

Council Meeting Minutes

5 December 2022

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 Council Chambers, Norwood Town Hall

HOUR 7.00pm

PRESENT

Council Members Mayor Robert Bria
Cr Kester Moorhouse
Cr Claire Clutterham
Cr Garry Knoblauch
Cr Hugh Holfeld
Cr Josh Robinson
Cr Kevin Duke
Cr Connie Granozio
Cr Victoria McFarlane
Cr Scott Sims
Cr Grant Piggott
Cr Sue Whittington
Cr John Callisto
Cr Christel Mex

Staff Mario Barone (Chief Executive Officer)
Peter Perilli (General Manager, Urban Services)
Lisa Mara (General Manager, Governance & Civic Affairs)
Eleanor Walters (Manager, Urban Planning & Sustainability)
Sharon Francis (Manager, Finance)
Teri Hopkins (Manager, Governance & Legal)
Simonne Whitlock (Manager, Communications & Community Relations)
Emily McLuskey (Senior Urban Planner, Urban Planning & Sustainability)
Keke Michalos (Manager, Economic Development & Strategy)
Jared Barnes (Manager, City Projects)
Nicole Newton (Manager, Organisational Development & Performance)
Sean Faulkner (Manager, WHS & Risk)
Marina Fischetti (Executive Assistant, Governance & Civic Affairs)

APOLOGIES Nil

ABSENT Nil

1. KAURNA ACKNOWLEDGEMENT

2. OPENING PRAYER

The Opening Prayer was read by Cr Claire Clutterham.

3. CONFIRMATION OF THE MINUTES OF THE SPECIAL COUNCIL MEETING HELD ON 28 NOVEMBER 2022

Cr Sims moved that the minutes of the Special Council meeting held on 28 November 2022 be taken as read and confirmed. Seconded by Cr McFarlane and carried unanimously.

4. MAYOR'S COMMUNICATION

Monday, 7 November	<ul style="list-style-type: none">• Presided over a Council meeting, Council Chamber, Norwood Town Hall.
Friday, 11 November	<ul style="list-style-type: none">• Attended the Remembrance Day Service at the Cross of Remembrance, Felixstow.
Tuesday, 14 November	<ul style="list-style-type: none">• Attended a meeting with Mr Paul Di Iulio (President) and Mr James Fantasia (Chief Executive Officer) Norwood Football Club, Mayor's Office, Norwood Town Hall.
Monday, 21 November	<ul style="list-style-type: none">• New Elected Members' Tour of the Norwood Town Hall and House-keeping session, Norwood Town Hall.
Monday, 21 November	<ul style="list-style-type: none">• Attended the Annual General Meeting (AGM) of the Kensington Residents Association, Mary MacKillop Centre (Bethany Hall), Kensington.
Wednesday, 23 November	<ul style="list-style-type: none">• Attended the Swearing-in Ceremony for the new Council, Mayor's Parlour, Norwood Town Hall.
Saturday, 26 November	<ul style="list-style-type: none">• Attended the Compulsory Training for Elected Members, Mayor's Parlour, Norwood Town Hall.
Monday, 28 November	<ul style="list-style-type: none">• Attended a meeting with the General Manager, Governance & Community Affairs and Events Officers, Mayor's Office, Norwood Town Hall.
Monday, 28 November	<ul style="list-style-type: none">• Attended a meeting with Cr Connie Granozio and Cr Victoria McFarlane, Mayor's Office, Norwood Town Hall.
Monday, 28 November	<ul style="list-style-type: none">• Presided over a Special Council meeting, Council Chamber, Norwood Town Hall.
Tuesday, 29 November	<ul style="list-style-type: none">• Attended a meeting with the Chief Executive Officer, Mr Paul Di Iulio (President) and Mr James Fantasia (Chief Executive Officer) Norwood Football Club; Mr Darren Chandler (Chief Executive Officer) and Mr Matthew Duldig (General Manager, Football) SANFL, Georges Restaurant, Adelaide.
Tuesday, 29 November	<ul style="list-style-type: none">• Attended meeting with the Chief Executive Officer and Mr Paul Di Iulio (President) Norwood Football Club, Mayor's Office, Norwood Town Hall.
Wednesday, 30 November	<ul style="list-style-type: none">• Attended the 2022 Volunteers Christmas Dinner, 'The Ellington', Hackney.
Friday, 2 December	<ul style="list-style-type: none">• Attended the 2022 Council Christmas Dinner, 'Fine and Fettle', Stepney.

5. DELEGATES COMMUNICATION

- Cr Knoblauch advised that on Wednesday 9 November 2022, he attended the Marden Senior College Governing Council meeting.
- Cr Knoblauch advised that on Monday 28 November 2022, he attended the Special Meeting of the Marden Senior College Governing Council, however was unable to attend the Presentation Ceremony which followed the meeting.

6. QUESTIONS WITHOUT NOTICE

Nil

7. QUESTIONS WITH NOTICE

Nil

8. DEPUTATIONS

Nil

9. PETITIONS

Nil

10. WRITTEN NOTICES OF MOTION

**10.1 RESIDENTIAL DEVELOPMENT IN CHARACTER AND HISTORIC AREAS – SUBMITTED BY
CR KESTER MOORHOUSE**

NOTICE OF MOTION: Residential Development in Character and Historic Areas
SUBMITTED BY: Cr Kester Moorhouse
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 Kester Moorhouse.

NOTICE OF MOTION

That staff prepare a report on Council's ability to have a more nuanced and detailed policy regarding large scale two-storey residential additions in areas affected by the Historic Area Overlay.

REASONS IN SUPPORT OF MOTION

Craig Holden, the chairperson of the State Planning Commission, told a Community Alliance SA meeting on November 24 that the Planning Commission has become aware that nuanced planning policy has been lost in the transition from council Development Plans to the State Planning and Design Code. He stated that the Commission is open to receiving submissions from councils on inserting nuanced planning policy provisions into the Code. This may mean the Council can add more locally specific design parameters, within a future sub-zone within the Established Neighbourhood zones.

In the Planning and Design Code two-storey house extensions can be built up to 9m high, with current trends producing large flat roofed box structures, with dominant high walls, unsympathetic to the character of the local area and streetscape and impinging negatively on the amenity of neighbours (see photos below). Many residents have been telling me they have been appalled by recent two-storey box extensions in their community, which are highly exposed from a streetscape view and have a dominant visual impact on surrounding properties. This is especially true in historic areas such as College Park with its historic villas, spacious gardens and extensive building setbacks. These features were previously better protected by council's more comprehensive, detailed and nuanced policies by our Council's Development Plan provisions, which have been significantly reduced in the new Planning and Design Code.

This motion will give staff an opportunity to investigate what may be achieved within this latest policy environment, outlined by Craig Holden and the Expert Panel, with options for policy change concerning two storey additions, including side setbacks, heights and wall length of extensions, materials, and impacts on adjacent neighbours.



Examples of constructions built in Historic Overlay areas

**STAFF COMMENT
MANAGER, URBAN PLANNING & SUSTAINABILITY**

A report can be prepared as requested.

Cr Sims left the meeting at 7.15pm.

Cr Moorhouse moved:

- 1. That staff write a letter to the State Planning Commissioner, Craig Holden, requesting him to clarify the process of how Councils can change aspects of the Planning and Design Code that have broader implications than one council area and to clarify the role and terms of reference of the State Government's Code Control Group.*
- 2. That staff prepare a report on Council's ability to have a more nuanced and detailed policy regarding large scale two-storey residential additions in areas affected by the Historic Area Overlay.*

Seconded by Cr Whittington.

Cr Sims returned to the meeting at 7.21pm

The motion was put and carried unanimously.

11. STAFF REPORTS

Section 1 – Strategy & Policy

Reports

11.1 PLANNING SYSTEM IMPLEMENTATION REVIEW

REPORT AUTHOR: Senior Urban Planner
GENERAL MANAGER: General Manager, Urban Planning & Environment
CONTACT NUMBER: 8366 4561
FILE REFERENCE: qA94753
ATTACHMENTS: A

PURPOSE OF REPORT

The purpose of this report is to advise the Council submission in relation to the Planning System Implementation Review.

BACKGROUND

The new planning system has been in operation in metropolitan Adelaide since March 2021. Since this time, various enhancements and improvements have been made, however a range of issues remain in relation to both the operation and administration of the system as well as the planning policies contained in the *Planning and Design Code* which are used in the assessment of development applications.

During the March 2022 State Election, the Government made a commitment to commission an independent review of the planning system to ensure planning decisions encourage a more liveable, competitive and sustainable long-term growth strategy for the State. As such, the Minister for Planning, the Hon Nick Champion MP, has commissioned an independent panel (the Expert Panel) to conduct a review of the implementation of the new planning system, including:

- the *Planning, Development and Infrastructure Act 2016*
- the Planning and Design Code and related instruments, as it relates to infill policy, trees, character, heritage and car parking
- the ePlanning system, to ensure it is delivering an efficient and user-friendly process and platform
- the PlanSA website, to check usability and ease of community access to information

During both the transition to the new system and since the commencement of its operation, the Council has provided ongoing feedback, questions and suggestions for improvements to the system. However, this is the first opportunity to comprehensively review the planning system as a whole and outline the Council's priorities for change.

The Expert Panel has invited submissions on issues relating to the review and is undertaking consultation activities with practitioners and the community. The Panel has also released three Discussion Papers themed to the topics the Panel has been tasked with reviewing, namely:

- *Planning, Development and Infrastructure Act 2016 Reform Options;*
- *Planning and Design Code Reform Options; and*
- *Proposed Reform to the ePlanning System and the PlanSA Website.*

The Discussion Papers, as well as summary versions of the Papers are available on the PlanSA website via the following link: https://plan.sa.gov.au/planning_review/have_your_say

A draft submission to the Expert Panel has been prepared and is contained in **Attachment A**.

RELEVANT STRATEGIC DIRECTIONS & POLICIES

Outcome 1: Social Equity

An inclusive, connected, accessible and friendly community

Objective:

- 1.1 *Convenient and accessible services, information and facilities.*
 - 1.2 *A people-friendly, integrated, sustainable and active transport network.*
 - 1.3 *An engaged and participating community*
-

Outcome 2: Cultural Vitality

A culturally rich and diverse city, with a strong identity, history and sense of place

Objective:

- 2.3 *A City which values and promotes its rich cultural and built heritage*
- 2.4 *Pleasant, well designed, and sustainable urban environments*

Outcome 3: Economic Prosperity

A dynamic and thriving centre for business and services

Objective:

- 3.1 *A diverse range of businesses and services.*
- 3.2 *Cosmopolitan business precincts contributing to the prosperity of the City.*

Outcome 4: Environmental Sustainability

A leader in environmental sustainability

Objective:

- 4.1 *Sustainable and efficient management of resources.*
- 4.2 *Sustainable streets and open spaces.*
- 4.4 *Mitigating and adapting to the impacts of a changing climate.*

FINANCIAL AND BUDGET IMPLICATIONS

The implementation of the new planning system has and will continue to, require considerable expenditure by State and Local Governments. Expenditure by Local Government most notably includes an annual 'ePlanning Levy' which is scaled based on the cost of development undertaken in each Local Government Area. The required contribution from the City of Norwood Payneham & St Peters is currently set at \$59,100 per annum. The total paid to the State Government from all Councils is in the order of \$1,385,000 per annum. Other financial implications for Local Government include, but are not limited to, the Development Application lodgement fee now being retained by the State Government instead of Local Government, and additional administrative and system costs associated with adapting to the new system.

EXTERNAL ECONOMIC IMPLICATIONS

One of the key objectives of the State Government's reform agenda was purported to be driving investment and economic development in the State through removing barriers, 'perceived barriers' and 'inefficiencies' in the planning system.

SOCIAL ISSUES

The introduction of the Code and other aspects of the Planning Reforms have changed how members of the community interact with the planning system. For example, the transition to the ePlanning system has created some efficiencies for applicants (albeit noting that some applicants have expressed dissatisfaction with the system), however for neighbours affected by development there are fewer appeal rights.

CULTURAL ISSUES

'Character and heritage' is a key theme of the Panel's review of the planning system. The Council has, and will continue to, advocate for a planning system which supports the retention of buildings and places of heritage value which strongly aligns with one of the key objectives of the Council and the community, which is to protect and enhance the City's valued built form and character.

ENVIRONMENTAL ISSUES

The Code contains a range of policies which affect the sustainability and environmental outcomes of urban development, however there is room for improvement in terms of the strength and applicability of these policies. The draft submission contains commentary on necessary improvements to sustainability policies, which need to be better reflected in the *Planning and Design Code*.

RESOURCE ISSUES

The draft submission has been prepared using existing staff resources.

RISK MANAGEMENT

Current flaws and undesirable mechanisms in the planning system, such as ‘deemed consents’ (which can be issued for developments assessed out of statutory timeframes), pose a risk of poor development outcomes or rushed, compromised assessment processes. The draft submission contains recommendations for improvements to mitigate or remove various risks or poor outcomes.

CONSULTATION

- **Elected Members**

Nil

- **Community**

Nil

- **Staff**

Manager, Urban Planning & Sustainability
Manager, Development Assessment
Manager, Traffic & Integrated Transport
Team Leader, Regulatory Services
Development Assessment Planners
City Arborist

- **Other Agencies**

Nil

DISCUSSION

Planning and Design Code Reform Options Discussion Paper

The review has opened up discussion and submissions on any aspect of the *Planning and Design Code* but has focussed the Discussion Paper around four (4) key topics:

- character and heritage;
- trees (both regulated trees and trees required to be planted as part of new developments);
- urban infill; and
- carparking

A summary of comments provided in the submission under each of these topics, along with additional comments regarding the Code more generally, are summarised below.

Character and Heritage

In conjunction with the Expert Panel review, the State Planning Commission has put forward three (3) proposals in relation to character and historic areas. Firstly, to support and facilitate Councils to undertake Code Amendments to elevate existing Character Areas to Historic Areas (where appropriate justification has been provided). Secondly, to facilitate Councils to review and update Character and Historic Area Statements. Thirdly, to introduce a development assessment pathway that only allows for demolition of a building in Character and Heritage Areas once a replacement building has been approved. The Discussion Paper explores and poses questions in relation to these proposals and indicates support from the Expert Panel for the first two of the Commission’s proposals, but reserves support for the third proposal relating to replacement buildings. The draft submission also indicates support from the Council for the first two proposals given that these align with the work already undertaken by this Council. In particular, the Council has already initiated and commenced investigations into Code Amendments seeking to elevate character areas to historic areas, and has previously appeared before the Commission advocating for improvements to Character and Historic Area Statements.

The third proposal is branded as ‘tougher demolition controls in Character Areas’, however this is somewhat misleading as the proposal would not actually achieve an outcome of retaining character buildings. Instead, it would introduce a new administrative (planning assessment) process where demolition and new buildings must be submitted in the same application. The intent appears to be targeted to improve the quality of new buildings. However, the key to improved building designs is through improving policies in the Code. Without policy improvements, the assessing planner will not be able to negotiate any better outcome than can currently be achieved, regardless of whether the demolition of the existing building forms part of the same application.

Introducing the proposed ‘demolition control’ in Character Areas will exacerbate confusion around the difference between historic areas and character areas. The primary intent of the Historic Area Overlay is the preservation (i.e. retention) of the existing buildings which have historic value that collectively represent an era(s) of development which was important in that local area. If these buildings are demolished, it would diminish or remove the historic value of that area. Conversely, the primary intent of the Character Area Overlay, is to preserve the general character and amenity of the area through (among other things) the size and siting of built form, allotment patterns, landscape settings etc. In Character Areas you should be able to replace the existing buildings with appropriately designed new buildings and still maintain the character of the area. This is why demolition controls have only ever applied to Historic Areas and not Character Areas. If there is a Character Area which contains buildings which are worthy of retention due to their historic value, then this area should be considered for elevation to Historic Areas (which forms the basis of Proposal 2 in this Discussion Paper). There is considerable risk this proposal would create a misconception amongst the community that councils can totally prevent the demolition of a building in a Character Area – that is, that an application for demolition could be refused based on the character value of the building alone, which would not be the case under this proposal. On this basis, the draft submission indicates this proposal is not supported, and that the actual policies for the design and scale of new dwellings in Character Areas should be improved.

The draft submission also sets out comments on the existing historic and character policy framework. Specifically, that the policy framework for historic and character areas in the Code is more complex and harder to interpret than former Development Plans, but despite this complexity, the policies are less detailed and instructive. It is recommended that the policy framework be simplified and include more localised policy content. The submission also highlights the issues previously raised by this Council relating to Representative Buildings (formerly known as Contributory Items). It is recommended that the Code policy is improved to clarify that Representative Buildings should be retained, unless they meet the relevant demolition tests (e.g. structural condition of the building).

Trees

The Discussion Paper explores various options with respect to Regulated and Significant trees. The draft submission from the Council indicates support for expanded protection for Regulated Trees in the interests of improved environmental protection and meeting tree canopy targets set out in the *30 Year Plan for Greater Adelaide*, such as through reducing the minimum trunk circumference for applying planning controls from 2 metres to 1.5 metres. Recommendations have also been made in the draft submission requesting greater clarity in the legislation regarding tree pruning in the interests of reducing inappropriate and damaging pruning.

In respect to new tree plantings, the Code requires new tree(s) to be planted as part of some Development Applications for new dwelling(s). In some circumstances, the applicant can pay into an off-set scheme in lieu of planting trees with those contributions being forwarded to councils for planting trees on public land. The Discussion Paper poses a question as to whether the payment required in lieu of planting trees should be increased. This is supported so that the amount paid into the offset scheme is closer to the actual cost faced by councils in planting and maintaining trees.

Urban Infill

Issues covered in the Discussion Paper relating to Urban Infill include Code policies relating to building design, alternative forms of infill development and the interaction between strategic planning and the Code. The draft submission responds to these topics and in particular reiterates the importance of having a spatially resolved Regional Plan which guides where urban infill occurs, where improved services will be required, and to provide additional guidance for private rezoning proposals.

Carparking

The significance of carparking is reflected through various questions raised in the Discussion Paper, covering both carparking requirements for developments on private land and more general issues experienced by Councils in public streets. In drafting the Council's response to the issues of carparking, feedback was sought from the Council's Manager, Traffic and Integrated Transport and Team Leader, Regulatory Services, to capture some of the key issues and areas affected. Issues experienced in the City of Norwood Payneham & St Peters which have been raised in the draft submission include issues of all-day parking in streets near the CBD (typically people 'parking and riding' into the CBD for work) and/or near employment centres or large employers such as Lifecare which generates carparking demand in First Avenue Joslin. A key recommendation made in the draft submission regarding carparking associated with new developments, is for the minimum internal garage dimensions to be increased to ensure garages can accommodate larger vehicles. This may help to increase the number of residents who park in their garages, rather than on the street.

Other Code Issues

The draft submission explores additional concerns regarding the Code which have not specifically been raised in the Discussion Paper, including:

- loss of local policy in the transition from Council Development Plans to the Code;
- prevalence of 'mixed-use' zones in the Code resulting in a step away from basic land use planning and separation of incompatible land uses;
- bonus height policies which allow developments to exceed the prescribed maximum building height; and
- improvements required for sustainability policies, particularly a more consistent approach to energy efficiency, stormwater management and tree planting requirements which currently only apply in specific circumstances.

Planning, Development and Infrastructure Act Reform Options Discussion Paper

The *Planning, Development and Infrastructure (PDI) Act Discussion Paper* provides discussion points and questions relating to a range of topics, including:

- public notification and appeals;
- Accredited Professionals (private decision makers);
- Local Heritage legislation; and
- Processing of development applications including timeframes to make decisions

A summary of comments provided in the submission under each of these topics, together with additional comments regarding the legislation more generally are summarised below.

Public Notification and Appeals

Changes to public notification and appeal rights associated with Development Applications, was a significant area of reform in the introduction of the new planning system. The draft submission advocates for a review of public notification triggers so that developments in Urban Corridor Zones which exceed the maximum building height are always subject to notification, as this is not currently the case. It also advocates for a reintroduction of different tiers of public notification so the extent of notification is commensurate with the scale of development, as well as a review of appeal rights with a view to re-introduced third-party appeal rights for some performance assessed applications.

Accredited Professionals

One of the foundations of the PDI Act is a new decentralised decision-making framework for planning and building assessment. In this framework, planning and building decision-making powers were removed from Councils and allocated to relevant authorities appointed by the Council, namely the Assessment Manager and Council Assessment Panel. The framework also allows private planning and building professionals to make development decisions in certain circumstances, as was the case under the former legislation. This change was introduced in conjunction with a State Government accreditation scheme applying to planners, building certifiers and other industry professionals involved in making development decisions.

The Discussion Paper raises questions regarding the extent to which private Accredited Professionals (i.e. private certifiers) should be able to make decisions. The draft submission recommends that planning decisions should only be issued by planning certifiers (not building certifiers as can currently occur) and planning certifiers should not be permitted to issue consents to developments that do not meet all of the required specifications. Currently, planning certifiers can issue consents to developments with one or more 'minor variations' from the tick-box criteria however, there have been numerous demonstrated examples where those 'minor variations' are not considered to be genuinely minor and have external impacts which require further assessment.

Local Heritage

Local heritage has been the subject of various planning system reform discussions over a number of years, commencing with the original 2014 Expert Panel on planning reform through to the recent formation by the Government of the Heritage Reform Advisory Panel in 2021. A key question posed during these discussions is whether the criteria and listing process for Local Heritage Places should be removed from planning legislation and embedded in the *Heritage Places Act 1993* along with State Heritage Places. There are many factors to consider should this change be made, however it is likely to lead to a more efficient and independent consideration of Local Heritage Place listing nominations as compared to the current planning policy amendment process which is costly, lengthy and more likely to be influenced by the prevailing heritage philosophy and politics of the time. The draft submission provides commentary around this option, along with other recommended improvements to legislation affecting historic areas.

Processing of Development Applications

The PDI Act introduced significant changes in the way Development Applications are processed. Two (2) important changes were the reduction in assessment timeframes for the majority of planning applications and the introduction of 'deemed consents' where an automatic consent can be granted when a planning authority exceeds the assessment timeframe. The draft submission advocates for increased assessment timeframes for more complex applications as the current 20 business days has proven to be insufficient, particularly for applications requiring referrals to experts such as the heritage advisor, flood engineers and arborists. The submission also advocates for the removal of 'deemed consents' given the considerable risk of poor development outcomes and the unreasonable pressure it places on urban planners.

Other PDI Act Issues

A range of other issues relating to the PDI Act and associated legislation have also been raised in the draft submission. The first fundamental issue raised is the centralisation of planning policy by the State resulting in lost local policy and loss of autonomy for councils in policy amendments. The second fundamental issue is the changes to relevant authorities (i.e. who makes what development decisions) which has unnecessarily complicated the administration of the planning system. Other important issues include the interaction between the PDI Act and the *Local Government Act 1999* which will impact a council's ability to control driveway crossover approvals, and the considerable annual financial investment Councils are required to make through the ePlanning Levy and the limited influence local government has in determining the prioritisation of the necessary improvements and fixes.

ePlanning System and the PlanSA Website Reform Options Discussion Paper

'ePlanning' is another significant aspect of the new planning system. The ePlanning system includes:

- the delivery of the Code policies in an online and interactive format;
- the Development Application Processing (DAP) system through which development applications are submitted and assessed;
- South Australian Property and Planning Atlas (SAPPA) which is the online mapping tool used to display Code zoning and other spatial information; and
- the PlanSA Planning Portal website which provides a range of information and documents.

The ePlanning system has delivered a range of benefits, such as improved accessibility to the planning system for development applicants. However, the system has a number of notable limitations which are currently impacting all users, particularly Local Government which is one of the biggest stakeholders. The Discussion Paper poses questions relating to administrative improvements as well as suggesting options for future enhancements. While the draft submission provides responses to these questions, the majority of the feedback relates to specific issues experienced by Council staff which impact day-to-day operations and recommendations for how these issues could be overcome. Key suggestions include improvements to the online Code so it is easier to navigate (by both members of the public and practitioners), improvements to the development statistics reporting tool to allow the efficient and strategic monitoring of important data, and improvements to the DAP system to improve efficiency and clarity when processing development applications.

OPTIONS

The Council has the following options with respect to how it responds to the Planning System Implementation Review.

Option 1

The Council can resolve to endorse the attached draft submission contained in **Attachment A**, with or without minor amendments, as being suitable for submitting to the Expert Panel.

This option is recommended.

Option 2

The Council can resolve to not make a submission in response to the consultation, however this would result in a missed opportunity to raise important issues of concern and recommendations for improvement.

CONCLUSION

The Planning System Implementation Review provides the first significant opportunity to review all aspects of the planning system. The fact that the review encompasses legislation, policy and online tools allows a range of interconnected and fundamental issues to be considered whereas previous opportunities to provide feedback have been limited to particular policy amendments or system enhancement projects. It is perhaps unlikely that fundamental aspects of the new system will be removed due to the extent of resources which have been invested into the current system, but it is possible that significant improvements could be made. For example, it is unlikely the *Planning and Design Code* in its entirety will be revoked and former Development Plans reinstated, but it may be more likely that the Code will be amended to allow additional local policy content or other improved policy outcomes.

COMMENTS

Nil

RECOMMENDATION

1. That the draft submission contained in Attachment A, in response to the Planning System Implementation Review, be endorsed and the submission be forwarded to the Expert Panel.
2. That the Chief Executive Officer be authorised to make changes as required to the submission prior to the submission being lodged.

Cr Mex moved:

1. *That the draft submission contained in Attachment A, in response to the Planning System Implementation Review, be endorsed and the submission be forwarded to the Expert Panel.*
2. *That the Chief Executive Officer be authorised to make changes as required to the submission prior to the submission being lodged.*

Seconded by Cr Whittington and carried unanimously.

11.2 ST MORRIS RESERVE CONCEPT PLAN

REPORT AUTHOR: Manager, Economic Development & Strategy
GENERAL MANAGER: Chief Executive Officer
CONTACT NUMBER: 83664509
FILE REFERENCE: qA109147
ATTACHMENTS: A

PURPOSE OF REPORT

The purpose of this report is to present the *St Morris Reserve Draft Concept Plan* to the Council for its consideration and endorsement prior to the release of the draft document for community consultation and engagement.

BACKGROUND

At its meeting held on 4 March 2019, the Council considered a report which outlined the new City Wide Floodplain Mapping and the associated Long Term Stormwater Drainage Program. At that meeting, the Council adopted the “service levels” for the various drainage catchments within the City and a fifteen (15) year Stormwater Drainage Program. Included as part of the Stormwater Drainage Program, was the *Trinity Valley Stormwater Upgrade Project* (the Project).

In accordance with the Council’s resolution, an open tender process was conducted to select a suitably qualified consultant to deliver the design documentation for the *Trinity Valley Stormwater Upgrade Project*. Subsequently, at its meeting held on 3 February 2020, the Council appointed Cardno Pty Ltd as the Council’s Consultant for the Project.

Subsequently, at its meeting held on 7 September 2020, the Council considered a report regarding the concept design for the Project as prepared by Cardno Pty Ltd. At that meeting the Council resolved to design and deliver the Project in four (4) stages, consisting of:

- **Stage 1** – overland flow interception and trunk drainage capacity upgrades within the suburbs of Stepney and Maylands;
- **Stage 2** – overland flow interception and detention storage within Albemarle Avenue, Trinity Gardens;
- **Stage 3** – overland flow interception and detention storage within Jones Avenue, Trinity Gardens; and
- **Stage 4** – overland flow interception and detention storage (ie Detention Basin) within St Morris Reserve, St Morris.

As part of the decision, the Council resolved to construct an underground storage tank at St Morris Reserve for the detention and storage of stormwater referred to as part of Stage 4. This decision was made despite Cardno recommending an open basin at St Morris Reserve for the detention of stormwater.

At its meeting held on 4 April 2022, the Council considered a report regarding the progress of the Project. As part of that report, the Council was advised that Stage 1 through Stepney and Maylands would be reviewed with the assistance of the University of Adelaide’s Smart Stormwater Project, in an attempt to identify alternative innovative upgrade options, which do not require the removal of the street trees along Henry Street, Stepney.

At that meeting, the Council was also presented with additional information regarding the detention tank options for St Morris Reserve and the comparison of this option to an open basin. Through the investigations which were undertaken by staff, it was identified that the only suitable detention tank options, based on the maintenance, detention capacity and asset life criteria, were either an in-situ or precast concrete tank. The Council was also advised that in comparison to the open basin option (which was the model originally recommended by the Consultant), the underground detention tanks would cost the Council an additional \$5m to construct, and would require ongoing maintenance, would have a finite asset life and landscaping above the tank structure would not be possible. Following consideration of the additional information, the Council resolved to construct an open detention basin at St Morris Reserve.

In April 2022, the Council was advised that it had been successful in its application under the Federal Government's *Preparing Australian Communities Local Stream Program*, for 50% of the total construction and project management costs estimated for the delivery of all four (4) stages of the Project. This equates to approximately \$9.9m. In accordance with the Grant funding criteria, the Council is required to contribute at least 50% of the cost and the Project is required to be completed by May 2025 - to achieve this it will need to be delivered across the 2022-2023, 2023-2024 and 2024-2025 financial years.

The *Preparing Australian Communities Local Stream Program* is one component of the Federal Government's *Preparing Australia Program* aimed at supporting locally identified and locally led projects that will improve the resilience of communities against natural hazards, such as bushfires, flood and tropical cyclones. The Program is based on the impact risk level of local areas informed by the Australian Climate Service and State and Territory Governments, of which the City of Norwood Payneham & St Peters has been identified for flood risk. The intended outcome of the grant program is to support communities to undertake disaster risk reduction initiatives that provide public benefit through reducing:

- the impact of future natural hazards on communities: and
- the burden (cost and time) of recovery in communities following future disasters.

Given that each of the four (4) stages (Stage 1 through to Stage 4) of the Project provide a flood risk reduction benefit as a standalone project, with maximum benefit to flood risk reduction occurring at the completion of all four (4) stages, the construction of the four (4) stages does not need to occur in a sequential order, (ie they can each be delivered as a standalone project).

In order to deliver the entire Project within the timeframe required by the Federal Grant Funding Agreement, the order of the delivery of the four (4) stages of the Project are now based on the complexity of each stage, with the more complicated stages being scheduled later in the project program. As a result, Stages 2 & 3, are scheduled for construction first in the 2023-2024 financial year, followed by Stage 4 in the 2023-2024 financial year, with Stage 1 to be constructed at the end of the program in 2024-2025.

The detailed design and construction documentation for Stages 2 & 3, has been completed and is ready to proceed to tender. The detailed design of Stage 4 has commenced and will include the refinement of the technical aspects of the detention basin at St Morris Reserve and connecting pipe infrastructure.

Moving forward, the reference to the four (4) stages will be amended to reflect their construction order as follows:

- **Construction Phase 1** – overland flow interception and detention storage within Albemarle Avenue, Trinity Gardens;
- **Construction Phase 2** – overland flow interception and detention storage within Jones Avenue, Trinity Gardens;
- **Construction Phase 3** – overland flow interception and detention storage within St Morris Reserve, St Morris; and
- **Construction Phase 4** – overland flow interception and trunk drainage capacity upgrades within the suburbs of Stepney and Maylands.

The Council's decision to construct an open detention basin at St Morris Reserve has created the opportunity for the Council to renew and upgrade all of the open space and recreational assets within St Morris Reserve.

At its meeting held on 22 August 2022, the Council considered a report on the progress of the *Trinity Valley Stormwater Upgrade Project* and the level of community consultation and engagement required for the different components of the Project, including the construction of the proposed detention basin and the open space and recreational assets at St Morris Reserve.

Following consideration of the report, the Council resolved the following:

1. *That the Council notes that a detailed concept plan for the St Morris Reserve will be presented to the Council for consideration at the conclusion of the 2022 Local Government Election Caretaker period.*
2. *That the Communication Strategy for the Trinity Valley Stormwater Upgrade Project, as set out in this report, be endorsed by the Council.*

Following the meeting held on 22 August 2022, the Consultants have finalised the detention basin concept design together with the associated stormwater drainage infrastructure and have developed a draft Concept Plan for the recreational and open space assets at St Morris Reserve.

The purpose of this report is therefore to present the Draft Concept Plan for St Morris Reserve, which includes a recreation and open space concept design, to the Council for its endorsement to enable staff to proceed to community consultation and engagement.

RELEVANT STRATEGIC DIRECTIONS & POLICIES

City Plan 2030 – Shaping Our Future

The relevant Strategic Outcomes and Objectives as set out in the Council's Strategic Management Plan **City Plan 2030 – Shaping Our Future** are as follows;

Outcome 1: Social Equity

Objective 1.1: Convenient and accessible services, information and facilities.

Strategy 1.1.3: Design and provide safe, high quality facilities and spaces for all people.

Objective 1.3: An engaged and participating community.

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

Objective 1.4: A strong, healthy, resilient and inclusive community.

Strategy 1.4.1: Encourage physical activity and support mental health to achieve healthier lifestyles and well-being

Outcome 2: Cultural Vitality

Objective 2.5: Dynamic community life in public spaces and precincts.

Strategy 2.5.2: Create and provide interesting and vibrant public spaces to encourage interaction and gatherings.

Outcome 4: Environmental Sustainability

Objective 4.1: Sustainable and efficient management of resources.

Strategy 4.1.1: Make better use of water resources including the harvesting and re-use of stormwater.

Strategy 4.1.6: Manage stormwater to reduce the risks of flooding.

Open Space Strategy

The Council's *Open Space Strategy* provides a framework for the Council to manage, maintain, enhance and develop its open space network. The Strategy provides an overview of the types of open spaces which exist within the City, with recommended priorities for action based on the needs and demographics of the community.

The *Open Space Strategy* classifies St Morris Reserve as a 'District' level open space area, due principally to the size of the Reserve. The existing playspace and the activities which are conducted on the Reserve are generally reflective of a District Level Reserve. In respect to St Morris Reserve specifically, the Strategy recommends that the existing facilities be upgraded and that toilets be installed.

The *Open Space Strategy* also highlights that the eastern portion of the City, where St Morris Reserve is located, is deficient in high quality open space to meet the needs of the current and future population. In order to address this, the Strategy recommends that the Council upgrade existing reserves with a mix of activities and facilities to cater for the needs of a broad range of users. The upgrade of St Morris Reserve will enable the Council to address the gaps and action the recommendations identified in the *Open Space Strategy*.

Playground Strategy Report

The *Playgrounds Strategy Report* provides the long term strategic direction for the future provision and management of the playgrounds throughout the City of Norwood Payneham & St Peters. More specifically, the *Playgrounds Strategy Report* identifies the key issues associated with each of the playgrounds throughout the City and outlines an integrated and strategic framework for the enhancement of these important community assets.

One of the more significant outcomes of the *Playgrounds Strategy Report*, is the establishment of a hierarchy of playgrounds, which aims to achieve different levels of provision and the best use of resources. The hierarchy ranges from regional and district level playgrounds, which provide innovative, unique or higher standard settings, through to neighbourhood and local play opportunities. A playground's designated level in the hierarchy will ultimately determine the level of development and the quality of the playground.

The playground at St Morris Reserve is designated as a 'Neighbourhood Level' Playground, which indicates that the play equipment should be good quality and could include equipment for different age groups. However, it should comprise of predominately standard rather than unique equipment and surrounds, and cater for the local neighbourhood.

In general terms, the playgrounds within the City of Norwood Payneham & St Peters are well maintained, good quality and are well used.

FINANCIAL AND BUDGET IMPLICATIONS

The available budget for the detail design and construction of Phase 3 is \$5,152,545.

As outlined in the Background section of this report, the Council has received grant funding through the Federal Government's *Preparing Australian Communities Local Stream Program* for fifty percent (50%) of the construction and project management costs associated with the *Trinity Valley Stormwater Upgrade Project*, which includes the upgrade to St Morris Reserve. The estimated cost for all four (4) stages of the Project, is approximately \$19.8m of which the Council has received \$9.9m in grant funding.

The cost estimate used for the grant submission was prepared by Rider Levett Bucknall (RLB) Cost Consultants in December 2021. Whilst every attempt was made, at the time, to establish a realistic cost estimate, it is recognised that cost escalation in the market and the availability of some materials will have an impact on the final tender price.

The Grant funding is being provided to the Council over four (4) financial years commencing in 2021-2022 and concluding in 2024-2025. The schedule of Grant payments is set out in **Table 1** below.

TABLE 1: SCHEDULE OF GRANT PAYMENTS

	2021-2022 (\$)	2022-2023 (\$)	2023-2024 (\$)	2024-2025 (\$)
Grant Payment	3,000,000	3,651,827	2,239,081	1,022,266

The cost estimate for each space is contained in **Table 2** below.

TABLE 2: COST ESTIMATES

	Design Stage 1 / Construction Phase 4	Design Stage 2 / Construction Phase 2	Design Stage 3 / Construction Phase 1	Design Stage 4 / Construction Phase 3
Cost Estimate	\$7,402,156	\$5,562,250	\$1,709,397	\$5,152,545

The Council's contribution to the construction and management of the Project from 2022-2023 to 2024-2025 is set out in **Table 3** below.

TABLE 3: COUNCIL FUNDING

Design Stage	Construction Phase	2022-2023 (\$)	2023-2024 (\$)	2024-2025 (\$)
1	4			4,140,809
2	2	2,562,250		
3	1	1,709,397		
4	3		1,500,718	
Total		\$4,271,647	\$1,500,718	\$4,140,809

The funding details set out in **Table 3** above have been calculated by subtracting the Grant payment for the prior financial year from the construction cost estimates for the Stages being constructed. Grant payments from both the financial year of construction and the previous financial year will be allocated to Stage 1 of the Project.

EXTERNAL ECONOMIC IMPLICATIONS

There are a number of external economic factors which have the ability to impact on the delivery outcomes of the Project. The first relates to the requirements of the Grant funding set out in the Grant Agreement between the Council and the Department of Industry, Science, Energy and Resources, with the second relating to the current macro-economic climate.

Grant Funding

The key requirements of the Grant funding are as follows:

- the Grant funding has a fixed end date of 28 May 2025, with no extensions possible (all four (4) stages of the Project are required to be completed by this date);
- should any part of the Project be removed or changed, such that the Project outcomes are varied then a formal variation application is required to be submitted:
 - the variation application would then be reviewed to ensure the intended outcomes of the Grant Program are maintained;
 - if the variation does meet the Grant requirements, then the Project milestones will be adjusted, together with the payment schedule and overall Grant amount (maximum 50% of project expenditure); and
 - if the variation does not meet the Grant requirements, then the Grant is no longer valid; and
- should expenditure milestones not be met as per the milestones set out in the Grant, the Grant progress payment schedule may be adjusted to match expenditure.

Macro-Economic Climate

Recent State and Federal Government stimulus funding for infrastructure projects has created a large demand for professional services, consultants and contractors to undertake projects. The high demand has also resulted in a shortage of labour and materials in some industries, with some companies turning down work or advising of significant delays to complete work or supply materials. COVID-19 and the War in the Ukraine are also having an impact on the availability of services, goods and inflation.

Unfortunately, the trend of cost escalation, caused by a number of factors including the degree of saturation of consultant and contractor capacity and the availability of local and imported materials, is predicted to continue despite the recent increase in interest rates. During 2021 and 2022, the significant volume of Government stimulus works in the market, labour shortages and the rising cost of materials have significantly increased construction costs.

Notwithstanding this, the *St Morris Reserve Upgrade Project* together with three (3) of the other stages will have a direct contribution to the economy and will deliver flow-on supply-chain benefits in terms of the local purchase of goods and services.

SOCIAL ISSUES

In general, the Norwood, Payneham & St Peters community values the Council's open space and recreation assets. This is particularly important as backyards decrease in size and people seek respite from the highly urban environment through different active and passive recreational opportunities. As the population within the City changes, it will be important for the Council to provide open spaces which cater to a broad range of demographics, interests and abilities.

There is no question that flooding of properties is of concern and inconvenience to the respective property owners and the community in general. The flood risk of the Trinity Valley Catchment is forecast to increase in time, due to the impacts of climate change, namely increasing rainfall intensity. The implementation of this Project will improve the long-term resilience of the local community by reducing the risk of flood within the Trinity Valley Catchment and reduce the cost and time of recovery in the community following future flooding events.

CULTURAL ISSUES

The ability to provide well designed open spaces contributes to the fabric of the Norwood Payneham & St Peters community. The opportunity to develop this Concept Plan and undertake this Reserve Upgrade concurrently with the *Trinity Valley Stormwater Upgrade Project* will not only ensure an integrated and environmentally sustainable outcome but will also deliver social and cultural benefits to the wider community.

ENVIRONMENTAL ISSUES

There are some significant environmental benefits that will be achieved through the *Trinity Valley Stormwater Upgrade Project* and more specifically through the establishment of a detention basin at St Morris Reserve. It is well recognised that flooding can result in a multitude of environmental issues including the following:

- pollution of rivers and coastlines due to contaminated flood water;
- silt and sediment deposition; and
- damage to home and contents resulting in increased pressure on landfill and increasing consumption for replacement items.

Stormwater management utilising detention storage aims to remove surface flood waters and reduce the peak flow rate during flood events. This in turn can reduce environmental impacts of flooding on home and contents and the environment. Detention storage is susceptible to capturing silt and sediment following engagement and will require maintenance to remove build-up of silts and sediments, should it be required.

RESOURCE ISSUES

The development of the Concept Plan for St Morris Reserve is being managed by Council staff. Landskap Urban Design & Landscape Architects have been appointed as the lead consultant to prepare the *St Morris Reserve Concept Plan*. Landskap has been working in close collaboration with both Cardno and Council staff to ensure a positive outcome for the St Morris Reserve, which takes into consideration the Council's and the community's requirements.

RISK MANAGEMENT

Given the complexities of the *Trinity Valley Stormwater Upgrade Project* and the timeframe for the delivery of all elements within the Project, a Project Team consisting of the Council's Manager, WHS & Risk, Manager, City Assets, Manager, Communications & Community Relations, Manager, City Projects, Acting Project Manager, Assets and Project Manager, Civil has been established to oversee the Project and mitigate the risks.

The Project Team has undertaken a series of workshops with the aim of identifying all potential risks associated with the Project. Delays to the Project caused by a number of factors including the Council not endorsing the Concept Plan for community consultation and engagement or subsequently, not endorsing the final draft when it is presented in April 2023, have been identified as part of the potential risks to the Project. The risk ratings for the top four (4) risks associated with this stage of the *St Morris Reserve Draft Concept Plan* are summarised in **Table 4** below.

TABLE 4: KEY RISKS ASSOCIATED WITH THE ST MORRIS RESERVE DRAFT CONCEPT PLAN

Risk ID	Risk Event	Impact Category	Risk Rating	Primary Mitigation	Impact Category	Residual Rating
1	Council not endorsing the concept plan for consultation	Financial	Medium 19	Provision of detailed Council report and Concept Plan.	Financial	Low 21
		Services / Programs	Substantial 13		Services / Programs	Medium 17
		Environment	Medium 19		Environment	Low 21
2	Broader Community not supporting proposed upgrade	Financial	Medium 19	Communication strategy/ development of frequently asked questions/ open days. Detailed education program supported by targeted consultation program.	Financial	Low 21
		Services / Programs	Substantial 13		Services / Programs	Medium 17
		Reputation	Medium 19		Reputation	Low 21
		Environment	Medium 19		Environment	Low 21
3	Localised area and adjacent properties not supporting proposed upgrade	Financial	Medium 19	Targeted consultation, one-on-one information session, open days, development of frequently asked questions and education program to inform the community of the outcome and benefits and mitigate the risk.	Financial	Low 21
		Services / Programs	Substantial 13		Services / Programs	Medium 17
		Reputation	Substantial 13		Reputation	Low 21
		Environment	Medium 19		Environment	Low 21
4	Misunderstanding of the intent generating wide spread community concerns	Financial	Medium 19	Ensuring clarity of project intent is well communicated.	Financial	Low 21
		Services / Programs	Substantial 13		Services / Programs	Medium 17
		Reputation	Medium 19		Reputation	Low 21
		Environment	Medium 19		Environment	Low 21

The potential concerns from the community regarding construction of a detention basin at St Morris Reserve, has also been identified as one of the potential risks to the successful delivery of this Project. It is therefore critical that the communication strategy in relation to this element of the Project in particular, is well executed.

Whilst extremely unlikely, the need for the Council to eliminate the detention basin from the Project will result in a change to the overall scope of the works, resulting in reduced flood mitigation and the Council not being able to utilise all available grant funding. If this occurs, it would have financial, service, reputational and environmental impacts.

The programme for the delivery of all four (4) stages of the *Trinity Valley Stormwater Upgrade Project*, has been based on a very tight timeframe and is based on the assumption that consultation with the Community on the *St Morris Reserve Draft Concept Plan* will commence in late January 2023. Compressing the construction timeframe any further, may have implications for the Grant Funding. Also, given the current state of the construction industry any delays to this Project will more than likely generate additional costs to the Project. Therefore, it has been identified that the key element to ensuring the successful delivery of this Project is effective communication throughout all stages.

COVID-19 IMPLICATIONS

Over the last two years, the Council has experienced significant delays in the delivery of Projects as a result of COVID-19, with key staff from both the Council, consultants and contractors being unavailable for periods of time. In addition, field investigation staff and service authority staff responsible for identifying exact locations and depths of third party key infrastructure have also been unavailable, which has contributed to delays on projects.

At this stage, unless further restrictions are imposed by the State and/or Federal Governments, there are no known COVID-19 implications that would restrict the detail design and construction documentation from progressing, or for the proposed construction for each of the projects to be undertaken. However, with the continued uncertainty regarding the progression and future impacts of COVID -19, it is likely that further impacts could occur despite ongoing mitigation measures.

CONSULTATION

- **Elected Members**
The Council has previously considered the *Trinity Valley Stormwater Upgrade Project* on four (4) separate occasions, at the commencement of the Project (**3 February 2020**) where Cardno Pty Ltd was appointed, consideration of the draft concept design (**7 September 2020**), a progress report on the design including detention tank options (**4 April 2022**) and a progress report and community consultation options (**22 August 2022**). In addition an Information Session for Elected Members was held on **10 August 2020**.
- **Community**
To date, there has not been any community consultation or engagement. It is proposed that a detailed community consultation and engagement process will be undertaken regarding the draft Concept Plan, to ensure that the wider community is consulted and engaged. This includes two (2) Park Days scheduled for Saturday 4 February 2023 and Tuesday 7 February 2023. The purpose of the Park Days is to capture information about the Community's ideas for the types of facilities and features that they would like included in St Morris Reserve. The Park Day will include interactive displays where all members of the community are given the opportunity to provide their thoughts and ideas.
- **Staff**
General Manager, Urban Services
General Manager, Corporate Services
Manager, WHS & Risk
Manager, Communications & Community Relations
Manager, City Projects
Project Manager, Civil
Acting Project Manager, Assets
- **Other Agencies**
Department of Industry Science Energy & Resources (Preparing Australian Communities Local Stream Program)
Department for Environment & Water (Green Adelaide and Stormwater Management Authority)
University of Adelaide

DISCUSSION

The *Trinity Valley Stormwater Upgrade Project* is a significant investment and undertaking for the Council and has a broad geographical footprint across the City, which will directly impact a significant number of properties through the construction works, recreational outcomes and flood risk reduction.

Given the significance of this Project, the need to engage with the community regarding the details and outcomes of the stormwater drainage work is vital, particularly for those residents in close proximity to the proposed works and any resident impacted by the proposed works (i.e. residents that have flood risk reduction due to the works). In respect to this component of the *Trinity Valley Stormwater Upgrade Project*, the Council has agreed to adopt an inform and educate approach. This is based on the fact that a large percentage of the proposed work is predominately associated with infrastructure upgrades.

In respect to the upgrade of the recreational and open space elements at St Morris Reserve, the Council has acknowledged that it is a long-standing practise of this Council to undertake consultation with the community regarding any project associated with the upgrade of reserves and playground equipment. On this basis, at its meeting held on 22 August 2022, the Council resolved to undertake a formal consultation process regarding the upgrade of the recreational and open space elements at St Morris Reserve.

Upgrade of St Morris Reserve – Detention Basin Works

The proposed detention basin at St Morris Reserve is designed to ensure that stormwater is captured and overland flow is diverted from entering the City from Glynburn Road up to the 1% Annual Exceedance Probability (AEP) rainfall event (i.e. a rainfall event that occurs on average once every 100 years).

Stormwater will be transferred to the open detention basin by the installation of a new 900mm pipe running along Glynburn Road and Third Avenue between the existing open drainage channel on the eastern side of Glynburn Road and Williams Avenue, St Morris and a new 750mm pipe along Green Street, St Morris between Third Avenue, St Morris and the detention basin. A new 450mm pipe will discharge stormwater from the detention basin to the existing drainage along Gage Street, St Morris.

The grassed area of the St Morris Reserve will be fenced off during the construction of the detention basin, which is expected to take approximately three (3) months. The playground area will remain open and accessible during the construction period. Following the completion of the detention basin, the construction of the playground will commence.

As the construction works need to be undertaken in the drier months of the year, it is planned that the construction of the detention basin will commence in September 2023.

St Morris Reserve – Upgrade of Facilities

One of the benefits of an open detention basin is that different elements within the Reserve such as the playground, landscaping and the introduction of water sensitive urban design, can be incorporated into the overall design.

The current playground at St Morris Reserve is nearing the end of its useful life and therefore, this upgrade presents an ideal opportunity for the Council to consider the replacement of the equipment as part of the Project, noting that the playground at St Morris Reserve is only classified as a Neighbourhood Level Playground.

Funding for the Project, including the Grant Funding which has been received by the Council, incorporates this upgrade of the facilities at St Morris Reserve as part of the Project.

Whilst the elements that will be included in the final Concept Plan will be determined following consultation with the community, the draft Concept Plan for recreational and open space at St Morris Reserve, consists of the following components to assist the community in understand the future vision for the Reserve and to provide the community with a foundation in which to provide comment:

- the existing playground equipment will be renewed with new contemporary equipment in the current location in accordance with the Council's *Infrastructure and Asset Management Plan* schedule. The decision for the playground to be kept out of the detention zone is to ensure accessibility immediately following a flood event;
- opportunities for new recreational elements to integrate with the form of the detention basin (ie nature play area);
- relocation of the existing basketball facilities closer to the playground as the existing location will be excavated for the detention basin and will be subject to flooding;
- a new all accessible path around the Reserve and into the detention basin, with an all abilities access ramp into the open space in the detention basin;
- a new Entry Statement located at the north eastern entrance at the corner of Seventh Avenue and Green Street;
- a new shelter with a barbeque and all accessible toilet facilities;

- new irrigation;
- location of the inlet and outlet close together so that only limited portions of the Reserve are impacted during frequent storm events;
- a total of 24 trees retained, 39 trees removed and 106 new trees planted as part of the Project. None of the proposed trees to be removed for the Project are classified as Regulated Trees; and
- design of turf subgrade to limit risk of the Reserve becoming boggy following detention engagement.

A copy of the draft Concept Plan for St Morris Reserve is contained in **Attachment A**.

St Morris Reserve Concept Plan

The *St Morris Reserve Concept Plan* is being developed in two (2) stages. Stage 1, which comprises the preparation of the draft Concept Plan for community consultation and engagement and Stage 2, which involves the preparation of the final Concept Plan based on the feedback received through the community consultation and engagement. A summary of the key components of each of the two (2) stages is provided below.

- Stage 1 – Draft Concept Development

The key objective of Stage 1, is to identify at a 'conceptual level', all of the potential uses that could be incorporated into St Morris Reserve (in addition to the proposed detention basin) and to determine the best location for these uses in the context of the whole Reserve.

In accordance with the Council's Consultation Policy, it is proposed that the community consultation and engagement period will commence on 30 January 2023 and will extend for a period of 21 days. As part of the community consultation and engagement, two (2) Park Days at St Morris Reserve are proposed, the first on Saturday 3 February 2023 and the second on Tuesday 7 February 2023, to provide an opportunity for the community to share its thoughts and ideas regarding the proposed redevelopment of St Morris Reserve.

Whilst it is not the intent of the Council to consult on the proposed stormwater drainage works and the location of the detention basin, all other elements within the St Morris Reserve (ie playground equipment, etc) as depicted in the draft Concept Plan contained in **Attachment A**, will be subject to community consultation. For this reason the consultation and engagement in relation to this Project will be separated into two (2) parts:

- the drainage works (inclusive of the detention basin at St Morris Reserve) which will take the form of informing and educating the community; and
- the proposed recreational changes to St Morris Reserve, which will be the primary focus of consultation with the community.

The results of the community consultation will be used to inform the final draft Concept Plan.

Due to the restricted timeframe available to deliver the Concept Plan and the total Project, it is proposed that only one (1) round of consultation be undertaken.

Whilst the consultation will predominately focus on the open space and recreational features within the Reserve, it will also provide an opportunity to educate the community on a number of aspects including the role of the detention basin in the Reserve through the preparation of Frequently Asked Questions, such as:

- the reasons why the playground is being kept out of the detention zone;
- other examples of where the Council has used reserves to also act as a detention basin in storm events, namely the new reserve constructed by Renewal SA in Felixstow and the imminent upgrade of Burchell Reserve;
- inlet and outlet close together so that limited portions of the Reserve are impacted during frequent storm events;
- design of turf subgrade to limit risk of the Reserve becoming boggy following detention engagement; and
- the frequency of and potential depth of water resulting from the different storm events.

- **Stage 2 – Preparation of the Final Concept Plan**

Stage 2 of the St Morris Reserve concept development entails the preparation of the final Concept Plan, taking into account the location and design of the detention basin and the feedback received from the community on the draft Concept Plan released as part of Stage 1.

OPTIONS

Given that the Council has already committed to a stormwater detention basin at St Morris Reserve as a fundamental component of the *Trinity Valley Stormwater Upgrade Project*, the Council has three (3) options available in relation to the remaining elements within St Morris Reserve.

1. Do Nothing

With this option, the Council can choose to simply construct the detention basin as part of the *Trinity Valley Stormwater Upgrade Project*, with only the irrigation and trees replaced. No upgrade to the recreation and open space elements will be undertaken.

This option is not recommended on the basis that the existing playground is reaching the end of its useful life and the construction work associated with the detention basin will create an opportunity to upgrade the whole Reserve.

2. Endorse the *St Morris Reserve Draft Concept Plan for Community Consultation*

With this option, the Council can resolve to endorse the draft Concept Plan contained in **Attachment A** and consult the community on the upgrade of the recreation and open space assets at St Morris as described in the Discussion Section of this report.

This is the recommended option.

3. Amend and endorse the *St Morris Reserve Draft Concept Plan*

With this option, the Council would make changes to the draft Concept Plan prior to releasing it for community consultation and engagement. This option is not recommended on the basis that the purpose of the draft Concept Plan is to gauge the community's views on specific elements.

CONCLUSION

The Council has received grant funding for the *Trinity Valley Stormwater Upgrade Project* through the Federal Government's *Preparing Australian Communities Local Stream Program*. The construction of the detention basin and upgrade of the recreation and open space elements at St Morris Reserve are scheduled to occur in the 2023-2024 financial year.

To ensure that the location and configuration of the detention basin meets both the requirements of the *Trinity Valley Stormwater Upgrade Project* as well as the desires of the community, Council staff and Landskap have worked closely with the Trinity Valley Stormwater Upgrade Lead Design Consultants, Cardno, to achieve the best outcome.

To ensure that both the St Morris Reserve recreation and open space upgrade and the *Trinity Valley Stormwater Upgrade Project* are able to progress in a timely manner, the Council needs to endorse the draft Concept Plan for the purposes of undertaking the community consultation and engagement.

COMMENTS

Given that there is a significant amount of grant funding attached to this Project it is critical that the *St Morris Reserve Draft Concept Plan* be endorsed by the Council for community consultation and engagement and that the Project in generally, be progressed in a timely manner.

RECOMMENDATION

1. That *St Morris Reserve Draft Concept Plan*, as contained in Attachment A, be endorsed as being suitable for release for community consultation and engagement for a period of twenty-one (21) days.
 2. That the Chief Executive Officer be authorised to make any minor amendments to the *St Morris Reserve Draft Concept Plan* resulting from consideration of this report and as necessary to finalise the document in a form suitable for release for community consultation and engagement.
 3. That the Council notes that the results of the community consultation and engagement together with the final Concept Plan will be presented to the Council at its April 2023 meeting.
-

Cr Sims moved:

1. *That St Morris Reserve Draft Concept Plan, as contained in Attachment A, be endorsed as being suitable for release for community consultation and engagement for a period of twenty-one (21) days.*
2. *That the Chief Executive Officer be authorised to make any minor amendments to the St Morris Reserve Draft Concept Plan resulting from consideration of this report and as necessary to finalise the document in a form suitable for release for community consultation and engagement.*
3. *That the Council notes that the results of the community consultation and engagement together with the final Concept Plan will be presented to the Council at its April 2023 meeting.*

Seconded by Cr Granozio and carried unanimously.

11.3 SERVICE EXCELLENCE FRAMEWORK

REPORT AUTHOR: Manager, Organisational Development & Performance
GENERAL MANAGER: Chief Executive Officer
CONTACT NUMBER: 8366 4564
FILE REFERENCE: qA64185
ATTACHMENTS: A

PURPOSE OF REPORT

This report is to present to the Council an update on the Council's *Service Excellence Framework* and its implementation and additional actions that will be undertaken in 2023 as part of progressing its implementation.

BACKGROUND

In 2016, an *Organisational Culture Program* was developed to assist the organisation to continuously improve its operating culture with the aim of achieving a constructive culture, which is high-performing, effective and efficient. The Program sets out that the '*Organisational Culture*' and the '*Organisational Effectiveness*' (ie. Performance) will be measured through two (2) Staff Survey tools, every three (3) years and the data from the measures is assessed and used to develop '*interventions*' to improve the Council's operations in this area.

As part of the Program, the Organisational Culture was measured in 2017 and 2020 and the data from the 2017 results, showed that staff thought there was an opportunity to improve how they worked together to deliver cross-organisational service and to recognise when they delivered great service.

As a result, an organisational-wide, staff-centric project was undertaken to design a *Service Framework* for the organisation, which would provide the foundation required to improve service skills and practices of staff and improve service from an organisational assessed rating of '*good*' to a rating of '*great*'.

The Project team, which was compromised of staff representatives from each key function in area's of the organisation, worked in collaboration with their staff groups to create the Council's *Service Excellence Framework*, (a copy of which is contained in **Attachment A**). The Framework was designed to expand on and provide more detail on the Council's already established Organisational Value of *Service* so that staff were provided with improved information and direction on this expectation.

The *Service Excellence Framework* was developed between September 2019 and July 2020 and approved by the Executive Leadership Team in August 2020. The outcomes and deliverables of the Service Project were implemented during 2020 and were presented to the Council at a briefing held on 30 November 2020.

The implementation of the organisational *Service Excellence Framework* is one of the Chief Executive Officers Key Performance Indicators. This report therefore provides an update of the progress of the implementation of the *Service Excellence Framework*.

RELEVANT STRATEGIC DIRECTIONS & POLICIES

The *Service Excellence Framework* is established under the Council's Organisational Values and the Organisational Strategy areas of Continuous Improvement, Capability and Culture and Change.

In particular, the Council's Organisational Values set out the constructive and effective behaviours and values that staff are expected to represent, as an employee of the organisation and in turn create the espoused Culture for the organisation.

The *Service Excellence Framework* was established under the organisation's Value of Service, namely,

'Service: we seek to improve quality of life for our citizens and our community and we treat all stakeholders with respect'.

The Framework has become a subset of a more detailed interpretation for the staff of:

- how the Value of Service is to be delivered throughout the organisation; and
- the Council's expectations their performance and conduct in this area of operation.

The strategic design of *Service Excellence Framework* and its implementation will result in better service delivery to the City's citizens, stakeholders and between staff.

FINANCIAL AND BUDGET IMPLICATIONS

An ongoing budget of approximately \$30,000 over a three (3) year period, is contained in the Council's Budget to deliver the Council's *Organisational Development Program*.

The funds are used to undertake Staff Surveys, the 360^o reviews for the Senior Managers and any planned intervention or projects identified from the survey results and data.

The budget is planned and cast annually, over the three (3) year period, to accommodate the actual activities being undertaken as part of the *Culture Development Plan*, where may vary year to year and therefore each annual budget which is approved is bespoke to the planned works under the *Culture Development Plan*.

EXTERNAL ECONOMIC IMPLICATIONS

There are no direct external Economic Implications associated with this program.

SOCIAL ISSUES

There are no direct external social issues associated with this program.

CULTURAL ISSUES

There are no direct external cultural issues associated with this program.

ENVIRONMENTAL ISSUES

There are no direct external environmental issues associated with this program.

RESOURCE ISSUES

Resource requirements for each activity of the program are planned using project methodology and approved by the Executive Leadership Team, prior to commencing any activity.

RISK MANAGEMENT

Organisational risks associated with each activity of the program are planned using project methodology and mitigating strategies are approved by the Executive Leadership Team, prior to commencing any activity.

As the activities are generally associated with people-orientated behaviours and performance, typical risks that may impede any activity or project include:

- insufficient budget resources;
- insufficient '*buy-in*' from staff for any significant change in behaviours or performance to have traction; and
- inability to obtain suitable providers to deliver aspects of the programming, such as bespoke training content.

As such, typical mitigating strategies include:

- using project management tools to plan and approve budget and resources, prior to commencing any activity; and
- developing communication and training plans to ensure staff skills, knowledge and abilities are suitable to progress behaviour changes and operational changes in the workplace.

CONSULTATION

- **Elected Members**
There is no direct consultation required with Elected Members as part of this program.
- **Community**
There is no direct consultation required with the Community as part of this program.
- **Staff**
There is no direct consultation required with staff as part of this program.
- **Other Agencies**
There is no direct consultation required with other Agencies as part of this program.

DISCUSSION

As discussed, this report serves to provide a briefing on the Council's *Service Excellence Framework* which has been developed as a part of the Council's *Organisational Culture Development Program*.

The Framework was developed as a '*Continuous Improvement*' opportunity, as part of the Council's *Organisational Strategy* and a result of the data analysed from the *Organisational Culture Survey* undertaken in October 2017.

The Framework was developed by a staff-centric project team that was guided by an external Facilitator from SynergyIQ, who had expertise in service excellence, facilitation and organisational culture development. An external facilitator was chosen so that an objective and accountable model of project management was undertaken to complete the project and so that areas of Council operations were independently and objectively challenged and assess during the project.

Notwithstanding this, the Council's Manager, Organisational Development & Performance, is an Accredited and experienced practitioner in Organisational Culture Development and as such, also provided project support and expertise, to reduce the over-all cost of project and provide in-house knowledge and expertise to ensure the project outcomes met the project plan and expectations.

The Project Team completed five (5) facilitated workshops and worked with the staff in their Units to advise on and a create the *Service Excellence Framework*.

Deliverables of the project include:

- the *Service Excellence Framework* which comprised of:
 - a *Service Philosophy*; that all staff could adopt;
 - *Pillars of Service*; which are simple statements for staff to demonstrate;
 - *People We Serve*; which identifies the customer needs; and
 - *Service Behaviours and Capabilities*; to help staff self-identify their performance and development needs against the Service expectations;
- a revised *Staff Induction Program* to include the *Service Excellence Framework* and *Service Expectations* for staff;
- a revised staff *Performance Development Review Program* to include the *Service Behaviours* expected of staff;
- a review of the *Corporate Training Program* each year as part of the Council's *Training Needs Analysis*, to include course content related to Service Excellence;
- a series of workshops which we ran with the Senior Management Group and staff to implement the *Service Excellence Framework* and to develop the capabilities required in staff to deliver on the new expectations; and

- a Departmental *Service Excellence Plan* developed by staff, which sets out a three (3) year strategy for improved service, for each department, identifying focus areas for staff to improve on and deliver, in respect to their Departmental level of Service.

Notwithstanding the effective work completed to date on this project, the impact of COVID-19 and staff turnover has resulted in some actions, such as staff refresher training, being required to ensure a consistent approach to ongoing service improvement the Organisational Development & Performance Unit will undertake some further actions in respect to the *Service Excellence Framework* over the next twelve (12) months.

Additional actions include:

- undertaking an all staff refresher training program in service quality, service expectations and the desired service behaviours set out in the *Service Excellence Framework*;
- undertaking a Service Improvement Project, which will be based on ‘*systems thinking*’ and comprise of an assessment of the service needs each of the Council’s functional Units and identifying the processes and knowledge that will be required of the Citizen Services Unit staff and each Unit’s staff, to meet those needs; and
- establishing *Service Level Agreements* for each Uni, which will set out the Service Requirements, Service Standards and expectations to improve the external provision of service from each Unit and the intra-service provision between the Citizen Services Unit and each functional Unit.

OPTIONS

There are no options associated with this matter.

CONCLUSION

It has been identified that there is a need to measure the Organisational Culture and Organisational Effectiveness (performance) and undertake continuous improvement interventions that build a constructive, effective and efficient Organisational Culture and business performance.

One (1) of the continuous improvement actions that as resulted from the *Culture Development Program* is the development a *Service Excellence Framework* which will assist in creating and driving high-quality, effective and efficient service provision in the organisation and to empower staff to provide ‘*great*’ service.

Continually assessing the quality and effectiveness of the organisation’s service provision, providing refresher workshops and training to existing and new staff and identifying additional opportunities to improve service, under the *Service Excellence Framework* ensures that the Council is providing excellence in service and is adaptable and responsive to any changing needs and expectations in the delivery of Service.

COMMENTS

There are no comments associated with this matter.

RECOMMENDATION

1. That the progress of the implementation of the *Service Excellence Framework* be noted.
 2. The Council notes that future updates will be provided to the Council as part of the Chief Executive Officer’s Key Performance Indicators.
-

Cr Duke moved:

- 1. That the progress of the implementation of the Service Excellence Framework be noted.*
- 2. The Council notes that future updates will be provided to the Council as part of the Chief Executive Officer's Key Performance Indicators.*

Seconded by Cr Knoblauch and carried unanimously.

Section 2 – Corporate & Finance
Reports

11.4 MONTHLY FINANCIAL REPORT – OCTOBER 2022

REPORT AUTHOR: Financial Services Manager
GENERAL MANAGER: General Manager, Governance & Civic Affairs
CONTACT NUMBER: 8366 4585
FILE REFERENCE: qA101554
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 October 2022.

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

Not Applicable.

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 \$861,695 for the 2022-2023 Financial Year.

The First Budget update presented at this meeting proposes that the Operating Surplus be reduced by \$141,731 to \$719,964 for the 2022-2023 Financial Year. Due to the early stages of most Operating Projects with the exception of Carried Forward Operating Projects, no major material cost variances have been proposed to the 2022 – 2023 Adopted Project Budget. It is expected that a more accurate understanding of cost variances will be available as part of the Mid-Year Budget review.

For the period ended October 2022, the Council's Operating Surplus is \$1,717,000 against a budgeted Operating Surplus of \$1,178,000, resulting in a favourable variance of \$539,000.

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 October 2022, the Council's Operating Surplus is \$1,717,000 against a budgeted Operating Surplus of \$1,178,000, resulting in a favourable variance of \$539,000.

User Charges are \$107,000 unfavourable to the Adopted Budget. The St Peters Childcare Centre and Preschool is currently showing a \$45,677 deficit in revenue compared to the Adopted Budget and this reduction is being directly offset by a reduction in staffing costs. The remaining variance relates to the Norwood Concert Hall, however this relates to a delay in invoicing that was rectified in full in November.

Employee expenses are \$523,000 (9%) favourable to the adopted Budget. The driving factors behind this variance are as follows:

- budgeted staff positions that were vacant at the commencement of the financial year. Some of these positions are now filled and others are currently undergoing recruitment. Where required, activities and functions have been back filled by utilisation of temporary staff or consultants.

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

OPTIONS

Not Applicable.

CONCLUSION

Not Applicable.

COMMENTS

Not Applicable.

RECOMMENDATION

That the October 2022 Monthly Financial Report be received and noted.

Cr Callisto moved:

That the October 2022 Monthly Financial Report be received and noted.

Seconded by Cr Moorhouse and carried unanimously.

11.5 2022-2023 FIRST BUDGET UPDATE

REPORT AUTHOR: Accountant
GENERAL MANAGER: General Manager, Governance & Civic Affairs
CONTACT NUMBER: 8366 4549
FILE REFERENCE: A520538
ATTACHMENTS: A - C

PURPOSE OF REPORT

The purpose of this report is to provide the Council with a summary of the forecast Budget position for the year ended 30 June 2023, following the First Budget Update.

BACKGROUND

Pursuant to Section 123 (13) of *the Local Government Act 1999*, the Council must, as required by the Regulations, reconsider its Annual Business Plan or its Budget during the course of a financial year and if necessary or appropriate, make any revisions.

The Budget Reporting Framework set out in Regulation 9 of the *Local Government (Financial Management) Regulations 2011* ("the Regulations") comprises two (2) types of reports, namely;

1. Budget Update; and
2. Mid-year Budget Review.

1. Budget Update

The Budget Update Report sets out a revised forecast of the Council's Operating and Capital investment activities compared with the estimates for those activities which are set out in the Adopted Budget. The Budget Update Report is required to be presented in a manner which is consistent with the note in the Model Financial Statements entitled *Uniform Presentation of Finances*.

The Budget Update Report must be considered by the Council at least twice per year between 30 September and 31 May (both dates inclusive) in the relevant financial year, with at least one (1) Budget Update Report being considered by the Council prior to consideration of the Mid-Year Budget Review Report.

The Regulations require that a Budget Update Report must include a revised forecast of the Council's Operating and Capital investment activities compared with estimates set out in the Adopted Budget, however the Local Government Association of SA has recommended that the Budget Update Report should also include, at a summary level:

- the year-to-date result;
- any variances sought to the Adopted Budget or the most recent Revised Budget for the financial year; and
- a revised end of year forecast for the financial year.

2. Mid-Year Review

The Mid-Year Budget Review must be considered by the Council between 30 November and 15 March (both dates inclusive), in the relevant financial year. The Mid-Year Budget Review Report sets out a revised forecast of each item shown in its Budgeted Financial Statements compared with estimates set out in the Adopted Budget presented in a manner consistent with the Model Financial Statements. This report must also include revised forecasts for the relevant financial year of the council's operating surplus ratio, net financial liabilities ratio and asset sustainability ratio compared with estimates set out in the budget presented in a manner consistent with the note in the Model Financial Statements entitled *Financial Indicators*.

The Mid-year Budget Review is a comprehensive review of the Council's Budget and includes the four principal financial statements, as required by the Model Financial Statement, detailing:

- the year-to-date result;
- any variances sought to the Adopted Budget; and
- a revised full year forecast of each item in the budgeted financial statements compared with estimates set out in the Adopted budget.

The Mid-year Budget Review Report should also include information detailing the revised forecasts of financial indicators compared with targets established in the Adopted Budget and a summary report of operating and capital activities consistent with the note in the Model Financial Statements entitled *Uniform Presentation of Finances*.

RELEVANT STRATEGIC DIRECTIONS & POLICIES

Not Applicable.

FINANCIAL AND BUDGET IMPLICATIONS

The First Budget Update for the 2022-2023 Financial Year, provides an opportunity to amend the 2022-2023 Adopted Budget, to reflect any changes in projections based on:

- audited results to 30 June 2022;
- the first quarter results to September 2022; and
- new decisions by the Council, subsequent to the adoption of the Budget on 4 July 2022.

Details of material movements in the forecast from the Adopted Budget are contained in the Discussion section of this Report.

EXTERNAL ECONOMIC IMPLICATIONS

This report provides information on the planned financial performance of the Council for the year ended 30 June 2022 and has no direct external economic impact.

SOCIAL ISSUES

Not Applicable.

CULTURAL ISSUES

Not Applicable.

ENVIRONMENTAL ISSUES

Not Applicable.

RESOURCE ISSUES

There are no resource implications arising from this issue.

RISK MANAGEMENT

There are no risk management issues arising from this issue. All documents have been prepared in accordance with the statutory requirements.

CONSULTATION

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

DISCUSSION

Budget Update

In determining the Adopted Operating Surplus, the Council considers the financial resources which are required to provide the ongoing Council services (Recurrent Operating Budget), which encompass the basic responsibilities, the Council is required to provide under the *Local Government Act 1999* and other relevant legislation plus ongoing services and programs as a result of community interest and expectation.

The extensive range of ongoing services provided by Council include inspectorial services (animal management/parking management), street cleaning and rubbish collection, maintenance of basic infrastructure including roads, footpaths, parks, public open space, street lighting and storm-water drainage, development planning and control, library and learning services, community support programs, environmental programs, community events, community recreational facilities and home assistance service.

In addition, the Council considers the funding requirements for the introduction of new services or initiatives or the enhancement to existing services (Operating Projects).

The 2022-2023 Adopted Operating Budget has forecast an Operating Surplus of \$861,000. As a result of the First Budget Update, the Operating Surplus is forecast to be \$720,000, a decrease of \$141,000. Due to the early stages of most Operating Projects with the exception of Carried Forward Operating Projects, no major material costs variances have been proposed to the 2022 – 2023 Adopted Project Budget. It is expected that a more accurate understanding of cost variances will be available at the Mid-Year review.

The material movements in the components that make up the movement in the Operating Surplus following the First Budget Update are detailed below.

A. Recurrent Operating Budget

The 2022-2023 Recurrent Operating Budget forecast a Recurrent Operating Surplus of \$2.025 million. Following the First Budget Update, the Recurrent Operating Budget Surplus is decreased to \$1.869 million with a decrease of \$157,000 on the Adopted Budget. The major reasons for the movement in Operating Surplus are detailed in Table 1.

TABLE 1: MAJOR VARIANCES IN RECURRENT OPERATING BUDGET – FIRST BUDGET REVIEW

	Increase/ (Decrease) \$
Due to the increased number of appeals lodged with Environment, Resources and Development (ERD) Court, additional funding of \$55,000 is requested for legal cost and \$20,000 is requested for engaging consultants.	75,000
Following the resignation of the Manager of Development Assessment at the beginning of the 2022-2023 Financial Year, additional funding is requested to engage contract staff.	60,000
As demolishing of the Payneham Memorial Swimming Centre has not started as planned, funding is required for the basic maintenance and electricity cost incurred for the car park.	14,690
Additional funds are requested for libraries' small plant purchase and additional coffee consumables for library users.	5,000
Funding is requested for Compliance Officers to purchase uniforms.	2,000

Operating Projects

The Adopted Budget includes an estimate of Operating Projects expenditure for the year under review in addition to:

- previously approved and Carried Forward Projects from the prior financial years; less
- an allowance for current year approved projects projected to be carried forward to subsequent financial years.

Carried Forward estimates (from prior financial years) were reviewed upon finalisation of the 2021-2022 Annual Financial Statements. Additional expenditure required for Operating Projects which have not been completed at the end of the 2021-2022 Financial Year, is incorporated in the 2022-2023 Budget as part of First Budget Update.

Carried Forward Operating Projects expenditure from 2021-2022, was estimated as part of the Adopted Budget to be \$185,000. Following the First Budget Update, the value of carried forward expenditure is \$271,041. The increase in the Carried Forward budget is due to projects not progressing as anticipated or the commencement of projects being rescheduled.

Details of the Operating Projects which have been carried forward to the 2022-2023 Financial Year are contained in **Attachment A**.

Taking into account the Carried Forward Operating Project expenditure and new projects endorsed by the Council, the 2022-2023 Adopted Operating Projects Budget forecast a total expenditure of \$1.655 million.

Following the First Budget Update, the total cost is estimated at \$1.701 million, an increase of \$46,041. The reason for the movement is due to expenditure timings of projects resulting in additional funds being carried forward. The significant individual Operating Projects changes are detailed in Table 2.

TABLE 2: SIGNIFICANT MOVEMENT IN OPERATING PROJECT BUDGET FROM THE ADOPTED BUDGET

Service Initiative	Increase/ (Decrease) \$
Movement in Projects Carried Forward to the 2022-2023 from the Adopted Budget	
Street Tree Planting program.	31,549
It is proposed to carry forward unspent funds for the project of Greening of Verges Program to continue to cover the cost of excavating compacted materials and supplying and spreading loam for approved applications to green verges during the 2022-2023 Financial Year.	19,436
The Dog & Cat Management Plan Education Campaign budget is proposed to be carried forward. The project aims to implement an education campaign as required by the Council's 2019-2024 Dog & Cat Management Plan.	10,000
The Council appointed Tonkin Consulting to undertake the Council's condition audit and valuation of Open Space assets. Tonkin Consulting has completed the condition assessment during 2021-2022 Financial Year, however the project will be finalised during 2022-2023 Financial year.	9,550
The budget to prepare a Traffic Study for the suburbs of Glynde, Payneham, Payneham south, Trinity Gardens & St Morris is proposed to be carried forward and the project will be finalised during the 2022-2023 Financial Year.	8,342
Additional funds are requested to be carried forward to progress the Council's Cultural & Business Excellence Development (\$4,559) and Work Health & Safety Initiatives (\$2,605).	7,164
New or Additional Project Expenditure Since Adoption of Budget	
The Spring Fest Event which was scheduled to be held in the Concert Hall in October was cancelled by the organiser. The Council sponsorship towards the Event is therefore not required.	(75,000)
Following the adoption of the Council's On-Street Parking Policy, additional funding is required to implement engage the consultants to implement the Policy.	20,000
Funding is required to review the Council's Smart City Plan as a result of the Council's resolution to install Smart Parking technology in the Webbe Street Car Park.	15,000

Details of the status of Operating Projects planned to be completed during 2022-2023 is contained in **Attachment A**.

B. Capital Projects

The Council adopted a Capital Budget of \$49.641 million for 2022-2023, which comprised funding allocations for New Capital Projects involving new or the upgrading of existing assets (\$26.906million), the renewal/replacement of existing assets (\$8.794 million) and Carried Forward Projects from 2021-2022 (\$13.941million). As a result of the First Budget Update, the capital spend is forecast to be \$50.813 million, an increase of \$1.172 million primarily due to expenditure timing variations to the Adopted Budget. The \$1.172 million increase is made up of an increase in Carried Forward funding of \$752,000 and new funding requirements of \$420,000, which are detailed in Table 3 below.

Details of the Capital Projects which have been carried forward to the 2022-2023 Financial Year, are contained in **Attachment B**. The breakdown of the increase Capital Project expenditure is given below in Table 3.

TABLE 3: SIGNIFICANT MOVEMENT IN CAPITAL PROJECT EXPENDITURE FROM THE ADOPTED BUDGET

Capital Project	Increase/ (Decrease) \$
Movement in Carried Forward Capital Project Expenditure (Attachment B)	
Delays have been encountered in the St Peters Street Streetscape Upgrade project due to the wet weather and the impacts of COVID-19. In addition, the budget of \$212,557 for Joslin Valley Seventh Avenue drainage work is being transferred from Burchell Reserve Upgrade to St Peters Street Streetscape.	424,844
The funds are being carried forward and transferred to the Remediation of Riverbank Erosion \$(380,000) due to the tender received by the Council is higher than the budget. Additionally, \$4,000 is carried forward to complete the installation of Third Creek trash rack gate.	384,000
The detail design and construction of the drainage upgrade at Hatswell Street and Regent Street, Hackney, will be undertaken and completed during the 2022-2023 Financial Year.	141,443
Road resealing of the Parade West, Kent Town, will be undertaken in the 2022-2023 Financial year due to the change of scope of works. Staff are currently preparing the design of drainage on The Parade West and plan to complete the construction of drainage before the road resealing. The project will be finalised during the 2022-2023 Financial Year.	206,454
Additional funds are carried forward according to the grants received from Department of Infrastructure and Transport to install lightings along the linear Park Path between Battams Road and Oaklands Avenue.	229,213
The purchase of Water Truck is delayed due to the high demand in the Motor Vehicle market as a result of COVID-19 and Queensland Flood. The purchase order for the vehicle has been placed and the vehicle is expected to be delivered either at the end of 2022 or the beginning of 2023 within the budget.	140,000
The design of the Payneham Memorial Swimming Centre Upgrade Project is currently behind schedule and as a result demolishing and construction works are now scheduled to start from April 2023.	104,289
The Borthwick Park Creek Improvements project was started and completed within the 2021-2022 Financial Year.	(378,602)
As part of Burchell Reserve Upgrade, the construction of drainage works along Seventh Avenue started from the 2021-2022 Financial Year, instead of the 2022-2023 Financial Year which was planned in the project schedule.	(308,613)
The adopted Carried Forward budget for the implementation of The Parade Master Plan is reduced due to timing variances with expenditures.	(210,958)
A number of projects which were identified in the Adopted Carry-Forward budgets had additional or less funds available to be carried forward due to timing variances with expenditures, these include:	20,296
<ul style="list-style-type: none"> • “All Things are One” Art Work Installation \$49,027 • Dunstan Adventure Playground Redevelopment Project \$41,309 • Private Laneways \$27,123 • Meeting Room 3 TV screen installation \$9,700 • Cycling Plan Implementation 2021-2026 \$3,200 • Kent Town Streetscape Upgrade \$2,500 • Norwood Library Strategic Review & Concept Plan \$(5,200) • Cruickshank Reserve Facility Upgrade \$(14,863) • Major Public Art Funding Project – Year 1-4 \$(92,500) 	

Capital Project	Increase/ (Decrease) \$
New or Additional Project Expenditure Since Adoption of Budget	
The upgrade of stairs at Twelftree Reserve was suspended during the 2021-2022 Financial Year due to issues associated with the construction of the sleeper retaining wall. Additional funding is required to complete the construction of stairs following a variation from the contractor as a result of a redesign of the retaining wall.	288,452
The cost to purchase sand filters for the Norwood Swimming Centre has significantly increased during the past 12 months as a result of production issues due to COVID-19 and an increase in transport costs due to tighter cross-border processes and controls fuelled by concerns regarding the transition of COVID-19. Additional funding is requested in according to the quotes from the awarded contractor.	112,000
The funding is required to replace Norwood Swimming Centre chlorine and acid pump.	10,000
Additional funding is required to install bollards on the northern side of the new pedestrian crossing to stop vehicles from entering shared path along the Langman Grove Road.	10,000

While there is a proposed increase in Capital Expenditure, it is too early to determine if additional borrowing will be required to fund the increasing capital expenditure. The borrowing requirements will be re-assessed when a review of projected project completions is undertaken as part of the Mid-Year Budget Review.

Regulation 9 (1) (a) of the Regulations states the Council must consider:

“at least twice, between 30 September and 31 May (both dates inclusive) in the relevant financial year a report showing a revised forecast of its operating and capital investment activities for the relevant financial year compared with the estimates for those activities set out in the budget presented in a manner consistent with the note in the Model Financial Statements entitled Uniform Presentation of Finances”

The revised budgeted Uniform Presentation of Finances resulting from the First Budget Update is included in **Attachment C**.

OPTIONS

Not Applicable.

CONCLUSION

Nil

COMMENTS

Nil

RECOMMENDATION

1. That the First Budget Update Report be received and noted.
2. That project progress reports contained in Attachments A and B be received and noted.
3. That pursuant to Regulation 9 (1) (a) of the *Local Government (Financial Management) Regulations 2011*, the Budgeted Uniform Presentation of Finances as contained within Attachment C, be adopted.

Cr Whittington moved:

- 1. That the First Budget Update Report be received and noted.*
- 2. That project progress reports contained in Attachments A and B be received and noted.*
- 3. That pursuant to Regulation 9 (1) (a) of the Local Government (Financial Management) Regulations 2011, the Budgeted Uniform Presentation of Finances as contained within Attachment C, be adopted.*

Seconded by Cr Holfeld and carried unanimously.

11.6 EXTERNAL AUDITORS REPORT 2021-2022

REPORT AUTHOR: Accountant
GENERAL MANAGER: General Manager, Governance & Civic Affairs
CONTACT NUMBER: 8366 4549
FILE REFERENCE: qA105726
ATTACHMENTS: A - C

PURPOSE OF REPORT

The purpose of this report is to provide the Council with the Audit Opinion and Auditors Report regarding the 2021-2022 Financial Statements.

BACKGROUND

Pursuant to Section 129 (3) of the *Local Government Act 1999* (the Act), the Council's Auditor must provide to the Council, an audit opinion with respect to:

- the Financial Statements; and
- whether the internal controls of the Council are sufficient to provide reasonable assurance that the financial transactions of the Council have been conducted properly and are in accordance with law.

Pursuant to Section 129 (4) of Act, the Council's Auditor must provide written advice on any particular items that have arisen from the audit.

Pursuant to Section 129 (5b) (a) of the Act, the opinion and the advice must be presented to the Council at the next ordinary meeting of the Council.

RELEVANT STRATEGIC DIRECTIONS AND POLICIES

Nil

FINANCIAL AND BUDGET IMPLICATIONS

Nil

EXTERNAL ECONOMIC IMPLICATIONS

Not Applicable.

SOCIAL ISSUES

Not Applicable.

CULTURAL ISSUES

Not Applicable.

ENVIRONMENTAL ISSUES

Not Applicable.

RESOURCE ISSUES

Not Applicable.

RISK MANAGEMENT

There are no risk management issues arising from this report which has been prepared in accordance with the statutory requirements.

CONSULTATION

- **Elected Members**

A report on the draft Annual Financial Statements and draft Audit Report, was presented and considered by the Council at its meeting held on 7 November 2022.

- **Community**

Not Applicable.

- **Staff**

Not Applicable.

- **Other Agencies**

Not Applicable.

DISCUSSION

The Council's External Auditors, BDO Advisory (SA) Pty Ltd, have completed the statutory audit of the City of Norwood Payneham & St Peters for the 2021-2022 Financial Year.

As advised at the Council meeting held on 7 November 2022, the External Auditors have issued an unqualified Audit Report on the Annual Financial Statements for the financial year ended 30 June 2022. A copy of the Audit Opinion is contained in **Attachment A**.

In addition to the Audit Report on the Annual Financial Statements, the External Auditors are required to undertake an audit of the internal controls exercised by the Council during the respective financial year in relation to the receipt, expenditure and investment of money, the acquisition and disposal of property and the incurring of liabilities, so that the Auditors can form an opinion as to whether the internal controls which have been established by the Council, are sufficient to provide reasonable assurance that the financial transactions undertaken by the Council, have been conducted properly and are in accordance with the legislative requirements. A copy of the Internal Controls Audit Opinion is contained in **Attachment B**.

In summary, in the Auditors opinion, the Council has complied, in all material aspects, with Section 129(1)(b) of the Act in relation to the internal controls which have been established by the Council relating to the receipt, expenditure and investment of money, the acquisition and disposal of property and the incurring of liabilities.

Pursuant to Section 129 (4) of the Act, the Auditors are required to provide to the Council, in writing, details of any issues that arose from the statutory audit. A copy of the correspondence from the Auditors is contained in **Attachment C**.

OPTIONS

Not Applicable.

CONCLUSION

Nil.

COMMENTS

Nil.

RECOMMENDATION

1. That the Audit Opinion regarding to the 2021-2022 Financial Statements, as contained in **Attachment A**, be received and noted.
2. That the Audit Opinion on the Council's Internal Controls, as contained in **Attachment B**, be received and noted.
3. That the Auditor's report to the Council regarding to the 2021-2022 Financial Statements, as contained in **Attachment C**, be received and noted.

Cr Piggott moved:

1. *That the Audit Opinion regarding to the 2021-2022 Financial Statements, as contained in Attachment A, be received and noted.*
2. *That the Audit Opinion on the Council's Internal Controls, as contained in Attachment B, be received and noted.*
3. *That the Auditor's report to the Council regarding to the 2021-2022 Financial Statements, as contained in Attachment C, be received and noted*

Seconded by Cr Clutterham and carried unanimously.

**Section 3 – Governance & General
Reports**

11.7 ESTABLISHMENT OF COMMITTEES

REPORT AUTHOR: General Manager, Governance & Civic Affairs
GENERAL MANAGER: Chief Executive Officer
CONTACT NUMBER: 8366 4549
FILE REFERENCE: fa925
ATTACHMENTS: A - F

PURPOSE OF REPORT

The purpose of the report is to present the draft Terms of Reference for the Council's consideration as part of the process of establishing the following Committees:

1. Audit & Risk Committee;
2. Council Assessment Panel;
3. St Peters Child Care Centre & Pre-School Committee;
4. Traffic Management & Road Safety Committee;
5. Business & Economic Development Advisory Committee; and
6. Norwood Parade Precinct Committee.

BACKGROUND

Section 41 of the *Local Government Act 1999* (the Act), provides the decision making framework for councils and sets out the requirements in terms of the conduct of Council meetings as part of the decision making process.

The Act makes provision for the establishment of committees to assist the Council in the performance of its functions. Specifically, Section 126 of the Act requires Councils to establish an Audit & Risk Committee.

Section 41 of the Act stipulates that Councils may also establish Committees to assist the Council in the performance of its functions.

However, in accordance with the Act, at the conclusion of the 2022 Local Government Election, all Committees, including the Council's Audit Committee which were established by the former Council, were disbanded and therefore are no longer in operation.

This report presents the draft Terms of Reference to the Council for consideration to enable the Council to establish the prescribed Audit Committee and a number of discretionary committees to assist the Council as part of its decision making framework.

RELEVANT POLICIES & STRATEGIC DIRECTIONS

Not Applicable.

DISCUSSION

1. Audit & Risk Committee

The principal objective of the Audit & Risk Committee (the Committee) is to provide independent assurance and advice to the Council on accounting, financial management, internal controls, risk management and governance matters, to assist the Council in discharging its responsibilities that facilitates the organisation's environmental, social, governance and economic development.

Recent amendments to the *Local Government Act 1999* (the Act), have expanded the role of the Audit Committee and the title of the Committee has changed to the 'Audit and Risk Committee'. The intention of the amendments is to provide better quality, independent advice to Councils on a range of critical financial, governance and risk management matters.

Whilst the changes to the Act (ie changing the Committee and its functions to the Audit & Risk Committee), must be implemented by November 2023, as the Council is required to establish the Audit & Risk Committee following the 2022 Local Government Election, it is recommended that the Terms of Reference of the new Committee reflect the amended provisions as set out in Section 84 of the *Statutes Amendment (Local Government Review) Act 2021*.

As such, the functions of the Audit & Risk Committee, as set out in Draft Terms of Reference reflect the new requirements of the Act and include:

- monitoring the responsiveness of the council to recommendations for improvements based on previous audits and risk assessments, including those raised by the Council's Auditor;
- where the Council has an Internal Audit Function, provide oversight of planning and scoping of the internal audit work plan and reviewing and commenting on reports provided by the person primarily responsible for the internal audit function, at least on a quarterly basis;
- reviewing and evaluating the effectiveness of the policies, systems and procedures which the Council has in place which identify, assess, monitor, manage and review strategic, financial and operational risks; and
- reviewing Prudential Management Reports which are commissioned by the Council.

The duties and responsibilities have been reviewed with reference to the amendments to the Act and categorised under the following headings:

- Financial Reporting;
- External Audit;
- Internal Audit;
- Service Reviews;
- Internal Controls and Risk Management; and
- Other.

Given the emphasis on enhanced quality and increased independent advice, the Membership and Conditions of Appointment to the Audit & Risk Committee have also been reviewed and updated, to reflect the requirement to now have a majority of Independent Members and the required skillset, knowledge and experience for Committee Members (when considered as a whole).

The *Local Government (Financial Management) Regulations 2011*, set out the minimum and maximum numbers of Members the Audit & Risk Committee, which are set at a minimum of three (3) and a maximum of five (5) Members. It is recommended that the Committee Membership be retained at five (5) members, comprising of:

- the Mayor and one (1) Elected Member appointed by the Council; and
- three (3) Independent Members who are appointed by the Council.

At its meeting held on 24 October 2022, the Council's former Audit Committee considered a draft Terms of Reference for the new Audit & Risk Committee and recommended that the Council, when determining the Terms of Reference for the Committee take into account the draft Terms of Reference which was considered by the Committee, which included the membership arrangements of the Committee and the appointment of "two (2) Elected Members, as determined by the Council" to the Committee.

The Audit & Risk Committee is a statutory Committee established to "provide independent assurance and advice to the council on accounting, financial management, internal controls, risk management and governance matters" (*Statutes Amendment (Local Government Review) Act 2021* Section 84(4)).

On the basis of this legislative requirement, the nature of the matters which fall within the role of the Committee and the role of the Mayor, and in particular the role of the Mayor as the Principal Spokesperson of the Council, it is recommended, as set out in the draft Terms of Reference contained within Attachment A, that the Mayor be appointed to the Committee.

On the basis that the Audit & Risk Committee is a new Committee, comprising new Independent Members who may not be well versed in the provisions of the *Local Government (Procedures at Meetings) Regulations 2013*, it is also recommended that the Council appoints the Mayor as the Presiding Member of the Audit & Risk Committee.

The Membership and Condition of Appointment clause contained within the draft Terms of Reference, establish the term of appointment for Elected Members and Independent Members to coincide with the Local Government Election cycle or for an alternative timeframe as determined by the Council, to provide the opportunity for rotation of Elected Members on the Audit & Risk Committee during the term of the Council.

It is recommended that the term of membership for Elected Members be retained at two (2) years, to allow for rotation of Elected Members during the term of the Council.

It is also recommended that the term of membership for Independent Members be set between three (3) to five (5) years to ensure an orderly rotation and continuity of membership, despite potential changes to the Council's Elected Member representatives who are appointed to the Committee by the Council.

In respect to the Independent Members, the Council will be required to call for Expressions of Interest from suitably qualified persons to be considered for appointment to the Committee.

An Expression of Interest will be prepared inviting suitably qualified persons to be appointed as Independent Members to the Committee, with the final selection of the Independent Members to be determined by the Council. Applicants will be required to submit a resume and a statement of interest.

The Sitting Fee applicable to the Independent Members of the former Audit Committee was \$440 per meeting. The Audit & Risk Committee generally meets four (4) times a year. The Elected Members appointed to the Committee are not paid a Sitting Fee.

It is recommended that the Sitting Fee of \$440 per Meeting for Independent Members be retained at the current rate.

A copy of the draft Terms of Reference for the Audit & Risk Committee is contained within **Attachment A**.

2. Council Assessment Panel

The Council Assessment Panel (CAP) commenced operation on 1 October 2017. The CAP replaced the former Development Assessment Panel (DAP), in accordance with the provisions of the *Planning, Development and Infrastructure Act 2016*, (PDI Act).

The CAP is responsible for the assessment of a range of Development Applications which Council staff do not have delegated authority to assess.

The CAP is required to have a maximum of five (5) Members, one of which may be an Elected Member of the Council.

Members, other than Elected Members, are required to have relevant expertise and be an 'accredited professional', pursuant to requirements of the PDI Act.

The Specialist External Members on the CAP include:

- Mr Terry Mosel (as Presiding Member);
- Ms Jenny Newman;
- Mr Mark Adcock; and
- Mr Ross Bateup.

The Specialist External Members of the CAP have been appointed by the Council until 18 April 2024.

As former Councillor John Minney was not re-elected as part of the 2022 Local Government Election, and as such, his term has expired, there is now a vacancy on the CAP.

It is therefore necessary for the Council to appoint a replacement Member to the CAP. Such Member may either be an Elected Member of the Council or a Specialist External Member.

In this respect, it is recommended that the Council continue with its practise of appointing an Elected Member, which will ensure continued Elected Member representation on the CAP.

Whilst there is no legislative criteria in terms of the expertise or experience required of an Elected Member who is appointed to the CAP, it would be preferable for the appointed Elected Member to have had some experience with Development Assessment and/or Planning policy, such as through involvement with similar committees.

As former Councillor Carlo Dottore did not contest the 2022 Local Government Election, his term on the CAP has also expired.

The Council therefore may determine to appoint a Deputy Member to the CAP. A Deputy Member is not a legislative requirement however, a Deputy Member is beneficial as it allows an Elected Member to sit on the Panel on those occasions when the substantive sitting Elected Member is unable to attend CAP meetings.

As the term of membership of the Specialist External Members of the CAP does not expire until 18 April 2024, there is no need to review their appointment at this time. Similarly, it is not considered necessary to review the delegations of the CAP at this time, as that will also occur upon review of the membership arrangements prior to 18 April 2024.

It is recommended that the term of the new Member and Deputy Member commence at the date of the next scheduled meeting of the CAP (19 December 2022) and conclude on 18 April 2024, to align with the term of the current Members of the CAP.

A copy of the Terms of Reference for the Council Assessment Panel (for information purposes only) is attached, however there is no need for the Council to consider or approve the Terms of Reference for the CAP at this meeting. The Manager Development Assessment will undertake a review of the Terms of Reference early in 2023 to coincide with the two (2) year anniversary of the introduction of the *Planning, Development & Infrastructure Act 2016*.

A copy of the Terms of Reference for the Council Assessment Panel (for information purposes only), is contained within **Attachment B**.

3. St Peters Child Care Centre & Pre-School Committee

The St Peters Child Care Centre & Pre-School Committee has provided valuable assistance in the general oversight of issues associated with child welfare and programme safety.

It is for these reasons that the re-establishment of the St Peters Child Care Centre & Pre-School Committee is being recommended to the Council.

The proposed role of the St Peters Child Care Centre & Pre-School, as set out in the draft Terms of Reference, is as follows:

- to provide comments and oversight on the implementation of the Centre's Strategic Plan and Business Plan; and
- to undertake, under the direction of the Council and on behalf of the Council, the general oversight of issues related to child welfare and programme safety of the Centre.

The draft Terms of Reference specify that the Committee will continue to operate until 31 October 2024.

In addition, the draft Terms of Reference set out the Membership arrangements of the Committee as follows:

- two (2) Elected Members as determined by resolution of the Council; and
- three (3) Parent/Carer Representatives as determined by the Chief Executive Officer.

The Terms of Reference also stipulate that the Council will appoint the Presiding Member and that the Presiding Member shall be an Elected Member.

A copy of the draft Terms of Reference for the St Peters Child Care Centre & Pre-school Committee is contained within **Attachment C**.

4. Traffic Management & Road Safety Committee

In 2012, the Council undertook a detailed review of how it considers and addresses traffic management issues.

At the conclusion of the review, the Council made a number of decisions with respect to this matter, including:

- the adoption of the Local Area Traffic Management Policy; and
- the establishment of the Traffic Management & Road Safety Committee.

The objective of the Traffic Management & Road Safety Committee is to:

- make a final determination on traffic management issues which are referred to the Committee as provided for and in accordance with the requirements of the Council's Local Area Traffic Management Policy ("the Policy"); and
- to consider proposals and recommendations regarding parking which seek to improve road safety throughout the City (noting that the Committee has not responsibility for general car parking issues).

The Committee comprises six (6) members - three (3) Elected Members, and three (3) Specialist Independent Members with qualifications and experience in traffic management and/or road safety.

Prior to the 2022 Local Government Election, the Traffic Management & Road Safety Committee comprised the following Members:

- Cr Kevin Duke (Presiding Member);
- Cr Carlo Dottore (former Councillor);
- Cr Fay Patterson (former Councillor);
- Mr Shane Foley (Specialist Independent Member);
- Mr Nick Meredith (Specialist Independent Member) and;
- Mr Charles Mountain (Specialist Independent Member).

Mr Foley is a traffic and transport planning consultant with over 40 years' experience and is a Member of the Australian Institute of Traffic Planning and Management.

Mr Meredith has approximately 40 years' experience as a Traffic Engineer with the Department of Planning, Transport & Infrastructure and in the private sector.

Mr Mountain is employed as the Senior Manager, Road Safety at the RAA and has held previous positions as Traffic Engineer at the Cities of Adelaide and Unley.

Mr Foley, Mr Mountain and Mr Meredith have all expressed a desire and interest to be re-appointed to the Committee.

Advice is also obtained from SAPOL regarding traffic management and road safety matters as required, by the Manager, Traffic & Integrated Transport.

The sitting fee applicable to the Specialist Independent Members of the former Traffic Management & Road Safety Committee was \$300 per meeting, however, it is recommended that this be increased to \$400 per meeting to be more commensurate with current day remuneration expectations for committees of this nature.

The Elected Members appointed to the Committee have previously not been paid a Sitting Fee. The draft Terms of Reference stipulate that the Presiding Member of the Committee will be determined by the Committee at the first meeting of the Committee.

The term of the Committee is two (2) years.

Given the difficulty in sourcing traffic management specialists to sit on Committees such as this and given that the existing Specialist Independent Members wish to continue, it is recommended that Mr Shane Foley, Mr Charles Mountain and Mr Nick Meredith be appointed to the Committee.

A copy of the draft Terms of Reference for the Traffic Management & Road Safety Committee is contained within **Attachment D**.

5. Business & Economic Development Advisory Committee

The former Business & Economic Development Committee was established by the Council to provide advice to the Council in respect to business and economic development. The Committee traditionally included five (5) representatives from across a range of business sectors. The Committee's structure was designed to ensure that the Council takes a 'whole-of-city' approach to business and economic development and to provide high level strategic advice to the Council.

Given the impact that the Pandemic has had on many business sectors over the last two (2) years, the current economic climate both nationally and internationally and the importance of having a strong economy to contribute to a healthy community, it is proposed that the number of independent members be increased from five (5) to seven (7) in an attempt to incorporate a broader skill set and provide the Council with well-informed contemporary expert advice.

The membership arrangements of the Committee therefore reflect this recommendation and are set out in Clause 3 of the draft Terms of Reference, as follows:

- the Mayor;
- two (2) Councillors; and
- seven (7) Specialist Members with a background and experience in (but not limited to) business and economic development, multimedia, tourism, strategic planning, property, marketing or similar areas of expertise and who are regarded as leading practitioners in their respective fields.

Clause 3.3 of the Terms of Reference provides for Members of the Committee to be appointed for a term of two (2) years, or an alternative period, as determined by the Council.

Subject to the Council's decision to re-establish the Committee, a call for Expressions of Interest from suitably qualified persons to be appointed to the Committee as Specialist Members will be undertaken.

Following the conclusion of the Expressions of Interest period, appointment of the Specialist Members will be made by the Council. Applicants will be required to submit a resume and a statement of interest.

The Terms of Reference for this Committee focuses predominately on providing high level strategic advice on economic development matters and employment growth opportunities in the City of Norwood Payneham & St Peters, as well as having oversight of the implementation of the Council's Business & Economic Development Strategy.

On the basis that the Council is seeking input from professional Specialist Members, it is recommended that the Specialist Members who are appointed to the Committee, receive a sitting fee of \$300 for each meeting they attend.

The Council currently pays a sitting fee to external independent members of the Council Assessment Panel, Audit Committee, Traffic Management & Road Safety Committee (and the former Quadrennial Public Art Panel), on the basis that the external members are suitably qualified experts in their relevant fields and have therefore, been appointed to their role on the basis of their skills and knowledge.

Unlike these Committees, the Business & Economic Development Advisory Committee has never offered a sitting fee to its independent members. Given the current state of the employment market and the shortage of qualified experts, it is anticipated that a sitting fee will help to attract a higher calibre of experts willing to provide their time to assist the Council. It is for these reasons that a sitting fee should be applicable to external experts appointed to the Business & Economic Development Advisory Committee.

A copy of the draft Terms of Reference for the Business & Economic Development Advisory Committee is contained within **Attachment E**.

6. Norwood Parade Precinct Committee

There has been significant progress made in the area of business and economic development over the last few years, however, remaining contemporary and relevant is necessary if the Council is to respond successfully to the ever changing business and economic climate. Given the current state (and projected state) of the State's economy, the role of Local Government in this area is fundamentally important.

In respect to the City's business precincts and in particular the Norwood Parade Precinct, the contribution and support of the Council is extremely important if these precincts are going to continue to thrive in this ever changing economic climate. In addition, given the successful delivery of a number of economic based initiatives over the last few years there is also a high expectation from the business community that a Committee for the Norwood Parade Precinct be established to oversee the marketing and promotion of this Precinct.

Unique to the Norwood Parade Precinct, the Council has set in place a Separate Rate for the Norwood Parade Precinct (which will expire at the end of the 2023-2024 Financial Year, and therefore there is an expectation (and indeed a legislative requirement) that these funds will be expended in the manner which has been approved by the Council.

The Terms of Reference for The Parade Precinct Committee require the Committee to maintain a strategic focus, which if executed correctly, will ensure that the outputs and outcomes, which the Council has set, are able to be delivered, given the tight resource environment within which all function areas of the organisation are required to operate within.

The Norwood Parade Precinct Committee's primary function is to determine an Annual Business Plan and Budget for the Council's consideration and approval and to have oversight of the implementation of the Annual Business Plan, following its approval by the Council. In addition, the Committee has oversight of the implementation of the approved marketing and promotional plan for The Parade.

The membership arrangements of the Committee are set out in Clause 3 of the draft Terms of Reference, which specify the membership of the Committee as set out below:

- the Mayor;
- two (2) Councillors; and
- eight (8) representatives who must be either a current property owner/trader/business owner, currently trading or owning a property within the Precinct boundaries as defined by Map 1 (attached), selected and appointed by the Council as representing, in the opinion of the Council, the interests of business and property owners within the Norwood Parade Precinct.

Clause 3.4 of the Terms of Reference provides for Members of the Committee to be appointed for the term of the Committee (31 October 2024) or an alternative period, as determined by the Council.

Subject to the Council's decision to re-establish the Committee, a call for Expressions of Interest from suitably qualified persons to be appointed to the Committee as External Members will be undertaken.

Following the call for Expressions of Interest, the final selection of the External Members will be provided to the Council for approval. Applicants will be required to submit a statement of interest.

There is no sitting fee for Members of this Committee.

A copy of the draft Terms of Reference for the Norwood Parade Precinct Committee is contained within **Attachment F**.

Cultural Heritage Committee

The Council's Cultural Heritage Program requires a methodical and planned approach to ensure that its implementation is approached from a City-wide perspective. The Council has previously established a Cultural Heritage Committee which has provided oversight of the implementation of the Council's Cultural Heritage Program.

However, on the basis that a review of this function is being undertaken and that recruitment for a new Cultural Heritage Advisor is currently in progress, it is recommended that the Council gives consideration to the establishment of the Cultural Heritage Committee following the appointment of the successful candidate in the new year.

RECOMMENDATION

Audit & Risk Committee

1. That pursuant to Section 41 of the *Local Government Act 1999*, the Council establishes the City of Norwood Payneham & St Peters Audit & Risk Committee, in accordance with the Terms of Reference as contained in Attachment A.
2. That the City of Norwood Payneham & St Peters Audit Committee comprise five (5) Members made up of the Mayor and one (1) Councillor of the City of Norwood Payneham & St Peters and three (3) Independent Members, who have qualifications and experience relevant to the functions of the Audit & Risk Committee.
3. That the following Elected Member be appointed to the City of Norwood Payneham & St Peters Audit Committee for the term of the Committee:

Cr _____
4. That Mayor Bria be appointed as the Presiding Member of the City of Norwood Payneham & St Peters Audit & Risk Committee for the term of the Committee.
5. That Expressions of Interest for the Independent Members to be appointed to the City of Norwood Payneham & St Peters Audit & Risk Committee for the term of the Committee be sought from suitably qualified people for consideration and appointment by the Council.
6. That a report be prepared for the Council's consideration following the closure of Expressions of Interest in order to enable the Council to appoint Members to the Committee.
7. That the Sitting Fee applicable to the Independent Members of the Audit & Risk Committee be set at \$400 per meeting.

Council Assessment Panel

1. That _____ be and is hereby appointed to the City of Norwood Payneham & St Peters Council Assessment Panel for a period commencing on 19 December 2022 until 18 April 2024.
2. That _____ be and is hereby appointed as the Deputy Member to the City of Norwood Payneham & St Peters Council Assessment Panel for a period commencing on 19 December 2022 until 18 April 2022.

St Peters Child Care Centre & Pre-School Committee

1. That pursuant to Section 41 of the *Local Government Act 1999*, the Council establishes the St Peters Child Care Centre & Pre-School Committee, in accordance with the Terms of Reference as contained in Attachment C.
2. That the following Elected Members be appointed to the Committee:
_____; and
_____.
3. That _____ be appointed as the Presiding Member.

Traffic Management & Road Safety Committee

1. That pursuant to Section 41 of the *Local Government Act 1999*, the Council establishes the Traffic Management & Road Safety Committee, in accordance with the Terms of Reference as contained in Attachment D.
2. That the following Elected Members be appointed to the Committee:

_____; and
_____.
3. That the following Specialist Independent Members be appointed to the Committee:
Mr Shane Foley;
Mr Nick Meredith; and
Mr Charles Mountain.
4. That the Sitting Fee applicable to the Independent Members of the Traffic Management & Road Safety Committee be set at \$400.00 per meeting.

Business & Economic Development Advisory Committee

1. That pursuant to Section 41 of the *Local Government Act 1999*, the Council establishes the City of Norwood Payneham & St Peters Business & Economic Development Advisory Committee, in accordance with the Terms of Reference as contained in Attachment E.
2. That the City of Norwood Payneham & St Peters Business & Economic Development Advisory Committee comprise ten (10) Members made up of the Mayor, two (2) Councillors of the City of Norwood Payneham & St Peters and seven (7) Specialist Members, who have qualifications and experience relevant to the functions of the Business & Economic Development Advisory Committee.
3. That Mayor Bria and the following two (2) Councillors be appointed to the City of Norwood Payneham & St Peters Business & Economic Development Advisory Committee for the term of the Committee:
Cr _____; and
Cr _____.
4. That Mayor Bria be appointed as the Presiding Member of the City of Norwood Payneham & St Peters Business & Economic Development Advisory Committee for the term of the Committee.
5. That Expressions of Interest for the Independent Members to be appointed to the City of Norwood Payneham & St Peters Business & Economic Development Advisory Committee for the term of the Committee be sought from suitably qualified people for consideration by the Council.

6. That a report be prepared for the Council's consideration following the closure of Expressions of Interest in order to enable the Council to appoint Members to the Committee.
7. That the Sitting Fee applicable to the Independent Members of the Business & Economic Development Advisory Committee be set at \$300.00 per meeting.

Norwood Parade Precinct Committee

1. That pursuant to Section 41 of the *Local Government Act 1999*, the Council establishes the City of Norwood Payneham & St Peters Norwood Parade Precinct Committee, in accordance with the Terms of Reference as contained in Attachment F.
2. That the City of Norwood Payneham & St Peters Norwood Parade Precinct Committee comprise eleven (11) Members made up of the Mayor, two (2) Councillors of the City of Norwood Payneham & St Peters and eight (8) Members who must be either a current property owner/trader/business owner, currently trading or owning a property within the Precinct boundaries.
3. That Mayor Bria and the following two (2) Councillors be appointed to the City of Norwood Payneham & St Peters Norwood Parade Precinct Committee for the term of the Committee:

Cr _____; and
Cr _____.
4. That Expressions of Interest for the Independent Members to be appointed to the City of Norwood Payneham & St Peters Norwood Parade Precinct Committee for the term of the Committee be sought from current property owners/ traders/business owners, currently trading or owning a property within the Precinct boundaries as defined by Map 1.
5. That a report be prepared for the Council's consideration following the closure of Expressions of Interest in order to enable the Council to appoint Members to the Committee.

Audit & Risk Committee

Cr Callisto moved:

1. *That pursuant to Section 41 of the Local Government Act 1999, the Council establishes the City of Norwood Payneham & St Peters Audit & Risk Committee, in accordance with the Terms of Reference as contained in Attachment A.*
2. *That the City of Norwood Payneham & St Peters Audit Committee comprise five (5) Members made up of the Mayor and one (1) Councillor of the City of Norwood Payneham & St Peters and three (3) Independent Members, who have qualifications and experience relevant to the functions of the Audit & Risk Committee.*
3. *That Mayor Bria be appointed as the Presiding Member of the City of Norwood Payneham & St Peters Audit & Risk Committee for the term of the Committee.*
4. *That Expressions of Interest for the Independent Members to be appointed to the City of Norwood Payneham & St Peters Audit & Risk Committee for the term of the Committee be sought from suitably qualified people for consideration and appointment by the Council.*
5. *That a report be prepared for the Council's consideration following the closure of Expressions of Interest in order to enable the Council to appoint Members to the Committee.*
6. *That the Sitting Fee applicable to the Independent Members of the Audit & Risk Committee be set at \$440 per meeting.*

Seconded by Cr Mex.

Amendment

Cr Duke moved:

1. That pursuant to Section 41 of the Local Government Act 1999, the Council establishes the City of Norwood Payneham & St Peters Audit & Risk Committee, in accordance with the Terms of Reference as contained in Attachment A.
2. That the City of Norwood Payneham & St Peters Audit Committee comprise six (6) Members made up of the Mayor and two (2) Councillors of the City of Norwood Payneham & St Peters and three (3) Independent Members, who have qualifications and experience relevant to the functions of the Audit & Risk Committee.
3. That Mayor Bria be appointed as the Presiding Member of the City of Norwood Payneham & St Peters Audit & Risk Committee for the term of the Committee.
4. That Expressions of Interest for the Independent Members to be appointed to the City of Norwood Payneham & St Peters Audit & Risk Committee for the term of the Committee be sought from suitably qualified people for consideration and appointment by the Council.
5. That a report be prepared for the Council's consideration following the closure of Expressions of Interest in order to enable the Council to appoint Members to the Committee.
6. That the Sitting Fee applicable to the Independent Members of the Audit & Risk Committee be set at \$440 per meeting.

Seconded by Cr McFarlane.

The amendment was put and carried and on becoming the motion was again put and carried unanimously.

Cr Robinson moved:

That the following Elected Members be appointed to the City of Norwood Payneham & St Peters Audit & Risk Committee for the term of the Committee:

- Cr Grant Piggott; and
- Cr Claire Clutterham.

Seconded by Cr Granozio and carried unanimously.

Council Assessment Panel

Cr Granozio moved:

That Cr Christel Mex be and is hereby appointed to the City of Norwood Payneham & St Peters Council Assessment Panel for a period commencing on 19 December 2022 until 18 April 2024.

Seconded by Cr Moorhouse and carried unanimously.

Cr Robinson moved:

That Cr Kester Moorhouse be and is hereby appointed as the Deputy Member to the City of Norwood Payneham & St Peters Council Assessment Panel for a period commencing on 19 December 2022 until 18 April 2024.

Seconded by Cr McFarlane and carried unanimously.

St Peters Child Care Centre & Pre-School Committee

Cr Piggott moved:

That pursuant to Section 41 of the Local Government Act 1999, the Council establishes the St Peters Child Care Centre & Pre-School Committee, in accordance with the Terms of Reference as contained in Attachment C.

Seconded by Cr Sims carried unanimously.

Cr Duke moved:

That the following Elected Members be appointed to the Committee:

- *Cr Kester Moorhouse; and*
- *Cr Claire Clutterham.*

Seconded by Cr Callisto and carried unanimously.

Cr Duke moved:

That Cr Kester Moorhouse be appointed as the Presiding Member.

Seconded by Cr Sims and carried unanimously.

Traffic Management & Road Safety Committee

Cr Callisto moved:

That pursuant to Section 41 of the Local Government Act 1999, the Council establishes the Traffic Management & Road Safety Committee, in accordance with the Terms of Reference as contained in Attachment D.

Seconded by Cr Granozio and carried unanimously.

Cr Sims moved:

That the following Elected Members be appointed to the Committee:

- *Cr Duke;*
- *Cr Knoblauch; and*
- *Cr Holfeld.*

Seconded by Cr Callisto and carried unanimously.

Cr Duke moved:

1. *That the following Specialist Independent Members be appointed to the Committee:*

- *Mr Shane Foley;*
- *Mr Nick Meredith; and*
- *Mr Charles Mountain.*

2. *That the Sitting Fee applicable to the Independent Members of the Traffic Management & Road Safety Committee be set at \$400.00 per meeting.*

Seconded by Cr Piggott and carried unanimously.

Business & Economic Development Advisory Committee

Cr Sims moved:

1. That pursuant to Section 41 of the Local Government Act 1999, the Council establishes the City of Norwood Payneham & St Peters Business & Economic Development Advisory Committee, in accordance with the Terms of Reference as contained in Attachment E.
2. That the City of Norwood Payneham & St Peters Business & Economic Development Advisory Committee comprise eleven (11) Members made up of the Mayor, three (3) Councillors of the City of Norwood Payneham & St Peters and seven (7) Specialist Members, who have qualifications and experience relevant to the functions of the Business & Economic Development Advisory Committee.

Seconded by Cr Duke and carried unanimously.

Call for Nominations to the Business & Economic Development Advisory Committee

The Mayor called for nominations for appointment to the City of Norwood Payneham & St Peters Business & Economic Development Advisory Committee.

The following nominations were received:

- Cr Grant Piggott;
- Cr Sue Whittington;
- Cr Victoria McFarlane;
- Cr John Callisto; and
- Cr Scott Sims.

Voting by Secret Ballot

A secret ballot was conducted. The General Manager, Governance & Civic Affairs was appointed as Returning Officer for the counting of votes.

Completion of Counting of Votes by Secret Ballot

The votes were counted and the results were declared to the Council as follows:

- Cr Grant Piggott (12 votes);
- Cr Victoria McFarlane (10 votes);
- Cr John Callisto (7 votes);
- Cr Scott Sims (6 votes); and
- Cr Sue Whittington (4 votes).

Cr Holfeld left the meeting at 8.41pm.

Cr Holfeld returned to the meeting at 8.42pm.

Cr Whittington moved:

That Mayor Robert Bria and the following three (3) Councillors be appointed to the City of Norwood Payneham & St Peters Business & Economic Development Advisory Committee for the term of the Committee:

- *Cr Grant Piggott;*
- *Cr Victoria McFarlane; and*
- *Cr John Callisto.*

Seconded by Cr Duke and carried unanimously.

Cr Callisto moved:

1. *That Mayor Robert Bria be appointed as the Presiding Member of the City of Norwood Payneham & St Peters Business & Economic Development Advisory Committee for the term of the Committee.*
2. *That Expressions of Interest for the Independent Members to be appointed to the City of Norwood Payneham & St Peters Business & Economic Development Advisory Committee for the term of the Committee be sought from suitably qualified people for consideration by the Council.*
3. *That a report be prepared for the Council's consideration following the closure of Expressions of Interest in order to enable the Council to appoint Members to the Committee.*
4. *That the Sitting Fee applicable to the Independent Members of the Business & Economic Development Advisory Committee be set at \$300.00 per meeting.*

Seconded Cr Knoblauch and carried unanimously.

Norwood Parade Precinct Committee

Cr Callisto moved:

1. *That pursuant to Section 41 of the Local Government Act 1999, the Council establishes the City of Norwood Payneham & St Peters Norwood Parade Precinct Committee, in accordance with the Terms of Reference as contained in Attachment F.*
2. *That the City of Norwood Payneham & St Peters Norwood Parade Precinct Committee comprise twelve (12) Members made up of the Mayor, three (3) Councillors of the City of Norwood Payneham & St Peters and eight (8) Members who must be either a current property owner/trader/business owner, currently trading or owning a property within the Precinct boundaries.*

Seconded by Cr Duke.

Cr Sims left the meeting at 8.49pm.

Variation

Cr Callisto, as the mover of the motion, with the consent of Cr Duke as the seconder, sought leave of the meeting to vary point 2 of the motion as follows:

2. *That the City of Norwood Payneham & St Peters Norwood Parade Precinct Committee comprise thirteen (13) Members made up of the Mayor, four (4) Councillors of the City of Norwood Payneham & St Peters and eight (8) Members who must be either a current property owner/trader/business owner, currently trading or owning a property within the Precinct boundaries.*

Mayor Bria put the request for leave to the meeting.

The meeting granted leave and the motion was varied as set out above.

The motion (as varied) was put and carried unanimously.

Cr Mex moved:

That Mayor Bria and the following two (2) Councillors be appointed to the City of Norwood Payneham & St Peters Norwood Parade Precinct Committee for the term of the Committee:

- *Cr Sue Whittington; and*
- *Cr John Callisto.*

Seconded by Cr Clutterham and carried unanimously.

Call for Nominations for the Further Two (2) Members to the Norwood Parade Precinct Committee

The Mayor called for nominations for the further two (2) Members for appointment to the City of Norwood Payneham & St Peters Norwood Parade Precinct Committee.

The following nominations were received:

- Cr Grant Piggott;
- Cr Josh Robinson; and
- Cr Victoria McFarlane.

Cr Sims returned to the meeting at 8.55pm.

Voting by Secret Ballot

A secret ballot was conducted. The General Manager, Governance & Civic Affairs was appointed as Returning Officer for the counting of votes.

Completion of Counting of Votes by Secret Ballot

The votes were counted and the results were declared to the Council as follows:

- Cr Josh Robinson (9 votes);
- Cr Victoria McFarlane (6 votes); and
- Cr Piggott (4 votes).

Cr Piggott moved:

That the following two (2) Councillors be appointed to the City of Norwood Payneham & St Peters Norwood Parade Precinct Committee for the term of the Committee

- *Cr Josh Robinson; and*
- *Cr Victoria McFarlane.*

Seconded by Cr Holfeld and carried unanimously.

Cr Callisto moved:

1. *That Expressions of Interest for the Independent Members to be appointed to the City of Norwood Payneham & St Peters Norwood Parade Precinct Committee for the term of the Committee be sought from current property owners/ traders/business owners, currently trading or owning a property within the Precinct boundaries as defined by Map 1.*
2. *That a report be prepared for the Council's consideration following the closure of Expressions of Interest in order to enable the Council to appoint Members to the Committee.*

Seconded by Cr Knoblauch and carried unanimously.

11.8 CHANGES TO COUNCIL'S RISK MANAGEMENT FRAMEWORK

REPORT AUTHOR: Manager, WHS & Risk
GENERAL MANAGER: Chief Executive Officer
CONTACT NUMBER: 8366 4518
FILE REFERENCE: qA94526
ATTACHMENTS: A - B

PURPOSE OF REPORT

The purpose of the report is to advise the Council of changes to the Risk Management Framework which are aimed at ensuring that the Council has an integrated approach to risk management to assist in setting appropriate strategies, achieving objectives and making informed decisions, in the best interests of the community.

BACKGROUND

In July 2022, a new Risk Management Procedure was introduced which outlines the requirements and processes which support the Council's [Risk Management Policy](#) in order to create and protect value by improving performance, encouraging innovation and supporting the achievement of the Council's objectives. The new Procedure (**Attachment A**) also recognises that the Council's Audit Committee plays a key role in ensuring that strategic risks are appropriately monitored and tracked.

Of note, the *Statutes Amendment (Local Government Review) Act 2021* (the Act), includes a number of changes to the operations of Audit Committees and as a consequence, the Committees *Terms of Reference* which will be considered at the Council meeting on 5 December 2022 have been revised (refer to Item 11.7 of this Agenda). This opportunity also aligns with the revised Risk Management Procedure and will allow the new 'Audit & Risk Committee' to formerly adopt a more proactive role in adopting a truly integrated approach to risk management.

RELEVANT POLICIES & STRATEGIC DIRECTIONS

The new Risk Management Procedure has been created to ensure that all foreseeable risks are identified. Assessed and managed as required by the Council's [Risk Management Policy](#).

The Risk Management Policy was last updated in October 2020.

FINANCIAL IMPLICATIONS

Nil.

SOCIAL ISSUES

Nil.

CULTURAL ISSUES

Nil.

ENVIRONMENTAL ISSUES

Nil.

RESOURCE ISSUES

Nil.

RISK MANAGEMENT

Risk management is the process of identifying, assessing and controlling threats to an organisation's capital and earnings. These risks stem from a variety of sources including financial uncertainties, legal liabilities, technology issues, strategic management errors, accidents and natural disasters. All Council Report's include a section to address any risk management considerations, however historically this section has not been fully utilised.

The new Risk Management Procedure includes expanded and explicit guidance for all staff to ensure that Council and Committee Reports place an appropriate emphasis on anticipating and understanding risks associated with matters which are considered by the Council. Accordingly, to ensure that risks are appropriately addressed and communicated, the new Procedure directs that all reports which are provided to the Council and its Committees to address, as a minimum, three integral components:

- Key Risk Description - What are the top risks related to this project / proposal / event or task?
- Impact Statement – What risk levels have been assessed? Are the risk exposures in line with Council's strategy and risk tolerances?
- Risk Controls - How can/will the risks which have been identified be managed.

It is anticipated that with robust information about risk contained within all Reports, the Council will be able to better ensure effective oversight of the Councils operations and improve the confidence of Elected Members when making informed decisions.

CONSULTATION

- **Elected Members**
Not Applicable.
- **Community**
Not Applicable.
- **Staff**
- Chief Executive Officer, and
General Manager, Governance & Civic Affairs.
- **Other Agencies**
Not Applicable.

DISCUSSION

The Council manages risk in its operating environment to achieve better outcomes for our citizens and the community. Risk management facilitates continuous improvement by linking risk to organisational planning and performance reporting. The risk management process is not an isolated function and can be applied to any activity, including decision making, at all levels. Effective identification, analysis, evaluation and treatment of defined risks are critical to the Council achieving the objectives contained in its strategic management plan *City Plan 2030: Shaping our Future* and meeting overall community expectations.

Traditionally, the Councils approach has been focused primarily on managing safety and financial risks, however in recent years the complexity of risk has changed, new risks have emerged and both the Elected Members and staff require an enhanced awareness of enterprise risk management. The Councils new Risk Management Procedure addresses the evolution of enterprise risk management and the need for the Council to improve its approach to managing risk to meet the demands of an evolving risk environment. At the same time, this new risk framework provides an ideal opportunity to reframe the Council's Audit & Risk Committee.

The evolution of Council's Audit & Risk Committee

The principal objective of the Audit Committee is to add value to and improve, the Councils 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. While the existing Terms of Reference for the Committee drafted 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, historically the focus of the Committee has placed generally an emphasis on the oversight of Council's financial governance framework.

At the same time, the *Statutes Amendment (Local Government Review) Act 2021* (the Act), includes a number of changes to the operations of Audit Committees and as a consequence the *Terms of Reference* for all Audit & Risk Committees will need to be upgraded to reflect this change. The new provisions are due to come into effect by November 2023 and this would seem to align with Council's new approach to risk management and the need to revise the 'Audit Committee' following the recent 2022 Local Government Election. As part of this reframing, the Chief Executive Officer has proposed that the Audit Committee be re-titled the *Audit & Risk Committee* to reflect its enhanced focus on financial reporting, management of risk and maintaining a reliable system of internal controls that facilitates the organisation's ethical development (Refer to Item 11.7 of this Agenda).

Implementation Plan

In order to ensure that the new Risk Management Procedure is fully integrated into the Councils operations, an Implementation Plan was developed to outline how the organisation will put into operation the necessary procedures, systems and tools to embed risk management into all levels of decision making throughout the Council.

The Plan details an implementation schedule to ensure that Council adopts a systematic approach which includes staff training, risk workshops and the adaptation of a new Risk Register. A copy of the Plan is contained within **Attachment B**.

Risk Register

The purpose of the Council's Risk Register is to serve as a consolidated database for strategic, operational and key project risks. The Risk Register enables decision makers within the Council, to capture all possible or potential risks, identify and outline important components of these risks as well as identify and evaluate the controls assigned to mitigate these risks. The Councils existing corporate risk register was developed 2019 and is effectively a non-dynamic document which lists the Council's strategic and operational risks.

As part of the Implementation Plan, the Executive Leadership Team have endorsed Council utilising *SkyTrust* to create a more dynamic Risk Register. Since 2016, Council has been utilising an e-platform – *SkyTrust* – to manage its Work Health & Safety (WHS) compliance needs. *SkyTrust* is a cloud-based organisational management system which enables improved performance and provides dashboard based situational awareness. The platform has recently been upgraded to include a risk register capability which can be used for multiple types of risk. Use of the *SkyTrust* platform will enable better transparency and assignment/monitoring of responsibilities and risk controls.

OPTIONS

Not Applicable.

CONCLUSION

The effective management of risk is a fundamental component of good management and a key element of effective corporate governance. Through the adoption of a structured and systematic approach improving how risk is managed, the Council seeks to improve its decision-making performance, transparency and accountability by effectively managing both potential opportunities and adverse effects in daily activities and operations.

COMMENTS

Nil.

RECOMMENDATION

The report be received and noted and the proposed approach to risk management as set out in this report be endorsed.

Cr Robinson left the meeting at 8.59pm.
Cr Robinson returned to the meeting at 9.00pm.

Cr Granozio moved:

The report be received and noted and the proposed approach to risk management as set out in this report be endorsed.

Seconded by Cr Holfeld and carried unanimously.

11.9 EXECUTION OF COUNCIL SEAL - FUNDING DEED UNDER 2022-2023 STATE BICYCLE FUND

REPORT AUTHOR: Manager, Traffic & Integrated Transport
GENERAL MANAGER: General Manager, Urban Planning & Environment
CONTACT NUMBER: 8366 4542
FILE REFERENCE: qA12
ATTACHMENTS: A

PURPOSE OF REPORT

The purpose of this report is to seek the Council's approval to sign and seal a funding deed (*the Deed*), between the Council and the Minister for Infrastructure and Transport.

The Deed facilitates the Council's receipt of funding (\$200,000, GST inclusive) from the *2022-2023 State Bicycle Fund*. The funding has been awarded for the design and construction of safety improvements at five intersections along the William Street Bikeway, Norwood as set out below:

- upgrade the roundabouts along William Street at the intersections of Charles Street, Sydenham Road, Edward Street and Queen Street;
- upgrade the cyclist and pedestrian crossings of the Osmond Terrace median island at William Street; and
- install cyclist wayfinding signs along the William Street Bikeway.

A copy of the *2022-2023 State Bicycle Fund Deed* is contained in **Attachment A**.

BACKGROUND

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 2022 '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).

The Grant funding will contribute to the 2022-2023 Capital Works Program that already includes roundabout renewal and road resealing along William Street from Fullarton Road to Portrush Road.

The Department of Infrastructure and Transport and (DIT) has recently advised that the Council has been successful in receiving the Grant, and has requested that the *the Deed* be signed and sealed by the Council.

FINANCIAL AND BUDGET IMPLICATIONS

The \$200,000 allocated in this *2022-2023 State Bicycle Fund* will reduce the overall contribution required from the Council for the construction of the William Street bikeway that is planned for the 2022-2023 financial year.

This funding is in addition to the *2021-2022 Black Spot Funding* of \$253,000, for the upgrade of the roundabouts along William Street, at the intersections of George Street and Elizabeth Street. Therefore, the Council will receive a total of \$453,000 toward all six (6) roundabouts that are planned for renewal.

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 from a tangential design to a radial design, to meet the current best-practice Australian Standards and Guidelines, with the aim to improve safety by reducing traffic speed and improving the positioning of vehicles and cyclists on the road.

The proposed works at Osmond Terrace will include the construction of separate pedestrian and cyclist paths across the median island, noting that currently there are no crossing facilities for pedestrians.

In addition, the works will incorporate stormwater improvements and new landscaping, improving the overall safety and amenity for all road users.

The funding period is from 1 July 2022 to 30 June 2023.

OPTIONS

The Council can either agree to or decline the funding deeds. If the Council does not accept the funding, the project will still proceed. Given that the work is currently planned and budgeted, 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 *2022-2023 State Bicycle Fund*, for:

- upgrade of four roundabouts along William Street at the intersections of Charles Street, Sydenham Road, Edward Street and Queen Street; and
- improve the median crossing for cyclists and pedestrians at Osmond Terrace; and
- install cyclist wayfinding signs along the William Street Bikeway.

Cr Duke moved:

That the Mayor and Chief Executive Officer be and are hereby authorised to sign and seal the Funding Deed under the 2022-2023 State Bicycle Fund, for:

- *upgrade of four roundabouts along William Street at the intersections of Charles Street, Sydenham Road, Edward Street and Queen Street; and*
- *improve the median crossing for cyclists and pedestrians at Osmond Terrace; and*
- *install cyclist wayfinding signs along the William Street Bikeway.*

Seconded by Cr Sims and carried unanimously.

11.10 REVIEW OF E-SCOOTER PERMITS

REPORT AUTHOR: Manager, Urban Planning & Sustainability
GENERAL MANAGER: General Manager, Urban Planning & Environment
CONTACT NUMBER: 8366 4632
FILE REFERENCE: qA1770
ATTACHMENTS: A

PURPOSE OF REPORT

The purpose of this report is to consider an extension to the permit for the operation of e-scooters in the City by a further six (6) months until 30 June 2023.

BACKGROUND

The City of Norwood Payneham & St Peters has been operating an e-scooter trial since 14 May 2021 and the current permits to two commercial operators will expire on 18 December 2022. Based on data provided by the operator, during the extended trial period over the months of May 2022 to October 2022, over 17,000 e-scooter trips were undertaken, covering over 32,305 kilometres, and averaging 92.6 trips per day.

For an e-scooter trial to legally operate within a Local Government Area in South Australia, two layers of approval are required, Ministerial approval and Council approval.

To facilitate an e-scooter trial, two layers of approval are required, including:

1. **Minister approval.** E-scooters are currently not legally permitted to operate on public roads in South Australia and Ministerial approval is required to operate an e-scooter trial through a gazettal notice. The gazettal notice under section 161A of the *Road Traffic Act 1961* only permits e-scooters to operate under trial conditions, within a defined area (as agreed with the Council as part of its Use Case submission) and must comply with e-scooter trial laws and road rules: <https://mylicence.sa.gov.au/road-rules/escooter-trial>.
2. **Council approval.** The only e-scooters allowed to be used in the approved trial area defined by the Minister's gazettal notice are those operating subject to an e-scooter permit issued by Council.

The Minister has recently issued an extension of the trials via the Gazettal notice *Road Traffic (Electric Personal Transporters) Notice No 3 of 2022*, which is included as **Attachment A**. This enables the operation of e-scooters until 30 June 2023 in accordance with a Council permit under the *Road Traffic Act 1961*.

A *Select Committee on Public Transport and Active Travel* is currently in progress and the Legislative Council is currently undertaking an inquiry into Public Transport and Active Travel which includes the use of e-scooters.

At its meeting held on 2 May 2022, the Council resolved:

1. *That the Council notes the outcomes from the extended e-scooter trials and supports the continued operation of the e-scooter permits for a further seven (7) months, contingent on the Minister for Infrastructure and Transport, authorising ongoing authorisation of e-scooters under the Road Traffic Act 1961.*
2. *That the Council maintains the continued permit condition of a deployment cap of 75 devices per operator, unless the average daily usage rate can be demonstrated to exceed 1 trip per day per device, whereby a maximum of 100 shared mobility devices will apply.*
3. *That the Chief Executive Officer be authorised to write to the Minister for Infrastructure and Transport, advising of the outcomes of this review and seeking an update of the Minister's consideration of the inclusion of e-scooters in the South Australian Road Rules.*

4. *That staff continue to work with the e-scooters operators to implement measures which address complaints about footpath obstruction, trip hazards and public safety including through the designation of virtual docking stations, no parking areas and no ride zones.*
5. *The Council notes that a report will be presented to the Council at the conclusion of the extended Permits.*

RELEVANT STRATEGIC DIRECTIONS & POLICIES

The relevant Outcomes and Objectives contained in the Council's Strategic Plan, *CityPlan 2030*, are set out below:

Outcome 1 Social Equity

An inclusive, connected, accessible and friendly community

Objective:

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

Outcome 3 Economic Prosperity

A dynamic and thriving centre for business and services

Objective:

3.1: A diverse range of businesses and services.

Outcome 4: Environmental Sustainability

A leader in environmental sustainability

Objective:

4.4. Mitigating and adapting to the impacts of a changing climate.

The introduction of shared mobility devices into the Council area assists to meet the State Government's *30-Year Plan for Greater Adelaide* target to increase the share of work trips made by active transport modes by 30% by 2045.

FINANCIAL AND BUDGET IMPLICATIONS

The Permits issued to operators incorporate a fee which generates a combined income to the Council of \$5250 per annum which is applied towards administrative costs.

EXTERNAL ECONOMIC IMPLICATIONS

The transport and parking convenience offered by shared mobility devices, combined with the City's close proximity to the Adelaide CBD, means the City of Norwood Payneham & St Peters is attractive for shared mobility device users.

Shared mobility devices have the potential to attract more visitors to the City and this is supported by the information collected through the e-scooter user surveys, previously conducted by operators. The surveys found 28% of users were from the City of Norwood Payneham & St Peters; 66% of users were from another Local Government Area in South Australia and 3% from another location (e.g. interstate).

Increased local accessibility through micromobility devices can also increase the level of patronage and expenditure for local businesses and events in the Council area. A previous user survey showed that over 60% of users made a purchase shortly before or after their trip, demonstrating patronage of local businesses via these modes of transport.

SOCIAL ISSUES

Shared mobility device schemes offer a convenient and affordable mode of transport to people who may not have the capacity or desire to travel by private car, ride share, take a taxi or public transport. This in turn can contribute to a healthier, more connected and more active community.

The flexibility offered by the shared mobility economy may, over time, lead to a reduction in car ownership patterns, with some households having a reduced reliance on car ownership, due to a combination of accessible and convenient transport alternatives.

CULTURAL ISSUES

Not Applicable.

ENVIRONMENTAL ISSUES

One of the benefits of shared mobility device schemes is the ability to link passengers to public transport, by offering a faster option of travelling to and from the public transport stop. User data shows that in the City of Norwood Payneham & St Peters, most shared mobility device trips are quite short; approximately 50% of trips are just 5-15 minutes in duration and approximately 87% of trips are under twenty-five minutes. This supports the notion that people are using shared mobility devices to link into fixed public transport infrastructure or replace short car trips. Over time this in turn could also decrease the demand for car-parking in the City, albeit relatively marginally.

Any vehicle emissions as part of the rebalancing of e-scooters by the operators is carbon-neutral through the consumption of fully renewable energy.

RESOURCE ISSUES

The introduction of e-scooters within the City of Norwood Payneham & St Peters has diverted resources in the Sustainability Unit to oversee this system and respond to community feedback. Which consumes, on average approximately 3-4 hours per week.

RISK MANAGEMENT

The Council responds to areas of possible risk by adjusting the operational requirements through Permit conditions and requests to the operators. For example, some narrow streets or locations with no footpaths or laneways and car parking areas have been designated 'No Parking Zones' as users were leaving the devices in dangerous locations (either blocking traffic, car parks or pedestrian access). Response times for notification of dangerously located devices has generally been adhered to by operators through the Permit terms.

COVID-19 IMPLICATIONS

COVID-19 has impacted shared mobility schemes in South Australia through reduced community mobility which has impacted on take-up rates of devices.

CONSULTATION

- **Elected Members**
Not Applicable.
- **Community**
Not Applicable.
- **Staff**
Not Applicable.
- **Other Agencies**
Not Applicable.

DISCUSSION

Shared mobility schemes offer a low-emission mobility option and a more diverse, convenient and accessible transportation network and may assist to reduce congestion and car-parking issues in the City.

An evaluation of e-scooters over the last six (6) month operating period has considered:

- Usage information including number of e-scooter trips per month/day, number of users, average distance travelled, average trip time as well as identification of popular routes and connections.
- Community feedback including type, frequency, and number.
- Recorded operator incidents including type, frequency, and severity.
- Parking evaluation including any feedback about key parking 'hubs'/areas, and No Parking Zones.
- Pedestrian safety
- A user survey has not been conducted for this period.

Usage Information

E-scooters usage data was provided by the two operators (Beam and Neuron) on a monthly basis. A summary of the monthly data is summarised in Table 1.

TABLE 1: CITY OF NPSP RIDER INFORMATION BY MONTH

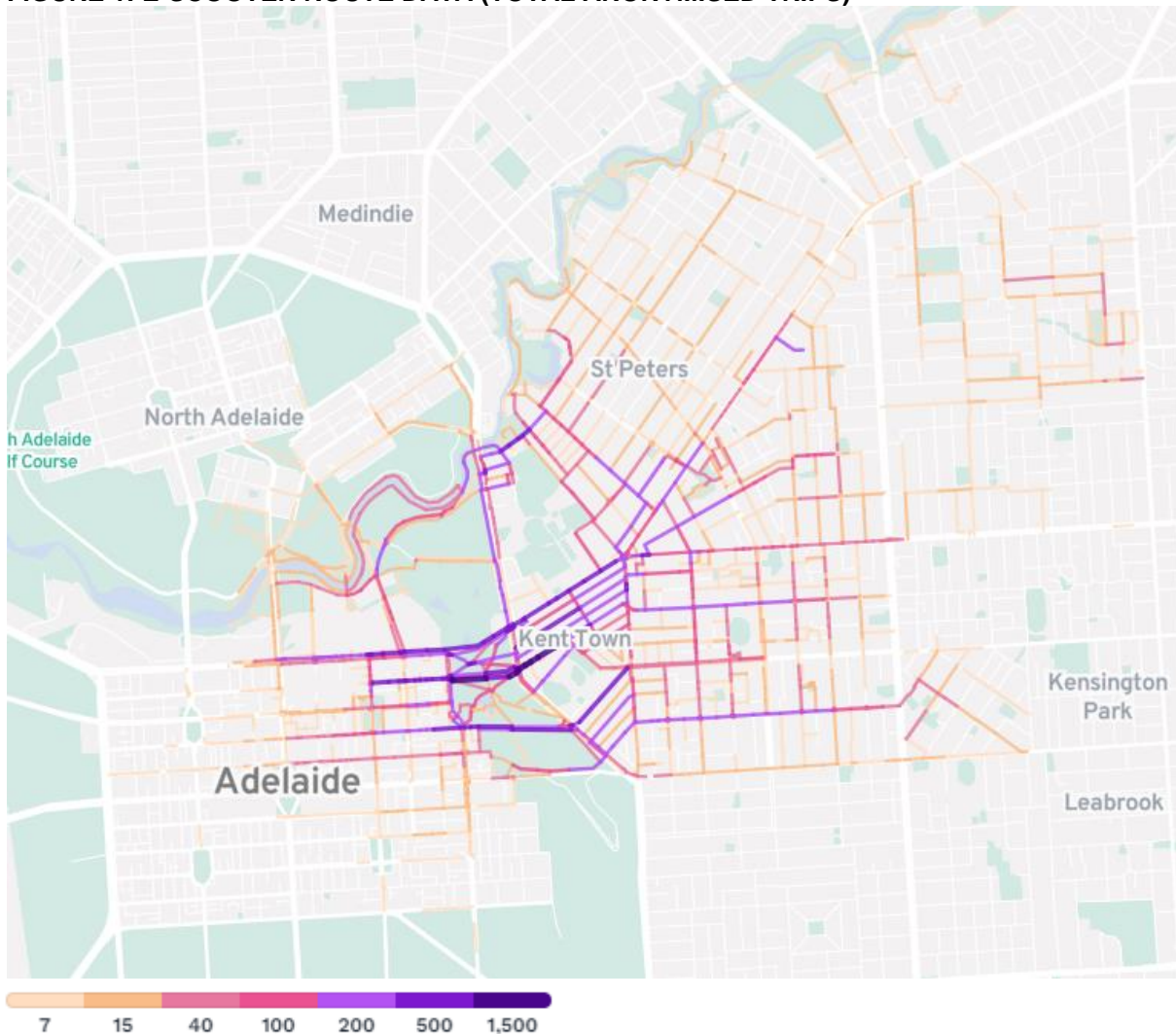
Month	Total Trips taken	Average No of devices deployed (daily)	Average trip per device	Total kms travelled	Average length of trip (kms)	Average length of trip (time)	Number of Unique Users
Beam							
May	1943	103	0.61	3451	1.78	11.8	816
June	1685	98	0.57	2945	1.75	12.2	690
July	1787	90	0.65	3065	1.72	12.2	796
August	1565	74	0.67	2708	1.73	12.0	709
September	1606	67	0.77	3045	1.90	13.1	657
October	1886	71	0.87	3736	1.98	14.8	758
Neuron							
May	1382	59	0.76	2782	2.01	14.59	686
June	1004	49	0.68	1888	1.88	14.08	497
July	1390	53	0.85	2627	1.89	14.04	660
August	1056	50	0.68	2093	1.98	14.39	516
September	750	26	0.94	1673	2.23	15.72	401
October	995	33	0.97	2292	2.3	16.09	518
Total/ Average	17049	64	0.75	32305	1.93	13.8	642

The key highlights from the data are summarised as follows:

- Over 17,000 e-scooter trips, travelling over 32,305 kilometres and averaging 92.6 trips per day has taken place in City of Norwood Payneham & St Peters
- On average, 64 e-scooters are deployed in the city on a daily basis.
- The average e-scooter trips per device per day is 0.75. The Permits support increasing the number of e-scooters to over 75 devices deployed, only once a minimum of 1.0 trip per device or greater is achieved.
- The average length of an e-scooter trip is 1.93 kilometres, and the average duration of trip is 14 minutes, which indicates that people are using e-scooters for varied reasons including leisure and commuter purposes.
- On average, over 642 unique users each month have used e-scooters in the City.
- The busiest month for e-scooter use was in May 2022
- e-scooter usage has reduced during the winter months compared to previous seasons.

In addition to the data from the operators, the Council has also partnered with the Cities of Adelaide and Unley on funding a shared mobility management platform named Ride Report. The Ride Report platform has been linked with the Beam and Neuron data feeds, providing real time fleet management and consolidated data on e-scooter start and end trips, and the routes users travel. A heatmap of where e-scooter users have travelled for the period between 15 May 2022 and 31 October 2022 is presented in **Figure 1**.

FIGURE 1: E-SCOOTER ROUTE DATA (TOTAL ANONYMISED TRIPS)



Council staff meet monthly with representatives of the City of Adelaide, City of Unley, the Department for Infrastructure and Transport (DIT) and SAPOL, to share information regarding the e-scooter trials and to discuss lessons learnt and improvement opportunities.

The operators also provided information on e-scooter start and end trips. **Table 2** below provides a summary of the data including, trips from NPSP to NPSP, trips from NPSP to the CBD and trips from the CBD to NPSP.

TABLE 2: E-SCOOTER START AND END TRIP DATA

Month	Trips from NPSP to NPSP	Trips from NPSP to City	Trips from City to NPSP
Beam			
May	1274	663	1025
June	1126	541	875
July	1190	584	1069
August	999	560	995
September	1004	589	900
October	1238	639	1011
Neuron			
May	547	316	519
June	356	245	403
July	493	328	569
August	394	231	431
September	218	175	357
October	269	238	488
Average	759	426	720

The data indicates that there has been reasonable usage of e-scooters wholly within the City of Norwood Payneham & St Peters. This analysis shows that e-scooter use to/from the CBD is popular, with more trips travelling out of the CBD than into the CBD on an e-scooter. This may be a result of more e-scooters located in the CBD and therefore easier to access and a preference for an end of the day journey on an e-scooter rather than start of day journey.

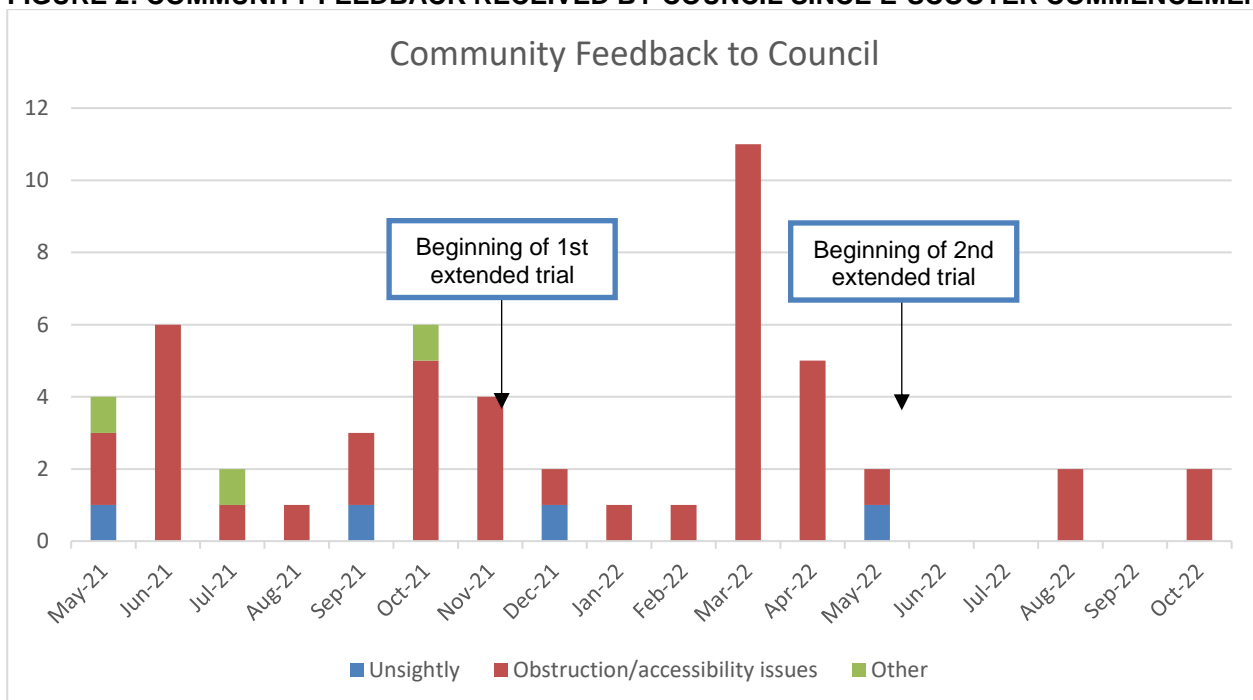
Analysis shows that the most popular locations for starting a journey are in the east end of the City of Adelaide, Kent Town, Norwood, Stepney and the Adelaide Caravan Park in Hackney.

Community Feedback

The Council has received five complaints from the community during the extended e-scooter trial period from 15 May 2022 until present, or an average of one complaint per month. These were passed onto the operators to action in accordance with the timeframes set out in the Permit.

Figure 2 below shows the number of enquiries and complaints received by the Council regarding e-scooters.

FIGURE 2: COMMUNITY FEEDBACK RECEIVED BY COUNCIL SINCE E-SCOOTER COMMENCEMENT



As with previous reporting periods, inconsiderate parking of e-scooters and e-scooters blocking the footpath were the most commonly raised issues. This compares favourably with previous periods and indicates a downward trend in complaints.

The complaints regarding obstruction and inappropriately parked e-scooters, are matters that are passed on directly to the operators for immediate resolution. Where repeated problems are being experienced, staff are in ongoing discussions with the operators to investigate and implement longer term mitigation measures.

The operators have generally found to be responsive and prompt in addressing issues relating to devices and in compliance with the conditions of the Permit. In response to customer comments, the operators have implemented additional parking restrictions, through No Parking Zones in a number of locations.

Recorded Operator Incidents

TABLE 3: OPERATOR RECORDED INCIDENTS

Incident	Total	Permit Response Time	Recorded response times
Theft or vandalism	47	n/a	<2hours from alert
Path obstructed/ misparked	35	3 hours	Met response times
Damaged e-scooter	7	24 hours	Picked up <24hrs
Noise or Rider Behaviour	35	n/a	35 warnings issued to users for bad riding and parking
3 rd party property damage	1	n/a	0
3 rd party injury	1	n/a	0
Rider Injury (no hospitalisation)	0	n/a	0
Rider hospitalisation	0	n/a	0
Other	2	n/a	-
Total	128	-	-

A key parameter for a successful e-scooter trial is public and rider safety. During the extended permit period, there has been one report of third party injury, which involved a third party tripping over a parked scooter on George Street, Norwood. The injury consisted of some minor grazing and minor personal property damage which the operator compensated the claimant for. There were two additional incidents that have been listed as "other". Both of these incidents involved a rider fall from the e-scooter, without injury. There has been one recorded incident of third party property damage (involving a vehicle). The operator has tried to respond to this event, however the third party did not respond and as such no insurance claim has been made.

Parking Evaluation

Staff are continuing to liaise with the operators about improvements to incentivise users to end their trip in locations that have spacious, safer areas such as street corners and wider footpaths. These "virtual" docking stations have been partly investigated and are already implemented for some locations, however more work could be done to further introduce these in problematic locations.

Pedestrian Safety

There has been one recorded incident of pedestrian injury during the trial period May to October 2022. Council staff continue to monitor this risk. The general community concern regarding e-scooters in South Australia only being permitted to ride on footpaths and shared paths (unless otherwise prohibited) is acknowledged. DIT has taken a conservative approach to facilitating shared e-scooter schemes in South Australia, compared to other states, whereby it only allows e-scooters to operate with a maximum weight of 25kg and an operational speed of 15km/h. On busier arterial roads, e-scooter speeds have been restricted to 10km/h.

In terms of liability, the commercial operators of e-scooter schemes have three types of insurance in place – public liability, third party property damage and personal accident insurance issued to the rider.

OPTIONS

Option 1: Extend E-scooter Trial Permits

Enabling the e-scooters to continue operation for a further six (6) months to coincide with the Minister for Transport and Infrastructure's gazettal notice, will enable a more comprehensive understanding of usage and potential issues within the City of Norwood Payneham & St Peters.

This period will allow e-scooter operations to continue in the City of Norwood Payneham & St Peters whilst the State Government review is undertaken.

This is the recommended option.

Option 2: Discontinue Further E-scooter Operations

Alternatively, the Council could choose not to extend e-scooter or e-bike shared mobility schemes due to the comments the Council has received about poorly parked devices and their perception as a public nuisance and hazardous item in the public realm.

CONCLUSION

Overall, the trials of the shared mobility schemes are to date considered to be successful, due to:

- positive trends towards mode shift (replacing car trips with an e-scooter ride to connect to public transport or to access to shopping precincts and services);
- no serious reported accidents or incidents throughout the trial period;
- usage per device is within the preferred levels; and
- continued work is occurring with the operators to respond to community feedback including through mitigation measures such as new "no go" zones and preferred parking areas.

The extended trial period of an e-scooter scheme from 15 May to date has seen 17,049 trips taken, covering 32,305 kilometres, with an average of 92.6 e-scooter trips per day. This new, flexible travel mode option is clearly being well utilised, supports community mobility and economic development and has demonstrated benefits in cross-City accessibility.

The trials have also demonstrated a trend towards mode shift (replaced car trips with an e-bike or e-scooter, increased connection to the public transport network or access to shopping precincts and services).

The e-scooters have also generated community feedback, where citizens are reporting issues associated with poorly parked scooters, obstruction of footpaths and access areas and trip hazards. As with any form of moving transport, there have been a small number of incidents of personal accidents and relatively minor property damage. The Council is unaware of any serious incidents or injuries that have occurred.

The e-scooter trial has been in operation for almost eighteen months, spanning all seasons, with an increase in usage experienced over the summer months. The usage patterns will have been affected by Covid-19, with a general reduction in social activities and entertainment over much of this time as well as expected seasonal variations in usage.

The next six (6) months is recommended for an extended trial period, to coincide with understanding the position of the Minister for Transport and Infrastructure as to the ongoing framework for e-scooters in South Australia.

Staff will continue to work with the e-scooter operators for operational improvements.

COMMENTS

Nil

RECOMMENDATION

1. That the Council supports the continued operation of the e-scooter permits for a further six (6) months until 30 June 2023 whilst the State Government review is undertaken.
 2. That the Council notes that staff will continue to review and amend the permit conditions as necessary to improve safety and efficiency of the e-scooter operations.
 3. That the Council maintains the continued permit condition of a deployment cap of 75 devices per operator, unless the average daily usage rate can be demonstrated to exceed 1 trip per day per device, whereby a maximum of 100 shared mobility devices will apply.
-

Cr Mex moved:

That the Council not extend e-scooter shared mobility schemes due to public safety and nuisance concerns in the public realm.

Seconded by Cr Knoblauch and lost.

Cr Callisto left the meeting at 9.23pm.
Cr Callisto returned to the meeting at 9.25pm.

Cr Sims moved:

1. *That the Council supports the continued operation of the e-scooter permits for a further six (6) months until 30 June 2023 whilst the State Government review is undertaken.*
2. *That the Council notes that staff will continue to review and amend the permit conditions as necessary to improve safety and efficiency of the e-scooter operations.*
3. *That the Council maintains the continued permit condition of a deployment cap of 75 devices per operator, unless the average daily usage rate can be demonstrated to exceed 1 trip per day per device, whereby a maximum of 100 shared mobility devices will apply.*

Seconded by Cr Robinson and carried unanimously.

11.11 DELEGATION OF AUTHORITY (FINANCIAL) TO THE CHIEF EXECUTIVE OFFICER

REPORT AUTHOR: General Manager, Governance & Civic Affairs
GENERAL MANAGER: Chief Executive Officer
CONTACT NUMBER: 8366 4549
FILE REFERENCE: qA98586
ATTACHMENTS: Nil

PURPOSE OF REPORT

The purpose of the report is to present a recommendation to the Council which has been made by the Council's former Audit Committee to increase the Chief Executive Officer's Delegation of Authority (Financial) for the Council's consideration.

DISCUSSION

Section 44 (1) of the *Local Government Act 1999*, provides that the Council may delegate a power or function vested or conferred under this or another Act and Section 44(2) sets out that *a delegation may be made:*

- (a) *to a council committee; or*
- (b) *to a subsidiary of the council; or*
- (ba) *to a joint planning board established under a planning agreement to which the council is a party; or*
- (c) *to an employee of the council; or*
- (d) *to the employee of the council for the time being occupying a particular office or position; or*
- (e) *to an authorised person.*

In respect to expenditure and approval of expenditure, the Council has adopted a policy to clearly define the financial delegations to the Council's Chief Executive Officer and staff.

The Council's *Expenditure Policy* (the Policy), sets out the framework in respect to the expenditure of funds and associated financial delegations. As such, the delegations are limited to the expenditure of money on works, services and operations which are contained in the Council's Annual Budget Plan as adopted by the Council. Expenditure in excess of the approved budget, is to be authorised in accordance with the Council's Budget Review Policy and Guidelines.

Following a review of the Policy, an amended draft Policy was presented to the Council's former Audit Committee at its meeting held on 24 October 2022, for consideration. The amendments to the Policy were of a minor nature only and included updated position titles to reflect the new Organisation Structure and a review of the financial delegations to reflect operational and budget responsibilities.

Following consideration of the matter, the former Audit Committee resolved the following:

That the Audit Committee notes that the following policies have been reviewed and notes that amendments are recommended:

- *Expenditure Policy (Attachment A), with the inclusion of an amendment to increase the Chief Executive Officer's delegation from \$250,000 to \$1,000,000*

As the former Audit Committee did not enjoy the delegation of any powers, functions and duties of the Council, all decisions of the Committee therefore, constituted recommendations only to the Council.

Subsequently, at its meeting held on 7 November 2022, the Minutes of the Audit Committee were presented to the Council for adoption.

Following consideration of the matter, the Council resolved to adopt the recommendations of the Audit Committee which were made at the meeting of the Audit Committee held on 24 October 2022 with the exception of the following:

Item 6.7

2. *That the Audit Committee notes that the following policies have been reviewed and notes that amendments are recommended:*

- *Expenditure Policy (Attachment A), with the inclusion of an amendment to increase the Chief Executive Officer's delegation from \$250,000 to \$1,000,000;*

which will be presented to the Council for consideration at its meeting to be held on 5 December 2022, following the conclusion of the Local Government Caretaker Period.

This means that whilst the Council has adopted the *Expenditure Policy* as recommended by the Audit Committee, the Council has not determined its position in respect to the recommendation to increase the financial delegation to the Chief Executive Officer.

Therefore, the Council must now determine if it endorses the recommendation of the former Audit Committee and adopts the recommendation to increase the financial delegation to the Chief Executive Officer.

The increase to the financial delegation will provide for a more contemporary and efficient process in terms of managing the day-to-day operations of the Council and in particular expenditure in relation to major projects. Notwithstanding this, the financial delegation to the Chief Executive Officer will be subject to the limitations as set out in the *Expenditure Policy*, (ie limited to the expenditure of money on works, services and operations which are contained in the Council's Annual Budget Plan as adopted by the Council).

It is for these reasons that it is recommended that the Council adopts the recommendation of the former Audit Committee and increases the financial delegation of the Chief Executive Officer to \$1,000,000.

RELEVANT POLICIES & STRATEGIC DIRECTIONS

Not Applicable.

RECOMMENDATION

1. That the Chief Executive Officer's financial delegation be increased from \$250,000 to \$1,000,000, in accordance with the Council's *Expenditure Policy*.
2. That the Council's *Expenditure Policy* be updated to reflect the new Delegation of Authority to the Chief Executive Officer.

Cr Duke moved:

1. *That the Chief Executive Officer's financial delegation be increased from \$250,000 to \$1,000,000, in accordance with the Council's Expenditure Policy.*
2. *That the Council's Expenditure Policy be updated to reflect the new Delegation of Authority to the Chief Executive Officer.*

Seconded by Cr Granozio and carried unanimously.

12. ADOPTION OF COMMITTEE MINUTES

Nil

13. OTHER BUSINESS

Nil

Cr McFarlane left the meeting at 9.28pm.
Cr Sims left the meeting at 9.30pm.
Cr Robinson left the meeting at 9.31pm.
Cr McFarlane returned to the meeting at 9.31pm.
Cr Sims returned to the meeting at 9.31pm.
Cr Robinson returned to the meeting at 9.32pm.

Adjournment of Council Meeting

At 9.35pm Cr Sims moved:

That the Council meeting be adjourned for 5 minutes.

Seconded by Cr Callisto and carried unanimously.

Resumption of Council Meeting

At 9.40pm the Council meeting resumed.

14. CONFIDENTIAL REPORTS

14.1 2023 AUSTRALIA DAY AWARD NOMINATIONS

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:

- (o) information relating to a proposed award recipient before the presentation of the award;

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 until 26 January 2023.

Cr Knoblauch moved:

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 [Chief Executive Officer, General Manager, Governance & Civic Affairs, General Manager, Urban Services, Manager, Urban Planning & Sustainability, Manager, Finance, Manager, Communications & Community Relations, Manager, City Assets, Manager, City Projects and Executive Assistant, Governance & Civic Affairs], be excluded from the meeting on the basis that the Council will receive, discuss and consider:

- (o) information relating to a proposed award recipient before the presentation of the award;*

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.

Seconded by Cr Callisto and carried unanimously.

Cr Piggott moved:

Under Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, discussion and minutes be kept confidential until 26 January 2023.

Seconded by Cr Knoblauch and carried unanimously.

14.2 TENDER SELECTION REPORT FOR THE CONSTRUCTION OF THE DUNSTAN ADVENTURE PLAYGROUND REDEVELOPMENT

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 prejudice the commercial position of the Council; and
- (ii) would, on balance, be contrary to the public interest;

by the disclosure of sensitive commercial and financial information 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 and discussion be kept confidential for a period not exceeding five (5) years and that this order be reviewed every twelve (12) months.

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.

Cr Granozio moved:

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 [Chief Executive Officer, General Manager, Governance & Civic Affairs, General Manager, Urban Services, Manager, Urban Planning & Sustainability, Manager, Finance, Manager, Communications & Community Relations, Manager, City Assets, Manager, City Projects and Executive Assistant, Governance & Civic Affairs], 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 prejudice the commercial position of the Council; and*
- (ii) would, on balance, be contrary to the public interest;*

by the disclosure of sensitive commercial and financial information 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.

Seconded by Cr Sims and carried unanimously.

Cr Knoblauch moved:

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 and that this order be reviewed every twelve (12) months.

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.

Seconded Cr Callisto and carried unanimously.

14.3 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:

- (d) commercial information of a confidential nature (not being a trade secret) the disclosure of which—
 - (i) could reasonably be expected 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

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 12 months, after which time the order will be reviewed.

Cr Duke moved:

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 [[Chief Executive Officer, General Manager, Governance & Civic Affairs, General Manager, Urban Services, Manager, Urban Planning & Sustainability, Manager, Finance, Manager, Communications & Community Relations, Manager, City Assets, Manager, City Projects and Executive Assistant, Governance & Civic Affairs], 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 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.

Seconded by Cr Callisto and carried unanimously.

Cr Sims left the meeting at 10.47pm.
Cr Sims returned to the meeting at 10.48pm.

Cr Granozio moved:

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 12 months, after which time the order will be reviewed.

Seconded by Cr Knoblauch and carried unanimously.

14.4 THE LIONS CLUB OF GLENSIDE INC

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; 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, minutes and discussion be kept confidential for a period not exceeding 12 months, after which time the order will be reviewed.

Extension of Council Meeting

At 11.00pm Cr Holfeld moved:

That the Council meeting be extended for a further 15 minutes beyond the 11.00pm curfew.

Seconded by Cr Callisto and carried unanimously.

Cr Duke moved:

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 [Chief Executive Officer, General Manager, Governance & Civic Affairs, General Manager, Urban Services and Executive Assistant, Governance & Civic Affairs], 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; 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.

Seconded by Cr Callisto and carried unanimously.

Cr Callisto moved:

Under Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, minutes and discussion be kept confidential for a period not exceeding 12 months, after which time the order will be reviewed.

Seconded by Cr Knoblauch and carried unanimously.

14.5 SERVICE REVIEW PROJECT

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:

- (a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

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 until the commencement of the Service Review Project.

Cr Granozio moved:

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 [Chief Executive Officer, General Manager, Governance & Civic Affairs, General Manager, Urban Services and Executive Assistant, Governance & Civic Affairs], be excluded from the meeting on the basis that the Council will receive, discuss and consider:

- (a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).*

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.

Seconded by Cr Callisto and carried unanimously.

Cr Duke moved:

Under Section 91(7) and (9) of the Local Government Act 1999, the Council orders that the report, discussion and minutes be kept confidential until the commencement of the Service Review Project.

Seconded by Cr Piggott and carried unanimously.

14.6 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:

- (a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

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.

Cr Duke moved:

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 [Chief Executive Officer, General Manager, Governance & Civic Affairs, General Manager, Urban Services and Executive Assistant, Governance & Civic Affairs], be excluded from the meeting on the basis that the Council will receive, discuss and consider:

- (a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).*

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.

Seconded by Cr Knoblauch and carried unanimously.

Cr Sims moved:

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.

Seconded by Cr Knoblauch and carried unanimously.

15. CLOSURE

There being no further business, the Mayor declared the meeting closed at 11.02pm.

Mayor Robert Bria

Minutes Confirmed on _____
(date)