



City of
**Norwood
Payneham
& St Peters**

A G E N D A

FOR THE

MEETING OF COUNCIL

TO BE HELD ON

MONDAY 5 JULY 2010

AT

7.00 PM



**City of
Norwood
Payneham
& St Peters**

*175 The Parade, Norwood SA 5067
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1 July 2010

TO ALL MEMBERS OF THE COUNCIL:

- Mayor Robert Bria
- Cr John Frogley
- Cr Evonne Moore
- Cr Scott Sims
- Cr Garry Knoblauch
- Cr Connie Granozio
- Cr Paul Wormald
- Cr Mike Stock
- Cr Isaac Pasalidis
- Cr Lucy Marcuccitti
- Cr John Minney
- Cr Carlo Dottore
- Cr Lance Manser
- Cr Sue Whittington
- Cr Kevin Duke
- Cr Barbara Erichsdotter

NOTICE OF MEETING

I wish to advise that a meeting of Council will be held on Monday, 5 July 2010 in the Council Chambers, Norwood Town Hall, 175 The Parade, Norwood commencing at 7.00pm.

A light meal will be provided from 6.15pm. For catering arrangements, please advise Tina Zullo on 83664545 if you will be coming for the meal.

Yours faithfully

Mario Barone
CHIEF EXECUTIVE OFFICER

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VENUE : Council Chambers, Norwood Town Hall

HOUR :

PRESENT

Council Members:

Staff:

APOLOGIES : Cr Lance Manser

ABSENT :

1. **OPENING PRAYER**
2. **CONFIRMATION OF THE MINUTES OF THE COUNCIL MEETING HELD ON 7 JUNE 2010**
3. **MAYOR'S COMMUNICATION**
4. **DELEGATES COMMUNICATION**
5. **QUESTIONS WITHOUT NOTICE**
6. **QUESTIONS WITH NOTICE**
Nil
7. **PETITIONS**
Nil
8. **DEPUTATIONS**
Nil
9. **WRITTEN NOTICES OF MOTION**

9.1 INCLUSION OF TRANSPORT SA CAR PARK SITUATED AT THE END OF HOLTON COURT INTO RIVER TORRENS LINEAR PARK – SUBMITTED BY CR JOHN MINNEY

NOTICE OF MOTION:	Inclusion of Transport SA Car Park Situated at the End of Holton Court into River Torrens Linear Park
SUBMITTED BY:	Cr John Minney
FILE REFERENCE:	S/00232 P/01309 S/00048
ATTACHMENTS:	Nil

Pursuant to Regulation 13(2) of the Local Government (Procedures at Meetings) Regulations 2000, the following Notice of Motion has been submitted by Cr John Minney.

NOTICE OF MOTION

1. That the Council confirms its position made at its meeting held on 4 September 2006, that Allotment 13 Booroo Street, Joslin (C.T. 4379/466) be included in the River Torrens Linear Park Public Lands Plan for the following reasons:
 - it naturally fits within the River Torrens Linear Park;
 - not to include it within the River Torrens Linear Park would be highly incongruous to the intention of the River Torrens Linear Park Act to ensure the protection of the River Torrens Linear Park as a world-class asset for the benefit of present and future generations; and
 - it will provide safeguards against any transfer of the land away from public ownership.
2. That the Council opposes the use of this allotment for any purpose, other than Linear Park.
3. That the Council writes to the State Government and Local Members, advising of the Council's position in relation to this matter.

REASONS IN SUPPORT OF MOTION

With the sale of the former Highways Department building to developers for retail, residential and hotel type accommodation, the need for this facility (the carpark) in our City is no longer applicable and as this site was formerly for the better part used as a rubbish tip it is un suitable for any use other than as open space.

It would certainly be an asset to both our local residents as well as those across the River as footbridge access is available and would enable interaction and tourist potential to access the Linear Park through to the City.

STAFF COMMENT

Our understanding is that the former Highways Department building and site in Walkerville, has been sold by the State Government, but the associated car park land situated on the St Peters side of the River Torrens, was not part of that transaction.

The land is still owned by the Commissioner of Highways and has not been declared 'surplus to requirements' at this stage.

Once it is declared surplus, the State Government protocol will apply, whereby the Land Management Corporation (LMC), will assume the responsibility for disposal of the land, firstly by offering it to other Government Departments and statutory bodies, including the local Council, at fair market value. If it is not required by a public body, it will then be offered for sale on the open market.

The known history associated with the land is as follows:

- Originally the land was excavated for its sand, along with many sites along this section of the River Torrens, before being acquired by the East Torrens Municipal Destructor Trust and filled with local refuse.
- In 1963, this land was acquired by the Commissioner of Highways in anticipation of it being required as part of a transport corridor to service the north east section of Metropolitan Adelaide.
- Shortly afterwards, it was developed by the Highways Department as a car park for its employees working in the office building at Walkerville. The pedestrian link to the building was established through the erection of a Bailey bridge across the River, whilst the road link was through Booroo Street, Joslin, into the local street network on this Council's side of the River Torrens.

In 1976, the State Government enacted the River Torrens Land Acquisition Act, which quarantined development within 60 metres of the top of the river bank and gave the Government the authority to compulsorily acquire land for the park purposes. The majority of the car park was within this arbitrary limit.

As the River Torrens Linear Park became established, a special zone called the Linear Park (River Torrens) Zone was created in the State Development Plan to reinforce the conversion of the land within the Zone to park purposes. However, this land remained zoned as Residential 1.

In 1983, the North East Bus Way Project (a.k.a. O-Bahn) cut a corridor between the car park and the local street network, which resulted in a new access road being constructed that used Holton Court, St Peters, instead of Booroo Street, Joslin. A bridge was also constructed over the bus way. Two thirds of the bridge is situated on the former Holton Court road reserve and the remaining quarter on the access road land comprised within the car park allotment.

Holton Court was a private road owned by the SA Housing Trust at the time, but was declared a public road in July 1995 by the former Town of St Peters after receiving contributions of \$4,758 each from the SA Housing Trust, the Department of Transport and the adjoining private landowner reliant on Holton Court for access and services. This amount of \$14,274, was based on the estimated cost of resealing Holton Court. No account was taken of the cost of bridge maintenance.

At present, the Commissioner of Highways is maintaining the whole of the bridge, but if the land is sold to a private developer, the Council could become responsible because three quarters of it is a fixture on land owned by the Council. This issue is currently being sorted out.

Given that the site is most probably contaminated as a result of its use as a refuse tip many years ago and it may be unstable due to the filled nature of the land, it is unlikely that it is capable of being developed for housing, without significant funds being spent on its rehabilitation.

The advantages in having the land remain in public ownership and undeveloped are:

- it prevents the inconsonance of having this island of land within the River Torrens Linear Park remain outside of the Linear Park;
- it will add to the integrity of the River Torrens Linear Park by providing continuity to the parkland appearance within the Park at this location, if the car park is converted to park land.

At the same time, the previous use of the land and its potential rehabilitation is an issue which will need to be resolved.

The actions sought through the Notice of Motion are aimed at re-affirming the Council's position in respect to this land.

10. STAFF REPORTS

SECTION 1 - STRATEGY & POLICY
REPORTS

10.1 COMMUNITY ACCESS TO TENNIS FACILITIES

REPORT AUTHOR: Chief Executive Officer
GENERAL MANAGER: Not Applicable
CONTACT NUMBER: 83664539
FILE REFERENCE: S/02292
ATTACHMENTS: Nil

PURPOSE OF REPORT

The purpose of this report is to provide the Council with background information relating to community access to tennis facilities.

BACKGROUND

At its meeting held on 3 August 2009, the Council resolved to “investigate ways of making greater use of tennis courts in the Council area, which are currently used predominantly by specific tennis clubs”.

This resolution was made following consideration of a Notice of Motion which was submitted by Cr Kevin Duke.

In support of the Notice of Motion, Cr Duke put forward the following reasons:

There has been an increase in recent times in the number of residents of all ages wishing to participate in physical recreational activities in general and specifically tennis. These people do not wish to belong to a tennis club committed to regular competition, but simply wish to be able to play at various times fitting in with other commitments.

Whilst it is possible for residents/ratepayers to join clubs as social members and so play at times convenient to them, many believe that facilities provided at ratepayers' expense should be available for all without having to be a member of a tennis club.

I believe we should explore ways of encouraging a greater use of all our tennis courts, in addition to a formal hiring system. One possible way could be to require some courts to be available to the public at designated times when not required for coaching or competition, or the provision of a financial incentive to clubs on the basis of social player membership. There are probably many ways to achieve the greater use of our tennis courts and encourage active recreation. Hence my request to explore this issue with input from tennis clubs and ratepayers.

The following tennis facilities are located on Community Land within the City of Norwood Payneham & St Peters:

- Syd Jones Reserve, Firle;
- Joslin Reserve, Joslin;
- Cruickshank Reserve, Maylands;
- Buttery Sportsground, Norwood;
- Payneham Oval, Payneham;
- Burchell Reserve, St Peters;
- Trinity Gardens Soldiers' Memorial Reserve, Trinity Gardens; and
- John Horrocks Memorial Green (Holmesdale Tennis Club).

The tennis courts located at Syd Jones Reserve, Joslin Reserve and Burchell Reserve, are not dedicated/used/leased by tennis clubs and are available free of charge and without the need/requirement to book the courts prior to usage. In short, these courts are identified as community courts. However, the courts at Syd Jones Reserve and Burchell Reserve are in a poor condition. The potential redevelopment of Burchell Reserve will be considered as part of a Master Plan for Burchell Reserve which will be undertaken later this year.

The tennis courts at the Payneham Oval are available for hire to the community at a rate of \$9.00 (fee for 2010-2011) when the East Adelaide Payneham Tennis Club are not using the courts. Bookings are made through the Council (the Payneham Library) and hire fees are retained by the Council.

The courts located at Cruickshank Reserve, Maylands and the John Horrocks Memorial Green at St Morris (the Holmesdale Memorial Tennis Club) are leased to tennis clubs. As Elected Members will recall, the tennis courts at these reserves have been re-constructed in accordance with the Council's Tennis Facilities Policy and as part of the Policy, both Clubs have entered into leases with the Council. In turn, the Lease provides for the courts to be made available for hire to the community at rates that are approved by the Council. As part of these community access arrangements, signs are required to be displayed at the courts, advising that the courts are available for hire and the contact arrangements.

The relevant clauses contained in the Lease between the Council and the Holmesdale Memorial Tennis Club and the St Peters Sports & Community Centre relating to public access state as follows:

3.20 Public Access

- 3.20.1 Notwithstanding any other provisions of this Lease, the Lessee acknowledges that it is a condition of the Lease that the public be granted access to the premises.*
- 3.20.2 Public access to the premises is to be provided for at all reasonable times that the premises are not required for the Lessee's purposes in conducting tennis training or playing competition matches.*
- 3.20.3 The Lessee may set and charge an hourly hire fee of an amount comparable to the hourly hire fee imposed by similar facilities. Council has the right to review and impose a fee if it is considered that the fee proposed by the Lessee is inappropriate in that it is unreasonably high or low compared to that charged by other similar facilities.*
- 3.20.4 The revenue raised from the hourly hire of the premises belongs to the Lessee and may be expended by the Lessee in accordance with its constitution.*
- 3.20.5 The Lessee will supply to Council information on the availability of the premise for public use, along with relevant contact details of the person or persons from the Lessee's organisation who will facilitate public access.*
- 3.20.6 A sign must be erected and maintained at all times, at the premises detailing that the premises are available for public hire and must state the contact telephone details for the person or persons who the public may contact to arrange for the hire of the premises. Signage must include the City of Norwood Payneham & St Peters name and Logo to acknowledge that it is a Council owned premise.*

In respect to the Trinity Gardens Memorial Tennis Club, the courts are sub-leased from the Trinity Gardens Soldiers Memorial Reserve Association Inc. In the lease, there are special provisions that have been carried through from the Deed of Trust which was made in 1924 when the Reserve was created and handed over to the former District Council of Payneham. In this respect, children under the age of fourteen (14) years who register as non-paying members are entitled to use the courts free of charge when adults are not using the courts. Other members of the public are entitled to use the premises when the courts are not being used and a fee may be charged. As Elected Members will recall, the Council has endorsed the reconstruction of the courts at Trinity Gardens and as part of this arrangement, the Club will be required to enter into a Lease with the Council.

The Norwood Tennis Club uses five (5) courts located at the Buttery Sportsground on a "semi" lease arrangement with the Buttery Sportsground Management Committee. There are no requirements for the Club to make the courts available for hire, however, the courts are available for hire.

Aside from the community tennis courts located at Syd Jones Reserve, Burchell Reserve and Joslin Reserve, the Council is only directly involved with the community hire of the courts located at the Payneham Oval. Community usage of the other courts is handled directly by the clubs.

All of the courts which are used by tennis clubs have signage indicating that the courts can be hired and a contact person/number is provided.

RELEVANT STRATEGIC DIRECTIONS & POLICIES

The relevant Council policy is the Tennis Facilities Policy. The Policy contains the following statement in respect to Public Access:

1. Public Access

The Council will seek to increase access to tennis facilities that are available on a restricted and unrestricted basis to the general public, through a range of strategies, including:

- (a) increasing unrestricted access for the general public to non-club tennis courts free of charge by making more efficient use of existing tennis courts. The responsibility for the management and maintenance of these courts, will rest with the Council. In addition, in line with the Council's Open Space Strategy, the Council will explore options for providing a more diverse range of recreational opportunities linked to these tennis courts;*
- (b) requiring clubs or associations that lease or licence Council owned tennis courts, to make the courts available to the general public at times that the club or association does not require the courts. Where clubs or associations intend to charge a hire fee for use of the courts, the proposed hire fees must be approved by the Council; and*
- (c) providing the general public with the opportunity to hire tennis courts located at the Payneham Oval (for a hire fee) at times that the Payneham/East Adelaide Tennis Club does not use the courts.*

FINANCIAL AND BUDGET IMPLICATIONS

The income from hirers of the Payneham Tennis Courts is \$1,082 for 2009-2010 and \$1,166 for 2008-2009.

EXTERNAL ECONOMIC IMPLICATIONS

Not applicable.

SOCIAL ISSUES

Notwithstanding the fact that the majority of tennis courts are leased to and used by clubs, the provision and ongoing maintenance of the courts is a significant cost to both the Council (ie. the community) and the clubs, whilst the clubs must have first priority in terms of usage, it is important that the community also has access to the courts. As such a balance is required. The clubs are aware of and supportive of this, however, it is clear that a City-wide uniform and consistent approach needs to be put in place, so that there is no confusion about availability of the courts, how bookings are made and so on.

CULTURAL ISSUES

Not applicable.

ENVIRONMENTAL ISSUES

Not applicable.

RESOURCE ISSUES

Not applicable.

RISK MANAGEMENT

Not applicable.

CONSULTATION

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

DISCUSSION

The issue with community usage of courts which are leased to tennis clubs, is that in reality there is limited/restricted access available to the community given that the first priority is the Club's usage. For example, whilst the existence of formalised leases with the St Peters Sports & Community Centre and the Holmesdale Memorial Tennis Club provides the ability for the Council to intervene, the administration of these arrangements over the last few years has not been followed through and the robustness of these arrangements cannot be vouched for.

In order to progress this matter and achieve the objective of the Council's resolution (and indeed its Policy), it would seem sensible to put in place a clear and consistent process for all tennis courts. To achieve this, discussions will need to take place with all of the clubs to determine and agree upon a framework. For example, consistent and uniform signage, whether a fee should be charged and the quantum of any fee, agreeing on a system of how the community will be provided with access, who deals with the bookings and so on are all issues which need to be resolved.

Based upon the complaint which was the genesis of this issue, it would appear that there is confusion in terms of the booking process, who is responsible and when the courts are actually available.

If the Council endorses the strategy of staff meeting with the various clubs, then this work will commence immediately with a view to a report being prepared for the Council's consideration at its September 2010 meeting.

OPTIONS

Not applicable.

CONCLUSION

Nil.

COMMENTS

Nil.

RECOMMENDATION

That the Council notes that discussions will take place with the tennis clubs in Norwood Payneham & St Peters, with the objective of discussing and determining opportunities of increasing community usage of tennis courts including the resolution of issues such as:

- uniform and consistent signage;
- booking system;
- fees (whether a fee should be charged and the quantum of any fee); and
- how access to the courts will be provided (ie times and arrangements).

SECTION 2 - CORPORATE & FINANCE

REPORTS

10.2 MONTHLY FINANCIAL REPORT – MAY 2010

REPORT AUTHOR: Accountant
GENERAL MANAGER: General Manager, Corporate Services
CONTACT NUMBER: 8366 4548
FILE REFERENCE: S/00697
ATTACHMENTS: A

PURPOSE OF REPORT

The purpose of this report is to provide the Council with information regarding its financial performance for the year-to-date to May 2010.

BACKGROUND

Section 59 of the Local Government Act 1999 (the Act), requires the Council to keep its resource allocation, expenditure and activities and the efficiency and effectiveness of its service delivery, under review.

To assist the Council in complying with these legislative requirements and the principles of good corporate financial governance, the Council is provided with regular monthly financial reports detailing its financial performance.

RELEVANT STRATEGIC DIRECTIONS & POLICIES

Not applicable.

FINANCIAL AND BUDGET IMPLICATIONS

A summary of timing and permanent variances of a material nature is contained in **Attachment A**.

Materiality can be defined as an amount of \$20,000 or greater, or having a significant effect on Council's decision making process, based upon the major income or expense category (as detailed in the Income Statement) for each operation of the Council.

EXTERNAL ECONOMIC IMPLICATIONS

This report provides information on the financial performance of the Council for the year-to-date to May 2010 and has no direct external economic impact.

SOCIAL ISSUES

Nil.

CULTURAL ISSUES

Nil.

ENVIRONMENTAL ISSUES

Nil.

RESOURCE ISSUES

There are no resource issues arising from this issue.

RISK MANAGEMENT

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

CONSULTATION

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

DISCUSSION

Contained within **Attachment A**.

OPTIONS

Not applicable.

CONCLUSION

Nil.

COMMENTS

Nil.

RECOMMENDATION

That the report contained in Attachment A be received and noted.

10.3 ADOPTION OF ANNUAL BUSINESS PLAN, BUDGET AND DECLARATION OF RATES FOR 2010-2011

REPORT AUTHOR: Manager, Finance
GENERAL MANAGER: General Manager, Corporate Services
CONTACT NUMBER: 83664585
FILE REFERENCE: S/01985
ATTACHMENTS: A - H

PURPOSE OF REPORT

To present to Council, the 2010-2011 Annual Business Plan, Annual Budget and Rates Policy (including the relevant "Rates in the Dollar") for consideration and adoption.

BACKGROUND

Pursuant to the provisions contained in Chapters 8,9,10 of the Local Government Act 1999 (the Act), the Council is required to adopt both the Annual Business Plan and Annual Budget after 31 May but before 31 August each year.

Part 2 of the Act, "Annual Business Plans and Budgets" requires the Council to consider its budget in conjunction with the Council's Annual Business Plan and adopt it following adoption of the Annual Business Plan.

The draft 2010-2011 Annual Business Plan and Budget Estimates, have been considered by the Council at meetings held on 27 April 2010, 13 May 2010 and 7 June 2010. Public submissions were sought regarding the Draft Annual Business Plan. One (1) submission was received and considered at the Council meeting held on the 7 June 2010. The submission was assessed as having no financial implications for the 2010-2011 Annual Budget. The submission has been forwarded to council staff for further investigation and response.

This report provides a summary of the Annual Business Plan, Budgeted Recurrent Operating Position, Capital and Special Projects and rate increases at week 50, based on an increase in rate revenue of 5%.

RELEVANT STRATEGIC DIRECTIONS & POLICIES

The adoption of the 2010-2011 Annual Business Plan and Budget, will contribute to the Council achieving its goal of financial sustainability.

FINANCIAL AND BUDGET IMPLICATIONS

The draft 2010-2011 Budget has been developed to achieve an Operating Surplus of \$40,494. This result incorporates a Recurrent Operating Surplus \$499,659 from the provision of existing services (recurrent operations) before the inclusion of net operating project spend of \$559,475 and the net impact of project carry forwards (reduction in expenditure of \$100,310).

To achieve this result, rate revenue is required to increase by 5%. The impact of the rate revenue increase on the average residential rate is 4.5% after allowing for the impact of new development.

The Long Term Financial Plan contained a rate revenue increase of 3.3%. The difference between the rate revenue increase in the Long Term Financial Plan and the draft 2010-2011 Budget, is predominately driven by the increase in depreciation, following the revaluation of infrastructure assets which was unknown at the time the Long Term Financial Plan was prepared. That is, the value of the infrastructure assets has increased and in turn this has resulted in an increase in depreciation expense.

EXTERNAL ECONOMIC IMPLICATIONS

Nil.

SOCIAL ISSUES

Nil.

CULTURAL ISSUES

Nil.

ENVIRONMENTAL ISSUES

Nil.

RESOURCE ISSUES

Nil.

RISK MANAGEMENT

There are a number of risk management issues arising from this issue and as such it is important the budget is prepared and adopted in accordance with the relevant statutory requirements. To this end the draft budget has been prepared in accordance with the relevant statutory requirements.

CONSULTATION

- **Elected Members**

Elected Members have been involved throughout the Budget process and have considered the various components of the draft 2010-2011 Budget Estimates and made decisions as appropriate. Elected Members have also had the opportunity to submit Projects for consideration.

- **Community**

Public submissions on the Annual Business Plan were sought. One (1) submission was received and considered at the Council meeting held on 7 June 2010. The submission was assessed as having no financial implications for the 2010-2011 Annual Budget.

- **Staff**

The review of the Operating Expenditure and Special Projects and the Draft Annual Business Plan process, has been completed with the involvement of the Chief Executive Officer, General Managers and the various Responsible Officers.

- **Other Agencies**

Nil.

DISCUSSION

OVERVIEW OF BUDGET POSITION

The Local Government (Financial Management) Regulations 1999, Part 2 Financial Accountability, requires (pursuant to section 123(10) (b) of the Act) the budget to contain;

- (a) a budgeted income statement, balance sheet, statement of changes in equity and statement of cash flows, presented in a manner consistent with the Model Financial Statements; and
- (b) a statement as to whether projected operating income is sufficient to meet projected operating expenses for the relevant financial year; and
- (c) a summary of operating and capital investment activities presented in a manner consistent with the note in the Model Financial Statements entitled Uniform Presentation of Finances; and
- (d) estimates with regard to the council's operating surplus ratio, asset sustainability ratio and net financial liabilities ratio presented in a manner consistent with the note in the Model Financial Statements entitled Financial Indicators.

This information has been included in the Annual Business Plan, a copy of which is contained in **Attachment A**. In addition the recurrent budget by Department is contained in **Attachment G**.

BUDGETED RECURRENT OPERATING POSITION

The Operating Surplus/Deficit position is determined by combining the Recurrent Operating Budget and the planned Operating Projects.

Table 1 below details the components of the planned Operating Surplus of \$40,494. The draft 2010-2011 Annual Business Plan and associated budget, is predicting a Recurrent Operating Surplus of \$499,659. The Recurrent Operating Surplus is offset by an Operating Deficit of \$459,165. The Operating Deficit comprises, 2010-2011 approved operating projects, approved carry forward amount of \$192,593 relating to uncompleted projects from the 2009-2010 financial year and an allowance of \$292,903 being the estimated value of 2010-2011 approved projects to be carried forward into the 2011-2012 financial year.

BUDGETED OPERATING PROJECTS POSITION

The anticipated cost to complete the 2010-2011 Operating Projects, endorsed by the Council at meetings held on 13 May 2010 and 7 June 2010, is \$985,353. The planned spend is offset by income of \$425,878, which will be sourced through rates revenue, user charges, grants and other contributions.

The net funding cost of \$559,475 for the 2010-2011 Operating Projects, offsets Council's Recurrent Operating Surplus.

The 2010-2011 Operating Projects includes the Separate Rate for The Parade. The income raised from the levying of this Separate Rate, will be offset by expenditure equal to the income collected.

TABLE 1 – PROPOSED BUDGETED INCOME STATEMENT for the year ended 30 June 2011

	Recurrent Operating 2010-2011 \$	Carry Forwards 2009-2010 \$	Projected Carry Forwards 2010-2011 \$	Operating Projects 2010-2011 \$	Capital Projects 2010-2011 \$	Proposed Budget 2010-2011 \$
INCOME						
Rates	25,376,645			145,000		25,521,645
Statutory Charges	1,381,550					1,381,550
User Charges	2,669,622			12,300		2,681,922
Grants, Subsidies & Contributions	2,598,521			268,578		2,867,099
Investment Income	176,400					176,400
Reimbursements	259,166					259,166
Other Income	101,050					101,050
TOTAL INCOME	32,562,954	-	-	425,878	-	32,988,832
EXPENSES						
Employee Costs	11,413,748				-	11,413,748
Materials, contracts & other expenses	12,550,900	192,593	(292,903)	985,353	-	13,435,943
Finance Costs	1,130,478			-	-	1,130,478
Depreciation & Amortisation	6,878,200			-	-	6,878,200
Net gain (loss) - joint venture & associates	89,969				-	89,969
TOTAL EXPENSES	32,063,295	192,593	(292,903)	985,353	-	32,948,338
OPERATING SURPLUS / (DEFICIT)	499,659	(192,593)	292,903	(559,475)	-	40,494
Net gain (loss) on disposal or revaluation of assets	-	-		-	26,000	26,000
Amounts specifically for new or upgraded assets	-	-		-	2,523,625	2,523,625
NET SURPLUS / (DEFICIT)	499,659	(192,593)	292,903	(559,475)	2,549,625	2,590,119

BUDGETED CAPITAL PROJECTS INCLUDING CAPITAL WORKS

The draft 2010-2011 Annual Business plan includes net Capital Expenditure allocation of \$10.1m. The net Capital expenditure is split across the Civil Infrastructure and Capital Works Program (\$3.7m) and other capital projects (\$6.4m).

The spend associated with the Capital Works and Capital Projects Program was endorsed by the Council at meetings held on 13 May 2010 and 7 June 2010.

The following attachments are provided for Council's information –

- **Attachment B** – Recommended Capital and Operating Projects
- **Attachment C** – Capital Works Program

As detailed in Table 2 below, the 2010-2011 Civil Infrastructure and Capital Works of \$3.7m is proposed in accordance with the Council's Whole-of-Life Framework, as approved by the Council on 2 April 2004.

TABLE 2 – CAPITAL WORKS

	Net Cost
▪ Drainage	\$1,389,250
▪ Road Resealing	\$919,760
▪ Footpath Reconstruction	\$774,785
▪ Kerbing Reconstruction	\$583,709
TOTAL Whole-of Life	\$3,667,504

On a full accrual basis, the capital expenditure will not affect the operating result before capital revenues, except through future years' depreciation and interest on any loan borrowings.

In respect to other Capital Projects expenditure (\$8.9m) presented for adoption as part of the draft Annual Business Plan, \$2.5m of grant funding has been secured to offset this spend, resulting in a net cost to Council of \$6.4m.

RATES MODELLING

The rate modelling information provided at the Special Council Meeting on 27 April 2010 was based on valuations at Week 39. Valuations at Week 50 (**Attachment E**) are now available and it is proposed these valuations now be used.

The impact of the change is detailed in Table 4:

TABLE 4 – VALUATION CHANGE IMPACT ON AVERAGE RESIDENTIAL RATE

	Average Rate (after allowing for the impact of growth)	Increase (over previous financial year)
2009-2010 (Based on valuations at Week 50)		
• Residential	\$1,069	5.46%
• Commercial	\$1,875	5.44%
27 April 2010 (Based on valuations at Week 39)		
• Residential	\$1,121	4.84%
• Commercial	\$1,936	3.26%
2010-2011 (Based on valuations at Week 50)		
• Residential	\$1,117	4.54%
• Commercial	\$1,962	4.65%

To assist Elected Members to explain the increase to rate payers an information sheet, "My rates have gone up but tell me what has changed since the budget was adopted last year", has been prepared and is available in **Attachment H**.

2010-2011 Rating Policy

The Council is required to adopt a Rating Policy as part of its Annual Business Plan each year, which formally documents the Council's Rating Strategy. The draft Rating Policy is contained in **Attachment A**.

In 2002-2003, the Council adopted a uniform rating policy across the City which resulted in the Commercial and Industrial Differential "Rate-in-the-Dollar" being 20% above the General Rate.

The changes from last year are:

- Increase in the average residential rate after allowing for the impact of new development of 4.54%, equivalent to \$48 per annum.
- Increase in the minimum rate of \$35, from \$694 to \$729.
- Increase in rate revenue excluding fines and NRM Levy of \$1,169,555 from \$23,391,091 to \$24,560,646.
- Increase in rate revenue due to new property development of \$ 220,775.

The recommended minimum rate of \$729 per annum is comparable to that set out by neighbouring Council's namely:

- Walkerville \$875 pa
- Prospect \$812 pa
- Mitcham \$749 pa
- Campbelltown \$695 pa
- Burnside \$639 pa
- Unley \$590 pa

After allowing for the impact of new development, the average residential rate has increased from \$1,069 to \$1,117 or an increase of 4.54%. Average rate information for 2010-2011 is not available for all metropolitan Councils; however Table 5 below details the average residential rate for selected metropolitan Councils known at the time of compiling this report. These rates are still to be ratified by the respective councils.

TABLE 5 – COMPARISON OF AVERAGE RESIDENTIAL RATE

Council Area	Average Residential Rate	Average Residential Rate	% Increase
	2010-2011	2009-2010	
	\$	\$	
Walkerville	Not available	1,415	-%
Unley	1,330	1,211	4.9%
Prospect	1,321	1,246	6.0%
Burnside	1,300	1,246	4.3%
Mitcham	1,223	1,159	5.5%
Campbelltown	1,152	1,099	4.8%
Norwood Payneham & St Peters	1,117	1,069	4.5%

It should be noted the 2010-2011 Capital Value increase, as advised by the Valuer-General across the City of Norwood, Payneham & St Peters is 7.8%. Table 6 details the Capital Value increases by land use for all property classes.

TABLE 6 - VALUATION INCREASE FROM 2009-2010 BY LAND USE

Land Use	2010-2011 Capital Value %	2009-2010 Capital Value \$	% Increase
Residential	8,136,341,270	7,539,470,843	7.9%
Commercial	1,556,837,191	1,445,054,689	7.7%
Industrial	125,332,489	120,799,793	3.8%
Vacant Land	86,488,000	73,454,000	17.7%
Other	237,596,550	227,866,675	4.3%
Non-Rateable	211,631,020	198,654,800	6.5%
Total	10,354,226,520	9,605,300,800	7.8%

A cross-sample of rate increases for particular properties chosen at random is contained in **Attachment F**.

OPTIONS

The Council has the following options:

1. Adopt the Budget, being an Operating Surplus of \$40,494 and an overall Net Surplus (including Capital Income) of \$2.59m as proposed in this report, which :
 - is in line with the components which have been adopted “in principle” at the Council Meetings held on 27 April 2010, 13 May 2010, 7 June 2010; and
 - incorporates the adjustments proposed at those meetings; and
 - is based on a rate revenue increase of 5.0%, resulting in an increase in the average residential rate of 4.5% after allowing for new development.
2. To alter the rate revenue increase or recommended Capital Works or Operating Projects expenditure.

In order to move forward Option 1 is recommended.

CONCLUSION

Nil.

COMMENTS

If Elected Members have any questions or require clarification in relation to specific budget items, and/or any issues raised in this report, do not hesitate to contact the General Manager, Corporate Services, Gary Button, prior to the meeting.

RECOMMENDATION

That in exercise of the powers contained in Chapters 8, 9 and 10 of the Local Government Act 1999 and in respect to the Financial Year ending 30 June 2010, the following recommendations be adopted by the Council.

1. ADOPTION OF 2010-2011 ANNUAL BUSINESS PLAN

- (a) Pursuant to the provisions of Section 123(6) of the Local Government Act 1999, the Annual Business Plan including the Council's Rating Policy as contained within **Attachment A** be adopted.

2. ADOPTION OF 2010-2011 ANNUAL BUDGET

- (a) Pursuant to Section 123(7) of the Local Government Act 1999 and Regulation 5B (a) of the Local Government (Financial Management) Regulations 1999, the Budgeted Income Statement, Budgeted Balance Sheet, Budgeted Cash Flow Statement, the Budgeted Statement of Changes in Equity as contained within **Attachment A**, be adopted.
- (b) Pursuant to Section 123(7) of the Local Government Act 1999 and Regulation 5B (b) of the Local Government (Financial Management) Regulations 1999, the statement regarding the Operating Deficit Position contained within **Attachment A**, be adopted.
- (c) Pursuant to Section 123(7) of the Local Government Act 1999 and Regulation 5B (c) of the Local Government (Financial Management) Regulations 1999, the Uniform Presentation of Finances as contained within **Attachment A**, be adopted.
- (d) Pursuant to Section 123(7) of the Local Government Act 1999 and Regulation 5B (d) of the Local Government (Financial Management) Regulations 1999, the Financial Indicators as contained within **Attachment A**, be adopted.

3. ADOPTION OF VALUATION

Pursuant to the provisions of Section 167(2)(a) of the Local Government Act 1999, the Council adopts, for rating purposes, the Valuer-General's Valuation of Capital Values applicable to land within the area of the Council for the 2010-2011 Financial Year totalling \$10,354,226,520 - (an increase of 7.80%) and that 1 July 2010 is specified as the date on which such valuations are adopted.

4. RATE CAPPING

That pursuant to Section 153(3) of the Local Government Act 1999, the Council has determined not to fix a maximum increase in the general rate to be charged on rateable land that constitutes the principle place of residence of a principal ratepayer.

5. DECLARATION OF RATES

In exercise of the powers in Section 153(1)(b) and pursuant to Section 156(1)(a) of the Local Government Act 1999, the Council declares differential general rates, to apply to the Capital Value of rateable land such differential rates varying according to the uses of land which are designated in Regulation 10(2) of the Local Government (General) Regulations 1999 as follows:

Residential	0.22903 cents-in-the-dollar
Commercial – Shop	0.27484 cents-in-the-dollar
Commercial – Office	0.27484 cents-in-the-dollar
Commercial – Other	0.27484 cents-in-the-dollar
Industry – Light	0.27484 cents-in-the-dollar
Industry – Other	0.27484 cents-in-the-dollar
Primary Production	0.27484 cents-in-the-dollar
Vacant Land	0.27484 cents-in-the-dollar
Other	0.27484 cents-in-the-dollar

6. MINIMUM RATE

Pursuant to the provisions of Section 158(1)(a) of the Local Government Act 1999, the Council fixes \$729 as the minimum amount by way of general rates.

7. PAYMENT OF RATES

(a) Pursuant to Section 181 of the Local Government Act 1999, the Council declares that all rates (including charges which have been imposed), for the Financial Year ending 30 June 2011, shall be payable in four (4) equal or approximately equal instalments, falling due on 1 September 2010, 1 December 2010, 1 March 2011 and 1 June 2011, provided that in cases where the account requiring payment of rates is not sent out at least 30 days prior to the due date for payment, the authority to fix the date by which rates must be paid in respect to those assessments, be determined by the Chief Executive Officer.

(b) Pursuant to Section 44 of the Local Government Act 1999 the Council delegates to the Chief Executive Officer:

- The power to determine the date by which rates must be paid where the rates notice is not sent out at least 30 days prior to the due date for payment pursuant to Section 181(1) of the Act.
- The power to agree with the principal ratepayer that rates will be payable in such instalments falling due on such days as the Chief Executive Officer thinks fit and in that event, the rates will be payable accordingly, pursuant to Section 181(4)(b) of the Act.
- The power, where the Council has entered into an agreement with a principal ratepayer under Section 181(4)(b), as part of the agreement, to vary the periods for the provision of accounts under Section 181(6)(a) or (b), pursuant to Section 181(7) of the Act.
- The power to remit any amount payable as a fine on unpaid instalments of rates, in whole or in part, pursuant to Section 181(9) of the Act.
- The power to impose a surcharge or administrative levy not exceeding 1% of the rates payable in a particular financial year with respect to the payment of rates by instalments under Section 181(4)(b), pursuant to Section 181(12)(b) of the Act.

- The power, in relation to the payment of separate rates or service rates, by written notice incorporated in a notice for the payment of those rates sent to the principal rate payer shown in the assessment record in respect of the land at the address shown in the assessment record, at least 30 days before an amount is payable in respect of the rates for a particular financial year, to impose a requirement that differs from the requirements of Section 181, pursuant to Section 181(13) of the Act.

8. THE PARADE PRECINCT DEVELOPMENT RATE

For the financial year ending 30 June 2011 and pursuant to the provisions of Section 154 of the Local Government Act 1999, in order to support and improve business viability, profitability, trade and commerce in that part of the Council's area comprising the following geographical boundary:

- the District Commercial Zone surrounding The Parade, Norwood, situated between Portrush Road to the east and Fullarton Road to the west;
- the Mixed Use (Business) Zones adjacent to the District Commercial Zone surrounding The Parade, Norwood, situated between Portrush Road to the east and Fullarton Road
- the Business Zone on The Parade; and
- a frontage to The Parade in the Mixed Use Historic (Conservation) Zone;

where such zones are identified in the Council's Development Plan,

the Council declares a differential separate rate of 0.04855 cents-in-the-dollar on the capital value of all land classified as Category 2 – Commercial Shop, Category 3 – Commercial Office Category 4 – Commercial Other and Category 5 - Industrial Light.

Further the Council grants a discretionary rebate of 50% of The Parade Separate Rate under Section 166(1)(a) of the Local Government Act 1999, to all properties that fall within the geographical boundary described above and which have a land use of Category 3 – Commercial Office.

9. SEPARATE RATE

Pursuant to the provisions of Section 154(1) of the Local Government Act 1999 and Section 95 of the Natural Resources Management Act 2004, in order to reimburse to the Council the amount contributed to The Adelaide and Mt Lofty Ranges Natural Resources Management Board, the Council declares a separate rate of 0.00789 cents-in-the-dollar on the Capital Value of rateable property within the Council area for the Financial Year ending 30 June 2011.

10. LOAN BORROWINGS

- (a) The Council of the City of Norwood Payneham & St Peters approves Loan Borrowings for the 2010 – 2011 Financial Year up to a maximum of \$4,000,000 for the purposes of capital expenditure funding utilising previously approved loans which are yet to be drawn down.
- (b) The Chief Executive Officer is authorised to negotiate the most beneficial financial terms for the Council with a lending authority after obtaining competitive written quotes at a time considered appropriate by management and arrange the draw down of the loan.
- (c) The Chief Executive Officer is authorised to sign all documentation associated with the Loan Borrowings referred to in (a) and (b) above. Further, it is rated that where any such documentation is executed under seal that in accordance with the Local Government Act 1999 the Mayor and Chief Executive Officer will attend to the affixation of the common seal.

**10.4 THIRD ROUND FEDERAL GOVERNMENT REGIONAL & LOCAL COMMUNITY
 INFRASTRUCTURE FUNDING 2010-2011**

REPORT AUTHOR: Asset & Special Projects Manager
GENERAL MANAGER: General Manager, Urban Services
CONTACT NUMBER: 8366 4586
FILE REFERENCE: S/2 S/2129
ATTACHMENTS: A

PURPOSE OF REPORT

The purpose of this report is to advise of funding which will be provided to the Council by the Federal Government under the Third Round of the Regional & Local Community Infrastructure Program.

BACKGROUND

On 18 June 2010, the Federal Government announced a Round Three (3) of funding to Australia's Councils under the Regional & Local Community Infrastructure Program ("RCLIP"). The amount of funding allocated to each Council will be the same as the allocation made in Round Two (2). As such, this Council will receive \$71,000.

To date, the Council has allocated funding from the RCLIP to the following projects and locations as shown in Tables 1 and 2 below:

TABLE 1 - ROUND 1 RCLIP PROJECTS

Project	Location	Dollars (\$)
Norwood Oval Lights Upgrade	Norwood Oval, Norwood	\$100,000
Payneham Library Playground Alterations	Turner St, Felixstow	\$12,000
Payneham Oval Shade Sails	Arthur St, Payneham	\$40,000
Borthwick Park Playground	Thornton St, Kensington	\$35,000
Drage Reserve Fencing	Riverside Drv, Felixstow	\$10,000
Total		\$197,000

TABLE 2 - ROUND 2 RCLIP PROJECTS

Project	Location	Dollars (\$)
Drage Reserve Shade Sails	Riverside Drv, Felixstow	\$46,500
Twelftree Reserve Playground Upgrade	Richmond St, Hackney	\$24,500
Total		\$71,000

It is essential that the Council resolve on the funding allocation of the \$71,000, as the project details are required to be submitted to the Department of Infrastructure, Transport, Regional Development and Local Government by 30 July 2010. These Program funds are to be used for community infrastructure projects which have a social, cultural, recreational, tourism, access and environmental benefit.

The Council's use of funding from Rounds One and Two, has primarily focussed on recreational and cultural infrastructure. The projects which have been assessed and recommended for funding through nomination for Round Three (3) RLCIP have continued this theme.

RELEVANT STRATEGIC DIRECTIONS & POLICIES

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

Outcome 1: Social Equity

A connected, accessible and pedestrian-friendly community.

Objectives:

3. An engaged and participating community.
4. More community life in public spaces.
5. Healthy and active community.

Outcome 2: Cultural Vitality

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

Objectives:

1. A visually interesting, artistic and creative City.
4. Pleasant, well designed, sustainable urban environments.

The Council's **Playground Strategy** is also of relevance in respect to this matter. The relevant sections of the Strategy are highlighted and discussed later in this report.

FINANCIAL AND BUDGET IMPLICATIONS

The Council is not required by the Federal Government to match or provide any additional funds (ie matching funds) for the expenditure of the grant to be approved.

As such, selection of the project(s) nominated is based upon utilising only the RLCIP funding. This additional expenditure and income will be recognised at the first Budget Review of the 2010-2011 Budget.

EXTERNAL ECONOMIC IMPLICATIONS

The Federal Government's Regional and Local Community Infrastructure Program, is designed to create jobs and to inject public money into the economy as part of a Federal Government package of economic stimuli in response to the global financial crisis.

SOCIAL ISSUES

The development and maintenance of playground facilities is an important component of the Council's social infrastructure.

Playgrounds are fundamental resources for the community, both as places for children to play but also as meeting places and places to enjoy the outdoors in an urban environment.

Council's Playground Strategy recognises the need for improved disability access to various playgrounds in the City and some options are provided for these works.

CULTURAL ISSUES

Playgrounds enable all members of the community, from all cultural backgrounds to share the community public space.

The preservation of Local Heritage Places enables future generations to better understand the cultural heritage associated with our past.

ENVIRONMENTAL ISSUES

In a 'climate change' and environmentally conscious era, playgrounds and passive recreational pursuits will become increasingly important issues for the community.

RESOURCE ISSUES

This project will be managed by Council staff. This work however, will be additional to the current work load and projects.

RISK MANAGEMENT

The Projects will be managed to ensure that all risks are managed effectively. Playgrounds have specific risk management issues which need to be carefully considered.

CONSULTATION

- **Elected Members**
Nil
- **Community**
Not Applicable
- **Staff**
General Manager, Urban Services
Manager, City Assets
Asset & Special Projects Manager
- **Other Agencies**
Federal Government.

DISCUSSION

At the third meeting of the Australian Council of Local Government in June 2010, the Prime Minister announced a third round of funding under the Regional & Local Community Infrastructure Program for 2010-2011.

The official guidelines are similar to those issued for Round Two (2), that is community infrastructure funding should be used for:

- social and cultural infrastructure, such as town halls, community centres, libraries, and public squares;
- sport and recreational facilities such as sporting grounds, stadiums, pools, walking tracks and playgrounds;
- tourism infrastructure, such as walkways and tourist information centres;
- access facilities, such as bus shelters, jetties and boat ramps;
- environmental initiatives such as water conservation infrastructure and recycling plants.

The funding associated with this program is required to be expended by 31 December 2011.

A review of the Council's Asset Management Plans for Open Space and Recreational Assets and Public Buildings has been undertaken to identify suitable projects. During this process, consideration into the possible length of time associated with the delivery, consultative processes which may be required, the geographic location with respect to previous projects have been funded through the RLCIP and delivering a quality outcome for the local community were used to guide the selection of projects. The location of the projects completed to date as well as what is proposed to be funded from the RLCIP third round of funding is shown on the Map contained in **Attachment A**.

An attempt has been made to spread the projects evenly across the City, where it has been possible.

Possible projects for consideration are:

(i) St Morris Reserve – Shade Sails (\$36,000)

Playground Strategy: *“Shade is lacking”*

There is one large fenced area around the play equipment in St Morris Reserve, as well as seating and basic landscaping. The area lacks shading on the western side which will not be resolved by tree planting due to the layout of the playground.

The Playground Strategy identifies this work as a High Priority.

(ii) St Morris Reserve – Rubber Matting and Landscaping (\$71,000)

Playground Strategy: *“Poor disability access” & “Improve Landscaping”*

This playground has been identified as having poor disability access as well as requiring landscaping to improve the appearance of the garden beds.

As this is a Level 3 Playground (Neighbourhood Level), improving disability access is desirable but not essential.

(iii) Cruickshank Reserve Playground – Rubber Matting (\$33,000)

Playground Strategy: *“Poor disability access”*

This playground will be upgraded in the next few months as part of the 2009-2010 Open Space & Recreational Asset Management Plan. The playground design which has been selected has some areas of rubber matting but is predominately soft fall bark chips. In order to allow disability access to the new equipment a full extent rubber surface matting is required to be installed.

As this is a Level 3 Playground (Neighbourhood Level) improving disability access is desirable but not essential.

(iv) Maurice Clayton Reserve – Replacement Equipment (\$2,000)

Playground Strategy: *“Ageing Equipment (bouncer)”*

There is currently one aged piece of equipment located in this playground (ie bouncer) which can be replaced.

The Playground Strategy identifies this work as a Medium Priority.

(v) Koster Park Brick Kiln – Restoration Works (\$38,000)

Public Buildings Review Strategy – Identified as requiring Restoration Works

This 1945 red brick former bottle kiln has been identified as an item of Local Heritage Significance. Significant restorative works are required to ensure that it continues to stand as a monument to the previous use of this site by Koster's Pottery. This includes allowance for structural assessment of the kiln as well as engaging a heritage consultant to provide advice.

The Asset Management Plan has these works identified for the 2011-2012 financial year.

OPTIONS

The Council has a number of options in respect to the allocation of the funds, including:

Option 1

- (a) St Morris Reserve – Shade Sails (\$36,000)
- (b) Cruickshank Reserve Playground - Rubber Matting (\$33,000)
- (c) Maurice Clayton Reserve – Upgrade Equipment (\$2,000)

Option 2

- (a) Cruickshank Reserve Playground – Rubber Matting (\$33,000)
- (b) Koster Reserve – Brick Kiln Restoration (\$38,000)

Option 3

St Morris Reserve – Rubber Matting & Landscaping Improvements (\$71,000)

It is recommended that Option 1 be endorsed due to the diversity of works associated, limited potential threats to the timely installation of the equipment and to meet the ongoing demand from the community for shaded play areas.

The Council has the option of approving or rejecting the recommendations contained in this report, however, the necessity for a decision to be made at this meeting must be kept in mind.

CONCLUSION

The funding allocation will enable the Council to undertake some community infrastructure projects which would not have been possible at this time (ie access improvements to Level 3 reserves and shade sails). They are, however, projects which will have a positive community benefit and will enable the Council to meet some of its longer term strategies.

COMMENTS

It is worth noting that the high priority actions from the Playground Strategy were all considered for this funding allocation. They have all either been completed, require substantial consultation and cost, are contained already within the 2010-2011 Open Space & Recreational Asset Works Program, are within a coordinated ongoing program (ie permapine edging replacement) or have been proposed in this report.

RECOMMENDATION

1. That the additional grant funds of \$71,000 which has been provided to the Council as part of the Third Round of the Federal Government's Regional & Local Community Infrastructure Program, be allocated to the installation of shade sails at the St Morris Reserve Playground, the extension of rubber matting to the Cruickshank Reserve Playground Upgrade and the upgrade of equipment at Maurice Clayton Reserve.
2. That the 2010-2011 annual budget be amended accordingly at the first quarter revision (ie September).
3. That the Mayor and Chief Executive officer be authorised to sign and seal all documentation associated with this funding and its acquittal.

**SECTION 3 - GOVERNANCE & GENERAL
REPORTS**

10.5 REPORTS OUTSTANDING

REPORT AUTHOR: Chief Executive Officer
GENERAL MANAGER: Chief Executive Officer
CONTACT NUMBER: 83664520
FILE REFERENCE: Nil
ATTACHMENTS: A

PURPOSE OF REPORT

As part of the Organisation's management system, a Reports Outstanding List will be prepared on a monthly basis. The purpose of the List is to keep track of any reports that have been requested and the status of those reports.

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

BACKGROUND

Nil

DISCUSSION

Nil

RECOMMENDATION

That the report be received and noted.

**10.6 ELECTION - LOCAL GOVERNMENT ASSOCIATION OF SOUTH AUSTRALIA STATE
EXECUTIVE COMMITTEE METROPOLITAN REPRESENTATIVE**

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

PURPOSE OF REPORT

The purpose of this report is to advise the Council of the postal ballot required to be undertaken for the appointment of one (1) Representative to the Local Government Association of South Australia (LGA) State Executive Committee and to enable the Council to determine its preferred candidate for the position.

BACKGROUND

The Local Government Association of South Australia (LGA), forwarded correspondence to the Council in April 2010, advising that as a result of a recent resignation from the State Executive Committee, a vacancy for a Metropolitan Zone Representative on the State Executive Committee had arisen.

Pursuant to the LGA Constitution, the LGA sought nominations from all Councils for appointment to the State Executive Committee, from those councils being in the Metropolitan zone, in accordance with Schedule 1 of the LGA Constitution. (**Attachment A**).

At its meeting held on 12 April 2010, the Council considered the request from the LGA and resolved that:

“The Council nominates Cr John Minney, subject to the agreement of Cr Minney, to the Local Government Association for the Local Government Association State Executive Committee.”

Cr Minney accepted the Council’s nomination which was subsequently forwarded to the LGA.

A total of ten (10) nominations were received by the LGA for the one (1) position.

As there were ten (10) nominations received for the one (1) position available, Rule 18 of the LGA Constitution has been applied whereby an election must now take place to determine the successful candidate.

RELEVANT POLICIES & STRATEGIC DIRECTIONS

Not applicable.

FINANCIAL AND BUDGET IMPLICATIONS

Nil.

EXTERNAL ECONOMIC IMPLICATIONS

Nil.

SOCIAL ISSUES

Nil.

CULTURAL ISSUES

Nil.

ENVIRONMENTAL ISSUES

Nil.

RESOURCE ISSUES

Nil.

RISK MANAGEMENT

Nil.

CONSULTATION

- **Elected Members**

The call for nominations for the LGA State Executive Committee was considered by the Council at its meeting held on 12 April 2010.

- **Community**

Nil.

- **Staff**

Nil.

- **Other Agencies**

Nil.

DISCUSSION

The role of the State Executive Committee is to manage the activities of the LGA in between general meetings, in accordance with policy and other decisions taken at general meetings and to report annually on those activities.

The role of State Executive Committee Members is to:

- contribute to the LGA by providing provide leadership for local government and pursuing the objects contained in the Constitution;
- represent the LGA externally to the wider community, nationally and internationally;
- present to the State Executive Committee the interests and vies of the councils that they represent; and
- convey decisions of the State Executive Committee and other information back to the councils they represent.

The term of office for State Executive Committee Members will be from April 2010 until the conclusion of the April 2011 General Meeting of the LGA.

The nominees, as they appear on the Ballot Paper are as follows:

- Councillor Leslie Birch (City of Unley);
- Mayor Lorraine Rosenberg (City of Onkaparinga);
- Councillor Raelene Telfer (City of Marion);
- Councillor Lisa Brinkley (Adelaide Hills Council);
- Councillor Carolyn Wigg (Corporation of the Town of Walkerville);
- Councillor Peter Jamieson (City of Port Adelaide Enfield);
- Mayor Brian Sambell (Town of Gawler);
- Councillor Davina Quirke (City of Burnside);
- Councillor John Minney (City of Norwood Payneham & St Peters); and
- Councillor Philip Crutchett (City of Holdfast Bay).

A copy of the Candidate Information for each Candidate is contained in **Attachment A**.
The Council must determine by resolution which candidate it wishes to elect. The Council may also indicate its preferences in relation to one or more of the other candidates.

All votes must be on the Ballot Paper. A copy of the Ballot Paper is contained in **Attachment B**.

As in previous elections for LGA State Executive Committee Members, letters seeking the Council’s support for individual nominees have also been forwarded to the Council.

Letters have been received from the following:

- Mayor Lorraine Rosenberg (City of Onkaparinga); and
- Mayor Richard Thorne in support of Councillor Les Birch (City of Unley).

Copies of the letters are contained in **Attachment C**.

OPTIONS

Not Applicable.

CONCLUSION

The Ballot Papers must be forwarded to the Local Government Association to be received by the Returning Officer, LGA, no later than 5.00pm on Friday 9 July 2010.

COMMENTS

As the Council’s Delegate to LGA Meetings, Mayor Robert Bria is authorised to mark the Ballot Paper in accordance with the Council’s decision.

RECOMMENDATION

The Council determines the following candidates in order of preference for the position of Metropolitan Council Representative on the Local Government Association (LGA) State Executive Committee:

1. -----
2. -----
3. -----
4. -----
5. -----
6. -----
7. -----
8. -----
9. -----
10. -----

10.7 REVIEW OF TERMS OF REFERENCE FOR PRECINCT COMMITTEES

REPORT AUTHOR: Manager, Business & Economic Development
GENERAL MANAGER: Chief Executive Officer
CONTACT NUMBER: 8366 4564
FILE REFERENCE: S/01969, S/01970, S/01971
ATTACHMENTS: A - C

PURPOSE OF REPORT

The purpose of this report is to present the Terms of Reference for the Council's Precinct Committees for review.

BACKGROUND

The Terms of Reference for each of the Precinct Committees state that "*The Council will review the membership and Terms of Reference of the Precinct Committee annually.*"

A review of the Precinct Committees' Terms of Reference was last undertaken by the Council at its meeting held on 6 July 2009. As such, it is timely for the Council to review the Terms of Reference of the Precinct Committees prior to the commencement of the new financial year when the Precinct Committees will commence implementation of the new Annual Business Plans for each Committee.

The Norwood Parade Precinct Committee, Magill Road Precinct Committee and Glynde Corner Precinct Committee have all reviewed their Terms of Reference with only one change to the Glynde Corner Precinct Committee's (GCPC) Terms of Reference being recommended to the Council for its consideration.

The Payneham Road Precinct Committee's Terms of Reference have only recently been adopted by the Council following the establishment of that Committee in December 2009.

RELEVANT STRATEGIC DIRECTIONS & POLICIES

The relevant Objectives in the Council's *City Plan 2030* under Outcome 3: *A dynamic and thriving centre for business and services* are:

3.2 *Cosmopolitan character business precincts contributing to the prosperity of the City.*

The Council's Precinct Committees have been established to achieve all of the Strategies relating to this Objective, as shown below:

- Preserve and enhance the unique character of all of our City's business precincts.
- Improve ease and convenience of access to our City's business precincts.
- Protect commercial and industrial activities from encroachment of incompatible land uses.

3.5 *A local economy supporting and supported by its community.*

The Council's Precinct Committees have been established to achieve all of the Strategies relating to this Objective, as shown below:

- Facilitate the sharing of information and consultation between businesses and residents.
- Support opportunities for people to interact in business areas.
- Promote the preservation of accessible, local shopping.
- Encourage businesses to sponsor local community activities.

FINANCIAL AND BUDGET IMPLICATIONS

Nil.

EXTERNAL ECONOMIC IMPLICATIONS

The Precinct Committees' Annual Business Plans include strategies and initiatives which are intended to positively impact on the economic development of the Council's commercial precincts in areas including, but not limited to:

- Promoting the precincts as a major Adelaide shopping destinations
- Increasing diversity of businesses and services
- Prosperity and development of the precincts
- Attracting investment and business opportunities to the area
- Championing infrastructure development and maintenance
- Increasing local employment opportunities
- Building community support
- Attracting tourism visitors to the precincts
- Creating a cohesive brand for the precincts

SOCIAL ISSUES

Nil.

CULTURAL ISSUES

Nil.

ENVIRONMENTAL ISSUES

Nil.

RESOURCE ISSUES

Nil.

RISK MANAGEMENT

Nil.

CONSULTATION

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

DISCUSSION

The Precinct Committees have reviewed their Terms of Reference at their June 2010 meetings and have resolved to make the following recommendations to the Council for consideration:

- a. *That the Terms of Reference for the Norwood Parade Precinct Committee be endorsed and recommended to the Council for adoption.*

The Draft NPPC 2010-2011 Terms of Reference are contained in **Attachment A** for Members' consideration.

- b. *That the Terms of Reference for the Magill Road Precinct Committee be endorsed and recommended to the Council for adoption.*

The Draft MRPC 2010-2011 Terms of Reference are contained in **Attachment B** for Members' consideration.

- c. *That the Terms of Reference for the Glynde Corner Precinct Committee be endorsed as amended (below) and recommended to the Council for adoption:*

That Clause 5.4 be altered to read as follows:

The Glynde Corner Precinct Committee shall meet at least four (4) times in every calendar year.

The Draft GCPC 2010-2011 Terms of Reference are contained in **Attachment C** for Members' consideration.

OPTIONS

The Council may wish to review other sections of the Precinct Committees' Terms of Reference.

Staff have also reviewed the various Terms of Reference and have not recommended any changes. In respect to the amendment being sought by the GCPC, it is considered that this amendment is acceptable and will not cause any operational difficulties.

CONCLUSION

The Precinct Committees have reviewed their respective Terms of Reference and as such, these are recommended for adoption by the Council.

COMMENTS

Regular reviews of the Precinct Committee's Terms of Reference are intended to ensure efficiency and accountability of the Precinct Committees in the interests of good governance.

RECOMMENDATION

1. That the Terms of Reference for the Norwood Parade Precinct Committee (as contained in Attachment A) be adopted.
2. That the Terms of Reference for the Magill Road Precinct Committee (as contained in Attachment B) be adopted.
3. That the Terms of Reference for the Glynde Corner Precinct Committee (as contained in Attachment C) be adopted subject to Clause 5.4 being amended to read as follows:

"The Glynde Corner Precinct Committee shall meet at least four (4) times in every calendar year."

10.8 APPOINTMENTS TO THE NORWOOD PARADE PRECINCT COMMITTEE

REPORT AUTHOR: Manager, Business & Economic Development
GENERAL MANAGER: Chief Executive Officer
CONTACT NUMBER: 8366 4564
FILE REFERENCE: S/01971
ATTACHMENTS: Nil

PURPOSE OF REPORT

The purpose of this report is to present two (2) nominations for membership of the Norwood Parade Precinct Committee (NPPC) for the Council's endorsement of the removal of one (1) Member.

BACKGROUND

One Member of the NPPC has not attended any meetings since being appointed in July 2009, nor have any apologies been received.

Two (2) Expressions of Interest in membership of the NPPC have been received and the NPPC is seeking to remove the absentee member and appoint two (2) new members.

Clause 3.2 of the Terms of Reference for the Norwood Parade Precinct Committee states that:

Membership of The Norwood Parade Precinct Committee is for a two (2) year term unless a Member resigns from the Committee or is removed earlier by a resolution of the Council.

Clause 3.1 of the Terms of Reference for the Norwood Parade Precinct Committee states that:

The Norwood Parade Precinct Committee will comprise sixteen (16) members selected and appointed by the Council as representing, in the opinion of the Council, the interests of business and property owners of The Norwood Parade Precinct as defined by Map 1 (attached) and of whom at least two (2) shall be Elected Members of the Council.

Removing the absentee Member from the NPPC would mean there are fourteen (14) Member of the NPPC, four (4) of whom are Elected Members, and the Committee has two (2) vacancies.

RELEVANT STRATEGIC DIRECTIONS & POLICIES

The relevant Objectives in the Council's *CityPlan 2030* under Outcome 3: *A dynamic and thriving centre for business and services* are:

3.2 *Cosmopolitan character business precincts contributing to the prosperity of the City.*

The Council's Precinct Committees have been established to achieve all of the Strategies relating to this Objective, as shown below:

- Preserve and enhance the unique character of all of our City's business precincts.
- Improve ease and convenience of access to our City's business precincts.
- Protect commercial and industrial activities from encroachment of incompatible land uses.

3.5 *A local economy supporting and supported by its community.*

The Council's Precinct Committees have been established to achieve all of the Strategies relating to this Objective, as shown below:

- Facilitate the sharing of information and consultation between businesses and residents.
- Support opportunities for people to interact in business areas.
- Promote the preservation of accessible, local shopping.
- Encourage businesses to sponsor local community activities.

FINANCIAL AND BUDGET IMPLICATIONS

Nil.

EXTERNAL ECONOMIC IMPLICATIONS

The NPPC reports to the Council's Business & Economic Development Committee for the purposes of fulfilling the following roles and functions:

- To develop and recommend to the Business & Economic Development Committee in each financial year, an Annual Business Plan and Budget.
- Each Annual Business Plan must address objectives determined by the Business & Economic Development Committee which will include (but not be limited to) marketing, development and promotion of the Norwood Parade Precinct.
- Each Budget developed by The Norwood Parade Precinct Committee must be considered in conjunction with the Annual Business Plan and recommend to the Committee an amount that needs to be approved by the Council to meet the objectives of the Annual Business Plan.
- To implement the Annual Business Plan as approved.
- To co-operatively market The Parade as a single destination through the coordination of activities, joint advertising, sales and promotions, and branding.
- To assist in the development and promotion of a vibrant cultural and leisure tourism destination for businesses, residents and visitors.
- To initiate events to increase tourism and to promote The Parade as a destination for residents and visitors, including Christmas events and decorations, and other special promotions.
- To represent the majority voice of businesses on The Parade and to be the peak body for advocacy and lobbying with respect to issues such as traffic and parking.
- To facilitate and encourage networking and communication through a range of measures as identified and relevant.
- To undertake regular customer surveys and determine the most appropriate responses to the outcomes.
- To advocate for improvements to the appearance of The Parade.

SOCIAL ISSUES

Nil.

CULTURAL ISSUES

Nil.

ENVIRONMENTAL ISSUES

Nil.

RESOURCE ISSUES

Nil.

RISK MANAGEMENT

It is important that appointments to Committees established by the Council, are undertaken correctly and that appointments are made in accordance with the relevant Terms of Reference for the respective Committee. To do otherwise will present an unnecessary risk management exposure for the Council in terms of procedural fairness and transparency.

CONSULTATION

- **Elected Members**
No applicable.
- **Community**
Not Applicable.
- **Staff**
Not applicable.
- **Other Agencies**
Not applicable.

DISCUSSION

Mr Geoff Harrison has not attended any meetings of the NPPC during the 2009-2010 financial year and all attempts to contact him since he left his place of business on The Parade have failed. As he has not attended more than three (3) sequential meetings and has not tendered any apologies have been received, it is recommended that the Council remove Mr Harrison from membership of the NPPC.

Mr Steven Marshall MP (Member for Norwood) and Mr Daniel Milky have submitted Expressions of Interest to join the NPPC.

As the newly elected Member for Norwood, Mr Marshall has expressed his interest in serving on the NPPC. Mr Marshall's electoral office is located at 120 The Parade, Norwood. Prior to being elected to State parliament, Mr Marshall was General Manager, Textiles at Michell Corporation.

Mr Milky is the proprietor of Argo on The Parade which recently re-opened at 212 The Parade, Norwood following a long hiatus and an extensive refurbishment. Mr Milky is also President of four (4) charity groups, and has a Masters of Accounting, Masters of Finance and a Bachelor of Health Sciences. Mr Milky's nomination for membership of the NPPC states that he is particularly interested in working to promote the eastern end of The Parade Precinct.

Clause 3 of the Terms of Reference 2009-2010 for the NPPC states that:

- 3.1 *The Norwood Parade Precinct Committee will comprise sixteen (16) members selected and appointed by the Council as representing, in the opinion of the Council, the interests of business and property owners of The Norwood Parade Precinct as defined by Map 1 (attached) and of whom at least two (2) shall be Elected Members of the Council.*
- 3.2 *Membership of The Norwood Parade Precinct Committee is for a two (2) year term unless a Member resigns from the Committee or is removed earlier by a resolution of the Council.*
- 3.3 *Members of the Norwood Parade Precinct Committee are eligible for reappointment at the expiration of their term of office.*

Precinct Committee Members are normally appointed until the end of the financial year, however the current term for all of the Council's Precinct Committees has been extended to 31 October 2010 when all Council committees will be dissolved and re-appointments made post the November 2010 elections.

It is therefore recommended that Mr Marshall and Mr Milky be appointed to the NPPC effective immediately until 31 October 2010.

OPTIONS

The Council is required to appoint members to the NPPC, “representing, in the opinion of the Council, the interests of business and property owners of the Norwood Parade Precinct”. As such, the Council can decide to appoint or not appoint the above nominees.

CONCLUSION

Nil.

COMMENTS

The Council has the ability to review the membership of a committee Member at any time, should the need arise.

RECOMMENDATION

1. That Mr Geoff Harrison be removed from membership of the Norwood Parade Precinct Committee effective immediately.
2. That Mr Steven Marshall MP and Mr Daniel Milky be appointed to the Norwood Parade Precinct Committee effective immediately, with the term of appointment expiring on 31 October 2010.

10.9 CITY OF NORWOOD PAYNEHAM & ST PETERS URBAN DESIGN AWARDS

REPORT AUTHOR: General Manager, Urban Planning & Environment
GENERAL MANAGER: Chief Executive Officer
CONTACT NUMBER: 8366 4501
FILE REFERENCE: S/01087
ATTACHMENTS: A - B

PURPOSE OF REPORT

The purpose of this report is to obtain the Council's approval for the establishment of a Committee to determine winners as part of the Council's Urban Design Awards.

BACKGROUND

At its meeting held on 8 April 2002, the Council established a program for rewarding excellence in urban design within the City. The Program was known as the "Awards for Development Excellence" Program and was implemented in 2003 and 2004. The Awards Program was not successful as it failed to generate sufficient community interest and nominations.

At its meeting held on 13 October 2003, the Council resolved that the existing Awards Program should be resurrected to at least acknowledge those participants who had earlier entered submissions. Accordingly, the Committee conferred the 2002 Development Excellence Awards on 10 December 2003. The Payneham and Dudley Park Cemeteries Trust Incorporated, was the recipient of the major Development Excellence Award, which is known as the Brian Polomka Design Award.

In May 2004, nominations were called for the 2004 Development Excellence Awards and once again only three nominations were received. Given the low number of nominations which were received, the Awards program was held in abeyance until 2006.

At its meeting held on 6 February 2006, the Council resolved to resurrect a revised Awards Program and endorsed a change to the Program name to the City of Norwood Payneham & St Peters Urban Design Awards. The Awards Program was run in 2007-08 and although only ten (10) nominations were received, the quality of nominations was high and overall, the Awards Program was considered successful.

In March 2010, nominations were called for the 2010 City of Norwood Payneham & St Peters Urban Design Awards and a total of ten (10) nominations have been received.

One of the provisions of the Urban Design Awards Program, is that a Judging Panel is required to be established to determine Award winners. The Panel (to be known as the Urban Design Awards Committee) and its membership needs to be determined by the Council.

This report is therefore presented to the Council to enable the establishment of the Committee to determine Award winners as part of the Council's Urban Design Awards Program.

RELEVANT STRATEGIC DIRECTIONS & POLICIES

The Urban Design Awards Program seeks to reward excellence in urban design within the City. The Awards Program is relevant to *Outcome 2 Cultural Vitality* in **CityPlan 2030**, and specifically *Objectives 2.1 and 2.4* which promote a visually interesting, artistic and creative City and pleasant, well designed and sustainable urban environments.

FINANCIAL AND BUDGET IMPLICATIONS

The Urban Design Awards Program provides for a winner to be selected in each nomination category, with the Brian Polomka Design Award being presented to the most outstanding project selected from amongst the category winners. The recipient of the Brian Polomka Design Award, will receive artwork by a local artist to the value of \$5000, commissioned by the Council. Those funds have been allocated for this project.

EXTERNAL ECONOMIC IMPLICATIONS

Nil.

SOCIAL ISSUES

A successfully run Design Awards Program will foster a sense of community and focus awareness of good design practices and environmental management.

CULTURAL ISSUES

Nil.

ENVIRONMENTAL ISSUES

The Urban Design Awards Program is one way in which the Council promotes sustainable development.

RESOURCE ISSUES

Nil.

RISK MANAGEMENT

Nil.

CONSULTATION

- **Elected Members**
Not applicable.
- **Community**
Not applicable.
- **Staff**
Manager, Development Assessment
- **Other Agencies**
Not applicable.

DISCUSSION

The objectives of the Council's Urban Design Awards Program are to encourage and recognise locally responsive development and renovations which improve the quality of the City's built environment, represent good urban design and contribute to the revitalisation of the City as an attractive place in which to live, do business and spend leisure time.

To publicly recognise such developments, the Council has dedicated a budget of \$5000.00 to provide awards to developments considered by the Council, to enhance and contribute to the character of the City.

The program includes six Award categories viz:

- Best Residential Development;
- Best Commercial Development;
- Best Heritage Development;
- Best Environmentally Sustainable Development
- Outstanding Residential Achievement for Alterations and Additions; and
- Brian Polomka Design Award (for the best overall development chosen from one of the five Award categories).

The Program provides for a winner to be selected in each category, with the overall Brian Polomka Design Award being presented to the most outstanding project selected from amongst the category winners. The recipient of the Brian Polomka Design Award, receives artwork by a local artist to the value of \$5000.00, commissioned by the Council.

A copy of the Program is attached (**Attachment A**).

Following a call for nominations in March-May 2010 for the 2010 Urban Design Awards, a total of ten (10) Award submissions were received. The nominations have been initially assessed by a Panel of staff comprising the General Manager, Urban Planning & Environment, the Manager, Development Assessment and the Senior Urban Planner and it is now timely for the Council to establish a Committee to determine the Awards.

The winner of each category will receive a framed certificate, and framed photograph (including a small engraved plaque) of the dwelling or building. In addition, each winning development will be profiled in the Council's newsletter *Look East*.

All Awards will be presented publicly by the Mayor at an appropriate function, which is yet to be determined.

In 2007, membership of the Urban Design Awards Committee comprised seven (7) Elected Members and this model worked well. Notwithstanding this, for the 2010 Urban Design Awards, it is suggested that the Council give consideration to appointing the Council's Heritage Development Advisor, Mr David Brown to the Committee, to complement the skill sets of Elected Members.

Mr Brown is a qualified architect who specialises in heritage and sustainability related architecture and design and is currently engaged as the Council's Heritage Development Advisor. Staff consider that Mr Brown would add value to the Committee and provide Elected Members with valuable urban design insights as part of the Award judging process.

Mr Brown has advised staff that he would be willing to be appointed to the Committee if the Council determines that this is appropriate.

OPTIONS

The Council could determine to appoint solely Elected Members to the Urban Design Awards Committee or endorse the staff recommendation to appoint Elected Members as well as the Council's Heritage Development Advisor, Mr David Brown, to the Committee. The Council could alternatively consider the appointment of a Committee comprising solely of urban design professionals.

CONCLUSION

The establishment of a Committee to determine Award winners as part of the Council's Urban Design Awards will enable the 2010 Urban Design Award Program to be finalised.

It is recommended that the Committee comprise four (4) Elected Members and Mr David Brown.

COMMENTS

Nil.

RECOMMENDATION

1. That pursuant to Section 41 of the Local Government Act, the City of Norwood Payneham & St Peters Urban Design Awards Committee be established in accordance with the attached Terms of Reference (**Attachment B**).
2. That the following four (4) Elected Members be appointed to the City of Norwood Payneham & St Peters Urban Design Awards Committee.
3. That the Council's Heritage Development Advisor, Mr David Brown of BB Architecture be appointed to the City of Norwood Payneham & St Peters Urban Design Awards Committee.
4. That Cr _____ be appointed as the Presiding Member of the City of Norwood Payneham & St Peters Urban Design Awards Committee.
5. That pursuant to Section 44 of the Local Government Act, the City of Norwood Payneham & St Peters Urban Design Awards Committee be and is hereby delegated all of the powers duties and functions of the Council in respect to determining Award winners for the 2010 City of Norwood Payneham & St Peters Urban Design Awards.

11. COMMITTEE MINUTES

- PUBLIC ART ASSESSMENT PANEL

That the minutes of the meeting of the Public Art Assessment Panel held on 8 June 2010 be received and that the resolutions set out therein as recommendations to the Council are adopted as decisions of the Council.

- AUDIT COMMITTEE

That the minutes of the meeting of the Audit Committee held on 10 June 2010 be received and that the resolutions set out therein as recommendations to the Council are adopted as decisions of the Council.

- BUSINESS & ECONOMIC DEVELOPMENT COMMITTEE

That the minutes of the meeting of the Business & Economic Development Committee held on 23 June 2010 be received and that the resolutions set out therein as recommendations to the Council are adopted as decisions of the Council.

12. OTHER BUSINESS

(Of an urgent nature only)

13. CONFIDENTIAL REPORTS

13.1 STAFF RELATED MATTER

REPORT AUTHOR: Chief Executive Officer
GENERAL MANAGER: Not Applicable
CONTACT NUMBER: 83664539
FILE REFERENCE: H/00077 H/00302
ATTACHMENTS: Nil

RECOMMENDATION 1

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

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

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

RECOMMENDATION 2

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

13.2 STAFF RELATED MATTER

REPORT AUTHOR: Chief Executive Officer
GENERAL MANAGER: Not Applicable
CONTACT NUMBER: 83664539
FILE REFERENCE: H/026 H/0301
ATTACHMENTS: Nil

RECOMMENDATION 1

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

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

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

RECOMMENDATION 2

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

13.3 EAST WASTE

REPORT AUTHOR:	Chief Executive Officer
GENERAL MANAGER:	Not Applicable
CONTACT NUMBER:	83664539
FILE REFERENCE:	S/00045
ATTACHMENTS:	Nil

RECOMMENDATION 1

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

- (b) information the disclosure of which
 - (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and
 - (ii) would, on balance, be contrary to the public interest.

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

RECOMMENDATION 2

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

14. CLOSURE