

Council Meeting Minutes

7 March 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.*

City of Norwood Payneham & St Peters
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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 Evonne Moore
Cr Garry Knoblauch
Cr John Minney
Cr Carlo Dottore
Cr Kevin Duke
Cr Connie Granozio
Cr Mike Stock
Cr Scott Sims
Cr Fay Patterson
Cr Sue Whittington
Cr John Callisto
Cr Christel Mex

Staff Mario Barone (Chief Executive Officer)
Peter Perilli (General Manager, Urban Services)
Carlos Buzzetti (General Manager, Urban Planning & Environment) (*via electronic communication*)
Lisa Mara (General Manager, Governance & Community Affairs)
Sharon Perkins (General Manager, Corporate Services)
Teri Hopkins (Manager, Governance & Legal)
Keke Michalos (Manager, Economic Development & Strategic Projects)
Mark Thomson (Manager, Development Assessment) (*via electronic communication*)
Eleanor Walters (Manager, Urban Planning & Sustainability) (*via electronic communication*)
Emily McLuskey (Senior Urban Planner)
Gayle Buckby (Manager, Traffic & Integrated Transport)
Scott Dearman (Project Manager, Assets) (*via electronic communication*)
Marina Fischetti (Executive Assistant, Urban Services)

APOLOGIES Nil

ABSENT Nil

1. KAURNA ACKNOWLEDGEMENT

2. OPENING PRAYER

The Opening Prayer was read by Cr Sue Whittington.

3. CONFIRMATION OF THE MINUTES OF THE COUNCIL MEETING HELD ON 7 FEBRUARY 2022

Cr Stock moved that the minutes of the Council meeting held on 7 February 2022 be taken as read and confirmed. Seconded by Cr Knoblauch and carried.

4. MAYOR'S COMMUNICATION

Monday, 7 February	<ul style="list-style-type: none"> Presided over a Council meeting, Council Chamber, Norwood Town Hall.
Tuesday, 8 February	<ul style="list-style-type: none"> Filmed February Council Meeting wrap-up, St Peters Town Hall Complex.
Wednesday, 9 February	<ul style="list-style-type: none"> Radio Interview with ABC Radio 891.
Wednesday, 9 February	<ul style="list-style-type: none"> Met with Mr Giuliano Vella (co-owner), Sfizio Café, Norwood.
Saturday, 12 February	<ul style="list-style-type: none"> Attended the 'Jazz in the Park' event, Koster's Reserve, Trinity Gardens.
Monday, 14 February	<ul style="list-style-type: none"> Presentation: Chief Executive Officer's Strategic Performance Indicators, Mayor's Parlour, Norwood Town Hall.
Tuesday, 15 February	<ul style="list-style-type: none"> Filmed video for Council website outlining Council's Business Assistance Package with Mr Rimu Goode (owner) Pave Café, The Parade.
Tuesday, 15 February	<ul style="list-style-type: none"> Presided over a meeting of the Norwood Parade Precinct Committee, Mayor's Parlour, Norwood Town Hall.
Tuesday, 15 February	<ul style="list-style-type: none"> Attended an Information Session: <i>City Plan 2030</i> – Progress Update, Mayor's Parlour, Norwood Town Hall.
Tuesday, 15 February	<ul style="list-style-type: none"> Attended an Information Session: Results of the 2021 Community Survey, Mayor's Parlour, Norwood Town Hall.
Thursday, 17 February	<ul style="list-style-type: none"> Attended a meeting with Mr Trent Ames, Labor Candidate for Hartley, Cibo Cafe, Norwood.
Thursday, 17 February	<ul style="list-style-type: none"> Attended the Official 'sod turning' ceremony of the Otto Townhouses development, Stepney.
Monday, 21 February	<ul style="list-style-type: none"> Attended an on-site meeting with the General Manager, Urban Services; Manager, City Assets, City Arborist and a resident, Kent Town.
Wednesday, 23 February	<ul style="list-style-type: none"> Attended an Information Session: Results of the Marden and Royston Park Traffic Study, Mayor's Parlour, Norwood Town Hall.
Sunday, 27 February	<ul style="list-style-type: none"> Attended the official blessing and dedication of the Alpini Memorial Plinth, Drage Reserve, Felixstow followed by luncheon at the Fugular Furlan Club, Felixstow.
Monday, 28 February	<ul style="list-style-type: none"> Attended a meeting of the Audit Committee, Mayor's Parlour, Norwood Town Hall.
Tuesday, 1 March	<ul style="list-style-type: none"> Presided over a Business & Economic Development Committee meeting, Mayor's Parlour, Norwood Town Hall.
Tuesday, 1 March	<ul style="list-style-type: none"> Attended a Workshop: Dunstan Adventure Playground Concept Plan, Mayor's Parlour, Norwood Town Hall.
Wednesday, 2 March	<ul style="list-style-type: none"> Attended a Workshop: 2022-2023 Recurrent Budget, Mayor's Parlour, Norwood Town Hall.

Friday, 4 March	<ul style="list-style-type: none">• Attended a meeting with the Manager, Governance & Legal, Cibo Norwood.
Monday, 7 March	<ul style="list-style-type: none">• Attended a meeting with a resident, Mayor's Office, Norwood Town Hall.
Monday, 7 March	<ul style="list-style-type: none">• Attended a meeting with the Chief Executive Officer and Ms Sonja Baram, Labor candidate for the Federal seat of Sturt, Mayor's Office, Norwood Town Hall.

Mayor Bria welcomed Teri Hopkins, Manager, Governance & Legal, to the Council meeting.

5. DELEGATES COMMUNICATION

- Cr Whittington advised that on Wednesday 23 February 2022, she chaired the meeting of the Eastern Health Authority Board.
- Cr Stock advised that on Thursday 24 February 2022, he attended a meeting of the East Waste Board of Management.
- Cr Knoblauch advised that on Monday 28 February 2022, he attended the Marden Senior College Governing Council's monthly meeting.

6. QUESTIONS WITHOUT NOTICE

Nil

7. QUESTIONS WITH NOTICE

Nil

8. DEPUTATIONS

Nil

9. PETITIONS

Nil

10. WRITTEN NOTICES OF MOTION

Nil

11. STAFF REPORTS

Section 1 – Strategy & Policy
Reports

11.1 IMPLEMENTATION OF 40KM/H SPEED LIMIT IN NORWOOD & KENT TOWN

REPORT AUTHOR: Manager, Traffic & Integrated Transport
GENERAL MANAGER: General Manager, Urban Planning & Environment
CONTACT NUMBER: 8366 4542
FILE REFERENCE: qA60176
ATTACHMENTS: A - B

PURPOSE OF REPORT

The purpose of this report is to:

- present to the Council the outcomes of the community consultation regarding the proposal to introduce a 40km/h speed limit in residential streets of Norwood & Kent Town (*40km/h speed limit in Norwood & Kent Town*); and
- to seek the Council's endorsement to implement the 40km/h speed limit in Norwood & Kent Town, as recommended by the Traffic Management & Road Safety Committee at its meeting held on 18 August, 2021.

BACKGROUND

There have been a number of steps culminating in the proposal to introduce 40km/h speed limit in Norwood and Kent Town, as summarised below:

- 6 April, 2020: The Council resolved to request the Traffic Management & Road Safety Committee (*“the Committee”*) to investigate the introduction of a City-wide 40km/h area speed limit;
- 18 August 2020: The Committee recommended to the Council that the investigations identified sufficient justification to consider the *staged* implementation of 40km/h speed limit in residential streets across the City, with an initial focus on Norwood and Kent Town;
- 16 February 2021: The Committee recommended to the Council to undertake community consultation on the proposal to understand the community's attitude toward the reduced speed limit prior to endorsing its implementation;
- 6 April 2021: The Council endorsed that community consultation proceed for the proposal to introduce a 40km/h area speed limit on residential streets in Norwood and Kent Town; and
- 10 August 2021: The Traffic Management & Road Safety Committee recommended to the Council that based on the outcomes of the community consultation, there is justification to implement a 40km/h speed limit in the suburbs of Norwood and Kent Town, subject to approval by the Department for Infrastructure & Transport. A copy of this report is contained in **Attachment A**.

On 10 November, 2021, the Department for Infrastructure & Transport provided 'in-principle' support to implement a 40km/h speed limit in Norwood & Kent Town on the roads depicted in **Attachment B**, subject to Council approval.

RELEVANT STRATEGIC DIRECTIONS & POLICIES

Reducing traffic speed in residential streets has the potential to support and facilitate the Outcomes and Objectives of the Council's Strategic Management Plan, *City Plan 2030*, as listed below.

Outcome 1: Social Equity

A connected, accessible and pedestrian-friendly community.

Objective 1: Convenient and accessible services, information and facilities.

Objective 2: A people-friendly, integrated, sustainable and active transport network.

Objective 3: An engaged and participating community.

Objective 4: A strong, healthy, resilient and inclusive community.

Outcome 2: Cultural Vitality

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

Objective 4. Pleasant, well designed, and sustainable urban environments

Objective 5. Dynamic community life in public spaces and precincts.

FINANCIAL AND BUDGET IMPLICATIONS

The Council has allocated \$25,000 in its 2021-2022 Budget to implement the 40km/h Speed Limit in Norwood and Kent Town. This fee was an estimate based on the funding required to implement 40km/h speed limit in Stepney, Maylands and Evandale in 2017.

As the project has developed, the cost to implement has been further refined. It is estimated that the cost to outsource the preparation of the design plans, manufacture the signs and install the signs, will be in the order of \$50,000.

A funding submission has been submitted to the Council as part of the 2022-2023 Budget for an additional \$25,000 to cover these additional costs.

EXTERNAL ECONOMIC IMPLICATIONS

Not Applicable.

SOCIAL ISSUES

If the Council determines to proceed with the implementation of a 40km/h area speed limit in Norwood and Kent Town, it would be appropriate to include an education and awareness campaign so that citizens are given advance notification of the speed limit change.

CULTURAL ISSUES

Not Applicable.

ENVIRONMENTAL ISSUES

Reducing the speed to 40km/h in residential streets improves safety for pedestrians and cyclists which can encourage more people to choose environmentally sustainable transport options for short trips.

RESOURCE ISSUES

If the Council determines to proceed with the implementation of a 40km/h speed limit in Norwood and Kent Town, there will be considerable staff resources required to manage the implementation. This will include engaging a Consultant to prepare plans depicting the details and location of signs, arranging for manufacture and installation, and ensuring that the community is made aware of the change.

RISK MANAGEMENT

If the Council determines to proceed with the implementation of a 40km/h speed limit in Norwood and Kent Town, risk management would be minimal because all works would be undertaken in accordance with the requirements of the Department for Infrastructure & Transport and relevant Australian Standards and Guidelines.

COVID-19 IMPLICATIONS

At this stage, it is unlikely that the finalisation of this project will be affected by Covid-19.

CONSULTATION

- **Staff**

General Manager, Urban Planning & Environment
Manager, City Services
Acting Manager, Urban Services

- **Community**

A *Have Your Say!* campaign was undertaken from 17 May 2021 to 21 June 2021.

6,878 postcards were delivered directly to residents, home-owners and traders in Norwood and Kent Town, letters were sent to key stakeholders and the wider community were informed by various means including print and digital media.

- **Other Agencies**

Department for Infrastructure and Transport (DIT)
City of Burnside
City of Adelaide
SAPOL

DISCUSSION

The area that is proposed for a 40km/h speed limit is bound by Magill Road, Portrush Road, Kensington Road, Dequetteville Terrace and North Terrace. The affected streets are the residential streets of Norwood and Kent Town, excluding The Parade West and Osmond Terrace. The roads under the care, control and maintenance of the State Government (The Parade, Fullarton Road, Rundle Street and Flinders Street) are also excluded. The subject area and affected streets are illustrated on the map contained in **Attachment B**.

The investigations which have been undertaken throughout 2020 and 2021 that resulted in the Council's endorsement at its meeting held on 6 April 2021 to undertake community consultation on the 40km/h speed limit in Norwood and Kent Town, are summarised below:

- 40km/h in residential streets aligns with the '*National Road Safety Strategy 2011-2020*', which is the overarching document that provides the national framework for road safety and is committed to by all State and Territory Governments.
- Research shows that the implementation of 40km/h signs in residential streets results in widespread minor speed reduction, indicating that it is a successful and low-cost intervention that changes motorist behaviour and improves safety.
- There have been 160 crashes involving vulnerable road users (cyclists and pedestrians) within the Council's local road network over the past five (5) years and a reduced speed limit to 40km/h represents an opportunity to significantly reduce the number of crashes and injuries over time.
- The Department for Infrastructure & Transport supports 40km/h speed-limited areas to help create a speed environment appropriate to residential streets and in precincts where existing speeds are not overly high.
- Evaluation of the implementation of 40km/h in Stepney, Maylands and Evandale identified that there has been a mean speed reduction of between 1.4 km/h and 3.7km/h.
- A staged approach instead of a City-wide approach was adopted to allow for progressive monitoring and evaluation to ensure that the desired outcomes are being achieved and to ensure the roll-out could be undertaken in a sustainable manner within existing resources.

The suburbs of Norwood and Kent Town were selected as the first stage of this initiative because:

- Norwood and Kent Town are adjacent to the Stepney, Maylands and Evandale triangle which was speed limited to 40 km/h in 2019 as part of the *Stepney, Maylands and Evandale Local Area Traffic Management Study* undertaken in 2017. It is appropriate that the staged approach is undertaken in adjacent suburbs to provide consistency for motorists, rather than a series of speed limit changes; and
- the land-use and street layout of Norwood and Kent Town results in moderate traffic speeds that meet the requirements for 40km/h set out by the Department for Infrastructure & Transport (DIT), without the need for additional traffic calming measures.

The Parade West and Osmond Terrace are excluded from the 40km/h speed limit in Norwood and Kent Town because:

- The Parade West acts as a sub-arterial road, linking roads under the care and control of DIT which have varying speeds (Rundle Street - 50km/h, Flinders Street - 60km/h, Fullarton Road -60km/h, and The Parade - future proposed 50km/h). Roads with a sub-arterial function are rarely reduced to 40km/h unless major infrastructure changes to reduce speed are concurrently applied. Given that the funds are not available to undertake this at present, it is prudent to retain 50km/h along The Parade West for the foreseeable future; and
- Osmond Terrace is a major north-south link between Nelson Street, Stepney (a road under the care and control of DIT with a speed of 60km/h) and Prescott Terrace (a road maintained by the City of Burnside with a speed of 50km/h). Liaison with the Department and the City of Burnside, identified that there are no plans to reduce the speed limits of these roads. Therefore, for motorist consistency and acceptance of reduced speed limits, it is considered appropriate to maintain the existing speed of 50km/h along Osmond Terrace for the foreseeable future.

The Parade Master Plan, which has been endorsed by the Council, proposed the implementation of the following speed limits along The Parade:

- 50 km/h (from 60km/h) from Fullarton Road to Osmond Terrace; and
- 40 km/h (from 50km/h) from Osmond Terrace to Portrush Road.

Final approval from the Department for Infrastructure & Transport to change these speed limits on The Parade has not yet been provided. Therefore, The Parade has been excluded from the community consultation for a 40km/h speed limit proposal for Norwood and Kent Town.

Consultation Strategy

The *Have Your Say!* campaign commenced on Monday 17 May 2021 and closed on Monday 21 June 2021.

6,878 postcards were delivered to residents, property owners and traders in Norwood and Kent Town including:

- 5,020 postcards letterbox dropped into every dwelling and business in Norwood and Kent Town; and
- 1,858 postcards delivered via Australia Post to property owners who do not reside in Norwood or Kent Town.

The community was informed that consultation was open by a range of advertising including core flute road signs, posters at Council buildings, an advertisement in *The Advertiser*, a media release, a banner on Council's website and social media posts. In addition, emails were sent to inform key stakeholders including, the Norwood Residents Association, the Kent Town Residents Association and the Prince Alfred College.

The invitation included a QR Code and link to additional information and a survey on the Council's website. The survey could be completed on-line or hard-copy, and included a space for comments and the following questions:

1. Do you support a 40km/h speed limit in the residential streets of Norwood and Kent Town, excluding State Government Roads (Fullarton Road, Flinders Street, Rundle Street & The Parade), and Council Roads (The Parade West & Osmond Terrace).
2. Do you live and/or work in Norwood and/or Kent Town?
3. Do you visit or commute through Norwood and/or Kent Town?

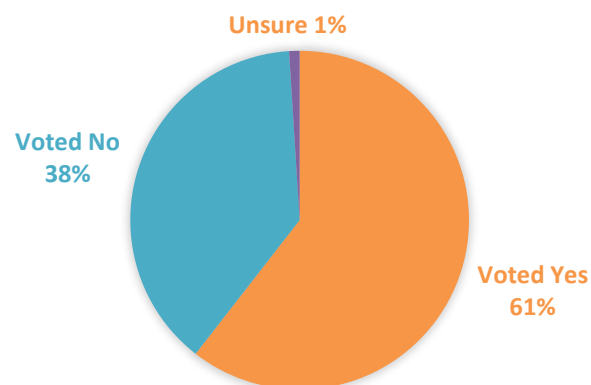
Consultation Outcomes

The Council received a total of 803 responses to the survey. These have been collated into a table (names and addresses removed), and are contained in Attachment C of the Traffic Management & Road Safety Committee Report, which is contained in **Attachment A** of this report.

Of the 803 respondents, 642 live and/or work in Norwood and/or Kent Town, representing 9.3% of the total number of postcards delivered. The remaining 161 respondents visited or commuted through Norwood and/or Kent Town or they may own a home in Norwood or Kent Town but live elsewhere.

Of the 803 responses:

- 486 (60.5%) respondents support the proposal by ticking the 'yes' box;
- 309 (38.5%) respondents do not support the proposal by ticking the 'no' box; and
- 8 (1%) respondents were unsure.



Of the 486 respondents who support the proposal:

- 369 lived or worked in Norwood and/or Kent Town;
- 114 visited or commuted through Norwood and/or Kent Town; and
- 3 did not answer this question.

Of the 309 respondents who do not support the proposal:

- 265 lived or worked in Norwood and/or Kent Town; and
- 44 visited or commuted through Norwood and/or Kent Town.

All 8 of the 'unsure' respondents lived and/or worked in Norwood and Kent Town.

The most common comments from citizens who support the proposal are:

- too many cars are speeding in the residential streets;
- it will improve safety for my family;
- It will be nicer to ride my bike;
- It will be better for pedestrians of all ages;
- It will discourage people from cutting through residential streets;
- It is a sensible approach to road safety; and
- Norwood would be a nicer place to shop and visit.

The most common comments from citizens who do not support the proposal are:

- multiple speed limits are confusing;
- it is not necessary, 50km/h is fine;
- there is no justification for 40km/h;
- people will continue to speed anyway;
- 40km/h is too slow
- It is a stupid / ridiculous idea / “nanny state”;
- There is no benefit; and
- Will increase travel time / inconvenient to commuters

Consultation summary

It is considered that a 60.5% majority indicates that there is sufficient community support to justify the implementation of the proposed 40km/h speed limit in Norwood and Kent Town.

Legislative requirements of the Department for Infrastructure & Transport (DIT)

The Council does not have the authority to install 40km/h speed limit signs without approval from the Department for Infrastructure & Transport (DIT). The legislative requirements that must be met prior to seeking such approval are listed in TABLE 1, along with the current progress of each item.

TABLE 1: DIT REQUIREMENTS FOR APPROVAL

Item	DIT Requirement	Current Progress
1	A clear 40km/h area speed limit boundary is defined (generally bound by arterial roads, rivers or rail lines)	Completed
2	Resolution from Council	Purpose of this report
3	Letter of support from Local State Member of Parliament	Completed
4	Consultation with neighbouring Councils	Completed
5	Consultation with DIT	Completed
6	Consultation with SAPOL	Completed
7	Speed data collection and analysis as detailed to identify if traffic management devices are required as part of implementation.	Completed
8	Proposed traffic calming devices on streets with higher speeds	Completed (Assessment undertaken and additional traffic calming devices are not required).
9	A list of all streets less than 250m in length	Completed
10	A site plan showing proposed signs	To be undertaken if endorsed by Council
11	A Traffic Impact Statement	DRAFT submitted to DIT and support provided in-principle. Final to be submitted, with site plans, if endorsed by Council.

On the basis that the Council endorses the implementation of 40km/h in Norwood & Kent Town, the remaining legislative requirements will be undertaken:

- updating the DRAFT Traffic Impact Statement to include:
 - confirmation that the proposal has been endorsed by the Council; and
 - site plans showing proposed sign locations and alterations to existing signs;
- write to the Department for Infrastructure and Transport seeking approval from the Minister to install the 40km/h signs (as required under section 21 of the *Road Traffic Act 1961*);

Subsequent to receiving approval from DIT, the following will be undertaken:

- 40km/h area-wide speed limit signs will be installed; and
- liaison with SAPOL to ensure that appropriate enforcement will be undertaken post-implementation.

OPTIONS

Option 1

Do nothing. The Council can decide that despite respondents being in-support of the 40km/h speed limit in Norwood & Kent Town and the support from the Department for Infrastructure & Transport, that the existing default speed limit of 50km/h should remain.

This approach is not recommended on the basis that the investigations into a reduced speed limit has identified that 40km/h is a best-practice, sensible, low-cost approach to improving road safety on residential streets and it is also supported by the majority of the consultation respondents who live, work, visit and commute in Norwood and Kent Town.

Option 2

The Council can decide that given the consultation outcomes for a 40km/h speed limit in Norwood and Kent Town provides sufficient justification to proceed with its implementation as depicted in **Attachment B**.

This approach is recommended because the introduction of a 40km/h speed limit in the residential streets of Norwood and Kent Town is a practical and cost-effective solution to traffic calming, is supported by all levels of Government Australia-wide and the consultation outcomes indicated community support.

CONCLUSION

There has been significant research, investigations and community consultation undertaken to arrive at this point, all of which supports the implementation of a 40km/h speed limit in the residential streets of Norwood & Kent Town.

It is considered that given the consultation outcomes in respect to the number of respondents in favour of introducing a 40km/h speed limit in Norwood and Kent Town, there is sufficient justification to implement a 40km/h speed limit in Norwood and Kent Town as contained in **Attachment B**. If the proposal is endorsed, Council staff will proceed to complete the final tasks required to install the 40km/h signs and hence, finalise the implementation of the 40km/h speed limit in the residential streets of Norwood and Kent Town.

COMMENTS

Nil.

RECOMMENDATION

1. That the outcomes of the community consultation, as outlined in this report and the report presented to and considered by the Traffic Management & Road Safety Committee at its meeting held on 10 August, 2021, regarding the proposal to implement a 40km/h speed limit in the residential streets in the suburbs of Norwood & Kent Town (as depicted in **Attachment B**), be received and noted.
2. That the Council approves the introduction of a 40km/h speed limit in the residential streets in the suburbs of Norwood and Kent Town, on the roads as depicted in **Attachment B** of this report, and authorises the Chief Executive Officer to:
 - complete any tasks required to meet legislative and Department of Infrastructure & Transport (DIT) requirements to enable the 40km/h speed limit signs to be installed, namely:
 - engage Consultants to prepare a sign schedule and plans showing proposed sign locations and alterations to existing signs;
 - update the DRAFT Traffic Impact Statement to a FINAL version to submit to DIT. This will include the sign schedule and plans, the support letter from the local MP and notification that the Council has endorsed the proposal; and
 - write to the Department for Infrastructure and Transport seeking approval from the Minister to install the 40km/h signs as required under section 21 of the *Road Traffic Act 1961*;
 - liaise with SAPOL following the installation of signage to ensure that appropriate enforcement of the 40km/h speed limit is undertaken; and
 - undertake a promotional awareness campaign regarding the introduction of a 40km/h speed limit in the residential streets in the suburbs of Norwood and Kent Town.

Cr Sims left the meeting at 7.12pm.

Cr Sims returned to the meeting at 7.14pm.

Cr Duke moved:

1. *That the outcomes of the community consultation, as outlined in this report and the report presented to and considered by the Traffic Management & Road Safety Committee at its meeting held on 10 August, 2021, regarding the proposal to implement a 40km/h speed limit in the residential streets in the suburbs of Norwood & Kent Town (as depicted in **Attachment B**), be received and noted.*
2. *That the Council approves the introduction of a 40km/h speed limit in the residential streets in the suburbs of Norwood and Kent Town, on the roads as depicted in **Attachment B** of this report, and authorises the Chief Executive Officer to:*
 - *complete any tasks required to meet legislative and Department of Infrastructure & Transport (DIT) requirements to enable the 40km/h speed limit signs to be installed, namely:*
 - *engage Consultants to prepare a sign schedule and plans showing proposed sign locations and alterations to existing signs;*
 - *update the DRAFT Traffic Impact Statement to a FINAL version to submit to DIT. This will include the sign schedule and plans, the support letter from the local MP and notification that the Council has endorsed the proposal; and*
 - *write to the Department for Infrastructure and Transport seeking approval from the Minister to install the 40km/h signs as required under section 21 of the *Road Traffic Act 1961*;*
 - *liaise with SAPOL following the installation of signage to ensure that appropriate enforcement of the 40km/h speed limit is undertaken; and*
 - *undertake a promotional awareness campaign regarding the introduction of a 40km/h speed limit in the residential streets in the suburbs of Norwood and Kent Town.*

Seconded by Cr Whittington and carried unanimously.

11.2 2021 COMMUNITY SURVEY – FINAL REPORT

REPORT AUTHOR: Strategic Planner
GENERAL MANAGER: Chief Executive Officer
CONTACT NUMBER: 8366 4524
FILE REFERENCE: qA89132
ATTACHMENTS: A - B

PURPOSE OF REPORT

The purpose of this report is to present the 2021 Community Survey Report (Resident and Business) to the Council for its consideration and endorsement, prior to the document being released.

BACKGROUND

A Community Survey is undertaken by the Council on a two (2) yearly basis to monitor changes in satisfaction levels of the various services, programs and facilities which the Council provides. The survey responses also provide data to measure the Council's progress in meeting targets contained in the Council's Strategic Management Plan *CityPlan 2030: Shaping Our Future (Mid Term Review 2020)*.

The Community Survey provides a longitudinal report card on the community's perception of the Council's performance, having first commenced in 2009. The 2021 Community Survey is the sixth survey to be undertaken with essentially the same format and questions enabling comparative analysis over time. It should be noted that a survey was not undertaken in 2015.

The objectives of the *2021 Community Survey* were defined in the Project Brief as follows:

- measure overall satisfaction with the Council and the services it provides;
- measure the importance of the Council's services to the community;
- determine if respondents use specific services, which they have rated, and if not, why not;
- measure public perceptions of community well-being;
- collect data which tracks progress in achieving the *CityPlan 2030 (Mid Term Review 2020)* targets; and
- monitor change in community perceptions over time.

Identifying the needs and expectations of the community, is recognised as part of the Council's commitment to continuous improvement principles.

The *2021 Community Survey* was undertaken by Norwood based consultancy, *Intuito Market Research*. Prior to, the Surveys have been conducted by Square Holes (2019 and 2017), Truscott Research (2013 and 2011) and McGregor Tan (inaugural Survey in 2009).

The *2021 Community Survey* comprised of two (2) separate questionnaires, one (1) specific to residents and one tailored to businesses. In order to make it easier to interpret the results, two (2) separate reports have been prepared.

Both the Resident and Business surveys were conducted in November 2021. The commencement of the survey was promoted through the Council's communication channels such as *YourNPSP* e-Newsletter, *YourBusiness* e-Newsletter, the Council's website and a media release from the Mayor to raise awareness of the survey and encourage participation.

The Resident questionnaire contained thirty three (33) questions and took an average of 21 minutes to complete. A total of 601 face-to-face interviews were undertaken, which is 200 more than in any previous survey undertaken. The larger number of interviews provides a very low margin of error of 3.9% at a confidence level of 95%. The additional 200 interviews were provided as a 'value add' by *Intuito Market Research*.

The Business questionnaire contained thirty two (32) questions and took an average of 16 minutes to complete. A total of 200 surveys were undertaken, 98 online and 102 face-to-face. This provided a margin of error of 7.9% at a confidence level of 95%.

The questionnaires and methodology used in previous years was again adopted for the *2021 Community Survey*. This is essential for a longitudinal survey to enable comparisons with previous years. Minor changes to wording have occurred over time to improve clarity and/or to reflect amendments made to *CityPlan 2030* as part of each review, such as environmental sustainability whereby additional questions were included. However, care has been taken to ensure the intent of both the Resident and Business Surveys has remained essentially the same to enable comparative analysis with the previous six (6) surveys. Notations have been made on the survey results where minor changes have occurred.

An Elected Member Information Briefing was held on 20 October 2021 prior to the surveys being conducted, whereby further refinements were made to both the Resident and Business questionnaires. These included:

- adding ‘*informal volunteering (e.g non-paid work helping neighbours)*’ as an additional option in the Resident Survey question “*How often do you participate in the following?*”;
- separating responses between staff and Elected Members in the Resident and Business Survey question “*And how satisfied were you with the responsiveness of the Staff/Elected member?*”;
- further clarifying satisfaction with staff and Elected Member responses by adding the options of:
 - speed of response;
 - reacted positively;
 - resolution of the issue; and
 - overall satisfaction;
- adding a question in both the Resident and Business Survey relating to measures introduced by the Council in response to Covid-19; and
- other minor changes to update the names of events and activities offered by the Council and removing reference to events and activities no longer provided.

Unfortunately, the incremental amendments to the survey that have occurred over time, has resulted in the surveys now being too long. The consultants have advised that it was extremely difficult to encourage residents and businesses to participate in the survey and equally difficult to encourage them to complete the survey.

The ratings scales used in the *2021 Community Survey* remained the same as those used in the previous surveys and the use of ‘Regression Analysis’, which was introduced in the 2017 Survey, was once again applied in the 2021 process. The Regression Analysis provides an understanding of the relationship between variables and assists in identifying which aspects of the questions have the greatest impact on the results.

Demographic data was also collected as part of the Survey, to provide a snapshot of the makeup of the community based on a representative sample of both residents and businesses. The demographic data included gender, age, occupation and employment, household composition, length of time living within the City of Norwood Payneham & St Peters, Council Ward and ethnic group which the resident respondents identified with.

The consultants have suggested that given the concerns regarding the length of the survey, it may be time to completely overhaul the survey approach. Based on their extensive experience in undertaking numerous Community Surveys, Intuito has advised that the optimal length of time for a survey is between 10 and 15 minutes. A completely new approach would also enable the Council to review the purpose of the survey and to clarify how the information will be used to improve Council performance.

This report outlines the key findings of the 2021 Community Survey as presented to the Elected Members at an Information Briefing held on Tuesday 15 February 2022. The full results of the Residents Survey are contained in **Attachment A** and the full results of the Business Survey are contained in **Attachment B**.

RELEVANT STRATEGIC DIRECTIONS & POLICIES

The Council’s long-term Strategic Management Plan, *CityPlan 2030: Shaping Our Future (Mid Term Review 2020)*, outlines the Vision for the City, and the Objectives and Strategies to achieve this Vision. It also sets out the approach to measuring the success of the plan. The performance measurement approach was amended as part of the *Mid Term Review 2020* whereby five (5) new Metrics were introduced for each of the four (4) outcome areas. The new metrics include one (1) Macro Target, two (2) Council Targets and two (2) Community Targets. The Community Targets relate specifically to questions contained in the Community Survey.

The results of the 2021 Community Survey that relate specifically to the Community Targets included in CityPlan 2030 (Mid Term Review 2020) are outlined in Table 1 below:

TABLE 1: CITYPLAN 2030 (MID TERM REVIEW 2020) COMMUNITY TARGET RESULTS 2021

OUTCOME 1 - SOCIAL EQUITY			
Metric	Target	Result 2021	Outcome
The level of community satisfaction with safety during the day and night (Q7 Residents Survey)	Achieve a resident perception rating higher than the average from the previous four Council Community Surveys: > 4.7 day > 4.1 night	4.6 day 4.0 night	Target not achieved (very slight decline but still a high score)
The level of community satisfaction with safety during the day and night (Q6 Business Survey)	Achieve a business perception rating higher than the average from the previous four Council Community Surveys: > 4.4 day > 3.7 night	4.5 day 3.9 night	Target achieved
The level of community satisfaction with the access to services and facilities (Q7 Resident Survey)	Achieve a resident perception rating higher than the average from the previous four Council Community Surveys: > 4.1	4.2	Target achieved
The level of community satisfaction with the access to services and facilities (Q6 Business Survey)	Achieve a business perception rating higher than the average from the previous four Council Community Surveys: > 3.75	4.0	Target achieved
OUTCOME 2 – CULTURAL VITALITY			
Metric	Target	Result 2021	Outcome
The level of community satisfaction with the nature of new development (Q7 Residents Survey)	Achieve a resident perception rating higher than the average from the previous four Council Community Surveys: > 3.2	3.3	Target achieved
The level of community satisfaction with the nature of new development within the Council area (Q6 Business Survey)	Achieve a business perception rating higher than the average from the previous four Council Community Surveys: > 3.45	3.6	Target achieved
The level of community satisfaction with cultural heritage programs provided by the Council (Q5 Resident Survey)	Achieve a resident perception rating higher than the average from the previous four Council Community Surveys: > 3.8	3.9	Target achieved
Note – question not asked of the business community	n/a	n/a	n/a

OUTCOME 3 – ECONOMIC PROSPERITY

Metric	Target	Result 2021	Outcome
The level of community satisfaction with the Council's performance in attracting and supporting businesses (Q6 Residents Survey)	Achieve a resident perception rating higher than the average from the previous four Council Community Surveys: > 3.65	3.7	Target achieved
The level of community satisfaction with the Council's performance in attracting and supporting businesses (Q5 Business Survey)	Achieve a business perception rating higher than the average from the previous four Council Community Surveys: > 3.0	3.3	Target achieved
The level of community satisfaction that the mix of businesses in the City's precincts contributes to the prosperity of the area (Q11 Resident Survey)	Achieve a resident perception rating higher than the average from the previous four Council Community Surveys: > 4.2	4.2	Target not achieved (no change in result but still a high score)
The level of community satisfaction that the mix of businesses in the City's precincts contributes to the prosperity of the area (Q8 Business Survey)	Achieve a business perception rating higher than the average from the previous four Council Community Surveys: > 3.65	3.8	Target achieved

OUTCOME 4 – ENVIRONMENTAL SUSTAINABILITY

Metric	Target	Result 2021	Outcome
The level of community satisfaction with the Council's response to climate change (Q4 Resident Survey)	Achieve a resident perception rating higher than the average from the previous four Council Community Surveys: >3.0	3.3	Target achieved
The level of community satisfaction with the Council's response to climate change (Q4 Business Survey)	Achieve a business perception rating higher than the average from the previous four Council Community Surveys: First time measured	3.4	First time measured
The level of community satisfaction with the Council's management and use of water (Q4 Resident Survey)	Achieve a resident perception rating higher than the average from the previous four Council Community Surveys: > 3.5	3.7	Target achieved
The level of community satisfaction with the Council's management and use of water (Q4 Business Survey)	Achieve a business perception rating higher than the average from the previous four Council Community Surveys: First time measured	3.7	First time measured

Measuring community perceptions and level of satisfaction on a broad range of Council services, programs and initiatives, also provides valuable information for the Council to determine how it's performing in the eyes of the community in relation to Objectives and Strategies in the *CityPlan 2030 (Mid Term Review 2020)*.

The information contained in Table 2 summarises the Objectives from *CityPlan 2030 (Mid Term Review)* and the relevant question numbers from the Resident and Business surveys that provide community insights of a general nature in relation to each one. Noting that specific targets have not been set for these Objectives and the Survey reference is provided for reference purposes only.

TABLE 2: CITYPLAN 2030 (MID TERM REVIEW 2020) OBJECTIVES AND RELEVANT COMMUNITY SURVEY QUESTIONS

CITYPLAN 2030 (MID TERM REVIEW 2020)	Resident Survey Questions	Business Survey Questions
SOCIAL EQUITY: An inclusive, connected, accessible and friendly community		
Objective 1.1: Convenient and accessible services, information and facilities	3, 5, 7, 8, 9, 21, 22, 25	n/a
Objective 1.2: A people-friendly, integrated and sustainable transport network	3, 9, 14, 23, 25	3, 5, 21
Objective 1.3: An engaged and participating community	5, 7, 9, 11, 12, 15, 16, 21, 22, 25	n/a
Objective 1.4: A strong, healthy, resilient and inclusive community	5, 7, 9, 16, 25	n/a
CULTURAL VITALITY: A culturally rich and diverse City, with a strong identity, history and sense of place		
Objective 2.1: An artistic, creative, cultural and visually interesting City	5, 15	20
Objective 2.2: A community embracing and celebrating its social and cultural diversity	5, 7, 9, 11, 12, 15	20
Objective 2.3: A City which values and promotes its rich cultural and built heritage	5, 7, 9, 23, 25	20, 21
Objective 2.4: Pleasant, well designed, and sustainable urban environments	3, 9, 14, 23, 25	3, 6, 21
Objective 2.5: Dynamic community life in public spaces and precincts	5, 9, 14, 23, 25	3, 21
ECONOMIC PROSPERITY: A dynamic and thriving centre for business and services		
Objective 3.1: A diverse range of businesses and services	n/a	5, 8, 9, 11, 12, 13, 14, 19-30
Objective 3.2: Cosmopolitan business precincts contributing to the prosperity of the City	6, 15	5, 6, 8, 9, 11, 12, 13, 14, 19-30
Objective 3.3: Attract new enterprise and local employment opportunities to locate in our City	6	5, 8, 9, 11, 12, 13, 14, 19-30
Objective 3.4: A leading centre for creative industries	n/a	8, 9, 11, 12, 13, 14, 19-30
Objective 3.5: A local economy supporting and supported by its community	6, 11, 12, 15	6, 8, 9, 11, 12, 13, 14, 19-30
ENVIRONMENTAL SUSTAINABILITY: A leader in environmental sustainability		
Objective 4.1: Sustainable and efficient management of resources	2, 4, 8, 11, 12, 14, 23	2, 4, 7, 10
Objective 4.2: Sustainable streets and open spaces	14, 23, 25	2
Objective 4.3: Thriving and healthy habitats for native flora and fauna	4, 14, 23	2
Objective 4.4: Mitigating and adapting to the impacts of climate change	4, 14, 23	2, 4

FINANCIAL AND BUDGET IMPLICATIONS

A total of \$30,000 was allocated to conduct the Survey as part of the 2020-2021 Budget, which included \$25,000 for consultancy fees and \$5,000 for the advertising and promotional costs associated with undertaking the Survey.

The final cost of the Survey was \$25,391.00.

EXTERNAL ECONOMIC IMPLICATIONS

Not Applicable.

SOCIAL ISSUES

Not Applicable.

CULTURAL ISSUES

Ten interviews were conducted in Italian to cater for residents where English is their second language.

ENVIRONMENTAL ISSUES

Not Applicable.

RESOURCE ISSUES

Intuito Market Research were managed by Council staff. This involved the procurement process, review of the questionnaires, project team meetings, assistance with the provision of business contacts, communications and the review of draft reports.

RISK MANAGEMENT

Undertaking the Survey enables the Council to demonstrate responsible governance and accountability, and assists in enhancing the Council's reputation for transparency and openness. Additionally, the results of the Community Survey help the Council to understand the key issues that concern the community and work towards improving its performance.

By reviewing and responding to specific issues raised by survey participants, the Council can demonstrate good work practices and improve in areas of concern, thereby enhancing the Council's reputation in the community.

Addressing the changing needs and expectations of the community is important, as not regularly monitoring the Council's performance through a process such as the Community Survey puts the Council at risk of not meeting the needs and expectations of its community.

COVID-19 IMPLICATIONS

Although COVID-19 has impacted some of the services and programs provided by the Council over the past two (2) years, the results of the survey are reasonably consistent with previous years in the majority of cases.

Fortunately, the restrictions associated with COVID-19 and the uncertainty surrounding this issue, did not impact on the ability to conduct face-to-face interviews with all of the resident respondents and over half of the business respondents.

CONSULTATION

- **Elected Members**

Elected Members were briefed and consulted on two (2) occasions throughout the 2021 Community Survey process.

An initial Information Briefing was held with Elected Members on Wednesday, 20 October 2021, where the consultant provided an overview of the 2019 survey questions and outlined the proposed methodology for the 2021 Community Survey. Elected Members were also asked to provide input on the questions. This information was then used to review the survey questions.

A second Information Briefing was held with Elected Members on Tuesday 15 February 2022, where the consultant presented a summary of the key results of the *2021 Community Survey*. The two (2) 2021 Community Survey Reports contained in Attachments A and B have now been finalised, and are presented as part of this report to the Council prior to their release to the community.

- **Community**

The primary purpose of the Community Survey is to consult with the community and garner its views on how they perceive the Council's performance on the services and initiatives it provides. To achieve this in an unbiased way, it was important that a random sample of residents and business owner/operators were interviewed. The consultants achieved this through face-to-face interviews at various public locations across the Council area with 601 residents. Over fifty percent of the business surveys were conducted face-to-face across the Council area, noting it is more difficult for businesses to allocate the time necessary to undertake a 15-20 minute survey while attending to customers. Therefore, a further 98 surveys were completed online.

- **Staff**

Internal consultation was not undertaken with staff as the purpose of the survey is to obtain the views of the community.

- **Other Agencies**

Not Applicable.

DISCUSSION

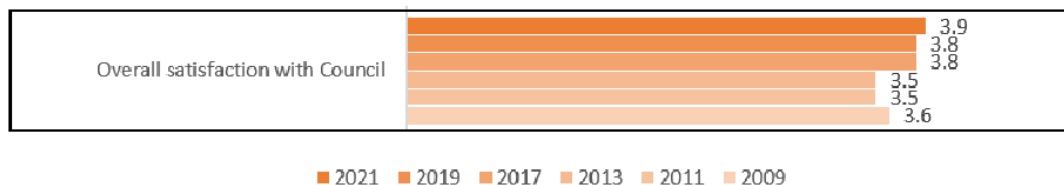
The key findings of the *2021 Community Survey* are summarised below, separated into Resident Survey Results and Business Survey Results.

Resident Survey Results

Overall Resident Satisfaction

Despite the presence of **Covid-19** over the last two (2) years, overall resident satisfaction is at an all-time high at 3.9 out of 5.0. This is a significant improvement from 2011 and 2013 where results dipped to 3.5 out of 5.0. The results over the past twelve (12) years are shown in Figure 1.

FIGURE 1: OVERALL RESIDENT SATISFACTION (2009-2021) (prepared by Intuito)



Key Performance Areas – Notable Results

The Council's performance was assessed against seven (7) Key Performance Areas: Waste & Recycling Services, Infrastructure, Environmental Management, Community Services, Economic Development, Quality of Life and Leadership. The results of the 2021 Resident Survey show an improvement in all but one (1) of the Key Performance Areas. Quality of Life saw no change. There have been **no decreases** in any of the performance areas.

While all scores are positive, waste and recycling services has received the highest result in both the 2019 and 2021 Community Surveys, with the very high scores of 4.2 and 4.3 respectively.

Statistically significant improvements of 0.3 and above were seen in the performance areas of Environmental Management, Community Services, Economic Development and Leadership compared to the 2019 Community Survey.

A summary of the changes in the results from the 2019 Community Survey are contained in Table 3. All scores are rated out of five (5).

TABLE 3: RESIDENTS OVERALL SATISFACTION WITH KEY PERFORMANCE AREAS 2019 – 2021

Performance area	2019	2021	Difference
Waste and Recycling Services	4.2	4.3	0.1 increase
Infrastructure	3.8	3.9	0.1 increase
Environmental Management	3.4	3.8	0.4 increase
Community Services	3.7	4.1	0.4 increase
Economic Development	3.5	3.8	0.3 increase
Quality of Life	3.9	3.9	No change
Leadership	3.3	3.7	0.4 increase

The regression analysis carried out on the seven (7) performance area results, has found that Quality of Life is the most significant contributor to the overall resident satisfaction. Any changes in future years to service levels in this performance area will have a significant impact on overall resident satisfaction.

Sub-Areas – Notable Results

As part of the survey design, each performance area contains a number of specific sub-areas (indicators), totalling forty nine (49) overall.

Sixteen (16) of the forty-nine (49) sub-areas ranked very highly with resident satisfaction in the 2021 survey (scores of 4.0 and above). Feeling safe in the daytime, waste collection and library services continue to perform very strongly. The top scoring sub-areas are outlined in Table 4.

TABLE 4: TOP SUB-AREAS OF RESIDENT SATISFACTION 2021

Sub-Area	Result
Feeling safe in the daytime	4.6
Weekly collection of household waste	4.5
Library services	4.4
Fortnightly collections of recyclables	4.4
Fortnightly collection of green organics	4.3
Provision and maintenance of parks & recreational areas	4.2
The presentation and cleanliness of the Council area	4.2
Recreational and sporting facilities	4.2
Customer service	4.2
Access to services and facilities	4.2
Swimming pools	4.1
Childcare services	4.1
Public and environmental health services	4.1
The ability to become involved in community life and activities	4.1
Community halls and centres	4.1
Feeling safe at night	4.0

However, based on regression analysis on each of the performance areas, improvements in the following sub-areas will have a significant impact on overall resident satisfaction:

- the weekly collection of household waste;
- the presentation and cleanliness of the Council area;
- managing street trees;
- library services;
- promoting and attracting special events;
- feeling safe in the daytime; and
- keeping the community informed about current issues.

It is also worth noting that fourteen (14) of the sub-areas received statistically significant results of + 0.3 or more, in their level of resident satisfaction, showing areas of notable improvement for the Council. The results of the sub-areas showing strong improvement are contained in Table 5 below.

TABLE 5: SUB-AREAS WITH STATISTICALLY SIGNIFICANT IMPROVEMENTS 2019 - 2021

Sub-area	2019	2021	Difference
Water management and use	3.2	3.7	0.5
Providing and maintaining roads	3.3	3.7	0.4
Managing street trees	3.2	3.6	0.4
Keeping the community informed about current issues	3.4	3.8	0.4
Hard waste collection	3.6	3.0	0.3
Electronic waste collection	3.3	3.6	0.3
Undertaking environmental initiatives	3.4	3.7	0.3
Responding to climate change	3.0	3.3	0.3
Customer service centre	3.9	4.2	0.3
Promoting and supporting business precincts (eg Glynde, Magill Road etc)	3.6	3.9	0.3
Assessment of development applications	3.0	3.3	0.3
Environmental sustainability	3.4	3.7	0.3
Providing leadership in the local community	3.3	3.6	0.3

There was only one sub-area that received a significant decrease in the level of resident satisfaction. This was in relation to the '*Range of housing choices*', moving from a high score of 4.3 in 2019 to 3.7 in 2021. It is possible that this reflects the surge in house prices over the past eighteen (18) months together with the economic impacts of **Covid-19**.

Another sub-area that has declined over time, is the '*Protection of heritage buildings and character areas*' moving from 3.9 in 2017 to 3.4 in 2021. It is therefore timely that the Council has recently endorsed the preparation of a Heritage Strategy, which is intended to seek to address this issue.

Top Three Priorities for Residents

Residents were asked to state three (3) major issues that the Council should be addressing over the next three (3) years. The responses were analysed in a number of different ways and the three most commonly stated issues were:

1. Improving Infrastructure (38%);
2. Preserving heritage buildings and character areas (36%); and
3. Environmental sustainability (35%).

The preserving & planting trees came a close fourth at 33%.

Use of Council Services and Facilities

A very high proportion of residents use Council's parks and playgrounds (81%), Library services (75%) and Bus stops (74%). The use of parks and playgrounds and bus stops has dipped slightly from the 2019 survey whereas Library services use has increased. The introduction of **Covid-19**, lockdowns and restrictions have undoubtedly had impacts on these results. Notably the use of cultural and entertainment facilities dipped from 68% to 44% between the two (2) survey periods, again corresponding with **Covid-19** impacts.

Youth Programs remain the lowest area of use by residents although 75% of residents cite they have no need for this service. This result corresponds with only 7.3% of respondents being under 25 years old as young people are extremely hard to engage in Community Surveys.

Reasons for not using the various services were largely due to not having a need for them. Other comments related to a range of reasons including the preference to use swimming pools and libraries in adjoining Local Government Areas.

Perception Statements

All of the perception statements scored lower than they did in the 2019 Community Survey. The results of the questions are summarised in Figure 4.

FIGURE 4: RESULTS OF PERCEPTION STATEMENTS (prepared by Intuito)

Residents	
The mix of businesses in the business precincts contributes to the prosperity of the area	↓
I believe that cultural diversity is a positive influence in the community	↓
I am satisfied with the character of my local area	↓
I feel part of my local community	↓
The Council provides sufficient opportunities for community engagement	↓
There is a good communication between businesses and residents	↓
I am happy with the balance between Council rates and the services and standard of infrastructure provided*	↓

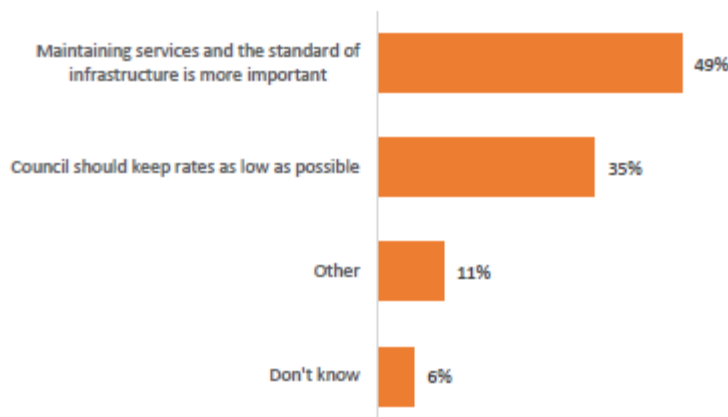
Despite experiencing decreases in the scores, all scores ranged between 3.4 and 4.2. Significant declines were however seen in two (2) questions, namely:

- ‘There is good communication between businesses and residents’; and
- ‘I am happy with the balance between council rates and the services and standard of infrastructure provided’ (3.9 to 3.4).

The response to the first question may be a result of the impacts of **Covid-19**, whereby businesses that were significantly impacted by State Government directed changes to service provision and less face-to-face interaction with residents.

The second question is more complicated in the interpretation of the results. Of the residents that rated this question one (1) or two (2) out of five (5), 49% said their preference is for maintaining the quality of services and the standard of infrastructure, rather than keeping rates as low as possible (35%). The results of these questions are contained in Figure 5.

FIGURE 5: PREFERENCE BETWEEN RATES AND SERVICES/INFRASTRUCTURE



Attendance at Council Run Events

33% of residents attended Zest for Life activities compared to only 6% in 2019. Symphony in the Park was the most attended event in the Concerts in the Park series with 28% attending. Twilight Carols and Taste Glynde were both well attended (each 24%).

Participation in Selected Activities

Decreases have occurred in both Arts & Cultural and Physical Exercise activities since the 2019 Community Survey, however they are still the most popular activities with 82% and 75% of residents stating they are involved respectively. Using Council’s parks and reserves saw a dramatic spike from 19% in 2019 to 58% in 2021. This is likely to be a reflection of the specific exercise periods allowed by the State Government during the COVID-19 lockdowns that occurred during 2020 and 2021.

Informal volunteering (for example, helping neighbours) was a new category introduced in the 2021 survey, which ranked slightly higher (13%) than formal volunteering (10%).

Interactions with Council

22% of residents have interacted with Elected Members compared to 69% with staff. Levels of overall satisfaction with staff was 4.1 and with Elected Members 3.7. Interestingly, Elected Members scored higher (3.0) on reacting positively and speed of response (4.0) than resolution of an issue (3.4). The same can be said for staff. This suggests that positivity and timely responses to resident enquiries is more important than having the issue resolved.

Receiving Information from Council

The Council’s website is the preferred avenue to receive information with 45% of residents, followed equally by LookEast and social media (both 39%). Council noticeboards still play an important role with 35% of residents.

Engagement Sessions with Council

Considerably more residents state that they are interested in attending Council engagement sessions compared to 2019 (83% compared to only 67%). Evenings and weekends are the preferred times.

For more detailed information on the results, including comparisons with the results of previous surveys, refer to the Resident Survey contained in **Attachment A**.

Business Survey Results

Overall Business Satisfaction

Despite the presence of **Covid-19** and the impacts it had on many businesses over the past two (2) years, overall business satisfaction is at the highest it has been since 2009 (3.6 out of 5.0). The results of business satisfaction with the Council over the past twelve (12) years is shown in Figure 6.

FIGURE 6: OVERALL BUSINESS SATISFACTION (2009-2021) (prepared by Intuito)



Key Performance Areas – Notable Results

Council performance was assessed against six (6) Key Performance Areas for the Business Survey: Waste & Recycling Services, Infrastructure, Environmental Management, Community Services, Economic Development, Quality of Life and Leadership. The results of the 2021 Business Survey show an increase in all of the Key Performance Areas, except Environmental Management, which was assessed for the first time.

While all scores are quite high (3.4 and above), Waste and Recycling Services has received the highest score in both the 2019 and 2021 Community Surveys (3.9 and 4.0 respectively). However, it is worth noting that all of the scores are lower than that received in the Resident Survey.

All the performance areas have experienced minor improvements since the 2019 Community Survey, however Leadership has received a statistically significant result compared to the 2019 Community Survey (3.5 compared to 3.1). There have been **no decreases** in any of the performance areas.

A summary of the changes in the results from the 2019 Community Survey are contained in Table 6. All scores are rated out of five (5).

TABLE 6: BUSINESSES OVERALL SATISFACTION WITH KEY PERFORMANCE AREAS 2019–2021

Performance area	2019	2021	Difference
Waste and Recycling Services	3.9	4.0	0.1 increase
Infrastructure	3.4	3.5	0.1 increase
Environmental Management	n/a	3.6	n/a
Economic Development	3.2	3.4	0.2 increase
Quality of Life	3.6	3.8	0.2 increase
Leadership	3.1	3.5	0.4 increase

Sub-Areas – Notable Results

As part of the survey design, each key performance area contains a number of specific sub- areas (indicators), totalling thirty four (34) overall.

Ten (10) of the thirty four (34) sub-areas ranked highly with business satisfaction in the 2021 survey (scores of 3.8 and above). As with the Residents Survey, feeling safe in the daytime and waste services continue to perform highly. Top scoring sub-areas are outlined in Table 7.

TABLE 7: TOP SUB-AREAS OF BUSINESS SATISFACTION 2021

Sub-Area	Result
Feeling safe in the daytime	4.5
Weekly collection of business waste	4.3
Fortnightly collection of green organics	4.1
Fortnightly collection of recyclables	4.1
Access to services and facilities	4.0
Feeling safe at night	3.9
The presentation and cleanliness of the Council area	3.9
The level of community spirit	3.9
The ability to become involved in community life and activities	3.9
The amenity of our major commercial and retail areas	3.8

However, based on regression analysis conducted on each of the performance areas, improvements in the following areas will have the biggest impact on overall business satisfaction:

- weekly collection of waste;
- the presentation and cleanliness of the Council area;
- attracting and supporting businesses;
- the nature of new development within the Council area;
- providing leadership in the local community; and
- keeping businesses informed about current issues.

It is also worth noting that ten (10) sub-areas received statistically significant results (0.3 or more), in their level of business satisfaction. Importantly, ‘Electronic waste collection’, ‘Keeping businesses informed’ and ‘Council’s financial management’ all improved by 0.5. The results of the sub-areas showing strong improvements are contained in Table 8.

TABLE 8: SUB-AREAS WITH STATISTICALLY SIGNIFICANT CHANGES 2019 - 2021

Sub-area	2019	2021	Difference
Electronic waste collection	3.0	3.5	0.5
Keeping business informed about current issues	3.1	3.6	0.5
Council financial management	3.1	3.6	0.5
Performance of Elected Members (Mayor, Councillors)	3.1	3.5	0.4
Providing leadership in the local community	3.1	3.5	0.4
Hard waste collection	3.3	3.6	0.3
Attracting and supporting businesses	3.0	3.3	0.3
Assessment of development applications	2.9	3.2	0.3
Level of community spirit	3.6	3.9	0.3
The ability to become involved in community life and activities	3.6	3.9	0.3

Pleasingly, there were no sub-areas that scored lower than the 2019 Community Survey.

It is worth noting however, that ‘the availability of car parking within the Council area’ is the only indicator to receive a score below 3.0 (2.9) in the 2021 survey, despite improving from 2.7 in the 2019 survey. This illustrates that car parking remains a critical issue for businesses in the Council area.

Top Three Priorities for Businesses

Businesses were asked to state three major issues that the Council should be addressing over the next three (3) years. Car parking has emerged as the top ranking issue, increasing from 39% in the 2019 survey. This is based on the number of votes for that particular issue, irrespective of whether it was ranked first, second or third. The three (3) top ranking issues based on this method are:

- car parking (56%);
- improving infrastructure (roads, footpaths, drains etc) (46%); and
- environmental sustainability (32%).

Figure 9 shows the issues compared to previous surveys.

FIGURE 9: TOP THREE PRIORITY ISSUES FOR BUSINESSES 2011-2021

	2011	2013	2017	2019	2021
Car parking	30%	28%	39%	39%	56%
Improving infrastructure (roads, footpaths, drains, etc.)	28%	28%	29%	50%	46%
Environmental sustainability	-	-	6%	30%	32%
Issues with street trees (roots, leaf litter)	-	-	9%	29%	26%
Preserving heritage buildings and character areas	2%	5%	5%	29%	25%
Preserving and planting trees	4%	5%	4%	21%	25%
Urban design/planning issues	12%	17%	21%	28%	18%
Waste management/recycling/reduction	5%	6%	6%	19%	19%
Preserving/increasing open space provision*	4%	5%	2%	16%	17%
Improving access to information from Council	5%	6%	8%	11%	11%
Access to support services	-	-	-	8%	10%
Promoting business**	9%	8%	13%	-	-
Community health and wellbeing***	-	-	-	-	18%
Other (specify)	4%	8%	7%	-	-
Total - specifying issues	95%	81%	83%	100%	100%
None/Don't know	5%	19%	17%	-	-

*This question was reworded slightly in 2021

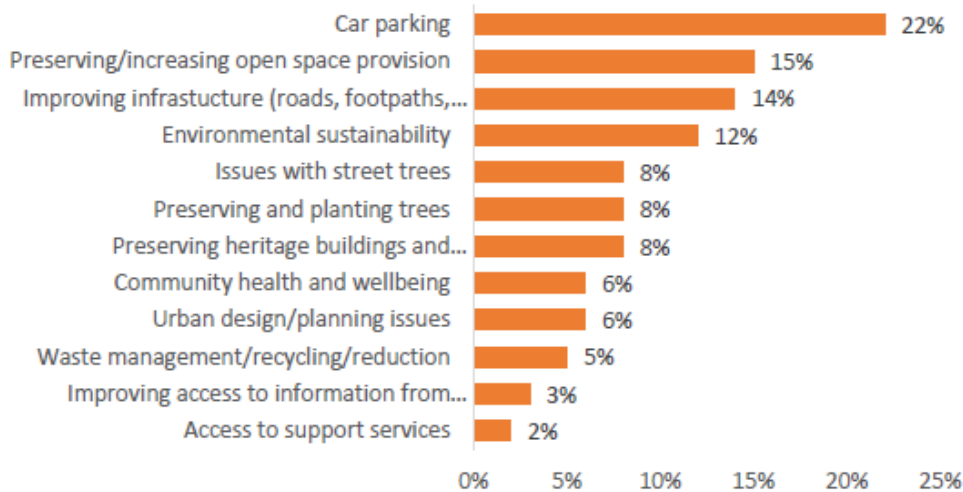
**Taken from 'other' feedback in 2017, 2013 and 2011 results adapted from 'Economic development'.

***New question in 2021

Additional analysis was undertaken on this question, factoring in the priority order of first, second and third choice. This analysis revealed slightly different results, with car parking remaining the priority issue (31%), followed by environmental sustainability second (13%) and improving infrastructure third (10%).

A weighted analysis of the issues was also undertaken of this question by giving the first issue a weighting of 3, the second a weighting of 2 and third a weighting of 1. This again changes the priorities slightly, however car parking is still the most important issue at 22%. The results are contained in Figure 10.

FIGURE 10: WEIGHTED ANALYSIS OF PRIORITY ISSUES 2021



Perception Statements

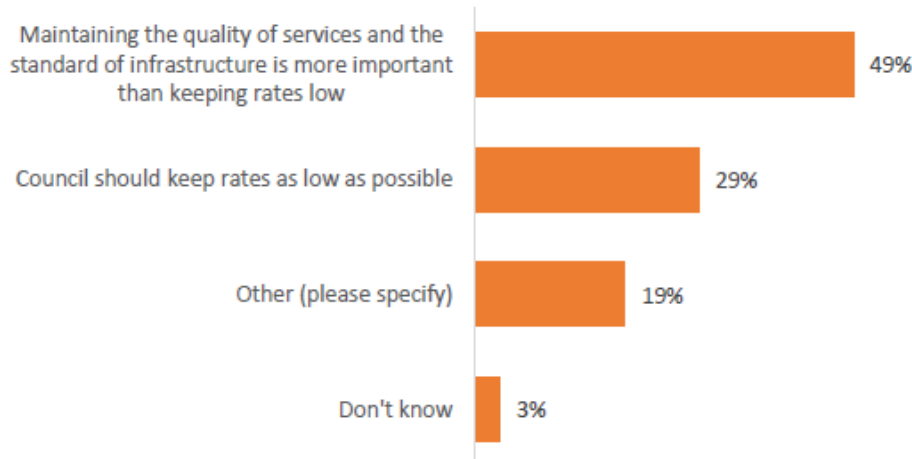
All of the perception statements tested in 2021 scored higher or on par with 2019. The results are contained in Figure 11.

FIGURE 11: RESULTS OF PERCEPTIONS STATEMENTS COMPARED TO 2019

Businesses – perception statements	Change in score
The Council should facilitate a local economy supporting, and supported by, its community	=
The Council should promote the area as a centre for creative industries	=
The mix of businesses in the business precincts contributes to the prosperity of the area	↑
The Council provides sufficient opportunities for community engagement	↑
The Council area provides the opportunity for new enterprises and local employment	↑
I think the Council is supportive of local businesses & industries	↑
The Council provides convenient and accessible services for business	↑
There is a good communication between businesses and residents	↑
I am happy with the balance between Council rates and the services and standard of infrastructure provided*	↑

Of the 20% of businesses that rated the statement '*I am happy with the balance between Council rates and the services and standard of infrastructure provided*' either one (1) or two (2) out of five, 49% stated they would prefer to maintain the quality of services over keeping rates low. This is the complete opposite of the 2019 survey where 47% of businesses indicated they would prefer to keep rates as low as possible. The results are contained in Figure 12.

FIGURE 12: PREFERENCE BETWEEN RATES AND SERVICES/INFRASTRUCTURE 2021



Advantages of the Area

45% of all businesses (down from 76% in 2019) think there are advantages to operating a business within the City of Norwood Payneham & St Peters. In order of priority the advantages were stated as:

- location good for customers;
- ideal location close to the city;
- close to other businesses/facilities we use;
- council support and initiatives;
- positive image as a shopping destination; and
- good passing traffic.

The order of priority has changed in 2021 from 2019, with 'good passing traffic' downgraded slightly to the lowest scored advantage. This is possibly due to **Covid-19** impacts.

25% of all businesses (down from 74% in 2019) consider there to be disadvantages operating a business in the City of Norwood Payneham & St Peters. These are summarised as:

- lack of parking/parking issues;
- issues with the Council;
- issues with particular location/neighbours;
- issues with infrastructure;
- rates and rent too high; and
- business/resident conflicting needs;

Some of these issues have not been raised since 2013.

Engaging with Council

24% of businesses have interacted with an Elected Member, compared to 69% with staff and there are higher levels of satisfaction with staff (3.8) than Elected Members (3.4), potentially because there are considerably more interactions with staff.

Receiving Information from Council

The Council's 'YourBusiness' newsletter was the preferred method of receiving information from the Council with 61% of businesses. This is a new and effective initiative by the Council since the last survey.

Involvement with Council Run Events

There are very low levels of engagement by businesses with Council run events, with only 11% and 10% stating their involvement in Business Networking Functions and Fashion on Parade, respectively.

Engagement Sessions with Council

17% of all businesses indicated that they did not want to participate in engagement sessions with Council. This is down significantly from 35% in 2019 possibly due to the impacts of **Covid-19**.

Local Business Support of other Local Activities

43% of businesses claim to support or sponsor local activities and organisations and charities are the most popular, followed by sporting clubs/groups.

Awareness of Economic Development Coordinators

A quarter of all businesses are aware of the Council's Economic Development Coordinators, with a quarter having interacted with them. This is an improvement from the 2019 survey where only 12% stated they were aware.

Business Development

Business expectations in terms of their expectations from Council are generally consistent with that of 2019, namely:

- look after business needs/ listen to them;
- promote business/ the area;
- better/ more car parking; and
- maintain/ provide good service.

Types of Businesses to Attract

Businesses would like to see more retail (60%) followed by creative industries (45%) and hospitality (42%) in the area.

For more detailed information on the results, including comparisons with the results of previous surveys, refer to the Business Survey contained in **Attachment A**.

OPTIONS

Not Applicable.

CONCLUSION

Following receipt of the 2021 Community Survey, the results will be widely promoted to the community including a feature in the mid-year edition of *LookEast*, an article in the Council's *YourBusiness* newsletter and on the Council's website.

Council staff will analyse the results further and provide relevant information to relevant sections of the organisation with a view to addressing issues which have been raised and improving the Council's services, programs and facilities. An Action Plan will also be prepared to ensure this occurs and the revision process for the next Community Survey is undertaken well in advance of the next survey timeframe.

COMMENTS

Through understanding and analysing the results of the *2021 Community Survey*, the Council can reinforce its commitment to the continuous improvement and the measurement of its success with *CityPlan 2030 (Mid Term Review 2020)*.

In addition, the result of the Community Survey can be used to maintain the Council's focus on improving the quality of life and well-being of the community (both residents and business owners).

RECOMMENDATION

1. That the *Resident Survey Market Research Report 2021* and the *Business Survey Market Research Report 2021*, as contained in Attachment A and Attachment B, be received and noted.
 2. That the Chief Executive Officer be authorised to make any minor edits to the 2021 Community Survey Reports as necessary, to finalise the documents in a form suitable for release to the community.
 3. The Council notes that the Chief Executive Officer will use the results of the *2021 Community Survey* to progress improvements to the Council services, programs, facilities and initiatives; and
 4. That the Council notes that the methodology and survey questions will undergo a major review prior to the next Community Survey to be carried out in 2023.
-

Cr Whittington moved:

1. *That the Resident Survey Market Research Report 2021 and the Business Survey Market Research Report 2021, as contained in Attachment A and Attachment B, be received and noted.*
2. *That the Chief Executive Officer be authorised to make any minor edits to the 2021 Community Survey Reports as necessary, to finalise the documents in a form suitable for release to the community.*
3. *The Council notes that the Chief Executive Officer will use the results of the 2021 Community Survey to progress improvements to the Council services, programs, facilities and initiatives; and*
4. *That the Council notes that the methodology and survey questions will undergo a major review prior to the next Community Survey to be carried out in 2023.*

Seconded by Cr Moorhouse and carried unanimously.

Section 2 – Corporate & Finance
Reports

11.3 MONTHLY FINANCIAL REPORT – JANUARY 2022

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

PURPOSE OF REPORT

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

Nil

FINANCIAL AND BUDGET IMPLICATIONS

Financial sustainability is as an ongoing high priority for the Council. The Council adopted a Budget which forecasts an Operating Surplus of \$471,000 for the 2021-2022 Financial Year. The First Budget update reduced the Operating Surplus by \$341,000 to \$130,000 for the 2021-2022 Financial Year. This report is based upon the proposed Mid-Year Budget review which presents an Operating Surplus of \$185,000 an increase of \$55,000 for the 2021-2022 Financial Year.

For the period ended January 2022, the Council's Operating Surplus is \$2.049 million against a budgeted Operating Surplus of \$1.260 million resulting in a favourable variance of \$0.790 million.

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 January 2022, the Council's Operating Surplus is \$2.049 million against a budgeted Operating Surplus of \$1.260 million resulting in a favourable variance of \$0.790 million.

The primary drivers for this result have remained consistent to prior months report and are:

- Employee Expenses are \$269,000 (2.7%) favourable to budget. As part of the Mid-Year budget update \$345,000 of longer-term vacancies was adjust for which has resulted in the decrease from previous advice to Elected Members. There are several vacant apprentice positions, which has resulted in a \$66,000 favourable variance. Field staff recruitment of apprentices to fill the vacancies has commenced. The residual variance to budget is driven by a number of other factors, short term vacancies, timing of leave being taken compared to budget and variances in the rate of pay being paid to new staff members compared to budget.
- Energy Expenses are \$56,000 (16%) favourable to budget due to timing related issues with our provider issuing adjustment notes against various facilities. It is anticipated that this will be resolved before the end of the financial year.
- Statutory Charges are \$86,000 (7.0%) favourable to budget, primarily due to high than anticipated revenue being received from the lodgement of Development Applications (\$65,000) combined with a higher than anticipated number of property searches (i.e. statutory property information required as part of property sales transactions) being undertaken (\$11,000) than allowed for in the budget.
- User Charges are \$66,000 (3.1%) unfavourable to the budget, which is due primarily a decrease in income at the St Peters Child Care Centre and Preschool as a result of room closures due to COVID-19 exposures and the gap fee above the government subsidy being waived combined with a number of smaller timing differences across Councils facilities for hire.

The residual budget variances are due to the accumulation of a number of small timing variances across all areas of the Council with no individually significant variances.

The Monthly Financial report is contained in **Attachment A**.

OPTIONS

Nil

CONCLUSION

Nil

COMMENTS

Nil

RECOMMENDATION

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

Cr Sims moved:

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

Seconded by Cr Moore and carried unanimously.

11.4 2021-2022 MID YEAR BUDGET REVIEW

REPORT AUTHOR: Financial Services Manager
GENERAL MANAGER: General Manager, Corporate Services
CONTACT NUMBER: 8366 4585
FILE REFERENCE: fA14720/A337587
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 2022, following the Mid-Year Budget Review. The forecast is based on the year-to-date December 2021 results.

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 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 requires 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. The Mid-Year Budget Review 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 Mid-Year Budget Review, provides the opportunity to reflect any changes in projections based on the actual year-to-date results to December 2021 and forecast the 2021-2022 Operating result.

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 impacts.

SOCIAL ISSUES

Nil

CULTURAL ISSUES

Nil

ENVIRONMENTAL ISSUES

Nil

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.

COVID-19 IMPLICATIONS

Since the opening of the South Australian border on 23 November 2021 and the emergence of the Omicron variant of COVID-19, a number of businesses have been impacted by the increase in the number of COVID-19 cases and capacity restrictions introduced by State Government. To support the local businesses, a Financial Assistance Package was approved by the Council at its Meeting held on 17 January 2022.

The financial impact of the Financial Assistance Package are detailed in the Discussion section of this report.

CONSULTATION

- **Elected Members**

The Council considered the First Budget Update at its meeting held on 6 December 2021.

- **Community**

Not Applicable.

- **Staff**

Responsible Officers and General Managers.

- **Other Agencies**

Not Applicable

DISCUSSION

Budget Review

In determining the Adopted Operating Surplus, the Council considers the financial resources which are required to provide the ongoing services, programs and facilities (Recurrent Operating Budget), which encompass the basic responsibilities, which 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 needs and expectations.

Such on-going services include regulatory services, such as animal management and 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 associated with the introduction of new services or the enhancement to existing services (Operating Projects).

The 2021-2022 Adopted Operating Budget, projected an Operating Surplus of \$471,215. At the Council meeting held on 6 December 2021, the Council considered and endorsed the First Budget Update, which reported a forecast Operating Surplus of \$130,072.

Following the Mid-Year Budget Review, as presented in this report, the Council is forecasting an Operating Surplus of \$185,312.

The material movements in the components that make up the Operating Deficit following the Mid-Year Budget Review are detailed below.

A. Recurrent Operating Budget

For 2021-2022, the Recurrent Operating Budget forecast a Recurrent Operating Surplus of \$1.064 million, which was reduced to \$872,000 following the First Budget Update.

As a result of the Mid-Year Budget Review, the Recurrent Operating Surplus is forecast to be \$933,429, an increase of \$61,240 on the Adopted First Budget Update. The major reasons for the movement in Operating Surplus are detailed in Table 1.

TABLE 1: MAJOR VARIANCES IN RECURRENT OPERATING BUDGET - MID-YEAR BUDGET REVIEW

	Favourable/ (Unfavourable) \$
General movements	
Savings in employee expenses resulting from vacant positions either not filled or not backfilled while undertaking the recruitment process.	345,000
The insurance rebate received from Workers Compensation Scheme, Mutual Liability Scheme and Asset Mutual Fund is higher than planned.	45,000
The Council has successfully applied the funding from National Australia Day Council for the Council's Australia Day event.	20,000
The net loss from the Council's joint ventures, ERA Water and East Waste, is increased by \$22,441 and \$21,450 separately in according to the Budget Updates from ERA Water and East Waste.	(43,891)
The interest income from Local Government Financial Authority (LGFA) is reduced by \$65,000 to reflect the actual interest income received and will be received for 2021-2022 Financial Year, while there is an increase of \$35,000 to recognise the bonus payment received to reflect the value of deposits and loans the Council held with the Authority.	(35,000)
The forecasted admission charges for Swimming Centres are reduced due to the cold weather conditions for the first half of the season	(20,589)
Funding is requested for a traffic technical assistance to work 20 hours a week for 12 weeks.	(20,000)
COVID-19 Restrictions and Impact	
Net Loss of income from the Norwood Concert Hall resulting from event cancellations due to capacity restrictions put in by State Government from 26 December 2021.	(36,500)
Loss of income from swimming lessons due to the less enrolments and the availability of swimming instructors due to COVID-19.	(26,456)
COVID-19 Financial Support Package	
Waiving of Outdoor Dining Licenses Permit fees for the period 1 December 2021 to 30 June 2022.	(64,000)
Granting of a Discretionary Rebate of the Differential Rate (20%) provided to non-residential property owners impacted by the density restrictions introduced by the State Government following the borders opening on 23 November 2021 for the Third Quarter and Final Quarter of 2021-2022.	(51,000)
Rebate of the Parade Separate Rate for property owners and businesses impacted by the density restrictions introduced by the State Government following the borders opening on 23 November 2021 for the Third Quarter and Final Quarter of 2021-2022.	(23,000)
Waiving of fines and interest charged on the late payment of the 2021-2022 Third and Fourth Quarter Council Rate payments for non-residential property owners.	(20,000)

B. Operating Projects

The Adopted Budget includes an estimate of operating project expenditure for the year under review and:

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

Carried Forward estimates (from prior financial years) are reviewed upon finalisation of the Annual Financial Statements. Additional expenditure required for non-completed Operating Projects at the end of the Financial Year, is incorporated in the Budget as part of First Budget Update.

Taking into account the carried forward Operating Project expenditure and new projects which have been endorsed by the Council, the 2021-2022 Adopted Operating Projects Budget forecast a cost to the Council of \$955,272.

Carried Forward Operating Project expenditure was estimated as part of the Adopted Budget to be \$203,272. Following the First Budget Update, the value of carried forward expenditure is \$510,222. The increase in the Carried Forward Budget, is due to projects not progressing as anticipated or the commencement of some projects being deferred.

The First Budget Update forecast the cost of Operating Projects to be \$1.164 million, the Mid-Year Budget Update is estimating a slight increase in this figure to \$1.170 million. The budget is requested to increase by \$6,000 to cover the Council's contribution to LiDAR Urban Mapping and analysis report for the project of Resilient East Program.

A review of status of the Operating Projects will be undertaken as part of the Third Budget Update, which will be considered by the Council at the Council Meeting scheduled for 2 May 2022.

Details of Operating Projects is contained in **Attachment A**.

C. Capital Projects

The Council adopted a Capital Budget of \$26.972 million for 2021-2022, which comprised funding allocations for New Capital Projects involving new or the upgrading of existing assets (\$8.081 million), the renewal/replacement of existing assets (\$14.089 million) and Carried Forward Projects from 2020-2021 (\$4.801million).

The First Budget Update forecast the cost of Capital Projects to be \$30.594 million. The increase is predominately due to a number of projects which were initially anticipated to be completed by 30 June 2021 being delayed or still being in progress as at 30 June 2021. Following the Mid-Year Budget Review, the Capital Project expenditure is forecast to increase by \$289,952 to \$30.884 million. The budget variations identified in the Mid-Year Review are detailed in Table 4 below:

TABLE 4: MAJOR VARIANCES IN CAPITAL PROJECT BUDGET - MID-YEAR BUDGET REVIEW

Capital Project	Increase/ (Decrease) \$
As the Council Meeting held on 4 May 2020, the funding of \$115,000 is approved to design and construct the commemorative infrastructure recognising Mr Nino Solari, pedestrian and cycling paths, furniture and landscaping within the Osmond Terrace median, as well as verge landscaping at all four (4) intersection corners. Due to the timing of budget approval, this funding had inadvertently omitted from the 2021-2022 Capital Budget.	115,000
Resolving traffic management issues associated with Langman Grove, Briar Road and Turner Street, Felixstow, as per the recommendation from the Traffic Management Committee, the Council is undertaking the design and construction of the traffic management devices along Langman Grove.	155,000
The funding is requested to undertake the landscape improvements on Arabella Court, Orlando Court and Alexander Lane within Marden Connect & River Street Development. The works will include: <ul style="list-style-type: none"> • renewing existing tree planters and garden beds; • installing new plants in tree planters and garden beds and mulch; and • installing wheel stops for tree pits which are adjacent to on street parking spaces in order to preserve the new landscape planting from wheel damage. 	20,000

It is not expected that the increase in capital expenditure for the 2021-2022 Financial Year will result in any additional borrowings being required. However this will be monitored during the second half of the year.

A review of status of the Capital Projects will be undertaken as part of the Third Budget Update, which will be considered by the Council at the Council Meeting scheduled for 2 May 2022.

Details of Capital Projects is contained in **Attachment B**.

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

“between 30 November and 15 March (both dates inclusive) in the relevant financial year—a report showing a revised forecast of each item shown in its budgeted financial statements for the relevant financial year compared with estimates set out in the budget presented in a manner consistent with the Model Financial Statements.”

Further Regulation 9 (2) of the Regulations states the Council must consider:

“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 revised Budgeted Financial Statements and Financial Indicators as a result of the Mid-Year Budget Update are included in **Attachment C**.

OPTIONS

The Council has the following options in respect to this issue:

1. Adopt the Mid Year Budget Review as recommended; or
2. Amend the Mid Year Budget Review as it sees fit.

The Mid Year Budget Review is forecasting an Operating Surplus that is in line with the Adopted Budget. In addition, the proposed amendments to the Operating and Capital Projects budgets are consistent with decisions made by the Council since the adoption of the 2021-2022 Annual Budget and the First Budget Update.

Therefore Option 1 is recommended.

CONCLUSION

Nil

COMMENTS

Nil

RECOMMENDATION

1. That the Mid-Year 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) and (2) of the Local Government (Financial Management) Regulations 2011, Budgeted Financial Statements and Financial Indicators as contained within Attachment C, be adopted.
-

Cr Minney moved:

- 1. That the Mid-Year 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) and (2) of the Local Government (Financial Management) Regulations 2011, Budgeted Financial Statements and Financial Indicators as contained within Attachment C, be adopted.*

Seconded by Cr Dottore and carried unanimously.

11.5 2022-2023 FEES AND CHARGES

REPORT AUTHOR: Financial Services Manger
GENERAL MANAGER: General Manager, Corporate Services
CONTACT NUMBER: 83664585
FILE REFERENCE: A334672
ATTACHMENTS: A

PURPOSE OF REPORT

The purpose of this report is to provide the Council with the *Draft 2022-2023 Fees and Charges Schedule*, which, following its adoption “in principle”, will be used as a basis for calculating the revenue components for the draft 2022-2023 Annual Budget.

BACKGROUND

Section 188 of the *Local Government Act 1999* (the Act), states the following in respect to fees and charges:

- (1) *A council may impose fees and charges—*
- (a) *for the use of any property or facility owned, controlled, managed or maintained by the council;*
 - (b) *for services supplied to a person at his or her request;*
 - (c) *for carrying out work at a person's request;*
 - (d) *for providing information or materials, or copies of, or extracts from, council records;*
 - (e) *in respect of any application to the council;*
 - (f) *in respect of any authorisation, licence or permit granted by the council;*
 - (g) *in respect of any matter for which another Act provides that a fee fixed under this Act is to be payable;*
 - (h) *in relation to any other prescribed matter.*

The majority of fees and charges which are administered by the Council. are levied under various legislation (ie statutory charges), such as the *Development Act 1993*, the *Dog and Cat Management Act 1995* and the *Local Government Act 1999*. Other fees and charges arise from various policies which have been adopted by the Council. For example, the *Outdoor Dining Policy* and *On-Street Parking Permit Policy*, are based on a user pays principle with respect to the provision of those particular services.

Pursuant to Section 188(6) of the Act, the Council must keep a list of the fees and charges on public display at the Principal Office of the Council. The Council publishes the schedule of fees and charges on the Council's website.

As part of the annual budget preparation process, a review is undertaken of the fees and charges which are levied by the Council for the use of facilities and the provision of services. Any increases (or decrease) in fees and charges which are set by legislation are determined by the State Government and will be incorporated upon gazetting.

RELEVANT POLICIES & STRATEGIC DIRECTIONS

In line with the Council's *Fees & Charges Policy*, the Council adopts a *Fees and Charges Schedule* on an annual basis and they are separated into Statutory and User Charges. Where the Council's Fees and Charges are not of a statutory nature (i.e. discretionary fees), the Council applies the principle of “user pays” where possible, in order to recover the full cost of operating or providing the service or goods to ensure that there is reasonable level of “user pays”, which in turn reduces the charge on ratepayers for the cost of providing these facilities and services. Where it can be demonstrated that citizens are unable to meet the full cost, concessions may apply.

The Outcomes and Objectives of *City Plan 2030: Shaping our Future* do not specifically address fees and charges, however the general principles of Community Well-Being are taken into account in setting the discretionary fees and charges.

FINANCIAL IMPLICATIONS

Where the Council has the power to set the fees and charges (discretionary fees and charges), as endorsed by the Council at its meeting held on 17 January 2022, it is adopted that discretionary fees and charges are increased by 2% at a minimum, or at market value.

Generally, the recommended increases are in line with the Budget Parameters. In the cases where the minimum increase has not been met, the reasons for the lower increase are:

- rounding, for ease of cash handling;
- the fee in question is rarely charged but required to be set pursuant to the *Local Government Act 1999*;
- the proposed increase would result in a minor increase. In these instances, the fee is increased on a cyclical basis of every three (3) to five (5) years; and
- determination that the market could not bear an increase.

EXTERNAL ECONOMIC IMPLICATIONS

This report provides information on the fees and charges of the Council for the year ended 30 June 2023 and are not expected to have any significant external economic impact.

SOCIAL ISSUES

Nil

CULTURAL ISSUES

Nil

ENVIRONMENTAL ISSUES

Nil

RESOURCE ISSUES

Nil

RISK MANAGEMENT

Nil

CONSULTATION

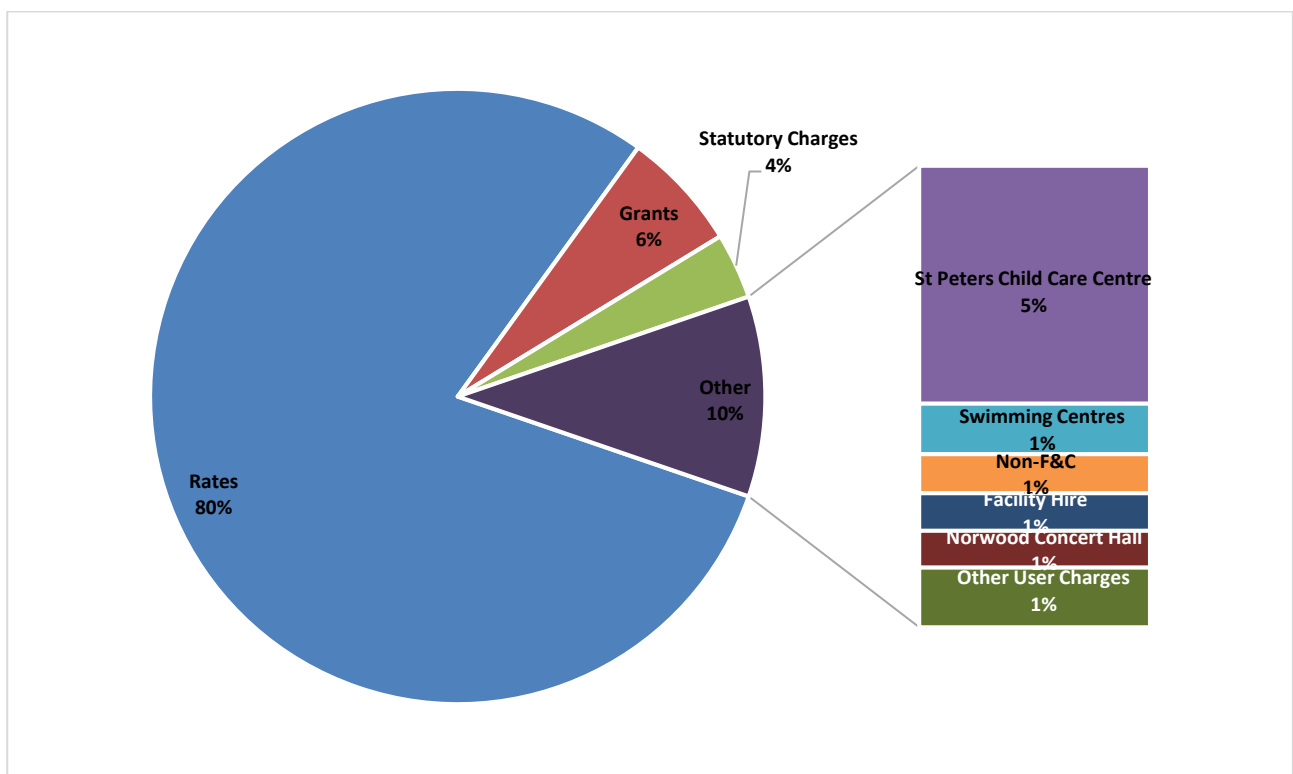
- **Elected Members**
The Council set the parameters for the Fees and Charges Schedule at its meeting held on 17 January 2022.
- **Community**
Not Applicable.
- **Staff**
Responsible Officers and General Managers.
- **Other Agencies**
Not Applicable

DISCUSSION

In general, user fees and charges are reviewed taking into consideration the anticipated inflation rate and the cost which is incurred by the Council to provide the service or the facility, market rates for similar services and ease of cash handling, through rounding of any proposed increases or deferring increases. At its meeting held on 17 January 2022, the Council adopted the general guideline that user fees and charges be increased by 2% at a minimum, or at market value. The proposed general increase of 2% was determined with reference to the anticipated combined impact of the inflation rate associated with goods and services and salaries and wages increase for the 2022-2023 Financial Year.

Fees and Charges incorporate statutory charges which are set by legislation or by Policies which are adopted by the Council and discretionary user fees and charges which are based on user pay principles. As detailed in Figure 1 below, for the 2021-2022 financial year, discretionary user charges represent 10% of total revenue, with the major portion of this revenue from the fees and charges set by the Council. User Fee income is mostly derived from user fees charged by the St Peters Child Care Centre & Pre-school. Given that income from the Council's Business Service units (i.e. St Peters Child Care Centre & Pre-school, Norwood Concert Hall and the Swimming Centres) represents 7% of the total, any increase or decrease in User Charges from other services or programs, will not have a significant impact on the Council's income from user fees and charges.

FIGURE 1 – USER CHARGES AS A PERCENTAGE OF REVENUE



As stated earlier, for the most part, the recommended increases are in line with the Budget Parameters which were endorsed by the Council at its meeting held on 17 January 2022. The proposed changes which are not in line with the budget parameter of 2% (excluding rounding) and the reasons for not applying the budget parameter are detailed below.

Community Care Charges

- As part of Community Care program, the Council provides the Gutter Cleaning service and charges \$16 per hour. However the cost to the Council is higher to provide Gutter Cleaning service for two stories house or house with access problem. It is proposed to charge \$20 per hour for Specialist Gutter Cleaning.
- When the Council organise Movies Excursions, the cost is lower to the Council compared to other excursions due to the Council organising the Movies Excursions locally. It is proposed to separate the charges for Movie Excursions from other Excursions to reflect the cost to the Council.
- It is proposed to increase the lunch at the Pub from \$10 per person to \$15 per person, equal to the cumulative impact of prior year's indexation factors which had not been applied previously.

St Peters Child Care Centre & Preschool

It is proposed to increase the daily charges from \$105 to \$110, in line with the rising industry prices.

Norwood Concert Hall

Front of House charges have increased in line with increase in hourly staff charges. This requires an increase in the charge passed on to hirers from \$60.00 to \$65.00 per hour.

Technician charges have increased in line with increase in hourly technician charges. This requires an increase in the charge passed on to hirers from \$70.00 to \$75.00 per hour and \$140.00 to \$150.00 per hour for technician between 1am to 7am.

Council Document Retrieval

The Normal and Urgent Archived Retrieval Fees is consolidated into a single charge at \$35 per search for 2021-2022 Financial Year. As a result of the time taken to retrieve documents from the Councils offsite storage facility is approximately 2-3 days, it was difficult to achieve a 24 hour turn around during 2020-2021 Financial Year. The storage service provider has been adapted to Covid-19 situation and can retrieve the archived materials within 24 hours, it is proposed to charge separate fees for the Normal and Urgent Archived Retrieval Fees for 2022-2023 Financial Year by applying 50% of administration cost on top of the cost charged by the storage service provider to the Council. As such, it is proposed to reduce the Normal Archived Retrieval Fee from \$35 to \$25.00 and increase the Urgent Archived Retrieval Fee from \$35 to \$50. It should be noted that this fee is utilised approximately 50-100 times in a year.

A copy of the proposed 2022-2023 Fees and Charges including comparative data are contained in **Attachment A**.

OPTIONS

The Council has the option of adopting "in principle" the proposed fees and charges as contained in Attachment A or make amendments to the proposed fees as the Council sees fit.

CONCLUSION

The recommended Fees and Charges for 2022-2023 have been set at an appropriate level for users and consumers and are not expected to 'price' the hire of facilities/cost of services out of the market and beyond the reach of citizens.

COMMENTS

This report does not cover statutory fees that are charged under legislation as the Council cannot vary these fees and charges.

In relation to Statutory Fees and Charges, the actual fee increases imposed under Acts will remain unknown until the State Government has set its 2022-2023 Budget which is expected to be in May 2022.

RECOMMENDATION

That the *Draft Schedule of Fees and Charges* for the 2022-2023 Financial Year set out in Attachment A be adopted “in principle”.

Cr Stock declared a perceived conflict of interest, as a family member is a member of a group that hires a Council facility. Cr Stock advised that he would remain in the meeting and take part in the decision-making process with an open mind.

Cr Patterson declared a perceived conflict of interest, as a family member is a member of a group that hires a Council facility. Cr Patterson advised that she would remain in the meeting and take part in the decision-making process with an open mind.

Cr Sims declared a perceived conflict of interest, as he has applied to hire a Council facility. Cr Sims advised that he would remain in the meeting and take part in the decision-making process with an open mind.

Cr Whittington moved:

That the Draft Schedule of Fees and Charges for the 2022-2023 Financial Year set out in Attachment A be adopted “in principle”.

Seconded by Cr Minney and carried unanimously.

11.6 2022-2023 REGIONAL LANDSCAPE LEVY

REPORT AUTHOR: General Manger, Corporate Services
GENERAL MANAGER: Chief Executive Officer
CONTACT NUMBER: 8366 4585
FILE REFERENCE: qA83551/A344598
ATTACHMENTS: A

PURPOSE OF REPORT

The purpose of the report is to advise the Council of the proposed 2022-2023 Regional Landscape Levy.

BACKGROUND

As Elected Members may recall, in July 2020, eight regional landscape boards and a metropolitan Green Adelaide Board, were established under the *Landscape South Australia Act 2019* (the Act). The purpose of each Board is to administer the Act and support all sectors of the community and all levels of government, by providing strategic leadership for the management, from a landscape perspective of the various regions. The respective Landscape Boards are responsible for facilitating the management of landscapes in partnership with key partners and stakeholders.

The *Green Adelaide Board* (the Board) is responsible for integrating the management of water resources and wetlands, the metropolitan coastline, nature education within the city, creating habitat for biodiversity, and the greening of streets, parklands and buildings.

Local Government contribute to the respective landscape regions, through the collection, on behalf of the State Government, of the Regional Landscape Levy (formally known as the NRM Levy) from property owners through the declaration of a separate rate. The Levy collected is used to fund the implementation of the respective landscape Board's Business Plan. In respect to the City of Norwood Payneham & St Peters, the Levy will fund the delivery of the Business Plan developed by the Metropolitan Landscape Board, Green Adelaide. As with the previous NRM Levy, Councils can continue to recover the Levy establishment and ongoing collection costs from the respective Regional Landscape Board.

Each year, the Board advises Local Government of the proposed Levy, a copy of the letter which has been received from the Green Adelaide Board is contained in **Attachment A**.

RELEVANT STRATEGIC DIRECTIONS & POLICIES

The Councils Strategic Management Plan, *City Plan 2030* does not contain an Outcome directly related to the collection of the NRM Levy.

FINANCIAL AND BUDGET IMPLICATIONS

In 2022-2023, the Council has been advised by the Board that it will be required to collect \$1.383 million (a 0.2% decrease on the amount collected in 2021-2022) on behalf of Green Adelaide for the payment of the State Government Regional Landscape Levy. In this respect, as Elected Members are aware, Local Government acts as the revenue collector for the Board and the eight (8) Regional Landscape Boards and as such, the Council does not retain this revenue. The total amount of Levy proposed to be raised by the Board for the 2022-2023 financial year, is \$29.642 million, a 2.5% increase on \$28.919 million, which was collected in 2021-2022. The distribution of the Levy to be collected across the respective council areas is based on Capital Value. The property owners within the City of Norwood Payneham & St Peters will contribute 4.7% of the total of the Levy which is collected on behalf of the Board for 2022-2021 Financial year.

EXTERNAL ECONOMIC IMPLICATIONS

Nil

SOCIAL ISSUES

Nil

CULTURAL ISSUES

Nil

ENVIRONMENTAL ISSUES

Nil

RESOURCE ISSUES

Nil

RISK MANAGEMENT

Nil

CONSULTATION

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

DISCUSSION

For the 2022-2023 Financial year, the Board has identified that it requires a contribution of \$29.642 million (2021-2022: \$28.919 million) from property owners within the Constituent Councils of the Green Adelaide Region in order to deliver the projects and programs which are outlined in the Board's Annual Business Plan.

There are no proposed changes to the basis of determining the Regional Landscape Levy in 2021-2022, with the basis being the value of rateable land. This basis has been previously supported by the Council and is considered to be fair and equitable, in so far as a basis for distributing the amount which is paid by each property owner.

Pursuant to the Act, increases in the Landscape Levy are capped at CPI (Adelaide September Quarter), unless the Minister approves a higher increase, which the Minister has advised will only be under exceptional circumstances. For 2022-2023, the increase in the total Levy collected will be capped to CPI of 2.5%, however for this Council, there has been a slight decrease (0.2%) in the value of the Levy to be collected compared to 2021-2022.

Councils may also collect a fee from the Regional Landscape Boards for the administrative cost of collecting the Regional Landscape Levy. For 2022-2023, the fee has been calculated using a fixed fee of \$2,633 plus \$0.26 per rateable assessment. The proposed collection fee for this Council is \$7,786.

As Elected Members are aware, under the previous arrangements, the Council was responsible for the payment of the full Levy irrespective of whether individual ratepayers pay the Levy. The Act now proposes new levy debt recovery arrangements that will allow the Council to be reimbursed for any new unpaid amount, which has been outstanding for at least three (3) years from July 2020, subject to certain conditions.

OPTIONS

Nil

CONCLUSION

Nil

COMMENTS

Nil

RECOMMENDATION

That the report be received and noted.

Cr Duke moved:

That the report be received and noted.

Seconded by Cr Stock and carried unanimously.

11.7 LOCAL ROADS AND COMMUNITY INFRASTRUCTURE PROGRAM PHASE 3

REPORT AUTHOR: Manager, Economic Development & Strategic Projects
GENERAL MANAGER: Chief Executive Officer
CONTACT NUMBER: 83664509
FILE REFERENCE: qA90378
ATTACHMENTS: A - B

PURPOSE OF REPORT

The purpose of this report is to present to the Council, options for the allocation of the grant funding under the Federal Government's *Local Roads and Community Infrastructure Program Phase 3*.

BACKGROUND

In May 2020, the Federal Government announced details of its *Local Roads & Community Infrastructure Program (LRCI)*, as part of the Federal Government's economic response to the COVID-19 Pandemic. The purpose of the *LRCI Program* is to support councils in the delivery of priority local road and community infrastructure projects across Australia by supporting and creating jobs and building the resilience of local economies to help communities bounce back from the COVID-19 Pandemic.

Through the Federal 2020-2021 Budget, the Federal Government announced an extension of the *LRCI Program*, now more commonly referred to as the LCRI Program Phase 2.

On 11 May 2021, as part of the 2021-2022 Budget, the Federal Government announced an additional \$1 billion for Phase 3 of the LCRI Program. Similar to the previous two (2) phases, the intent of Phase 3, is to assist a community led recovery from Covid-19 by supporting jobs, businesses and procurement. As with the earlier Phases of the *LRCI Program*, eligible funding recipients (ie Local Government) can select a broad range of projects to fund so that communities can continue to be provided with the infrastructure they require. It is encouraged that where possible local businesses and workforces are engaged to deliver the work.

In total, the Federal Government has allocated \$2.5 billion to the *Local Roads and Community Infrastructure (LRCI) Program* over the three (3) phases to support councils.

As part of Phase 1, the Council was successful in securing \$444,000 under this Program to complete the reconstruction of the total length of Langman Grove, Felixstow from Pembury Grove through to Briar Road, Felixstow.

As part of Phase 2, the Council received \$1.27 million and this funding was allocated to the construction of the St Peters Streetscape Upgrade Project, which is scheduled to commence in March 2022.

As part of Phase 3, the Council has been advised that it is eligible to receive \$888,876. The formula used to calculate the funding allocation is modelled on the funding allocations under the Federal Government *Roads-to-Recovery Program*.

Nominations for Phase 3 of the *LRCI Program* opened on 20 October 2021 with applications required to be submitted by the 30 June 2022. Projects are required to be physically completed by 30 June 2023.

RELEVANT STRATEGIC DIRECTIONS & POLICIES

The projects presented for consideration will deliver on the following strategies set out in the Council's Strategic Management Plan, *CityPlan 2030: Shaping the Future*

Social Equity: An inclusive, connected, accessible and friendly community.

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

Strategy 1.2.1 Enable sustainable and active transport modes.

Strategy 1.2.2 Provide safe and accessible movement for all people.

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

Cultural Vitality: A culturally rich and diverse City, with a strong identity, history and sense of place.
Strategy 2.4.2: Encourage sustainable and quality urban design outcomes.

Environmental Sustainability: A leader in environmental sustainability.

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.

Strategy 4.2.1 Improve the amenity and safety of streets for all users including reducing the impact of urban heat island effect.

FINANCIAL AND BUDGET IMPLICATIONS

To be eligible to receive the funding, the projects which are submitted must be new projects, (ie in addition to projects which have already been committed to and funds allocated to by the Council). This means the Council cannot use the grant funding to offset the cost of projects, which have already been identified and funded by the Council.

In recommending the various projects for the Council's consideration, staff have reviewed the projects that have been identified in the Long-Term Financial Plan, projects that have been identified but are yet to be scheduled by the Council. including the condition of various assets which may or may not have been included in the Council's Asset Management Plans. Each project that fell into this category, was assessed against the eligibility criteria set out in the funding guidelines.

EXTERNAL ECONOMIC IMPLICATIONS

The purpose of the Federal Government's *Local Roads & Community Infrastructure Program* is to create jobs and stimulate the local economy by supporting councils to deliver local road and community infrastructure construction projects. The intent is for the Council to undertake construction projects, which include "local content" to ensure that the funding supports local businesses and creates short term employment opportunities within the local community, therefore supporting local communities in their recovery from the impact of the COVID-19 Pandemic.

SOCIAL ISSUES

The desired outcome of the Federal Government Program is to provide social benefits to the local communities such as improved road safety, accessibility and visual amenity. In evaluating the projects presented, these factors were taken into consideration.

CULTURAL ISSUES

Not Applicable.

ENVIRONMENTAL ISSUES

Not Applicable.

RESOURCE ISSUES

Given that the St Peters Street Upgrade Project has already been endorsed by the Council extending the scope of the project to include the Linde Reserve ASR and ERA Water Distribution Main Extension and Cross Connection, would not have a significant impact on resources. Similarly, if the Council selected the Briar Road and Turner Street – Road Reconstruction Project, this could be delivered within existing resources. However, in the case of the Cruikshank Reserve Multipurpose Building and Unisex Toilets Project, additional staff resources (on a contract basis) may be required to undertake the management.

RISK MANAGEMENT

In respect to the *Local Roads & Community Infrastructure Program Phase 3*, if construction is not completed within the specified timeframes as set out in the Program Guidelines, the Council may not receive the full funding allocation. This risk will be managed by scheduling the works to ensure that works are completed within the specified timeframes. Therefore, it is important to select a project that can be easily delivered.

COVID-19 IMPLICATIONS

Nil.

CONSULTATION

- **Elected Members**
Elected Members were previously consulted in respect to the Phase 1 and Phase 2 projects.
- **Community**
Not Applicable.
- **Staff**
General Manager, Corporate Services
Acting Manager, City Assets
Project Manager, Assets
Financial Services Manager
Project Manager, Urban Design & Special Projects
Project Manager
- **Other Agencies**
Not Applicable.

DISCUSSION

The objective of the *LRCI Program Phase 3*, is to stimulate the economy through additional infrastructure construction activities in local communities across Australia, in order to assist communities in the management of the economic impacts of the COVID-19 Pandemic. Based on the objective that this is an economic stimulus measure, one of the conditions of the *LRCI Program* is that councils can only submit project/s which are in addition to those projects already identified and funded as part of the Council's budget. The funding is not intended to replace existing expenditure commitments but rather enable additional expenditure as economic stimulus. However, in accordance with the Program Guidelines, the Council can nominate discrete later stages of projects that have already received grant funding under previous phases of the *LRCI Program*. The only requirement is that the Phase 3 nomination must be a new separate and previously unfunded project stage.

As the purpose of the *LRCI Program* is to stimulate local economies and employment opportunities, the delivery of the projects must be between 1 January 2022 and 30 June 2023. Co-contributions are not required under the *LRCI Program*, but are allowed to be used for projects – provided that the combined funding for the project does not exceed the estimated cost of the project.

An eligible project must be either:

- a local road project, which involves the construction or maintenance of roads which are managed by the Council, with the focus on improved road safety outcomes. Road projects may include elements associated with a road such as:
 - traffic signs;
 - traffic control equipment;
 - street lighting equipment;
 - a bridge or tunnel;
 - a facility off the road used by heavy vehicles in connection with travel on the road (for example, a rest area or weigh station);
 - facilities off the road that support the visitor economy; and
 - road and sidewalk maintenance, where additional to normal capital works schedules; or
- a community infrastructure project that involves the construction, maintenance and/or improvements to council-owned assets (including natural assets) that are generally accessible to the public.

All projects whether carried out on Council owned land, or another type of public land, must deliver benefits to the community, such as improved accessibility, visual amenity and/or safety.

In determining the projects to which the funding could be allocated, consideration was given to the extension (increasing the scope) of existing projects, as well as future projects, which have been identified in the Council's draft *Long Term Financial Plan* and *Civil Infrastructure and Asset Management Plan* (post 2021-2022).

Based upon an assessment which has been undertaken by Council staff, including the current priority which has been assigned to projects by the Council, in the Council's *Long Term Financial Plan* and the Council's ability to deliver the project within the timeframe required by the grant guidelines, staff have identified the following three (3) possible options for the grant funding:

1. Linde Reserve ASR and ERA Water Distribution Main Extension and Cross Connection.
2. Cruickshank Reserve Multipurpose Building and Unisex Toilets.
3. Briar Road and Turner Street - Road Reconstruction.

All three (3) of these projects are described in more detail below.

1. Linde Reserve ASR and ERA Water Distribution Main Extension and Cross Connection

At its meeting held on 8 February 2022, the Council considered a report on the Tender Submissions received in relation to the construction of *St Peters Street Upgrade Project* and resolved to appoint Plotworks to undertake the work. In that report, the Council was advised that as part of the *St Peters Street Upgrade Project*, the Linde Reserve ASR recycled water pipeline along St Peters Street will be increased in size, as required, to accommodate the potential future expansion of the ERA Water Scheme and extended to Burchell Reserve, Cliff Goodwin Reserve and Twelftree Reserve.

The current operating licence for the Linde Reserve ASR requires that the extraction from the bore over a five (5) year period, does not exceed the injection into the bore over a five (5) year period, with injection/extraction for any one (1) year limited to 30ML. Since inception, the Linde Reserve ASR has injected on average 7-10ML per annum, which has provided recycled water to irrigate Linde Reserve, the Community Garden, the St Peters Town Hall complex and a standpipe to fill the water truck for street tree watering. In accordance with the operating licence conditions, an average of 7-10ML of recycled water is extracted per annum. With the expansion of the water distribution main along St Peters Street and the proposed connections to Otto Reserve, Burchell Reserve, Cliff Goodwin Reserve and Twelftree Reserve, additional sources of recycled water need to be captured and injected into the Linde Reserve ASR to ensure the operating licence requirements are met.

The ERA Water Scheme has a licence to extract groundwater to a volume of 500 ML per annum. During the 2020-2021 season, 186.3 ML was extracted. Current demand is estimated at 250 ML annually and there is a potential to harvest more water and to irrigate more reserves. On this basis, ERA Water recently engaged WGA engineers to investigate the potential to supply additional reserves with recycled water within and in proximity to the existing distribution network. Amongst other things, WGA's preliminary report identifies a proposed expansion to the ERA Water distribution network, which would connect the ERA Water Scheme with the Council's Linde ASR Scheme.

The Linde Reserve ASR Scheme is currently performing below capacity due to the limitations of stormwater extraction from Second Creek, due to the turbidity of the water. A connection to the ERA Water Scheme would increase recycled water security and complement the Linde Reserve Scheme in three (3) ways:

1. supply water directly to reserves intended for the Linde Reserve ASR Scheme supply (summer night time);
2. supply water to the storage tank at Linde Reserve (summer day time); and
3. inject water into the Linde bore directly from the distribution network (winter).

The increased recycled water security reduces the risk of using potable water as a back-up supply as well as reducing the risk to any water supply should restrictions due to drought occur.

The scope of works proposed to connect the Linde Reserve ASR to ERA Water consists of an extension of the 225mm water main from the St Peters Street / Eighth Avenue intersection to the ERA Water main located at the Winchester Street / Tenth Avenue intersection, via Eighth Avenue, River Street and Tenth Avenue (including a connection across Stephen Terrace). The existing water main from First Avenue to Linde Reserve Avenue along St Peters Street and crossing Payneham Road will also need to be upgraded from a 110mm pipe to a 225mm pipe. The total length of new 225mm pipe is 1,150m, which has been estimated by WGA Engineers to cost \$431,250 inclusive of 20% construction contingency and design costs. In addition to the pipe infrastructure, reprogramming of the Linde Reserve ASR Supervisory Control and Data Acquisition (SCADA) system will be required, this has not been scoped or estimated at this stage.

The second part of this project involves the expansion of the use of recycled water in the City, to include the Osmond Terrace median and Richards Park. To achieve this, WGA have recommended that a further 750 metres of main, be extended from Linde Reserve along Nelson Street to Osmond Terrace and Richards Park.

The estimated cost of the water main extension to Richards Park is \$281,250, with connections to the existing irrigations systems estimated at \$52,000, both inclusive of twenty percent (20%) construction contingency and design costs.

The total estimate cost to connect Linde Reserve ASR to ERA Water and provide recycled water to the Osmond Terrace median and Richards Park is \$764,500 inclusive of twenty percent (20%) construction contingency and design costs and excluding reprogramming of the SCADA at Linde Reserve.

A plan showing the location of the proposed water main extensions is contained in **Attachment A**.

Connections to additional nearby reserves could also be considered if the Council resolves to proceed with this option and allocate all of the grant funding (ie \$888,876) to the delivery of these recycled water projects and if the tender amount of the scope described above is less than the grant amount.

Whilst this Project will not be physical visible, it will deliver water security and subsequently long-term environmental benefits. On this basis, it is recommended that for water security purposes and to fully utilise the infrastructure being constructed as part of the St Peters Street Upgrade Project and the ERA Water Scheme, that the *LRCI Program Phase 3* funding of \$888,876 be allocated to this Project.

2. Cruickshank Reserve Multipurpose Building and Unisex Toilets

This Project proposes the construction of a new multipurpose building comprising of clubrooms, canteen, small office, unisex toilets/change rooms, secure storage rooms and a covered outdoor area, to replace the existing building, verandah and storage shed at Cruickshank Reserve. Included as part of the Project is a separate, external unisex toilet which will also serve the playground and other casual users of the Reserve.

The existing building at Cruickshank Reserve has reached the end of its useful life, contains asbestos and does not comply with modern community facility access and inclusion standards. The existing storage shed is insecure, the toilets are in need of upgrading and are not access-friendly, and the clubroom space is undersized to accommodate meetings, informal gatherings and extra activities. With growing participation and an emphasis on equal access and inclusion for all, the netball and tennis clubs are finding the current facility to be inadequate.

The provision of a new facility will help both sporting clubs increase and diversify their membership base and therefore improve their financial position. The new unisex changerooms will benefit younger sport participants, particularly those attending training and competition play straight from school. In particular the shower and change areas will support an increase in female and senior sport participants.

The total cost of the Project is estimated at \$802,206. This cost has been based on the concept developed in consultation with the tennis and netball clubs.

Whilst this Project is not identified in the Council's *Long-Term Financial Plan*, the Council has previously submitted two (2) grant funding applications to assist with the financial cost of the redevelopment of this facility. Neither of the two (2) grant applications were successful.

A copy of the Concept for the new Cruickshank Reserve Multipurpose Building and Unisex Toilets is contained in **Attachment B**. If the Council selects this option, staff will need to undertake Design Development and prepare Construction Documentation prior to tendering for the construction of the project. This may not be able to be achieved in the available timeframe.

3. Briar Road and Turner Street - Road Reconstruction

Briar Road and Turner Street, Felixstow, are critical public transport routes, forming part of one of the few cross-city bus routes in this City. As a result, the road surfaces on Briar Road and Turner Street have recently started exhibiting signs of pavement failure, which is associated with the higher loading imposed by the public transport bus services. The pavement failure was not evident during the last condition inspection in 2020 and as a result, the reconstruction of Briar Road and Turner Street has not been included for funding in the current *Civil Infrastructure Asset Management Plan*.

It is proposed that the Briar Road and Turner Street – Road Reconstruction Project comprise of the reconstruction of the full length of Turner Street from OG Road through to Briar Road and the section of Briar Road that is utilised for public transport, from Turner Street through to Langman Grove. This reconstruction project would complete the reconstruction of the public transport network within the suburb of Felixstow in its entirety.

The proposed Briar Road and Turner Street – Road Reconstruction Project is estimated to cost in the vicinity of \$1,000,000. As such, in order to undertake the additional works during the 2022-2023 financial year and utilise the grant funding of \$888,876. The Council would need to approve a net increase of \$111,124 as part of the 2022-2023 Capital Works Budget to enable the work to be delivered. Should the Council resolve to select this Project, the increase will be presented to the Council for its consideration as part of the draft 2022-2023 Budget.

Given that Briar Road and Turner Street are significant connector roads and a bus route, allocating the grant funding to this Project will complete the reconstruction of the full length of the bus route within the suburb of Felixstow.

Whilst all three (3) projects are worthy of the grant funding, the Council needs to make a decision to allocate the grant funds towards the project which achieves the greatest outcome. The ASR Project will deliver significant environmental benefits and would 'round – off' this water related project rather than result in an additional new project.

Following consideration and assessment of all of the advantages of each project and the Council's capacity to deliver these projects, it is proposed that the additional funds (ie \$888,876) available under the *LGC/ Extension Program Phase 3* be allocated to the Linde Reserve ASR and ERA Water Distribution Main Extension and Cross Connection for two (2) reasons. Firstly, without the connection to ERA Water, there will not be enough water available from the Linde Reserve ASR to irrigate any of the additional reserves that are being connected as part of the *St Peters Street Upgrade Project*. Secondly, given that the Council will have contractors on site delivering the *St Peters Street Streetscape Upgrade Project*, it makes sense and is indeed logical, to extend the scope of works and prevent further disruption to the residents of St Peters Street and the surrounding areas in the future.

OPTIONS

The Council has the following options available:

1. endorse the Linde Reserve ASR and ERA Water Distribution Main Extension and Cross Connection as the recommended project;
2. endorse one of the other two (2) projects as the recommended project; or
3. endorse alternative projects to be undertaken as part of the LRCI Program Phase 3.

Option 1 is the recommended option for the reasons set out in this report.

CONCLUSION

The grant funding provides the Council with an opportunity to bring forward capital expenditure which will deliver benefits to the community and offset the actual costs of the various projects.

The intent of the Federal Government's *LRCI Extension Program* is to stimulate local economies, provide short term employment opportunities and support local businesses. Participation in the Program provides the Council with an opportunity to further support the community during this difficult time.

COMMENTS

Nil

RECOMMENDATION

That the Linde Reserve ASR and ERA Water Distribution Main Extension and Cross Connection, be submitted for funding under the Federal Government's Local Road and Community Infrastructure Program Phase 3.

Cr Sims moved:

That the Cruickshank Reserve Multipurpose Building and Unisex Toilets, be submitted for funding under the Federal Government's Local Road and Community Infrastructure Program Phase 3.

Seconded by Cr Stock and lost.

Division

Cr Sims called for a division and the decision was set aside.

Those in favour:

Cr Knoblauch, Cr Minney, Cr Duke, Cr Stock, Cr Sims and Cr Granozio.

Those against:

Cr Patterson, Cr Whittington, Cr Dottore, Cr Callisto, Cr Mex, Cr Moorhouse and Cr Moore

The Mayor declared the motion lost.

Cr Moore moved:

That the Linde Reserve ASR and ERA Water Distribution Main Extension and Cross Connection, be submitted for funding under the Federal Government's Local Road and Community Infrastructure Program Phase 3.

Seconded by Cr Dottore and lost.

Division

Cr Whittington called for a division and the decision was set aside.

Those in favour:

Cr Patterson, Cr Whittington, Cr Dottore, Cr Callisto, Cr Mex and Cr Moore.

Those against:

Cr Knoblauch, Cr Minney, Cr Duke, Cr Stock, Cr Sims, Cr Granozio and Cr Moorhouse.

The Mayor declared the motion lost.

Cr Sims moved:

That the Cruikshank Reserve Multi-Purpose Building and Unisex Toilets, be submitted for funding under the Federal Government's Local Road and Community Infrastructure Program Phase 3.

Seconded by Cr Stock and carried.

Section 3 – Governance & General Reports

11.8 VARIATION TO A LAND MANAGEMENT AGREEMENT – WILLOW BEND ESTATE

REPORT AUTHOR: Senior Urban Planner
GENERAL MANAGER: General Manager, Urban Planning & Environment
CONTACT NUMBER: 8366 4531
FILE REFERENCE: DA: 22001512
ATTACHMENTS: A – C

PURPOSE OF REPORT

The purpose of this report is to advise the Council of a request that has been received seeking approval to grant a Waiver to Section 2.1.1.1 of the Land Management Agreement (LMA) for the Willow Bend Estate, to allow the removal of a regulated River Red Gum (*Eucalyptus camaldulensis*) at 7 Willow Bend, Marden.

BACKGROUND

During the assessment of the Development Application for the Willow Bend Estate (the former SA Water Depot Site) in 1999, the Council requested that an LMA be entered into between the Council and the Developer, to ensure that a range of urban design and amenity issues, including landscaping and the retention of mature trees, which were not regulated by legislation at that time, could be dealt with effectively because of the contribution that the trees made to the character and amenity of the area.

Forty (40) mature trees were identified for retention as part of the Tree Retention Plan for the Willow Bend Estate Land Division.

A total of fourteen (14) allotments within the Estate have trees located on them, which are protected through the LMA. Other trees protected by the LMA are located within the road verge and publicly accessible reserve areas within the Estate.

Section 2 of the LMA requires property owners within the Estate to ensure that the trees identified on the Tree Retention Plan are:

- 2.1.1.1. *Retained and not cleared;*
- 2.1.1.2. *Maintained and cared for in a manner which will best ensure the Tree's ongoing good health and vitality; and*
- 2.1.2. *The owner will ensure that the Tree Management Plan is adhered to.*

A copy of the LMA, including the Tree Retention Map is contained in **Attachment A**. For brevity, only a modified version of the LMA appendices and the Design Guidelines, which includes references to trees and landscaping, has been included in the attachment. A plan highlighting the location of the trees is contained in **Attachment A8**.

On 2 February 2022, the Council received a Development Application (Development Application Number 22001512) from the owners of 7 Willow Bend, seeking Development Approval to remove the Regulated River Red Gum tree, which is identified on the Tree Retention Plan. A copy of the Arborist's report prepared by Comphort Technical Services, on behalf of the Applicant and owners of 7 Willow Bend, is contained in **Attachment B**.

Section 4.4 of the LMA provides that the Council may waive compliance by a property owner with the whole or any part of the obligations set out in the LMA, provided that no such waiver will be effective unless it is approved in writing by the Council.

In the event that the Development Application to remove the Regulated Tree is approved, the owners of 7 Willow Bend, Marden, are seeking approval to waive Section 2.1.1.1 of the LMA, in accordance with Section 4.4 of the LMA, to allow the removal of the tree, which is included in Tree Retention Plan for the Willow Bend Estate.

RELEVANT STRATEGIC DIRECTIONS & POLICIES

The relevant Outcomes and Objectives of the Council's *City Plan 2030, Shaping our Future* are set out below:

Outcome 4: Environmental Sustainability

"A leader in environmental sustainability."

- Objective 1. Sustainable and efficient management of water, energy and other resources.
- Objective 3. Sustainable and attractive streetscapes and open spaces.
- Objective 4. Thriving and healthy habitats for native flora and fauna.

It is clear from the content of the LMA that the protection of trees located within the former SA Water Depot Site, was an important consideration in the assessment of the Willow Bend Estate development. The Estate is characterised by large mature, mainly native trees which are located on private property as well as within the public realm areas within the Estate. The retention and maintenance of these natural assets is considered to be consistent with *CityPlan 2030* Objectives 3 and 4 of Outcome 4, Environmental Sustainability.

FINANCIAL AND BUDGET IMPLICATIONS

Not Applicable.

EXTERNAL ECONOMIC IMPLICATIONS

Not Applicable.

SOCIAL ISSUES

The removal of the subject tree may have an impact on the character and amenity of the local area. Some residents within the locality, particularly those within the Willow Bend Estate, can reasonably expect the area to retain its well tree-lined character, due to the tree retention provisions under the LMA. That expectation must, however, be balanced against the need to maintain an appropriate level of protection for dwellings and an acceptable level of safety for occupiers of dwellings in the Estate, where large mature trees are located within close proximity to dwellings.

CULTURAL ISSUES

Not Applicable.

ENVIRONMENTAL ISSUES

Willow Bend Estate is a residential area within Marden, which has a large number of mature trees, a number of which are considered to be regulated, as defined in the *Planning, Development and Infrastructure Act 2016*. The trees are considered to make a significant contribution to the residential amenity of the local area.

River Red Gums (*Eucalyptus camaldulensis*), whilst being native trees, have the widest natural distribution across Australia of any eucalyptus species. The species are commonly found along waterways and there are only a few locations where the species is found away from a watercourse. Like most large well-established trees, River Red Gums can be considered an important habitat feature and food source for native fauna.

RESOURCE ISSUES

Not Applicable.

CONSULTATION

- **Elected Members**
Nil
- **Community**
Not Applicable.
- **Staff**
General Manager, Urban Planning & Environment
Manager, Development Assessment
Senior Urban Planner
- **Other Agencies**
Nil

DISCUSSION

The subject tree is located within the rear yard of 7 Willow Bend, Marden, adjacent to the intersection of Beasley Street and Lower Portrush Road. The tree has a circumference in the order of 2.97 metres and is therefore identified as a Regulated Tree, as defined in the *Planning, Development and Infrastructure Act 2016*. The tree is considered to make a relatively significant contribution to the character and amenity of the local area, given its prominent location and size and given that it is highly visible from the public realm including Willow Bend, Lower Portrush Road and Beasley Street.

From a planning assessment perspective, the Planning and Design Code, Regulated and Significant Tree Overlay, Performance Outcome 1.3 states:

A tree damaging activity not in connection with other development satisfies (a) and (b):

- (a) *tree damaging activity is only undertaken to:*
- i. *remove a diseased tree where its life expectancy is short*
 - ii. *mitigate an unacceptable risk to public or private safety due to limb drop or the like*
 - iii. *rectify or prevent extensive damage to a building of value as comprising any of the following:*
 - A. *a Local Heritage Place*
 - B. *a State Heritage Place*
 - C. *a substantial building of value**and there is no reasonable alternative to rectify or prevent such damage other than to undertake a tree damaging activity*
 - iv. *reduce an unacceptable hazard associated with a tree within 20m of an existing residential, tourist accommodation or other habitable building from bushfire*
 - v. *treat disease or otherwise in the general interests of the health of the tree and / or*
 - vi. *maintain the aesthetic appearance and structural integrity of the tree*

As part of the recently lodged Development Application, the owners of 7 Willow Bend have set out their rationale as to why they would like to remove the tree, namely that the tree is in a state of decline and has a short life expectancy.

Performance Outcome 1.3 is intended as a guide to assist in determining when a tree damaging activity to a regulated or significant tree, is considered to outweigh the benefits of retaining the tree.

Applying part (i) of Performance Outcome 1.3, the application includes a report from Comphort Technical Services, which identifies that the tree is in a state of decline, with a useful life expectancy of less than five (5) years. The Council's City Arborist concurs with the findings of the report, in that there is sufficient justification for removal of the tree, as detailed in the report contained in **Attachment B**. Notwithstanding this, it is necessary to ascertain the Council's position with respect to the requested waiver of Section 2.1.1.1 of the LMA, as expeditiously as possible as this will inform the assessment of the Development Application for the removal of the regulated tree.

OPTIONS

The Council can resolve to authorise the Chief Executive Officer to execute on behalf of the Council, a waiver to Section 2.1.1.1, pursuant to Section 4.4 of the LMA, so that in the event that Development Application Number 22001512 is granted Development Approval, the LMA can be subsequently waived, allowing the tree can be removed.

Alternatively, if the Council is not supportive of the removal of the tree, it could determine not to waive Section 2.1.1.1 of the LMA, nor authorise the Chief Executive Officer the ability to do the same.

In this instance, it is recommended that the Council authorises the Chief Executive Officer, the ability to execute a waiver to the LMA, for the reasons set out in the reports contained in **Attachments B & C**.

CONCLUSION

The Council's Planning staff will undertake a planning assessment of Development Application Number 22001512 in order to determine the merits (or otherwise) for the removal of the Regulated Tree. If it is determined that the Development Application is sufficiently in accordance with the Planning and Design Code and approval is given, there will be a separate need for a waiver to be issued to Section 2.1.1.1 of the LMA.

Conversely, if it is determined that the tree's removal is not warranted and the Development Application is refused, then a waiver to the LMA is not required.

In this context, it is recommended that the Council authorises the Chief Executive Officer to execute on behalf of the Council, a waiver to Section 2.1.1.1 of the LMA, for the removal of the regulated River Red Gum tree at 7 Willow Bend, Marden.

COMMENTS

Nil.

RECOMMENDATION

That in respect to the River Red Gum located at 7 Willow Bend, Marden, as depicted on the plan contained in Attachment A8 of this report, the Council hereby authorises the Chief Executive Officer to execute on behalf of the Council, a waiver to Section 2.1.1.1, pursuant to Section 4.4 of the LMA Land Management Agreement between McLaren Vale Properties Pty Ltd and the City of Norwood Payneham & St Peters.

Cr Granozio left the meeting at 8.57pm.
Cr Sims left the meeting at 8.57pm.
Cr Granozio returned to the meeting at 9.00pm.

Cr Minney moved:

That in respect to the River Red Gum located at 7 Willow Bend, Marden, as depicted on the plan contained in Attachment A8 of this report, the Council hereby authorises the Chief Executive Officer to execute on behalf of the Council, a waiver to Section 2.1.1.1, pursuant to Section 4.4 of the LMA Land Management Agreement between McLaren Vale Properties Pty Ltd and the City of Norwood Payneham & St Peters.

Cr Sims returned to the meeting at 9.07pm.
Cr Stock left the meeting at 9.08pm.

Seconded by Cr Knoblauch.

Cr Stock returned to the meeting at 9.10pm.

The motion was put and carried.

11.9 2022 AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION NATIONAL GENERAL ASSEMBLY & NOTICES OF MOTION

REPORT AUTHOR: General Manager, Governance & Community Affairs
GENERAL MANAGER: Chief Executive Officer
CONTACT NUMBER: 8366 4549
FILE REFERENCE: qA2190
ATTACHMENTS: A - B

PURPOSE OF REPORT

The purpose of this report is to advise the Council of the 2022 Australian Local Government Association (ALGA) National General Assembly.

BACKGROUND

The ALGA holds a National General Assembly (the NGA), each year. The NGA will be held in Canberra from 19-22 June 2022.

The purpose of the National General Assembly is to bring together delegates from Local Government to debate issues of national significance to Local Government. It provides an opportunity for Local Government to develop and express a united position on core issues affecting their communities, with access to influential decision makers (ie Federal Government), at both the political and staff level.

As well as providing planning sessions and workshops, the National General Assembly provides an opportunity for councils to put forward motions for debate.

As such, a significant component of the NGA, comprises of discussion, debate and voting on motions which are submitted by councils from across Australia.

RELEVANT STRATEGIC DIRECTIONS & POLICIES

Not Applicable.

FINANCIAL AND BUDGET IMPLICATIONS

\$10,000.00 has been set aside for Elected Member training and attendance at conferences and seminars each financial year (\$5,000 for training and \$5,000 for conferences/seminars) as part of the Council's Operating Budget.

At the time of writing this report, a total of \$1,593 has been spent on Elected Member attendances at conferences and seminars.

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**

Elected Members were previously advised of the date of the ALGA National General Assembly and invitation to submit a Notice of Motion to the ALGA via a Memorandum from the General Manager, Governance & Community Affairs, dated 14 January 2022.

- **Community**

Not Applicable.

- **Staff**

Not Applicable.

- **Other Agencies**

Not Applicable.

DISCUSSION

The theme of the 2022 NGA is *Partners in Progress*, which aims to focus on how partnerships, between the Australian Government and Local Government, can tackle immediate challenges facing communities as well as confidently facing the future.

In accordance with the Council's *Elected Member Training & Development Policy*, Elected Members wishing to attend an Interstate or International conference and/or seminar are required to complete and submit an Expression of Interest to the General Manager, Governance & Community Affairs.

Cr Minney has lodged an Expression of Interest to attend the 2022 NGA.

A copy of Cr Minney's Expression of Interest is contained within **Attachment A**.

Notices of Motion

As stated above, the NGA also provides an opportunity for the NGA to consider matters of national significance via Notices of Motion which are submitted by councils across the country. The ALGA has advised that Notices of Motion must be submitted to the ALGA by 25 March 2022.

Once again, the ALGA has advised that all motions which are submitted for consideration at the NGA, will undergo strict assessment against the criteria of national significance. This is to ensure that councils do not submit motions which deal with specific local issues, have no relevance to other councils or are not of national importance. All motions that do not meet the criteria will be forwarded to the relevant State association for consideration.

A Discussion Paper which provides background information on the themes has been prepared by the ALGA to assist councils.

A copy of the Discussion Paper is contained within **Attachment B**.

The issues presented in the Discussion Paper are designed to stimulate ideas that may form the basis of Notices of Motions to be considered at the NGA.

To be eligible for inclusion in the National General Assembly Business Papers motions must:

1. fall under one of the themes of the NGA;
2. be relevant to the work of local government nationally;
3. propose a clear action and outcome; and
4. complement or build on the policy objectives of state or territory association.

Motions which are submitted will be reviewed against these principles by the General Assembly Review Committee and State/Territory associations, as to their eligibility for inclusion in the General Assembly Business Papers.

A Memorandum dated 14 January 2022, was forwarded to all Elected Members inviting them to contact the General Manager, Governance & Community Affairs, if they wished to submit a Notice of Motion to the Assembly to enable the matter to be investigated and, if required, a report to be prepared for the Council's consideration of the matter.

Proposed Notice of Motion - *National Strategy for Volunteering*

Cr Mex has advised that she wishes to submit the following Notice of Motion to the NGA and is therefore seeking the Council's endorsement of the Notice of Motion:

This National General Assembly calls on the Australian Government to reaffirm its commitment to the National Strategy for Volunteering, and the ongoing monitoring of volunteer work through the Australian Bureau of Statistics. The Assembly also calls on the Government to provide adequate funding to Volunteer agencies, including Local Government, to support actions that increase volunteer participation and adapt volunteering programs in response to the COVID-19 pandemic.

In accordance with the ALGA's criteria for Notices of Motion, Cr Mex has provided the following in support of the proposed Notice of Motion for the Council's consideration:

National Objective

Volunteering is key to keeping people feeling connected and provided with critical support, particularly the vulnerable, isolated, and disengaged members of the community. Our councils rely on volunteers to provide a myriad of local activities and programs in our playing fields, parks, community centres, libraries and vital programs such as emergency services and community visitor schemes.

Unfortunately, results from the 2019 Australian Bureau of Statistics' General Social Survey indicate that since 2010, there has been a decline in the rate of formal volunteering participation and group involvement. In addition, new research shows that COVID-19 has impacted the volunteering sector substantially with almost two thirds of volunteers estimated to have stopped volunteering between February and April 2020. The researchers estimate that this reduction in volunteering is equivalent to 12.2 million hours per week.

The National Strategy for Volunteering aims to slow this decline and improve the volunteering experience for all South Australians. The Strategy will be designed and owned by the volunteering ecosystem, which includes local government, and will provide a blueprint for a reimagined future for volunteering in Australia. It is imperative that the ABS continues to be funded to measure volunteering and support the strategy's implementation.

Summary of Key Arguments (Background and supporting information)

Volunteering plays a key role in sustaining healthy, resilient communities. It also contributes significantly to the quality, vibrancy and coherence of our society. Prior to COVID-19, volunteering participation (through organisations and groups) had been declining over time.

Official data from the ABS shows that the formal volunteering rate declined from 36% in 2010 to 29% in 2019, with the decline most evident for women. Volunteers contributed nearly 600 million hours to the community in 2019, a 20% decrease since 2014.

Many of the problems that impede the volunteering sector today are long-standing issues – inadequate resourcing of volunteer management, poor recognition of volunteers, and an overall lack of strategic development and investment.

Volunteering was hit hard by COVID-19. Research from the Australian National University revealed that two out of three volunteers (66%) stopped volunteering in 2020 during the early stages of COVID-19, with the reduction in volunteering being equivalent to 12.2 million hours per week. By May 2021, only half (56%) of volunteers who had stopped volunteering due to COVID-19 had returned.

Volunteering Australia is leading the development of the National Strategy for Volunteering, which will provide a blueprint for a reimagined future for volunteering in Australia. It will be designed and owned by the volunteering ecosystem, which includes local government. Councils not only manage their own volunteering programs, but also support thousands of grassroots associations which provide critical community connection opportunities and services for their citizens.

Recognising and leveraging the role of local government in supporting the volunteering ecosystem is critical in the face of declining rates of people volunteering through organisations, and the effects of COVID-19.

Local government recognises the significant contribution made by volunteers in both the running of community facilities and in the carrying out of community services.

Leadership at the national level is needed to work in partnership with local government, and other volunteer support agencies, to provide safe and rewarding opportunities for volunteers for the benefit of Australian communities.

OPTIONS

The Council can choose to submit the proposed Notice of Motion to the Australian Local Government Association for consideration at the 2022 National General Assembly or decline the invitation to submit a Notice of Motion.

CONCLUSION

Notices of Motion must be submitted to the Australian Local Government Association by 25 March 2022, if the Motions are to be considered at the National General Assembly.

COMMENTS

Nil.

RECOMMENDATION

1. That Cr John Minney's request to attend the 2022 Australian Local Government Association (ALGA) National General Assembly in Canberra from 19-22 June 2022, be approved.
2. That the Council submits the following Notice of Motion to the Australian Local Government Association for consideration at the 2022 National General Assembly:

This National General Assembly calls on the Australian Government to reaffirm its commitment to the National Strategy for Volunteering, and the ongoing monitoring of volunteer work through the Australian Bureau of Statistics. The Assembly also calls on the Government to provide adequate funding to Volunteer agencies, including Local Government, to support actions that increase volunteer participation and adapt volunteering programs in response to the COVID-19 pandemic.

Cr Minney declared a conflict of interest in this matter, as he has requested to attend the 2022 Australian Local Government Association (ALGA) National General Assembly and left the meeting at 9.19pm.

Cr Duke moved:

That Cr John Minney's request to attend the 2022 Australian Local Government Association (ALGA) National General Assembly in Canberra from 19-22 June 2022, be approved.

Seconded by Cr Granozio and carried unanimously.

Cr Minney returned to the meeting at 9.21pm.
Cr Callisto left the meeting at 9.21pm.

Cr Moore moved:

That the Council submits the following Notice of Motion to the Australian Local Government Association for consideration at the 2022 National General Assembly:

This National General Assembly calls on the Australian Government to reaffirm its commitment to the National Strategy for Volunteering, and the ongoing monitoring of volunteer work through the Australian Bureau of Statistics. The Assembly also calls on the Government to provide adequate funding to Volunteer agencies, including Local Government, to support actions that increase volunteer participation and adapt volunteering programs in response to the COVID-19 pandemic.

Cr Callisto returned to the meeting at 9.21pm.

Seconded by Cr Patterson and carried unanimously.

11.10 NOMINATIONS TO EXTERNAL BODIES – LIBRARIES BOARD OF SOUTH AUSTRALIA

REPORT AUTHOR: General Manager, Governance & Community Affairs
GENERAL MANAGER: Chief Executive Officer
CONTACT NUMBER: 8366 4549
FILE REFERENCE: S/00022
ATTACHMENTS: A

PURPOSE OF REPORT

The purpose of the report is to advise the Council of the call for nominations by the Local Government Association of South Australia (LGA) for appointment to the Libraries Board of South Australia.

Details relating to the appointment are set out below.

Libraries Board of South Australia

The LGA is seeking nominations for three (3) Local Government Members to be appointed to the Libraries Board of South Australia (the Board) for a three (3) year term.

In accordance with the *Libraries Act 1982*, the Board is required to:

- a. to formulate policies and guidelines for the provision of public library services; and
- b. to establish, maintain and expand collections of library materials and, in particular, collections of such materials that are of South Australian origin, or have a particular relevance to this State; and
- c. to administer the State Library; and
- d. to establish and maintain such other public libraries and public library services as may best conduce to the public interest; and
- e. to promote, encourage and assist in the establishment, operation and expansion of public libraries and public library services by councils and others; and
- f. to collaborate with an administrative unit of the Public Service or any other public sector agency (within the meaning of the Public Sector Act 2009) and any other authority or body, in the provision of library and information services; and
- g. to make recommendations to the Minister on the allocation of funds that are available for the purposes of public libraries and public library services; and
- h. to initiate and monitor research and experimental projects in relation to public libraries and public library services; and
- i. to keep library services provided in the State under continuing evaluation and review; and
- j. to carry out any other functions assigned to the Board under this or any other Act or by the Minister.

Regular reports on these activities are provided to the LGA.

The Board meets at the State Library on the third Monday of each month for approximately two (2) hours. Sitting fees are paid to Board Members.

The current LGA nominated members of the Board are:

- Mayor Jill Whittaker, Campbelltown City Council;
- Ms Megan Berghuis, City of Unley; and
- Cr Bronwyn Lewis, Alexandrina Council.

All Board Members are eligible for re-appointment for a further three (3) year term.

Nominations addressing the selection criteria, together with a current Resume, must be forwarded to the LGA by 5 April 2022.

A copy of the Selection Criteria and Nomination form is contained within **Attachment A**.

Cr Mex has expressed an interest in being nominated for appointment to the Board.

RELEVANT STRATEGIC DIRECTIONS & POLICIES

Not Applicable.

RECOMMENDATION

1. The Council notes the report and declines the invitation to submit a nomination to the Local Government Association for the Libraries Board of South Australia.

or

2. The Council nominates _____ to the Local Government Association for the Libraries Board of South Australia.
-

Cr Moore left the meeting at 9.23pm.
Cr Minney left the meeting at 9.23pm.

Cr Mex declared a conflict of interest in this matter, as she has expressed an interest in being nominated for appointment to the Board and left the meeting at 9.23pm.

Cr Whittington moved:

The Council nominates Cr Christel Mex to the Local Government Association for the Libraries Board of South Australia.

Seconded by Cr Callisto and carried unanimously.

Cr Mex returned to the meeting at 9.24pm.

11.11 REMUNERATION TRIBUNAL – REVIEW OF ELECTED MEMBER ALLOWANCES

REPORT AUTHOR: General Manager, Governance & Community Affairs
GENERAL MANAGER: Chief Executive Officer
CONTACT NUMBER: 8366 4549
FILE REFERENCE: qA/62418
ATTACHMENTS: A

PURPOSE OF REPORT

The purpose of the report is to advise the Council of the invitation from the Remuneration Tribunal, for Councils to make submissions to the Remuneration Tribunal in respect to Elected Member Allowances.

BACKGROUND

The Remuneration Tribunal first determined Elected Member Allowances in 2010, with the Elected Members Allowances coming into effect at the conclusion of the November 2010 Local Government Elections.

Pursuant to Section 76 of the *Local Government Act 1999* (the Act), the Remuneration Tribunal is required to determine allowances for Elected Members on a four (4) yearly basis. The last review of Elected Member Allowances was undertaken by the Remuneration Tribunal in 2018.

As it is now four (4) years since the last review, the Remuneration Tribunal has invited submissions from Councils in respect to Elected Member Allowances for the next four (4) year period.

A copy of the Remuneration Tribunal's Guidelines for Written Submissions is contained within **Attachment A**.

RELEVANT POLICIES & STRATEGIC DIRECTIONS

Not Applicable.

FINANCIAL AND BUDGET IMPLICATIONS

The Council allocates funding for Elected Member Allowances annually as part of its Recurrent Budget.

EXTERNAL ECONOMIC IMPLICATIONS

Nil.

SOCIAL ISSUES

Nil.

CULTURAL ISSUES

Nil.

ENVIRONMENTAL ISSUES

Nil.

RESOURCE ISSUES

Nil.

RISK MANAGEMENT

Nil.

CONSULTATION

- **Elected Members**
Nil.
- **Community**
Nil.
- **Staff**
Nil.
- **Other Agencies**
Nil.

DISCUSSION

Pursuant to Section 76 of the *Local Government Act 1999* (the Act), the Remuneration Tribunal must have regard to the following when determining Elected Member Allowances:

- *the role of members of council as members of the council's governing body and as representatives of their area;*
- *the size, population and revenue of the council, and any relevant economic, social, demographic and regional factors in the council area;*
- *an allowance under this section is not intended to amount to a salary for a member;*
- *an allowance under this section should reflect the nature of a member's office;*
- *the Act's provisions to provide for reimbursement of members' expenses.*

Based on the provisions of Section 76 of the Act (as listed above) in 2018, the Remuneration Tribunal determined a structure of allowances based on groupings of Councils as set out in Table 1 below.

TABLE 1: ELECTED MEMBER ALLOWANCES 2018

Council Group	Annual Allowance
Group 1A	\$23,350
Group 1B	\$20,630
Group 2	\$17,270
Group 3	\$13,900
Group 4	\$ 9,900
Group 5	\$ 6,500

The City of Norwood Payneham & St Peters is allocated to Group 2, together with thirteen (13) other Councils, including the Campbelltown City Council and the Cities of Burnside, Prospect and Unley.

Section 76(9) of the Act also makes provision for annual adjustments to be applied to the Elected Member allowances, as follows:

An allowance determined under this section is to be adjusted on the first, second and third anniversaries of the relevant periodic elections to reflect changes in the Consumer Price Index.

In accordance with these provisions, the Elected Member Allowance which is currently provided to Elected Members of this Council (from 12 November 2021), stands at \$18,553.00 for Councillors, with the Elected Member Allowance applicable to the Mayor being \$74,212.00 (four (4) times the Councillors' Allowance).

In respect to the City of Norwood Payneham & St Peters, it would appear that the existing provisions provide adequate guidance and have served to ensure that Elected Members are not financially disadvantaged (that is out of pocket) as a result of performing their duties as an Elected Member.

However, a minor change has recently been made to Section 76 of the Act, as part of the reforms which have been introduced by the State Government through the *Statutes Amendment (Local Government Review) Act 2021*, which sets out that the Remuneration Tribunal must now also have regard to the ratio of Elected Members to ratepayers (representation quota), when determining Elected Member Allowances.

The representation quota for a Council is an amount ascertained by dividing the number of electors for each Local Government Area, by the number of Elected Members who constitute the particular Council.

The most recent up-to-date information regarding the City of Norwood Payneham & St Peters representation quota is at 2020-2021, which is set out below:

- Total number of Electors - 25,862
- Number of Elected Members (including Mayor) - 14
- Representation Quota (ratio) - 1:1847

Table 2 below provides a comparison to the average representation quota for those eastern region Councils which have also been allocated to Group 2 by the Remuneration Tribunal of South Australia.

TABLE 2: AVERAGE REPRESENTATION QUOTA FOR GROUP 2 COUNCILS (EASTERN REGION)

Council	No. of Elected Members	Electors	Ratio
Norwood Payneham & St Peters	14	25,862	1:1847
Burnside	13	32,083	1:2468
Campbelltown	11	36,254	1:3296
Unley	13	27,602	1:2123

Source: State Electoral Office

As highlighted in Table 2 above, the Representation Quota for this Council, is considerably lower than the other three (3) Councils.

It is difficult to know if this will have an effect on this Council's allocation to a particular grouping of Councils or not, however all Councils which have been allocated to Group 3 by the Remuneration Tribunal of South Australia are the following rural Councils:

- Berri Barmera Council;
- City of Port Lincoln;
- City of Victor Harbor;
- Clare and Gilbert Valleys Council;
- District Council of Loxton Waikerie;
- District Council of The Copper Coast;
- District Council of Yorke Peninsula;
- Light Regional Council;
- Mid Murray Council;
- Naracoorte Lucindale Council;
- Port Pirie Regional Council;
- Tatiara District Council; and
- Wattle Range Council.

Regardless of how the Remuneration Tribunal of South Australia may consider the representation ratios of Councils, as stated previously, the current provisions appear to ensure that Elected Members are not financially disadvantaged (that is out of pocket) as a result of performing their duties as an Elected Member and on this basis, it is recommended that the Council advises the Remuneration Tribunal that the current Elected Member Allowances are adequate and should not be increased, other than by CPI in accordance with the current provisions.

OPTIONS

The Council can choose to endorse the recommendation as contained within this report, or determine an alternative position regarding Elected Member Allowances.

CONCLUSION

The Remuneration Tribunal has requested comments from Councils by Friday, 11 March 2022.

COMMENTS

Nil.

RECOMMENDATION

That the Remuneration Tribunal and Local Government Association of South Australia be advised that the existing provisions in respect to Elected Member Allowances are adequate and should remain the same for the next four (4) year period.

Cr Duke moved:

That the Remuneration Tribunal and Local Government Association of South Australia be advised that the existing provisions in respect to Elected Member Allowances are adequate and should remain the same for the next four (4) year period.

Seconded by Cr Dottore.

Cr Minney returned to the meeting at 9.26pm.

Cr Moore returned to the meeting at 9.26pm.

The motion was put and carried unanimously.

11.12 STATUTES AMENDMENT (LOCAL GOVERNMENT REVIEW) ACT 2021 – CHIEF EXECUTIVE OFFICER REMUNERATION

REPORT AUTHOR: General Manager Governance & Community Affairs
GENERAL MANAGER: Chief Executive Officer
CONTACT NUMBER: 8366 4549
FILE REFERENCE: qA2219
ATTACHMENTS: A - B

PURPOSE OF REPORT

The purpose of this report is to advise the Council of the status of the *Statutes Amendment (Local Government Review) Act 2021* and of the invitation from the Remuneration Tribunal to provide comments regarding the Remuneration Tribunal's first determination of Council Chief Executive Officers remuneration.

BACKGROUND

The *Statutes Amendment (Local Government Review) Act 2021* (the Review Act), was assented to on 17 June 2020. The Act has been prepared in response to the State Government's reform program which focused on amendments to the *Local Government Act 1999* (the Act), and the *Local Government (Elections Act) 1999* (the Elections Act), in the following areas:

- strong Council Member capacity and better conduct;
- efficient Local Government representation;
- cost savings and financial accountability; and
- simpler regulation.

The implementation of the reforms is progressing in stages to enable time for Local Government and the relevant statutory authorities, to prepare for the changes, with a number of sections of the Review Act having commenced in September 2021 and in November 2021.

One of the new provisions set out in the Review Act relates to the remuneration of Council Chief Executive Officers.

Section 99A of the Review Act sets out that the remuneration of a Council Chief Executive Officer will be determined by each individual Council, subject to a minimum and maximum remuneration determination made by the Remuneration Tribunal of South Australia (the Tribunal).

The Remuneration Tribunal has written to the Local Government Association of South Australia (LGA), advising that the Remuneration Tribunal intends to sit for the purpose of making a determination regarding the remuneration arrangements for Chief Executive Officers and has invited submissions from Councils for consideration as part of the process.

The Remuneration Tribunal has advised that all submissions must be forwarded to the Tribunal by 11 March 2022.

On 22 December 2021, the President of the Local Government Association of South Australia (LGA), Mayor Angela Evans, forwarded an email to all Council Mayors, to advise them of the invitation from the Remuneration Tribunal to provide submissions regarding this matter.

The LGA has also advised that the LGA will prepare a submission to the Remuneration Tribunal regarding the principles that the Remuneration Tribunal may consider as part of its determination upon which includes the following:

- the application of the *Western Australian Determination of the Salaries and Allowances Tribunal on Local Government Chief Executive Officers*;
- the data that should be submitted to the Tribunal as the basis for its decisions; and
- any specific factors that should inform the Tribunal's deliberations.

The LGA, has invited comments from Councils regarding these principles, however the LGA required comments from Councils by 5 January 2021, to ensure the LGA Board of Directors could consider the matter at its meeting to be held on 20 January 2022.

Due to these limited timeframes, comments have not been provided to the LGA, however a copy of the Council's submission to the Remuneration Tribunal will be forwarded to the LGA, as requested by the LGA.

A copy of the letter dated 17 December 2021, from the Remuneration Tribunal and the advice from the LGA is contained within **Attachment A**.

RELEVANT STRATEGIC DIRECTIONS & POLICIES

Not Applicable.

FINANCIAL AND BUDGET IMPLICATIONS

Not Applicable.

EXTERNAL ECONOMIC IMPLICATIONS

Not Applicable.

SOCIAL ISSUES

Not Applicable.

CULTURAL ISSUES

Not Applicable.

ENVIRONMENTAL ISSUES

Not Applicable.

RESOURCE ISSUES

Not Applicable.

RISK MANAGEMENT

Not Applicable.

COVID-19 IMPLICATIONS

Not Applicable.

CONSULTATION

- **Elected Members**

Elected Members have previously considered the proposed reforms at the Council meetings held on 3 June 2019, 8 October 2019, 3 August 2020 and 6 April 2021.

Memorandums, dated 10 September 2021 and 14 January 2022 have been forwarded to Elected Members, to advise of the commencement of various sections of the Review Act as they came into effect.

- **Community**

Not Applicable.

- **Staff**
Not Applicable.
- **Other Agencies**
Not Applicable.

DISCUSSION

Section 99A of the *Local Government Act 1999* (the Act), sets out the following in respect to the remuneration of Council Chief Executive Officers:

99A—Remuneration of chief executive officer

- (1) *Subject to this section, the remuneration of the chief executive officer of a council will be determined by the council.*
- (2) *The Remuneration Tribunal will determine (from time to time) the minimum and maximum remuneration that may be paid or provided to chief executive officers of councils.*
- (3) *In making a determination under subsection (2), the Remuneration Tribunal must have regard to any matter prescribed by the regulations.*
- (4) *A determination under subsection (2) –*
 - (a) *may differ based on any factor including, for example, the geographical location of a council or group of councils (such that different minimum and maximum remuneration may be paid or provided to chief executive officers from different councils); and*
 - (b) *may provide for minimum and maximum remuneration that may be paid or provided to chief executive officers to be indexed in accordance with the determination.*
- (5) *The regulations -*
 - (a) *may make further provision in relation to a determination of the Remuneration Tribunal for the purposes of this section; and*
 - (b) *may modify the application of section 10 of the Remuneration Act 1990 in relation to a determination under this section.*
- (6) *Sections 17 and 19 of the Remuneration Act 1990 do not apply in relation to a determination under this section.*
- (7) *A reference in the Remuneration Act 1990 to determining remuneration payable in respect of an office will, for the purposes of this section, be taken to include a reference to determining the minimum and maximum remuneration payable in respect of the office.*
- (8) *Despite any other Act or law, the reasonable costs of the Remuneration Tribunal in making a determination under this section are to be paid by the LGA under an arrangement determined by the Minister from time to time after consultation with the LGA and the President of the Tribunal.*
- (9) *The LGA may recover the reasonable costs incurred by the Remuneration Tribunal in making a determination under this section as a debt from the councils to which the determination relates.*
- (10) *A council must ensure that the remuneration of its chief executive officer is within the relevant minimum and maximum remuneration determined by the Remuneration Tribunal for the purposes of this section.*

In preparation for these changes, the Remuneration Tribunal is seeking comments from Councils to assist in its determination.

The Western Australia Model

The changes to the *Local Government Act 1999*, in respect to the remuneration of South Australian Local Government Chief Executive Officers, are based upon the legislative provisions in Western Australia regarding the determination of salaries for Local Government Chief Executive Officers.

The Western Australian model is set out in the *Salaries and Allowances Act 1975* (the WA Act). Section 7A of the WA Act requires the Salaries and Allowances Tribunal to “*inquire into and determine, the amount of remuneration, or the minimum and maximum amounts of remuneration, to be paid or provided to chief executive officers of local governments*”

Section 8 of the WA Act, requires determinations under sections 7A to be made at “*intervals of not more than 12 months*”.

The LGA has discussed this approach with the Local Government Association of Western Australia (LGAWA) who have advised that the Western Australian Local Government sector are “*largely comfortable with the approach taken by the WA Salaries and Allowances Tribunal (WASAT), in applying that State’s legislation*”.

The WASAT has been making determinations in relation to the remuneration of Chief Executive Officers since 2006.

A copy of the WASAT *Local Government Chief Executive Officers and Elected Members Determination No 1 of 2021* is contained within **Attachment B**.

The WASAT takes into account a number of factors when determining the salaries of Western Australia Chief Executive Officers, which includes the following:

- major growth and development;
- strategic planning, including risk management;
- infrastructure development and asset management;
- significant social/economic/environmental issues;
- population;
- significant demand to service and support non-resident needs;
- diversity of services;
- community involvement and advocacy;
- State or national negotiations;
- operational and managerial requirements;
- capacity to pay;
- total expenditure; and
- Number of staff.

The WASAT considers a range of factors when determining annual salary increases which includes State and regional economic considerations, public debt levels, tax collections, expenditure, Gross State Product, wage growth/wage price index, wage freezes and community expectations.

The original assessment of bands which was undertaken by the WASAT was based on a 2011 report prepared by independent consultants, Mercer (the Mercer Report), which involved a work-value study of several Western Australia Chief Executive Officers.

Whilst it is anticipated that the South Australian Remuneration Tribunal will apply a band system which includes a minimum and maximum salary range, similar to the determination regarding Elected Member Allowances, and therefore in this regard, the reference to the model adopted by the WASAT is relevant, the various factors considered by the WASAT when determining the remuneration levels are not.

For example, the WASAT takes into account the following:

- fitness club fees;
- grooming/clothing allowance;
- health insurance;
- school fees;
- travel or any other benefit taken in lieu of salary;
- travel for spouse of any other member of family;
- unrestricted entertainment allowance;
- etc (*Local Government Chief Executive Officers and Elected Members Determination No 1 of 2021 Page 7*).

These provisions are not currently considered by the South Australian Local Government sector when determining the remuneration of Local Government Chief Executive Officers.

The remuneration set by the WASAT is grouped into four (4) Local Government Band Classification (*Local Government Chief Executive Officers and Elected Members Determination No 1 of 2021 Page 8*).

A range has been determined for each Band. The range for each Band is quite broad in terms of the lowest remuneration to the highest (ie Band Level 1 - the range is between \$250,375 and \$379,532).

It remains unclear how this range is to be applied by a Council when determining the remuneration for a Chief Executive Officer. For example:

- does a first time Chief Executive Officer commence on the lowest remuneration?;
- does a Chief Executive Officer's remuneration increase within the Band incrementally over the period of the Contract of Employment?;
- does a Chief Executive Officer's remuneration increase within the Band at the conclusion of a Performance Review process?

South Australian Elected Member Allowances

As Elected Members are aware, the South Australian Remuneration Tribunal determines Elected Members Allowances prior to each Local Government General Election (ie prior to the commencement of each new term of a Council).

In addition, Elected Member Allowances are required to be adjusted, in accordance with Section 76(9) of the *Local Government Act 1999* (the Act), on the first, second and third anniversaries of the periodic election to reflect changes in the Consumer Price Index.

The adjustment to the Allowances is based on the changes in the Consumer Price Index to be applied is the most recently available annual percentage in the Consumer Price Index (All groups index for Adelaide).

Section 76(9) sets out that *the Remuneration Tribunal must, in making a determination under this section, have regard to the following:*

- the role of members of council as members of the council's governing body and as representatives of their area;*
- the size, population and revenue of the council, and any relevant economic, social, demographic and regional factors in the council area;*
- the ratio of members to ratepayers;*
- the fact that an allowance under this section is not intended to amount to a salary for a member; (d) the fact that an allowance under this section should reflect the nature of a member's office; and*
- the provisions of this Act providing for the reimbursement of expenses of members.*

Remuneration of Chief Executive Officer

Based on the model used to determine Elected Member Allowances, it is anticipated that the Remuneration Tribunal will allocate South Australia's 68 councils into bands, for the purpose of making the determination of the remuneration of the Chief Executive Officer. The maximum and minimum amounts for each band will be mandatory, commencing after the Remuneration Tribunal's first determination.

Councils will remain the final decision maker about the amount paid (within the salary band) and the components of the remuneration package.

It is important to note however, that in accordance with the transitional provisions set out in Section 147 of the *Statutes Amendment (Local Government Review) Act 2021*, existing Chief Executive Officers' remuneration arrangements will not be affected during the term of their current Contracts of Employment.

However, unlike the provisions relating to Elected Member Allowances whereby an annual increase to the Allowance is prescribed, Section 99A(2) of the Act sets out that the Remuneration Tribunal *will determine (from time to time) the minimum and maximum remuneration that may be paid or provided to chief executive officers of councils.*

It is therefore unclear as to exactly what "from time to time" means.

Section 99A also sets out the following in respect to what matters the Remuneration Tribunal must have regard to:

- (3) *In making a determination under subsection (2), the Remuneration Tribunal must have regard to any matter prescribed by the regulations.*

At this stage no regulations have been prepared.

Summary

Section 99 of the Act sets out the role of a Chief Executive Officer as follows:

- (1) *The functions of the chief executive officer include—*
- (a) *to ensure that the policies and lawful decisions of the council are implemented in a timely and efficient manner;*
 - (b) *to undertake responsibility for the day-to-day operations and affairs of the council;*
 - (c) *to provide advice and reports to the council on the exercise and performance of its powers and functions under this or any other Act;*
 - (d) *to co-ordinate proposals for consideration by the council for developing objectives, policies and programs for the area;*
 - (e) *to provide information to the council to assist the council to assess performance against its strategic management plans;*
 - (f) *to ensure that timely and accurate information about council policies and programs is regularly provided to the council's community, and to ensure that appropriate and prompt responses are given to specific requests for information made to the council;*
 - (g) *to ensure that the assets and resources of the council are properly managed and maintained;*
 - (h) *to ensure that records required under this or another Act are properly kept and maintained;*
 - (i) *to give effect to the principles of human resource management prescribed by this Act and to apply proper management practices;*
 - (j) *to exercise, perform or discharge other powers, functions or duties conferred on the chief executive officer by or under this or other Acts, and to perform other functions lawfully directed by the council.*

Whilst the Act does not discriminate in terms of the size of a Council, its location (ie metropolitan or rural), the number of residents, etc, the current situation in South Australia is that these factors are considered by Councils when determining the remuneration arrangements for their Chief Executive Officers, together with other factors such as years of experience, comparisons to other Councils of a similar size in terms of their remuneration arrangements, complexities of matters, etc.

In addition, reviews associated with Chief Executive Officer remuneration packages usually take into account the following:

- the Consumer Price Index (all groups) Adelaide as issued by the Australian Bureau of Statistics;
- the extent of any productivity increase(s) as contained in the relevant Council Enterprise Agreement; and
- current levels of remuneration paid to other Local Government Chief Executive Officers.

It is therefore suggested that whilst the allocation of South Australia's 68 Councils into bands, for the purpose of making the determination is the most logical structure, consideration needs to be given to the following as part of the new arrangements:

- years of experience (ie. does a first time Chief Executive Officer commence on the lowest level of remuneration?);
- the interface between performance reviews and remuneration reviews (does a Chief Executive Officer's remuneration increase within the Band at the conclusion of a Performance Review process? How would this be applied if the Chief Executive Officer was being remunerated at the top of the band?);
- annual increases (does a Chief Executive Officer's remuneration increase within the Band incrementally over the period of the Contract of Employment?);
- components of the remuneration package (ie vehicle, leave arrangements, etc).

OPTIONS

The Council can resolve to either provide comments to the Remuneration Tribunal in respect to the Remuneration Tribunal's first determination of Council Chief Executive Officers remuneration or decline the opportunity.

It is however recommended that the Council does respond to the Remuneration Tribunal to ensure the Council's position is conveyed to the Remuneration Tribunal.

CONCLUSION

The new provisions relating to remuneration of Chief Executive Officers have come into effect and therefore, these arrangements are not subject to further consultation.

The factors that should be considered by the Remuneration Tribunal however, are important considerations and these matters should be considered by the Remuneration Tribunal prior to making its first determination.

Notwithstanding the above, these matters will not affect this Council for some time as current Chief Executive Officers in South Australia will not be affected during the term of their current Contract of Employment.

COMMENTS

Nil.

RECOMMENDATION

That the Remuneration Tribunal be advised that whilst the allocation of South Australia's 68 councils into bands for the purpose of making the determination is the most logical structure, consideration needs to be given to the following as part of the new arrangements:

- years of experience;
 - the interface between performance reviews and remuneration reviews;
 - annual remuneration reviews; and
 - components of the remuneration package (ie vehicle, leave arrangements, etc).
-

Cr Sims moved:

That the Remuneration Tribunal be advised that whilst the allocation of South Australia's 68 councils into bands for the purpose of making the determination is the most logical structure, consideration needs to be given to the following as part of the new arrangements:

- *years of experience;*
- *the interface between performance reviews and remuneration reviews;*
- *annual remuneration reviews; and*
- *components of the remuneration package (ie vehicle, leave arrangements, etc).*

Seconded by Cr Granozio and carried unanimously.

Cr Granozio left the meeting at 9.28pm.

11.13 REQUEST FOR NEW LEASE - HOLMESDALE MEMORIAL TENNIS CLUB INC

REPORT AUTHOR: General Manager, Governance & Community Affairs
GENERAL MANAGER: Chief Executive Officer
CONTACT NUMBER: 8366 4549
FILE REFERENCE: qA65058
ATTACHMENTS: A

PURPOSE OF REPORT

The purpose of the report is to advise the Council that the Lease between the Council and the Holmesdale Memorial Tennis Club Inc for the use of the clubrooms and tennis courts located at the John Horrocks Memorial Green, will expire in March 2023 and of the Lessee's (the Club's) request to enter into a new lease for a further twenty (20) year period.

BACKGROUND

The John Horrocks Memorial Green, is approximately 3550 m² in area and is located at the rear of 58 Breaker Street, St Morris.

A plan showing the location of the John Horrocks Memorial Green is contained within **Attachment A**.

The Holmesdale Memorial Tennis Club (the Club) was incorporated as a tennis club in 1935. The Club has been using the tennis clubrooms and courts since the 1920's.

The current Lease between the Council and the Club was entered into on 24 November 2002 and will expire on 31 March 2023. The annual lease fee of \$3,750.00, plus GST, represented one twentieth of the half share of the cost of the reconstructed courts (\$150,000), based on a twenty (20) year life of the courts.

In 2003, the Council and the Club entered into an agreement, whereby the Council would reconstruct the six (6) tennis courts in 2003 at full cost to the Council, with the Club's Lease fee being placed into a reserve fund established by the Council, with such funds to be applied towards the next reconstruction of the courts in 2023. This arrangement provides the model for the current Tennis Facilities Policy and has been "rolled out" with all tennis clubs.

The Club is now in its final year in terms of this agreement and as such is now requesting a new Lease with the Council.

RELEVANT STRATEGIC DIRECTIONS & POLICIES

The relevant Outcome and Objectives in the CityPlan 2030 are:

Outcome 1 Social Equity

Objective 1.4 A strong, healthy, resilient and inclusive.

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

The Council adopted a *Tennis Facilities Policy*, which sets the direction in relation to the future provision, maintenance, management and community access to tennis facilities within the City.

This Policy does not relate to buildings which are utilised by tennis clubs/associations.

FINANCIAL AND BUDGET IMPLICATIONS

Through the Lease fee, the Club has met its financial obligations each year and to date has contributed \$68,000. At the conclusion of the current lease period, the full amount of the Club's contribution of \$75,000 will have been paid to the Council. For its part, the Council has transferred this payment into the Council's Tennis Courts Maintenance and Development Fund (now referred to as the Accumulated Surplus – Tennis Courts Account).

This fund will provide the Council with funds to assist with tennis court reconstructions in the future.

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**

The Council's *Sporting Facilities Community Land Management Plan* authorises leases of up to 20 years for tennis courts, including the John Horrocks Memorial Green.

Notwithstanding the above, where a lease or licence is proposed to be granted for a term of more than five (5) years, the Council is required pursuant to Section 202(3) of the *Local Government Act 1999* to comply with its *Community Consultation Policy*, therefore community consultation will be undertaken following the Council's consideration of the draft Lease.

- **Staff**

Not Applicable.

- **Other Agencies**

Not Applicable.

DISCUSSION

The Holmesdale Memorial Tennis Club has requested a new lease for a 20 year period (10 + 10 years), for the facilities located at the John Horrocks Memorial Green.

The Club has used the facilities since the 1920's and has continued to meet their obligations as a Lessee since that time. The Club currently has 85 members, who have ensured that the courts are well maintained and the ongoing operation of the Club is sustainable. This is managed by conducting a range of activities which includes fund raisers, quiz nights, hire of the courts for competition use and special events such as Tennis Australia tournaments and SAPSASA trials and matches.

This is quite an achievement as the courts do not have the benefit of lighting and therefore, any activities conducted by the Club are conducted during daylight hours only.

The Club is also committed to providing public access to the courts and this is managed via a booking system with the Club or via the Club's website.

The courts are available for hire by members of the public during daylight hours, apart from when days and times when the Club is using the courts.

OPTIONS

From an administrative point of view, the current Lease arrangements have worked well, with the Lessee meeting the obligations which are set out in the Lease.

Notwithstanding this, the Council could determine not to enter into a Lease for the facilities.

However, as the Council does not have an alternative use for the facilities located at the John Horrocks Memorial Green and on the basis of the performance of the Lessee to date, it is recommended that the Council grant a further lease to the Holmesdale Tennis Club.

CONCLUSION

In the event the Council determines to enter into a new lease with the Holmesdale Tennis Club, a draft Lease will be prepared for the Council's consideration.

COMMENTS

Nil.

RECOMMENDATION

1. That the Council agrees to grant a lease to Holmesdale Memorial Tennis Club for the facilities located at the John Horrocks Memorial Green for a period of 20 years (10+10 years).
 2. That the Council notes that a draft Lease will be prepared and presented to the Council for consideration.
-

Cr Granozio returned to the meeting at 9.28pm.
Cr Moore left the meeting at 9.28pm.
Cr Callisto left the meeting at 9.28pm.

Cr Stock moved:

- 1. That the Council agrees to grant a lease to Holmesdale Memorial Tennis Club for the facilities located at the John Horrocks Memorial Green for a period of 20 years (10+10 years).*
- 2. That the Council notes that a draft Lease will be prepared and presented to the Council for consideration.*

Seconded by Cr Whittington.

Cr Moore returned to the meeting at 9.29pm.
Cr Callisto returned to the meeting at 9.29pm.

The motion was put and carried unanimously.

11.14 LOCAL GOVERNMENT ASSOCIATION OF SOUTH AUSTRALIA – REQUEST FOR FUNDING – CITY OF MITCHAM & CITY OF UNLEY

REPORT AUTHOR: General Manager, Governance & Community Affairs
GENERAL MANAGER: Chief Executive Officer
CONTACT NUMBER: 8366 4549
FILE REFERENCE: qA2219
ATTACHMENTS: A

PURPOSE OF REPORT

The purpose of the report is to advise the Council of a request which has been received from the Local Government Association of South Australia, for funding to support the City of Mitcham and the City of Unley's legal costs associated with the legal proceedings which have been commenced by the Construction Forestry Maritime Mining Energy Union (CFMMEU) against the Cities of Mitcham and Unley regarding the CFMMEU's rights to represent the two (2) Council's Outdoor Employees as part of Enterprise Agreement negotiations.

BACKGROUND

The Cities of Mitcham and Unley have made an application to the Local Government Association of South Australia (LGA), seeking contributions from Councils towards its legal costs, in accordance with the LGA's *Policy for Councils Seeking Funding Support for Litigation* (the Policy), regarding the CFMMEU's rights to represent the two (2) Council's Outdoor Employees as part of Enterprise Agreement negotiations.

At its meeting held on 20 January 2022, the LGA Board considered the application and resolved to seek contributions from Councils, in accordance with the LGA's Policy.

The LGA has now written to Councils seeking voluntary contributions from Councils in support of the City of Mitcham and the City of Unley's application.

A copy of the letter dated 21 February 2022, from the LGA is contained within **Attachment A**.

RELEVANT STRATEGIC DIRECTIONS & POLICIES

Not Applicable.

FINANCIAL AND BUDGET IMPLICATIONS

The LGA is seeking a contribution from the Council of \$5,824.11.

This amount is based upon a formula, as set out in the Policy, which takes into account the proportion of the membership subscription which is paid by Councils as part of their LGA membership annual subscription.

Whilst the Council has not made an allocation as part of the 2021-2022 Budget, for this activity, in the event the Council does determine to support the request, funds will be allocated from the 2021-2022 Budget.

EXTERNAL ECONOMIC IMPLICATIONS

Nil.

SOCIAL ISSUES

Nil.

CULTURAL ISSUES

Nil.

ENVIRONMENTAL ISSUES

Nil.

RESOURCE ISSUES

Not Applicable.

RISK MANAGEMENT

Nil.

CONSULTATION

- **Elected Members**
Not Applicable.
- **Community**
Not Applicable.
- **Staff**
Manager, Organisational Development.
- **Other Agencies**
Not Applicable.

DISCUSSION

In January 2022, the City of Mitcham and the City of Unley applied to the LGA for funding support from Councils to assist with the legal costs relating to a matter, which in the view of these Councils, is a matter which has the potential to impact significantly on Local Government.

As set out in the letter from the LGA, the CFMMEU is seeking to establish its right to represent outdoor employees of the two (2) Councils as part of the Enterprise Bargaining negotiations.

In addition, the CFMMEU is also seeking that the Councils recognise the CFMMEU as a party to the Enterprise negotiations with employees covered by the Local Government Employees Award.

The CFMMEU asserts that:

- the Cities of Mitcham and Unley employ persons who are entitled to apply for membership or have membership with the CFMMEU;
- it has the right to enter the workplace;
- it is entitled to represent its Members in negotiations and proceedings relating to Enterprise Agreements in accordance with the *Fair Work Act 1994 (SA)*; and
- it is entitled to be a party to the Enterprise agreements with the Councils.

The Cities of Mitcham and Unley are of the view that if the CFMMEU is found to be entitled to represent outdoor workers in Local Government, all Councils will be required to consult with the CFMMEU regarding a range of matters which includes disciplinary, work health and safety, policy and procedure reviews and workplace change matters, which in their view, may result in an increase in industrial disputes and the costs associated with the employment of the outdoor workforce within Local Government.

As set out in the letter from the LGA, it has been suggested that there is a risk that the CFMMEU may bring further legal proceedings against other Councils and that it is not in the interests of the sector to have Councils fighting similar legal proceedings individually.

City of Norwood Payneham & St Peters Position

The City of Norwood Payneham & St Peters workforce is made up of employees who are non-union members, members of the Australian Workers Union (Outdoor Employees) and the Australian Services Union.

To date, this Council has not been approached by another Union wanting to represent staff.

Notwithstanding this, during Enterprise Agreement negotiations staff can elect any person or body to represent them as individuals or collectively. This means that in any Enterprise Agreement process, the Council could be negotiating with staff and any number of individual or body representatives of the staff.

Whilst this is not an ideal situation, as it does impact on resources (ie time and costs), it also creates an adversarial process between the various Representatives (ie different Unions), which results in delays to the process.

However, this situation could apply at any time during Enterprise Agreement negotiations. Each Award and each Union sets out a scope of industry that they are lawfully allowed to cover, and ultimately it is the Tribunal who rule if it is appropriate for a specific Union to be involved in any matter.

From the Council's perspective, the *Fair Work Act 1994*, requires the Council to negotiate with employees and any of their chosen representatives and the Council negotiates with whoever is invited to be at the table.

Whilst the Council could support this test case, in practice the situation could still end up with multiple representatives as part of the negotiation process and therefore, it is not clear that the test case would resolve any future issues.

OPTIONS

The Council can resolve to support the LGA's request to contribute funds towards the City of Mitcham and the City of Unley's legal costs or resolve not to support the request.

This Council has, on various occasions, responded positively to requests from the LGA to assist with funding for various activities. Given the nature of this issue and the Council's position in respect to the matter, it is recommended that the Council does not support the request on this occasion.

CONCLUSION

The City of Mitcham and the City of Unley are entitled to make an application to the LGA for funding assistance in accordance with the LGA's *Policy for Councils Seeking Funding Support for Litigation*, however it is at the discretion of the Council to determine if it wishes to provide a contribution in accordance with the LGA's Policy.

COMMENTS

Nil

RECOMMENDATION

That the Council advises the Local Government Association of South Australia that the Council does not support the City of Mitcham and the City of Unley's application for funding towards its legal proceedings which have been commenced by the Construction Forestry Maritime Mining Energy Union (CFMMEU) against the Cities of Mitcham and Unley regarding the CFMMEU's rights to represent the two (2) Council's Outdoor Employees as part of Enterprise Agreement negotiations.

Cr Duke moved:

That the Council advises the Local Government Association of South Australia that the Council does not support the City of Mitcham and the City of Unley's application for funding towards its legal proceedings which have been commenced by the Construction Forestry Maritime Mining Energy Union (CFMMEU) against the Cities of Mitcham and Unley regarding the CFMMEU's rights to represent the two (2) Council's Outdoor Employees as part of Enterprise Agreement negotiations.

Seconded by Cr Whittington and carried unanimously.

11.15 PROPOSAL TO HOST A CHAMBER MUSIC CONCERT IN THE NORWOOD CONCERT HALL

REPORT AUTHOR: General Manager, Governance & Community Affairs
GENERAL MANAGER: Chief Executive Officer
CONTACT NUMBER: 8366 4549
FILE REFERENCE: qA90293
ATTACHMENTS: Nil

PURPOSE OF REPORT

The purpose of this report is to present a proposal to the Council regarding a concert which is proposed to be held in the Norwood Concert Hall, for the Council's consideration and endorsement.

BACKGROUND

In 2021, following the purchase of the new grand piano for the Norwood Concert Hall, two (2) concerts were held in the Norwood Concert Hall to "launch" the new piano.

The first concert, featuring well known concert pianist, Gil Sullivan and the Norwood Symphony Orchestra, was held on 5 June 2021.

This concert was held following the easing of some of the restrictions which were in place at the time as a result of the COVID-19 pandemic. Restrictions however, in terms of capacity limits were still in place (albeit reduced).

Whilst it was anticipated that 300 people would attend the event, (based on the capacity limits at the time), a total of 168 tickets were sold for the concert. It is assumed that many people may have been reluctant to commit to attending a ticketed event at that time, in case the event was cancelled.

The second concert, also featuring Gil Sullivan and Friends, was scheduled to be held on Friday, 23 July 2021, however as a result of the COVID-19 State Lockdown, this concert was cancelled and rescheduled for Friday, 17 September 2021.

With COVID-19 restrictions still in place, one of the artists was unable to travel to Adelaide from Melbourne for the concert.

A total of 107 tickets were sold for this concert.

The uncertainty in terms of the COVID-19 in the lead up to the event and the withdrawal of one of the key artists from the event, may have also impacted on ticket sales.

Mr Gil Sullivan has approached the Council and requests the Council's support to host a concert on 6 May 2022 in the Norwood Concert Hall.

RELEVANT STRATEGIC DIRECTIONS & POLICIES

The relevant Goals contained in *CityPlan 2030* are:

Outcome 2 Cultural Vitality

Objective 2.1 An artistic, creative, cultural and visually interesting City.

2.1.1 Use the arts to enliven public spaces and create a "sense of place".

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

Live Music Policy

The Council's *Live Music Policy* recognises that the Council *values and will continue to encourage and foster live music in its various forms, in recognition of the significant contribution that live music makes to the vibrancy, culture and economy of the City.*

Public Art Policy

The Council's Public Art Policy recognises that public art is *an important component of the streetscapes, open spaces, neighbourhoods and buildings, which form our City, helping to create character, a "sense of place" and a "sense of identity"*.

It also acknowledged that public art may *be permanently incorporated into the fabric, design and fixtures of a building or public place, be an iconic gateway to the City or a short-term installation, a public performance or a presentation. Regardless of its life span, public art gives form to the City's history and identity and reflects its evolving culture and collective memory.*

FINANCIAL AND BUDGET IMPLICATIONS

The Council has not made an allocation within the 2021-2022 Budget to conduct this concert.

The costs to conduct the event are approximately \$12,000 and include the following:

- Artist fees;
- Concert Hall Staffing Costs (ie Sound Technician, Security); and
- marketing of the event.

Income will also be generated from ticket sales and bar sales, however the actual amount is unknown, however based on ticket sales of 100 and bar sales, it is estimated that income would be approximately \$3500.

Whilst this concert has not been included as part of the 2021-2022 Budget, the concert can be funded through the Council's 2021-2022 Public Art Program Budget.

EXTERNAL ECONOMIC IMPLICATIONS

Not Applicable.

SOCIAL ISSUES

Community events are designed to enrich our sense of place and promote participation. They are promoted as inclusive family events, therefore meeting the Council's aims of encouraging "an engaged and participating community" and attracting "more community life in public spaces".

CULTURAL ISSUES

Nil.

ENVIRONMENTAL ISSUES

All events managed by the Council are required to comply with the Council's environmental requirements including waste management and use of recyclable products where possible.

RESOURCE ISSUES

The Council's Events staff will co-ordinate and manage the event in conjunction with staff from the Norwood Concert Hall.

RISK MANAGEMENT

Not Applicable.

CONSULTATION

Elected Members

- Nil.
- **Community**
Nil.
- **Staff**
Events Coordinators.
- **Other Agencies**
Nil.

DISCUSSION

The proposed concert, *Mozart and odd bedfellows*", will feature the following performers:

- Mr Gil Sullivan, Concert Pianist;
- Mr Dean Newcomb, Principal Clarinettist with the Adelaide Symphony Orchestra;
- Mr Michael Milton, Adelaide Symphony Orchestra and Norwood Symphony Orchestra;
- Ms Celia Craig, Principal Oboe of the Adelaide Symphony Orchestra and teacher at the Elder Conservatorium of Music;
- Mr Stephen King, Violist, Australian String Quartet; and
- Mr Greg Tuske, Cellist.

It is intended to hold the event on Friday, 6 May 2022, commencing at 7.30pm at the Norwood Concert Hall.

Council staff will liaise with Mr Sullivan in terms of the arrangements for the concert, rehearsals and promotional materials.

OPTIONS

The Council has the following options in respect to the proposed concert:

- Option 1:
The Council can determine to not support the proposed concert.
- Option 2:
The Council can determine to support the concert, *Mozart and Odd Bedfellows*, to be held at the Norwood Concert Hall on 6 May 2022.

On the basis that the Council has acknowledged support for the arts within the City through *CityPlan 2030*, the *Live Music Policy* and the *Public Art Policy*, Option 2 is recommended to the Council as this option will enhance the Council's program of events and at the same time, provide an opportunity to showcase the Norwood Concert Hall and its facilities.

CONCLUSION

The Council has a long tradition of supporting a range of public art programs including, the three (3) Civic Bands and Orchestra, SALA, The Fringe and Art on Parade. Support of the proposed concert contributes to the Council's commitment in the area of the arts.

COMMENTS

Nil.

RECOMMENDATION

1. That the Council agrees to host the *Mozart and Odd Bedfellows* concert to be held at the Norwood Concert Hall on Friday, 6 May 2022.
 2. That the Council notes that the concert will be funded as part of the 2021-2022 Public Art Program Budget.
-

Cr Whittington moved:

1. *That the Council agrees to host the Mozart and Odd Bedfellows concert to be held at the Norwood Concert Hall on Friday, 6 May 2022.*
2. *That the Council notes that the concert will be funded as part of the 2021-2022 Public Art Program Budget.*

Seconded by Cr Moorhouse and carried unanimously.

12. ADOPTION OF COMMITTEE MINUTES

REPORT AUTHOR: General Manager, Governance & Community Affairs
GENERAL MANAGER: Chief Executive Officer
CONTACT NUMBER: 8366 4549
FILE REFERENCE: Not Applicable
ATTACHMENTS: A - F

PURPOSE OF REPORT

The purpose of the report is to present to the Council the Minutes of the following Committee Meetings for the Council's consideration and adoption of the recommendations contained within the Minutes:

- **Quadrennial Public Art Assessment Panel– (14 February 2022)**
(A copy of the Minutes of the Quadrennial Public Art Assessment Panel meeting is contained within **Attachment A**)
- **Traffic Management & Road Safety Committee – (15 February 2022)**
(A copy of the Minutes of the Traffic Management & Road Safety Committee meeting is contained within **Attachment B**)
- **Norwood Parade Precinct Committee – (15 February 2022)**
(A copy of the Minutes of the Norwood Parade Precinct Committee meeting is contained within **Attachment C**)
- **St Peters Child Care Centre & Pre-School Committee – (28 February 2022)**
(A copy of the Minutes of the St Peters Child Care Centre & Pre-School Committee meeting is contained within **Attachment D**)
- **Audit Committee – (28 February 2022)**
(A copy of the Minutes of the Audit Committee meeting is contained within **Attachment E**)
- **Business & Economic Development Committee – (1 March 2022)**
(A copy of the Minutes of the Business & Economic Development Committee meeting is contained within **Attachment F**)

ADOPTION OF COMMITTEE MINUTES

- **Quadrennial Public Art Assessment Panel**

Cr Dottore moved that the minutes of the meeting of the Quadrennial Public Art Assessment Panel held on 14 February 2022, be received and that the resolutions set out therein as recommendations to the Council are adopted as decisions of the Council. Seconded by Cr Whittington and carried unanimously.

- **Traffic Management & Road Safety Committee**

Cr Duke moved that the minutes of the meeting of the Traffic Management & Road Safety Committee held on 15 February 2022, be received and noted. Seconded by Cr Dottore and carried.

- **Norwood Parade Precinct Committee**

Cr Callisto moved that the minutes of the meeting of the Norwood Parade Precinct Committee held on 15 February 2022, be received and that the resolutions set out therein as recommendations to the Council are adopted as decisions of the Council. Seconded by Cr Whittington and carried unanimously.

- **St Peters Child Care Centre & Pre-School Committee**

Cr Moorhouse moved that the minutes of the meeting of the St Peters Child Care Centre & Pre-School Committee held on 28 February 2022, be received and that the resolutions set out therein as recommendations to the Council are adopted as decisions of the Council. Seconded by Cr Moore and carried unanimously.

- **Audit Committee**

Cr Minney moved that the minutes of the meeting of the Audit Committee held on 28 February 2022, be received and that the resolutions set out therein as recommendations to the Council are adopted as decisions of the Council. Seconded by Cr Stock and carried unanimously.

- **Business & Economic Development Committee**

Cr Sims moved that the minutes of the meeting of the Business & Economic Development Committee held on 1 March 2022, be received and that the resolutions set out therein as recommendations to the Council are adopted as decisions of the Council. Seconded by Cr Knoblauch and carried unanimously.

Adjournment of Council Meeting

At 9.36pm Cr Sims moved:

That the Council meeting be adjourned for 2 minutes.

Seconded by Cr Moorhouse and carried unanimously.

Resumption of Council Meeting

At 9.40pm the Council meeting resumed.

13. OTHER BUSINESS
Nil

14. CONFIDENTIAL REPORTS

14.1 COUNCIL ASSESSMENT PANEL - SPECIALIST EXTERNAL MEMBER APPOINTMENTS

RECOMMENDATION 1

That pursuant to Sections 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 Minney moved:

That pursuant to Sections 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 Urban Planning & Environment, General Manager, Governance & Community Affairs, General Manager, Urban Services, Manager, Urban Planning & Sustainability, Senior Urban Planner, Manager, Governance & Legal and Executive Assistant, Urban Services], 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 Stock and carried unanimously.

Cr Minney moved:

Under Section 91(7) and (9) of the Local Government Act 1999, the Council orders that the report and attachments 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 discussion and minutes be kept confidential until the announcement of the appointment is made.

Seconded by Cr Knoblauch and carried unanimously.

14.2 HERITAGE PROTECTION OPPORTUNITIES

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:

- (m) information relating to a proposal to prepare or amend a designated instrument under Part 5 Division 2 of the *Planning, Development and Infrastructure Act 2016* before the draft instrument or amendment is released for public consultation under that Act;

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 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 Code Amendments referred to in this report are released for the purpose of public consultation.

Cr Minney 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 Urban Planning & Environment, General Manager, Governance & Community Affairs, General Manager, Urban Services, Manager, Urban Planning & Sustainability, Senior Urban Planner, Manager, Governance & Legal and Executive Assistant, Urban Services], be excluded from the meeting on the basis that the Council will receive, discuss and consider:

- (m) information relating to a proposal to prepare or amend a designated instrument under Part 5 Division 2 of the Planning, Development and Infrastructure Act 2016 before the draft instrument or amendment is released for public consultation under that Act;*

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 consideration of the information confidential

Seconded by Cr Patterson and carried unanimously.

Cr Patterson 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 Code Amendments referred to in this report are released for the purpose of public consultation.

Seconded by Cr Knoblauch and carried unanimously.

14.3 STAFF 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 five (5) years, 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 General Manager, Governance & Community 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 Dottore 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 five (5) years, after which time the order will be reviewed.

Seconded by Cr Stock and carried unanimously.

14.4 STAFF 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 Patterson 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 and General Manager, Governance & Community 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 Dottore and carried unanimously.

Cr Minney 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 Dottore and carried unanimously.

15. CLOSURE

There being no further business, the Mayor declared the meeting closed at 10.27pm.

Mayor Robert Bria

Minutes Confirmed on _____
(date)