

Special Council Meeting Minutes

27 February 2017

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 Lucy Marcuccitti
Cr Christel Mex
Cr Connie Granozio
Cr Sophia MacRae
Cr Kevin Shepherdson
Cr Carlo Dottore
Cr Kevin Duke
Cr Evonne Moore
Cr John Frogley
Cr Garry Knoblauch
Cr John Minney
Cr Sue Whittington
Cr Paul Wormald (entered the meeting at 7.08pm)

Staff Carlos Buzzetti (Acting Chief Executive Officer)
Peter Perilli (General Manager, Urban Services)
Lisa Mara (General Manager, Governance & Community Affairs)
Tina Zullo (Administration Officer, Governance & Community Affairs)

APOLOGIES Nil

ABSENT Nil

1. CONFIRMATION OF THE MINUTES OF THE COUNCIL MEETING HELD ON 6 FEBRUARY 2017

Cr Dottore moved that the minutes of the Council meeting held on 6 February 2017 be taken as read and confirmed. Seconded by Cr Knoblauch and carried.

2. STAFF REPORTS

2.1 CITY OF NORWOOD PAYNEHAM & ST PETERS REPRESENTATION REVIEW

REPORT AUTHOR: General Manager, Governance & Community Affairs
GENERAL MANAGER: Chief Executive Officer
CONTACT NUMBER: 8366 4549
FILE REFERENCE: S.02101
ATTACHMENTS: A - D

PURPOSE OF REPORT

The purpose of the report is to advise the Council of the feedback received regarding the City of Norwood Payneham & St Peters Representation Review Options Paper and to provide options regarding the future composition of the Council, to enable the Council to determine a preferred option in relation to its future composition.

BACKGROUND

The *Local Government Act 1999*, requires a council to conduct a review of its area in respect to the composition of the council, at least once in every eight (8) years. The Council previously conducted a Representation Review in 2008-2009.

On 31 May 2012, the Minister gazetted a schedule of Representation Reviews with the next Representation Review for the City of Norwood Payneham & St Peters, scheduled to be undertaken in 2016-2017.

In accordance with the Minister's gazetted schedule, the Council commenced its review in 2016. At its meeting held on 7 November 2016, the Council adopted the City of Norwood Payneham & St Peters Options Paper for the purposes of public consultation.

The community consultation period commenced on 16 November 2016 and concluded on Friday 20 January 2017. The legislated consultation period of six (6) weeks was extended to allow for the Christmas and New Year period.

This report presents the outcome of the community consultation process and presents options for the future composition of the Council for the Council's consideration.

RELEVANT STRATEGIC DIRECTIONS & POLICIES

Not Applicable.

FINANCIAL AND BUDGET IMPLICATIONS

Funding for the Representation Review has been allocated in the 2016-2017 Budget.

EXTERNAL ECONOMIC IMPLICATIONS

Not Applicable.

SOCIAL ISSUES

The review of the composition of the Council needs to ensure fair and equitable representation for all electors within the City and sufficient numbers of Elected Members to provide responsive and adequate representation to address the roles and responsibilities of the Council and balance the needs of the community with the needs and responsibilities of the Council.

CULTURAL ISSUES

Not Applicable.

ENVIRONMENTAL ISSUES

Not Applicable.

RESOURCE ISSUES

Not applicable.

RISK MANAGEMENT

Not applicable.

CONSULTATION

- **Elected Members**
Elected Members considered the feedback received regarding the Options Paper and various options in terms of the Council's structure at an Information Session held on Monday 13 February 2017.
- **Community**
The community were invited to provide submissions to the Council regarding the Options Paper as part of the consultation process.
- **Staff**
Not Applicable
- **Other Agencies**
Not Applicable

DISCUSSION

A Representation Review is undertaken for the purposes of determining whether a council and its community, would benefit from an alteration to its composition or ward structure. The *Local Government Act 1999* (the Act), provides the framework for councils to fully consider and consult with their communities on the various alternatives for their representation structure and to determine whether changes are required or not.

A Representation Review must comprehensively examine:

- all aspects of the composition of the Council; and
- the division or potential division of the Council area into wards.

All aspects of the Council's composition and electoral structures must be considered including:

- the number of Elected Members;
- the division of the area into wards and/or whether the division of the area into wards should be abolished; and
- ward quotas.

The Representation Review involves various steps throughout the process, with the first step being the development of the Representation Review Options Paper.

Following consideration of the submissions received during the consultation period regarding the Options Paper, the Council is then required to prepare a Representation Review Report which documents its deliberations and endorsed proposal for the future composition and structure of the Council. The Representation Review Report is then also released for community consultation.

The Representation Options Paper was made available to the community for comment at the Norwood Town Hall, the Norwood, Payneham & St Peters Libraries, the Payneham Community Centre and the Council's website. An advertisement inviting feedback from the community was placed in *The Advertiser* newspaper, the two (2) Messenger Newspapers circulating within the City and the Government Gazette, in accordance with the Act. Copies of the advertisements were also displayed on the noticeboards at the Council's three (3) Libraries, the Payneham Community Centre and the Norwood Town Hall.

A copy of the advertisement is contained within **Attachment A**.

At the conclusion of the community consultation period, one (1) submission was received from Mr Mike Wallis-Smith (local resident).

A submission was also received from the Preserve Kent Town Association (PKTA). This submission was accepted although it was received after the close of the consultation period.

A copy of the submissions is contained within **Attachment B**.

Both submissions indicate support for the current structure of the Council with the retention of the Mayor, 13 Elected Members, 6 Wards and no change to the current Ward Boundaries.

Notwithstanding the above, the PKTA have advised that in the event that a change to the Ward boundaries is required, the PKTA supports Option 4 (6 Wards, with 13 Elected Members and the transfer of part of the suburb of Hackney from the St Peters Ward (174 electors), as their preferred option.

Section 12 of the Act, sets out the process which is required to be undertaken in respect to the next stage of the Review, namely;

"(8a) The council must, at the conclusion of the public consultation undertaken under subsection (7)(a), prepare a report that-

- (a) provides information on the public consultation and the council's response to the issues arising from the submissions made as part of that process; and*
- (b) sets out—*
 - (i) any proposal that the council considers should be carried into effect under this section; and*
 - (ii) in respect of any such proposal—an analysis of how the proposal relates to the principles under section 26(1)(c) and the matters referred to in section 33 (to the extent that may be relevant); and*
- (c) insofar as a decision of the council is not to adopt any change under consideration as part of the representation options paper or the public consultation process—sets out the reasons for the council's decision.*

(9) The council must-

- (a) make copies of its report available for public inspection at the principal office of the council; and*
- (b) by public notice—*
 - (i) inform the public of the preparation of the report and its availability; and*
 - (ii) invite interested persons to make written submissions to the council on the report within a period specified by the council (being a period of at least 3 weeks); and*
- (c) publish a copy of the notice in a newspaper circulating within its area."*

To assist the Council in determining its preferred future composition and structure and meet the requirements of Section 12 (8a) and 9 of the Act, a Discussion Paper has been prepared which sets out those options which were supported by the Council at the Information Session held on 13 February 2017, along with all options previously considered by the Council (as set out in the Options Paper).

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

Mr Terry Bruun will attend the meeting to assist the Council with the formulation of an agreed Council position in respect to the future composition and structure of the Council.

Following endorsement of the Council's preferred future composition and structure, the Representation Review Report will be prepared for the purpose of community consultation.

A copy of the draft Representation Review Report is contained within **Attachment D**. (Please note that this Report will be finalised following the Council's decision at this meeting).

OPTIONS

In accordance with the *Local Government Act 1999*, the Council must conduct a review of its area in respect to the composition of the Council and in doing so is required to consider options regarding its future composition and structure.

The current Review commenced in October 2016 and the process has now progressed to the point where the Council must give consideration to the submissions that have been received from the community, and determine what changes, if any, it proposes to bring into effect in respect to its size, composition and structure.

Clearly there are a myriad of options which the Council can consider. However, the Council must reach a position and to assist this process, three (3) alternative options are presented to the Council for consideration.

- **Alternative 1**

Support, in principle, to retain composition of the Council to a Mayor (elected by the community) and thirteen (13) Ward Councillors and six (6) Wards and to transfer the whole of the suburb of Hackney from the St Peters Ward to the West Norwood/Kent Town Ward (423 electors), in accordance with Option 1 as set out in the Options Paper dated November 2016.

- **Alternative 2**

Support, in principle, to change the composition of the Council to a Mayor (elected by the community) and eleven (11) Ward Councillors and to divide the City into four (4) Wards, with three of the proposed Wards each being represented by three (3) Ward Councillors and the remaining proposed Ward being represented by two (2) Ward Councillors, in accordance with Option B as set out in the Options Paper dated November 2016.

- **Alternative 3**

Support, in principle, to change the composition of the Council to the Mayor (elected by the community) and twelve (12) Ward Councillors; and to divide the City into six (6) wards, with each of the proposed wards being represented by two (2) Ward Councillors, in accordance with Option E as set out in the Options Paper dated November 2016.

Alternative 2, as set out above, complies with the provisions of Sections 26 and 33 of the Act, as they relate to the issues of over-representation and comparison with Councils of a similar size and type.

CONCLUSION

The requirement for the Council to determine its preferred position in respect to the future composition and structure, represents the next stage of the Representation Review process.

In accordance with Section 12 of the Act, community consultation regarding the Review Report will be conducted over a three (3) week period, during which time members of the community will be invited to provide submissions to the Council regarding the Council's preferred composition and structure. Any person who makes a submission will also be invited to address the Council in relation to their submission.

Following consideration of any submissions received regarding the Review Report, the Council will then be required to finalise the Representation Review and forward a final report to the Electoral Commissioner.

COMMENTS

The Council's preferred Option for the future composition and structure needs to be endorsed by the Council at this meeting to ensure the legislated timeframes for the finalisation of the review are met (ie the Review must be signed off by the Electoral Commissioner by the end of April/early May 2017).

RECOMMENDATION

1. That the two (2) written submissions made in respect to the Options Paper be formally received and noted.
 2. That the Council agrees in principle that the Office of Mayor (elected by the whole of the electors) be retained.
 3. That the Council agrees "in principle" to amend its composition and structure to that presented as Option _____ (ie Mayor, _____ Ward Councillors and _____ Wards) as set out in the Discussion Paper (Attachment C of this report).
 4. That the Council authorises the Chief Executive Officer to finalise the Representation Review Report, pursuant to the provisions of Section 12(8a) of the Local Government Act 1999, in accordance with the Council's preferred option and to commence the required three (3) week public consultation process.
 5. That Mr Wallis-Smith and the Preserve Kent Town Association be thanked for their submission and advised of the Council's decision.
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Cr Wormald entered the meeting at 7.08pm.

Cr Shepherdson moved:

1. *That the two (2) written submissions made in respect to the Options Paper be formally received and noted.*
2. *That the Council agrees in principle that the Office of Mayor (elected by the whole of the electors) be retained.*

Seconded by Cr Minney and carried unanimously.

Cr Duke moved:

That the Council agrees "in principle" to amend its composition and structure to that presented as Option 1a (ie Mayor, 13 Ward Councillors and 6 Wards) as set out in the Discussion Paper (Attachment C of this report).

Seconded by Cr Whittington and carried.

Cr Minney moved:

1. *That the Council authorises the Chief Executive Officer to finalise the Representation Review Report, pursuant to the provisions of Section 12(8a) of the Local Government Act 1999, in accordance with the Council's preferred option and to commence the required three (3) week public consultation process.*
2. *That Mr Wallis-Smith and the Preserve Kent Town Association be thanked for their submission and advised of the Council's decision.*

Seconded by Cr Dottore and carried.

3. CONFIDENTIAL REPORTS
Nil

4. CLOSURE

There being no further business, the Mayor declared the meeting closed at 7.55pm.

Mayor Robert Bria

Minutes Confirmed on _____
(date)