design Quality</p> <p>2.1 Promote best practice in the design of buildings, places and the public realm by applying the principles of Good Design.</p> <p>2.4 Design advice should be obtained early in the planning process for complex developments, and utilise consistent and credible processes (such as Design Review) to ensure improved outcomes.</p> <p>2.6 Maximise opportunities for the Principles of Good Design and community engagement to inform future policy creation and improve design outcomes.</p> <p>2.7 Promote a culture of good design to foster creative thinking, innovation and effective design processes within the planning industry, built environment professions and general public.</p> <p>2.9 Respect the characteristics and identities of different neighbourhoods, suburbs and precincts by ensuring development considers</p>	<p>The Local Design Review Scheme provides for the practical application of a number of objectives and policies from the State Planning Policies.</p> <p>Design Review under the Scheme and the resulting design advice must be guided by South Australia’s Principles of Good Design as published in the design quality policy under section 59 of the Act.</p> <p>In addition, section 1.5 of the Scheme outlines the objects of this Scheme, which are to—</p> <ol style="list-style-type: none"> 1. Support development that demonstrates high-quality design. 2. Improve access to independent and expert design advice early in the planning and design process. 3. Support consistent and informed planning decisions. 4. Facilitate collaboration between allied professionals. 5. Support South Australia’s planning system to meet the objects of the Act in section 12, including to— <ol style="list-style-type: none"> a) support and enhance the State’s liveability and prosperity in ways that are ecologically sustainable and meet the needs and expectations, and reflect the diversity, of the State’s communities by creating an effective, efficient and enabling planning system; and b) promote certainty for people and bodies proposing to undertake development while at the same time providing scope for innovation; and

<p>existing and desired future context of a place.</p> <p>The Scheme and subsequent Amendment will also support other related SPPs, including:</p> <ul style="list-style-type: none"> • SPP3 – Adaptive Reuse • SPP5 – Climate Change • SPP7 – Cultural Heritage 	<ul style="list-style-type: none"> c) promote high standards for the built environment through an emphasis on design quality in policies, processes and practices, including by providing for policies and principles that support or promote universal design for the benefit of people with differing needs and capabilities. <p>6. Demonstrate practical application of the Principles of Good Planning identified in section 14 of the Act, particularly—</p> <ul style="list-style-type: none"> a) high-quality design; and b) activation and liveability; and c) sustainability.
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2. Regional Plans

The Regional Plan

While all future regional plans should give consideration to the value of Local Design Review, the 30-Year Plan for Greater Adelaide (2017 Update) is of particular relevance to this Amendment.

The key policies and targets that are most relevant are:

Regional Plan Identified Priorities or Targets	Code Amendment Alignment with Regional Plan
<p>Theme: Design quality</p> <p>A.12 Reinforce and expand the role of the design review process for strategic urban infill and other priority developments.</p> <p>A.15 Investigate how best to encourage and measure design quality in the new planning system.</p>	<p>As detailed in relation to alignment with the State Planning Policies, the Local Design Review Scheme (and therefore this Amendment) also provides for the practical application of actions and policies from the 30-Year Plan for Greater Adelaide (2017 Update) by bringing the design review process under section 121 of the Act into operation.</p>

11.7 EXECUTION OF COUNCIL SEAL - FUNDING DEED UNDER 2021-2022 COMMONWEALTH INFRASTRUCTURE INVESTMENT BLACK SPOT PROGRAM

REPORT AUTHOR: Manager, Traffic & Integrated Transport
GENERAL MANAGER: General Manager, Urban Planning & Environment
CONTACT NUMBER: 8366 4542
FILE REFERENCE: qA66187
ATTACHMENTS: A

PURPOSE OF REPORT

The purpose of this report is to seek the Council's approval to sign and seal two funding deeds (*the Deeds*) between the Council and the Commissioner of Highways.

The Deeds facilitate the Council's receipt of funding (\$253,000, GST inclusive) from the *2021-2022 Commonwealth Infrastructure Investment Black Spot Program (the Federal Black Spot Program)*. The funding has been awarded for the design and construction of two (2) intersection upgrades on William Street, Norwood as set out below:

Location 1: Intersection of William and Elizabeth Streets, Norwood
Project description: Modify the approach central medians, kerb extension and central roundabout. Modifications include narrowing all approach lanes, stormwater improvements, new landscaping, pavement marking and related works (2 year project).
Project funding: \$121,000 (GST inclusive)

Location 2: Intersection of William and George Streets, Norwood
Project description: Modify the approach central medians, kerb extension and central roundabout. Modifications include narrowing all approach lanes, stormwater improvements, new landscaping, pavement marking and related works (2 year project).
Project funding: \$132,000 (GST inclusive)

A copy of the Deeds are contained in **Attachment A**.

BACKGROUND

The two (2) intersections were identified as Black Spots because of their significant crash history over a five (5) year period. There were six (6) crashes at the intersection of William and George Streets and four (4) crashes at the intersection of William & Elizabeth Streets. Of these crashes, 70% involved cyclists, six (6) of which resulted in an injury.

William Street is an important bicycle route, acting similarly to Beulah Road as a parallel, low-traffic alternative to The Parade. Its popularity was confirmed in the 2021 'Super-Tuesday' Bicycle and Pedestrian Survey which counted 152 cyclists and 143 pedestrians in the two hour morning commuter period (at the intersection of William Street and Osmond Terrace).

In 2015, the roundabouts along Beulah Road were similarly modified to improve cyclist safety as recommended in the Council's City-wide Bicycle Plan. The crash data for four (4) years before, and four (4) years after the upgrade identified that crashes decreased by 44% and crashes involving cyclists decreased by 41%. This represents a significant safety improvement and confirms that upgrading the William Street roundabouts will more than likely result in less crashes and injuries in Norwood.

The Department of Infrastructure and Transport and (DIT) has recently advised that the Council has been successful in receiving a grant via *the Federal Black Spot Program* and *the Deeds* which facilitate receipt of the funding is required to be signed and sealed by the Council.

FINANCIAL AND BUDGET IMPLICATIONS

As part of the 2021-2022 Budget, the Council has allocated \$108,000 to undertake design work for improvements associated with the Shipsters Road to Dequetteville Terrace bikeway, as designated on the *City-Wide Cycling Network*. William Street forms part of this bikeway and the Federal Blackspot funding will reduce the overall contribution required from Council for the construction of the bikeway that is planned for the 2022-2023 financial year.

EXTERNAL ECONOMIC IMPLICATIONS

Nil.

SOCIAL ISSUES

Not Applicable.

CULTURAL ISSUES

Not Applicable.

ENVIRONMENTAL ISSUES

Improving the safety and convenience of bicycle routes across the City will hopefully encourage more citizens to use active modes of transport and in turn reduce reliance on motor vehicles.

RESOURCE ISSUES

Not Applicable.

RISK MANAGEMENT

No significant risks have been identified with this proposal as it relates to the execution of a funding deed.

COVID-19 IMPLICATIONS

Not Applicable.

CONSULTATION

Not Applicable.

DISCUSSION

The proposed works will modify the geometry of the roundabouts to meet the current best-practice Australian Standards and Guidelines, which are designed to improve safety by reducing traffic speed and improving the positioning of vehicles and cyclists on the road.

The funding period is from 1 July 2021 to 30 June 2023. It is anticipated that design will be undertaken in 2021-2022 and construction in 2022-2023.

There are six (6) roundabout renewal works which have been identified on William Street, which have been allocated funding in the Council's Asset Management Plan and Long Term Financial Plan. In addition, there is funding allocated for the William Street Bikeway (Fullarton Road to Shipsters Road). Although the intersections of William Street with Elizabeth and George Streets were not identified as the highest priority from a 'condition' perspective, it is sensible to reallocate them to short-term works from a 'safety' perspective. Therefore, the timing of future works can be modified to bring forward these two intersections resulting in no additional cost to the Council other than that previously allowed in the Long Term Financial Plan, as follows:

- William Street roundabout upgrades (2023 – 2026): \$225,463;
- William Street road reseal (2023 – 2027): \$818,969; and
- William Street Bikeway, Fullarton Road to Shipsters Road (2022-2031): \$802,285.

OPTIONS

The Council can either agree to or decline the funding deeds. If the Council does not accept the funding, the project will not proceed.

Given that the work is required to be undertaken to improve these intersections, there is no logical reason not to accept the Grant.

CONCLUSION

Nil

COMMENTS

Nil

RECOMMENDATION

That the Mayor and Chief Executive Officer be and are hereby authorised to sign and seal the Funding Deed under the 2021-2022 Commonwealth Infrastructure Investment Black Spot Program, for:

- modifications to the roundabout at the intersection of William Street and Elizabeth Street to improve road safety. Works will include narrowing of approach lanes, stormwater improvements, new landscaping, pavement marking and related works; and
- modifications to the roundabout at the intersection of William Street and George Street to improve road safety. Works will include narrowing of approach lanes, stormwater improvements, new landscaping, pavement marking and related works.

Attachments – Item 11.7

Attachment A

Execution of Council Seal Funding Deed Under 2021-2022 Commonwealth Infrastructure Investment Black Spot Program

City of Norwood Payneham & St Peters
175 The Parade, Norwood SA 5067

Telephone 8366 4555
Facsimile 8332 6338
Email townhall@npsp.sa.gov.au
Website www.npsp.sa.gov.au



City of
Norwood
Payneham
& St Peters

RECEIVED

- 6 AUG 2021

CITY OF NORWOOD
PAYNEHAM & ST PETERS

A1



Government of South Australia

Department for Infrastructure
and Transport

In reply please quote 2020/10812/04

*Enquiries to Ty Edwards
Telephone (08) 8226 8393*

**NETWORK MANAGEMENT
SERVICES**

GPO Box 1533
Adelaide SA 5001

Telephone: 08 8343 2222
Facsimile: 08 8204 8740

ABN 92 366 288 135

Mr Mario Barone
Chief Executive Officer
City of Norwood Payneham & St Peters
PO Box 204
Kent Town SA 5071

Dear Mr Barone

2021/2022 BLACK SPOT PROGRAM

The Australian Government has confirmed the South Australian projects that have been approved for funding under the 2021/2022 Australian Government Black Spot Program.

I am pleased to advise that the following projects were **successful** in gaining funding under this Program:

- Safety Improvements at William and Elizabeth Street Roundabout, Norwood
 - Modify central medians, kerb extensions and central roundabout, narrow approach lanes, stormwater improvements, new landscaping, pavement marking and related works.
 - Funding in 2021/22 is \$33,000 (GST inclusive) and in 2022/23 is \$88,000 (GST inclusive).
 - Approved total funding: **\$121,000** (GST inclusive).
 - Completion by the end of June 2023.

- Safety Improvements at William and George Street Roundabout, Norwood
 - Modify central medians, kerb extensions and central roundabout, narrow approach lanes, stormwater improvements, new landscaping, pavement marking and related works.
 - Funding in 2021/22 is \$33,000 (GST inclusive) and in 2022/23 is \$99,000 (GST inclusive).
 - Approved total funding: **\$132,000** (GST inclusive).
 - Completion by the end of June 2023.

A funding deed will need to be entered into by the council. The deed contains information about project funding, conditions, reporting and payment arrangements. Additional reporting requirements have also been stipulated by the Australian Government.

Two copies of the deed are attached.

Please insert the required details in item 2 of Schedule 1, attach the seal and sign on page 8 and return both copies within six weeks from the date of this letter to:

*Mr Ty Edwards
Graduate Engineer
Network Management Services
Department for Infrastructure and Transport
PO Box 1533
ADELAIDE, 5001*

It is important that the obligations and conditions in the funding deed are met. Work on the project must be undertaken in accordance with appropriate Austroads, Australian and Departmental Standards and the requirements of the *Notes on Administration for the Infrastructure Investment Black Spot Program*, which is available on the internet at <http://dpti.sa.gov.au/blackspot>.

For further information regarding project nominations, please contact Mr Ty Edwards on telephone number (08) 8226 8393.

I wish you every success with your approved project.

Yours sincerely



Kerry McConnell
Unit Manager, Road Safety Infrastructure

28th July 2021

Encl. Copies of Funding Deed

FUNDING DEED

under

**2021-2022 COMMONWEALTH INFRASTRUCTURE INVESTMENT
BLACK SPOT PROGRAM**

Project Number	113623-21SA-BS
Location	Intersection of William and George Street, Norwood
Project Description	Modify the approach central medians, kerb extensions and central roundabout. Modifications include narrowing all approach lanes, stormwater improvements, new landscaping, pavement marking and related works (2 year project)
Project Funding	\$ 132,000 (GST Inclusive)

between

**THE COMMISSIONER OF HIGHWAYS
(Grantor)**

and

**THE COUNCIL NAMED IN SCHEDULE 1
(Council)**

FUNDING DEED

Between

COMMISSIONER OF HIGHWAYS, a body corporate pursuant to the *Highways Act 1926* (administered by the Department for Infrastructure and Transport) (ABN: 92 366 288 135).....(**Grantor**)

And

THE COUNCIL NAMED IN SCHEDULE 1, a body corporate under the *Local Government Act 1999*.....(**Council**)

It is agreed:

1. BACKGROUND

- 1.1 The Council has proposed to undertake the project (**Project**) described in item 3 of Schedule 1.
- 1.2 This deed sets out the terms and conditions under which the Grantor intends to provide funding to the Council solely for the purpose (**Purpose**) described in item 3 of Schedule 1 which includes the conduct of the Project.
- 1.3 The maximum amount that may be paid to the Council under this deed is set out in item 4 of Schedule 1 (**Funding**).
- 1.4 Item 3 of Schedule 1 indicates whether or not the Project is to be conducted on a road(s) under the care, control and management of the Commissioner of Highways (**Commissioner**).
- 1.5 If conducted on a road(s) under the care, control and management of the Commissioner the additional terms and conditions set out in Schedule 2 will also apply.

2. FUNDING

- 2.1 Subject to this deed, the Grantor will pay the Council up to the amount of the Funding.
- 2.2 The Council must only use the Funding for the Purpose.
- 2.3 For the purposes of this deed, the **Funding Period** is the period commencing on the Start Date and, subject to funding being available, will continue until the End Date. The **Start Date** and **End Date** are set out in item 4 of Schedule 1.
- 2.4 The Funding is payable by way of progress payments in arrears for work undertaken for the Purpose and may also be part payable (if indicated in item 5 of Schedule 1) by way of an Initial Instalment in Advance.
- 2.5 During the Funding Period, the Council is entitled in accordance with the conditions set out in item 5 of Schedule 1:
 - (a) to invoice the Grantor for the payment of the amount of any Initial Instalment in Advance set out in item 5 of Schedule 1 (if any); and
 - (b) once the amount of the Initial Instalment in Advance (if any) has been expended on work undertaken for the Purpose, to invoice the Grantor for progress payment(s) for work undertaken for the Purpose.

The total of any Initial Instalment in Advance (if any) and all progress payments must not exceed the amount of the Funding.
- 2.6 At the end of the Funding Period the Council must provide a report on the level of any unexpended Funding.

- 2.7 The Council must repay any part of the Funding which is unexpended at the end of the Funding Period to the Grantor, unless the Grantor gives written approval for the Council to retain the money.

3. GST

- 3.1 The Funding (including any Initial Instalment in Advance or any progress payment) is all-inclusive and not subject to any adjustment for GST or any other tax or cost.
- 3.2 In this Deed "*Taxable Supply*", "*GST*" and "*Tax Invoice*" have the meaning attributed under the *A New Tax System (Goods and Services Tax) Act 1999 (GST Law)*.

4. ADMINISTRATION OF DEED

- 4.1 Any power or discretion exercisable by the Grantor under this deed may be exercised by the person (**Grantor's Representative**) for the time being in the position within the Department for Infrastructure and Transport (**Department**) set out in item 2 of Schedule 1.
- 4.2 Any power or discretion exercisable by the Council under this deed may be exercised by the person (**Council's Representative**) for the time being in the position within the Council set out in item 2 of Schedule 1.

5. PROVISION OF FINANCIAL INFORMATION

- 5.1 The Council must provide the Grantor with appropriate and regular information, records and reports as the Grantor may request from time to time about:
- (a) the administration and financial affairs of the Council;
 - (b) the progress of (and any change to) the authorised scope of the Purpose or the Project;
 - (c) any significant changes to the nature and scope of the activities conducted by the Council;
 - (d) any other matter relevant to the granting of assistance;
 - (e) any other funding or financial assistance promised or received from any source other than the Grantor;
 - (f) the Council's management of the Funding, including, but not limited to, the economic and efficient use of resources to achieve the outcomes of the Purpose; and
 - (g) the performance of the Council's undertakings and obligations under this deed.
- 5.2 The information provided by the Council must be sufficient for the Grantor to make an informed judgement about:
- (a) the Council's ongoing financial position and its resources and expertise in relation to the Purpose;
 - (b) the Council's performance in managing public moneys, acquiring and using resources economically and efficiently and in achieving specified objectives in relation to the Purpose;
 - (c) the overall effectiveness of the Funding throughout the Funding Period;
 - (d) compliance with legislation and generally accepted accounting principles; and

- (e) compliance with the Council's constitution and the conditions of this deed.

5.3 The Council must permit any officer authorised by the Grantor:

- (a) to enter the Council's premises and to have access to all accounting records, equipment, documents and information in possession of the Council; and
- (b) to interview employees of the Council on matters pertaining to the operations of the Council.

6. GENERAL OBLIGATIONS OF THE COUNCIL

The Council must:

- 6.1 use the Funding only for the Purpose for which the Funding was made;
- 6.2 maintain accounting records of the Funding in accordance with generally accepted accounting principles;
- 6.3 ensure that any activity carried out by the Council in connection with the Council's use of the Funding complies with the laws from time to time in force in South Australia;
- 6.4 comply with its constitution;
- 6.5 comply with the additional reporting requirements set out in item 6 of Schedule 1;
- 6.6 prepare financial statements in accordance with Australian Accounting Standards at the end of the Funding Period and submit the financial statements, signed by a senior office holder of the Council, to the Grantor no later than one calendar month after the expiry of the Funding Period;

(Note: for the purposes of compliance with Australian Accounting Standards ("AAS") this includes Tier 1 ASS and Tier 2 ASS – Reduced Disclosure Requirements)
- 6.7 where the Funding to Council is in excess of One Million Dollars (GST exclusive) prepare financial statements in the nature of General Purpose Financial Statements; and
- 6.8 where requested by the Grantor, provide to the Department management accounts, annual reports, financial statements and any other information or documents relevant to the Council's operations.

7. CONDUCT OF THE PROJECT

- 7.1 The Council must ensure that any works undertaken towards the Purpose and/or the Project are undertaken in accordance with (and to the standard required by) any applicable Standards published by Austroads and Standards Australia Limited.
- 7.2 If (as indicated in item 3 of Schedule 1) the Project is to be conducted on a Road(s) under the care, control and management of the Commissioner, the Council must comply with the additional terms and conditions set out in Schedule 2.
- 7.3 The Council must erect signs on each road approach to the Project that comply with Section 4.7.1 – "Signposting" of the Notes on **Administration for Land transport Infrastructure Projects** published by the Commonwealth.

8. TERMINATION

- 8.1 If the Council fails to comply with this deed and/or fails within 6 months from the Commencement of this deed to commence the works on the Project (or make sufficient progress to the satisfaction of the Grantor), the Grantor may:
- (a) require the Council to repay either the whole or a portion of the Funding (whether expended or not);
 - (b) withhold all future funding from the Council;
 - (c) pursue any legal rights or remedies which may be available to the Grantor; and
 - (d) terminate or curtail any program or project conducted by the Grantor of which the Purpose conducted by the Council is part.
- 8.2 The Grantor may review any decision made pursuant to this clause if the Council is able to satisfy the Grantor within a period of 30 days from the decision that the Council has complied with the conditions of this deed.
- 8.3 Nothing in this deed is to be taken to limit the Grantor's discretion to determine whether and how any program or project of the Grantor is to be conducted, except if and to the extent that the Grantor gives an express undertaking in that regard.

9. GENERAL TERMS AND CONDITIONS

9.1 Insurance

The Council warrants that it is a member of the Local Government Association Mutual Liability Scheme (**Scheme**) and is bound by the Scheme pursuant to section 142 and Schedule 1, Part 2 of the *Local Government Act 1999 (SA)* (**Act**) and in the event that the Council ceases to be a member of the Scheme it will forthwith, pursuant to Section 142(1) of the Act and the regulations under that Act, take out and maintain insurance to cover its civil liabilities at a minimum level of cover of AUD \$50 million.

9.2 Commonwealth Funded Project

The Council acknowledges that the Funding provided under this deed is (and remains) contingent upon the Commonwealth funding and despite any other clause of this deed, if the Commonwealth for any reason ceases its provision of funding then the Grantor may by notice to the Council cease its provision of Funding under this deed.

9.3 Audit

The Grantor may direct the Council to arrange for the financial accounts relating to the Funding to be audited at the Council's expense. The Grantor may specify the minimum qualifications to be held by a person appointed to conduct the audit.

9.4 Acknowledgements

The Council acknowledge that the Funding represents a one-off contribution by the Grantor towards the Purpose, and the Council agrees that any request for subsequent funding will require a new application to the Grantor. The Grantor is under no obligation to agree to pay any subsequent funding to the Council.

The Council further acknowledges and agrees that the Grantor will not be liable to reimburse the Council for any losses or cost over runs that may result from the operation of this deed or the carrying out of the Purpose or Project.

9.5 Indemnity

The Council acknowledges and agrees that it remains at all times solely responsible for the conduct of the Project and it releases and indemnifies the Grantor, the Commissioner and the Crown in right of the State of South Australia together with their employees, contractors and agents (**those indemnified**) from and against any loss or liability incurred or suffered by any of those indemnified as a result of any claim, suit, demand, action or proceeding brought by any person against any of those indemnified in respect to the works to complete the Project or otherwise caused by any breach or default of the Council under this Deed.

9.6 Assignment

The Council must not assign, novate or encumber any of its rights or obligations under this deed.

9.7 Publicity

The Council must not make (or permit a public announcement or media release to be made) about any aspect of this deed without first obtaining the Grantor's written consent.

9.8 Consent

If the Council requires the Grantor's consent under this deed, the Grantor may, in its absolute discretion, give or withhold its consent and if giving consent, the Grantor may impose any condition on that consent that it considers appropriate. The Grantor's consent will not be effective unless it is in writing and signed.

9.9 Entire Deed

This deed incorporates any attached schedules and annexures. This deed contains the entire agreement between the parties with respect to its subject matter and supersedes any prior agreement, understanding or representation of the parties on the subject matter.

9.10 Proper Law

The laws in force in South Australia apply to this deed.

9.11 Jurisdiction of Courts

The courts of South Australia have non-exclusive jurisdiction to determine any proceeding in relation to this deed. Any proceeding brought in a Federal Court must be instituted in (and remain with) the Adelaide Registry of that Federal Court.

9.12 Compliance with Laws

The Council must comply with the laws in force in South Australia in the course of performing its obligations under this deed.

9.13 Notices

A notice is properly given or served if the party delivers it by hand, posts it or transmits it by electronic mail or facsimile, to the address of the Representative of the other party. A notice is taken to be received:

- (a) if sent by post, at the time it would have been delivered in the ordinary course of the post to the address to which it was sent;
- (b) if sent by electronic mail, when the sender receives confirmation that the e-mail has been transmitted successfully to the correct e-mail address;
or

- (c) if delivered by hand, the party who sent the notice holds a receipt for the notice signed by a person employed at the physical address for service.

9.14 Performance and future proposals

The satisfactory completion of the works for the Purpose, the making of regular progress payments (see note under item 5 of Schedule 1) and on-going compliance with reporting obligations, may be taken into account as a factor in assessing any applications by the Council for future funding.

9.15 Waiver

Any waiver of any provision of this deed is ineffective unless it is in writing and signed by the party waiving its rights.

A waiver by either party in respect of a breach of a provision of this deed by the other party is not a waiver in respect of any other breach of that or any other provision.

The failure of either party to enforce any of the provisions of this deed at any time must not be interpreted as a waiver of that provision.

9.16 Variation

Any variation of this deed must be in writing and signed by each party (or its Representative). Any request by the Council for agreement to vary the Funding, the Purpose, the scheduled timing for the conduct of the works for the Project and/or the Funding Period must be accompanied by sufficient details explaining the reasons for the requested variation to enable the Grantor to have regard to its merits.

9.17 Reading down and Severance

In the event that any provision (or portion of any provision) of this deed is held to be unenforceable or invalid by a Court of competent jurisdiction, the validity and enforceability of the remaining provisions (or portions of such provisions) of this deed shall not be adversely affected.

The offending provision (or part of a provision) shall be read down to the extent necessary to give it legal effect, or shall be severed if it cannot be read down, and the remaining part and provisions of this deed shall remain in full force and effect.

9.18 Auditor General

Nothing in this deed derogates from the powers of the Auditor-General under the *Public Finance and Audit Act 1987* (South Australia). Without limiting this clause, the Council acknowledges the Auditor General's obligations and powers under sections 32 and 34 of the *Public Finance and Audit Act 1987* (South Australia).

9.19 Public Disclosure

The Grantor may disclose this deed (and/or information relating to this deed) in both printed or electronic form and either generally to the public or to a particular person as a result of a specific request.

Nothing in this clause derogates from the Council's obligations under any provision of this deed or the provisions of the *Freedom of Information Act, 1991*.

9.20 Special Conditions

The special conditions set out under item 7 of Schedule 1 (if any) form part of this deed.

EXECUTED as a DEED

By the Grantor

THE COMMON SEAL of the)
COMMISSIONER OF HIGHWAYS)

)
)
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)
)
)

was affixed on:
(Date above)

(Affix Seal Above)

in the presence of:

Witness Signature:.....

Print Name:

By the Council

THE COMMON SEAL of the)
COUNCIL NAMED IN SCHEDULE 1)

)
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)
)
)

was affixed on:
(Date above)

(Affix Seal Above)

as attested by the Principal Member and
Chief Executive Officer.

Signature:.....

Signature:

Print Name:

Print Name:

Principal Member

Chief Executive Officer

SCHEDULE 1 - PARTICULARS

1. THE COUNCIL

Name: **City of Norwood Payneham & St Peters**

Site Address: **175 The Parade, Norwood 5067**

Postal Address: **PO Box 204, Kent Town 5071**

ABN: **11 390 194 824**

2. REPRESENTATIVES

Grantor's Representative	Council's Representative
Name: Ms Kerry McConnell	Name: _____
Position: Unit Manager, Road Safety Infrastructure	Position: _____
Department for Infrastructure and Transport	_____
Address: GPO BOX 1533	Address: _____
ADELAIDE SA 5001	_____
Telephone: (08) 7109 7897	Telephone: _____
E-mail: kerry.mcconnell@sa.gov.au	E-mail: _____

3. THE PURPOSE, DESCRIPTION OF PROJECT & DETAILS OF THE ROAD(S)

The Purpose: The funding is provided for the purpose of the Council undertaking on the road(s) identified below (within the Funding Period) the Project described below (and in any plans and/or proposal attached to this deed) in accordance with (and to the standard required by) any applicable Standards published by Austroads and Standards Australia Limited.

Description of Project:	Project Number	113623-21SA-BS
	Project Description	Modify the approach central medians, kerb extensions and central roundabout. Modifications include narrowing all approach lanes, stormwater improvements, new landscaping, pavement marking and related works (2 year project)

Note: Please ensure that a full description setting out all aspects of the Project is included (this is of particular importance for Projects undertaken on DIT maintained roads).

Details of the Road(s): **Intersection of William and George Street, Norwood**

Is the Road(s) under the care control **No**

and management of the Commissioner of Highways:

Note: If under the care, control and management of the Commissioner then Schedule 2 will apply.

4. THE FUNDING

The Funding: **\$132,000** (GST Inclusive)

The Funding Period: Start Date: **1 July 2021**

End Date: **30 June 2023**

5. MANNER & CONDITIONS OF PAYMENT

Limit on payments

The Funding of **\$132,000** (GST Inclusive) is the maximum total amount the Grantor may be liable to pay the Council under this deed.

Initial Instalment in Advance & Progress Payments

The following table sets out the details of payments comprising the Funding the Council may invoice the Grantor for in accordance with clause 2.5 of the deed.

Payment	Amount AUD (GST Inclusive)
Initial Instalment in Advance <small>(Note: If no amount is indicated then no Initial Instalment in Advance will be made and the Funding will be made entirely through Progress Payments in arrears)</small>	\$nil
Allocation for Progress Payments	\$132,000
Total Funding	\$132,000

Periodic Progress Payments

Except in relation to the last Quarter prior to an End Date of 30 June, the Council is entitled (provided any instalment in advance has been expended) to invoice the Grantor after the end of each Quarter (or after another interval agreed between the parties) for progress payments for work undertaken for the Purpose.

A "**Quarter**" is the 3 calendar month period ending on 31 March, 30 June, 30 September and 31 December of each year during the Funding Period.

Last Quarter: If the End Date is 30 June (to coincide with the end of the Financial Year) then the Council must by **1 June** issue the Grantor with the final invoice for all works undertaken for the Purpose. Late invoices will only be accepted with the written agreement of the Grantor.

Note on Regular Invoices: The Grantor expects that works for the Purpose will be undertaken promptly during the Funding Period and expects to receive the invoice for any instalment in advance (if any) soon after the commencement of this deed and then regular subsequent receipt of invoices for progress payments.

Invoices

The Grantor is **not** obligated to pay an invoice unless properly rendered. An invoice is properly rendered if it:

- (a) is issued in respect of a payment for which the Council is entitled to invoice for under this deed;
- (b) quotes the relevant purchase order number allocated by the Grantor;
- (c) is accompanied by a Claim Form and invoices (if any) from the Council's contractor(s) undertaking work for the Purpose;

- (d) reflects the correct amount for payment under this deed; and
- (e) is a valid Tax Invoice in accordance with GST Law.

The **Claim Form** must set out:

- (a) The progress of the work towards the Purpose.
- (b) Project expenditure report from Council's financial management system and a summary schedule of expenditure.
- (c) Statement of the amount of any under or over expenditure of the Funding.

A pro-forma Claims Form is available from web-link:

http://www.DIT.sa.gov.au/roadsafety/safer_roads/black_spot_program_2

Payment Term

Provided that the total amount of the Funding has not been (or will be) exceeded, the Grantor must pay the amount of a properly rendered invoice for an Initial Instalment in Advance (if indicated above) and a progress payment for work undertaken towards the Purpose issued by the Council, within 30 days of receiving the Council's invoice.

6. ADDITIONAL REPORTING REQUIREMENTS

Report (Title)	Frequency (By when)	Requirements (Information and applicable standard)
Project Report	1 st Report- 1 st August 2 nd Report-1 st November 3 rd Report-1 st February 4 th Report- 1 st May or 7 days from request	<ul style="list-style-type: none"> • The progress of the Project and scheduling of works. • Updated Expenditure forecasts during the term of the funding period. • The management of the Funding (i.e. break down of expenditure of the Funding). • Any changes to the authorised scope of the Project. • Any significant changes to the nature, scope and cost of the activities conducted by the Council. • Any operational matters requested from time to time by the Grantor for inclusion in the Project Report. • Use Template as per https://www.DIT.sa.gov.au/towardszerotogether/building_safer_roads/black_spot_program
Completion Report	Within 30 days from the completing the works for the Project.	<ul style="list-style-type: none"> • Use Template as per http://www.DIT.sa.gov.au/roadsafety/safer_roads/black_spot_program_2

<p>Financial Statements (As referred to in clauses 6.6 and 6.7 of the Deed)</p>	<p>Within 30 days from the expiry of the Funding Period.</p>	<p>Financial Statements prepared in accordance with Australian Accounting Standards setting out in detail the Council's expenditure of the Funding (with invoices attached from any contractors engaged for the Purpose) and signed by a senior office holder of the Council.</p> <p>Standard: <u>If</u> the Funding is in excess of \$1 M (GST exclusive) <u>then</u> the recipient must prepare its Financial Statements in the nature of General Purpose Financial Statements.</p> <p>(Note: for the purposes of compliance with Australian Accounting Standards ("AAS") this includes Tier 1 ASS and Tier 2 ASS – Reduced Disclosure Requirements)</p>
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7. SPECIAL CONDITIONS

- 7.1 The Network Management Services Directorate will contact Council for a commencement meeting or other meetings as required.

SCHEDULE 2 – WORKS ON COMMISSIONER MAINTAINED ROAD(S)

1. APPLICATION OF THIS SCHEDULE 2

The Council must comply with the terms and conditions set out in this Schedule 2 if (as indicated in item 3 of Schedule 1) the Council's proposed Project funded under this deed involves work on (or alterations to) a road ("**Road**") that is under the care, control and management of the Commissioner of Highways ("**Commissioner**").

2. LEGAL REQUIREMENT TO GAIN COMMISSIONER'S APPROVAL

Subsection 26(7) of the *Highways Act 1926* (SA) provides that a council must not exercise its powers under Part 2 of Chapter 11 of the *Local Government Act 1999* (SA) (e.g. the powers to conduct roadwork) in relation to a road under the care, control and management of the Commissioner except to the extent (if any) as the Commissioner may approve by written notice to the council.

The Council therefore acknowledges that prior to undertaking any works on the Road it will first need to gain the written approval of the Commissioner pursuant to section 26(7) of the *Highways Act 1926*.

3. TERMS AND CONDITIONS FOR WORKS ON COMMISSIONER'S ROAD

3.1 The Commissioner makes no warranties or representations concerning the suitability of the Road for the Purpose or the presence of third party installations on, in, along, over, under or near the Road. The Council must arrange for any required relocation or alteration of third party installations at its own cost.

In this Deed "third party installations" means any rail, gas, electrical, telecommunications, stormwater, water or other underground or overground installation on, in, along, over, under or near the Road.

3.2 The Council must:

- (a) not less than one calendar month prior to the commencement of works for the Purpose, submit the detailed design(s), any applicable drawings and plans and its Traffic Management Plan(s) to the Commissioner (acting through the Department) for its comment;
- (b) modify the documents submitted in accordance with the preceding item 3.2(a) in accordance with any comments received from the Commissioner (or the Department);
- (c) give prior notification to the Commissioner before commencing any works on the Road and abide by (and ensure that its contractor also abides by) any requirements imposed as to the times for access to the Road;
- (d) undertake (and ensure that its contractor undertakes) the works on the Road in accordance with:
 - (i) the Department's requirements as per the DIT Master Specification available at [Works on Roads by Other Organisations - Department for Infrastructure and Transport - South Australia](#);
 - and
 - (ii) the detailed design(s), drawings and plans and Traffic Management Plan agreed to by the Commissioner,

unless a variation is first agreed in writing by the Commissioner;

- (e) ensure that any works undertaken do not disrupt (or impede) any activity undertaken by the Commissioner (or the Department) on the Road;
- (f) ensure that a defect liability period of not less than 24 calendar months applies to the works and the Council must invite (and make provision for) a representative of the Commissioner to attend inspections to assess both practical completion and final completion of the works;
- (g) ensure that any additional works required to reach practical completion or any remediation (or repair of) defects that are required to allow for final completion, identified by either the Council or the Commissioner, are promptly carried out by the Council (or its contractor);
- (h) at its cost, comply with any written direction by the Commissioner in relation to the conduct of the works, any alteration or removal of any infrastructure installed, the removal or minimisation of any risks to safety identified, the reinstatement of pavements, traffic management, the public's access to the Road or partial road closures;
- (i) undertake such reasonable safety measures necessary to protect its employees, contractors, the public and commuters [including without limitation compliance with (and ensuring its contractor complies with) the *Work Health and Safety Act, 2012* (SA) and the *Work Health and Safety Regulations, 2012* (SA)];
- (j) notify the Commissioner of any safety risk posed by the works or any infrastructure installed or any activity undertaken by the Council (or its employees, contractors and agents), on the Road; and
- (k) following practical completion of the works [and following any further modifications undertaken by the Council (or its contractor)] provide at the Council's cost, the Commissioner with as constructed drawings and plans accurately depicting the type and location of the works and any infrastructure installed in accordance with Departmental standards available at:

http://www.DIT.sa.gov.au/contractor_documents (intellectual property in the plans and drawings vests in the Commissioner).

3.3 If the Council fails to comply with the requirements of item 3.2(g) or fails to carry out a direction of the Commissioner issued in accordance with item 3.2(h) then the Commissioner may (without being obliged to) carry out (or engage a contractor to carry out) the necessary work and the Council promises to pay to the Commissioner the cost it incurs in doing so.

FUNDING DEED

under

**2021-2022 COMMONWEALTH INFRASTRUCTURE INVESTMENT
BLACK SPOT PROGRAM**

Project Number	113618-21SA-BS
Location	Intersection of William and Elizabeth Street, Norwood
Project Description	Modify the approach central medians, kerb extensions and central roundabout. Modifications include narrowing all approach lanes, stormwater improvements, new landscaping, pavement marking and related works (2 year project)
Project Funding	\$ 121,000 (GST Inclusive)

between

**THE COMMISSIONER OF HIGHWAYS
(Grantor)**

and

**THE COUNCIL NAMED IN SCHEDULE 1
(Council)**

FUNDING DEED

Between

COMMISSIONER OF HIGHWAYS, a body corporate pursuant to the *Highways Act 1926* (administered by the Department for Infrastructure and Transport) (ABN: 92 366 288 135).....(**Grantor**)

And

THE COUNCIL NAMED IN SCHEDULE 1, a body corporate under the *Local Government Act 1999*.....(**Council**)

It is agreed:

1. BACKGROUND

- 1.1 The Council has proposed to undertake the project (**Project**) described in item 3 of Schedule 1.
- 1.2 This deed sets out the terms and conditions under which the Grantor intends to provide funding to the Council solely for the purpose (**Purpose**) described in item 3 of Schedule 1 which includes the conduct of the Project.
- 1.3 The maximum amount that may be paid to the Council under this deed is set out in item 4 of Schedule 1 (**Funding**).
- 1.4 Item 3 of Schedule 1 indicates whether or not the Project is to be conducted on a road(s) under the care, control and management of the Commissioner of Highways (**Commissioner**).
- 1.5 If conducted on a road(s) under the care, control and management of the Commissioner the additional terms and conditions set out in Schedule 2 will also apply.

2. FUNDING

- 2.1 Subject to this deed, the Grantor will pay the Council up to the amount of the Funding.
- 2.2 The Council must only use the Funding for the Purpose.
- 2.3 For the purposes of this deed, the **Funding Period** is the period commencing on the Start Date and, subject to funding being available, will continue until the End Date. The **Start Date** and **End Date** are set out in item 4 of Schedule 1.
- 2.4 The Funding is payable by way of progress payments in arrears for work undertaken for the Purpose and may also be part payable (if indicated in item 5 of Schedule 1) by way of an Initial Instalment in Advance.
- 2.5 During the Funding Period, the Council is entitled in accordance with the conditions set out in item 5 of Schedule 1:
 - (a) to invoice the Grantor for the payment of the amount of any Initial Instalment in Advance set out in item 5 of Schedule 1 (if any); and
 - (b) once the amount of the Initial Instalment in Advance (if any) has been expended on work undertaken for the Purpose, to invoice the Grantor for progress payment(s) for work undertaken for the Purpose.

The total of any Initial Instalment in Advance (if any) and all progress payments must not exceed the amount of the Funding.
- 2.6 At the end of the Funding Period the Council must provide a report on the level of any unexpended Funding.

- 2.7 The Council must repay any part of the Funding which is unexpended at the end of the Funding Period to the Grantor, unless the Grantor gives written approval for the Council to retain the money.

3. GST

- 3.1 The Funding (including any Initial Instalment in Advance or any progress payment) is all-inclusive and not subject to any adjustment for GST or any other tax or cost.
- 3.2 In this Deed "*Taxable Supply*", "*GST*" and "*Tax Invoice*" have the meaning attributed under the *A New Tax System (Goods and Services Tax) Act 1999 (GST Law)*.

4. ADMINISTRATION OF DEED

- 4.1 Any power or discretion exercisable by the Grantor under this deed may be exercised by the person (**Grantor's Representative**) for the time being in the position within the Department for Infrastructure and Transport (**Department**) set out in item 2 of Schedule 1.
- 4.2 Any power or discretion exercisable by the Council under this deed may be exercised by the person (**Council's Representative**) for the time being in the position within the Council set out in item 2 of Schedule 1.

5. PROVISION OF FINANCIAL INFORMATION

- 5.1 The Council must provide the Grantor with appropriate and regular information, records and reports as the Grantor may request from time to time about:
- (a) the administration and financial affairs of the Council;
 - (b) the progress of (and any change to) the authorised scope of the Purpose or the Project;
 - (c) any significant changes to the nature and scope of the activities conducted by the Council;
 - (d) any other matter relevant to the granting of assistance;
 - (e) any other funding or financial assistance promised or received from any source other than the Grantor;
 - (f) the Council's management of the Funding, including, but not limited to, the economic and efficient use of resources to achieve the outcomes of the Purpose; and
 - (g) the performance of the Council's undertakings and obligations under this deed.
- 5.2 The information provided by the Council must be sufficient for the Grantor to make an informed judgement about:
- (a) the Council's ongoing financial position and its resources and expertise in relation to the Purpose;
 - (b) the Council's performance in managing public moneys, acquiring and using resources economically and efficiently and in achieving specified objectives in relation to the Purpose;
 - (c) the overall effectiveness of the Funding throughout the Funding Period;
 - (d) compliance with legislation and generally accepted accounting principles; and

- (e) compliance with the Council's constitution and the conditions of this deed.
- 5.3 The Council must permit any officer authorised by the Grantor:
- (a) to enter the Council's premises and to have access to all accounting records, equipment, documents and information in possession of the Council; and
 - (b) to interview employees of the Council on matters pertaining to the operations of the Council.

6. GENERAL OBLIGATIONS OF THE COUNCIL

The Council must:

- 6.1 use the Funding only for the Purpose for which the Funding was made;
- 6.2 maintain accounting records of the Funding in accordance with generally accepted accounting principles;
- 6.3 ensure that any activity carried out by the Council in connection with the Council's use of the Funding complies with the laws from time to time in force in South Australia;
- 6.4 comply with its constitution;
- 6.5 comply with the additional reporting requirements set out in item 6 of Schedule 1;
- 6.6 prepare financial statements in accordance with Australian Accounting Standards at the end of the Funding Period and submit the financial statements, signed by a senior office holder of the Council, to the Grantor no later than one calendar month after the expiry of the Funding Period;
(Note: for the purposes of compliance with Australian Accounting Standards ("AAS") this includes Tier 1 ASS and Tier 2 ASS – Reduced Disclosure Requirements)
- 6.7 where the Funding to Council is in excess of One Million Dollars (GST exclusive) prepare financial statements in the nature of General Purpose Financial Statements; and
- 6.8 where requested by the Grantor, provide to the Department management accounts, annual reports, financial statements and any other information or documents relevant to the Council's operations.

7. CONDUCT OF THE PROJECT

- 7.1 The Council must ensure that any works undertaken towards the Purpose and/or the Project are undertaken in accordance with (and to the standard required by) any applicable Standards published by Austroads and Standards Australia Limited.
- 7.2 If (as indicated in item 3 of Schedule 1) the Project is to be conducted on a Road(s) under the care, control and management of the Commissioner, the Council must comply with the additional terms and conditions set out in Schedule 2.
- 7.3 The Council must erect signs on each road approach to the Project that comply with Section 4.7.1 – "Signposting" of the Notes on **Administration for Land transport Infrastructure Projects** published by the Commonwealth.

8. TERMINATION

- 8.1 If the Council fails to comply with this deed and/or fails within 6 months from the Commencement of this deed to commence the works on the Project (or make sufficient progress to the satisfaction of the Grantor), the Grantor may:
- (a) require the Council to repay either the whole or a portion of the Funding (whether expended or not);
 - (b) withhold all future funding from the Council;
 - (c) pursue any legal rights or remedies which may be available to the Grantor; and
 - (d) terminate or curtail any program or project conducted by the Grantor of which the Purpose conducted by the Council is part.
- 8.2 The Grantor may review any decision made pursuant to this clause if the Council is able to satisfy the Grantor within a period of 30 days from the decision that the Council has complied with the conditions of this deed.
- 8.3 Nothing in this deed is to be taken to limit the Grantor's discretion to determine whether and how any program or project of the Grantor is to be conducted, except if and to the extent that the Grantor gives an express undertaking in that regard.

9. GENERAL TERMS AND CONDITIONS

9.1 Insurance

The Council warrants that it is a member of the Local Government Association Mutual Liability Scheme (**Scheme**) and is bound by the Scheme pursuant to section 142 and Schedule 1, Part 2 of the *Local Government Act 1999* (SA) (**Act**) and in the event that the Council ceases to be a member of the Scheme it will forthwith, pursuant to Section 142(1) of the Act and the regulations under that Act, take out and maintain insurance to cover its civil liabilities at a minimum level of cover of AUD \$50 million.

9.2 Commonwealth Funded Project

The Council acknowledges that the Funding provided under this deed is (and remains) contingent upon the Commonwealth funding and despite any other clause of this deed, if the Commonwealth for any reason ceases its provision of funding then the Grantor may by notice to the Council cease its provision of Funding under this deed.

9.3 Audit

The Grantor may direct the Council to arrange for the financial accounts relating to the Funding to be audited at the Council's expense. The Grantor may specify the minimum qualifications to be held by a person appointed to conduct the audit.

9.4 Acknowledgements

The Council acknowledge that the Funding represents a one-off contribution by the Grantor towards the Purpose, and the Council agrees that any request for subsequent funding will require a new application to the Grantor. The Grantor is under no obligation to agree to pay any subsequent funding to the Council.

The Council further acknowledges and agrees that the Grantor will not be liable to reimburse the Council for any losses or cost over runs that may result from the operation of this deed or the carrying out of the Purpose or Project.

9.5 Indemnity

The Council acknowledges and agrees that it remains at all times solely responsible for the conduct of the Project and it releases and indemnifies the Grantor, the Commissioner and the Crown in right of the State of South Australia together with their employees, contractors and agents (**those indemnified**) from and against any loss or liability incurred or suffered by any of those indemnified as a result of any claim, suit, demand, action or proceeding brought by any person against any of those indemnified in respect to the works to complete the Project or otherwise caused by any breach or default of the Council under this Deed.

9.6 Assignment

The Council must not assign, novate or encumber any of its rights or obligations under this deed.

9.7 Publicity

The Council must not make (or permit a public announcement or media release to be made) about any aspect of this deed without first obtaining the Grantor's written consent.

9.8 Consent

If the Council requires the Grantor's consent under this deed, the Grantor may, in its absolute discretion, give or withhold its consent and if giving consent, the Grantor may impose any condition on that consent that it considers appropriate. The Grantor's consent will not be effective unless it is in writing and signed.

9.9 Entire Deed

This deed incorporates any attached schedules and annexures. This deed contains the entire agreement between the parties with respect to its subject matter and supersedes any prior agreement, understanding or representation of the parties on the subject matter.

9.10 Proper Law

The laws in force in South Australia apply to this deed.

9.11 Jurisdiction of Courts

The courts of South Australia have non-exclusive jurisdiction to determine any proceeding in relation to this deed. Any proceeding brought in a Federal Court must be instituted in (and remain with) the Adelaide Registry of that Federal Court.

9.12 Compliance with Laws

The Council must comply with the laws in force in South Australia in the course of performing its obligations under this deed.

9.13 Notices

A notice is properly given or served if the party delivers it by hand, posts it or transmits it by electronic mail or facsimile, to the address of the Representative of the other party. A notice is taken to be received:

- (a) if sent by post, at the time it would have been delivered in the ordinary course of the post to the address to which it was sent;
- (b) if sent by electronic mail, when the sender receives confirmation that the e-mail has been transmitted successfully to the correct e-mail address; or

- (c) if delivered by hand, the party who sent the notice holds a receipt for the notice signed by a person employed at the physical address for service.

9.14 Performance and future proposals

The satisfactory completion of the works for the Purpose, the making of regular progress payments (see note under item 5 of Schedule 1) and on-going compliance with reporting obligations, may be taken into account as a factor in assessing any applications by the Council for future funding.

9.15 Waiver

Any waiver of any provision of this deed is ineffective unless it is in writing and signed by the party waiving its rights.

A waiver by either party in respect of a breach of a provision of this deed by the other party is not a waiver in respect of any other breach of that or any other provision.

The failure of either party to enforce any of the provisions of this deed at any time must not be interpreted as a waiver of that provision.

9.16 Variation

Any variation of this deed must be in writing and signed by each party (or its Representative). Any request by the Council for agreement to vary the Funding, the Purpose, the scheduled timing for the conduct of the works for the Project and/or the Funding Period must be accompanied by sufficient details explaining the reasons for the requested variation to enable the Grantor to have regard to its merits.

9.17 Reading down and Severance

In the event that any provision (or portion of any provision) of this deed is held to be unenforceable or invalid by a Court of competent jurisdiction, the validity and enforceability of the remaining provisions (or portions of such provisions) of this deed shall not be adversely affected.

The offending provision (or part of a provision) shall be read down to the extent necessary to give it legal effect, or shall be severed if it cannot be read down, and the remaining part and provisions of this deed shall remain in full force and effect.

9.18 Auditor General

Nothing in this deed derogates from the powers of the Auditor-General under the *Public Finance and Audit Act 1987* (South Australia). Without limiting this clause, the Council acknowledges the Auditor General's obligations and powers under sections 32 and 34 of the *Public Finance and Audit Act 1987* (South Australia).

9.19 Public Disclosure

The Grantor may disclose this deed (and/or information relating to this deed) in both printed or electronic form and either generally to the public or to a particular person as a result of a specific request.

Nothing in this clause derogates from the Council's obligations under any provision of this deed or the provisions of the *Freedom of Information Act, 1991*.

9.20 Special Conditions

The special conditions set out under item 7 of Schedule 1 (if any) form part of this deed.

EXECUTED as a DEED

By the Grantor

THE COMMON SEAL of the)
COMMISSIONER OF HIGHWAYS)

)
)
)
)
)
)
)
)
)
)
)

was affixed on:
(Date above)

(Affix Seal Above)

in the presence of:

Witness Signature:.....

Print Name:

By the Council

THE COMMON SEAL of the)
COUNCIL NAMED IN SCHEDULE 1)

)
)
)
)
)
)
)
)
)
)
)

was affixed on:
(Date above)

(Affix Seal Above)

as attested by the Principal Member and
Chief Executive Officer.

Signature:.....

Signature:

Print Name:

Print Name:

Principal Member

Chief Executive Officer

SCHEDULE 1 - PARTICULARS**1. THE COUNCIL**Name: **City of Norwood Payneham & St Peters**Site Address: **175 The Parade, Norwood 5067**Postal Address: **PO Box 204, Kent Town 5071**ABN: **11 390 194 824****2. REPRESENTATIVES****Grantor's Representative**Name: **Ms Kerry McConnell**Position: **Unit Manager, Road Safety Infrastructure****Department for Infrastructure and Transport**Address: **GPO BOX 1533
ADELAIDE SA 5001**Telephone: **(08) 7109 7897**E-mail: kerry.mcconnell@sa.gov.au**Council's Representative**

Name: _____

Position: _____

Address: _____

Telephone: _____

E-mail: _____

3. THE PURPOSE, DESCRIPTION OF PROJECT & DETAILS OF THE ROAD(S)

The Purpose: The funding is provided for the purpose of the Council undertaking on the road(s) identified below (within the Funding Period) the Project described below (and in any plans and/or proposal attached to this deed) in accordance with (and to the standard required by) any applicable Standards published by Austroads and Standards Australia Limited.

Description of Project: Project Number **113618-21SA-BS**

Project Description

Modify the approach central medians, kerb extensions and central roundabout. Modifications include narrowing all approach lanes, stormwater improvements, new landscaping, pavement marking and related works (2 year project)

Note: Please ensure that a full description setting out all aspects of the Project is included (this is of particular importance for Projects undertaken on DIT maintained roads).

Details of the Road(s): **Intersection of William and Elizabeth Street, Norwood**Is the Road(s) under the care control **No**

and management of the Commissioner of Highways:

4. THE FUNDING

The Funding: **\$121,000** (GST Inclusive)

The Funding Period: Start Date: **1 July 2021**

End Date: **30 June 2023**

5. MANNER & CONDITIONS OF PAYMENT

Limit on payments

The Funding of **\$121,000** (GST Inclusive) is the maximum total amount the Grantor may be liable to pay the Council under this deed.

Initial Instalment in Advance & Progress Payments

The following table sets out the details of payments comprising the Funding the Council may invoice the Grantor for in accordance with clause 2.5 of the deed.

Payment	Amount AUD (GST Inclusive)
Initial Instalment in Advance <small>(Note: If no amount is indicated then no Initial Instalment in Advance will be made and the Funding will be made entirely through Progress Payments in arrears)</small>	\$nil
Allocation for Progress Payments	\$121,000
Total Funding	\$121,000

Periodic Progress Payments

Except in relation to the last Quarter prior to an End Date of 30 June, the Council is entitled (provided any instalment in advance has been expended) to invoice the Grantor after the end of each Quarter (or after another interval agreed between the parties) for progress payments for work undertaken for the Purpose.

A "Quarter" is the 3 calendar month period ending on 31 March, 30 June, 30 September and 31 December of each year during the Funding Period.

Last Quarter: If the End Date is 30 June (to coincide with the end of the Financial Year) then the Council must by **1 June** issue the Grantor with the final invoice for all works undertaken for the Purpose. Late invoices will only be accepted with the written agreement of the Grantor.

Note on Regular Invoices: The Grantor expects that works for the Purpose will be undertaken promptly during the Funding Period and expects to receive the invoice for any instalment in advance (if any) soon after the commencement of this deed and then regular subsequent receipt of invoices for progress payments.

Invoices

The Grantor is **not** obligated to pay an invoice unless properly rendered. An invoice is properly rendered if it:

- is issued in respect of a payment for which the Council is entitled to invoice for under this deed;
- quotes the relevant purchase order number allocated by the Grantor;
- is accompanied by a Claim Form and invoices (if any) from the Council's contractor(s) undertaking work for the Purpose;

- (d) reflects the correct amount for payment under this deed; and
 (e) is a valid Tax Invoice in accordance with GST Law.

The **Claim Form** must set out:

- (a) The progress of the work towards the Purpose.
 (b) Project expenditure report from Council's financial management system and a summary schedule of expenditure.
 (c) Statement of the amount of any under or over expenditure of the Funding.

A pro-forma Claims Form is available from web-link:

http://www.DIT.sa.gov.au/roadsafety/safer_roads/black_spot_program_2

Payment Term

Provided that the total amount of the Funding has not been (or will be) exceeded, the Grantor must pay the amount of a properly rendered invoice for an Initial Instalment in Advance (if indicated above) and a progress payment for work undertaken towards the Purpose issued by the Council, within 30 days of receiving the Council's invoice.

6. ADDITIONAL REPORTING REQUIREMENTS

Report (Title)	Frequency (By when)	Requirements (Information and applicable standard)
Project Report	1 st Report- 1 st August 2 nd Report-1 st November 3 rd Report-1 st February 4 th Report- 1 st May or 7 days from request	<ul style="list-style-type: none"> The progress of the Project and scheduling of works. Updated Expenditure forecasts during the term of the funding period. The management of the Funding (i.e. break down of expenditure of the Funding). Any changes to the authorised scope of the Project. Any significant changes to the nature, scope and cost of the activities conducted by the Council. Any operational matters requested from time to time by the Grantor for inclusion in the Project Report. Use Template as per https://www.DIT.sa.gov.au/towardszerotogether/building_safer_roads/black_spot_program
Completion Report	Within 30 days from the completing the works for the Project.	<ul style="list-style-type: none"> Use Template as per http://www.DIT.sa.gov.au/roadsafety/safer_roads/black_spot_program_2

<p>Financial Statements (As referred to in clauses 6.6 and 6.7 of the Deed)</p>	<p>Within 30 days from the expiry of the Funding Period.</p>	<p>Financial Statements prepared in accordance with Australian Accounting Standards setting out in detail the Council's expenditure of the Funding (with invoices attached from any contractors engaged for the Purpose) and signed by a senior office holder of the Council.</p> <p>Standard: <u>If</u> the Funding is in excess of \$1 M (GST exclusive) <u>then</u> the recipient must prepare its Financial Statements in the nature of General Purpose Financial Statements.</p> <p>(Note: for the purposes of compliance with Australian Accounting Standards ("AAS") this includes Tier 1 ASS and Tier 2 ASS – Reduced Disclosure Requirements)</p>
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7. SPECIAL CONDITIONS

- 7.1 The Network Management Services Directorate will contact Council for a commencement meeting or other meetings as required.

SCHEDULE 2 – WORKS ON COMMISSIONER MAINTAINED ROAD(S)

1. APPLICATION OF THIS SCHEDULE 2

The Council must comply with the terms and conditions set out in this Schedule 2 if (as indicated in item 3 of Schedule 1) the Council's proposed Project funded under this deed involves work on (or alterations to) a road ("**Road**") that is under the care, control and management of the Commissioner of Highways ("**Commissioner**").

2. LEGAL REQUIREMENT TO GAIN COMMISSIONER'S APPROVAL

Subsection 26(7) of the *Highways Act 1926* (SA) provides that a council must not exercise its powers under Part 2 of Chapter 11 of the *Local Government Act 1999* (SA) (e.g. the powers to conduct roadwork) in relation to a road under the care, control and management of the Commissioner except to the extent (if any) as the Commissioner may approve by written notice to the council.

The Council therefore acknowledges that prior to undertaking any works on the Road it will first need to gain the written approval of the Commissioner pursuant to section 26(7) of the *Highways Act 1926*.

3. TERMS AND CONDITIONS FOR WORKS ON COMMISSIONER'S ROAD

3.1 The Commissioner makes no warranties or representations concerning the suitability of the Road for the Purpose or the presence of third party installations on, in, along, over, under or near the Road. The Council must arrange for any required relocation or alteration of third party installations at its own cost.

In this Deed "third party installations" means any rail, gas, electrical, telecommunications, stormwater, water or other underground or overground installation on, in, along, over, under or near the Road.

3.2 The Council must:

- (a) not less than one calendar month prior to the commencement of works for the Purpose, submit the detailed design(s), any applicable drawings and plans and its Traffic Management Plan(s) to the Commissioner (acting through the Department) for its comment;
- (b) modify the documents submitted in accordance with the preceding item 3.2(a) in accordance with any comments received from the Commissioner (or the Department);
- (c) give prior notification to the Commissioner before commencing any works on the Road and abide by (and ensure that its contractor also abides by) any requirements imposed as to the times for access to the Road;
- (d) undertake (and ensure that its contractor undertakes) the works on the Road in accordance with:
 - (i) the Department's requirements as per the DIT Master Specification available at [Works on Roads by Other Organisations - Department for Infrastructure and Transport - South Australia](#);
 - and
 - (ii) the detailed design(s), drawings and plans and Traffic Management Plan agreed to by the Commissioner,

unless a variation is first agreed in writing by the Commissioner;

- (e) ensure that any works undertaken do not disrupt (or impede) any activity undertaken by the Commissioner (or the Department) on the Road;
- (f) ensure that a defect liability period of not less than 24 calendar months applies to the works and the Council must invite (and make provision for) a representative of the Commissioner to attend inspections to assess both practical completion and final completion of the works;
- (g) ensure that any additional works required to reach practical completion or any remediation (or repair of) defects that are required to allow for final completion, identified by either the Council or the Commissioner, are promptly carried out by the Council (or its contractor);
- (h) at its cost, comply with any written direction by the Commissioner in relation to the conduct of the works, any alteration or removal of any infrastructure installed, the removal or minimisation of any risks to safety identified, the reinstatement of pavements, traffic management, the public's access to the Road or partial road closures;
- (i) undertake such reasonable safety measures necessary to protect its employees, contractors, the public and commuters [including without limitation compliance with (and ensuring its contractor complies with) the *Work Health and Safety Act, 2012* (SA) and the *Work Health and Safety Regulations, 2012* (SA)];
- (j) notify the Commissioner of any safety risk posed by the works or any infrastructure installed or any activity undertaken by the Council (or its employees, contractors and agents), on the Road; and
- (k) following practical completion of the works [and following any further modifications undertaken by the Council (or its contractor)] provide at the Council's cost, the Commissioner with as constructed drawings and plans accurately depicting the type and location of the works and any infrastructure installed in accordance with Departmental standards available at:
http://www.DIT.sa.gov.au/contractor_documents (intellectual property in the plans and drawings vests in the Commissioner).

3.3 If the Council fails to comply with the requirements of item 3.2(g) or fails to carry out a direction of the Commissioner issued in accordance with item 3.2(h) then the Commissioner may (without being obliged to) carry out (or engage a contractor to carry out) the necessary work and the Council promises to pay to the Commissioner the cost it incurs in doing so.

11.8 LOCAL GOVERNMENT ASSOCIATION OF SOUTH AUSTRALIA – REQUEST FOR FUNDING – DISTRICT COUNCIL OF LOXTON WAIKERIE

REPORT AUTHOR: General Manager, Governance & Community Affairs
GENERAL MANAGER: Chief Executive Officer
CONTACT NUMBER: 8366 4549
FILE REFERENCE: qA2219
ATTACHMENTS: A

PURPOSE OF REPORT

The purpose of the report is to advise the Council of a request which has been received from the Local Government Association of South Australia, for funding to support the District Council of Loxton Waikerie's legal costs associated with the legal proceedings which have been commenced by the Australian Worker's Union (AWU) against the District Council of Loxton Waikerie's regarding the interpretation of the Local Government Employees Award in respect to the payment of Rostered Days Off (RDOs) and public holidays.

BACKGROUND

The District Council of Loxton Waikerie has made an application to the Local Government Association of South Australia (LGA), seeking contributions from Councils towards its legal costs, in accordance with the LGA's *Policy for Councils Seeking Funding Support for Litigation* (the Policy), regarding the interpretation of the Local Government Employees Award in respect to the payment of Rostered Days Off (RDOs) and public holidays..

At its meeting held on 10 June 2021, the LGA Board considered the District Council of Loxton Waikerie's application and resolved to seek contributions from Councils, in accordance with the LGA's Policy.

The LGA has now written to Councils seeking voluntary contributions from Councils in support of the District Council of Loxton Waikerie's application.

A copy of the letter dated 18 August 2021, from the LGA is contained within **Attachment A**.

RELEVANT STRATEGIC DIRECTIONS & POLICIES

Not Applicable.

FINANCIAL AND BUDGET IMPLICATIONS

The LGA is seeking a contribution from the Council of \$758.13.

This amount is based upon a formula, as set out in the Policy, which takes into account the proportion of the membership subscription which is paid by Councils as part of their LGA membership annual subscription.

Whilst the Council has not made an allocation as part of the 2021-2022 Budget, for this activity, in the event the Council does determine to support the request, funds will be allocated from the 2021-2022 Budget.

EXTERNAL ECONOMIC IMPLICATIONS

Nil.

SOCIAL ISSUES

Nil.

CULTURAL ISSUES

Nil.

ENVIRONMENTAL ISSUES

Nil.

RESOURCE ISSUES

Not Applicable.

RISK MANAGEMENT

Nil.

CONSULTATION

- **Elected Members**
Not Applicable.
- **Community**
Not Applicable.
- **Staff**
Payroll Officer.
- **Other Agencies**
Not Applicable.

DISCUSSION

In June 2021, the District Council of Loxton Waikerie applied to the LGA for funding support from Councils to assist with the legal costs relating to a matter, which in the District Council of Loxton Waikerie's view, is a matter which has the potential to impact significantly on Local Government.

The matter relates to an interpretation of the *Local Government Employees Award* (the Award) in respect to the payment of Rostered Days Off (RDOs) and public holidays. The Award states out the following:

"When a rostered day off falls on a Public Holiday the employee will be paid for the public holiday and the rostered day off will move to the next working day, or a day mutually agreed between the employer and employee."

Payment for public holidays is based on the number of ordinary hours that an employee would normally work on the day, at their appropriate total daily rate.

As set out in the letter from the LGA, *"In the case of the LWDC, employees under the LGE Award work 9.5 hour days, 8 days per fortnight. Employees are entitled to an RDO each Monday. LWDC has 46 employees who work a four (4) day week (eight (8) day fortnight). Based on the AWU interpretation of the LGE Award, those employees would be paid 9.5 hours for each of the nine (9) public holidays each year, rather than the 7.6 hours currently paid. This equates to an increase in the number of hours paid for public holidays each year of 17.1 hours per employee (9 public holidays x 1.9 hours) at a cost of approximately \$25,000 per annum."*

Essentially this means that the District Council of Loxton Waikerie have been paying their employees who work 9.5 hours a day only 7.6 hours a day for public holidays.

City of Norwood Payneham & St Peters' Position

In accordance with Clause 6.1.4.3, of the Award, permanent staff at the City of Norwood Payneham & St Peters who are employed under the *Local Government Employees Award* are paid for public holidays in accordance with the hours that they would normally be rostered to work on that day.

In other words, if a Rostered Day Off falls on a public holiday, the employee is paid for the public holiday and the RDO is moved to the next working day or another mutually agreed day in that fortnightly pay cycle. In this case, of the employee's standard working hours at 8.5 hours a day, then the RDO is swapped to another 8.5 hour day and the employee receives 8.5 hours pay for the public holiday.

Clause 6.1.4.4 of the Award sets out the following:

"Public Holidays and Bereavement Leave will be allowed for the number of ordinary hours that the employee would normally work on the day at the appropriate total daily rate."

Clearly, this Council's interpretation and application of the Award is different to the District Council of Loxton Waikerie's position and aligns with the AWU's position.

Based on the Council's application of the provisions of the Award it is difficult to justify supporting a Council, who in this instance, holds a different position to this Council.

OPTIONS

The Council can resolve to support the LGA's request to contribute funds towards the District Council of Loxton Waikerie's legal costs or resolve not to support the request.

This Council has, on various occasions, responded positively to requests from the LGA to assist with funding for various activities. Given the nature of this issue and the Council's position in respect to the matter, it is however recommended that the Council does not support the request on this occasion.

CONCLUSION

The District Council of Loxton Waikerie is entitled to make an application to the LGA for funding assistance in accordance with the LGA's *Policy for Councils Seeking Funding Support for Litigation*, however it is at the discretion of the Council to determine if it wishes to provide a contribution in accordance with the LGA's Policy.

However, this issue is limited in terms of impact to the District Council of Loxton Waikerie and is an issue which should be resolved between the Council and the Union.

COMMENTS

Nil

RECOMMENDATION

That the Council advises the Local Government Association of South Australia that the Council does not support the District Council of Loxton Waikerie's application for funding towards its legal costs associated with the matter regarding the payment of Rostered Days Off (RDOs) and public holidays in accordance with the Local Government Employees Award.

Attachments – Item 11.8

Attachment A

Local Government Association of South Australia Request for Funding District Council of Loxton Waikerie

City of Norwood Payneham & St Peters
175 The Parade, Norwood SA 5067

Telephone 8366 4555
Facsimile 8332 6338
Email townhall@npsp.sa.gov.au
Website www.npsp.sa.gov.au



City of
**Norwood
Payneham
& St Peters**

In reply please quote our reference: ECM 765050 TN/MD

18 August 2021

Mr Mario Barone
Chief Executive Officer
City of Norwood Payneham & St Peters
PO Box 204
Kent Town SA 5071
Emailed: mbarone@npsp.sa.gov.au

Dear Mr Barone

Funding Support for District Council of Loxton Waikerie litigation

The LGA *Legal Assist Policy* (Policy) enables a member council to apply to the LGA to seek voluntary contributions from all councils to assist with its legal costs where the council is involved in litigation that relates to a matter or principle of importance to local government.

At its meeting of 10 June 2021, the LGA Board considered an application from the Loxton Waikerie District Council (LWDC) for funding support from councils for litigation and agreed to seek contributions in accordance with the Policy. It is noted that the Board's decision is limited to whether the matter is covered by the LGA policy and has not included an assessment of the legal merits of the case nor formed a view as to whether councils *should* contribute. Importantly, a decision to make a voluntary funding contribution does not make council a party to the matter.

The following provides a brief summary of the matter involving LWDC.

The Australian Workers' Union (AWU) has commenced legal proceedings against the LWDC concerning the interpretation of the Local Government Employees Award (LGE Award) in respect of the payment for Rostered Days Off (RDOs) and public holidays.

The LGE Award contains a clause that states:

“When a rostered day off falls on a Public Holiday the employee will be paid for the public holiday and the rostered day off will move to the next working day, or a day mutually agreed between the employer and employee.”

Payment for public holidays is based on the number of ordinary hours that an employee would normally work on the day, at their appropriate total daily rate. In the case of the LWDC, employees under the LGE Award work 9.5 hour days, 8 days per fortnight. Employees are entitled to an RDO each Monday.

LWDC has 46 employees who work a four (4) day week (eight (8) day fortnight). Based on the AWU interpretation of the LGE Award, those employees would be paid 9.5 hours for each of the nine (9) public holidays each year, rather than the 7.6 hours currently paid. This equates to an increase in the number of hours paid for public holidays each year of 17.1 hours per employee (9 public holidays x 1.9 hours) at a cost of approximately \$25,000 per annum.



If applied, the approach would also result in differing payment for public holidays across employees, with some classes of employee being paid 7.6 hours per public holiday.

LWDC has attended a conciliation meeting that failed to reach agreement with the AWU. As a consequence, legal proceedings have been commenced.

LWDC contends that the outcome of this matter has industry wide application for all councils that have RDO arrangements in place and has the potential to flow over into application of annual leave and sick leave entitlements.

Due to the potential impacts for all councils, the LGA Board agreed to seek voluntary funding contributions on behalf of LWDC toward the litigation costs of proceedings commenced by the AWU.

In accordance with the LGA's Policy, contributions are sought from councils based on the proportion of the LGA membership subscription assessed against each council. Contributions by councils is voluntary and the LGA will remit the total of contributions received to LWDC. Applying the formula for determining your LGA subscription fee, your council is asked to consider a contribution of \$758.13.

Please advise Tami Norman, Program Leader Governance and Reform at tami.norman@lga.sa.gov.au by 1 October 2021, if you wish to contribute the above amount. If you agree to contribute, the LGA will issue an invoice to facilitate the payment once the matter has been determined.

Please let me know if you have any questions or concerns.

Yours sincerely

Lisa Teburea

Acting Chief Executive Officer

Telephone: (08) 8224 2068

Email: lisa.teburea@lga.sa.gov.au

Attach: ECM 622826 - LGA GP09 Legal Assist Policy

11.9 REVIEW OF CONFIDENTIAL ITEMS

REPORT AUTHOR: General Manager, Governance & Community Affairs
GENERAL MANAGER: Chief Executive Officer
CONTACT NUMBER: 8366 4549
FILE REFERENCE: qA65013
ATTACHMENTS: A

PURPOSE OF REPORT

The purpose of the report is to present information regarding the review of the Confidential Items to the Council for information.

BACKGROUND

In accordance with the *Local Government Act 1999* (the Act), Council (and Committee) meetings are open to the public and attendance is encouraged and welcomed.

There are, however, times where the Council (or the Committee), believes it is necessary in the broader community interest to exclude the public from the discussion of a particular matter in accordance with Section 90(3) of the Act.

The public will only be excluded when the need for confidentiality outweighs the principle of open decision making.

In addition to the above, the Act requires the Council to specify the duration of the order (ie determine a suitable period for which the item will remain confidential), and either impose a “release” date or event which will trigger the release of the item or a period after which the Council will review the order and determine if in fact the item should remain confidential.

In accordance with the Act, a review of the Council’s Confidential Items as at 30 June 2021, has been undertaken. A summary of all Confidential Items is set out in the Register of Confidential Items which details the date of the order, the grounds upon which the order was made and whether or not the document has become public by virtue of the resolution.

A copy of the Register of Confidential Items is contained within **Attachment A**.

RELEVANT STRATEGIC DIRECTIONS & POLICIES

Not Applicable.

DISCUSSION

A review of the Confidential Items as at 30 June 2021 has been undertaken.

The Council’s last review of the Confidential Items was conducted in March 2021 for the period ending 31 December 2020. A total of 11 items have considered by the Council in camera since that time and therefore, these items have been included in the Register of Confidential Items.

A number of items (ie 5 items), are no longer confidential by virtue of the Council’s original resolution which specified a time and/or an event to trigger the release of the item. The details of these items are contained in Attachment A and highlighted in red.

There are two (2) items which require the Council’s consideration. These items are highlighted in Attachment A in blue.

These items will be considered as part of a separate Confidential report.

OPTIONS

The annual review in accordance with Section 91(9) of the Act is simply an administrative review. This does not mean that every confidentiality order needs to be remade. The only orders that need to be remade are those where the existing order is due to expire and the documents have been assessed against the relevant ground contained in Section 90(3) and determined to be required to remain confidential.

This report, therefore, is presented to the Council for information purposes only.

CONCLUSION

The review of the Council's confidentiality orders ensures compliance with the legislative requirements as set out in Sections 90 and 91 of the *Local Government Act 1999*.

COMMENTS

Nil.

RECOMMENDATION

That the report be received and noted.

Attachments – Item 11.9

Attachment A

Review of Confidential Items

City of Norwood Payneham & St Peters
175 The Parade, Norwood SA 5067

Telephone 8366 4555
Facsimile 8332 6338
Email townhall@npsp.sa.gov.au
Website www.npsp.sa.gov.au



City of
**Norwood
Payneham
& St Peters**

A1



City of
**Norwood
Payneham
& St Peters**

Confidential Items Register

as at 30 June 2021

Meeting & Date	Item	Subject	Grounds for Confidentiality	Outcome of Review (Retained in Confidence/Released)	Period to be Retained in Confidence	Comments	To be Released
2018							
1. Council 2/7/18	14.1	Tender Selection – Annual Pruning And Removal Of Council Trees	Section 90(2) and (3)(k)	Retain in confidence	5 years	Minute Released. Report to be kept confidential.	July 2023
2. Council 2/7/18	14.2	Tender Selection Report - Capital Works Brick Paved Footpath Reconstruction 2018-2019	Section 90(2) and (3)(k)	Retain in confidence	5 years	Minute Released. Report to be kept confidential.	July 2023
3. Council 6/8/18	14.1	Minutes of the Audit Committee Meeting held on 26 February 2018 (Appointment of Auditor)	Section 90(2) and (3)(k)	Retain in confidence	5 years	Minute Released. Report to be kept confidential.	July 2023
4. Council 22/8/18	3.1	Extinguishment of Easement & Re-Alignment of Stormwater Pipe – Joslin	Section 90(2) and (3)(k)	Retain in confidence	5 years	Minute Released. Report to be kept confidential.	July 2023
5. Council 12/9/18	4.2	Tender Selection Report - New Clubrooms & Members Facilities at Norwood Oval - Demolition Package	Section 90(2) and (3)(k)	Retain in confidence	5 years	Minute Released. Report to be kept confidential.	July 2023
6. Council 3/12/18	14.1	Council Related Matter	Section 90(2) and (3)(b)	Retain in confidence	Until the matter is finalised		When the matter is finalised
2019							
7. Council 4/3/19	14.1	Tender – Supply and Implementation of an Electronic Document and Records Management Solution	Section 90(2) and (3)(k)	Retain in confidence	5 years	Minute Released. Report confidential.	June 2024

	Meeting & Date	Item	Subject	Grounds for Confidentiality	Outcome of Review (Retained in Confidence/Released)	Period to be Retained in Confidence	Comments	To be Released
8.	Council 17/4/19	3.1	Tender – Norwood Oval Main Works Package for the new Clubrooms & Members Facilities	Section 90(2) and (3)(k)	Retain in confidence	5 years	Minute Released. Report confidential.	July 2024
9.	Council 6/5/19	14.1	East Waste Recycling Contract	Section 90(2) and (3)(k)	Retain in confidence	5 years	Minute Released. Report to be kept confidential.	July 2024
10.	Council 1/7/19	14.1	Tender Selection Report – Capital Works Construction of Bluestone & Concrete Kerbing – 2019-2020	Section 90(2) and (3)(k)	Retain in confidence	5 years	Minute Released. Report to be kept confidential.	July 2024
11.	Council 1/7/19	14.3	Review of 2018-2019 Confidential Items	Section 90(2) and (3)(g)	Retain in confidence	5 years		July 2024
12.	Council 5/8/19	14.1	Appointment of Independent Member to the Audit Committee	Section 90(2) and (3)(a)	Retain report and attachments in confidence	5 years	The report and attachments be kept confidential for a period not exceeding five (5) years Minutes released following the announcement of the appointment	August 2024

Meeting & Date	Item	Subject	Grounds for Confidentiality	Outcome of Review (Retained in Confidence/Released)	Period to be Retained in Confidence	Comments	To be Released
13. Council 8/10/19	14.1	Establishment of the CEO's Performance Review Committee	Section 90(2) and (3)(a)	Retain report and attachments in confidence	5 years	The report and attachments be kept confidential for a period not exceeding five (5) years Minutes released following the announcement of the appointment	October 2024
14. Council 13/11/19	3B.1	Tender Selection Report - Syd Jones Reserve Upgrade Project	Section 90(2) and (3)(k)	Retain in confidence	5 years	Minute Released. Report to be kept confidential.	November 2024
15. Council 2/12/19	14.1	Tender Selection Report – Redevelopment of East Adelaide Payneham Tennis Courts 2019-2020	Section 90(2) and (3)(k)	Retain in confidence	4 years	Minute Released. Report to be kept confidential.	July 2024
2020							
16. Council 20/1/2020	14.1	East Waste	Section 90(2) and (3)(a)	Retain report and attachments in confidence	5 years	The report and attachments be kept confidential for a period not exceeding five (5) years. Minutes released following the announcement of the appointment.	January 2025

Meeting & Date	Item	Subject	Grounds for Confidentiality	Outcome of Review (Retained in Confidence/Released)	Period to be Retained in Confidence	Comments	To be Released
17. Council 20/1/2020	14.2	Staff Related Matter – Annual Report re CEO's Contract of Employment	Section 90(2) and (3)(a)	Released		The report be kept confidential for a period not exceeding 12 months Minutes released	Released January 2021
18. Council 3/2/2020	14.1	Tender Selection Report - River Torrens Linear Park Maintenance	Section 90(2) and (3)(k)	Retain in confidence	5 years	Minute Released. Report to be kept confidential.	February 2025
19. Council 3/2/2020	14.2	Tender Selection Report - Linde Reserve Apron Project	Section 90(2) and (3)(k)	Retain in confidence	5 years	Minute Released. Report to be kept confidential.	February 2025
20. Council 3/2/2020	14.3	Tender Selection Report - Little Wakefield Street & Chapel Street Streetscape Projects	Section 90(2) and (3)(k)	Retain in confidence	5 years	Minute Released. Report to be kept confidential.	February 2025
21. Council 3/2/2020	14.4	Tender Selection Report - Trinity Valley Stormwater Drainage Design Project	Section 90(2) and (3)(k)	Retain in confidence	5 years	Minute Released. Report to be kept confidential.	February 2025
22. Council 2/3/2020	14.1	Tender Selection Report - Street and Footpath Sweeping Program	Section 90(2) and (3)(k)	Retain in confidence	5 years	Minute Released. Report to be kept confidential.	March 2025
23. Council 2/3/2020	14.2	Tender Selection Report - Line Marking Services	Section 90(2) and (3)(k)	Retain in confidence	5 years	Minute Released. Report to be kept confidential.	March 2025
24. Council 2/3/2020	14.3	Tender Selection Report - Beulah Road Bicycle Boulevard Project	Section 90(2) and (3)(k)	Retain in confidence	5 years	Minute Released. Report to be kept confidential.	March 2025

Meeting & Date	Item	Subject	Grounds for Confidentiality	Outcome of Review (Retained in Confidence/Released)	Period to be Retained in Confidence	Comments	To be Released
25. Council 2/3/2020	14.4	Norwood Oval Redevelopment Project	Section 90(2) and (3)(d)	Retain in confidence	5 years	Minute Released. Report to be kept confidential.	March 2025
26. Council 23/3/2020	2.1	Staff Related Matter	Section 90(2) and (3)(a)	Released	12 months		Released March 2021
27. Council 6/4/2020	14.1	Council Related Matter	Section 90(2) and (3)(b)	Retain in confidence	Until the matter is finalised		When the matter is finalised
28. Council 22/4/2020	3.1	Tender Selection Report – Payneham Oval Unisex Changerooms	Section 90(2) and (3)(k)	Retain in confidence	5 years	Minute Released. Report to be kept confidential.	March 2025
29. Council 6/5/2020	14.1	Council Related Matter	Section 90(2) and (3)(b)	Retain in confidence	Until the matter is finalised		When the matter is finalised
30. Council 6/5/2020	14.2	Chief Executive Officer's Remuneration Review	Section 90(2) and (3)(a)	Released	12 months	Minute Released. Report to be kept confidential.	Released May 2021
31. Council 1/6/2020	14.1	ERA Water- Appointment of Independent Chair	Section 90(2) and (3)(a)	Retain in confidence	5 years	Minute Released. Report to be kept confidential.	June 2025
32. Council 17/6/2020	4.1	Norwood Oval: Sir ET Smith Stand Structural Remediation Works	Section 90(2) and (3)(d)	Retain in confidence	5 years	Minute Released. Report to be kept confidential.	June 2025
33. Council 6/7/2020	14.1	2021 Tour Down Under	Section 90(2) and (3)(g)	Released		Released by virtue of the resolution.	Released

Meeting & Date	Item	Subject	Grounds for Confidentiality	Outcome of Review (Retained in Confidence/Released)	Period to be Retained in Confidence	Comments	To be Released
34. Council 6/7/2020	14.2	Tender Selection Report – Home Support Program	Section 90(2) and (3)(k)	Retain in confidence	5 years	Minute Released. Report to be kept confidential.	July 2025
35. Council 6/7/2020	14.3	ERA Water Audit Committee - Appointment of Independent Member	Section 90(2) and (3)(a)	Retain in confidence	5 years	Minute Released. Report to be kept confidential.	July 2025
36. Council 6/7/2020	14.4	The Parade and George Street Scramble Crossing	Section 90(2) and (3)(h)			Released by virtue of the resolution.	Released
37. Council 3/8/2020	14.1	Flood Mitigation Works - 27 Stannington Avenue, Heathpool	Section 90(2) and (3)(a)	Retain in confidence	5 years	Minute Released. Report to be kept confidential.	December 2025
38. Council 3/8/2020	14.2	Eastern Health Authority (EHA) Audit Committee – Appointment Of Members	Section 90(2) and (3)(a)	Retain in confidence	5 years	Minute Released. Report to be kept confidential.	July 2025
39. Council 3/8/2020	14.3	Eastern Region Alliance (ERA) Water – Appointment Of Independent Chairperson	Section 90(2) and (3)(a)	Retain in confidence	5 years	Minute Released. Report to be kept confidential.	July 2025
40. Council 3/8/2020	14.4	Tender Selection Report – Road Resealing 2020-2021	Section 90(2) and (3)(k)	Retain in confidence	5 years	Minute Released. Report to be kept confidential.	July 2025
41. Council 3/8/2020	14.5	Tender Selection Report – Payneham Memorial Swimming Centre Main Pool – Stage 2 Refurbishment Project	Section 90(2) and (3)(k)	Retain in confidence	5 years	Minute Released. Report to be kept confidential.	July 2025

Meeting & Date	Item	Subject	Grounds for Confidentiality	Outcome of Review (Retained in Confidence/Released)	Period to be Retained in Confidence	Comments	To be Released
42. Council 3/8/2020	14.6	Council Related Matter	Section 90(2) and (3)(b)	Until the matter is finalised			When the matter is finalised
43. Council 7/9/2020	14.1	Tender Selection Report - Redevelopment of Buttery Reserve Tennis Courts	Section 90(2) and (3)(k)	Retain in confidence	5 years	Minute Released. Report to be kept confidential.	July 2025
44. Council 7/9/2020	14.2	Council Related Matter	Section 90(2) and (3)(b)	Retain in confidence	Until the matter is finalised		When the matter is finalised
45. Council 7/9/2020	14.3	Review of Confidential Item - Tender Selection Report – Redevelopment of East Adelaide Payneham Tennis Courts 2019-2020	Section 90(2) and (3)(k)	Retain in confidence	4 years	Minute Released. Report to be kept confidential.	July 2024
46. Council 6/10/2020	14.1	Council Related Matter	Section 90(2) and (3)(b)	Retain in confidence	Until the matter is finalised		When the matter is finalised
47. Council 6/10/2020	14.2	Trinity Gardens Bowling	Section 90(2) and (3)(d)		12 months		September 2021
48. Council 6/10/20	14.3	Council Related Matter	Section 90(2) and (3)(h)	Retain in confidence	Until the matter is finalised		When the matter is finalised
49. Council 2/11/20	14.1	Appointments to the Norwood Parade Precinct Committee	Section 90(2) and (3)(a)	Retain in confidence	5 years	Minute Released. Report to be kept confidential.	November 2025

Meeting & Date	Item	Subject	Grounds for Confidentiality	Outcome of Review (Retained in Confidence/Released)	Period to be Retained in Confidence	Comments	To be Released
50. Council 11/11/20	3.1	Council Related Matter	Section 90(2) and (3)(h)	Retain in confidence	Until the matter is finalised		When the matter is finalised
51. Council 30/11/20	3.1	Proposed Boundary Realignment and Vesting Of Portion Of Footpath	Section 90(2) and (3)(b)	Retain in confidence	Until the matter is finalised		When the matter is finalised
52. Council 7/12/20	14.2	Tender Selection Report – Kent Town Streetscape Upgrades	Section 90(2) and (3)(k)	Retain in confidence	5 years	Minute Released. Report to be kept confidential.	December 2025
53. Council 7/12/20	14.3	Tender Selection Report - Third Creek Drainage – Stage 2-B Henry Street to Bridge Road	Section 90(2) and (3)(b)	Retain in confidence	Until the project is completed and for no longer than 12 months		December 2021
54. Council 7/12/20	14.4	Eastern Region Alliance (ERA) Water – Appointment Of Independent Chairperson	Section 90(2) and (3)(a)	Retain in confidence	5 years	Minute Released. Report to be kept confidential.	December 2025
2021							
55. Council 18/1/21	14.1	Langman Grove Road Reconstruction Project	Section 90(2) and (3)(d)	Retain in confidence	5 years	Minute Released. Report to be kept confidential.	January 2026
56. Council 18/1/21	14.2	49 George Street, Norwood	Section 90(2) and (3)(d)	Retain in confidence	5 years	Minute Released. Report to be kept confidential.	January 2026

Meeting & Date	Item	Subject	Grounds for Confidentiality	Outcome of Review (Retained in Confidence/Released)	Period to be Retained in Confidence	Comments	To be Released
57. Council 18/1/21	14.3	Staff Related Matter	Section 90(2) and (3)(a)	Retain in confidence	12 months		January 2022
58. Council 18/1/21	14.4	Council Related Matter	Section 90(2) and (3)(a)	Retain in confidence	5 years		January 2026
59. Council 1/2/21	14.1	Marian Road Roundabout & Drainage Upgrade Project	Section 90(2) and (3)(b)	Retain in confidence	5 years	Minute Released. Report to be kept confidential.	February 2026
60. Council 1/2/21	14.2	Tender Selection Report - Second Creek Outlet Gross Pollutant Trap (GPT) & River Torrens Linear Park Shared Path Upgrade Project	Section 90(2) and (3)(k)	Retain in confidence	5 years	Minute Released. Report to be kept confidential.	February 2026
61. Council 1/3/21	14.1	Council Related Matter	Section 90(2) and (3)(a)	Retain in confidence	2 years		March 2023
62. Council 1/3/21	14.2	Staff Related Matter	Section 90(2) and (3)(a)	Retain in confidence	12 months		March 2022
63. Council 7/6/21	13.3	Council Related Matter	Section 90(2) and (3)(d)	Retain in confidence	Until the matter is finalised		When the matter is finalised
64. Council 7/6/21	14.2	Council Related Matter	Section 90(2) and (3)(g)			Will be released by virtue of the resolution when the matter is finalised.	



Meeting & Date	Item	Subject	Grounds for Confidentiality	Outcome of Review (Retained in Confidence/Released)	Period to be Retained in Confidence	Comments	To be Released
65. Council 16/6/21	3.1	Council Related Matter	Section 90(2) and (3)(g)			Will be released by virtue of the resolution when the matter is finalised.	

12. ADOPTION OF COMMITTEE MINUTES

REPORT AUTHOR: General Manager, Governance & Community Affairs
GENERAL MANAGER: Chief Executive Officer
CONTACT NUMBER: 8366 4549
FILE REFERENCE: Not Applicable
ATTACHMENTS: A - D

PURPOSE OF REPORT

The purpose of the report is to present to the Council the Minutes of the following Committee Meetings for the Council's consideration and adoption of the recommendations contained within the Minutes:

- St Peters Child Care Centre & Pre-School Committee – (9 August 2021)
(A copy of the Minutes of the St Peters Child Care Centre & Pre-School Committee meeting is contained within **Attachment A**)
- Traffic Management & Road Safety Committee – (10 August 2021)
(A copy of the Minutes of the Traffic Management & Road Safety Committee meeting is contained within **Attachment B**)
- Audit Committee – (10 August 2021)
(A copy of the Minutes of the Audit Committee meeting is contained within **Attachment C**)
- Cultural Heritage Committee – (16 August 2021)
(A copy of the Minutes of the Cultural Heritage Committee meeting is contained within **Attachment D**)

ADOPTION OF COMMITTEE MINUTES

- **St Peters Child Care Centre & Pre-School Committee**

That the minutes of the meeting of the St Peters Child Care Centre & Pre-School Committee held on 9 August 2021, be received and that the resolutions set out therein as recommendations to the Council are adopted as decisions of the Council.

- **Traffic Management & Road Safety Committee**

That the minutes of the meeting of the Traffic Management & Road Safety Committee held on 10 August 2021, be received and noted.

- **Audit Committee**

That the minutes of the meeting of the Audit Committee held on 10 August 2021, be received and that the resolutions set out therein as recommendations to the Council are adopted as decisions of the Council.

- **Cultural Heritage Committee**

That the minutes of the meeting of the Cultural Heritage Committee held on 16 August 2021, be received and that the resolutions set out therein as recommendations to the Council are adopted as decisions of the Council.

Attachment A

Adoption of Committee Minutes

St Peters Child Care Centre & Pre-School Committee

City of Norwood Payneham & St Peters
175 The Parade, Norwood SA 5067

Telephone 8366 4555
Facsimile 8332 6338
Email townhall@npsp.sa.gov.au
Website www.npsp.sa.gov.au



City of
**Norwood
Payneham
& St Peters**

St Peters Child Care Centre & Pre-School Committee **Minutes**

9 August 2021

Our Vision

*A City which values its heritage, cultural diversity,
sense of place and natural environment.*

*A progressive City which is prosperous, sustainable
and socially cohesive, with a strong community spirit.*

City of Norwood Payneham & St Peters
175 The Parade, Norwood SA 5067

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City of
Norwood
Payneham
& St Peters

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VENUE Staff Room, St Peters Child Care Centre & Pre-school

HOUR 5.31pm

PRESENT

Committee Members Cr Evonne Moore (Presiding Member)
Cr Kester Moorhouse
Ms Simone Munn

Staff Sharon Perkins (General Manager, Corporate Services)
Alice Parsons (Director, St Peters Child Care Centre & Pre-School)

APOLOGIES Ms Georgia Brodribb, Ms Christina Belperio

ABSENT Nil

TERMS OF REFERENCE:

The St Peters Child Care Centre & Pre-School Committee is established to fulfil the following functions:

- *to provide feedback on the St Peters Child Care & Pre-School Centre's Strategic Plan and Business Plan;*
- *to undertake general oversight of issues related to child welfare, programming and safety of the Centre; and*
- *to execute such powers as the Council may lawfully delegate to it.*

1. CONFIRMATION OF THE MINUTES OF THE MEETING OF THE ST PETERS CHILD CARE CENTRE & PRE-SCHOOL COMMITTEE HELD ON 24 MAY 2021

Cr Moorhouse moved that the minutes of the meeting of the St Peters Child Care Centre & Pre-School Committee held on 24 May 2021 be taken as read and confirmed. Seconded by Ms Simone Munn and carried unanimously.

2. PRESIDING MEMBER'S COMMUNICATION

Nil

3. QUESTIONS WITHOUT NOTICE

Nil

4. QUESTIONS WITH NOTICE

Nil

5. WRITTEN NOTICES OF MOTION

Nil

6. STAFF REPORTS

6.1 DIRECTORS QUARTERLY ACTIVITY REPORT – JUNE 2021

REPORT AUTHOR: Director, St Peters Child Care Centre & Preschool
GENERAL MANAGER: General Manager, Corporate Services
CONTACT NUMBER: 8362 18433
FILE REFERENCE: qA61019/A196208
ATTACHMENTS: A

PURPOSE OF REPORT

The purpose of this Quarterly Report is to provide information to the Committee, in respect to the following:

- commentary on the Centre's Strategic Plan and Business Plan prepared by Centre Management for the Child Care Centre;
- undertake, under the direction of Council and on behalf of Council, the general oversight of issues related to child welfare, programming and safety of the Centre;
- to execute such powers as the Council may lawfully delegate to it; and
- to do anything necessary, expedient or incidental to performing or discharging the functions of the Committee as listed in the terms of Reference or to achieving its objectives.

This report provides the Committee with a status report on the activities of the St Peters Child Care Centre & Preschool to 30 June 2021.

BACKGROUND

The Centre has been in operation since 1977. The Centre is licenced to accommodate 105 children per day, however to ensure the high quality of care the Centre is known for is maintained, the number of available places has been capped at an average of 94 places per day. The Centre provides care for babies from six (6) weeks old through to children aged up to and including five (5) years of age.

The key activities completed during the Quarter ended June 2021, together with actions completed in previous Quarters, as required by the Centre's Strategic and Business Plans, are included in the Discussion Section of this report.

RELEVANT STRATEGIC DIRECTIONS & POLICIES

This report informs the Council on the St Peters Child Care Centre & Preschool activities and supports Council attaining:

Outcome 1: Social Equity: An inclusive, connected, accessible and friendly community

Objective 1: Convenient and accessible services, information and facilities.

Strategy 1.2: *Maximise access to services, facilities, information and activities.*

Strategy 1.3: *Design and provide safe, high quality facilities and spaces for all people.*

Objective 4: A strong, healthy, resilient and inclusive community.

Strategy 4.2: *Encourage and provide opportunities for lifelong learning.*

Strategy 4.3: *Encourage the use of spaces and facilities for people to meet, share knowledge and connect with each other.*

The operations of Childcare Centres and Preschools are governed by the National Quality Framework. The Centre's policies and procedures are reviewed and updated over a twelve (12) month to two (2) year period, in line with National Quality Standards and the Centre's Continuous Review Policy.

FINANCIAL AND BUDGET IMPLICATIONS

Not Applicable.

EXTERNAL ECONOMIC IMPLICATIONS

Nil

SOCIAL ISSUES

The Centre actively promotes inclusion for all children and their families.

The information provided in the report has no direct social issues which need to be considered.

CULTURAL ISSUES

Not Applicable.

ENVIRONMENTAL ISSUES

Not Applicable.

RESOURCE ISSUES

Not Applicable.

RISK MANAGEMENT

Not Applicable.

COVID-19 IMPLICATIONS

In response to the easing of the COVID-19 restrictions, operations at the Centre are continually being reviewed to ensure that they are in-line with the latest health advice. To minimise the risk of COVID-19 and to ensure that staff and families are continuing to adhere to the public health advice, we are currently:

- requesting all families, both adults and children, undertake hand hygiene by either washing their hand or using hand sanitiser upon entry and exit of the Centre;
- maintaining physical distancing requirements of 1.5 metres;
- limiting the number parents and carers collecting children from their respective rooms for end of day pick up to two (2) parents at any one time;
- continuing the outside sleeping (weather permitting); and
- while not required as the Centre was not required to close, the Centre has prepared a COVID Safe Plan and have communicated this to the families and carers.

CONSULTATION

- **Committee Members**
Not Applicable.
- **Community**
Not Applicable.
- **Staff**
Not Applicable.
- **Other Agencies**
Not Applicable.

DISCUSSION

Child Numbers

The Centre is licensed for a maximum of 105 children daily however to ensure a high quality of care, the daily attendance numbers are capped at an average of 94 long day care places per day. Based on current staffing levels, the Centre has capacity for up to 28 under two (2) year old, up to 30 two (2) to three (3) year old and up to 36 over three (3) year old. The mix of the numbers per age group may change on as needs basis. The average number of children for which services were provided for the June 2021 quarter is detailed in Table 1 below.

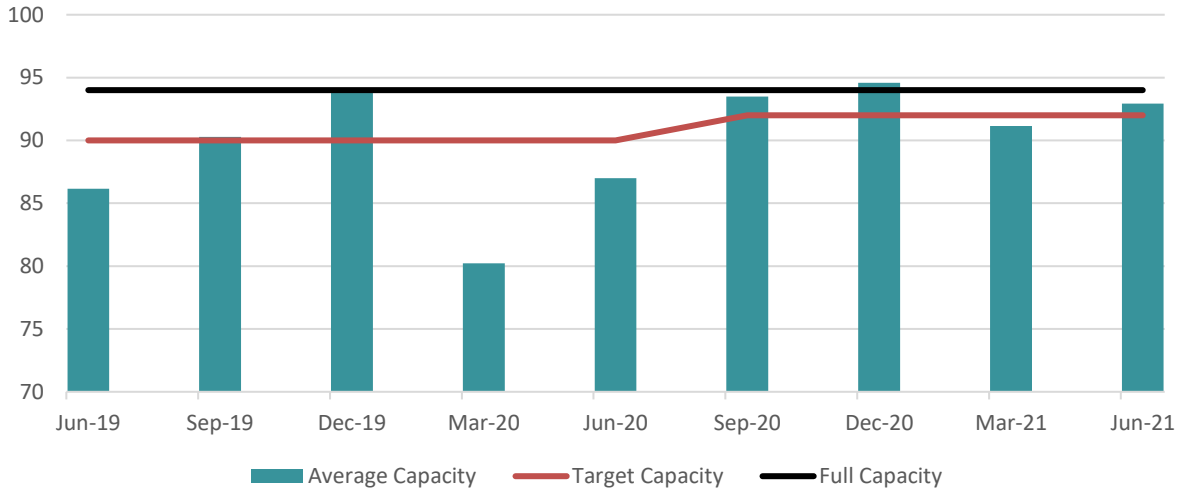
TABLE 1: CHILD NUMBERS

Age of Child	Staffing Ratio	Number Allowed at the Centre (maximum)	Number of Children - Average for the Quarter	
			This Year	Last Year
Under Twos (2) <i>(6 weeks - 24 months)</i>				
Emerald Room	1:4	12	11.93	11.35
Ruby Room	1:4	16	15.89	14.72
Over Twos (2) <i>(2 years to 3 years)</i>				
Aquamarine Room	1:5	15	14.96	13.56
Diamond Room	1:5	15	14.70	13.27
Over Threes (3) <i>(3 years to 4 years)</i>				
Amethyst Room	1:10	18	18.44	15.32
Preschool <i>(4 years to 5 years)</i>	1:10	18	18.81	18.69
Total		94	94.73	86.91
Budget		-	93.00	90.00
Number of sessions where 90 children attended for the quarter, 2020			30 days out of a total of 65 days	
Number of sessions where 93 children attended for the quarter, 2021			54 days out of a total of 65 days	
Average attendance – Year to Date				92.93

As detailed in Table 1 above, for the June 2021 Quarter, the Centre is at capacity. This is above the Centres traditional capacity for the June Quarter. Given the higher than usual capacity for this time of year, it is anticipated that the Centre will be at full capacity into the September Quarter.

As detailed in Figure 1 below, the March and June Quarters traditionally have low attendance numbers, however, the 2021 June Quarter is showing a higher than normal occupancy, while the attendance numbers for the September 2020 and December 2020 Quarters have exceeded budgeted attendances. For the 2021-2022 Financial year, the budgeted capacity has been set at an average of 93 daily attendances places.

FIGURE 1: CHILD NUMBERS



Educator to Child Ratios

The Centre is required by the National Quality Standards to maintain a minimum Educator to Child Ratio at all times. Educator to Child Ratios are calculated across the whole service, not by individual rooms. This provides flexibility to respond to attendance numbers to ensure Educators are allocated appropriately based on the age and needs of children in the service.

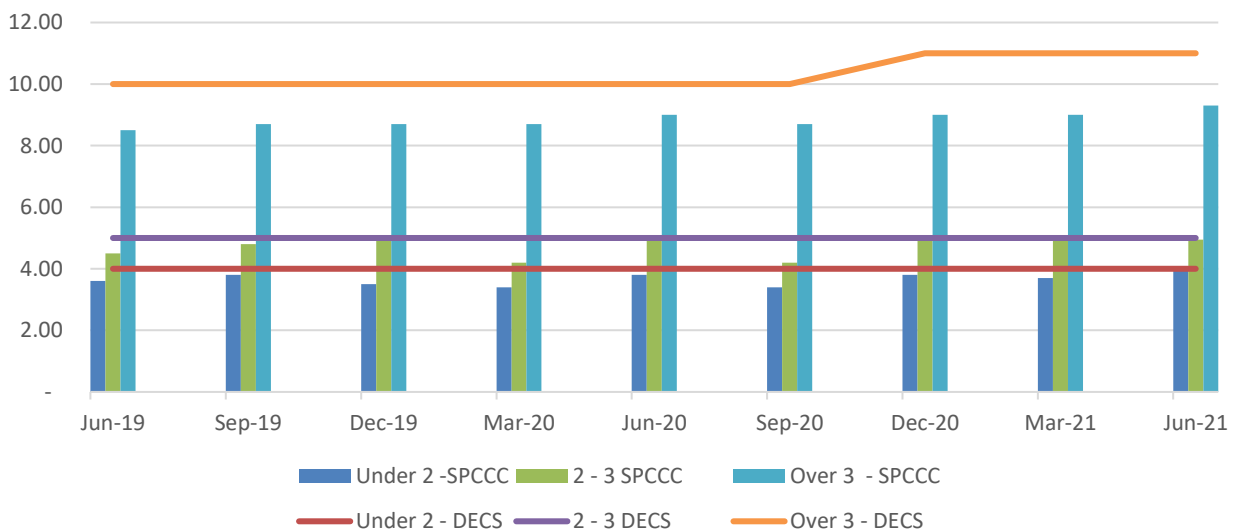
The minimum Educator to Child ratios are detailed in Table 2.

TABLE 2: MINIMUM EDUCATOR TO CHILD RATIOS

Age Grouping	Educator to Child Ratio
0 to 24 months	1:4
Over 24 months to less than 36 months	1:5
36 months to School age	1:11

As illustrated in Figure 2 below, the Centre has exceeded the minimum child to staff ratios for the June 2021 Quarter, with the exception of the 2-3 year age group.

FIGURE 2: STAFF TO CHILD RATIO



Staffing

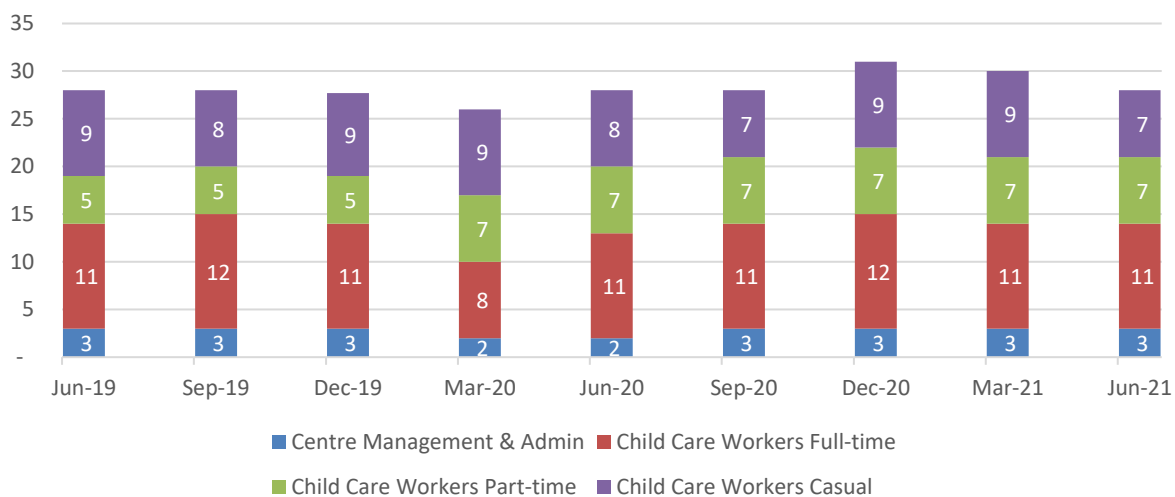
To ensure that the Centre meets the required staff to child ratios, the Full-time Equivalent Educator positions required are:

- Under 2's 5.00 FTE
- 2 -3 years 5.00 FTE
- Over 3's 4.00 FTE

To ensure the ongoing continuity of care, during periods of staff absences, permanent staff are supported by a pool of Casual Educators who back fill planned and unplanned absences, vacancies and short shift cover for lunch breaks and Centre open and closes. Not only does this ensure that children are cared for by familiar Educators when their primary care givers are absent from the Centre, it ensures that operational costs are maintained, as there is less reliance on engaging temporary contract staff through temporary contract labour hire agencies to cover absences.

Based on the Centres capacity of 94 children per day, thirteen (13) Full-time Educators, seven (7) Part-time Educators and the equivalent of ten (10) Casual Educators are budgeted for. As shown in Figure 3 below, the Centre has two (2) Full-time Educator vacancies, with both arising from long term leave. A recruitment process is currently being undertaken to increase the number of Educators within the casual pool.

FIGURE 3: STAFF NUMBERS BY EMPLOYMENT CATEGORY



Universal Access to Early Childhood Education

Funding can be claimed for every four (4) year old child who remains at the Centre in the twelve (12) months prior to full-time schooling and has access to fifteen (15) hours of preschool services, providing the child is not accessing a preschool service from another external service, such as a Department of Education Preschool or Kindergarten.

For the year-to-date period to June 2021, the Centre has received \$13,735 under the Universal Access Scheme for the children utilising the Centre for the pre-school service. Pleasingly, the number of families that have been utilising the service for pre-school services is seven (7). The funding has been used to offset the salary costs of the Early Childhood Teachers.

National Quality Standard

Staff practices, policies and procedures are continually reviewed in line with the new National Quality Standards and a Quality Improvement Plan has been completed. The Centre has undergone a round of Rating and Assessment. The Centre received an overall rating of 'Meeting' under the revised framework.

The seven (7) areas identified under the National Quality Standard are:

- Educational program and practice
- Children's health and safety
- Physical environment
- Staffing arrangements (including the number of staff looking after children)
- Relationships with children
- Collaborative partnerships with families and communities
- Leadership and service management

The Centre has been rated as 'Meeting' the standards set under the revised The National Quality Framework which came into effect on 1 February 2018, having met all of the forty (40) of the elements.

While under the National Quality Standards, the Centre is to be regularly assessed, the details of the timing of the next review are unknown.

Strategic Plan

The Centre's Strategic and Business Plans have been approved by the Committee and the Council. The Centre's Business Plan established Key Result Areas/Targets. The achievement of the outcomes up to June 2021, are contained in **Attachment A**.

OPTIONS

Not Applicable

CONCLUSION

The St Peters Child Care Centre & Pre-school is recognised as a leader in the provision of high quality child care. It is expected that this will continue, with the coming year looking promising with occupancy and educational experiences. The Centre on average for the June 2021 Quarter had 93 children accessing the service on a daily basis, with an expectation that this will be maintained throughout the year.

COMMENTS

Nil

RECOMMENDATION

That the report be received and noted.

Ms Simone Munn moved:

That the report be received and noted.

Seconded by Cr Moorhouse and carried unanimously.

7. OTHER BUSINESS

Nil

8. NEXT MEETING

Monday 25 October 2021

9. CLOSURE

There being no further business the Presiding Member declared the meeting closed at 5.46pm.

Cr Evonne Moore
PRESIDING MEMBER**Minutes Confirmed on** _____
(date)

Attachment B

Adoption of Committee Minutes

Traffic Management & Road Safety Committee

City of Norwood Payneham & St Peters
175 The Parade, Norwood SA 5067

Telephone 8366 4555
Facsimile 8332 6338
Email townhall@npsp.sa.gov.au
Website www.npsp.sa.gov.au



City of
**Norwood
Payneham
& St Peters**

Traffic Management & Road Safety Committee Minutes

10 August 2021

Our Vision

*A City which values its heritage, cultural diversity,
sense of place and natural environment.*

*A progressive City which is prosperous, sustainable
and socially cohesive, with a strong community spirit.*

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City of
Norwood
Payneham
& St Peters

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VENUE Mayors Parlour, Norwood Town Hall

HOUR 10.00am

PRESENT

Committee Members Cr Kevin Duke (Presiding Member)
Cr Carlo Dottore
Cr Fay Patterson
Mr Shane Foley (Specialist Independent Member)
Mr Nick Meredith (Specialist Independent Member)
Senior Sergeant Kev Carroll (SAPOL)

Staff Gayle Buckby (Manager, Traffic & Integrated Transport)
Kate Talbot (Executive Assistant, Urban Planning & Environment)

APOLOGIES Nil

ABSENT Nil

TERMS OF REFERENCE:

The Traffic Management & Road Safety Committee is established to fulfil the following functions:

- *To make a final determination on traffic management issues which are referred to the Committee in accordance with the requirements of the Council's Local Area Traffic Management Policy ("the Policy"); and*
- *To endorse proposals and recommendations regarding parking which seek to improve road safety throughout the City.*

1. CONFIRMATION OF MINUTES OF THE TRAFFIC MANAGEMENT & ROAD SAFETY COMMITTEE MEETING HELD ON 15 JUNE 2021

Cr Patterson moved that the minutes of the Traffic Management & Road Safety Committee meeting held on 15 June 2021 be taken as read and confirmed. Seconded by Mr Nick Meredith and carried.

2. PRESIDING MEMBER'S COMMUNICATION

Nil

3. STAFF REPORTS

3.1 40KM/H SPEED LIMIT IN NORWOOD & KENT TOWN - COMMUNITY CONSULTATION

REPORT AUTHOR: Manager, Traffic & Integrated Transport
GENERAL MANAGER: General Manager, Urban Planning & Environment
CONTACT NUMBER: 8366 4542
FILE REFERENCE: qA60176
ATTACHMENTS: A - C

PURPOSE OF REPORT

The purpose of this report is to:

- present the Traffic Management & Road Safety Committee (“the Committee”) with the outcomes of the community consultation regarding the proposal to introduce a 40km/h speed limit in residential streets of Norwood and Kent Town (“the 40km/h speed limit in Norwood and Kent Town”); and
- to provide the Committee with recommendations regarding the next steps towards implementation of the 40km/h speed limit in Norwood and Kent Town.

BACKGROUND

At the Council meeting held on 6 April 2021, the Council endorsed that community consultation proceed for the proposal to introduce a 40km/h area speed limit on residential streets in Norwood and Kent Town.

There were a number of steps culminating in the proposal to introduce 40km/h speed limit in Norwood and Kent Town as summarised in the dot points below:

- 6 April, 2020: The Council resolved to request the Committee to investigate the introduction of a City-wide 40km/h area speed limit.
- 18 August 2020: The Committee recommended to the Council that the investigations identified sufficient justification to consider the *staged* implementation of 40km/h speed limit in residential streets across the City, with an initial focus on Norwood and Kent Town.
- 16 February 2021: The Committee recommended to the Council to undertake community consultation on the proposal to understand the community’s attitude toward the reduced speed limit prior to endorsing its implementation.

RELEVANT STRATEGIC DIRECTIONS & POLICIES

Reducing traffic speed in residential streets has the potential to support and facilitate the Outcomes and Objectives of the Council’s Strategic Management Plan, *City Plan 2030*, as listed below.

Outcome 1: Social Equity

A connected, accessible and pedestrian-friendly community.

Objective 1: Convenient and accessible services, information and facilities.

Objective 2: A people-friendly, integrated, sustainable and active transport network.

Objective 3: An engaged and participating community.

Objective 4: A strong, healthy, resilient and inclusive community.

Outcome 2: Cultural Vitality

A culturally rich and diverse city, with a strong identity, history and sense of place.

Objective 4: Pleasant, well designed, and sustainable urban environments

Objective 5: Dynamic community life in public spaces and precincts.

FINANCIAL AND BUDGET IMPLICATIONS

The consultation campaign for the proposed 40km/h speed limit in Norwood & Kent Town was managed by Council staff. The cost for materials (printing, delivery and advertising) was \$8,574 and was funded from the recurrent Traffic & Integrated Transport budget.

If the Council determines to proceed with implementation of a 40km/h speed limit in Norwood and Kent Town, there would be costs associated with the planning and mapping of sign locations, sign manufacture, sign installation and community education.

The Council has allocated \$25,000 in its 2021-2022 Budget to implement the 40km/h Speed Limit in Norwood and Kent Town. This fee was an estimate based on the funding required to implement 40km/h speed limit in Stepney, Maylands and Evandale in 2017.

EXTERNAL ECONOMIC IMPLICATIONS

Not Applicable.

SOCIAL ISSUES

If the Council determines to proceed with the implementation of a 40km/h area speed limit in Norwood and Kent Town, it would be appropriate to include an education and awareness campaign so that citizens are given advance notification of the speed limit change.

CULTURAL ISSUES

Not Applicable.

ENVIRONMENTAL ISSUES

Reducing the speed to 40km/h in residential streets improves safety for pedestrians and cyclists which can encourage more people to choose environmentally sustainable transport options for short trips.

RESOURCE ISSUES

If the Council determines to proceed with the implementation of a 40km/h speed limit in Norwood and Kent Town, there will be considerable staff resources required to manage the implementation. This will include seeking final approval from the Department for Infrastructure & Transport, planning the location of signs, arranging for manufacture and installation, and ensuring that the community is made aware of the change.

RISK MANAGEMENT

If the Council determines to proceed with the implementation of a 40km/h speed limit in Norwood and Kent Town, all works will be undertaken in accordance with the requirements of the Department for Infrastructure & Transport and relevant Australian Standards and Guidelines.

COVID-19 IMPLICATIONS

Not Applicable.

CONSULTATION

- **Staff**

General Manager, Urban Planning & Environment
Manager, City Services
Acting Manager, Urban Services

- **Community**

A *Have Your Say!* campaign was undertaken from 17 May 2021 to 21 June 2021.

6,878 postcards were delivered directly to residents, home-owners and traders in Norwood and Kent Town, letters were sent to key stakeholders and the wider community were informed by various means including print and digital media.

Details of the *Have Your Say!* campaign are provided in this report and a sample of the consultation materials are contained in **Attachment A**.

- **Other Agencies**

- Department for Infrastructure and Transport (DIT)
- City of Burnside
- City of Adelaide
- SAPOL.

DISCUSSION

The area that is proposed for a 40km/h speed limit is bound by Magill Road, Portrush Road, Kensington Road and Dequetteville Terrace. The affected streets are the residential streets of Norwood and Kent Town, excluding The Parade West and Osmond Terrace. The roads under the care, control and maintenance of the State Government (The Parade, Fullarton Road, Rundle Street and Flinders Street) are also excluded. The subject area and affected streets are illustrated on the map contained in **Attachment B**.

The investigations undertaken throughout 2020 and 2021 that resulted in the Council's endorsement at the meeting held on 6 April 2021 to undertake community consultation on the 40km/h speed limit in Norwood and Kent Town, are summarised below:

- 40km/h in residential streets aligns with the '*National Road Safety Strategy 2011-2020*', which is the overarching document that provides the national framework for road safety and is committed to by all State and Territory Governments.
- Research shows that the implementation of 40km/h signs in residential streets results in widespread minor speed reduction, indicating that it is a successful and low-cost intervention that changes motorist behaviour and improves safety.
- There have been 160 crashes involving vulnerable road users (cyclists and pedestrians) within the Council's local road network over the past five (5) years and a reduced speed limit to 40km/h represents an opportunity to significantly reduce the number of crashes and injuries over time.
- The Department for Infrastructure & Transport supports 40km/h speed-limited areas to help create a speed environment appropriate to residential streets and in precincts where existing speeds are not overly high.
- Evaluation of the implementation of 40km/h in Stepney, Maylands and Evandale identified that there has been a mean speed reduction of between 1.4 km/h and 3.7km/h.
- A staged approach instead of a City-wide approach was adopted not just as a practical budgeting approach but also to allow for progressive monitoring and evaluation to ensure that the desired outcomes are being achieved.

Norwood and Kent Town was selected at the first stage because:

- Norwood and Kent Town are adjacent to the Stepney, Maylands and Evandale triangle which was speed limited to 40 km/h in 2019 as part of the *Stepney, Maylands and Evandale Local Area Traffic Management Study* undertaken in 2017. It is appropriate that the staged approach is undertaken in adjacent suburbs to provide consistency for motorists, rather than a series of speed limit changes, and
- the street layout and dwelling density of Norwood and Kent Town is conducive to meeting the requirements for 40km/h set out by the Department for Infrastructure & Transport (DIT).

The Parade West and Osmond Terrace are excluded from the 40km/h speed limit in Norwood and Kent Town because:

- The Parade West acts as a sub-arterial road, linking roads under the care and control of DIT which have varying speeds (Rundle Street - 50km/h, Flinders Street - 60km/h, Fullarton Road -60km/h, and The Parade - future proposed 50km/h). Roads with a sub-arterial function are rarely reduced to 40km/h unless major infrastructure changes to reduce speed are concurrently applied. Given that the funds are not available to undertake this at present, it is prudent to retain 50km/h along The Parade West for the foreseeable future.
- Osmond Terrace is a major north-south link between Nelson Street, Stepney (a road under the care and control of DIT with a speed of 60km/h) and Prescott Terrace (a road maintained by the City of Burnside with a speed of 50km/h). Liaison with the Department and the City of Burnside, identified that there are no plans to reduce the speed limits of these roads. Therefore, for motorist consistency and acceptance of reduced speed limits, it is considered appropriate to maintain the existing speed of 50km/h along Osmond Terrace for the foreseeable future.

The Parade Master Plan, which has been endorsed by the Council, proposed the implementation of the following speed limits along The Parade:

- 50 km/h (from 60km/h) from Fullarton Road to Osmond Terrace; and
- 40 km/h (from 50km/h) from Osmond Terrace to Portrush Road.

Final approval from the Department for Infrastructure & Transport to change these speed limits on The Parade has not yet been provided. Therefore The Parade has been excluded from the community consultation for a 40km/h speed limit in Norwood and Kent Town.

Consultation Strategy

The *Have Your Say!* campaign commenced on Monday 17 May 2021 and closed on Monday 21 June 2021.

6,878 postcards were delivered to residents, property owners and traders in Norwood and Kent Town including:

- 5,020 postcards letterbox dropped into every dwelling and business in Norwood and Kent Town; and
- 1,858 postcards delivered via Australia Post to property owners who do not reside in Norwood or Kent Town.

The wider community was informed that consultation was open by a range of advertising including coreflute road signs, posters at Council buildings, an advertisement in *The Advertiser*, a media release, a banner on Council's website and social media posts. In addition, emails were sent to inform key stakeholders including, the Norwood Residents Association, the Kent Town Residents Association and the Prince Alfred College.

The invitation included a QR Code and link to additional information and a survey on the Council's website. The survey could be completed on-line or hard-copy, and included a space for comments and the following questions:

1. Do you support a 40km/h speed limit in the residential streets of Norwood and Kent Town, excluding State Government Roads (Fullarton Road, Flinders Street, Rundle Street & The Parade), and Council Roads (The Parade West & Osmond Terrace).
2. Do you live and/or work in Norwood and/or Kent Town?
3. Do you visit or commute through Norwood and/or Kent Town?

A sample of the consultation materials are contained in **Attachment A**.

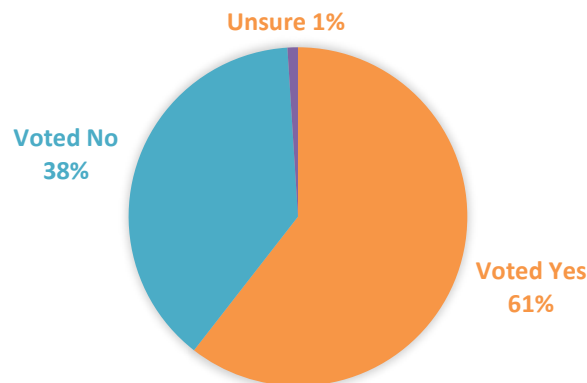
Consultation Outcomes

The Council received a total of 803 responses to the survey which have been collated into a table (names and addresses removed), and contained in **Attachment C**.

Of the 803 respondents, 642 live and/or work in Norwood and/or Kent Town, representing 9.3% of the total number of postcards delivered. The remaining 161 respondents visited or commuted through Norwood and/or Kent Town or they may own a home in Norwood or Kent Town but live elsewhere.

Of the 803 responses:

- 486 (60.5%) respondents support the proposal by ticking the 'yes' box;
- 309 (38.5%) respondents do not support the proposal by ticking the 'no' box; and
- 8 (1%) respondents were unsure.



Of the 486 respondents who support the proposal:

- 369 lived or worked in Norwood and/or Kent Town;
- 114 visited or commuted through Norwood and/or Kent Town; and
- 3 did not answer this question.

Of the 309 respondents who do not support the proposal:

- 265 lived or worked in Norwood and/or Kent Town; and
- 44 visited or commuted through Norwood and/or Kent Town.

All 8 of the 'unsure' respondents lived and/or worked in Norwood and Kent Town.

The most common comments from citizens who support the proposal are:

- too many cars are speeding in the residential streets;
- it will improve safety for my family;
- It will be nicer to ride my bike;
- It will be better for pedestrians of all ages;
- It will discourage people from cutting through residential streets;
- It is a sensible approach to road safety; and
- Norwood would be a nicer place to shop and visit.

The most common comments from citizens who do not support the proposal are:

- multiple speed limits are confusing;
- it is not necessary, 50km/h is fine;
- there is no justification for 40km/h;
- people will continue to speed anyway;
- 40km/h is too slow
- It is a stupid / ridiculous idea / nanny state;
- There is no benefit; and
- Will increase travel time / inconvenient to commuters

Consultation Summary

It is considered that a 60.5% majority indicates that there is sufficient community support to justify the implementation of the proposed 40km/h speed limit in Norwood and Kent Town.

Legislative Requirements of the Department for Infrastructure & Transport (DIT)

There are a number of further steps required prior to implementation of the 40km/h speed limit, to comply with the requirements of the Department for Infrastructure & Transport (DIT), as set out in the "The DIT publication, *Speed Limit Guidelines for South Australia*, which are to:

- obtain support from the Local State Member of Parliament;
- provide DIT with site plans showing proposed sign locations and alterations to existing signs;
- provide DIT with a Traffic Impact Statement that includes all investigations undertaken;
- liaise with SAPOL to ensure support and that appropriate enforcement will be undertaken post-implementation; and
- write to the Department for Infrastructure and Transport seeking approval from the Minister to install the 40km/h signs (as required under section 21 of the Road Traffic Act 1961).

OPTIONS

The community consultation responses discussed in this report have identified that the majority of respondents support a speed limit of 40km/h in the residential streets of Norwood and Kent Town as depicted on the map contained in **Attachment B**.

The Committee is now required to provide advice on the next steps.

Option 1

The Committee can advise the Council that despite the community consultation responses being 60.5% of respondents in-support of the 40km/h speed limit in Norwood & Kent Town, the existing default speed limit of 50km/h should remain.

This approach is not recommended on the basis that the investigations into a reduced speed limit identified that 40km/h is a best-practice, sensible, low-cost approach to improving road safety on residential streets and is also supported by the majority of the consultation respondents who live, work, visit and commute in Norwood and Kent Town.

Option 2

The Committee can advise the Council that the consultation outcomes for a 40km/h speed limit in Norwood and Kent Town provides sufficient justification for Council staff to undertake the final tasks that are required by the Department of Infrastructure & Transport and to seek approval from the Minister to install the 40km/h speed limit signs and proceed with implementation.

The final tasks are to:

- Obtain support from the Local State Member of Parliament;
- Provide DIT with site plans showing proposed sign locations and alterations to existing signs;
- Provide DIT with a Traffic Impact Statement that includes all investigations undertaken; and
- Liaise with SAPOL to ensure support and that appropriate enforcement will be undertaken post-implementation.

Once the final tasks are completed satisfactorily, a letter is required to be written to the Department for Infrastructure and Transport seeking approval from the Minister to install the 40km/h signs as required under section 21 of the Road Traffic Act 1961.

The Committee could resolve that once approval from the Minister is granted, Council staff would prepare a report to Council that provides:

- A description of the outcomes of the final tasks undertaken, including the approval from The Minister;
- a description of the community awareness campaign to ensure the community has advanced warning of the speed reduction in Norwood and Kent Town; and
- a recommendation that the Council endorse the implementation for a 40km/h speed limit in Norwood & Kent Town as depicted in **Attachment B**.

If however, the final tasks cannot be completed satisfactorily and approval from the Minister cannot be granted, a report will be presented back to the Committee detailing these outcomes and suggesting alternative recommendations.

This approach is recommended because the introduction of a 40km/h speed limit in Norwood and Kent Town is a practical and cost effective solution to traffic calming, is supported by all levels of Government Australia-wide and the consultation outcomes indicated community support. This approach is a practical way forward to expediting the final tasks required and seeking endorsement from the Council rather than requiring an additional Committee meeting.

CONCLUSION

It is considered that given the consultation outcomes in respect to the number of respondents in favour of introducing a 40km/h speed limit in Norwood and Kent Town, there is sufficient justification to implement a 40km/h speed limit in Norwood and Kent Town as contained in **Attachment B**, and that Council staff can proceed to complete the final tasks required to seek approval from the Minister. On the satisfactory completion of these tasks, a report will be presented to the Council to seek endorsement for the implementation of the reduced speed limit in Norwood and Kent Town. If however, the final tasks cannot be completed satisfactorily and approval from the Minister cannot be granted, a report will be presented back to the Committee detailing these outcomes and providing alternative recommendations.

COMMENTS

The Council has allocated \$25,000 in its 2021-2021 Annual Business Plan and Budget to manufacture and install the 40km/h signs and therefore implementation can commence this financial year.

RECOMMENDATION

That the Traffic Management and Road Safety Committee recommends to the Council staff:

1. That the Council approves the introduction of a 40km/h speed limit in the suburbs of Norwood and Kent Town subject to completion of the tasks set out in Part 2 below.
2. Council staff complete the final tasks that are required by the Department of Infrastructure & Transport (DIT) to enable the Council to implement the 40km/h speed limit signs, as set out in the DIT's 'Guidelines to Speed Limits in South Australia', namely:
 - write to the Local State Member of Parliament to request support for the implementation of a 40km/h area speed limit in Norwood and Kent Town;
 - prepare plans showing proposed sign locations and alterations to existing signs;
 - prepare a Traffic Impact Statement that includes all investigations undertaken;
 - liaise with SAPOL to ensure support, and that appropriate enforcement will be undertaken post-implementation; and
 - write to the Department for Infrastructure and Transport seeking approval from the Minister to install the 40km/h signs as required under section 21 of the Road Traffic Act 1961.
3. The Council notes that a report will be provided to the Council once the final tasks set out in Part 2 above have been completed.

Mr Shane Foley moved:

That the Traffic Management and Road Safety Committee recommends to the Council staff:

1. *That the Council approves the introduction of a 40km/h speed limit on the residential streets of Norwood and Kent Town as depicted on the map contained in Attachment B, subject to completion of the tasks set out in Part 2 below.*
2. *Council staff complete the final tasks that are required by the Department of Infrastructure & Transport (DIT) to enable the Council to implement the 40km/h speed limit signs, as set out in the DIT's 'Guidelines to Speed Limits in South Australia', namely:*
 - *write to the Local State Member of Parliament to request support for the implementation of a 40km/h area speed limit in Norwood and Kent Town;*
 - *prepare plans showing proposed 40km/h sign locations and alterations to existing signs, that would enforce the 40km/h speed limit on the residential streets in Norwood and Kent Town, as depicted on the map contained in Attachment B;*
 - *prepare a Traffic Impact Statement that includes all investigations undertaken;*
 - *liaise with SAPOL to ensure support, and that appropriate enforcement will be undertaken post-implementation; and*
 - *write to the Department for Infrastructure and Transport seeking approval from the Minister to install the 40km/h signs as required under section 21 of the Road Traffic Act 1961.*
3. *The Council notes that a report will be provided to the Council once the final tasks set out in Part 2 above have been completed.*

Seconded by Cr Dottore and carried unanimously.

4. OTHER BUSINESS

Nil

5. NEXT MEETING

Tuesday 19 October 2021

6. CLOSURE

There being no further business, the Presiding Member declared the meeting closed at 10.30am.

Cr Kevin Duke
PRESIDING MEMBER

Minutes Confirmed on _____
(date)

Attachment C

Adoption of Committee Minutes

Audit Committee

City of Norwood Payneham & St Peters
175 The Parade, Norwood SA 5067

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Audit Committee Minutes

10 August 2021

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City of
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VENUE Mayors Parlour, Norwood Town Hall

HOUR 7.00pm

PRESENT

Committee Members Cr John Minney (Presiding Member)
Mayor Robert Bria
Cr Mike Stock
Ms Brigid O'Neill (Independent Member)
Ms Sandra Di Blasio (Independent Member)

Staff Mario Barone (Chief Executive Officer)
Sharon Perkins (General Manager, Corporate Services)
Andrew Alderson (Financial Services Manager)

APOLOGIES Nil

ABSENT Nil

TERMS OF REFERENCE:

The Audit Committee is responsible to facilitate:

- *the enhancement of the credibility and objectivity of internal and external financial reporting;*
- *propose and provide information relevant to a review of the Council's Strategic Management Plans and Annual Business Plan;*
- *the review and reporting on any matter relating to financial management or the efficiency and economy with which the Council manages its resources;*
- *effective management of financial and other risks and the protection of the Council's assets;*
- *compliance with laws and regulations related to financial and risk management as well as use of best practice guidelines;*
- *the provision of an effective means of communication between the external auditor, management and the Council;*
- *proposing and reviewing the exercise of powers under Section 130A of the Local Government Act 1999;*
- *review Annual Financial Statements to ensure that they present fairly the state of affairs of the Council;*
- *liaising with the Council's Auditor; and*
- *reviewing the adequacy of accounting, internal control reporting and other financial management systems and practices of the Council on a regular basis.*

1. CONFIRMATION OF MINUTES OF THE AUDIT COMMITTEE MEETING HELD ON 24 MAY 2021

Mayor Bria moved that the minutes of the Audit Committee meeting held on 24 May 2021 be taken as read and confirmed. Seconded by Brigid O'Neill and carried unanimously.

2. PRESIDING MEMBER'S COMMUNICATION

Nil

3. QUESTIONS WITHOUT NOTICE

Nil

4. QUESTIONS WITH NOTICE

Nil

5. WRITTEN NOTICES OF MOTION

Nil

6. STAFF REPORTS

6.1 DRAFT ANNUAL REPORT TO COUNCIL

REPORT AUTHOR: General Manager, Corporate Services
GENERAL MANAGER: Chief Executive Officer
CONTACT NUMBER: 8366 4585
FILE REFERENCE: qA75186/A198865
ATTACHMENTS: A - D

PURPOSE OF REPORT

The purpose of this report is to endorse, the draft Annual Report, which details the activities undertaken by the Audit Committee for the year ended 30 June 2021.

BACKGROUND

The Audit Committee's 2020-2021 Work Program, requires an Annual Report to be provided to the Council which addresses the following:

- *outputs relative to the Audit Committee's Work Program and the results of a self-assessment of performance for the preceding period, including whether it believes any changes to its Terms of Reference are appropriate;*
- *any identified training needs;*
- *advising future work program proposals; and*
- *invite comment from the Council on all of the above.*

RELEVANT POLICIES & STRATEGIC DIRECTIONS

Not Applicable.

FINANCIAL IMPLICATIONS

Nil

SOCIAL ISSUES

Nil

CULTURAL ISSUES

Nil

ENVIRONMENTAL ISSUES

Nil

RESOURCE ISSUES

Nil

RISK MANAGEMENT

Nil

CONSULTATION

- **Committee Members**
Not Applicable.
- **Community**
Not Applicable.
- **Staff**
Not Applicable.
- **Other Agencies**
Not Applicable.

DISCUSSION

The Audit Committee's 2020-2021 Work Program has been updated to include all of the activities which have been completed. A copy of the updated Program is contained in **Attachment A**.

A copy of the Draft 2020-2021 Audit Committee Annual Report (the Report) to the Council is contained in **Attachment B**. The Committee is requested to review the Report, discuss any amendments which it wishes to make to the Report and endorse the Report.

The Annual Report to the Council requires the Audit Committee to determine whether its Terms of Reference remain appropriate. The *Statutes Amendment (Local Government Review) Bill 2020*, recently passed both Houses of Parliament, with assent to the *Statutes Amendment (Local Government Review) Act 2021* (the Act) being provided on 17 June 2021. The Act will have a number of impacts on the operations of Audit Committees and as a consequence the Committees *Terms of Reference*. While it is still unclear when the provisions of the Act come into effect, it is anticipated that the reforms that require minimal or moderate implementation or supporting regulation will commence once proclaimed, which is anticipated to be in early August 2021. Given the reforms which relate to the operations of Audit Committees, it is expected that the proclamation will occur early in the transition period. As the timing is unclear, there are no recommended changes to the *Terms of Reference* at this stage. A copy of the *Terms of Reference* is contained in **Attachment C**.

While no changes are recommended at this stage, staff have undertaken a review of the existing *Terms of Reference* against the new provisions relating to the operation of Audit and Risk Committees (as it will now be referred to) and it is pleasing to note that the Audit Committee's existing *Terms of Reference* and Annual Work Program, includes a number of the reform provisions and as such the impact on the Audit Committee is considered minimal.

The area of most impact is the membership of the Committee. The new provisions require that the majority of the members must not be members of any Council, however independent members of other Council's Audit and Risk Committees may be appointed.

Notwithstanding this, the membership of the Audit and Risk Committee must meet the following provisions;

- a) *the majority of the members of the committee must be persons who are not members of any council;*
- b) *the members of the committee (when considered as a whole) must have skills, knowledge and experience relevant to the functions of the committee, including in financial management, risk management, governance and any other prescribed matter;*
- c) *the membership of the committee—*
 - i. *may not include an employee of the council (although an employee may attend a meeting of the committee if appropriate); and*
 - ii. *may include, or be comprised of, members of another council audit and risk committee or a regional audit and risk committee; and*
 - iii. *must otherwise be determined in accordance with the requirements of the regulations.*

The current Audit Committee's *Terms of Reference* defines the Membership of the Committee as:

- the Mayor;
- two (2) Councillors as determined by resolution of the Council; and
- two (2) Independent Members who are appointed by the Council and who are determined by the Council to have experience relevant to the functions of the Audit Committee.

Given the requirement to have a majority of Independent Members, the Council will need to review the membership of the Audit and Risk Committee. Should the Council wish to maintain the Audit and Risk Committee membership at five (5) members, the Council will be required to increase the committee membership to have at least three (3) independent members, therefore reducing the number of Elected Members from three (3) to two (2).

Should the Council wish to maintain the membership of Council Members to include the Mayor and two (2) Councillors, the size of the Audit & Risk Committee will be required to be increased to seven (7) members, thereby requiring the appointment of two (2) additional Independent Members.

In addition, the Act prescribes the minimum skills and experience that the members of the Audit & Risk Committee. The Audit Committees current *Terms of Reference* currently sets out the minimum requirements for Independent Members only. As the Council's Independent Members are currently selected based on their senior business or financial management/reporting knowledge and experience, in particular, experience relevant to the functions of an audit committee and be conversant with the financial and other reporting requirements, the current Independent Members meet the requirements of Section 126 (2) (b). However, the new provision, applies to all members, there for the appointment of Elected Members to the Audit and Risk Committee must take into consideration the skills, knowledge and experience of the Elected Members relevant to the functions of the Audit & Risk Committee.

The Act now provides a more comprehensive list of functions of the Audit and Risk Committee. The Committees current *Terms of Reference* encompass a vast majority of the now specified functions. A copy of the amended Section 126 is contained in **Attachment D**.

A report on the establishment of the new Audit and Risk Committee will be provided to the Council for consideration.

OPTIONS

Not Applicable.

CONCLUSION

Nil

COMMENTS

Nil

RECOMMENDATION

1. That the draft 2020-2021 Audit Committee Annual Report as contained in **Attachment B**, be endorsed and submitted to the Council.
 2. That the Audit Committee Terms of Reference as contained in **Attachment C** be recommended to the Council for adoption.
-

Mayor Bria moved:

1. *That the draft 2020-2021 Audit Committee Annual Report as contained in Attachment B and as amended to reflect the change in meeting date from 26 July 2021 to 10 August 2021, be endorsed and submitted to the Council.*
2. *That the Audit Committee Terms of Reference as contained in Attachment C be recommended to the Council for adoption.*

Seconded by Sandra Di Blasio and carried unanimously.

6.2 DRAFT 2021-2022 AUDIT COMMITTEE WORK PROGRAM

REPORT AUTHOR: General Manager, Corporate Services
GENERAL MANAGER: Chief Executive Officer
CONTACT NUMBER: 8366 4585
FILE REFERENCE: qA75186/A200196
ATTACHMENTS: A

PURPOSE OF REPORT

The purpose of the report is to provide the Audit Committee with the Draft Work Program for the year ending 30 June 2022.

BACKGROUND

Pursuant to Section 126 of the *Local Government Act 1999* and as detailed in the Audit Committee's Terms of Reference, the Audit Committee is responsible for facilitating:

- the enhancement of the credibility and objectivity of internal and external financial reporting;
- provision of information relevant to a review of the Council's Strategic Management Plans and Annual Business Plan;
- the review and reporting on any matter relating to financial management or the efficiency and economy with which the Council manages its resources;
- effective management of financial and other risks and the protection of the Council's assets;
- compliance with laws and regulations related to financial and risk management as well as use of best practice guidelines;
- the provision of an effective means of communication between the external auditor, management and the Council;
- the review of the exercise of powers under Section 130A of the *Local Government Act 1999*.
- review of the Annual Financial Statements to ensure that they present fairly the state of affairs of the Council;
- liaising with the Council's Auditor; and
- reviewing the adequacy of accounting, internal control reporting and other financial management systems and practices of the Council on a regular basis.

RELEVANT POLICIES & STRATEGIC DIRECTIONS

Not Applicable.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this issue.

SOCIAL ISSUES

Nil

CULTURAL ISSUES

Nil

ENVIRONMENTAL ISSUES

Nil

RESOURCE ISSUES

Nil

RISK MANAGEMENT

The Audit Committee must ensure that the Work Program addresses the statutory obligations and focuses on the adequacy of the Councils' systems and practices with respect to risk management, financial reporting, the internal control environment and other financial management systems.

The Draft 2021-2022 Work Program contained in **Attachment A** reflects the requirements to the Audit Committee's Terms of References and meets the Council's statutory requirements.

CONSULTATION

- **Committee Members**
Not Applicable.
- **Community**
Not Applicable.
- **Staff**
Not Applicable.
- **Other Agencies**
Not Applicable.

DISCUSSION

To ensure that the requirements of the *Local Government Act 1999* and the Terms of Reference are fulfilled, the Audit Committee is required to develop a Work Program each year.

A draft Work Program, based on prior years is contained in **Attachment A**.

OPTIONS

The Committee can either endorse the Work Program (contained in **Attachment A**) or amend the document as appropriate.

CONCLUSION

Nil

COMMENTS

Nil

RECOMMENDATION

That the Draft 2021-2022 Audit Committee Work Program as contained in **Attachment A** be adopted.

Ms Brigid O'Neill moved:

That the Draft 2021-2022 Audit Committee Work Program as contained in Attachment A be adopted.

Seconded by Ms Sandra Di Blasio and carried unanimously.

6.3 2021-2022 ANNUAL BUSINESS PLAN AND BUDGET

REPORT AUTHOR: Financial Services Manager
GENERAL MANAGER: General Manager Corporate Service
CONTACT NUMBER: 83664585
FILE REFERENCE: qA75186/A201079
ATTACHMENTS: A

PURPOSE OF REPORT

The purpose of this report is to present to the Audit Committee for its information, the 2021-2022 Budget and Rating Policy, which have been adopted by the Council.

BACKGROUND

Pursuant to the provisions contained in Chapters 8, 9 and 10 of the *Local Government Act 1999* (the Act), the Council is required to adopt for each Financial Year, an Annual Business Plan (ABP) and Budget after 31 May and before 31 August.

Part 2 of the Act, "*Annual Business Plans and Budgets*", requires the Council to consider its budget in conjunction with the Council's Annual Business Plan and adopt the Budget following adoption of the Annual Business Plan.

At its meeting held on 5 July 2021, the Council adopted the 2021-2022 Annual Business Plan and Budget and declared the Rates for the 2020-2021 Financial Year.

RELEVANT POLICIES & STRATEGIC DIRECTIONS

The Council's Long Term Strategic directions are outlined in *City Plan 2030 – Shaping our Future*. The 2021-2022 Annual Business Plan and supporting Budget, sets out the proposed services and programs and initiatives for the 2021-2022 Financial Year and explains how the Council intends to finance its continuing services, programs and initiatives which are to be undertaken during the financial year.

The Council's Rating Policy sets the Council's approach to determining and collecting rates from the community.

FINANCIAL AND BUDGET IMPLICATIONS

The 2021-2022 Budget, is based on a Rate Revenue increase of 4.35%. With valuation growth, the proposed increase in the Rate-in-the-Dollar is 1.98%. Revenue attributed to new development growth is \$341,392.

Since the last Committee meeting held on 24 May 2021, the Council considered the Draft Budget on two occasions and endorsed the following adjustments to the Capital Program;

- Deferral of the Extension of Reclaimed Water System (\$175,000);
- Deferral of the Year 3 funding allocation to the the Major Public Art Project (\$110,620); and
- Deferral of the public road conversion of Salisbury Lane and Kingsborough Lane as detailed in Private Laneway Conversion Project. It should be noted that as the Council declared a separate rate for the recovery of the costs associated with the conversion of Charlotte Lane to a Public Road, the reconstruction works will be undertaken in 2021-2022.

The impact of the adjustments was a reduction in the Capital Budget of \$305,620

In addition, due to a reduction in the gate price associated with the kerbside recyclables, the waste disposal budget has been reviewed and reduced by \$60,000.

SOCIAL ISSUES

Nil

CULTURAL ISSUES

Nil

ENVIRONMENTAL ISSUES

Nil

RESOURCE ISSUES

Nil

RISK MANAGEMENT

The 2021-2022 Budget was prepared in in absence of the 2021-2022 State Budget, which was released on 22 June 2021. A number of components of the Councils Budget are impacted upon by decisions which are made by the State Government. A number of assumptions have been made with respect to those components of the Councils Draft Budget which are influenced by the decisions of the State Government.

Following consideration of the 2021-2022 State Budget, the assumptions and other decisions upon which the Budget is based has not been materially impacted by the release of the State Budget.

It should be noted that the 2021-2022 Budget is based on the assumption that the Federal Government will continue, as per previous year, to advance two (2) quarter of the Financial Assistance Grants. Should the grant funding not be advanced, Grant Income will be reduced by \$550,000. The decision to advance payments from the 2022-2023 Financial year are usually made to coincide with announcements associated with the Federal Budget.

COVID-19 IMPLICATIONS

As part of the economic recovery from the COVID-19 pandemic, the Federal and State Government released a number of funding programs aimed at stimulating the economy through infrastructure spend.

The Council has been successful in receiving grant funding which will assist the Council in delivering a number of projects which are included within the 2021-2022 Annual Business Plan and Budget.

Projects where grant funding have been received under the various grant programs are detailed in Table 1 below:

TABLE 1: PROJECT GRANT FUNDING

Project Name	Project Description	2021-2022 Budget Allocation	2021-2022 Grant Funding
St Peters Street Streetscape Upgrade	<p>This project builds on the upgrades to the St Peters Precinct, which included the redevelopment of Linde Reserve-Dunstone Grove, the refurbishment of the St Peters Town Hall Complex and the St Peters Street upgrade and the Avenue of Honour from Payneham Road to Second Avenue. Once completed, St Peters Street will provide improved amenity and connection between the River Torrens Linear Park and other major focal points within the Precinct.</p> <p>The estimated project cost is \$4.5 million, which includes civil infrastructure renewal works and storm water drainage works to the value of \$1.5 million. These elements have been accounted for in the recently adopted <i>Infrastructure & Asset Management Plans</i></p> <p>The Project is scheduled to be delivered over two (2) financial years, with the estimated spend being incurred as follows:</p> <p>2021-2022 - \$2.470 million</p> <p>2022-2023 - \$2.030 million</p> <p>The Council secured \$1.270 million as part of the Federal Governments <i>Local Government and Community Infrastructure Program Extension</i>.</p>	2,470,000	1,270,347
Dunstan Adventure Playground Redevelopment	<p>The Dunstan Adventure Playground is identified in a number of the Council's strategic documents as one of four Regional Level Playgrounds within the City of Norwood Payneham & St Peters.</p> <p>The objective of the Project is to design and construct a new Playground, whilst maintaining some of the key elements that are well loved by the users of this unique facility.</p> <p>The Project is scheduled to be delivered over two (2) financial years, with the detailed design to be undertaken during 2021-2022. The estimated spend being incurred as follows:</p> <p>2021-2022 - \$100,000</p> <p>2022-2023 - \$900,000</p> <p>The Council has secured \$450,000 in grant funds from the State Governments <i>Open Space & Places for People Program</i>.</p>	\$100,000	\$ -
River Torrens Linear Park Shared	<p>This project involves the reconstruction of the shared path along the River Torrens Linear Park, between the intersection of Battams Road/Ninth Avenue</p>	\$2,148,000	\$1,350,000

Project Name	Project Description	2021-2022 Budget Allocation	2021-2022 Grant Funding
Path Enhancement – Stage 2	<p>Royston Park and Twelftree Reserve, Collage Park, encompassing a section of the path that passes through Dunstan Adventure Playground. The project will deliver a 2.6 km, 3.0-3.5 metre wide shared path with compliant LED lighting. This project is the continuation of Stage 1 of the River Torrens Shared Path enhancement Project which was completed in 2019.</p> <p>The estimated project cost is \$3.0 million, which includes endorsed civil infrastructure renewal works to the value of \$ 798,000. These elements have been accounted for in the recently adopted <i>Infrastructure & Asset Management Plans</i></p> <p>The Project is scheduled to be delivered over two (2) financial years, with the detailed design to be undertaken during 2021-2022. The estimated spend being incurred as follows:</p> <p>2021-2022 - \$2.148 million 2022-2023 - \$0.852 million</p> <p>The Council has secured \$1,350,000 in grant funds from the State Governments <i>Open Space & Places for People Program</i>.</p>		
Payneham Swimming Centre Redevelopment	<p>This project involves the full redevelopment of the Payneham Memorial Swimming Centre, as per the Council's <i>Swimming Centres Strategy</i> and endorsed Concept Plans.</p> <p>The complete redevelopment is estimated to cost \$24 million, with the project being delivered over two (2) financial years, with the estimated spend being incurred as follows:</p> <p>2021-2022 - \$ 3.0 million 2022-2023 - \$21.0 million</p> <p>The Council has secured \$5.6 million in grant funds from the State Governments <i>Local Government Infrastructure Partnership Program</i> to assist in funding the water elements of the project.</p>	3,000,000	2,800,000
Total		9,775,000	4,700,000

It should be noted that the recognition of the Grant Funding is linked to the delivery of construction activities or the achievement of key milestones as set out in the respective funding agreements.

CONSULTATION

- **Committee Members**

The Committee considered the draft 2021-2022 Annual Business Plan and Budget at its meeting held on 24 May 2021.

Cr Minney, Mayor Bria and Cr Stock, have been involved throughout the Annual Business Plan and Budget preparation process and have considered the various components of the Budget and made decisions as appropriate.

- **Community**

The community through community consultation process on the Annual Business Plan was provided the opportunity to provide feedback on the Annual Business Plan and Budget. Six (6) written submissions were received and considered by Council at its meeting held on 16 June 2021.

- **Staff**

The review of the Operating Expenditure and Special Projects and the Annual Business Plan process has been completed with the involvement of the Chief Executive Officer, General Managers and the various Responsible Officers.

- **Other Agencies**

Nil.

DISCUSSION

The 2021-2022 Annual Business Plan and Budget has been developed during a period in which the State is recovering from the economic and social impacts of the COVID-19 pandemic. As a level of Government, the Council was conscious of its role in the economic recovery from the COVID-19 pandemic, as such the focus has remained on ensuring that the Council not only maintains the service standards for its existing range of services to support the delivery of the strategic objectives, the 2021-2022 Annual Business Plan and Budget commits to a number of large scale infrastructure projects.

With a Rate Revenue increase of 4.35%, combined with the extensive Capital Program, the Budget will, deliver a Cash Deficit of \$1.621 million, after Principal loan repayments of \$931,000 and new borrowings of \$8.2 million. The closing cash balance at the 30 June 2022, is projected to be \$1.359 million.

Given the nature of the infrastructure projects planned to be undertaken over the coming financial years, to minimise the interest cost and cash required to meet principal loan repayments, it is proposed that Convertible Cash Advance Debenture (CAD) loan facilities that the Council be utilised during construction. In addition to the existing CAD Facilities of \$10.5 million, the Local Government Finance Authority has made available (upon application) a \$5.6 million CAD facility specifically for the Payneham Memorial Swimming Centre redevelopment.

Table 2 below provides a summary of the key elements of the 2021-2022 Budget.

TABLE 2: 2021-2022 BUDGET

	2021-2022
Rate Revenue Increase	4.35%
Revenue Growth from New Development	\$341,000
Operating Surplus	\$471,000
Underlying Operating Surplus *	\$875,000
Expenditure on continuing services and programs (excluding Regional Landscape Levy)	\$33.447 million
Expenditure on new initiatives and strategic operating projects (including Carry-forward projects)	\$955,000
Total Capital Works Program (including Carry-forward projects)	\$26.972 million
Non- Rate Operating Revenue (including Roads-to- Recovery Grant Funding)	\$9.268 million
Net General Rate Revenue (excluding Regional Landscape Levy)	\$36.424 million
Regional Landscape Levy **	\$1.387 million
Capital Grant Funding	\$5.541 million

* excludes carry forward expenditure (\$203,000) and Net loss on Joint Ventures (\$201,000)

** The Council is acting as a revenue collector for the Green Adelaide Board in this regard and does not retain this revenue.

Rating Strategy

The Council's Long Term Financial Plan, sets out the Councils Financial Goal, which is to be a *City which delivers on our Strategic Outcomes by managing our financial resources in a sustainable and equitable manner*. To achieve this, a number of Financial Outcomes and financial targets have been established, one being Rate Stability. The Council has defined Rate Stability to mean *Annual rate collections are fair and equitable for our residents and ratepayers with the aim to keep rate revenue increases stable over the medium term*. The average rate revenue increase over the past 5 years is 2.75%, which is at the lower end of the Rate Revenue target, set out in the Councils Long Term Financial Plan. For the same period, the average residential rate increase is 1.85%, with the average Commercial Rate increasing by 0.52%.

As such, from a financial management perspective, the Council has clearly delivered on its financial objectives.

Details of the adopted Rating Strategy are detailed in Table 3 below:

TABLE 3: RATING STRATEGY

	2021-2022
Rate Revenue Increases	4.35%
	\$'000
Gross General Rate Revenue	\$37,239
Net Increase on Previous Year	\$1,566
Operating Surplus/(Deficit) after rate revenue increases	471
Residential Rate	
Average Rate	\$1,563
Average Rate Difference	\$54
Increase from previous year	3.57%
Rate-in-the-Dollar	0.0022778
Increase from previous year	1.98%
Commercial Rate	
Average Rate	\$2,649
Average Rate Difference	\$53
Increase from previous year	2.02%
Rate-in-the-Dollar	0.0027332
Increase from previous year	1.98%
Minimum Rate	\$1,068
Percentage of Assessment on Minimum Rate	29.8%

For the 2021-2022 financial year, the “*average residential property*” is valued at \$686,000, compared to the 2020-2021 “*average residential property*” value of \$675,000. The average residential rate increase takes into account the impact of the change in capital value of the “*average residential property*” plus the increase in the rate-in-the-dollar. For the 2021-2022 financial year, the increase in the rate-in-the-dollar is 1.98%, which for the “*average residential property*” is \$30.32 per annum, with the increase in rates payable from the change in capital value is 1.6%, which translates to a \$24.05 per annum increase.

It should be noted that 59.4% of residential properties have had no change in their property value, as such, the rate increase for this year will be 1.98%, which for the “*average residential property*” is \$30.32.

OPTIONS

Nil

CONCLUSION

Through the adoption of the Long Term Financial Plan, the Council has a clear strategy of achieving financial sustainability. Financial sustainability means having a financial position capable of meeting long term service and infrastructure levels and standards, which are acceptable to the community plus having the financial capacity to meet its financial obligations from cash generated from operations or cash reserves.

As the State recovers from the economic impact of the COVID-19 pandemic, the Council is conscious of the role it plays in the economic recovery. As such, the 2021-2022 Annual Business Plan and Budget commits to a number of large scale infrastructure projects, which will not only increase the level of Community Well-being but will also assist in creating jobs for the State and the local community. The Council has also confirmed its commitment to ensuring the maintenance and renewal of its significant asset base is maintained, as well as providing the services, programs and facilities which the community expects the Council to fund from the revenues which is raised.

The Annual Business Plan and Budget, which is contained in **Attachment A**, also takes into account the on-going cost of living pressures and the community concern about the affordability of Council services, with appropriate increase of 1.98% in the Rate-in-the Dollar, with an Average Residential Rate increase of \$53 (3.57%), which takes into account the change in the value of the “*average residential property*”.

COMMENTS

If Committee Members have any questions or require clarification in relation to specific budget items, and/or any issues raised in this report, do not hesitate to contact the General Manager, Corporate Services, Sharon Perkins on 8366 4585, prior to the meeting.

RECOMMENDATION

That the report be received and noted.

Ms Sandra Di Blasio moved:

That the report be received and noted.

Seconded by Cr Stock and carried unanimously.

6.4 INTERNAL CONTROL AND RISK MANAGEMENT ASSESSMENT

REPORT AUTHOR: Management Accountant
GENERAL MANAGER: General Manager, Corporate Service
CONTACT NUMBER: 8366 4585
FILE REFERENCE: qA75186/A201433
ATTACHMENTS: A - C

PURPOSE OF REPORT

The purpose of this report is to provide the Audit Committee with an update on the status of the Council's major risks and the assessment of the Council's Internal Controls.

BACKGROUND

The 2019-2020 Audit Committee Work Program requires the Committee to:

- a. *Identify whether weaknesses in internal controls have been previously identified, e.g. by management or Council's external auditor, and if so whether action has been taken to have them addressed:*
 - *consider the range of documented internal control policies and procedures; and*
 - *whether they are being followed.*
- b. *Develop and monitor the delivery of the Council's Strategic Internal Audit Plan by:*
 - *meeting with the Council's Internal Auditors to discuss any points of concern raised by the Internal Auditor, as part of the delivery of the Strategic Audit Plan;*
 - *assessing the appropriateness of the Council's response to matters raised in the Internal Audit Reports; and*
 - *annually review the appropriateness of the Council's three (3) year Strategic Internal Audit Plan.*
- c. *Review Management's assessment of Council's major risks.*
- d. *Establish whether locally appropriate strategies exist to minimise the likelihood of occurrence and adverse consequence for obvious and major risks. Consider:*
 - *whether an assessment has been undertaken to identify foreseeable events with potentially catastrophic consequences and actions established to minimise their likelihood and effect*
 - *whether a business continuity plan has been developed in case of major damage to key Council properties or other, (e.g. computer, assets);*
 - *whether there are significant risks that have been identified by Council's insurers that have not been reasonably addressed and therefore could jeopardise insurance cover in this regard; and*
 - *adequacy of insurance coverage.*

At its meeting held on 15 October 2010, the Audit Committee requested that Risk Management be a standard item on its agenda and that a brief report be prepared for each meeting confirming that the risks remain current and that the identified existing controls remain in place.

RELEVANT STRATEGIC DIRECTIONS & POLICIES

Not Applicable.

FINANCIAL AND BUDGET IMPLICATIONS

Additional funding may be required to complete the work which has been requested by the Audit Committee, depending on the nature and timeframes which are set for any further work required to be undertaken.

EXTERNAL ECONOMIC IMPLICATIONS

Nil

SOCIAL ISSUES

Nil

CULTURAL ISSUES

Nil

ENVIRONMENTAL ISSUES

Nil

RESOURCE ISSUES

Refer to Financial Implications above.

RISK MANAGEMENT

The risks identified to be managed are contained in **Attachment B**.

CONSULTATION

- **Committee Members**
Not Applicable.
- **Community**
Not Applicable.
- **Staff**
Where Applicable.
- **Other Agencies**
Not Applicable.

DISCUSSION**Risk Management Assessment**

Following the risk review and risk workshop held on 11 September 2019, eight (8) strategic risks and thirteen (13) operational risks were identified. Upon review of the nature of the risks and the existing controls which are in place, five (5) strategic risks and three (3) operational risks were identified with a target risk greater than the residual risk. To reduce the risk to the target risk rating, a number of treatment plans were identified to mitigate against the risks. The status of the risks requiring additional mitigation strategies and controls is contained in **Attachment A**.

Internal Audit

The Council has in place a three (3) year Strategic Internal Audit Plan (the Plan) which, following the recommendation of the Audit Committee, was adopted by the Council on 4 November 2019.

Contract Management was identified as part of the risk review undertaken in September 2019, as an Operational Risk that required a treatment plan to reduce the residual risk, which was rated "High". To address this risk and in-line with the 2020-2022 Internal Audit Plan, the Council has undertaken a review of the Councils process to Contract Management with a view to implement a Contract Management Framework, similar to the Procurement Framework implemented in 2019.

The scope of the review included three stages:

- Stage 1: Health Check, which involved a review of the current contract management process in place;
- Stage 2: Gap Analysis which identifies areas of improvements; and
- Stage 3: Contract Management Framework Development Recommendations.

The report, which provides a road map for the Council to undertake to develop a Contract Management Framework is contained in **Attachment B**.

It was identified as part of the Health Check that the Council does not have a specific Contract Management Policy. A draft policy has been prepared, which is contained in **Attachment C** for consideration and endorsement.

OPTIONS

Nil

CONCLUSION

Nil

COMMENTS

Nil

RECOMMENDATION

1. That the report be received and noted.
 2. That the Audit Committee recommends to the Council that the Contract Management Policy as contained in **Attachment C** be adopted.
-

Cr Stock moved:

1. *That the report be received and noted.*
2. *That the Audit Committee recommends to the Council that the Contract Management Policy as contained in Attachment C be adopted.*

Seconded by Ms Sandra Di Blasio and carried unanimously.

6.5 2021-2022 INSURANCE COVERAGE AND 2020-2021 INSURANCE CLAIMS

REPORT AUTHOR: Management Accountant
GENERAL MANAGER: General Manager, Corporate Services
CONTACT NUMBER: 8366 4541
FILE REFERENCE: qA75186/A199905
ATTACHMENTS: A-B

PURPOSE OF REPORT

The purpose of this report is to provide the Audit Committee with information regarding the Council's 2021-2022 Insurance Coverage and details of the insurance claims which have been made against the Council for the 2020-2021 Financial Year.

BACKGROUND

The Council's Insurance Coverage is placed with Local Government Risk Services (LGRS). LGRS was established to manage and service the unique insurance and risk management needs of Local Government in South Australia. LGRS comprises of number of self-managed funds, namely the Asset Mutual Fund, Mutual Liability Scheme and Workers compensation scheme.

Claims which are made against the Council are assessed by the Council's Insurers, the Local Government Risk Services, under one of the following insurance policies;

- Public Liability (Mutual Liability Scheme); or
- Asset Mutual Fund (includes Motor Vehicle Claims).

Both the Local Government Mutual Liability Scheme (Mutual Liability) and the Local Government Asset Mutual Fund (Asset Mutual Fund), are self-insured funds managed and operated by Local Government Risk Services. The Mutual Liability Scheme is an indemnity scheme that has been established pursuant to Schedule 1, Part 1 2(1) (a) of the *Local Government Act 1999* and provides unlimited civil liability. The Asset Mutual Fund has been established pursuant to Schedule 1, Part 1 2(1) (c) of the *Local Government Act 1999*.

It should be noted that the Mutual Liability Scheme is not a commercial insurance policy, but rather provides civil liability cover to Councils based on negligence, not merely as to whether damage or injury has occurred.

RELEVANT STRATEGIC DIRECTIONS & POLICIES

Not Applicable.

FINANCIAL AND BUDGET IMPLICATIONS**Insurance Coverage**

For the 2021-2022 Financial year, the value of insurance premiums is \$1,637,540. The breakdown of premiums for each policy is set out in Table 1 below:

TABLE 1: INSURANCE PREMIUMS

Policy	Premium \$
Workers Compensation Scheme (Workers Compensation)	662,807
Mutual Liability Scheme (Public Liability Insurance)	399,559
Asset Mutual Fund (Asset Insurance)	336,518
Income Protection Fund	214,036
Journey Insurance	13,579
General & Products Liability	9,272
Personal Accident	1,769
Total	1,637,540

Both the Workers Compensation Scheme and Mutual Liability Scheme provide performance rebates based on prior year's performance of the Council's claims performance and audits and the overall performance of the funds. The performance bonuses received for the 2021-2022 financial year are \$211,436 from Workers Compensation Scheme and \$117,482 from the Mutual Liability Fund. Net of performance bonuses, the 2021-2022 insurance cost is \$1.309 million.

Insurance Claims

For the 2020-2021 financial year, the Council paid insurance excess payments of \$19,851 on claims finalised during the year. The excess payments relates to eleven (11) Motor Vehicle claims, three (3) Public Liability claims and sixteen (16) Asset claims.

EXTERNAL ECONOMIC IMPLICATIONS

Not Applicable.

SOCIAL ISSUES

Not Applicable.

CULTURAL ISSUES

Not Applicable.

ENVIRONMENTAL ISSUES

Not Applicable.

RESOURCE ISSUES

Nil

RISK MANAGEMENT

Having in place appropriate insurance policies is a key element of the Council's Risk Management framework. Pursuant to Section 142 (1) of the *Local Government Act 1999*, the Council must take out and maintain insurances to cover civil liabilities.

The Council is a member of the Local Government Association Mutual Liability Scheme, which constitutes insurance for the purposes of Section 142 of the Act.

The Council insures other risks with Local Government Risk Services.

CONSULTATION

- **Committee Members**
Not Applicable.
- **Community**
Not Applicable.
- **Staff**
Not Applicable.
- **Other Agencies**
Not Applicable.

DISCUSSION

2021-2022 Insurance Coverage

The Council has in place the following insurance policies, which have been renewed for the 2021-2022 Financial year.

LGA Asset Mutual Fund

The Asset Mutual Fund provides coverage for Council owned properties including but not limited to, Buildings, Structures, Plant, Machinery, Contents of every description, Motor Vehicles and Mobile Plant. Cover for the Council's property and contents under the Asset Mutual Fund, are required to be at replacement value of the respective assets in a condition and construction in an "as new state".

Under the current policy, damage to roads, footpaths and kerbing infrastructure is not covered by the Asset Insurance Policy. Neither this Council, nor any other Council in the South Australia, purchases insurance for their respective Civil Infrastructure Network. The basis for this decision is that due to the significant value of the Civil infrastructure Network which Local Government is responsible for, the increase in premium cost would significantly outweigh the likely cost of any claim and therefore is uneconomical to cover.

Income Protection Fund

The Income Protection Fund provides Income Protection and Capital benefits coverage to the City of Norwood, Payneham & St Peters for and on behalf of staff. The scope of the cover under this Policy includes:

- Capital Benefits for Death and Permanent Total Disablement (Accidents other than Journey claims); and
- weekly benefits for All Illness or Injury (not covered by the Workers Compensation Scheme).

General and Products Liability

The General & Products Policy provides coverage to the City of Norwood, Payneham & St Peters on behalf of:

- all uninsured *ad hoc* or occasional hirers of Norwood Concert Hall and *other* Council owned or controlled facilities;
- all regular user groups (as declared) of Council owned or controlled facilities; and
- skip bins placed on Council land.

for Death or Personal Injury and Loss or Damage to Property happening during the Period of Insurance and caused by an occurrence in connection with the hire of the Council facility.

It should be noted that the General and Products Liability for ad-hoc hirers and declared regular hirers, is only available to hirers who would not otherwise have liability insurance, (i.e. small community groups, private hires such as family gatherings).

Additional cover is also provided to the Staff Social Club, participants of the Norwood Christmas Pageant and buskers who are permitted to operate within the City and who would not otherwise have liability insurance.

Personal Accident

Personal Accident Insurance provides coverage for Death and Total or Partial Disablement for the Insured Parties listed below, whilst engaged in any activity directly or indirectly connected with or on behalf of the City of Norwood, Payneham & St Peters (i.e. undertaking official duties) including travel to and/or from any such activity. Persons covered by the Policy are:

- a. Elected Members and their accompanying Partners/Spouses.
- b. Employees and their accompanying Partners/Spouses, (excluding claims where the employee is entitled to benefits under any Workers Compensation legislation)
- c. Volunteers whilst engaged in any voluntary work directly or indirectly connected with or on behalf of the Council, including individual members of any Trust or Committee formed by Council.
- d. Persons whilst engaged in any Government Labour Market, Training or Job Creation Projects.
- e. Members of the Council's Development Assessment Panel and Audit Committee.

Journey Injury

Journey Injury Insurance provides coverage for Bodily Injury to Employees whilst engaged in a journey to and from their place of residence and place of work and between a place of training and place of work. The cover has been extended to provide coverage for Bodily Injury to Employees for private travel, whilst they are driving or riding as a passenger in a registered motor vehicle or motorcycle, bicycle or wheelchair on a public thoroughfare; or riding as a fare paying passenger in any form of public transport including but not limited to trains, trams, buses and taxis or any properly licensed aircraft travelling over recognised air routes.

A summary of each insurance policy is contained in **Attachment A**.

Public Liability

The Council is a member of the Local Government Mutual Liability Fund. This covers the Council's risk associated with people tripping over on footpaths, falling trees, etc. This cover is unlimited and the policy is an all Civil Liability cover and takes into account public liability, professional indemnity, director and officer indemnity and any other action in which the Council may be sued. The Local Government Association Mutual Liability Scheme (LGAMLS) is not a commercial insurance policy, but provides civil liability cover to Councils based on negligence, not merely as to whether damage or injury has occurred.

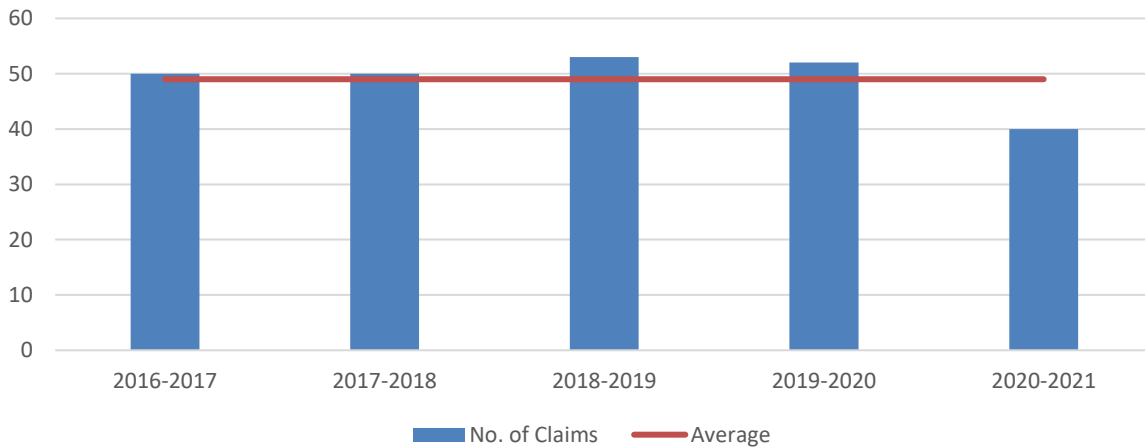
Workers Compensation

The Council is a member of the Local Government Workers Compensation Scheme. This is a self-funded Scheme which provides cover for employees injured in a work related accident.

2020-2021 Insurance Claims

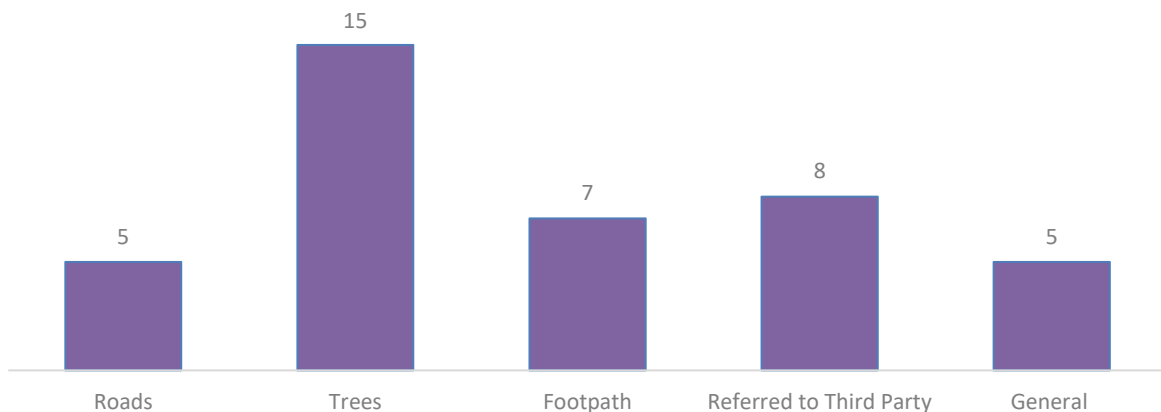
For the 2020-2021 financial year, forty (40) claims were lodged against the Council under the Mutual Liability Scheme. As illustrated in Figure 1 below, the number of claims lodged in 2020-2021 is below the five (5) year average of 49 claims.

FIGURE 1: NUMBER OF PUBLIC LIABILITY CLAIMS



The nature of the claims, is illustrated in Figure 2 below. For the 2020-2021 Financial year the reduction in the number of claims have been driven by footpath claims associated with trips and falls and damage which is alleged to have been caused by street trees.

FIGURE 2: NATURE OF CLAIMS FOR 2020-2021



It should be noted that Councils are afforded immunity from civil liability under the *Civil Liability Act 1936*. Pursuant to Section 42 of the *Civil Liability Act 1936*, a road authority is not liable in tort for failure to maintain, repair, or renew a road or to take action to avoid or reduce the risk of harm that results from the failure to maintain, repair or renew a road. The definition of a road also includes bridges, alleys, laneways, carparks, footpaths and any structure associated with a road. In this instance, Local Government can claim immunity for public liability claims that are associated with the Council roads, footpaths and kerbs. Unless the loss is a result of negligence on the Council's behalf, the Council will claim the immunity afforded by the Act.

In addition, the *Local Government Act 1999*, provides Councils with immunity from liability for damage and loss to property caused by street trees (or trees on reserves). Pursuant to Section 245 of the *Local Government Act 1999*, the Council is not liable for damage which results from planting a tree in a road or the existence of a tree growing in the road. Having said that, if the Council has been made aware of a risk of damage that a street may pose and the Council fails to take action, the Council may be liable for damage and or loss.

Of the claims which have been lodged during 2020-2021, twenty-four (24) claims were denied, with thirteen (13) being denied through the application of Section 245 of the *Local Government Act 1999* and eleven (11) denied under Section 42 of the *Civil Liability Act 1936*. Of the remaining sixteen (16), eight (8) were referred to third parties as the claim either related to damage or loss that occurred on non- Council owned property, or was caused by persons other than the Council, (i.e. contractors engaged by the Council), one (1) was denied due to no evidence being presented which identified that the Council was responsible for the damage. One (1) claim was settled for a damage to vehicle resulting from a stormwater drain cover.

Six (6) claims are still in the process of being investigated and assessed.

Details of the claims are contained in **Attachment B**.

With respect to claims under the Asset Mutual Fund, thirty-three (33) claims have been made. The breakdown of the claims is detailed in Table 2 below;

TABLE 2: ASSET MUTAL FUND CLAIMS

Nature of Claim	Number of Claims
Damage or loss to Council owned Property	21
Motor Vehicle Claims	
• Collided with Parked Car	1
• Collided with Stationary Object (i.e. pole, gate etc.)	3
• Sideswiped by third party vehicle	4
• Collision with third party vehicle	3
• General	0

OPTIONS

Not Applicable.

CONCLUSION

Nil

COMMENTS

Nil

RECOMMENDATION

That the report be received and noted.

Cr Stock moved:

That the report be received and noted.

Seconded by Ms Brigid O'Neill and carried unanimously.

6.6 FINANCE POLICIES

REPORT AUTHOR: Accountant
GENERAL MANAGER: General Manager, Corporate Services
CONTACT NUMBER: 8366 4585
FILE REFERENCE: qA75186/A198855
ATTACHMENTS: A - D

PURPOSE OF REPORT

The purpose of this report is to present to the Audit Committee finance policies which have been reviewed, for consideration and endorsement prior to being presented to the Council for adoption.

BACKGROUND

Pursuant to Section 125 of the *Local Government Act 1999*, the Council must ensure that appropriate policies, practices and procedures of internal control are implemented and maintained in order to assist the Council to:

- carry out its activities in an efficient and orderly manner to deliver on its objectives;
- ensure adherence to management policies;
- safeguard the Council's assets; and
- secure (as far as possible) the accuracy and reliability of the Council's records.

The Audit Committee Work Program requires the Audit Committee to review the appropriateness of the range and content of the Council's financial policies and practices.

RELEVANT STRATEGIC DIRECTIONS & POLICIES

Not Applicable.

FINANCIAL AND BUDGET IMPLICATIONS

Not Applicable.

EXTERNAL ECONOMIC IMPLICATIONS

Not Applicable.

SOCIAL ISSUES

Not Applicable.

CULTURAL ISSUES

Not Applicable.

ENVIRONMENTAL ISSUES

Not Applicable.

RESOURCE ISSUES

Not Applicable.

RISK MANAGEMENT

Documentation of policies relating to the Council's financial transactions improves transparency and ensures consistent treatment over subsequent reporting periods, subject to changes in Accounting Standards and or legislation.

CONSULTATION

- **Committee Members**
Not Applicable.
- **Community**
Not Applicable.
- **Staff**
Nil
- **Other Agencies**
Not Applicable.

DISCUSSION

In accordance with the Finance Policy Timetable, a review of finance policies, as contained in **Attachment A** to **D**, has been undertaken. Following the review, the proposed amendments to the policies, as detailed in Table 1 below, are presented to the Committee for consideration and recommendation to the Council for adoption, subject to any amendment which may be considered appropriate by the Audit Committee.

TABLE 1: PROPOSED POLICY AMENDMENTS

Policy	Details of Proposed Amendment
Asset & Land Disposal Policy (Attachment A)	No changes are recommended.
Asset Impairment Policy (Attachment B)	No changes are recommended
Asset Revaluation Policy (Attachment C)	No are changes recommended
Salaries and Wages Administration Policy (Attachment D)	<p>The Council's Municipal Officers Enterprise Agreement and Local Government Employees Enterprise Agreement are renegotiated every three years. The policy has been updated to reflect the current Enterprise Agreements;</p> <ul style="list-style-type: none"> • The City of Norwood Payneham & St Peters Municipal Officers Enterprise Agreement (No.8); and • The new City of Norwood Payneham & St Peters Local Government Employees Enterprise Agreement (No.8)

OPTIONS

The Policies can be recommended to the Council for adoption with or without amendment.

CONCLUSION

To ensure compliance with Section 125 of the Act, the Council must have in place appropriate policies, practices and procedures which assist the Council to carry out its activities in an efficient and orderly manner. It is important to ensure that the policies adopted by the Council are regularly reviewed to ensure that they reflect the current operating environment and continue to meet the Council's overall objectives.

COMMENTS

Nil

RECOMMENDATION

1. That the Audit Committee notes that the following policies have been reviewed and notes that no amendments are recommended.
 - Asset & Land Disposal Policy;
 - Asset Impairment Policy;
 - Asset Revaluation Policy.
 2. That the Audit Committee notes that the Salaries and Wages Administration Policy has been reviewed and notes that minor administrative amendments are recommended.
 3. That the Audit Committee recommends to the Council that the following policies be adopted.
 - Asset & Land Disposal Policy (**Attachment A**);
 - Asset Impairment Policy (**Attachment B**);
 - Asset Revaluation Policy (**Attachment C**);
 - Salaries & Wages Administration Policy (**Attachment D**).
-

Mayor Bria moved:

1. *That the Audit Committee notes that the following policies have been reviewed and notes that no amendments are recommended.*
 - *Asset & Land Disposal Policy;*
 - *Asset Impairment Policy;*
 - *Asset Revaluation Policy.*
2. *That the Audit Committee notes that the Salaries and Wages Administration Policy has been reviewed and notes that minor administrative amendments are recommended.*
3. *That the Audit Committee recommends to the Council that the following policies, as amended to reflect the change in endorsement date from 26 July 2021 to 10 August 2021, be adopted.*
 - *Asset & Land Disposal Policy (Attachment A);*
 - *Asset Impairment Policy (Attachment B);*
 - *Asset Revaluation Policy (Attachment C);*
 - *Salaries & Wages Administration Policy (Attachment D).*

Seconded by Ms Brigid O'Neill and carried unanimously.

7. CONFIDENTIAL REPORTS
Nil

8. OTHER BUSINESS
Nil

9. NEXT MEETING

Monday 25 October 2021

10. CLOSURE

There being no further business the Presiding Member declared the meeting closed at 7.53pm.

Cr John Minney
PRESIDING MEMBER

Minutes Confirmed on _____
(date)

Attachment D

Adoption of Committee Minutes

Cultural Heritage Committee

City of Norwood Payneham & St Peters
175 The Parade, Norwood SA 5067

Telephone 8366 4555
Facsimile 8332 6338
Email townhall@npsp.sa.gov.au
Website www.npsp.sa.gov.au



City of
**Norwood
Payneham
& St Peters**

Cultural Heritage Committee Minutes

16 August 2021

Our Vision

*A City which values its heritage, cultural diversity,
sense of place and natural environment.*

*A progressive City which is prosperous, sustainable
and socially cohesive, with a strong community spirit.*

City of Norwood Payneham & St Peters
175 The Parade, Norwood SA 5067

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City of
Norwood
Payneham
& St Peters

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6.1	2021 CITY OF NORWOOD PAYNEHAM & ST PETERS HISTORY FESTIVAL.....	2
7.	OTHER BUSINESS.....	15
8.	NEXT MEETING.....	15
9.	CLOSURE	15

VENUE Cultural Heritage Centre, 2/101 Payneham Road, St Peters

HOUR 6.08pm

PRESENT

Committee Members Cr Christel Mex (Presiding Member)
Cr Kester Moorhouse
Cr Carlo Dottore
Cr Evonne Moore
Cr Scott Sims
Cr Sue Whittington

Staff Lisa Mara (General Manager, Governance & Community Affairs)
Denise Schumann (Cultural Heritage Adviser)

APOLOGIES Nil

ABSENT Nil

TERMS OF REFERENCE:

The Cultural Heritage Committee is established to fulfil the following functions:

- *to act in an advisory role on the management and execution of the Council's Cultural Heritage Program; and*
- *to do anything necessary, expedient or incidental to performing or discharging the functions of the Committee as listed herein or to achieving its objectives.*

1. CONFIRMATION OF THE MINUTES OF THE MEETING OF THE CULTURAL HERITAGE COMMITTEE HELD ON 15 MARCH 2021

Cr Whittington moved that the minutes of the meeting of the Cultural Heritage Committee held on 15 March 2021 be taken as read and confirmed. Seconded by Cr Sims and carried unanimously.

2. PRESIDING MEMBER'S COMMUNICATION

Nil

3. QUESTIONS WITHOUT NOTICE

Nil

4. QUESTIONS WITH NOTICE

Nil

5. WRITTEN NOTICES OF MOTION

Nil

6. STAFF REPORTS

6.1 2021 CITY OF NORWOOD PAYNEHAM & ST PETERS HISTORY FESTIVAL

REPORT AUTHOR: Cultural Heritage Adviser
GENERAL MANAGER: General Manager, Governance & Community Affairs
CONTACT NUMBER: 8334 0262
FILE REFERENCE: qA70168
ATTACHMENTS: A

PURPOSE OF REPORT

The purpose of this report is to provide information to the Cultural Heritage Committee regarding the 2021 City of Norwood Payneham & St Peters History Festival.

BACKGROUND

South Australia's History Festival is one of the State's largest annual community events. Taking place in May each year, the History Festival creates a platform for South Australians to explore, promote and engage with the unique and evolving history of our State. The theme of the 2021 History Festival was 'change' - from *political change to social change, changing places, changing minds, changing hearts*.

Each year, the Council participates in the annual State-wide *SA History Festival* which contributes in a significant way to the City's cultural vitality.

With the closure of all museums and art galleries across South Australia from the end of March 2020 due to COVID-19, the History Trust of South Australia cancelled the 2020 SA History Month Festival and all other associated museum activities and programs.

However, with the easing of South Australia's COVID restrictions in November 2020, the History Trust of South Australia notified various organisations that the *2021 History Festival* would be held in May 2021.

Therefore, with the re-opening of the Council's Cultural Heritage Centre in December 2020, the planning and organising of the Council's 2021 History Festival recommenced based on the program which was planned for May 2020.

The objective of the Council's 2021 History Festival, *Between Two Worlds* and was to highlight the City's Kaurna heritage and to deliver a program that celebrated Aboriginal culture, knowledge, and history.

This was achieved by creating an events program that used the resources of the Adelaide Kaurna community and the wider Aboriginal community wherever possible.

RELEVANT STRATEGIC DIRECTIONS & POLICIES

The relevant Outcomes and Objectives in *CityPlan 2030* are:

Outcome 2: Cultural Vitality

A culturally rich and diverse city, with a strong identity, history and sense of place.

Objectives:

2.2 *A community embracing and celebrating its social and cultural diversity.*

2.2.1 *Acknowledge and recognise local Aboriginal heritage and history*

2.2.3 *Promote understanding of and respect for our cultures and heritage.*

FINANCIAL AND BUDGET IMPLICATIONS

The Council's History Festival was funded as part of the annual Cultural Heritage Events Budget of \$23,000. A summary of the income and expenditure associated with the 2021 History Festival is set out in Table 1 below.

TABLE 1: 2021 HISTORY FESTIVAL

ACTIVITY TYPE	ACTUAL
Income	
Ticket Sales/Fees	\$ 1,480.49
Total Income	\$ 1,480.49
EXPENSES	
Event Operations	
Contracted Services	\$ 6,667.00
Equipment Hire	\$ 449.00
Minor Equipment Hire	\$ 1,729.00
Advertising	\$ 60.00
Other Expenses	\$ 6,313.00
Total Event Operations	\$15,217.00
TOTAL INCOME	\$ 1,480.00
TOTAL EXPENDITURE	\$13,736.51

Income was generated through the sale of tickets for the film event and a refund which was received from the History Trust of SA for the registration of events for the 2020 program which was cancelled due to COVID-19. The total expenditure for the 2021 SA History Festival was \$13,736.51

EXTERNAL ECONOMIC IMPLICATIONS

Not Applicable.

SOCIAL ISSUES

Events such as the Council's History Festival and the Cultural Heritage Program are aimed at the development of social and cultural capital. The City's history and heritage are made accessible to the community through the delivery of research services, public events and community activities that foster a sense of belonging and well-being.

CULTURAL ISSUES

The Council's participation in the South Australia's History Festival encourages creative and artistic expression, supports learning and intellectual endeavour and contributes to the City's cultural life.

ENVIRONMENTAL ISSUES

Not Applicable.

RESOURCE ISSUES

The Cultural Heritage Adviser is responsible for the design, development, organisation and implementation of the Council's History Festival, with the assistance of the Council's Events Unit and Volunteers.

RISK MANAGEMENT

All events are managed in accordance with relevant Risk Management policies, processes and procedures.

COVID-19 IMPLICATIONS

A COVID Safe Plan has been prepared for the Cultural Heritage Centre and its associated activities in accordance with SA Health requirements. The Cultural Heritage Adviser is a registered COVID Marshall.

All events associated with the History Festival comply with SA Health requirements.

CONSULTATION

- **Elected Members**
Not Applicable
- **Community**
Not Applicable
- **Staff**
Not Applicable
- **Other Agencies**
Dr Karen Blackwood, Director, SA History Festival

DISCUSSION

The SA History Festival is now considered the State's largest community history festival. The City of Norwood Payneham & St Peters has been involved since its inception in 2011 and prior to this ran its own heritage events program.

The SA History Festival is organised around multiple small-scale history activities based in local communities. This model allows the SA History Trust to act as a co-ordinator and at the same time limiting the costs associated with hosting events.

All events are required to be self-funded and self-administered and organisations must pay a registration fee to participate in the state-wide festival. It is this characteristic of being self-funded and self-administered that distinguishes the SA History Festival from other major cultural events in South Australia.

The 2021 SA History Festival Program included some 600 events across South Australia from 1 May until 31 May and involved 300 organisations. In a break with tradition, the History Trust of South Australia decided to not produce a printed program for the SA History Festival in May 2021.

Instead, a new online website detailed the program for each region across the State and highlighted themes as a focus within the program such as First Nations Events or Learn Something New.

At the time of writing this report, the South Australian History Trust has not yet released its annual statistical report detailing the analysis of trends or breakdown of figures for this year's History Festival. However, anecdotal evidence suggests that many in the community found the website difficult to engage with and had to rely on secondary sources to find out about various events.

In 2021, the History Trust of SA History Festival employed the concept of 'change' as a key theme whether it was at a local or global level or it could refer to - '*Changing places, changing minds, changing hearts. Change for the better, change for the worse – on a big or small scale – and everything in between*'. (G. Mackie, 2021)

Within this emphasis on 'change' a particular focus was the history of First Nations people.

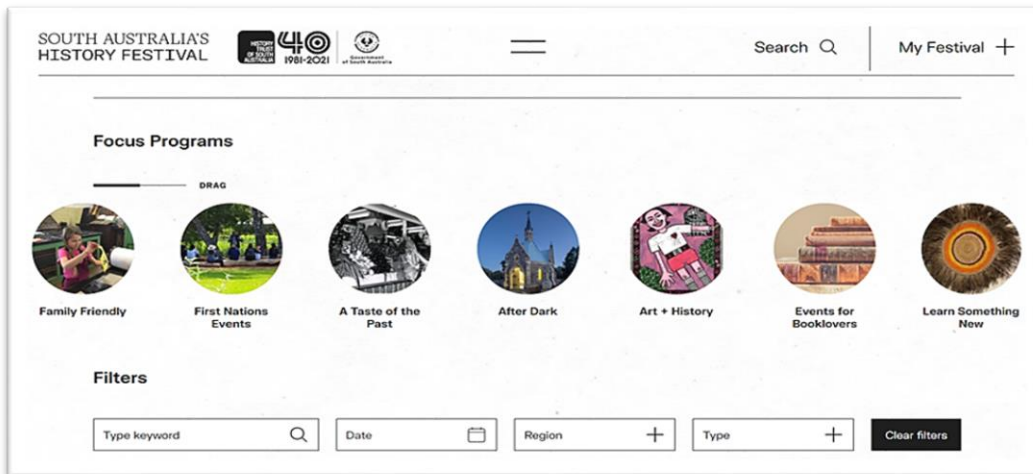
The Council's 2021 History Festival embraced this theme and the program of events were held under the title, *Between Two Worlds*.

This approach acknowledged that Kurna culture prior to European colonisation in 1836 held different world views and values concerning definitions of country. The concept of what constituted country for aboriginal people and what forces regulated and shaped life were at the heart of the City of Norwood Payneham & St Peters festival program.

The use of the image of the dreaming mat which was created by Aunty Lynette Crocker, Kurna Elder, and exhibited in the *Between Two Worlds Exhibition* at the St Peters Heritage Gallery, featured as the branding for the Council's History Festival communications strategy and was also used by the History Trust of SA in its promotional materials.



Kurna Dreaming Mat by Auntie Lynette Crocker, Between Two Worlds Exhibition, St Peters Heritage Gallery



Extract from online SA History Festival Program 2021 Website Page – Learn Something New
(Use of Image from Between Two Worlds Exhibition, Kurna Dreaming Mat by L Crocker, City of NPSP.)



The Program of Events

The Council participated in the annual SA History Festival from 1 May 2021 to 31 May 2021. A total of seventeen events (17) events were presented during this period across the following areas of activity at different venues or locations:

- Exhibition;
- History Podcast;
- History Talks;
- Film Screening;
- Weaving Workshop;
- Guided Walk Tours; and
- Guided Bus Tour.

A copy of the program which was promoted on the Council's website is contained within **Attachment A**.

PROGRAM

Date	Event Title	Location
1-31 May	Exhibition: "Between Two Worlds Exhibition" Celebrating Kaurna and Aboriginal Culture	St Peters Town Hall Heritage Gallery
1 May	Live Podcast, Episode 1, Celebrating Kaurna Heritage "Between Two Worlds Exhibition" City of NPSP. Solstice Media & History Trust of SA	St Peters Town Hall Heritage Gallery 2-3.30pm
7 May	Second Creek Stories Trek led by D Schumann. The concept of walking country is an important element in Kaurna culture and this tour revealed the history of Second Creek as it winds its way from Kensington to Hackney. (22 participants)	Depart Second Creek Borthwick Park to Twelftree Reserve, Hackney. 10-2.30pm
11 May	'One Crowded Hour' Prince Alfred College and the history of Kent Town by D Schumann. (50 participants)	Prince Alfred College, Kent Town 9-12.00pm
13 May	'Inspirational Stories' with Guest Speaker Ms Rebecca Wessels, Director of Ochre Dawn Creative Industries and former Chair of Tandanya Cultural Institute. (28 participants)	St Peters Town Hall Banquet Rm 10.30-12.30pm
15 May	Guest Speaker Ms Nadia Matco, Director of 'Red Centre Enterprises' talking on traditional Kaurna foods, cuisine and native plants for herbal use. (20 participants)	St Peters Town Hall Banquet Rm 12midday-1.00pm
15 May	'Weaving History with our Hands' Weaving Workshop led by Aunty Lynette Crocker. This session began with a storytelling session and followed by a step-by-step introduction to traditional weaving. (20 participants)	St Peters Town Hall Banquet Rm 1-4.00pm
15 May	Guided Tour of 'Between Two Worlds Exhibition' by D Schumann and weaving workshop participants focusing on Kaurna weaver 'Ivaritji' and vintage weaving items (20 participants)	St Peters Town Hall Cultural Heritage Gallery 4-5.00pm
Thurs 20 May	Film Screening - 'Lalai Dreamtime' by Michael Edols (1972) Aust. This rare film documented the return of the Worrora to their spirit country and the concept of dreaming in Aboriginal culture. (150 participants)	Norwood Concert Hall Norwood 7.00pm -9.30pm
Sun 23 May	Guided Walk 'The Secret River Past and Present' presented by Kaurna Elder, Uncle Frank Wanganeen with D Schumann. Stepney to Hackney exploring cultural memory and the history of the River Torrens in the City of NPSP. (20 participants)	River Torrens, Stepney, St Peters, East Adelaide, College Park and Hackney 2.00pm -4.30pm

In addition guided tours of the *Between Two Worlds Exhibition* was undertaken for the following:

- St Peter's Child Care Centre Preschool children;
- Housing Choices SA Ltd community group; and
- Adelaide Hills Council Community Program-Positive Ageing.

Program Highlights

1. *Between Two Worlds Exhibition*

The City of Norwood Payneham & St Peters is located within the traditional Country of the Kurna. For over 40,000 years the Kurna miyurna were custodians of an area from Crystal Brook in the north, to Cape Jervis in the south, and inland from Gulf St Vincent to the western scarp of the Mt Lofty Ranges.

The Kurna miyurna were distinguished by their unique language, customs, spiritual understandings and attachment to country. Totemic connections and kinship determined how relationships were to be conducted. Lore was central to Kurna life and was pivotal to Kurna beliefs. Rivers, creeks and springs connected the Kurna to Country through ecology and cosmology.

This complex system of cultural beliefs and practices was conveyed through stories and ceremonies. Karrawirra Parri and the old creeks crossed the landscape shaping ancient songlines and sacred sites. The exhibition aims to contribute to a new understanding of Kurna culture, the significance of place, and the importance of truth-telling in the interpretation of history.

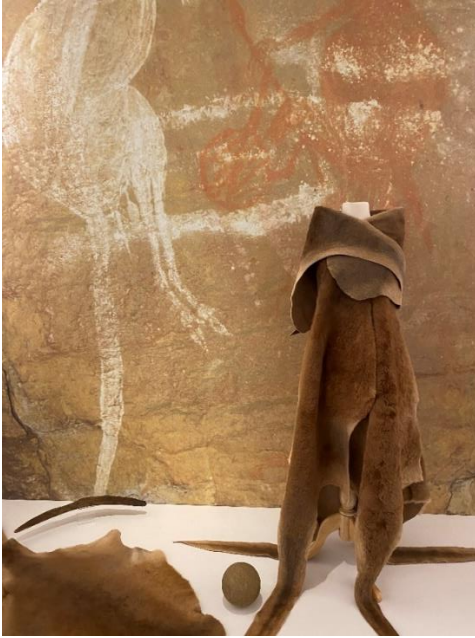
While Kurna artefacts are rare, several important historical Aboriginal objects have been loaned to the Council by Kurna Elders, ArtlabSa, the Milang Historical Society Museum and private collectors for the *Between Two Worlds Exhibition*. Kurna Elder, Aunty Lynette Crocker created several baskets and a dreaming mat for the exhibition and has loaned a number of items including grinding stones and Aboriginal implements.

In the months leading up to May 2021, the Cultural Heritage Adviser worked with members of the Kurna community as part of a collaborative approach in designing the exhibition and in seeking relevant cultural permissions.

A centre piece for the exhibition is the exquisite Red Kangaroo Cloak which plays upon the idea of shared cultural concepts between Aboriginal and European society. The exhibition subtly uses objects and artefacts to take the visitor on a journey moving between two worlds where perceptions and meanings are culturally determined.

This exhibition in its use of colour and dramatic images is visually beautiful and along with the cultural artefacts and has drawn visitors to the St Peters Town Hall Complex. Special tours of 'Between Two Worlds' have been conducted for members of KNCHA Kurna Nation Cultural Heritage Association; Adelaide Hills Council Community Program; Housing Choices SA; St Peter's Childcare Centre at Stepney and Teachers from Modbury North Primary School.

The exhibition 'Between Two Worlds' was chosen by the History Trust of SA as the focus for the first podcast by Solstice Media for the history festival. This was recorded live on Saturday 1 May at the St Peters Heritage Gallery with a special introduction by Mr Greg Mackie the Chief Executive Officer of the History Trust of SA. The podcast featured Aunty Lynette Crocker talking about the exhibition and its importance to Kurna people. This podcast will soon be available via the Council's website.



The Red Kangaroo Dreaming Cloak, Between Two Worlds Exhibition, Heritage Gallery, St Peters Town Hall



'Between Two Worlds' Exhibition, Heritage Gallery, St Peters Town Hall Complex, May 2021

The *Between Two Worlds* exhibition has received positive comments from visitors including the following:

"A rich snapshot of the Kurna people and their interactions with European colonists", Wendy Katz & Michael Murphy, Victoria;

"A timely and informative exhibition", Isabell Bryce, Payneham, SA

"A beautiful and informative exhibition. Well documented. Thank you!", Michael & James Kneipp, Royal Park, SA

2. Talking History - An Inspirational Story: Rebecca Wessels, Managing Director, Ochre Dawn,

Ms Rebecca Wessels is founder of Ochre Dawn Industries and was the former Chair of Tandanya Cultural Institute from 2015-2020. Her inspirational career spans two decades across corporate, cultural and government organisations. Through it all, she has maintained a passion and love of Aboriginal culture and language, including her own Peramangk and Ngarrindjeri heritage.

An engaging and evocative speaker, Ms Wessels led the audience on a journey from her early childhood to how she combined her corporate IT experience with her Aboriginal heritage to establish a thriving and nationally successful creative industries business.

A true storyteller, Ms Wessels engaged the audience using digital technology in an inspirational way. This session was followed by a captivating question and answer session from the audience.

The Advertiser profiled this event in its SA Weekend Magazine where it devoted a full-page article by Patrick McDonald.



*'An Inspirational Story' Rebecca Wessels, Chief Executive Officer, Ochre Dawn Industries
 Thursday 13 May, Banquet Hall, St Peters Townhall Complex*

*"Rather than simply looking back at history, Ochre Dawn founder Rebecca Wessels says one of the most important ways to move our Indigenous and non-Indigenous cultures forward is by building relationships."
 Patrick McDonald, SA Weekend Magazine, May 2021.*

3. Film Screening - *Lalai Dreamtime* Directed by Michael Edols (1972)

Lalai Dreamtime was created by cinematographer Michael Edols in 1972. Edols was asked by the Aboriginal Elders of the Worrora of the Kimberley to use the power of film to record their passing traditional way of life and to explain firsthand concepts of dreaming and country and aboriginal culture.

The film documented traditional aboriginal culture and unveils something of the Worrora's cultural heritage as they return to their spirit country. Spirit country is the place of customary law such as initiation rites and ancestral lore of country which provides meaning to the landscape, the waterways and all living things.

A purification ritual is performed by storyteller and song man on his granddaughter, Sam Woolagoodja, while chanting - his hands are warmed over a smoking fire - and are then placed over the infant child's mouth, nose, eyes, forehead, down to the torso and joints. Each part of the body has its own chant and meaning.

The final part of the film sees Sam Woolagoodja take one of his sons to the ancestors' cave - the gallery of the 'first one's' who give wisdom and knowledge that informs all life. These are the Wandjina spirit-beings.

Even after nearly fifty years, the film remains a masterpiece. It gives a glimpse into a world that was, and that has passed, but still promotes understanding of Aboriginal concepts of country, lore, dreaming, ancestors and totems.

Special permission was obtained to screen this film from the Managing Director of Ronin films in Canberra. A special 'Welcome to Country' and acknowledgement of the Worrara people was undertaken by Kurna Elders - Uncle Jeffrey Newchurch and Aunty Lynette Crocker.

This was a ticketed event, with tickets selling at \$10 per adult and no charge for concession holders. 149 people attended the event.

Radio announcer David Bevan, of ABC Radio Adelaide, profiled the event at 9.45am on Tuesday 18 May which assisted to boost the number of people turning up on the night to attend the screenings.

The film was very favourably received and the Director of the South Australian History Festival, Karen Blackwood, who attended the event commented that the City of Norwood Payneham & St Peters Cultural Heritage had once again delivered a remarkable event.

The upgraded audio-equipment installed in the Norwood Concert Hall, combined with the expertise of the technical operator, ensured that this screening was of first-class quality.

4. Guided History Tours

The guided history walks and bus tours are a core element of the Council's History Festival program and are one of the most popular aspects of the festival. The tours are eagerly sort out by devoted festival followers. They usually book out once the festival program is released to the public.

In 2021, the tours were developed around the theme of celebrating the City's Kurna heritage. This included a four-and-a-half-hour walk following the course of Second Creek from Kensington to Hackney and a two-and-a-half-hour walk along the River Torrens precinct at St Peters and Hackney. The tours are varied and adapted to cater for a range of participants with differing physical capacities.

A minibus tour was scheduled titled *Coming Back to Country* and limited to a capacity of twenty-four (24) participants.

Secret Stories – Unravelling History

The idea of 'Walking Country' is an important element in Kurna culture, and by adapting this concept, the tour revealed the natural history of Second Creek as it wound its way from Kensington through Norwood, Stepney, St Peters and College Park before ending at Twelftree Reserve in Hackney.

Among the concrete, paved roads, and historic backstreets there remains still a hidden history of secret stories which were lost under the impact of colonisation and development. This tour explored the Kurna concept of 'Kauwi' or creek lines and their topography. This walk was aimed at trekkers and was a robust exercise. This was the first year this walk was held and it was highly popular with the participants.

The Secret River - Past and Present

This tour was led by Kurna Elder Uncle Frank Wanganeen to experience Aboriginal and non-Aboriginal perceptions of place. The tour took participants along the banks of *Karrawirra Parri* at St Peters and Hackney and explore the differing cultural concepts of 'Country' and Kurna beliefs set against the story of European colonisation and the role of the South Australian Company.

5. Weaving History with our Hands Workshop

The Kurna Weaving Workshop was another highlight of the program. Twenty participants were taken on a 'slow history journey' led by Kurna Elder, Aunty Lynette Crocker.

Each participant was supplied with a 'goodies' workshop bag with threading needles, coloured raffia, starter-kits and a booklet prepared on the history of Aboriginal weaving and a set of how-to-do instructions.

The workshop began with Aunty Lynette engaging in a 'yarning session' that told participants of her personal journey over many decades. She outlined how making baskets and dreaming mats brought her to a new understanding of her past and Aboriginal history.

The second part of the workshop involved teaching participants the first steps in threading plant fibres as part of this ancient legacy. Nadia Matco of 'Red-Centre Enterprises' delivered a talk on Aboriginal food and on her own award-winning business which retails specialty indigenous food and herbal products.

One of the interesting things about the workshop was the make-up of the participants. They were all female, but the majority were young people, and a number were teachers.

The response to the event was overwhelming and one of the most important things was the positive sharing of stories, the laughter, and the enjoyment that all experienced.



Aunty Lynette Crocker demonstrating weaving techniques to participants



Nadia Matco (right) Director of Red Centre Enterprises, discussing indigenous food products with local resident Joyce Vine of Payneham.

Communications Content

As part of the Council's 2021 History Festival Program, the theme of *Between Two Worlds* was represented in the colorful Kaurna Dreaming Mat which was made by Aunty Lynette Crocker for the exhibition.

The image took on an iconic quality and was readily discernible from the launch invitation to posters, Facebook tiles and the Council's Website. The following products were produced by the Council as part of the supporting visual content for promoting the festival:

- Council History Festival Event Website
- Email Event DL Cards
- Council Email Brand Signature
- Customer Service & Council Library A4 posters
- Council History Festival A1 Posters
- Council History Pull Up Banners
- Council Facebook & Instagram tiles.



City of Norwood Payneham & St Peters Corporate Email Signature May 2021

INVITATION

Mayor Robert Bria has great pleasure in inviting you and your partner to attend the official launch of

**Between Two Worlds
History Festival**

The City of NPSP is located within the traditional Country of the Kaurna. Karrawirra Parri and the old creeks cross the landscape shaping ancient songlines and beliefs. Recollections and stories contribute to a new understanding of Kaurna culture.

**Wednesday 5 May 2021
6.00pm – 7.30pm**

Cultural Heritage Gallery
 St Peters Town Hall Complex
 101 Payneham Road, St Peters

RSVP by Monday 3 May
 Events Unit on 8366 4582 or email events@npsp.sa.gov.au

*Dreaming Mat by
Aunty Lynette Crooker,
Ngangkî Burka,
Senior Kaurna Woman*

**SOUTH AUSTRALIA'S
HISTORY FESTIVAL**
1-30 MAY 2021

**City of
Norwood
Payneham
& St Peters**

*Dreaming Mat by
Aunty Lynette Crooker,
Ngangkî Burka,
Senior Kaurna Woman*

**1-30
MAY
2021**

**HISTORY
FESTIVAL**
in NPSP

**BETWEEN TWO WORLDS
5-30 MAY 2021**

Celebrating Our City's Kaurna History

City of Norwood Payneham & St Peters
 175 The Parade, Norwood SA 5067

Telephone 8366 4555
 Email townhall@npsp.sa.gov.au
 Website www.npsp.sa.gov.au
 Socials [/johyofnpsp](https://www.facebook.com/johyofnpsp) @cityofnpsp

**SOUTH AUSTRALIA'S
HISTORY FESTIVAL**
1-30 MAY 2021

**City of
Norwood
Payneham
& St Peters**

OPTIONS

The report is provided for information purposes.

CONCLUSION

The Council's SA History Festival events program and the Cultural Heritage Centre's ongoing activities have proven to be an effective means of celebrating and exploring the Council's history and contribute to the City's sense of place, its historic identity, and highlights to the wider community the City's unique cultural heritage assets.

Participation in the State-wide SA History Festival provides a range of experiences that promotes social and cultural engagement, well-being, lifelong learning and an appreciation of the City's natural and built heritage resources.

COMMENTS

Nil.

RECOMMENDATION

That the report be received and noted.

Cr Moore moved:

1. *That the report be received and noted.*
2. *That Ms Denise Schumann be thanked for her work and dedication in putting together the City of Norwood Payneham & St Peters' History Festival in May 2021.*

Seconded by Cr Dottore and carried unanimously.

7. OTHER BUSINESS

Nil

8. NEXT MEETING

Monday 15 November 2021

9. CLOSURE

There being no further business the Presiding Member declared the meeting closed at 6.52pm.

Cr Christel Mex
PRESIDING MEMBER

Minutes Confirmed on _____
(date)

13. OTHER BUSINESS
(Of an urgent nature only)

14. CONFIDENTIAL REPORTS

14.1 REVIEW OF CONFIDENTIAL ITEMS – TRINITY GARDENS BOWLING CLUB

RECOMMENDATION 1

That pursuant to Section 90(2) and (3) of the *Local Government Act 1999* the Council orders that the public, with the exception of the Council staff present, be excluded from the meeting on the basis that the Council will receive, discuss and consider:

- (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;

and the Council is satisfied that, the principle that the meeting should be conducted in a place open to the public, has been outweighed by the need to keep the receipt/discussion/consideration of the information confidential.

RECOMMENDATION 2

In accordance with Section 91(7) of the *Local Government Act 1999*, the report, Trinity Gardens Bowling Club dated 6 October 2020 (**Attachment A**), be kept confidential until the matter is finalised.

**14.2 REVIEW OF CONFIDENTIAL ITEMS – THIRD CREEK DRAINAGE UPGRADE – STAGE 2B
HENRY STREET TO BRIDGE ROAD**

RECOMMENDATION 1

That pursuant to Section 90(2) and (3) of the *Local Government Act 1999* the Council orders that the public, with the exception of the Council staff present, be excluded from the meeting on the basis that the Council will receive, discuss and consider:

(k) tenders for the supply of goods, the provision of services or the carrying out of works;

and the Council is satisfied that, the principle that the meeting should be conducted in a place open to the public, has been outweighed by the need to keep the receipt/discussion/consideration of the information confidential.

RECOMMENDATION 2

In accordance with Section 91(7) of the *Local Government Act 1999*, the report, Third Creek Drainage Upgrade – Stage 2B Henry Street to Bridge Road dated 7 December 2020 (**Attachment A**), be kept confidential until September 2026, after which time the order will be reviewed.

14.3 WRITTEN NOTICES OF MOTION – CONFIDENTIAL ITEM - COUNCIL RELATED MATTER

RECOMMENDATION 1

That pursuant to Section 90(2) and (3) of the Local Government Act, 1999 the Council orders that the public, with the exception of the Council staff present, be excluded from the meeting on the basis that the Council will receive, discuss and consider:

(b) information the disclosure of which –

- (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is proposing to conduct business and prejudice the commercial position of the council; and
- (ii) would, on balance, be contrary to the public interest;

and the Council is satisfied that, the principle that the meeting should be conducted in a place open to the public, has been outweighed by the need to keep the receipt/discussion/consideration of the information confidential.

RECOMMENDATION 2

Under Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, discussion and minutes be kept confidential for a period not exceeding 12 months, after which time the order will be reviewed.

14.4 COUNCIL RELATED MATTER

RECOMMENDATION 1

That pursuant to Section 90(2) and (3) of the *Local Government Act 1999* the Council orders that the public, with the exception of the Council staff present, be excluded from the meeting on the basis that the Council will receive, discuss and consider:

(k) tenders for the supply of goods, the provision of services or the carrying out of works;

and the Council is satisfied that, the principle that the meeting should be conducted in a place open to the public, has been outweighed but the need to keep the receipt/discussion/consideration of the information confidential.

RECOMMENDATION 2

Under Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the report and discussion be kept confidential for a period not exceeding five (5) years, after which time the order will be reviewed.

Under Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the minutes be kept confidential until the contract has been entered into by all parties to the contract

15. CLOSURE