

Council Meeting Minutes

4 December 2023

Our Vision

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

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

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City of
Norwood
Payneham
& St Peters

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VENUE Council Chambers, Norwood Town Hall

HOUR 7.00pm

PRESENT

Council Members Mayor Robert Bria
Cr Kester Moorhouse
Cr Claire Clutterham (entered the meeting at 7.24pm)
Cr Garry Knoblauch
Cr Hugh Holfeld
Cr Josh Robinson
Cr Kevin Duke
Cr Connie Granozio
Cr Scott Sims (entered the meeting at 7.02pm)
Cr Grant Piggott
Cr Sue Whittington
Cr John Callisto
Cr Christel Mex

Staff Mario Barone (Chief Executive Officer)
Carlos Buzzetti (General Manager, Urban Planning & Environment)
Derek Langman (General Manager, Infrastructure & Major Projects)
Lisa Mara (General Manager, Governance & Civic Affairs)
Gayle Buckby (Manager, Traffic & Integrated Transport)
Stuart Pope (Project Manager, City Projects)
Rosanna Busolin (Manager, Community Services)
Lucinda Knight (Executive Assistant, Chief Executive's Office)
Tina Zullo (Administration Assistant, Governance & Civic Affairs)

APOLOGIES Cr Victoria McFarlane

ABSENT Nil

1. KAURNA ACKNOWLEDGEMENT

2. OPENING PRAYER

The Opening Prayer was read by Cr Hugh Holfeld.

3. CONFIRMATION OF THE MINUTES OF THE SPECIAL COUNCIL MEETING HELD ON 13 NOVEMBER 2023

Cr Knoblauch moved that the Minutes of the Special Council meeting held on 13 November 2023 be taken as read and confirmed. Seconded by Cr Callisto and carried unanimously.

4. MAYOR'S COMMUNICATION

Monday, 6 November	<ul style="list-style-type: none">Presided over a Council meeting, Council Chamber, Norwood Town Hall.
Friday, 10 November	<ul style="list-style-type: none">Attended the VIP Italian Festival Opening Street Party, Rundle Street East, Adelaide.
Saturday, 11 November	<ul style="list-style-type: none">Attended the Remembrance Day Service, Cross of Remembrance, Felixstow.

Sunday, 12 November	<ul style="list-style-type: none"> Participated in a Press Conference with the Premier of South Australia and Mr Andrew Dillon, Chief Executive Officer, Australian Football League, Norwood Oval.
Monday, 13 November	<ul style="list-style-type: none"> Radio interview with Jules Schiller, ABC 891.
Monday, 13 November	<ul style="list-style-type: none"> Attended a meeting with the General Manager, Governance & Civic Affairs and representatives of the Kent Town Residents Association, Mayor's Office, Norwood Town Hall.
Monday, 13 November	<ul style="list-style-type: none"> Presided over a Special Council meeting, Council Chamber, Norwood Town Hall.
Monday, 13 November	<ul style="list-style-type: none"> Attended an Information Session: Payneham Memorial Swimming Centre update, Mayor's Parlour, Norwood Town Hall.
Tuesday, 14 November	<ul style="list-style-type: none"> Attended the Norwood Christmas Pageant event briefing, Mayor's Parlour, Norwood Town Hall.
Wednesday, 15 November	<ul style="list-style-type: none"> Radio interview with Stacey Lee and Nikolai Beilharz, ABC 891.
Thursday, 16 November	<ul style="list-style-type: none"> Attended a meeting with the Chief Executive Officer; Manager, Chief Executive's Office; and Manager, Events, Norwood Town Hall.
Saturday, 18 November	<ul style="list-style-type: none"> Participated in the 2023 Norwood Christmas Pageant, The Parade, Norwood.
Monday, 20 November	<ul style="list-style-type: none"> Presided over a Special Meeting of the Audit & Risk Committee, Meeting Room 3, Norwood Town Hall.
Wednesday 22 November	<ul style="list-style-type: none"> Attended the 2023 Volunteers Christmas Dinner, Norwood Concert Hall.
Friday, 24 November	<ul style="list-style-type: none"> Attended the VAILO Adelaide 500, Adelaide Parklands, Adelaide.
Saturday, 25 November	<ul style="list-style-type: none"> Attended the Last Dinner Dance event, Hungarian Club of South Australia, Norwood.
Monday, 27 November	<ul style="list-style-type: none"> Attended a meeting with Councillors John Callisto and Christel Mex, Mayor's Office, Norwood Town Hall.
Monday, 27 November	<ul style="list-style-type: none"> Attended a Civic reception to celebrate the 100th Anniversary of the Norwood Symphony Orchestra, Mayor's Parlour, Norwood Town Hall.
Monday, 27 November	<ul style="list-style-type: none"> Attended an Information Session: Update of the Payneham Memorial Swimming Centre Business Plan, Mayor's Parlour, Norwood Town Hall.
Monday, 27 November	<ul style="list-style-type: none"> Attended a Workshop: Review of the Long-Term Financial Plan, Mayor's Parlour, Norwood Town Hall.
Tuesday, 28 November	<ul style="list-style-type: none"> Presided over a Business & Economic Development Advisory Committee meeting, Mayor's Parlour, Norwood Town Hall.
Friday, 1 December	<ul style="list-style-type: none"> Attended an Eastern Region Alliance (ERA) Mayor's Monthly Breakfast, Central Market, Adelaide.
Friday, 1 December	<ul style="list-style-type: none"> Attended the Mayor's Christmas Dinner, Martini's Ristorante, Norwood.
Saturday, 2 December	<ul style="list-style-type: none"> Attended the City of Prospect Mayor's Annual Dinner, The Pavilion on Prospect, Prospect.
Sunday, 3 December	<ul style="list-style-type: none"> Attended a luncheon to celebrate the 65th Anniversary of Fogular Furlan, Felixstow.

Cr Sims entered the meeting at 7.02pm.

5. DELEGATES COMMUNICATION

Cr Whittington advised that on Saturday 11 November 2023, she attended on behalf of the Council, the Remembrance Day laying of wreaths at the Norwood Soldiers Memorial on Osmond Terrace and the Norwood Oval Memorial Garden.

6. QUESTIONS WITHOUT NOTICE

Nil

Cr Sims left the meeting at 7.06pm.

7. QUESTIONS WITH NOTICE

Nil

8. DEPUTATIONS

8.1 DEPUTATION – PERCIVAL STREET, NORWOOD

REPORT AUTHOR: General Manager, Governance & Civic Affairs
GENERAL MANAGER: Chief Executive Officer
CONTACT NUMBER: 8366 4549
FILE REFERENCE: qA1041
ATTACHMENTS: Nil

SPEAKER/S

Ms Annmarie Prescott

ORGANISATION/GROUP REPRESENTED BY SPEAKER/S

Not Applicable.

COMMENTS

Ms Annmarie Prescott has written to the Council requesting that she be permitted to address the Council in relation to Percival Street, Norwood.

In accordance with the *Local Government (Procedures at Meetings) Regulations 2013*, Ms Annmarie Prescott has been given approval to address the Council.

Ms Annmarie Prescott addressed the Council in relation to this matter.

8.2 DEPUTATION – GEORGE STREET UPGRADE PROJECT

REPORT AUTHOR: General Manager, Governance & Civic Affairs
GENERAL MANAGER: Chief Executive Officer
CONTACT NUMBER: 8366 4549
FILE REFERENCE: qA1041
ATTACHMENTS: Nil

SPEAKER/S

Mr Spero Tsapaliaris

ORGANISATION/GROUP REPRESENTED BY SPEAKER/S

Parkade Pty Ltd

COMMENTS

Mr Spero Tsapaliaris has written to the Council requesting that he be permitted to address the Council in relation to the George Street Upgrade Project.

In accordance with the *Local Government (Procedures at Meetings) Regulations 2013*, Mr Spero Tsapaliaris has been given approval to address the Council.

Cr Holfeld declared a conflict of interest in this matter, as he is closely associated with the owner of a business that has been engaged by Mr Tsapaliaris and the Chapley family to undertake work in respect to the matter and left the meeting at 7.08pm.

Mr James Levinson (Principal of Botten Levinson Lawyers) and Mr Spero Tsapaliaris addressed the Council in relation to this matter.

8.3 DEPUTATION – GEORGE STREET UPGRADE PROJECT

REPORT AUTHOR: General Manager, Governance & Civic Affairs
GENERAL MANAGER: Chief Executive Officer
CONTACT NUMBER: 8366 4549
FILE REFERENCE: qA1041
ATTACHMENTS: Nil

SPEAKER/S

Mr Mario Boscaini

ORGANISATION/GROUP REPRESENTED BY SPEAKER/S

Parade Central

COMMENTS

Mr Mario Boscaini has written to the Council requesting that he be permitted to address the Council in relation to the George Street Upgrade Project.

In accordance with the *Local Government (Procedures at Meetings) Regulations 2013*, Mr Mario Boscaini has been given approval to address the Council.

Mr Mario Boscaini addressed the Council in relation to this matter.

Cr Sims returned to the meeting at 7.23pm.
Cr Holfeld returned to the meeting at 7.23pm.
Cr Clutterham entered the meeting at 7.24pm.

9. PETITIONS

Nil

10. WRITTEN NOTICES OF MOTION

Nil

11. STAFF REPORTS

Cr Moorhouse moved:

That Item 11.5 be brought forward for consideration.

Seconded by Cr Holfeld and carried unanimously.

11.5 REVIEW OF COUNCIL DECISION – AGED SIGNS LOCATED IN PERCIVAL STREET, NORWOOD

REPORT AUTHOR: General Manager, Governance & Civic Affairs
GENERAL MANAGER: Chief Executive Officer
CONTACT NUMBER: 8366 4549
FILE REFERENCE: qA110707
ATTACHMENTS: A - D

PURPOSE OF REPORT

The purpose of this report is to advise the Council of a request for a Review of a Decision which has been received from three (3) residents of Percival Street, Norwood (the Applicants), regarding Aged signs in Percival Street.

BACKGROUND

At its meeting held on 1 May 2023, the Council considered a petition requesting the removal of the Pedestrian Warning Signs which are located at each end of Percival Street, Norwood.

The petitioners advised that the Pedestrian Warning Signs, which have the wording “AGED”, are causing the residents to feel unsafe and vulnerable by indicating that the residents in the area are elderly.

In terms of traffic related matters, the Council’s *Local Area Traffic Management Policy* sets out the following process in respect to petitions which are received regarding traffic management issues:

Petitions

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

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

In accordance with the *Local Area Traffic Management Policy*, following consideration of the matter, the Council resolved the following:

That the Convenor of the petition be advised that this matter will be referred to the Council’s Traffic Management & Road Safety Committee, in accordance with the Council’s Local Area Traffic Management Policy.

A copy of the report and petition which was considered by the Council is contained within **Attachment A**.

The petition was subsequently presented to the Council’s Traffic Management & Road Safety Committee for consideration at its meeting held on 20 June 2023.

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

That the determination of this matter be deferred to allow staff to undertake a pedestrian survey and present the results to the Committee.

A copy of the report (extract from the Minutes of the Traffic Management & Road Safety Committee Meeting held on 20 June 2023), is contained within **Attachment B**.

In accordance with the resolution, pedestrian surveys were undertaken and on 15 August 2023, the matter, including the outcome of the pedestrian survey, was re-presented to the Committee for consideration.

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

1. *That the existing signage be retained.*
2. *That the Petitioners be advised of the outcome and thanked for bringing their concerns to the Council's attention.*

A copy of the report (extract from the Minutes of the Traffic Management & Road Safety Committee Meeting held on 15 August 2023), is contained within **Attachment C**.

On 29 August 2023, the Council received a letter from three (3) residents (the Applicant) of Percival Street, requesting a Review of the Committee's Decision to retain the signage in Percival Street, on the basis that a majority of the residents would like the Council to remove the signage.

A copy of the letter dated 28 August 2023, is contained within **Attachment D**.

As this decision was made by the Council's Traffic Management & Road Safety Committee, this matter is now presented to the Council for review and consideration in accordance with the Council's Review of Decision Policy. The process for the Review is summarised in the Discussion section of this report.

RELEVANT STRATEGIC DIRECTIONS & POLICIES

Not Applicable.

DISCUSSION

The Council's *Review of Decision Policy* sets out the process relevant to a request for a Review of Decision. In terms of a request for a Review of a Council decision, the Policy states the following:

"The Chief Executive Officer will refer a review of a Council decision directly to the Council where the decision being reviewed was made by the Council or a Committee.

The types of requests for review of Council decisions that will be referred to Council are those regarding:

- *decision/s made by resolution of the Council.*
- *Council endorsed objectives and policies.*
- *budgetary matters, or evaluation of service delivery matters.*
- *Civic and ceremonial matters.*
- *issues that are likely to be of interest to the wider community.*
- *matters which may involve litigation.*
- *recommendations to refuse to review a decision raised by an applicant on the grounds that it is frivolous or vexatious, or where the applicant does not have sufficient interest in the matter.*
- *matters where legal procedures have not been followed, for example, relating to leases and licences and tenders.*
- *the decision being reviewed relates to civic or ceremonial matters;*
- *the decision being reviewed is, in the opinion of the Chief Executive Officer or the Internal Review Contact Officer, likely to be of interest to the wider community."*

As set out in the letter dated 28 August 2023, the Applicant has requested that a Review of Decision be undertaken, on the basis that a number of residents of Percival Street would like the Aged signage which is located at both ends of the street to be removed as there is no longer a Nursing Home located in Percival Street.

In addition, the Applicant is of the view that the Committee's decision has been made "*contrary to the evidence*" which was presented to the Committee regarding this matter.

The Applicant has therefore requested that the Council review the Committee's decision to retain the signage.

Traffic Management & Road Safety Committee

At its meeting held on 5 December 2023, the Council established the Traffic Management & Road Safety Committee.

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

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

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

20 June 2023 - Consideration of the Petition to Remove the Signage

The petition requesting the removal of the signage was presented to the Committee at its meeting held on 20 June 2023. The signs in contention are the 'Pedestrian' warning signs with 'Aged' supplementary plates, located at each end of Percival Street, as shown in *Photos 1 and 2*.



Photo 1: The pedestrian warning signs in Percival Street for eastbound traffic, near Queen Street.



Photo 2: the pedestrian warning signs in Percival Street for westbound traffic, near Portrush Road.

The options presented to the Committee to address the matter included the following:

1. Retain the Signage in its Current Location

The Committee was advised that it could determine to leave the signs in place because there is a relatively high proportion of older residents living in Percival Street and a survey which was undertaken in 2020, identified that the majority of residents preferred that the signs be retained. In addition, at the time of the survey, Clayton Church Homes advised the Council that it was their preference that the signs remain in place.

2. Remove the Signage.

The Committee was advised that it could determine to remove the signs due to twenty-three (23) residents of Percival Street signing the petition stating that in their opinion, the signs are not required and that the traffic data does not indicate that there is a road safety concern in Percival Street that warrants pedestrian warning signs.

At that time, this option was not recommended on the basis that *“pedestrian safety is paramount, particularly in an environment with a significant proportion of older pedestrians, albeit, that the removal of the pedestrian warning signs and Aged supplementary plates could also be considered a reasonable action to take given the data shows there is no traffic related safety concerns in terms of vehicular speeds and volumes”*.

3. Remove the “Aged” Signage and retain the Pedestrian Warning Signs in place.

The Committee was also advised that a third option was, as a compromise, to remove the “Aged” component of the signage only.

However, this option was not recommended on the basis that the pedestrian warning sign by itself would not provide sufficient information to motorists with regard to the reason of the warning and could therefore it could be more likely to be ignored than if the “Aged” plate was in place.

The Committee therefore was advised that Option 1, was the recommended Option as the Pedestrian Warning Signs may raise motorist awareness that there is a high proportion of vulnerable pedestrians in the street and hence result in a safer environment for pedestrians than if the signs were not in situ.

Following consideration of the investigations which were undertaken regarding this issue and the options as set out above, the Committee was unable to agree on a final determination. As such, the Committee unanimously agreed that determination of the matter should be deferred to allow staff to undertake a pedestrian survey and present the results to the Committee.

15 August 2023 - Consideration of the Pedestrian Survey

The results of the Pedestrian Survey were presented to the Committee at its meeting held on 15 August 2023.

The Pedestrian Survey was undertaken in July and August 2023, over a number of days. The observations were undertaken on days when weather conditions would not restrict the presence of pedestrians and at various times of the day to include the peak AM and PM periods when traffic volumes are at their highest and at mid-morning, midday and mid-afternoon. The aim of the observations was to count the number of pedestrians that crossed Percival Street mid-block. It did not count pedestrians who crossed at the kerb ramps at Queen Street or Portrush Road.

The pedestrians who crossed Percival Street, mid-block were predominantly either:

- people who parked their car on the north side of the street and crossed Percival Street as part of their journey to or from the direction of The Parade; or
- people entering or leaving a dwelling on Percival Street before walking toward Queen Street or Portrush Road.

Several pedestrians were observed to walk along the centre of Percival Street for a distance before crossing to the footpath which demonstrated their lack of concern with regard to traffic in Percival Street. There were no road safety issues observed and traffic volumes and speeds were suitable for the street environment. The results of the Pedestrian Survey highlighted that over the course of the five (5) day period in which the Pedestrian Survey was undertaken 32 citizens was recorded as crossing Percival Street at the middle point of the street.

In addition, the survey highlighted that *“Several pedestrians were observed to walk along the centre of Percival Street for a distance before crossing to the footpath which demonstrated their lack of concern with regard to traffic in Percival Street. There were no road safety issues observed and traffic volumes and speeds were suitable for the street environment”*.

Based on the outcome of the Pedestrian Survey, the Committee was presented with the following options:

1. Do Nothing

The Committee could determine that the signs be left in place because there is a relatively high proportion of older residents living in Percival Street and the signs may improve road safety for these vulnerable pedestrians.

This option was not recommended due to the reasons set out below:

- pedestrian warning signs are typically used to warn of the presence of pedestrians on, or crossing the road where such activity might be unexpected;
- the sign is generally not installed at each end of a residential street because pedestrians can cross anywhere along the roadway, or alternatively use the designated crossing points (kerb ramps), at each end of the street;
- all of the Clayton Church Homes dwellings are separate and there is not a pedestrian desire-line at any point along the street where residents cross to access a community facility;
- traffic signs should only be installed where absolutely required, otherwise signs tend to lose their effectiveness if used unnecessarily or too frequently;
- traffic data shows that there are no traffic-related safety concerns in terms of vehicular speeds and volumes; and
- site observations did not identify that pedestrian activity is high.

2. Remove the Pedestrian Warning Signs

The Committee could determine to remove the signs because the signs are not used for their intended purpose and they are not required because traffic data and site observations do not identify that there is a road safety concern in Percival Street that warrants pedestrian warning signs.

This option was recommended on the basis of the traffic investigations which had been undertaken.

The Committee subsequently resolved to retain the signage.

Summary

The data which has been considered by the Committee in respect to this matter has included the following:

- Percival Street is 180 metres long and x 7.5 metres wide, with on-street parking on both sides of the road;
- The traffic speed and volume in Percival Street is low, there are clear sight lines and the street is narrow to cross, which in combination, provides a low-risk environment;

- Traffic data collected in 2020 indicates that there is no road safety concern in Percival Street:
 - the traffic volume is 337 vehicles per day;
 - the 85th percentile speed is 40km/h;
 - the average speed at 30.5km/h; and
 - there were no recorded collisions in the last five (5) years; and
- Pedestrian Survey data collected in 2023 which indicated that there is no road safety concern in Percival Street.

In addition, the Committee was advised that Warning signs are installed to raise the awareness of motorists of a potential hazard, obstacle or condition requiring special attention and that the signs may or may not include a supplementary plate under the sign, that indicates specificities, such as advisory traffic *speed*, *distance* to a hazard, or a type of vulnerable pedestrian present (*aged or blind*). Warning signs are not a regulatory sign, as such, do not indicate or reinforce a traffic law or regulation.

It is not the usual practice of the Council to install Warning Signs, (ie “Aged” Signage) at the beginning and end of a street as a general Warning Sign.

It is however, the usual practise of the Council to install Warning signs ‘to warn of the presence of pedestrians on or crossing the road where such activity might be unexpected’, as set out in AS1742.2.

The Applicant has not presented any new evidence for consideration as part of the Request for a Review of Decision other than in the Applicant’s view that as “*there is no longer a nursing home located there and the age cohort of the area doesn’t comply with Aged signage*”, the signs should be removed.

CONCLUSION

The Council’s General Manager, Governance & Civic Affairs has undertaken the review of the information which has been provided to the Committee and the Committee’s decision to retain the Aged Signage in Percival Street, Norwood.

A review of a Committee’s decision enables the Council to reconsider the decision-making process and all the evidence relied on to make a decision, including any new evidence provided and the relevance of any new evidence.

An internal review examines the correctness of the procedures which have been followed in making the decision and may also examine the merits of the decision itself.

In accordance with the Council’s Review of Decisions Policy, when undertaking a review, *the Chief Executive Officer, the Internal Review Contact Officer or the Council, will review the decision in question to ensure that the original decision maker complied with the following procedural requirements and made the best possible decision in the circumstances having regard to the following:*

- *the decision maker had the power to make the decision;*
- *the decision maker considered all matters which were relevant to the making of the decision at the time and did not take into account matters which were not relevant, as well as any additional relevant information or material provided by the applicant;*
- *the decision maker did not exercise a discretion or power in bad faith, for an improper purpose, or while subject to duress or the influence of another person;*
- *the decision maker had no conflict of interest, bias or perceived bias;*
- *the decision maker ensured that findings of fact were based on evidence;*
- *the decision was reasonable; and*
- *the decision maker considered any relevant legislation, Council policies and/or procedures.*

Based on the merits of the review which has been undertaken as part of this process, (ie reconsideration of the facts, law and policy aspects of the original decision and as set out above) and the decision making process which has been followed it has been determined that **the original decision under review can be challenged.**

The reason for this is that, whilst the correct process in terms of the Council's decision making structure has been followed and the decision has been made within the parameters of the Committee's Terms of Reference, the Committee has been presented with information/evidence which does not support the Committee's decision to retain the signage in Percival Street.

Notwithstanding this, the Council can determine to uphold the Committee's decision.

As this decision in respect to the retention of the Aged Signage located in Percival Street has been made by a Committee which has been established by the Council, it is now up to the Council to consider the matter and to determine if the Council is satisfied that the review has been undertaken in a fair and objective manner and that the Council endorses the outcome of the review which has been undertaken.

It is important to note that it is implicit in the provisions of Section 270 of the *Local Government Act 1999*, that a decision on the subject matter of the Review, may be made to replace the original decision (ie the decision which is the subject of the Review).

COMMENTS

In the event the Council does determine to uphold the Applicant's request, the chosen remedy needs to be proportionate and appropriate to the outcome of the review and may include (but is not limited to) such things as:

- varying the original decision;
- returning the situation to its original status (such as not pursuing the construction of something, not implementing the original decision, etc);
- an explanation;
- mediation;
- an apology or admission of fault;
- a change to Council policy procedure or practice;
- a correction of Council records.

In this case, based on the nature of the Request for the Review of Decision and the actual decision which has been made by the Committee, the appropriate "remedy" would be for the Council to vary (ie amend), the decision which has been made by the Traffic Management & Road Safety Committee.

As with all such requests of this nature (ie requests for a Review of a Decision), the Applicant will be advised formally of the outcome of the review and the Council's decision and that if he/she is not satisfied with the determination, he/she may refer the matter to the SA Ombudsman for an External Review.

RECOMMENDATION

1. That following consideration of the investigation and review undertaken by the Council's General Manager, Governance & Civic Affairs (the Section 270 Report), in respect of a Request for Review of Decision, being the decision of the Traffic Management & Road Safety Committee to retain the "Aged" Signage located in Percival Street, Norwood, the Council is satisfied that the review has been undertaken in a fair and objective manner, in accordance with principles of natural justice and the Council's *Review of Decisions Policy & Procedure*.
2. That having considered the Section 270 Report, the Council determines to change the decision of the Traffic Management & Road Safety Committee and, instead, resolves to remove the signage for the reasons set out in this report, namely:
 - the traffic speed and volume in Percival Street is low, there are clear sight lines and the street is narrow to cross which, in combination, provides a low-risk environment;
 - traffic data collected in 2020 indicates that there is no road safety concern in Percival Street; and
 - the Pedestrian Survey data collected in 2023 indicates that there is no road safety concern in Percival Street.
3. That the Applicant be thanked for bringing this matter to the Council's attention and be advised of the Council's decision.

Cr Duke moved:

- 1. That following consideration of the investigation and review undertaken by the Council's General Manager, Governance & Civic Affairs (the Section 270 Report), in respect of a Request for Review of Decision, being the decision of the Traffic Management & Road Safety Committee to retain the "Aged" Signage located in Percival Street, Norwood, the Council is satisfied that the review has been undertaken in a fair and objective manner, in accordance with principles of natural justice and the Council's Review of Decisions Policy & Procedure.*
- 2. That having considered the Section 270 Report, the Council determines to change the decision of the Traffic Management & Road Safety Committee and, instead, resolves to remove the signage for the reasons set out in this report, namely:*
 - the traffic speed and volume in Percival Street is low, there are clear sight lines and the street is narrow to cross which, in combination, provides a low-risk environment;*
 - traffic data collected in 2020 indicates that there is no road safety concern in Percival Street; and*
 - the Pedestrian Survey data collected in 2023 indicates that there is no road safety concern in Percival Street.*
- 3. That the Applicant be thanked for bringing this matter to the Council's attention and be advised of the Council's decision.*

Seconded by Cr Mex and carried unanimously.

Section 1 – Strategy & Policy

Reports

11.1 CONSULTATION REPORT FOR 40KM/H SPEED LIMIT IN RESIDENTIAL STREETS OF MARDEN, ROYSTON PARK, JOSLIN, ST PETERS, COLLEGE PARK AND HACKNEY

REPORT AUTHOR: Manager, Traffic & Integrated Transport
GENERAL MANAGER: General Manager, Urban Planning & Environment
CONTACT NUMBER: 8366 4542
FILE REFERENCE: fA26711
ATTACHMENTS: A – C

PURPOSE OF REPORT

The purpose of this report is to present the outcomes of community consultation regarding a proposal to introduce a 40km/h speed limit in the residential streets of Marden, Royston Park, Joslin, St Peters, College Park and Hackney (*the Hackney to Marden precinct*), for the Council's consideration and decision.

BACKGROUND

There have been several steps culminating in the proposal to introduce an area-wide 40km/h speed limit in the Hackney to Marden precinct, which are set out below:

- the Council resolved that the Council's Traffic Management & Road Safety Committee (*the Committee*), investigate the introduction of a 40km/h speed limit in residential streets across the City, at its meeting held on 6 April 2020;
- the Committee recommended to the Council that there was sufficient justification to consider the staged implementation of a 40km/h speed limit in residential streets across the City, on a precinct-by-precinct basis, commencing with the suburbs of Norwood and Kent Town, at its meeting held on 18 August 2020;
- the Council endorsed the recommendations provided in the *2021 Marden, Royston Park, Joslin & St Peters Traffic Review Report, prepared by Tonkin Consulting Engineers*, that recommended undertaking investigations and community consultation for the implementation of a 40km/h area-wide speed limit in the Hackney to Marden precinct, at its meeting held on 1 November 2021. It was noted that these works would commence after the Council has made a final determination in relation to the proposal to implement a 40km/h speed limit in the residential streets of Norwood & Kent Town;
- the Council endorsed the implementation of a 40km/h area wide speed limit in the residential streets in the suburbs of of Norwood and Kent Town, at its meeting held on 7 March 2022, following community consultation that identified that 60% of survey respondents supported the introduction of the reduced speed limit. This was subsequent to the endorsement and implementation of a 40km/h area wide speed limit in the residential streets of Stepney, Evandale and Maylands in 2019. The 40km/h speed limit in Norwood and Kent Town was subsequently implemented in July 2022, and as such, the investigations commenced to implement a 40km/h speed limit in the Hackney to Marden precinct; and
- the '*Traffic Management in Marden and Royston Park, Community Consultation and Recommendations*', report (prepared by Intermethod and Infraplan in 2022), recommended that a 40km/h area wide speed limit be implemented in the Hackney to Marden precinct as a high priority. The council received this report at its meeting on 21 February 2023 and noted that community consultation for the implementation of a 40km/h speed limit in the Hackney to Marden precinct would be undertaken as a priority.

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*.

It is widely recognised that neighbourhoods with slower traffic speeds can encourage more people to choose walking and bike riding as a form of transport. As such, the implementation of a 40km/h speed limit supports the Council's vision for 'a connected, accessible and pedestrian-friendly community'.

Outcome 1: Social Equity

A connected, accessible and pedestrian-friendly community.

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

Strategy 1.2.2: Provide safe and accessible movement for all people.

Strategy 1.2.4: Provide appropriate traffic management to enhance residential amenity.

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

Strategy 1.2.2: Encourage physical activity to achieve healthier lifestyles and well-being.

Strategy 1.4.3 Encourage the use of spaces and facilities for people to meet, share knowledge and connect.

FINANCIAL AND BUDGET IMPLICATIONS

The Council allocated \$20,000 in its 2023-2024 budget to undertake community consultation associated with the introduction of a 40km/h area-wide speed limit in the suburbs of Marden, Royston Park, Joslin, St Peters, College Park and Hackney.

If the Council endorses the 40km/h speed limit, a funding submission will be prepared for the 2024-2025 budget for approximately \$70,000 to prepare plans, and manufacture and install the required signage.

EXTERNAL ECONOMIC IMPLICATIONS

Not Applicable.

SOCIAL ISSUES

Not Applicable.

CULTURAL ISSUES

Not Applicable.

ENVIRONMENTAL ISSUES

Reducing the speed to 40km/h in residential streets improves safety for pedestrians and bike riders 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 the Hackney to Marden precinct, the implementation of the works will be managed by staff.

RISK MANAGEMENT

The Council has a duty of care to address road safety concerns and area-wide 40km/h speed limits are recognised as a means of changing travel behaviour and reduce overall speeds, which contributes to the management of road safety risks.

The *Austroads Guidelines to Traffic Management*, document is the Australian transport and traffic industry's guide, and includes research from Monash University Accident Research Centre, '*Balance between harm reduction and mobility in setting speed limits: a feasibility study*' (2005). This research identifies the impact speed that results in an injury or fatality for five (5) different crash types as set out below.

- Car hitting pedestrian or bike rider – 30km/h;
- Car hitting motorcyclists – 30km/h;
- Car hitting a tree or pole – 40 km/h;
- Side impact from car hitting car – 50km/h; and
- Head-on impact from car hitting car – 70km/h.

Four out of the five crash types have a likelihood of resulting in an injury or fatality if a motorist is travelling at 50km/h, the current urban default speed limit on local roads. Reducing the speed to 40km/h, significantly reduces the severity of a collision, particularly with vulnerable road users such as pedestrians, bike riders and motorcyclists.

The implementation of the 40km/h speed limit would be undertaken in accordance with the requirements set out by the Department for Infrastructure & Transport and relevant Australian Standards and Guidelines.

Whilst it is acknowledged that there are many ways to reduce risks via traffic intervention measures, the proposal to implement a 40km/h speed limit in the residential streets in the Hackney to Marden precinct has been analysed against the Council’s risk matrix and if implemented, would reduce the current risk level from extreme to high.

Risk Event	Risk Event	Impact Category	Risk Rating	Primary Mitigation	Impact Category	Residual Rating
1	Vehicle collision resulting in death or serious injury	People	Extreme 3	Reduction of speed limit to 40km/h	People	High 6
		Reputation	Extreme 4		Reputation	High 6a

CONSULTATION

- Elected Members**
 All Elected Members have been informed of the progress of the implementation of 40km/h speed limits throughout the City from previous Council reports.
- Staff**
 General Manager, Urban Planning & Environment
 Manager, Strategic Communications and Advocacy
- Community**
 Community consultation was undertaken from 27 July 2023 to 28 August 2023. Further details regarding the consultation process are set out in the Discussion section of this report.
- Other Agencies**
 Department for Infrastructure and Transport (DIT)
 South Australian Public Transport Authority (SAPTA)
 SAPOL

DISCUSSION

The area proposed for a 40km/h speed limit includes the residential streets in the suburbs of Marden, Royston Park, Joslin, St Peters, College Park and Hackney (*the Hackney to Marden precinct*). Roads that are managed and maintained by the Department for Infrastructure & Transport (DIT), are excluded, and include Stephen Terrace, Hackney Road, North Terrace, Payneham Road, Lower Portrush Road and O.G. Road.

The Hackney to Marden Precinct is depicted on the map contained in **Attachment A**. This map also depicts the current status of the implementation of a 40km/h speed limit throughout the City, noting that the residential streets of Stepney, Maylands, Evandale, Norwood and Kent Town are already speed limited to 40km/h.

Why is 40km/h proposed in this precinct?

The Council regularly receives correspondence, including petitions, from citizens throughout the Hackney to Marden precinct, requesting that the Council undertake traffic management to moderate vehicle speeds and volumes in the area. Traffic data has validated these concerns in some streets throughout the precinct and as such, implementation of measures in the precinct has merit.

There are a number of infrastructure and non-infrastructure methods to manage traffic speed, but it is important that traffic management is undertaken on a network-wide basis, so that problems are not simply shifted from one street to another. As such, an area-wide 40km/h speed limit is an equitable and cost-effective solution that can be implemented across a large area at one time therefore minimising the need for restrictive and high-cost traffic management infrastructure throughout the entire network. As a result, physical traffic interventions can be installed in fewer strategic locations, to support a 40km/h speed environment.

Lowering the speed limit can reduce the number and severity of crashes by giving all road users more time to react to avoid a collision. If a crash does occur, lower speeds reduce the severity of an injury or death, particularly to vulnerable road users such as pedestrians and bike riders. Lower speed limits also create a better environment for residents and encourage more people to walk and ride, which in turn, reduces traffic and contributes to vibrant neighbourhoods.

The Hackney to Marden precinct contains numerous origins and destinations for people who walk and/or ride that include East Adelaide Primary School, St Peters College, Marden Senior College, bus stops, Cafés (FIX, Royston Park, St Peters Bakehouse), the Marden Shopping Centre and numerous shops, restaurants, cafes and services along the surrounding arterial roads. Of particular note, is that the River Torrens Linear Park (shared path), runs along the entire northern boundary of the precinct, which is used by a wide catchment of commuter and recreational walkers and bike riders, as well as containing key points of interest such as the Dunstan Playground, St Peters Billabong and Drage Reserve.

In addition to the safety benefits, a lower speed limit may make local streets less attractive as a short cut, or an alternative to avoid delays on arterial roads, and as such reduce the volume of non-local through traffic, further improving neighbourhood liveability.

The implementation of a 40km/h area wide speed limit in residential streets has steadily been rolled-out by many Councils throughout Australia since the late 1990's and is recognised globally as an appropriate traffic management initiative. The City of Norwood Payneham & St Peters implemented a 40km/h speed limit in the suburbs of Stepney, Maylands and Evandale in 2019 and in the suburbs of Norwood and Kent Town in 2022. Other metropolitan Adelaide Council's that have adopted 40km/h in some or all of their suburbs include the Cities of Unley, Prospect, Charles Sturt and Port Adelaide Enfield, while the City of Burnside and the Town of Walkerville will be implementing 40km/h areas in the near future after recently receiving the support from the majority of residents who were surveyed. The current status of 40km/h in the Adelaide metropolitan area is depicted in the map contained in **Attachment B**, which illustrates that all inner rim Councils (except the City of West Torrens), are progressively implementing area-wide 40km/h speed limits. It also illustrates that the Hackney to Marden precinct, is positioned between the existing or planned 40km/h speed limited areas in the suburbs of Evandale, Maylands, Kent Town, Payneham and Glynde to the southeast, and Gilberton, Walkerville, and Vale Park to the northwest.

Although speed limit signs alone, will not change the behaviour of motorists who choose to disobey the law, evaluation of traffic data from Stepney, Maylands and Evandale have identified that the streets that previously had higher operating speeds generally exhibited higher speed reductions and overall, the 85th percentile traffic speeds reduced by 2.5km/h after the speed limit reduction. Similarly, an evaluation undertaken by the City of Charles Sturt found that after implementing a reduction in speed limits from 50km/h to 40km/h in 146 streets across the Charles Sturt Local Government area, the average speed decreased by 2.3 km/h and the speed at which 85 per cent of all vehicles travelled decreased by 4.27 km/h.

If a 40km/h speed limit is implemented in the Marden to Hackney precinct, an evaluation of the outcome will be undertaken following a “settling in” period. This would identify locations where speed has not been satisfactorily addressed and further investigations to assess the need for additional traffic management measures.

There have been 49 collisions in the last five (5) years, on residential streets in the Hackney to Marden precinct (not including the main arterial roads and Stephen Terrace). Although none of these have resulted in a fatality, potential safety risks are vastly reduced with lower speeds. The graphs depicted in **Figure 1**, illustrates that there is a 70% risk of a pedestrian fatality at 50km/h, which reduces to a 30% risk of fatality at 40km/h.

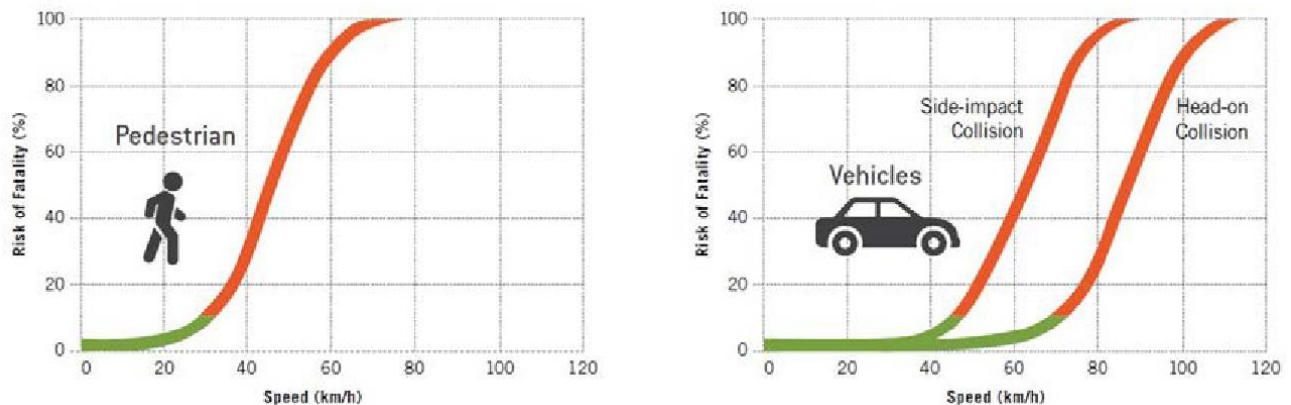


Figure 1: Risk of fatality vs speed

Legislative Requirements

The Council does not have the authority to alter speed limits on roads and must follow a set of criteria set out by DIT in the ‘*Speed Limit Guideline for South Australia*’, 2023 (*the DIT Guidelines*). If the criteria is met, the Council may provide all analysis and documentation to the Minister to seek approval.

Analysis of traffic data has confirmed that the Council-owned streets within the Hackney to Marden precinct meet the criteria and approval can be sought provided that the following items are also completed:

- resolution from Council endorsing the proposed speed limit change;
- a set of plans accurately indicating existing speed limit signs, location of proposed speed limit signs, traffic signals, and existing and proposed physical speed control treatments or traffic calming devices; and
- indication of support from the local State Member of Parliament.

The *DIT Guidelines* do not prescribe mandatory community consultation, but note that, ‘*it may be beneficial to the success of the speed limit proposal to ensure a high level of community support before implementing the lower speed limit*’.

Community Consultation

As part of the community consultation, which was undertaken from 27 July 2023 to 28 August 2023, citizens were requested to provide feedback on the proposal to reduce the speed limit to 40km/h speed limit in the residential streets in the suburbs of Marden, Royston Park, Joslin, St Peters, College Park and Hackney (excluding the DIT roads), and were invited to complete an online or hard copy survey.

The community consultation process was promoted as follows:

- a total of 6,042 flyers were distributed to owners and occupiers within the Hackney to Marden precinct which included 4,786 flyers hand delivered into letterboxes to notify property occupiers; and 1,256 letters sent by Australia Post to property owners who are not occupiers.
- the Council's website;
- a *Latest News* article;
- social media (Facebook and Instagram);
- posters at the Council's Libraries and Citizen Service Centre; and
- Coreflute posters on poles within the Hackney to Marden precinct.

The survey and poster are contained in **Attachment C**, and the key consultation outcomes are set out below.

The Council received a total of 834 responses and the 40km/h proposal was supported by the majority (54%), of survey respondents as depicted in **Figure 2**, below.

One hundred and forty-two (142) survey respondents ticked the box to say they do not live or work in the precinct, which represents 17% of total respondents. These respondents may be property owners who are not occupiers, or they may have an interest in traffic management within the precinct for a number of reasons that may include commuting their children to one of the Schools, visiting family, friends or a café, enjoying the public facilities such as reserves, playgrounds or Linear Park, or commuting through the precinct in a vehicle, on a bike or by walking. It is important to acknowledge that the streets are public spaces and respondents who do not live or work in the precinct can rightfully provide their view on traffic management that affects them.

If the respondents who identified that they *do not live or work* in the precinct are extracted from the data, the majority of respondents (52%), do not support the 40km/h proposal as depicted in Figure 3, below.

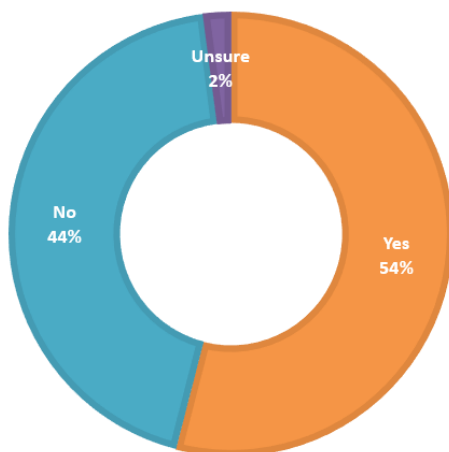


Figure 2: Level of support from all survey respondents

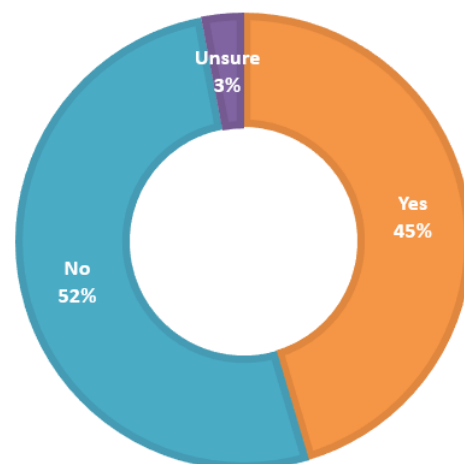


Figure 3: Level of support from respondents who live or work in the Hackney to Marden precinct only.

The responses have been broken down by suburb which identified that the 40km/h speed limit was not supported by the majority of respondents from College Park and Royston Park but was supported by the respondents who live or work in Hackney, St Peters, Joslin and Marden, as depicted in **Figure 3** below. Single suburbs cannot simply be removed from the subject area because it is a requirement of the State Government that a 40km/h area be bound by main roads rail lines, rivers (or similar), that define a clear and intuitive boundary.

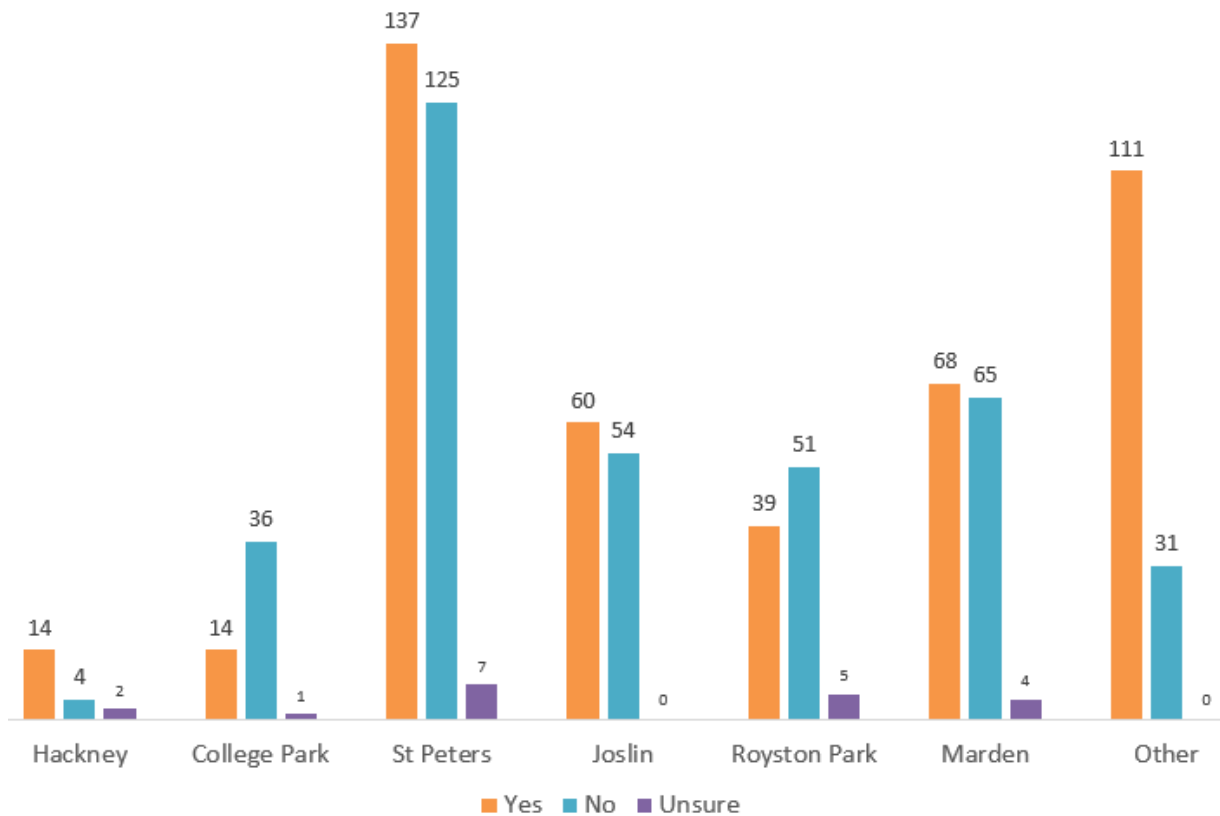


Figure 4: Breakdown of support (yes, no unsure)

There were 11% more male than female respondents and both the majority of females and the majority of males supported the proposal as depicted in **Figures 5 and 6**, below.

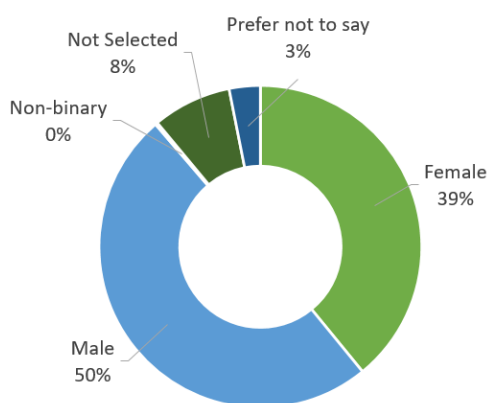


Figure 5: Gender, total respondents

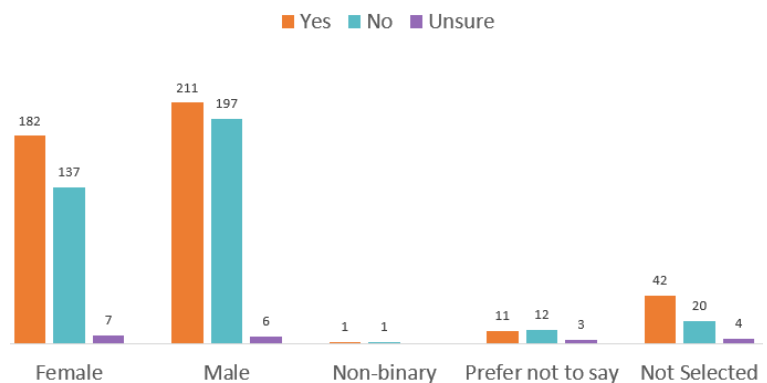


Figure 6: Gender by level of support (yes, no, unsure)

The most common age group of respondents was between 65 and 74 years of age. The age groups that did not support the proposal in the majority were the 18 to 24, and the 45 to 64 year olds. The majority of all other age groups supported the proposal, as depicted in Figure 6, below.

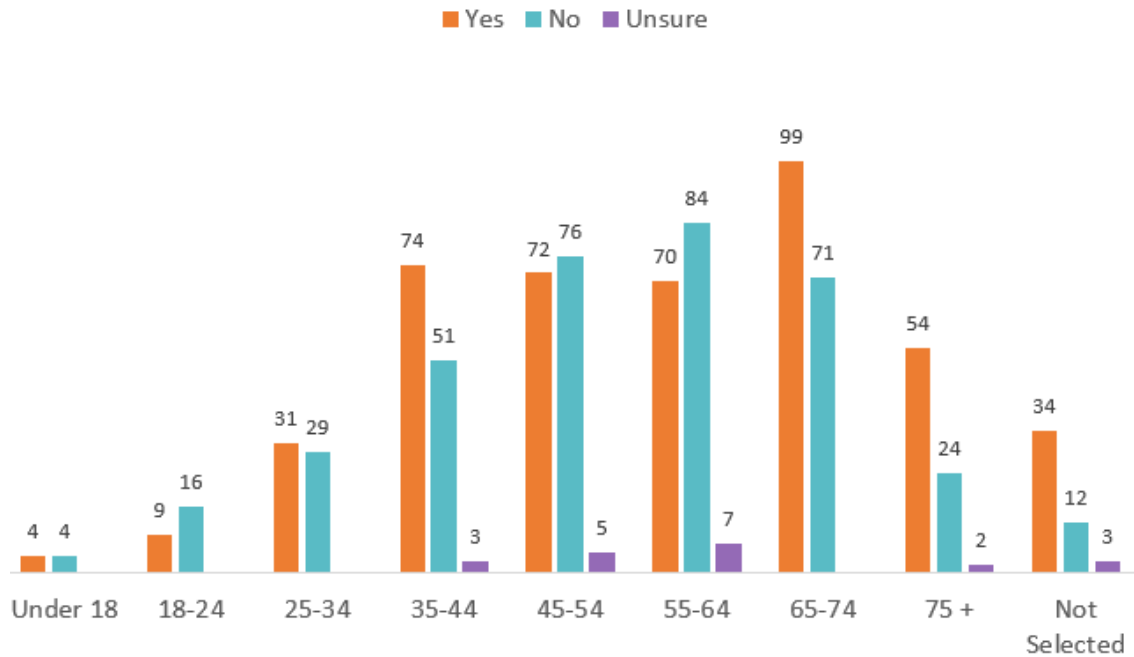


Figure 7: Level of support (yes, no, unsure), by age group

Survey respondents were provided with the opportunity to provide a reason why they supported, did not support or were unsure about the 40km/h proposal. All of the comments have been reviewed and the most common comments are summarised in Table 1, below.

TABLE 1: MOST COMMON REASONS FOR LEVEL OF SUPPORT FOR A 40KM/H SPEED LIMIT

Do support	Do not support	Unsure
A 40km/h speed limit is safer for children, grandchildren, older people with mobility issues, and people on bikes.	Reducing the speed limit is not necessary. The streets are wide enough for a 50km/hr speed limit to be safe.	Not opposed to speed reduction but do not want physical traffic calming devices as well.
Sensible initiative, strongly support.	Slower speeds will add to commute times for no reason, wastes time, and is inconvenient.	Prefer Collector roads to stay at 50km/h
40kmh is fast enough in these streets and there is no need to travel faster.	There is no evidence to support the need for a 40km/h speed limit.	Not opposed, but not convinced it would work.
Support 40km/h but traffic calming on some of the Collector Roads and/or enforcement is also required.	People will speed anyway.	
A 40km/h speed limit will not noticeably increase travel time but has many benefits.	Enforce 50km/h instead.	
Slower speeds would make it easier to reverse out of my driveway.	Reducing the speed limit is just revenue raising.	
Other suburbs that are 40km/h are better.	Outrageous / ridiculous / terrible / tiresome / frustrating	

Approximately twenty (20) respondents noted that they supported 40km/h on some streets but not on all streets, particularly the Collector Streets. This comment was provided by respondents who did support, did not support and were unsure about the 40km/h proposal.

There were mixed comments regarding the installation of physical traffic calming devices, with some respondents requesting more physical devices and others stating that they did not want any physical devices.

Many of the citizens who did not support the introduction of the reduced speed limit were concerned about the additional travel time. As such, real-time surveys have been undertaken to determine the typical difference in time to travel from one location to another at 50km/h and at 40km/h. Real-time surveys were undertaken instead of desktop analysis, so that stopping or slowing at intersections was included. Five routes were selected and were driven once at 50km/h and again at 40km/h. The surveys were undertaken on a weekday, outside of a peak hour, so that delays from higher traffic volumes were minimised. The survey results are listed in **Table 2** below.

TABLE 2: TRAVEL TIME SURVEY AT 50KM/H AND AT 40KM/H

Route description	Route length	Additional time taken to travel at 40km/h instead of at 50km/h.
Battams Road, <i>Payneham Road to Ninth Avenue.</i>	965 metres	thirteen (13) seconds
Sixth Avenue, <i>Battams Road to Steven Terrace.</i>	1090 metres	fourteen (14) seconds
Sixth Avenue, <i>Stephen Terrace to Harrow Road.</i>	580 metres	eleven (11) seconds
Harrow Road, <i>Eighth Avenue to First Avenue.</i>	760 metres	fifteen (15) seconds
Richmond Street, Harrow Road, Seventh Avenue and Sixth Avenue, <i>Hackney Road to Broad Street.</i>	2080 metres	fifty (50) seconds. (time along this route would vary depending on the traffic flow on Stephen Terrace, and the time required to find a gap in the traffic to cross all lanes)

Whether the travel time delays listed above are significant or not, is subjective, depending on an individual's perspective, but from a traffic engineering point of view, the delays are not considered significant when outweighing the potential safety benefits.

In addition to the individual responses, the Council received letters of support for the 40km/h speed limit reduction from the St Peters Residents Association and St Peters College.

The South Australian Public Transport Authority (SAPTA) were invited to provide their comments regarding reducing the speed limit to 40km/h along the W90 and W91 Bus Route which runs along Beasley Street, Broad Street (portion), Addison Avenue, Battams Road (portion), Sixth Avenue and Harrow Road. SAPTA was concerned that various types of traffic management initiatives place pressure on bus drivers to maintain on-time running, and as such, their preference is that the default speed limit of 50km/h be retained on Harrow Rd, Sixth Ave & Addison Ave.

OPTIONS

Option 1

Do nothing.

The Council can decide that the community is divided regarding the implementation of a 40km/h speed limit in the residential streets within the Hackney to Marden precinct and as such, the existing default urban speed limit of 50km/h should remain.

This approach is not recommended on the basis that:

- the Council receives ongoing correspondence from citizens who are concerned about road safety within the precinct, and request that the Council address these concerns with traffic management;
- traffic data validates that traffic speeds are higher than desirable in some streets within the precinct; and
- a 40km/h area wide speed limit is an equitable and cost-effective solution that can be implemented across a large area at one time.

Option 2

Implement a 40km/h area wide speed limit in the residential streets in the Hackney to Marden precinct, excluding the roads managed by DIT, which are Stephen Terrace, Hackney Road, North Terrace, Payneham Road, Lower Portrush Road and O.G Road (as depicted in **Attachment A**).

The Council could decide that there is sufficient justification to implement 40km/h in the residential streets in the suburbs of Hackney, College Park, St Peters, Joslin, Royston Park and Marden, as depicted on the map in **Attachment A**, because of some or all of the reasons set out below:

- an area-wide 40km/h speed limit is an equitable and cost-effective solution that can be implemented across a large area at one time, and responds to the numerous and ongoing requests from citizens for the Council to undertake traffic management initiatives;
- lower traffic speeds contribute to safer streets by increasing driver reaction time and supports the Councils vision for a connected, accessible and pedestrian-friendly community;
- evaluation of before and after traffic data in other suburbs, has identified that overall, traffic speeds are reduced by several kilometres an hour, after the implementation of a 40km/h speed limit.
- the majority of survey respondents supported the 40km/h proposal;
- surveys identify that the delay to travel time resulting from a 10km/h speed reduction is minimal, and is outweighed by the potential benefits; and
- all Councils, located at the inner rim (except for the City of West Torrens), are progressively working towards area-wide 40km/h speed limits, as depicted on the Map in **Attachment B**.

This option is recommended because a 40km/h area-wide speed limit is an equitable, low-cost traffic management initiative that can be applied to a large area, and the documented benefits for road safety and residential amenity outweigh the disbenefits, such as minor travel time delays.

Option 3

Implement 40km/h in residential streets but retain the default urban speed limit of 50km/h in key Collector Streets.

The Council could decide that because the community consultation survey outcomes did not identify a clear majority of citizens either supporting or not supporting the implementation of a 40km/h speed limit in the Hackney to Marden precinct, that a compromised response is justified. As such, a speed limit of 50km/h could be retained on several key Collector Streets within the precinct. This option was suggested by some of the survey respondents and would align to the preference stated by the *South Australian Public Transport Authority*, for 50km/h to be retained on Addison Road, Sixth Avenue and Harrow Road.

This approach is undertaken by some Councils when implementing a 40km/h area-wide speed limit but can only be properly achieved in streets that are strategically positioned to provide a clear and intuitive direction to motorists. Some Collector Streets in the suburbs of Norwood and Kent Town, were excluded from the 40km/h implementation because they were high-volume roads that interconnected at each end with other 50km/h or 60km/h streets, such as The Parade West and Osmond Terrace.

The identification of the streets that could be suitable for the 50km/h speed limit would need to be assessed separately by a traffic engineering professional, with considerations of the wider street network, the street layout (width and length), traffic volume and speed, level of pedestrian and/or bike rider activity and crash history.

This option is not recommended because of the reasons set out below:

- there is not a clear demarcation of Collector Streets in the Hackney to Marden precinct that carry significantly higher traffic volumes and speeds that are strategically positioned to justify the retention of the 50km/h speed limit (noting that the surrounding arterial roads and Stephen Terrace are managed by DIT and are already excluded from the 40km/h proposal);
- it is likely that if some streets retained a 50km/h speed limit, these streets would attract traffic from other 40km/h streets, which may result in higher traffic volumes and additional safety concerns in those streets;
- it is not known if this option would be supported by the majority of the community;
- a single speed limit throughout the entire Hackney to Marden precinct would result in an area-wide reduced speed limit with an intuitive boundary made up of arterial roads and the River Torrens, which would be less confusing to motorists;
- the travel time delay resulting from a reduced speed limit of 40km/h speed limit is minimal; and
- an area-wide 40km/h speed limit is a more equitable solution throughout the entire precinct.

CONCLUSION

The outcomes of the community consultation survey did not identify a clear majority of citizens either supporting or not supporting the implementation of a 40km/h in the residential streets in the suburbs of Hackney, College Park, St Peters, Joslin, Royston Park and Marden.

In the absence of thresholds that define “majority”, the Council will need to carefully balance the views of the respondents against the research and evaluations that identify that 40 km/h area-wide speed limits can improve road safety and neighbourhood amenity and minimise potential risks.

COMMENTS

The Department of Infrastructure and Transport (DIT) does not require a certain threshold of community support or a certain response rate before it will consider the introduction of 40 km/h reduced speed limit.

RECOMMENDATION

1. That the outcomes of the community consultation, as outlined in this report regarding the proposal to implement a 40km/h speed limit in the residential streets in the suburbs of Hackney, College Park, St Peters, Joslin, Royston Park and Marden (as depicted in **Attachment B**), be received and noted.
2. That the introduction of a 40km/h speed limit in the residential streets in the suburbs of Hackney, College Park, St Peters, Joslin, Royston Park and Marden, (that excludes the roads managed by the Department for Infrastructure & Transport, which are Stephen Terrace, Hackney Road, North Terrace, Payneham Road, Lower Portrush Road and O.G Road), as depicted in **Attachment B** of this report be approved, and authorises the Chief Executive Officer to:
 - complete the 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 showing the location of the proposed signs and alterations to existing signs;
 - preparation of a Traffic Impact Statement;
 - request support letters from the Local Member of Parliament; 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 promotion awareness campaign regarding the introduction of a 40km/h speed limit in the residential streets in the suburbs of Hackney, College Park, St Peters, Joslin, Royston Park and Marden.

3. That the Council notes that following the implementation of a 40km/h speed limit in the Hackney to Marden precinct, an evaluation of the outcome will be undertaken to identify locations where speed is still a safety concern and more detailed investigations will be undertaken to assess and determine the need for additional traffic management measures.
 4. That the Council notes that a submission to allocate funding for the preparation of design documentation and signage will be prepared for the Council's consideration as part of the 2024-2025 Council Budget.
-

Cr Moorhouse moved:

1. *That the outcomes of the community consultation, as outlined in this report regarding the proposal to implement a 40km/h speed limit in the residential streets in the suburbs of Hackney, College Park, St Peters, Joslin, Royston Park and Marden (as depicted in **Attachment B**), be received and noted.*
2. *That the introduction of a 40km/h speed limit in the residential streets in the suburbs of Hackney, College Park, St Peters, Joslin, Royston Park and Marden, (that excludes the roads managed by the Department for Infrastructure & Transport, which are Stephen Terrace, Hackney Road, North Terrace, Payneham Road, Lower Portrush Road and O.G Road), as depicted in **Attachment B** of this report be approved, and authorises the Chief Executive Officer to:*
 - *complete the 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 showing the location of the proposed signs and alterations to existing signs;*
 - *preparation of a Traffic Impact Statement;*
 - *request support letters from the Local Member of Parliament; 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 promotion awareness campaign regarding the introduction of a 40km/h speed limit in the residential streets in the suburbs of Hackney, College Park, St Peters, Joslin, Royston Park and Marden.*
3. *That the Council notes that following the implementation of a 40km/h speed limit in the Hackney to Marden precinct, an evaluation of the outcome will be undertaken to identify locations where traffic volume and speed is still a safety concern and more detailed investigations will be undertaken to assess and determine the need for additional traffic management measures, subject to community consultation.*
4. *That the Council notes that a submission to allocate funding for the preparation of design documentation and signage will be prepared for the Council's consideration as part of the 2024-2025 Council Budget.*

Seconded by Cr Holfeld and carried unanimously.

11.2 DRAFT 2024-2028 ACCESS & INCLUSION STRATEGY

REPORT AUTHOR: Manager, Community Services
GENERAL MANAGER: Manager Governance & Civic Affairs
CONTACT NUMBER: 8366 4600
FILE REFERENCE: qA88288
ATTACHMENTS: A - B

PURPOSE OF REPORT

The purpose of this report is to present the draft *2024-2028 Access & Inclusion Strategy-A City for All Citizens* for the Council's endorsement, prior to the release of the draft document for community consultation.

BACKGROUND

The Council's *2018-2022 Access & Inclusion Strategy - A City for All Citizens*, was adopted by the Council in 2018. The Strategy focused on continuing to improve the accessibility and inclusiveness of Council facilities, infrastructure, information, services and programs. Whilst traditionally most Access & Inclusion Strategies or Plans have a focus on addressing the access and inclusion requirements of citizens living with disabilities, the Council's current and future draft Strategy takes a broader approach of continuing to improve access and inclusion outcomes for citizens of all ages, abilities, cultures and backgrounds.

Over the past four(4) years the *2018-2022 Access & Inclusion Strategy - A City for All Citizens*, has been implemented through an associated Action Plan. The Strategy has now been reviewed. As part of the review, community engagement was undertaken to explore the trends and access and inclusion issues that need to be considered in the next version of the Council's Access & Inclusion Strategy. Healthy Environs was engaged to facilitate the community engagement stage of the *2024-2028 Access & Inclusion Strategy - A City for All*.

The South Australian *Disability Inclusion Act (2019)*, requires all State and Local Government agencies are required to have a Disability Access and Inclusion Plan. The draft *2024-2028 Access & Inclusion Strategy* complies with the Council's legislative responsibilities under this Act. The draft Strategy also responds to the Council's responsibilities under the South Australian *Equal Opportunity Act (1984)* and Federal *Disability Discrimination Act (1992)*, in providing accessible facilities, services and programs.

The Council's draft *2024-2028 Access & Inclusion Strategy - A City for All* (the draft Strategy) has been completed. A copy of the draft Strategy is contained in **Attachment A**. The Strategy is based on findings from the community consultation undertaken between December 2022 and April 2023 . A copy of the Access & Inclusion Community Consultation report is contained in **Attachment B**.

RELEVANT STRATEGIC DIRECTIONS & POLICIES

CityPlan 2030 Shaping our Future

The relevant Strategic outcomes and objectives as set out in the Council's Strategic Plan *CityPlan 2023 Shaping our Future* are summarised below:

Outcome 1 Social Equity

- Objective 1.1 Convenient and Accessible service, information and facilities;
- Objective 1.3 An engaged and participating community; and
- Objective 1.4 A strong, healthy and inclusive community.

FINANCIAL AND BUDGET IMPLICATIONS

There are no financial implications associated with this report. Any initiatives or actions that arise in respect to the implementation of the Strategy will be considered as part of the Council's Annual Business Plan and Budget process.

EXTERNAL ECONOMIC IMPLICATIONS

There are no external economic implications associated with the development or endorsement of this Strategy.

SOCIAL ISSUES

This Strategy seeks to continue the Council's work in improving the quality of life and wellbeing of all citizens, through the provision of accessible and inclusive services, programs, facilities and infrastructure.

It is estimated that more than 10,000 citizens who live in the City of Norwood Payneham & St Peters have specific access and inclusion needs including:

- citizens who live with a range of disabilities impacting everyday activities;
- families with children aged 0-4 years who are more likely to use strollers and prams; and
- older people who benefit from improved access.

The City has pockets of disadvantage and vulnerable groups of citizens who may need assistance in connecting to Council services, programs and the local community. Citizens who may require additional support to connect to the community may include those citizens:

- living on a lower household income;
- living with a disability or caring for someone with a disability;
- from culturally and linguistically diverse backgrounds; and
- with diverse gender or sexual identities.

Programs and services offered by the Council need to be affordable so that citizens who are financially disadvantaged can afford to access Council Services and participate in the Council's range of programs.

New retirees include both *Baby Boomers* and *Generation X* and the data shows that each generation will live and work longer and have more active lifestyles than previous generations.

Carers play an important role in our community, by providing unpaid care and support to family members and friends. It is important that there are support services and programs available in the community to ensure that Carers are supported in their roles.

The impact of technology is seeing an increasing amount of information being made available online (ie Banking, Medicare, Positions Vacant and Centrelink). Approximately 15.6% of the City's population do not have access to the internet. Most of the citizens that are impacted by this are older citizens. The Council needs to take this into consideration when developing and promoting information about the Council's programs and services.

The COVID-19 pandemic resulted in an increase in some instances in unemployment and social isolation. Whilst this situation has improved, social distancing has affected people's sense of social connectedness and well-being. In this regard there is a continued need for the Council to offer programs that engage citizens through activities that promote learning, wellness and social connectedness.

CULTURAL ISSUES

The City has a culturally diverse population. A significant proportion of these citizens are post-war migrants from Italian, Greek and German backgrounds. There is also an increasing number of citizens who are from Chinese and Indian backgrounds. It will be important to ensure that Council programs and services are culturally appropriate and that information can be accessed through translations.

ENVIRONMENTAL ISSUES

There are no environmental issues associated with the draft Strategy.

RESOURCE ISSUES

The implementation of the Strategy will be co-ordinated by an Access & Inclusion Project Team which will include staff representatives from across the various departments.

RISK MANAGEMENT

The risk ratings for the top three (3) risks associated with this stage of the draft *Access & Inclusion Strategy* are summarised in Table 1 below.

TABLE 1: RISK RATINGS

Risk No	Risk Event	Impact Category	Risk Rating	Primary Mitigation	Impact Category	Residual Rating
1.	Council not endorsing the draft Strategy for consultation	Service/ programs	Substantial 13	Provision of detailed Council report and draft Strategy	Service/ Programs	Medium 17
		Reputation	Medium 19		Reputation	Low 21
2	Draft Strategy is not supported by the community	Service/ Programs	Medium	Develop a community engagement plan to engage citizens and stakeholders. Review and analyse responses and where applicable modify the Strategy to ensure it reflects the aspirations of the community	Services/ Programs	Low 21
3	Actions in the Strategy are not completed	Service/ Programs	Substantial 12	Establish project team to co-ordinate the implementation of the Strategy Review progress of the Strategy's actions on a quarterly basis	Services/ Programs	Low 21

The potential risks highlight the importance of finding ways to engage citizens and stakeholders to provide feedback on the draft *2024-2028 Access & Inclusion Strategy* and to ensure that the implementation of the Strategy is monitored.

CONSULTATION

- **Elected Members**

An Elected Members Information Session was held on 27 February 2023.

- **Community**

The community engagement promotions and events delivered for the purpose of developing the Access & Inclusion Strategy are summarised in Table 2 below.

TABLE 2: COMMUNITY ENGAGEMENT ACTIVITIES AND PROMOTIONS

Engagement Technique	Details	Target Audience	Dates
Community Care Newsletter	Distributed to 700 citizens.	Adults living with disability and older people.	December 2022
Access and Inclusion Survey available online and in hardcopy	34 people responded.	Community	14 Dec 2022 – 28 February 2023
Access & Inclusion Workshop	16 people attended.	Service providers, community groups and citizens living with disability.	8 February 2023
Email to Stakeholders about community engagement opportunities	Email was sent to 72 stakeholders.	Disability and aged care providers, retirement villages, mental health providers, schools, resident and community association, NDIS local area co-ordinator and low-income housing providers.	14 Dec 2022 – 28 February 2023

As part of the 2018-2022 *Access & Inclusion Strategy*, an Access & Inclusion Engagement Register was created. This group consists of citizens living with disability, Carers and disability service providers who have expressed an interest in providing feedback with respect to access and inclusion issues regarding the Council's major projects, services, programs and policies. The group currently has twelve (12) members. The members of the Access & Inclusion Engagement Register were offered the opportunity to provide feedback either via the online survey or the community forum held on 8 February 2023.

- **Staff**

A Staff Workshop was held on the 9 December 2023 with staff representation from across the Council. There were fifteen (15) staff present at the workshop. Staff were further consulted after the community workshop with respect to ideas concerning actions for the Strategy taking into consideration the feedback received from the Community.

Council Volunteers were also offered the opportunity to participate in the Community Forum or complete the online survey.

- **Other Agencies**

As mentioned previously, a range of stakeholders were invited to participate in the community engagement opportunities for the Access & Inclusion Strategy. Stakeholders approached included representatives from Aged Care and Disability Services, Mental Health, Schools, recreational groups and community groups. Stakeholders that contributed to the consultation included the following:

- Housing Choices;
- Direct Care Australia;
- Orana;
- Italian Co-ordinating Committee;
- Norwood Residents Association;
- Kent Town Residents Association;
- DLI Choices for Living;
- MatchWorks-Norwood; and
- Women's Community Centre.

DISCUSSION

A review of the Council's *2018-2022 Access & Inclusion Strategy - A City for All Citizens*, has been completed and a *draft 2024-2028 Access & Inclusion Strategy* has been prepared. The *draft 2024-2028 Access & Inclusion Strategy* builds upon Council's continuing work as outlined in the *2018-2022 Access & Inclusion Strategy - A City for All Citizens* to improve the accessibility and inclusiveness of its services, programs, facilities and infrastructure.

A review of the *2018-2022 Access & Inclusion Strategy - A City for All Citizens*, revealed that the associated action plan is now 90% complete. The actions that have not been completed include the following:

- completion of accessibility audit of Council owned buildings and facilities against the *Australian Standards for Access & Mobility* ;
- development of a map showing accessibility toilets and parking; and
- to make available a selection of relevant Council brochures in large print.

These actions are still relevant and have been included in the draft Strategy.

Development of the draft 2024-2028 Access & Inclusion Strategy - A City for All

Under the South Australian *Disability Inclusion Act (2019)*, the Access & Inclusion Strategy is required to undergo two (2) stages of community engagement. The first stage is associated with the development of the Access & Inclusion Strategy. The second stage is to obtain comments on the draft Strategy. The first stage of the consultation was undertaken between December 2022 and April 2023. Key findings identified from the consultation included:

- the City has a proportion of the population with a diverse range of disabilities who will benefit from accessible services, programs and infrastructure;
- the City has an ageing population which will benefit from accessible infrastructure;
- the projected increase in children (particular those aged between 0-4 years of age) will require recreational infrastructure (parks and playgrounds) and learning opportunities;
- a proportion of the City's population is culturally diverse and requires information and services to be culturally and linguistically appropriate;
- the City has citizens who are financially and socially disadvantaged and at risk of social isolation. It is therefore important to have services and programs that facilitate social connections and are affordable;
- the Council has an important role to play in offering programs and events to enable citizens to connect with each other and reduce their social isolation;
- well-maintained footpaths are required to improve access and reduce the risks of trips and falls.
- the increase in the use of mobility scooters and wheelchairs will require wider and well-maintained footpaths, spaces and facilities;

- the Council's role as a provider of information can be improved through networking with community organisations;
- there is a need to improve how Council engages with citizens living with disability; and
- key events such as the implementation of the National Construction Code, the development of a new aged care model, etc will require change to Council's Planning processes and model of operation for the Council's Home Support Services.

In light of these findings, the *draft 2024-2028 Access & Inclusion Strategy* has identified five (5) priority areas to focus on, namely:

- accessible environments;
- inclusive communities;
- effective and accessible information;
- Informed and supportive work environment; and
- collaboration and leadership.

Unlike the previous *2018-2022 Access & Inclusion Strategy* which had an associated Action Plan, the *draft 2024-2028 Access & Inclusion Strategy* will not have a separate Action Plan, as the draft Strategy has incorporated detailed actions into each Priority. In this regard, examples of actions that are included in the draft Strategy include:

- developing cross generational and cross-cultural programs and events;
- reviewing how the Access & Inclusion Engagement Register operates to enhance engagement;
- engaging aged care and disability service providers about the types of programs that would benefit their recipients;
- offering sensory friendly sessions at the Payneham Memorial Swimming centre and Norwood Swimming Centre;
- providing tailored computer training targeting older citizens and citizens on low income;
- providing information to the community about the accessibility features of Council facilities;
- continuing to offer a range of engagement opportunities to the community which includes lifelong learning, well-being and Volunteering;
- developing community networks with the aim of facilitating the promotion of Council services and other services available in the community; and
- accessibility audits of Council owned buildings and facilities.

The *draft 2024-2028 Access & Inclusion Strategy* is designed to be flexible. The Strategy's progress will be reviewed on an annual basis. Reports from staff will provide information concerning the performance measures of the draft Strategy which will inform an annual report to the Council. This report will include the status of actions in the draft Strategy.

As mentioned previously the *draft 2024-2028 Access & Inclusion Strategy* now needs to be released to the community for comment. It is proposed that both the Access & Inclusion Community Consultation Report and the *draft 2024-2028 Access & Inclusion Strategy 2024-2028* be released as part of the consultation process. The consultation period will be for a period of five (5) weeks, to ensure that citizens living with disability have the time to consider and prepare feedback.

OPTIONS

The Council can resolve to endorse the *draft 2024-2028 Access & Inclusion Strategy – A City for All Citizens*, as contained in **Attachment A**, for community consultation as outlined in this report.

This will provide the opportunity for citizens to view and comment on the Strategy that has been prepared. It will also ensure that the Council complies with its legislative requirements under the State *Disability Inclusion Act (2019)*.

The Council can resolve to not endorse the *draft 2024-2028 Access & Inclusion Strategy-A City for All* for community consultation. However, community consultation on the Strategy is a legislative requirement under the State *Disability Inclusion Act (2018)*. To not ensure the draft strategy for community consultation would deem the Strategy as non-compliant with legislation.

CONCLUSION

A review of the Council's *2018-2022 Access & Inclusion Strategy - A City for All*, has been undertaken. As part of this review the consultation was undertaken with citizens within our community, community groups, service providers Council Staff and Volunteers.

A draft *2024-2028 Access & Inclusion Strategy* has been developed. The actions within the Strategy reflect the Council's ongoing efforts and commitment to deliver and improve the accessibility and inclusiveness of its services, programs, facilities and infrastructure.

COMMENTS

Inclusive SA, the South Australian Government's Disability Access & Inclusion Plan is currently being prepared and is likely to be released in 2024. The State Government's Plan is likely to include some actions applicable to Local Government and Councils will be required to incorporate the relevant actions into their respective Access & Inclusion Strategies or Plans. In this regard the Council's *2024-2028 Access & Inclusion Strategy* may be required to be reviewed in 2024, to incorporate the relevant State Government's Plan actions in the Council's Strategy.

RECOMMENDATION

1. That the draft *2024-2028 Access & Inclusion Strategy - City for All* as contained in **Attachment A**, be endorsed and released for community consultation for a period of five (5) weeks.
 2. That the Chief Executive Officer be authorised to make any minor amendments to the draft *2024-2028 Access & Inclusion Strategy - A City for All*, to finalise the document in a form suitable for release for community consultation
 3. That the Council notes that the results of the community consultation and the final draft of the *2024-2028 Access & Inclusion Strategy - A City for All* will be presented to the Council for consideration at its March 2024 meeting.
-

Cr Sims left the meeting at 7.53pm.
Cr Sims returned to the meeting at 7.55pm.

Cr Mex moved:

1. *That the draft 2024-2028 Access & Inclusion Strategy - City for All as contained in Attachment A, be endorsed and released for community consultation for a period of five (5) weeks.*
2. *That the Chief Executive Officer be authorised to make any minor amendments to the draft 2024-2028 Access & Inclusion Strategy - A City for All, to finalise the document in a form suitable for release for community consultation*
3. *That the Council notes that the results of the community consultation and the final draft of the 2024-2028 Access & Inclusion Strategy - A City for All will be presented to the Council for consideration at its March 2024 meeting.*

Seconded by Cr Duke and carried unanimously.

Section 2 – Corporate & Finance
Reports

11.3 2023-2024 FIRST BUDGET UPDATE

REPORT AUTHOR: Finance Business Partner
GENERAL MANAGER: Chief Financial Officer
CONTACT NUMBER: 8366 4549
FILE REFERENCE: A793527
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 2024, following the First Budget Update.

BACKGROUND

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

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

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

1. Budget Update

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

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

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

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

2. Mid-Year Review

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

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

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

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

RELEVANT STRATEGIC DIRECTIONS & POLICIES

Not Applicable.

FINANCIAL AND BUDGET IMPLICATIONS

The First Budget Update for the 2023-2024 Financial Year, provides an opportunity to amend the 2023-2024 Adopted Budget, to reflect any changes in projections based on;

- audited results to 30 June 2023;
- the first quarter results to September 2023; and
- new decisions by the Council, subsequent to the adoption of the Budget on 10 July 2023.

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 2024 and has no direct external economic impact.

SOCIAL ISSUES

Not Applicable.

CULTURAL ISSUES

Not Applicable.

ENVIRONMENTAL ISSUES

Not Applicable.

RESOURCE ISSUES

There are no resource implications arising from this issue.

RISK MANAGEMENT

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

CONSULTATION

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

DISCUSSION

Budget Update

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

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

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

The 2023-2024 Adopted Operating Budget has an Operating Surplus of \$1,387,382. As per Council meeting on 3 of October 2023 there was a further approval of Work in Progress of the Operational Projects carried forward from 2022-2023 Financial Year of \$596,621 and Capital Work in Progress of \$10,777,698.

Further there were approvals of an additional spend in relation to Glynde and Stepney precincts analysis, AFL Gather Round and Norwood Oval transformer. As a result, the First Budget Update, the Operating Surplus is forecasted to be \$535,761, a decrease of \$851,621.

Due to the early stages of most Recurrent and Operating Projects with the exception of Carried Forward Operating Projects, no costs variances have been proposed to the 2023 – 2024 Adopted Project Budget as part of First budget review. Further reassessment to be performed at the Mid-Year review.

A. Recurrent Operating Budget Changes to the Adopted Budget – none required.

The 2023-2024 Recurrent Operating Budget Surplus of \$2.976 million to remain unchanged. No additional fund request proposed.

B. Operating Projects Budget changes to the Adopted Budget - \$851,621

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

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

Carried Forward Operating Projects expenditure from 2023-2024, was estimated to be \$596,621 and presented to the council on 3 October 2023 with subsequent approval of the same.

Details of the Operating Projects which have been carried forward to the 2023-2024 Financial Year are contained in **Attachment A**.

The new Operating projects endorsed by Council, as per 2023-2024 Adopted Operating Projects Budget included a total expenditure of \$1.299 million.

Following the First Budget Update, the total cost is estimated at \$2.150 million, an increase of \$255,000 of additional budget request and 596,621 Carry Forwards from 2022-2023. The reason for the movement is due to significant individual Operating Projects changes detailed in Table 1 below.

TABLE 1: MOVEMENT IN OPERATING PROJECT BUDGET FROM THE ADOPTED BUDGET

Service Initiative	Increase/ (Decrease) \$
Additional funding approved by Council towards the AFL Gather Round 2024	205,000
Funding is required for the analysis of the Glynde and Stepney precincts	50,000
Work in progress (Carry forwards from 2022- 2023)	596,621

C. Capital Projects - changes to the Adopted Budget - \$11,589,623

The Council adopted a Capital expenditure Budget of \$43.7 million for 2023-2024, which comprised funding allocations for New Capital Projects involving new or the upgrading of existing assets As a result of the First Budget Update, the capital spend is forecast to be \$55.326 million, an increase of \$0.811 million due to inclusion of a new capital project compared the Adopted Budget, which are detailed in Table 3 below and Work in Progress Carry Forward from 2022-2023 of 10.777 million.

Details of the Capital Projects which have been carried forward to the 2022-2023 Financial Year, are contained in **Attachment B**. The breakdown of the increase Capital Project expenditure is given below in Table 2.

TABLE 2: SIGNIFICANT MOVEMENT IN CAPITAL PROJECT EXPENDITURE FROM THE ADOPTED BUDGET

Capital Project	Increase/ (Decrease) \$
New or Additional Project Expenditure Since Adoption of Budget	
Norwood Oval Transformer	811,925
Work in progress (Carry forwards from 2022- 2023)	10,777,698

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

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

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

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

OPTIONS

Not Applicable.

CONCLUSION

Nil

COMMENTS

Nil

RECOMMENDATION

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

Cr Clutterham left the meeting at 8.04pm.
Cr Clutterham returned to the meeting at 8.05pm.

Cr Piggott moved:

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

Seconded by Cr Clutterham and carried unanimously.

11.4 EXTERNAL AUDITORS REPORT 2022-2023

REPORT AUTHOR: Finance Business Partner
GENERAL MANAGER: General Manager, Governance & Civic Affairs
CONTACT NUMBER: 8366 4549
FILE REFERENCE: qA793194
ATTACHMENTS: A - C

PURPOSE OF REPORT

The purpose of this report is to provide the Council with the Audit Opinion and Auditors Report regarding the 2022-2023 Financial Statements.

BACKGROUND

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

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

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

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

RELEVANT STRATEGIC DIRECTIONS AND POLICIES

Nil

FINANCIAL AND BUDGET IMPLICATIONS

Nil

EXTERNAL ECONOMIC IMPLICATIONS

Not Applicable.

SOCIAL ISSUES

Not Applicable.

CULTURAL ISSUES

Not Applicable.

ENVIRONMENTAL ISSUES

Not Applicable.

RESOURCE ISSUES

Not Applicable.

RISK MANAGEMENT

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

CONSULTATION

- **Elected Members**

A report on the draft Annual Financial Statements and draft Audit Report, was presented and considered by the Council at its meeting held on 1 November 2023.

- **Community**

Not Applicable.

- **Staff**

Not Applicable.

- **Other Agencies**

Not Applicable.

DISCUSSION

The Council's External Auditors, Galpins Trading Pty Ltd, have completed the statutory audit of the City of Norwood Payneham & St Peters for the 2022-2023 Financial Year.

As advised at the Council meeting held on 1 November 2023, the External Auditors have issued an unqualified Audit Report in respect to the Annual Financial Statements for the financial year ended 30 June 2023. A copy of the Audit Opinion is contained in **Attachment A**.

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

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

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

OPTIONS

Not Applicable.

CONCLUSION

Nil.

COMMENTS

Nil.

RECOMMENDATION

1. That the Audit Opinion regarding to the 2022-2023 Financial Statements, as contained in **Attachment A**, be received and noted.
 2. That the Audit Opinion on the Council's Internal Controls, as contained in **Attachment B**, be received and noted.
 3. That the Auditor's report to the Council regarding to the 2022-2023 Financial Statements, as contained in **Attachment C**, be received and noted.
-

Cr Duke moved:

1. *That the Audit Opinion regarding to the 2022-2023 Financial Statements, as contained in Attachment A, be received and noted.*
2. *That the Audit Opinion on the Council's Internal Controls, as contained in Attachment B, be received and noted.*
3. *That the Auditor's report to the Council regarding to the 2022-2023 Financial Statements, as contained in Attachment C, be received and noted.*

Seconded by Cr Knoblauch and carried unanimously.

Section 3 – Governance & General Reports

[This Item was dealt with out of sequence – Refer to Page 8 for the Minutes relating to this Item]

11.5 REVIEW OF COUNCIL DECISION – AGED SIGNS LOCATED IN PERCIVAL STREET, NORWOOD

[This Item was dealt with out of sequence – Refer to Page 8 for the Minutes relating to this Item]

11.6 NOMINATIONS TO EXTERNAL BODIES

REPORT AUTHOR: Executive Assistant, Governance & Civic Affairs
GENERAL MANAGER: General Manager, Governance & Civic Affairs
CONTACT NUMBER: 8366 4533
FILE REFERENCE: qA2219
ATTACHMENTS: A - C

PURPOSE OF REPORT

The purpose of this report is to advise the Council of the invitation for nominations from the Local Government Association of South Australia (LGA), for appointments to the following bodies:

1. Environment Protection Authority Board;
2. Local Government Grants Commission; and
3. SA Heritage Council.

Details relating to these appointments are set out below.

Environment Protection Authority Board

The Local Government Association of South Australia (LGA), is inviting nominations for appointment to the Environment Protection Authority Board (the Board).

The Environment Protection Authority (EPA), administers the *Environment Protection Act 1993*, *Radiation Protection and Control Act 2021* and the *Single-use and Other Plastic Products (Waste Avoidance) Act 2020*.

The role of the Board is to oversee the governance, strategic planning and primary objective of the EPA, which is to manage and influence human activities to protect, restore and enhance the environment, including human well-being.

The LGA is seeking nominations from suitably qualified Council Members, or Council employees, to be appointed to the Board for a three (3) year term commencing in February 2024.

The current Local Government Members of the Board are:

- Dr Helen McDonald, Chief Executive Officer, Clare and Gilbert Valleys Council; and
- Mr Mark Withers, Chief Executive Officer, Port Adelaide Enfield Council.

Dr Helen McDonald's term expires on 30 November 2023, and is not eligible for re-appointment.

The Board meets eleven (11) times per year on the second Tuesday of the month, at the EPA offices in Victoria Square, Adelaide. Sitting fees of \$24,765 per annum are paid.

The *Environment Protection Regulations 2009* require the LGA to provide a panel of three (3) nominees from which the Minister will select the appointee.

The Council's Chief Executive Officer has expressed an interest in being nominated.

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

Nominations for the Environment Protection Authority Board must be forwarded to the LGA by 22 December 2023, via the Nomination form contained in Attachment A, and must include an up-to-date Resume.

Local Government Grants Commission

The Local Government Grants Commission (LGGC) is established under the *South Australian Local Government Grants Commission Act 1992*.

The LGGC role is to provide recommendations to the Minister for Local Government on the distribution of untied Commonwealth Financial Assistance Grants to Councils and to perform the role of the Local Government Boundaries Commission by assessing, investigating and recommending Council boundary change proposals to the Minister for Local Government.

The LGA is seeking nominations to fill the LGA nominated position on the LGGC. The current member, Ms Erika Vickery is eligible for re-appointment.

The LGGC meets up to 15 times per year and the role also requires some intra-state travel. Sitting fees of \$13,570 per annum are paid.

Appointments to the LGGC are for a period not exceeding 5 years.

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

Nominations for the Local Government Grants Commission must be forwarded to the LGA by 22 December 2023, via the Nomination form contained in Attachment B, and must include an up-to-date Resume.

SA Heritage Council

The South Australian Heritage Council (SAHC) is established pursuant to the *South Australian Heritage Places Act 1993*.

The SAHC's primary function is to ensure that South Australian places and related objects with heritage significance are protected through entry in the South Australian Heritage Register (Register). This mechanism promotes public understanding and appreciation of the State's heritage.

SA Heritage Meetings are held every five (5) weeks (with no meeting in January) on a Thursday morning for 2-4 hours.

In addition, the SA Heritage Council has a regional meeting (visiting Burra, Beltana and Nilpena) scheduled for 5-7 April 2024 inclusive, which would be the first meeting for the newly appointed members.

Sitting fees of \$206 per meeting are paid to members.

Appointments to the SA Heritage Council are for a term up to three (3) years.

The current Local Government member of the SAHC is this Council's Manager, Urban Planning & Sustainability, Eleanor Walters, who is eligible to nominate for re-appointment.

Ms Walters has expressed an interest in being re-nominated to the SAHC.

The *Heritage Places Act 1993* requires the LGA to provide a panel of three (3) nominees from which the Minister for Environment & Water will select the appointee.

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

Nominations for the South Australian Heritage Council must be forwarded to the LGA by 22 December 2023, via the Nomination form contained in Attachment C, and must include an up-to-date Resume.

RELEVANT POLICIES & STRATEGIC DIRECTIONS

Not Applicable.

RECOMMENDATION 1 - ENVIRONMENT PROTECTION AUTHORITY BOARD

1. The Council notes the report and declines the invitation to submit a nomination to the Local Government Association for the Environment Protection Authority Board.

or

2. The Council nominates _____ to the Local Government Association for the Environment Protection Authority Board.

RECOMMENDATION 2 – LOCAL GOVERNMENT GRANTS COMMISSION

1. The Council notes the report and declines the invitation to submit a nomination to the Local Government Association for the Local Government Grants Commission.

or

2. The Council nominates _____ to the Local Government Association for the Local Government Grants Commission.

RECOMMENDATION 3 – SA HERITAGE COUNCIL

1. The Council notes the report and declines the invitation to submit a nomination to the Local Government Association for the SA Heritage Council.

or

2. The Council nominates _____ to the Local Government Association for the SA Heritage Council.
-

Cr Piggott left the meeting at 8.11pm.

Cr Whittington left the meeting at 8.11pm and did not return.

Environment Protection Authority Board

Cr Duke moved:

The Council nominates the Chief Executive Officer to the Local Government Association for the Environment Protection Authority Board.

Seconded by Cr Sims and carried unanimously.

Local Government Grants Commission

Cr Holfeld moved:

The Council notes the report and declines the invitation to submit a nomination to the Local Government Association for the Local Government Grants Commission.

Seconded by Cr Knoblauch and carried unanimously.

SA Heritage Council

Cr Mex moved:

The Council nominates Ms Eleanor Walters (Manager, Urban Planning & Sustainability) to the Local Government Association for the SA Heritage Council.

Seconded by Cr Callisto 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 - B

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:

- Special Meeting of the Audit & Risk Committee – (20 November 2023)
(A copy of the Minutes of the Special Meeting of the Audit & Risk Committee is contained within **Attachment A**)
- Business & Economic Development Advisory Committee – (28 November 2023)
(A copy of the Minutes of the Business & Economic Development Committee meeting is contained within **Attachment B**)

ADOPTION OF COMMITTEE MINUTES

Cr Piggott returned to the meeting at 8.14pm.

- **Special Meeting of the Audit & Risk Committee**

Cr Clutterham moved that the minutes of the Special Meeting of the Audit & Risk Committee held on 20 November 2023, be received and that the resolutions set out therein as recommendations to the Council are adopted as decisions of the Council. Seconded by Cr Duke and carried unanimously.

- **Business & Economic Development Advisory Committee**

Cr Callisto moved that the minutes of the meeting of the Business & Economic Development Advisory Committee held on 28 November 2023, be received and that the resolutions set out therein as recommendations to the Council are adopted as decisions of the Council. Seconded by Cr Robinson and carried unanimously.

13. OTHER BUSINESS

13.1 Audit & Risk Committee Minutes

Cr Piggott moved:

That Minutes of all future Audit & Risk Committee meetings be presented to Council in full, in confidence if necessary, as an exclusive item of the Council Agenda for consideration and debate prior to adopting the recommendations as decisions of the Council.

Cr Robinson left the meeting at 8.20pm.
Cr Robinson returned to the meeting at 8.22pm.
Cr Sims left the meeting at 8.25pm.

The motion lapsed for want of a seconder.

Cr Sims returned to the meeting at 8.27pm.

Adjournment of Council Meeting

At 8.28pm Cr Callisto moved:

That the Council meeting be adjourned for five (5) minutes.

Seconded by Cr Robinson and carried unanimously.

Resumption of Council Meeting

At 8.33pm the Council meeting resumed.

14. CONFIDENTIAL REPORTS

14.1 COUNCIL RELATED MATTER

RECOMMENDATION 1

That pursuant to Section 90(2) and (3) of the *Local Government Act 1999* the Council orders that the public, with the exception of the Council staff present, be excluded from the meeting on the basis that the Council will receive, discuss and consider:

- (b) information the disclosure of which –
 - (i) could reasonably be expected to prejudice the commercial position of the Council; and
 - (ii) would, on balance, be contrary to the public interest;

by the disclosure of sensitive commercial and financial information and the Council is satisfied that, the principle that the meeting should be conducted in a place open to the public, has been outweighed by the need to keep the receipt/discussion/consideration of the information confidential.

RECOMMENDATION 2

Under Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the report, with the exception of the minutes and attachments, be kept confidential for a period not exceeding six (6) months, after which time the order will be reviewed.

Cr Holfeld moved:

That pursuant to Section 90(2) and (3) of the Local Government Act 1999 the Council orders that the public, with the exception of the Council staff present [Chief Executive Officer; General Manager, Governance & Civic Affairs; General Manager, Urban Planning & Environment; General Manager, Infrastructure & Major Projects; Project Manager, City Projects; Executive Assistant, Chief Executive's Office and Administration Assistant, Governance & Civic Affairs], be excluded from the meeting on the basis that the Council will receive, discuss and consider:

- (b) information the disclosure of which –*
 - (i) could reasonably be expected to prejudice the commercial position of the Council; and*
 - (ii) would, on balance, be contrary to the public interest;*

by the disclosure of sensitive commercial and financial information and the Council is satisfied that, the principle that the meeting should be conducted in a place open to the public, has been outweighed by the need to keep the receipt/discussion/consideration of the information confidential.

Seconded by Cr Knoblauch and carried unanimously.

Cr Sims moved:

Under Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, with the exception of the minutes and attachments, be kept confidential for a period not exceeding six (6) months, after which time the order will be reviewed.

Seconded by Cr Duke and carried unanimously.

14.2 COUNCIL RELATED MATTER

RECOMMENDATION 1

That pursuant to Section 90(2) and (3) of *the Local Government Act 1999* the Council orders that the public, with the exception of the Council staff present, be excluded from the meeting on the basis that the Council will receive, discuss and consider:

- (i) information relating to litigation that the Council believes on reasonable grounds will take place, involving the Council.

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 Holfeld declared a conflict of interest in this matter and left the meeting at 8.52pm.

Cr Callisto declared a perceived conflict of interest in this matter. Cr Callisto advised that he would remain in the meeting and take part in the discussion regarding this matter.

Cr Robinson moved:

That pursuant to Section 90(2) and (3) of the Local Government Act 1999 the Council orders that the public, with the exception of the Council staff present [Chief Executive Officer; General Manager, Governance & Civic Affairs; General Manager, Urban Planning & Environment; General Manager, Infrastructure & Major Projects; Project Manager, City Projects; Executive Assistant, Chief Executive's Office and Administration Assistant, Governance & Civic Affairs], be excluded from the meeting on the basis that the Council will receive, discuss and consider:

- (i) information relating to litigation that the Council believes on reasonable grounds will take place, involving the Council.*

and the Council is satisfied that, the principle that the meeting should be conducted in a place open to the public, has been outweighed by the need to keep the receipt/discussion/consideration of the information confidential.

Seconded by Cr Knoblauch and carried unanimously.

Cr Sims left the meeting at 9.21pm.

Cr Clutterham 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 Callisto and carried unanimously.

Cr Sims returned to the meeting at 9.28pm.

Cr Holfeld returned to the meeting at 9.28pm.

13. OTHER BUSINESS *continued/....*

13.2 Personal Explanation by Mayor Robert Bria - 2024 AFL Gather Round

Mayor Bria sought leave of the meeting to make a Personal Explanation in relation to the 2024 AFL Gather Round.

The meeting granted leave for Mayor Bria to make a Personal Explanation.

Mayor Robert Bria's Personal Explanation

I wish to clarify my position regarding the confidential report on 2024 AFL Gather Round considered at the Ordinary Council meeting held on 6 November 2023.

At that meeting, the report included the following statement : "... *the Mayor, Chief Executive Officer and Manager, Chief Executive's Office, have met with representatives of the Department of Premier and Cabinet and the AFL on a number of occasions, to negotiate and secure the Norwood Oval as a venue for matches as part of the 2024 Gather Round.*"

As an employee of the Department of the Premier and Cabinet (DPC), I can confirm that at no stage during the negotiations to secure matches at Norwood Oval for 2024 AFL Gather Round did I participate in any meetings with representatives from DPC.

The only meetings with external parties I participated in regarding 2024 Gather Round were:

- the post-2023 Gather Round debrief involving the Chief Executive Officer, Manager of the Officer of the Chief Executive; representatives from the AFL and representatives from the Norwood Football Club, held in April, and:
- an online meeting with the Chief Executive Officer; Manager, Chief Executive's Office and Mr Michael Thorne, representing the AFL.

I was invited to participate in an online meeting on 16 August 2023 with the Chief Executive Officer; Manager, Chief Executive's Office and representatives from the AFL. Unbeknown to me, representatives from DPC were also invited. However, I was unwell that week and did not participate in that meeting.

Cr Robinson moved:

That Mayor Bria's Personal Explanation be recorded in the Minutes in its entirety.

Seconded by Cr Duke and carried unanimously.

13.3 2023 Valedictory Statements

• **Mayor Robert Bria**

In preparing my Valedictory remarks for tonight, I reflected on the past 12 months and all that has been achieved in what has been a period of change and renewal.

Firstly, I want to thank and congratulate Councillors Clutterham, Holfeld, McFarlane, Piggott and Robinson for your efforts in your first 12 months as Elected Members of this Council.

The first year after an election can be difficult; understanding Meeting Procedures, Induction training, constant meetings and establishing relationships with your fellow Elected Members and Council staff can take time.

At the Swearing-in ceremony just over a year ago, I said I looked forward "to your energy and enthusiasm to bring fresh ideas to the Council Chamber."

All of you have provided that and I sincerely thank you.

I also advised the returning Members that I would look to them to “help me provide the leadership, support and guidance that is needed to continue having a cohesive and functioning Council”.

All of you have done that and I thank you, as well.

Combined, your energy, enthusiasm, support and guidance have contributed to us operating as a cohesive and functioning Council.

While I will never claim this Council is perfect, I want to say how proud I am that we have stayed ‘above the fray’ and not succumbed to the temptation of copy-cat behaviour regarding what I consider to be the self-indulgent, destructive and juvenile antics by some Elected Members in other Councils by introducing ‘culture war’ debates on issues about flags, prayers, the Voice Referendum, the Kaurua Acknowledgment and when to hold Australia Day celebrations, not to mention where portraits are hung and propagating ridiculous conspiracy theories.

In my opinion, those debates and the associated media coverage have done enormous damage to the sector, and only serves to undermine Local Government’s claim as a responsible, trusted and respected sphere of government.

However, as I have said on many occasions, we are only one decision away from a bad headline.

In that regard, we should always be prepared to hit the ‘Pause’ button, hold a mirror up to ourselves, take time for some self-reflection and ask ourselves and each other, if our words and actions are consistent not only with the values of the organisation but also with the priorities of the people whom we have the honour to serve.

I believe that over the past year we have been focused on our community and have made an excellent start to a new Council term with many achievements to celebrate and be proud of, including:

- Australia Day celebrations held on Australia Day;
- Summer Concert Series and St Peters Fair;
- Two matches at Norwood Oval as part of 2023 AFL Gather Round, which injected millions into the local economy;
- 6th Eastside Business Awards with a record number of nominations (11,062);
- 4.0% rate (average) increase – almost half the inflation rate at the time and one of the lowest increase of any metropolitan Council, together with a projected surplus of \$1.37m;
- record expenditure in infrastructure renewal - \$13m (roads, footpaths, kerbs and water tables and road reseals);
- five (5) Citizenship Ceremonies, which saw 183 people naturalised as Australian Citizens;
- work starting on a new facility at Cruikshank Reserve, Maylands;
- the redevelopment of Dunstan Adventure Playground, St Peters (now completed);
- next stage of the program along the River Torrens Linear Park to widen pathways for pedestrian and cyclists;
- work starting on the \$20million Trinity Valley Stormwater Drainage Project;
- record 660 trees planted – two thirds of them planted in suburbs with the lowest percentage of tree canopy coverage as identified in the Tree Strategy (2022-2027);
- almost 1,000 people attending ‘Raising the Bar’ events across the city;
- completion of the 2023 bi-ennial Community Survey;
- Christmas Pageant attended by an at least 15,000 locals and visitors;
- celebration of National Volunteers Week for our Council-registered Volunteers with a barbecue lunch in May and annual Volunteers Christmas Dinner by attended by about 250 people last month;

- adoption of an Access & Inclusion Strategy;
- development of our first-ever Volunteering Strategy
- update of CityPlan 2030; and
- hopefully next week the redevelopment of Payneham Memorial Swimming Centre.

Not bad. Not bad at all.

This is only a small sample what we have achieved, but more importantly, they are examples of what we can achieve together when we work as a team, because Together Everyone Achieves More!

Take Gather Round, an idea the Council quickly jumped on at the last meeting of the previous Council term.

We put our hand up to say we were interested in hosting matches, we committed funding to invest in infrastructure at Norwood Oval, we acted professionally and exercised great agility and flexibility in our negotiations with multiple parties, and we got two matches.

The results are there for all to see.

Not only millions of dollars injected into the local economy but the development of a strong and trusting working relationship with the AFL, national exposure for our city for a week and now, after six months of negotiations, a return of two matches for next year's edition of Gather Round.

If this isn't an example of leadership and vision on the part of the Council I don't know what is?

This is what Norwood Payneham & St Peters Council is known for; seizing opportunities as they arise, taking calculated risks and continually looking for comparative and competitive advantages to set us apart from other Councils, including Councils in the eastern region, as a model Local Government Authority.

Yes, taking advantage of these opportunities can cost money and I acknowledge that sometimes the budget bottom line can take a hit.

But, as the LGA President Dean Johnson said at the recent LGA Annual General Meeting, *"Local Government is much more than dollars and cents on a spreadsheet."*

At its core, Local Government is about improving the quality of life of communities.

It therefore makes no sense for us to sit back, play it safe and choose the easy option of doing nothing out of fear we will make a mistake or to avoid criticism by our community or the media for spending money.

Ratepayers work hard for their money to contribute to the Council Budget, so it is only fair that in return the Council ensures the money in the budget works hard for ratepayers.

With this in mind, we should look at this year as the beginning of our success, not the end.

However, it will be our action over the next three years that will determine whether this is will be our best term on Council or whether it will be our last.

To quote Conrad Hilton, *"Success seems to be connected with action. Successful people keep moving. They make mistakes, but they don't quit."*

This will require courage, conviction and confidence in our decision-making.

It also means always putting the interests of the wider community before the self-interest of a few, regardless of their status, wealth, power or influence - real or perceived.

In closing, I want to thank all Elected Members for supporting me and representing me at various community events and functions over the past twelve months.

I hope you have enjoyed the opportunity to get out into the community on behalf of the Council.

More importantly, I want to thank you all for supporting each other, which I believe is helping to foster a wonderful *esprit de corps*.

On behalf of all Elected Members, I want to thank the Executive Leadership Team, led by the Chief Executive Officer.

Every year is a challenge, but this year was even more so. Organisational changes, combined with a tight labour market, and high staff turnover contributed to additional layers of complexity in an already dynamic and stressful environment.

Nevertheless, it is clear there is a fresh breeze is blowing through the Town Hall and another new season of success and excitement is around the corner.

I also want to thank and congratulate every other staff member who, every day, demonstrate commitment and professionalism in performing their tasks and wear the values of the organisation on their sleeve.

Thanks also to the more than 200 Council Volunteers who selflessly give their time, skills, knowledge and compassion to others in our community. By lending a hand they are making our community a better place and ensuring the lonely and isolated stay connected and are valued as residents of our city.

I also want to thank the Independent Members of the Council Assessment Panel, Audit & Risk Committee, Road Safety and Traffic Management Committee, Norwood Parade Precinct Committee, Business & Economic Development Advisory Committee and East Waste Audit Committee for their contribution to our City. We are fortunate to be able to draw on their enormous experience, skills and passion.

And finally, a big “thank you” to the residents and business community of the City of Norwood Payneham & St Peters.

Their feedback, complaints, suggestions, engagement in consultation processes, attendance at community events, interactions with staff and Elected Members is critical to local democracy working and holding us - their elected representatives - to account to make our city a better, fairer and more inclusive place to live, work and play.

From my family to yours, I wish you all a very Merry Christmas and a safe and Happy New Year.

- **Chief Executive Officer**

It is usual practice and part of our culture that the Mayor and Chief Executive Officer deliver valedictory speeches at the last ordinary meeting of the Council.

In doing so, it is a good time to reflect on the year that has passed and to thank the many people who have individually and collectively made this year a special one and in turn, have continued to make this City, the very special place that it is.

Instead of going through the list of our achievements, of which there are numerous and which are excellently documented in this year’s Annual Report, I would like to use this opportunity to make some observations about why we do what we do and why we have all been individually and collectively called to public service and why public service is important, even in a free-enterprise Nation.

In doing so, I apologise if my comments and observations are focussed on staff – our most important resource.

I also wish to make these observations in the context of the changing world of Local Government and Government generally and the at times, negative portrayal by the media of Elected Members and staff.

The notion that people – including all of us here in this room – are motivated to work and/or to serve in public office as a result of a desire to just serve, or to make a positive impact on society or a local community - is a long standing one. And once responding to this call or urge to serve in public office, what keeps us motivated and going?...

From an Elected Member perspective, you have chosen to stand for office, you are subsequently elected and there is a close relationship between you and the citizens of the City. You have a vote on what the Council funds, what is approved as part of a budget and you are responsible for oversight of the corporate and financial governance of the City.

In standing for election as individuals, you were all motivated by different things but the overriding and the clear motivation is to make this City a better place and to serve the citizens of this City. At times, when this objective is lost or becomes blurred, the consequences are very noticeable.

From a staff perspective, once the decision is made to serve in public office, how do we maintain a motivated workforce, as this is critical to achieving the Council's objectives.

It is critical, therefore - in the spirit of staff and Elected Members working together to achieve the objectives of making this City a better place - that Elected Members are aware of the importance of fostering and supporting the intrinsic motivations of staff.

So what motivates staff?

The notion that people are motivated to work and serve in public office as a result of altruism (even at a risk or cost to the individual), a desire to serve or a wish to have an impact on the community – is, like Elected Members seeking public office, a long standing one. There is something special about working in public office and it certainly cannot be diminished.

It is closely associated with the idea of the public service ethos, which is founded upon an understanding that serving in public office is different from working in the private sector, both in terms of the tasks we perform and the behaviours that are expected of us.

At the City of Norwood Payneham & St Peters, in addition to the strong and excellent working relationship that exists between staff and Elected Members, there is a strong and very visible motivation amongst staff, to serve our citizens and whilst money and conditions are important, the underlying motivation is the call to public office.

This call does not mean that we are superhuman or that we will always agree with each other or indeed that we can say yes to everything that is requested by Elected Members and the community.

Over the last 4 to 5 years – particularly since the COVID 19 pandemic, the problems which the public sector and particularly Local Government is facing, are as confronting and thorny and intractable as ever. Things are now more complex. Politicians have invented the term '*fake news*' so that citizens don't know what and who to believe any more and who to trust. The public sector should and must be able to be trusted.

Now more than ever, Local Government needs to attract and retain our smartest and most able employees and Managers, to manage our projects, to manage our urban form and build our communities and in the case of this Council, to make and maintain this City as a special place.

We need to recognise this challenge and ensure that we stay ahead of the pack. To do otherwise, will mean that we will not be able to achieve what the Council seeks to do.

The hunt for talent is as fierce now than it has ever been and will only get worse if we do not appreciate what motivates staff to serve in public office and that we are all trying to work together to achieve the common objective of making a better City and a great community.

Having said this, it is my firm belief that at the City of Norwood Payneham & St Peters, we have a strong culture of Elected Members and staff working together and it is important that this culture transcends everything we do and is not diminished in any way. And importantly, that it continues and transcends election cycles and personalities.

As they say, we are only as good as our last meeting and it is instructive to always observe and reflect on what happens elsewhere in the sector and to ensure that we remain focussed on what we are all here to do – and that is to serve our community. We have been called to public office for a reason.

At the City of Norwood Payneham & St Peters, we indeed have in my view, a committed Elected Member body, that is aligned to both serving our community and ensuring that its infrastructure, its parks, the local economy, its urban form, the safety of its citizens, are all left in a better place than when we first started.

Importantly we recognise that these outcomes are only achieved through all of us working together. And, in this increasingly complex world where leadership is diminishing at an alarming rate, I will finish this part of my speech by using what I think is an excellent quote about leadership and public office from Mr Martin Luther King Jr:

“We need leaders who are not in love with money, but who are in love with justice. Not in love with publicity, but in love with humanity”

And now to the thank you's....

Mayor Bria, it has again been a privilege and an honour to serve in public office with you over the last 12 months.

We continue to get the job done in an environment of mutual respect, openness and trust. Our mutual goal is and has always been, to work together for the good of our City and its citizens.

The important element of our working relationship is that we accept and are respectful of each other's roles, responsibilities and skills and this ensures that our individual and collective efforts assist in achieving good governance for this City.

Thank you again for your leadership, your wise guidance and above all, your friendship in what can at times be challenging situations.

To the Councillors, thank you again. I know that I feel safe to say that we don't always agree and staff don't always get it right and we can't always say yes to what you want. I feel safe in saying this because I know that our working relationship is strong and structured in an environment of mutual respect and trust, where advice and opinions, if requested, can be provided without fear or favour.

Without this fundamental cultural environment – that is, being able to provide advice without fear or favour – the decision-making process becomes compromised and then the whole system eventually breaks down.

In Local Government, we have seen many examples of this and as I said earlier, it is both important and instructive to reflect on what occurs in other places and to ensure that malaise does not spread.

And in a quote that has been attributed to Morgan Freeman:

“Just because I disagree with you, does not mean that I hate you” We need to re-learn that in society”.

So, Councillors, thank you for your ongoing trust, support and leadership of this great City. Many things can and are achieved when we work together with each of us playing our part and undertaking our responsibilities for the City and its citizens.

To my General Managers, Lisa Mara, Carlos Buzzetti and Derek Langman and to the expanded Executive Leadership Team which now includes, Skye Grinter-Falzun, Natalia Axenova and Simonne Whitlock – thank you for your support, your invaluable contributions to the corporate management and leadership of the Organisation over the last 12 months.

As I said at Friday night's function, Carlos and Lisa have each been at this Council for almost 20 years. They are truly legends in their chosen fields and I can say with confidence that Lisa is the best Governance professional in Local Government and Carlos is the best Local Government Planner currently working in the sector.

I do not give these accolades lightly but I have many years of experience upon which to base these observations.

To Derek, whilst he has only been with us for a few months, he is making steady and indeed good progress in identifying and resolving issues. Welcome Derek and may your tenure be a long and successful one.

To Natalia, again whilst new to Local Government, Natalia has shown us why we appointed her to the position of Chief Financial Officer – a role that has not traditionally been seen in Local Government.

Whilst there have been many issues to resolve over the last few months, Natalia has progressed and resolved them without fuss. Our finances are important to the Corporate Management of the Organisation and Natalia's input on the Executive Leadership Team will ensure that finance continues to form an important focus and is integrated into our decision making.

To Simonne, whilst not new to public service, Simonne is a relative newcomer to Local Government. Communication is an important part of everything we do and the one axiom of communication is that, no matter how well you do it, or how well you think you have done it, you can always do it better.

Simonne's contribution on the Executive Leadership Group will be fundamental to ensuring that our communication and importantly, our advocacy on issues that are important to our community are at the forefront of our decision-making.

To Skye, her willingness to take on responsibilities such as the Internal Audit, the Service Reviews, completing the WHS Action Plan to ensure that we get our performance bonus, Organisational Development, Human Resources and Corporate Reporting and Project Lead to secure the 2024 AFL Gather Round, continue to amaze me and demonstrates the significant contribution and leadership which she is making to the Organisation and the invaluable support that she continues to provide to me personally in her role as Manager, Office of the Chief Executive.

Skye, thank you for your hard work, your tenacity and the excellent support that you have provided me, as well as that frank and fearless advice which you provide to me.

As the Chief Executive Officer, it is often a very lonely job and in today's complex world, decision making is complex and a vast array of nuances need to be taken into account. It is no longer a linear process.

To this end, I wish to personally thank and particularly acknowledge both Lisa and Skye for their extraordinary personal support that they have provided me during the last 12 months.

Finally, I wish you and your families a very special Christmas and importantly, a very prosperous and healthy 2024.

15. CLOSURE

There being no further business, the Mayor declared the meeting closed at 9.55pm.

Mayor Robert Bria

Minutes Confirmed on _____
(date)