

# Council Meeting Minutes

1 April 2019

## Our Vision

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

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

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City of  
Norwood  
Payneham  
& St Peters

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**VENUE** Council Chambers, Norwood Town Hall

**HOUR** 7.00pm

**PRESENT**

**Council Members** Mayor Robert Bria  
Cr Kester Moorhouse  
Cr Evonne Moore  
Cr Garry Knoblauch  
Cr John Minney  
Cr Carlo Dottore  
Cr Kevin Duke  
Cr Connie Granozio  
Cr Mike Stock  
Cr Scott Sims  
Cr Fay Patterson  
Cr Sue Whittington  
Cr John Callisto  
Cr Christel Mex

**Staff** Mario Barone (Chief Executive Officer)  
Peter Perilli (General Manager, Urban Services)  
Carlos Buzzetti (General Manager, Urban Planning & Environment)  
Lisa Mara (General Manager, Governance & Community Affairs)  
Sharon Perkins (General Manager, Corporate Services)  
Isabella Dunning (Manager, Governance, Legal & Property)  
Lucy Summerfield (Communications Officer)  
Rosanna Busolin (Manager, Community Care Services)  
Marina Fischetti (Executive Assistant, Urban Services)

**APOLOGIES** Nil

**ABSENT** Nil

**1. KAURNA ACKNOWLEDGEMENT**

**2. OPENING PRAYER**

The Opening Prayer was read by Cr Christel Mex.

**3. CONFIRMATION OF THE MINUTES OF THE COUNCIL MEETING HELD ON 4 MARCH 2019**

*Cr Sims moved that the minutes of the Council meeting held on 4 March 2019 be taken as read and confirmed. Seconded by Cr Stock and carried unanimously.*

**4. MAYOR'S COMMUNICATION**

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Monday, 4 March	<ul style="list-style-type: none"><li>Presided over a Council Meeting, Council Chamber, Norwood Town Hall.</li></ul>
Tuesday, 5 March	<ul style="list-style-type: none"><li>Participated in an interview of a candidate for the position of Independent Member of the City of Norwood Payneham &amp; St Peters' Audit Committee, Mayor's Office, Norwood Town Hall.</li></ul>
Wednesday, 6 March	<ul style="list-style-type: none"><li>Presided over a Citizenship Ceremony, Norwood Concert Hall, Norwood Town Hall.</li></ul>
Thursday, 7 March	<ul style="list-style-type: none"><li>Attended a meeting with the Chief Executive Officer, Cr John Minney and Cr Mike Stock to discuss the candidates for the position of Independent Member of the City of Norwood Payneham &amp; St Peters' Audit Committee, Mayor's Office, Norwood Town Hall.</li></ul>

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Wednesday, 13 March	<ul style="list-style-type: none"><li>• Attended an Elected Member's Training Session: Financial Management, Mayor's Parlour, Norwood Town Hall.</li></ul>
Sunday, 17 March	<ul style="list-style-type: none"><li>• Attended the official opening of the refurbished facilities at Payneham Oval, Payneham.</li></ul>
Tuesday, 19 March	<ul style="list-style-type: none"><li>• Presided over a meeting of the Business &amp; Economic Development Committee, Mayor's Parlour, Norwood Town Hall.</li></ul>
Monday, 25 March	<ul style="list-style-type: none"><li>• Attended an Elected Members Training Session: Public Integrity, Mayor's Parlour, Norwood Town Hall.</li></ul>
Wednesday, 27 March	<ul style="list-style-type: none"><li>• Attended a meeting with the Chief Executive Officer and The Honourable Frank Pangallo MLC, Mayor's Office, Norwood Town Hall.</li></ul>
Wednesday, 27 March	<ul style="list-style-type: none"><li>• Attended an Information Session: 2019-2020 Recurrent Budget, Mayor's Parlour, Norwood Town Hall.</li></ul>
Thursday, 28 March	<ul style="list-style-type: none"><li>• Attended a breakfast with Mayor David O'Loughlin (City of Prospect), Mayor Jill Whittaker (Campbelltown City Council), Mayor Michael Hewitson (City of Unley) and Mayor Elizabeth Fricker (Town of Walkerville), Luigi's Cafe, Adelaide.</li></ul>
Friday, 29 March	<ul style="list-style-type: none"><li>• Participated in the assessment and selection of the winners of the Messenger Newspapers' 2019 Eastside Business Awards, Adelaide.</li></ul>
Friday 29 March	<ul style="list-style-type: none"><li>• Attended a meeting with the General Manager, Governance &amp; Community Affairs, and the Communications Officer, Mayor's Parlour, Norwood Town Hall.</li></ul>
Friday, 29 March	<ul style="list-style-type: none"><li>• Attended the Norwood versus Glenelg football match, Cooper's Stadium, Norwood.</li></ul>
Saturday, 30 March	<ul style="list-style-type: none"><li>• Attended the St Peters Fair, Linde Reserve/Dunstone Gove, Stepney.</li></ul>
Saturday, 30 March	<ul style="list-style-type: none"><li>• Attended the Port Adelaide versus Carlton AFL football match, Adelaide Oval, Adelaide.</li></ul>
Saturday, 30 March	<ul style="list-style-type: none"><li>• Attended the San Giorgia La Molara Club Fundraising Dinner, San Giorgio La Molara Club, Payneham.</li></ul>
Sunday, 31 March	<ul style="list-style-type: none"><li>• Attended the dedication and unveiling of the Foundation Stone for the new Cultural and Education Centre followed by lunch, Prophet Elias Church of Norwood and the Eastern Suburbs, Norwood.</li></ul>
Monday, 1 April	<ul style="list-style-type: none"><li>• Attended the funeral of the late Mr Nerio Ferraro (former President of the Norwood Football Club), St Francis of Assisi Church, Newton.</li></ul>

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## 5. DELEGATES COMMUNICATION

- Cr Knoblauch advised that on Monday 25 March 2019, he attended the Marden Senior College Governing Council Annual General Meeting. On the same evening he also attended the Governing Council's monthly meeting.
- Cr Whittington advised that on Friday 22 March 2019, she attended on behalf of Mayor Bria, the Loreto College Old Scholars' Science Centre Opening at Loreto College, Marryatville.

## 6. QUESTIONS WITHOUT NOTICE

Nil

- 7. **QUESTIONS WITH NOTICE**  
Nil
  
- 8. **DEPUTATIONS**  
Nil
  
- 9. **PETITIONS**  
Nil
  
- 10. **WRITTEN NOTICES OF MOTION**  
Nil
  
- 11. **STAFF REPORTS**

## **Section 1 – Strategy & Policy**

### **Reports**

## 11.1 REVIEW OF POLICIES

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**REPORT AUTHOR:** General Manager Governance & Community Affairs  
**GENERAL MANAGER:** Chief Executive Officer  
**CONTACT NUMBER:** 8366 4549  
**FILE REFERENCE:** S/00638  
**ATTACHMENTS:** A - C

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### PURPOSE OF REPORT

The purpose of the report is to present a number of draft policies to the Council for consideration and adoption.

### BACKGROUND

Policies, Codes of Practice and Codes of Conduct are important components of a Council's governance framework. Policies set directions, guide decision making and inform the community about how the Council will normally respond and act to various issues.

When a decision is made in accordance with a Council policy or code, both the decision-maker and the community can be assured that the decision reflects the Council's overall aims and principles of action.

Accordingly, policies and codes can be used in many contexts to:

- reflect the key issues and responsibilities facing a Council;
- provide a policy context and framework for developing more detailed objectives and management systems;
- guide staff and ensure consistency in delegated and day-to-day decision-making; and
- clearly inform the community of a Council's response to various issues.

It is therefore important that policies remain up to date and consistent with any position adopted by the Council.

As such, a review of the Council's Policies commenced some months ago and to date a number of policies have been reviewed, updated and amended and a number are in the process of being updated prior to presentation to the Council for consideration and adoption.

The following policies have been reviewed and updated and adopted by the Council over the last few months:

- Bad Debt Write-Off
- Bank Accounts
- Budget Policy Guidelines
- Building Inspections
- Community Consultation
- Complaints Handling
- Conditions of Library Use
- Council's Role in Markets
- Credit Card
- Credit
- Disposal of Land & Assets
- Expenditure
- Fringe Benefits Tax
- Funding
- Internal Control
- Library Collection Development

- Live Music
- Local Government Elections Caretaker
- Local Area Traffic Management
- Naming of Roads and Public Places
- Outdoor Dining
- Payments
- Petty Cash
- Private Laneways Policy & Procedure
- Procurement
- Prudential Management
- Public Liability Insurance for Community Groups when Hiring Council Owned Facilities
- Rating
- Review of Decisions
- Salaries & Wages Administration
- Treasury Management
- Whistleblower

The following policies have also been reviewed, however these policies have been revoked on the basis that due to the nature of the subject matter, these policies are redundant and therefore no longer required:

- Community Care Services
- Graffiti Removal
- Kerbside Numbering

The following draft Policies have now been reviewed and, where required, amended to ensure that the Policies meet current standards and reflect the Council's organisational requirements:

1. Elected Member Training & Development (**Attachment A**)
2. Public Art (**Attachment B**)
3. Temporary Road Closures for Non-Council Initiated Events (**Attachment C**)

## RELEVANT STRATEGIC DIRECTIONS & POLICIES

Not Applicable.

## DISCUSSION

### Elected Member Training & Development Policy

The *Elected Member Training & Development Policy* is an existing policy.

Section 80A of the *Local Government Act 1999* (the Act), requires a Council to prepare and adopt a training and development policy for Elected Members.

In addition, the *Local Government (General) Regulations 2013 (the Regulations)*, sets out the following in respect to Elected Member training and development:

#### *8AA—Training and development*

- (1) *For the purposes of section 80A(2)(b) of the Act, a council must ensure that its training and development policy—*
  - (a) *provides that members must undertake regular training in accordance with the policy; and*
  - (b) *complies with the LGA training standards.*
- (2) *In this regulation—*

**LGA training standards** means the document entitled *LGA training standards for council members approved by the Minister for the purposes of this regulation and published on a website maintained by the LGA, as in force from time to time.*



The draft *Elected Member Training & Development Policy* incorporates the requirements for Elected Members to undertake the mandatory training within the first year of election to office, which complies with the LGA Training Standards, and sets out the process associated with Elected Member attendances at other training opportunities and conferences/seminars.

The draft Policy also reflects the current budget allocation for Elected Member Training and Attendances at Conferences/Seminars of \$10,000.

The existing Policy is proposed to be retained, in accordance with the *Local Government Act 1999*, and as such it has been reviewed. Only minor amendments have been made to the draft Policy.

A copy of the draft *Elected Member Training & Development Policy* is contained within **Attachment A**.

#### Public Art Policy

The *Public Art Policy* is an existing policy.

The draft *Public Art Policy* reflects the Council's continuation of funding for the provision of public art which will animate and enliven the public realm and contribute to the City's 'sense of place'.

The intention of the *Public Art Policy* therefore, is to guide the Council's processes in respect to the provision, placement and funding of public art across the City.

The current *Public Art Policy* has financial implications as it commits the Council to setting aside an annual amount to be spent on a major public art work once in every term of the Council (ie once every four years). Currently, the equivalent of one per cent (1 %) of the Capital Works Budget (Civil Infrastructure Capital Works Program and Drainage Infrastructure Works Program) or \$50,000, whichever is the greater amount, is set aside annually for the creation of a major artwork every four (4) years.

The existing Policy is proposed to be retained and as such it has been reviewed. Only minor amendments have been made to the draft Policy.

A copy of the draft *Council's Public Art Policy* is contained within **Attachment B**.

#### Temporary Road Closures for Non-Council Initiated Events

The *Temporary Road Closures for Non-Council Initiated Events Policy* is an existing policy.

Whilst most non-Council initiated events are reasonably self-sufficient, the Council does receive requests from time to time from external event organisers, to assist with road closures both in the form of an approving authority and as a facilitator.

The draft Policy provides clarity, consistency and transparency in respect to responsibilities associated with temporary road closures associated with non-Council initiated events.

The existing Policy is proposed to be retained and as such it has been reviewed. Only minor amendments have been made to the draft Policy.

A copy of the draft *Temporary Road Closures for Non-Council Initiated Events* is contained within **Attachment C**.

#### **OPTIONS**

The Council can determine not to endorse the draft Policies, however as the draft Policies have been prepared for the purpose of either legislative compliance or setting out the Council's formal position in respect to a particular issue, it is recommended that the Council adopts the draft Policies as presented.

#### **CONCLUSION**

Pursuant to the principles of administrative law, a Council should not deviate from an adopted policy without a clear, substantiated reason for doing so.

## COMMENTS

As the draft Policies contained within Attachments A, B and C have been in place for some time and have not been the subject of major change and/or is required by legislation without a requirement for consultation, it is recommended that the Council does not undertake community consultation regarding the draft Policies and adopts the Policies.

## RECOMMENDATION

That the Council adopts the following Policies:

1. Elected Member Training & Development Policy (Attachment A);
  2. Public Art Policy (Attachment B); and
  3. Temporary Road Closures for Non-Council Initiated Events (Attachment C).
- 

Mayor Bria sought leave of the meeting to make a Personal Explanation.  
Leave was granted.

Mayor Bria declared a perceived conflict of interest in this matter, on the basis that he had stated on his Facebook page as part of his 2018 election campaign, that if re-elected he would ask the Council to consider commissioning two (2) major public artworks instead of one (1) every Council term. Mayor Bria advised that he would remain in the meeting.

Cr Stock declared a perceived conflict of interest in this matter, on the basis that he referred to the Public Art Policy as part of his 2018 election campaign. Cr Stock advised that he would remain in the meeting.

Cr Whittington declared a perceived conflict of interest in this matter, on the basis that she stated her support for the Public Art Policy as part of her 2018 election campaign. Cr Whittington advised that she would remain in the meeting.

*Cr Whittington moved:*

*That the following Policies be adopted:*

1. *Elected Member Training & Development Policy (Attachment A);*
2. *Public Art Policy (Attachment B); and*
3. *Temporary Road Closures for Non-Council Initiated Events (Attachment C).*

*Seconded by Cr Dottore and carried unanimously.*

Cr Stock voted for the abovementioned resolution.

## 11.2 STEPNEY MAYLANDS EVANDALE LOCAL AREA TRAFFIC MANAGEMENT (LATM) STUDY – FINAL REPORT

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**REPORT AUTHOR:** Chief Executive Officer  
**GENERAL MANAGER:** Not Applicable  
**CONTACT NUMBER:** 8366 4539  
**FILE REFERENCE:** S/04883  
**ATTACHMENTS:** A - E

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### PURPOSE OF REPORT

The purpose of this report is to present for the Council's consideration and approval, the final report of the Stepney Maylands Evandale Local Area Traffic Management Study.

### BACKGROUND

The Council allocated \$60,000 in its 2017-2018 Budget to undertake this Local Area Traffic Management (LATM) Study.

The primary objective of undertaking the LATM Study, is to identify the key traffic management and road safety issues which exist within the Study area that is bound by Portrush Road, Payneham Road and Magill Road and to identify and recommend possible treatments to address these issues.

Tonkin Consulting have been engaged to undertake the LATM Study which comprises of the following stages:

- **Stage 1** – involves the collation and identification of traffic data (ie traffic volumes, speeds and crashes) and to seek input from citizens and the wider community regarding what they consider to be the issues which they believe should/need to be addressed.
- **Stage 2** – involves the development of draft recommendations which are aimed at addressing the issues which were identified through the community consultation on the draft recommendations prepared as part of Stage 1.
- **Stage 3** – involves the analysis of the comments which were received on the draft recommendations and the preparation of a final LATM Plan for the Council's consideration and adoption.

This report forms part of the Stage 3 process.

Following the completion of Stage 1, the Council considered the report titled *Stepney Maylands Evandale Local Area Traffic Management Study Draft Report* at its meeting held on 2 July 2018 and resolved the following:

1. *That the Council notes the recommendations which have been made by the Council's Traffic Management & Road Safety Committee, at its meeting held on 19 June 2018, regarding the Stepney Maylands Evandale Local Area Traffic Management Study Draft Report which has been prepared by Tonkin Consulting.*
2. *That the Council endorses the Stepney Maylands Evandale Local Area Traffic Management Study Draft Report, which has been prepared by Tonkin Consulting and as contained in Attachment A of this report, for the purpose of undertaking the Stage 2 community consultation phase and inviting comments on the draft recommendations.*
3. *That in seeking comments on the proposed 40kph speed limit, the Council highlights the benefits of a 40kph speed limit as set out in the Stepney Maylands Evandale Local Area Traffic Management Study Draft Report.*

4. *The Council notes that Tonkin Consulting will write to the Department of Planning, Transport and Infrastructure (DPTI), regarding the various issues which have been identified during the Stage 1 community consultation phase and which are associated with roads under its care, control and management, including a request to undertake a formal review of the Portrush Road and Magill Road intersection and invite DPTI to make comments with respect to these matters.*
5. *The Council notes that Council staff will write to the South Australia Police (SAPOL) and the Member for Dunstan and invite their respective comments regarding the draft recommendation concerning the introduction of a 40 kph speed limit within the local area which is bound by Portrush Road, Payneham Road, Nelson Street and Magill Road.*
6. *The Council notes that the Stage 2 community consultation phase regarding the Stepney Maylands Evandale Local Area Traffic Management Study Draft Report, which has been prepared by Tonkin Consulting and as contained in Attachment A of this report, will now be undertaken as outlined in this report.*
7. *That a report be prepared and presented to the Council for its consideration outlining the results of the Stage 2 community consultation phase which is to be undertaken regarding the Stepney Maylands Evandale Local Area Traffic Management Study Draft Report, prior to the Council making any final determinations with respect to the implementation of any of the draft recommendations which are contained in the Draft Report.*
8. *The Feedback form (Attachment B) be reworded to indicate 'subject to majority support' rather than specifying a minimum two thirds majority.*

In accordance with this decision, consultation on the Draft Report and the recommendations contained therein, was undertaken and the results of the consultation, together with draft recommendations, were presented to Elected Members at an Information Briefing held on 27 November 2018.

The results of the consultation, together with the final recommendations, are contained in the Final Report, a copy of which is contained in **Attachment A**.

## **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:**

2. A people-friendly, integrated and sustainable transport and pedestrian network.

The key traffic management and road safety issues which exist within the Study Area have been identified by Tonkin Consulting and strategies which seek to address these are outlined in the Final Report.

The Council is now required to consider the Final Report and the recommendations which have been made by Tonkin Consulting and decide whether it will endorse the Final Report and proceed to implement the recommendations.

## **FINANCIAL AND BUDGET IMPLICATIONS**

All figures quoted below are excluding GST.

The Council allocated \$60,000 in its 2017-2018 Budget for this Project.

HDS Australia Pty Ltd was engaged to undertake the collection and collation of the necessary and required traffic data (i.e. volumes and speeds) along all roads which are located within the Study Area. A total of 85 counts were undertaken at a cost of \$15,480.

The cost of engaging Tonkin Consulting to undertake the LATM Study, inclusive of analysis of the traffic data collated, both community consultation phases and drafting the Draft LATM and Final LATM Reports, is \$43,070.

The Council has allocated \$100,000 in its 2018-2019 Budget for the purposes of implementing the recommendations which it adopts. This funding may need to be adjusted, as required, once the Council has adopted the recommendations and determined an implementation strategy and final cost estimates are prepared.

The cost of implementing all of the recommendations set out in the Final Report as estimated by Tonkin Consulting is \$133,000 (refer to Section 7 of the Final Report).

The cost of implementing the high priorities recommendations is \$105,000.

On the basis that the Council endorses the recommendations contained in the Final Report, the additional \$28,000 will be adjusted as part of the 2018-2019 Budget Review 3.

## **EXTERNAL ECONOMIC IMPLICATIONS**

Not Applicable.

## **SOCIAL ISSUES**

The LATM Study has been conducted in various stages as outlined in the Background Section of this report. This includes providing citizens and the wider community with an opportunity to provide the identification of issues which are of concern to them through the Stage 1 process and in providing comments on the draft recommendations through the Stage 2 process.

## **CULTURAL ISSUES**

Not Applicable.

## **ENVIRONMENTAL ISSUES**

Not Applicable.

## **RESOURCE ISSUES**

The LATM Study has been undertaken by Tonkin Consulting and Council staff have undertaken the project management responsibilities associated with the Project, including the preparation of reports for the Council and managing the Consultant.

## **RISK MANAGEMENT**

A number of safety issues have been identified at various locations within the Study Area. The Council has a duty of care to consider how to address these issues and Tonkin Consulting has recommended a range of treatments to address these issues.

## **CONSULTATION**

- **Elected Members**

At its meeting held on 20 September 2016, the Council's Traffic Management & Road Safety Committee considered a report regarding this matter and resolved to recommend to the Council to commission an LATM Study, subject to the allocation of funding in the 2017-2018 Budget. At its meeting held on 4 October 2016, the Council endorsed the Committee's recommendation and subsequently allocated funding in its 2017-2018 Budget to undertake the LATM Study.

On 13 November 2017, an Information Session was held with Elected Members at which Tonkin Consulting outlined the proposed methodology for the LATM Study, the consultation phases and Project timeframes.

On 14 May 2018, an Information Session was held with Elected Members at which Tonkin Consulting outlined the results of the traffic data which had been collated, a summary of the comments which had been received during the Stage 1 community consultation phase, the key issues which were identified and the proposed measures to address these issues as contained in the Draft LATM Report.

An Information Session was held with Elected Members on 27 November 2018, at which the results of the Stage 2 community consultation phase were provided.

- **Community**

All citizens located within the Study Area as well as the wider community, have been invited as part of the Stage 1 community consultation phase, to submit their comments to assist Tonkin Consulting to identify the key issues which need to be considered as part of the LATM Study. The Stage 1 community consultation phase was undertaken throughout November 2017 and December 2017.

Comments were invited to be submitted to Tonkin Consulting via the following:

- a letterbox drop of all properties which are located within the Study Area (approximately 3,500 information packages were sent) which included a cover letter outlining the background to the LATM Study, a map of the Study Area and a Feedback Form (with supplied reply paid envelopes) inviting comments on a number of issues;
- an online survey which consisted of the Feedback Form;
- advertisements placed in the Messenger Newspapers which are circulated throughout the City which provided background information regarding the LATM Study and details on how to submit comments;
- copies of all relevant documentation being provided at the Norwood Council Offices and the Council's three (3) Libraries, including Feedback Forms which could be completed and submitted at these locations; and
- copies of all relevant documentation being provided on the Council's website.

In response to the invitation for comments during the Stage 1 community consultation phase, a total of 420 written submissions were received.

The 420 written submissions were received in the following formats:

- completed Feedback Forms returned via reply paid envelopes (370);
- completed online Feedback Forms received via the online survey (40); and
- emails sent directly to the Council's Consultant (10).

The Stage 2 community consultation phase utilised the same methodology which was used to undertake the Stage 1 community consultation phase. In this respect, every citizen and property owner within the Study Area was sent a copy of the relevant information and was invited to submit their written comments.

The wider community was also invited to provide comments through the Messenger Newspaper advertisements, displays which were provided at the Council Offices at the Norwood Town Hall and Libraries and information provided on the Council's website.

The results of the Stage 2 Consultation yielded 340 written submissions (or a 10% response rate).

Details of the submissions associated with the draft recommendations are contained within the Final Report submitted by Tonkin Consulting.

- **Staff**

Chief Executive Officer  
General Manager, Urban Services  
Manager, Economic Development & Strategic Projects  
Manager, Urban Planning & Sustainability  
Team Leader, Customer & Regulatory Services  
Project Manager, Urban Design & Special Projects  
Sustainability Officer

- **Other Agencies**

Various issues have been raised regarding the arterial road network which forms the perimeter of the Study Area and these have been raised with the Department of Planning, Transport and Infrastructure (“DPTI”) and any comments which have been provided by DPTI, have been included in the Final Report.

Tonkin Consulting also recommended that the South Australia Police (“SAPOL”) be requested to provide comments, as part of the Stage 2 community consultation phase, regarding one of the key recommendations made by Tonkins Consulting (i.e. a Study Area wide 40 kph speed limit).

A copy of the Council’s letter dated 21 December 2018, to SAPOL and the response is contained in **Attachments B** and **C** respectively.

As requested, the Council also consulted with the Local Member for Dunstan regarding the proposed introduction of a 40 kph speed limit, as the Stepney, Maylands and Evandale local areas are located within the Dunstan Electorate. Whilst this is not a requirement of the current DPTI 40 kph Speed Limit Guideline, it was considered appropriate and important in terms of the Council demonstrating good practice given the significant change that is being recommended.

A copy of the Council’s letter dated 19 July 2018, to the Member for Dunstan and the response are contained in **Attachments D** and **E** respectively.

## **DISCUSSION**

The Final LATM Report is comprehensive and outlines in detail the various investigations which have been undertaken by Tonkin Consulting, the issues which have been raised during the Stage 1 and Stage 2 community consultation, the various options which have been considered to address these issues and the final recommendations (including cost estimates).

For the purpose of this report, the recommendations which have been made by Tonkin Consulting to address the issues which have been identified and as outlined in the Final Report have not been repeated except for the issues relating to the introduction of a 40kph in the Stepney Area and Ann Street, as these are perhaps the most significant and complex issues which require consideration.

The final recommendations are, however, all detailed in the Recommendation section of this report.

### **1. 40 kph Speed Limit**

#### **1.1 Background**

By way of background information, the current speed limit within the part of the Study Area which is bound by Nelson Street, Magill Road, Portrush Road and Payneham Road (except for the arterial roads) is 50 kph. However, the speed limit within the part of the Study Area known as the *Stepney Triangle*, which is bound by Payneham Road, Magill Road and Nelson Street (except for the arterial roads), is 40 kph.

Traffic counts have been undertaken along all roads which are located within the Study Area (except for the arterial roads) with a total of 85 counts being undertaken. Tonkin Consulting has advised that in respect to travel speeds, the traffic count data which has been collated, reflects what would be typically expected within streets in a residential area such as the Study Area, with average speeds generally being less than 45 kph. Streets with average speeds of more than 40kph are located in the eastern part of the Study Area (ie. between Portrush Road and Frederick Street).

## 1.2 Concerns Raised During Stage 1 Community Consultation Phase

Tonkin Consulting advised that during the Stage 1 community consultation phase, of approximately 3,500 letters which were sent to citizens and property owners seeking comments, a total of 36 written submissions raised concerns regarding speeding within the Study Area and proceeded to suggest reducing the speed limit to 40 kph.

Tonkin Consulting acknowledged that based on the analysis of the traffic data which has been collated, there is no warrant for the reduction in the current speed limit in the part of the Study Area, which is currently a 50 kph speed limit. However, Tonkin Consulting recommended that as part of the Stage 2 community consultation phase, the Council should seek to establish the “*level of support*” for the implementation of a 40 kph speed limit, in order to determine whether this should be pursued further.

In this respect, at its meeting held on 2 July 2018, the Council resolved the following in respect to the proposal to introduce a 40kph speed limit in the Study Area:

3. *That in seeking comments on the proposed 40kph speed limit, the Council highlights the benefits of a 40kph speed limit as set out in the Stepney Maylands Evandale Local Area Traffic Management Study Draft Report.*
5. *The Council notes that Council staff will write to the South Australia Police (SAPOL) and the Member for Dunstan and invite their respective comments regarding the draft recommendation concerning the introduction of a 40 kph speed limit within the local area which is bound by Portrush Road, Payneham Road, Nelson Street and Magill Road.*
8. *The Feedback form (Attachment B) be reworded to indicate ‘subject to majority support’ rather than specifying a minimum two thirds majority.*

As part of the Stage 2 Community Consultation, Tonkin Consulting advised of the general support for a reduced speed limit, with 68% either agreeing or strongly agreeing to the draft recommendation to introduce a 40kph speed limit.

Tonkin Consulting have also advised that 33 written comments indicated support for a speed reduction to 40kph and 21 comments did not prefer/support the introduction of a 40kph speed limit.

Tonkin Consulting has also advised that DPTI is not opposed to the introduction of a 40kph speed limit and has offered to support the Council with the application (subject to the outcomes of the consultation).

On the basis of the consultation which has been undertaken and the Council's decision made at its meeting held on 2 July 2018, that is the introduction of a 40kph speed limit is subject to majority support (ie. 51% or more), Tonkin Consulting has recommended that the Council formally seek approval from the Minister to implement a 40kph speed limit in the Study Area, in accordance with the procedure outlined in ‘*Speed Limit Guidelines*’.

On the basis that the Council is satisfied with the process which has been undertaken by Tonkin Consulting in respect to the introduction of a 40kph speed limit in the Study Area and is satisfied that the consultation results meet its criteria of ‘majority support’, the Council can endorse the recommendation and the process of preparing and lodging an application will be undertaken.

In this respect, unless determined otherwise by the Council, no further consultation associated with the introduction of a 40kph speed limit will be undertaken. However, all owners and occupiers of property within the Study Area will be advised of the Council's decision in respect to the introduction of a 40kph speed limit (as well as the other recommendations as endorsed by the Council) and subject to the Minister's approval, the 40kph will be implemented.



## 2. Ann Street

### 2.1 Background

Concerns were raised as part of the Stage 1 community consultation phase, regarding difficulties which are experienced by motorists (and residents) when travelling along Ann Street, due to its narrow carriageway width and the existence of on-street parking on both sides of the street, which results in congestion.

Ann Street has a carriageway width of approximately 7.0 metres to 7.5 metres and was found to be carrying approximately 1,500 (two-way) vehicle movements per weekday. On-street parking is provided via defined parking bays which are staggered on both sides of the street with No Parking yellow edge lines in some locations. Time-limit parking restrictions in the form of 2 hours applies from 7:00am to 7:00pm, Monday to Friday and 7:00am to 12-midday, Saturday thereby allowing for only one (1) vehicle movement through at a time.

Tonkin Consulting initially considered two (2) options to address the concerns which have been raised regarding congestion. The first option involves trialling a one-way traffic movement system which would apply in a north westerly direction (i.e. from Magill Road to Payneham Road). The second involves the introduction of more restrictive on-street parking controls.

When the Council's Traffic Management & Road Safety Committee considered the Draft LATM Report at its meeting held on 19 June 2018, the Committee recommended consideration of a third option, namely the installation of a 'No Entry' sign at Payneham Road. Tonkin Consulting considered the Committee's recommendation in order to determine the viability of this option for the Council's consideration. Following further analysis of the traffic data which has been collated along Ann Street, Tonkin Consulting has concluded that this was its preferred option.

### 2.2 Trial One-Way Movement

Tonkin Consulting considered undertaking consultation regarding the one-way movement system, which would apply in a north westerly direction (i.e. from Magill Road to Payneham Road), as part of the Stage 2 community consultation phase.

Tonkin Consulting considered that the one-way movement system should be implemented on a trial basis for a period of six (6) months, following which an assessment of traffic conditions (i.e. a before and after assessment) be undertaken to establish what impact this solution made on Ann Street and surrounding streets. Based on the results of this review, the Council would then determine if it would seek to maintain the one-way restriction system on a permanent basis.

By way of background information, in 2001, the Council commissioned an LATM Study in this Study Area. At that time, a one-way traffic movement trial was recommended for Ann Street, albeit the direction in which it would or should apply was not specified. The Council endorsed the recommendation "*in principle*" for the purpose of community consultation however, a consensus was not reached through the consultation process. As such, the Council resolved not to pursue the implementation of the trial.

As is the case with the 2001 LATM Study, a trial one-way movement system is unlikely to be supported by residents of Ann Street, and it is more than likely that opinions and views will be divided. In this respect, this was (and still is) not considered to be the most viable option for the Council in terms of addressing the concerns which have been raised regarding congestion in Ann Street.

### 2.3 On-Street Parking Restrictions

Tonkin Consulting considered the introduction of on-street parking restrictions on the northern side of Ann Street and staggered on-street parking on the southern side of the street. However, on-street parking is considered to already be at a premium at this location and as such, the proposed removal of any on-street parking is unlikely to be supported by residents located in Ann Street and local business owners and operators. As such, this is not considered to be the most viable option for the Council in terms of addressing the concerns which have been raised regarding congestion in Ann Street.

## 2.4 'No Entry' at Payneham Road

Tonkin Consulting has considered the installation of 'No Entry' into Ann Street from Payneham Road. This would prohibit motorists from entering Ann Street whilst still allowing motorists to exit onto Payneham Road and still retain two-way movements along Ann Street. The installation of signage would need to be accompanied with a half-road closure and associated modifications to physically prevent motorists from entering Ann Street.

The traffic data which has been collated for Ann Street, indicates that approximately 1,500 (two-way) vehicle movements per day occur at the Payneham Road end of the street comprising of approximately 900 vehicle movements in a southerly direction and approximately 600 vehicle movements in a northerly direction. This suggests that the majority of movements at this northern end of Ann Street are entering from Payneham Road.

The installation of a 'No Entry' at this location would reduce southbound movements and in turn, is expected to reduce congestion. However, Tonkin Consulting identified that this measure would also have a number of other impacts and these are summarised below:

- accessibility into the Avenues Shopping Centre from Payneham Road would be reduced albeit this is not considered to be a significant issue given that access is available from Nelson Street;
- egress from the Avenues Shopping Centre to Payneham Road would be retained;
- internal traffic movements along Ann Street, between Olive Road and Nelson Street, would be retained so there would not be any likely impact on traffic volumes in Henry Street;
- access to and egress from the Avenues Shopping Centre would be retained; and
- accessibility to Ann Street from Payneham Road for some local residents would be restricted and they will need to find alternative routes which may marginally increase traffic volumes along those streets.

The installation of a "No Entry" sign and the associated half-road closure which would be required to prevent motorists from ignoring the signage and entering Ann Street from Payneham Road, requires approval from DPTI will affect arterial road traffic movements.

Taking all of the relevant issues into account, Tonkin Consulting recommended the installation of a "No Entry" sign (and by implication, modifications to the intersection of Ann Street and Payneham, Road) as the preferred option to address the concerns regarding congestion which have been raised during the Stage 1 community consultation phase. In this respect, Tonkin Consulting recommended that as part of the Stage 2 community consultation phase, the Council ascertain the level of support from the community and DPTI, with respect to the installation of this treatment at this location.

As such, as part of the Stage 2 consultation, community and DPTI support was gauged for the implementation of a 'No Entry' sign and half road closure of Ann Street to prevent access from Payneham Road.

As part of the Stage 2 consultation, Tonkin Consulting advised that more residents (62% of 307 respondents) agreed with implementing the installation of a 'No Entry' sign and half road closure.

However, concern was raised by the property owners of shops/offices on the corner of Payneham Road and Ann Street and the Avenues Shopping Centre, as the proposed solution would have a significant impact on access to on-street parking in Ann Street. In this respect, these businesses rely on on-street parking in Ann Street as parking on Payneham Road is often restricted due to Clearway restrictions. The proposed solution would effectively prevent access to these on-street parking spaces.

In addition, some submissions raised the concern that the other options regarding the reduction of on-street parking on one side of Ann Street could result in higher vehicle speeds as the road would be more 'free flowing' (ie. not as congested).

Tonkin Consulting have concluded and advised that this is a valid concern.

Some residents have also commented on the reduced accessibility which the closure of Ann Street would have on the Avenues Shopping Centre.

In respect to discussions with DPTI, Tonkin Consulting has advised that the proposed half road closure would adversely impact on both the Avenues Shopping Centre and the Payneham Road/Nelson Street intersection. As a result of this concern, Tonkin Consulting has advised that DPTI would not support a half road closure and have suggested that an appropriate on-street parking restriction/management regime would be more effective.

As such, Tonkin Consulting have recommended not to pursue the installation of a 'No Entry' sign and half road closure.

In light of the above and as raised at the Information Briefing Session held on 27 November 2018, consideration has also been given to the following:

Option 1: a half road closure in Ann Street between Olive Road and the access crossover to the Avenues Shopping Centre carpark; and

Option 2: pedestrian safety adjacent to the pedestrian crossing south of Olive Road.

In respect to these two (2) options, Tonkin Consulting have reached the following conclusions:

- **Option 1 – Half Road Closure in Ann Street between Olive Road and the Access Crossover to the Avenues Shopping Centre Carpark**

The intent of Option 1 is similar to the 'No Entry' sign option, except that it retains access to the Avenues Shopping Centre from Payneham Road and relocates the half road closure south of the access point to the Avenues Shopping Centre carpark. This option also overcomes the concerns which have been raised in respect to the option of prohibiting access from Payneham Road.

However, access between the Avenues Shopping Centre and the residential area (east of Ann Street) would be prohibited, whereas the previous proposal affected arterial road traffic. This option limits egress from the rear of the Avenues Shopping Centre to the residential area.

In addition, Tonkin Consulting have concluded that the Council should expect some level of disregard for the traffic restrictions as enforcement would be limited as it would be reasonably simple (and attractive) for a southbound motorist travelling along Ann Street to drive through the restriction.

As such, Tonkin Consulting has recommended that this option not be pursued.

- **Option 2 – Pedestrian Crossing South of Olive Road**

Concern has been raised that pedestrians are directed to Ann Street from the Avenue Shopping Centre carpark and there is no formal road crossing at this location.

Whilst pedestrian activity is not sufficient to warrant a formal crossing (ie. a wombat or zebra crossing), Tonkin Consulting has recommended that it would be appropriate to:

- restrict parking by one (1) carparking space on the eastern side of the road;
- provide a kerb ramp to the eastern side of the road and upgrade the existing ramp on the western side; and
- install pedestrian walking signs on either approach in Ann Street.

Based on the above assessment, Tonkin Consulting has concluded that none of the various options which have been explored can adequately address the concerns which have been raised by the community, without impacting on the mobility for local residents and commercial property owners and business operators. To this end:

- One way traffic will impact on local accessibility and change traffic volumes in nearby local streets.
- On-street parking restrictions are mostly considered unnecessary and favour traffic movements over the needs of residents and businesses and may lead to increased speeds along Ann Street.
- 'No Entry' restriction from Payneham Road is not supported by DPTI or commercial property owners and business operators.
- 'No Entry' restriction in Ann Street (south of Olive Road) reduces accessibility for local residents.

As such, on balance, Tonkin Consulting has concluded that the significance of the issue as originally reported, does not warrant the introduction of the proposed traffic control measures.

However, Tonkin Consulting has recommended the relocation of signage and installation of kerb ramps (which will require the removal of one on-street carparking space) and installation of pedestrian warning signage to facilitate the movement of pedestrians from the Avenues Shopping Centre carpark across Ann Street.

## **OPTIONS**

The issues which have been raised during the Stage 1 and Stage 2 community consultation phases and those which have been identified by the Council and Tonkin Consulting, based on the investigations which have been undertaken, have been documented and discussed in the Final Report.

The Council's Traffic Management & Road Safety Committee has considered the issues and has provided its recommendations to the Council, as resolved by the Committee at its meeting held on 19 June 2018. The Council is now required to consider all of the issues and decide whether it will endorse the recommendations as outlined in the Final Report.

It is recommended that the Council endorse the recommendations which are contained in the Final Report. Alternatively, the Council can resolve not to endorse the recommendations.

## **CONCLUSION**

As the relevant issues which are associated with traffic management and safety within the Study Area have been identified and addressed, the Council is now in a position to make an informed decision with respect to whether it will endorse the recommendations as submitted by Tonkin Consulting.

## **COMMENTS**

The issues which have been raised have been addressed and the recommended solutions will address these issues through simple, yet effective, traffic management solutions.

In respect to the introduction of a 40kph speed limit in the Study Area, the data does not identify a speeding problem, however, the pre-conditions which have been set for the introduction of a 40kph speed limit (ie. majority support from the submissions), have been met.

In respect to Ann Street, all of the options have been assessed and clearly there is no 'easy' solution to the issues which have been raised. Tonkin Consulting has concluded that the significance of the issue as originally reported, does not warrant the introduction of traffic control measures.

Clearly, Ann Street and the adjoining residential properties are in an 'interface zone' (between commercial and residential activities) and there will inevitably be conflicts at the interface of these activities/uses. Perhaps the answer lies in improving the amenity through new infrastructure and streetscaping rather than traffic restrictions.

## RECOMMENDATION

1. That the report titled *Stepney Maylands Evandale Local Area Traffic Management (LATM) Study Final* (dated 21 January 2019), prepared by Tonkin Consulting Pty, be received and noted.
2. That the following recommendations as contained in the abovementioned Final Report, be endorsed.
  - a. That Council resolves to seek approval from the Minister to implement a 40kmph speed limit in the part of the Study Area which is bound by Portrush Road, Magill Road, Nelson Street and Payneham Road, in accordance with the procedure outlined in 'Speed Limit Guidelines'.
  - b. That the Council develop a Policy and Procedure for the purpose of undertaking the assessment and management of on-street carparking on both sides of a street versus traffic congestion along streets which have a narrow carriageway width so that a consistent approach is taken throughout the City.
  - c. That traffic or parking restrictions along Ann Street to specifically address the concerns over traffic volumes, parked cars and narrow streets, not be implemented.
  - d. In respect to pedestrians crossing Ann Street adjacent to the zebra crossing (located in the carpark of the Avenues Shopping Centre south of Olive Road), the following be implemented:
    - relocation of the '*No Stopping*' signs to align with the end of the yellow stopping lines.
    - construction of an appropriate kerb ramp on both sides of Ann Street and removal of one (1) on-street carparking space on the eastern side of the road; and
    - installation of '*Pedestrians Ahead*' warning signs on each approach in Ann Street.
  - e. That no further action be taken at this stage, in respect to the intersection of Ann Street and Olive Road.
  - f. That no further action be taken at this stage, in respect to the intersection of Ann Street and Flora Street.
  - g. That a pavement bar median be installed along Laura Street at its intersection with Frederick Street, for the purposes maintaining lane separation.
  - h. That a '*No Stopping*' restriction be installed around the bend in Henry Street and that the restriction be operational between 7.00am to 9.00am and 4.00pm to 6.00pm Monday to Friday.
  - i. That pavement bars be installed in Frederick Street (northern leg) for the purposes of controlling vehicle turning movements into Henry Street.
  - j. That the movement through the intersection of Stepney Street and Henry Street, be re-prioritised with '*Stop*' signs installed in Stepney Street.
  - k. That a pavement bar median be installed on the centre line of Morris Street, at its intersection with Bakewell Road, for the purposes of preventing 'corner cutting' at this location.
  - l. That the feasibility of installing a roundabout and kerb extensions at the intersection of Adelaide Street and Dover Street, be undertaken.
  - m. That in respect to vehicles turning right from Payneham Road into Ann Street, this issue be raised with the Department of Planning Transport & Infrastructure, as part of the development of Network Operating Plans for main roads and key intersections.
  - n. That in respect to issues concerning right-hand turns from Magill Road into the Anytime Fitness Centre carpark, this matter be raised with the Department of Planning Transport & Infrastructure as part of the development of Network Operating Plans for main roads and key intersections.

3. That in respect to the introduction of the 40kph speed limit into the Study Area (bound by Portrush Road, Payneham Road and Magill Road), the Council notes that no further community consultation will be undertaken and that following approval of the proposal by the Minister, the new speed limit will be introduced (including signage, etc).
  4. The Council notes that design work for the various recommendations associated with civil works and signage, will now be progressed with a view to completing the installation of new signage, traffic management control devices, etc, by 30 June 2019.
  5. That all residents and property owners be thanked in writing for the contribution to the Stepney Maylands Evandale Local Area Traffic Management (LATM) Study and advised of the Council's decision.
- 

Cr Moore declared a conflict of interest in this matter as she lives within the LATM Study Area and left the meeting at 7.21pm.

*Cr Patterson moved:*

1. *That the report titled Stepney Maylands Evandale Local Area Traffic Management (LATM) Study Final (dated 21 January 2019), prepared by Tonkin Consulting Pty, be received and noted.*
2. *That the following recommendations as contained in the abovementioned Final Report, be endorsed.*
  - a. *That Council resolves to seek approval from the Minister to implement a 40kmph speed limit in the part of the Study Area which is bound by Portrush Road, Magill Road, Nelson Street and Payneham Road, in accordance with the procedure outlined in 'Speed Limit Guidelines'.*
  - b. *That the Council develop a Policy and Procedure for the purpose of undertaking the assessment and management of on-street carparking on both sides of a street versus traffic congestion along streets which have a narrow carriageway width so that a consistent approach is taken throughout the City.*
  - c. *That traffic or parking restrictions along Ann Street to specifically address the concerns over traffic volumes, parked cars and narrow streets, not be implemented.*
  - d. *In respect to pedestrians crossing Ann Street adjacent to the zebra crossing (located in the carpark of the Avenues Shopping Centre south of Olive Road), the following be implemented:*
    - *relocation of the 'No Stopping' signs to align with the end of the yellow stopping lines.*
    - *construction of an appropriate kerb ramp on both sides of Ann Street and removal of one (1) on-street carparking space on the eastern side of the road; and*
    - *installation of 'Pedestrians Ahead' warning signs on each approach in Ann Street.*
  - e. *That no further action be taken at this stage, in respect to the intersection of Ann Street and Olive Road.*
  - f. *That no further action be taken at this stage, in respect to the intersection of Ann Street and Flora Street.*
  - g. *That a pavement bar median be installed along Laura Street at its intersection with Frederick Street, for the purposes maintaining lane separation.*
  - h. *That a 'No Stopping' restriction be installed around the bend in Henry Street and that the restriction be operational between 7.00am to 9.00am and 4.00pm to 6.00pm Monday to Friday.*

- i. *That pavement bars be installed in Frederick Street (northern leg) for the purposes of controlling vehicle turning movements into Henry Street.*
  - j. *That the movement through the intersection of Stepney Street and Henry Street, be re-prioritised with 'Stop' signs installed in Stepney Street.*
  - k. *That a pavement bar median be installed on the centre line of Morris Street, at its intersection with Bakewell Road, for the purposes of preventing 'corner cutting' at this location.*
  - l. *That the feasibility of installing a roundabout and kerb extensions at the intersection of Adelaide Street and Dover Street, be undertaken.*
  - m. *That in respect to vehicles turning right from Payneham Road into Ann Street, this issue be raised with the Department of Planning Transport & Infrastructure, as part of the development of Network Operating Plans for main roads and key intersections.*
  - n. *That in respect to issues concerning right-hand turns from Magill Road into the Anytime Fitness Centre carpark, this matter be raised with the Department of Planning Transport & Infrastructure as part of the development of Network Operating Plans for main roads and key intersections.*
3. *That in respect to the introduction of the 40kph speed limit into the Study Area (bound by Portrush Road, Payneham Road and Magill Road), the Council notes that no further community consultation will be undertaken and that following approval of the proposal by the Minister, the new speed limit will be introduced (including signage, etc).*
  4. *The Council notes that design work for the various recommendations associated with civil works and signage, will now be progressed with a view to completing the installation of new signage, traffic management control devices, etc, by 30 June 2019.*
  5. *That all residents and property owners be thanked in writing for the contribution to the Stepney Maylands Evandale Local Area Traffic Management (LATM) Study and advised of the Council's decision.*

*Seconded by Cr Whittington.*

#### Amendment

*Cr Duke moved:*

1. *That the report titled Stepney Maylands Evandale Local Area Traffic Management (LATM) Study Final (dated 21 January 2019), prepared by Tonkin Consulting Pty, be received and noted.*
2. *That the following recommendations as contained in the abovementioned Final Report, be endorsed.*
  - a. *That Council resolves to seek approval from the Minister to implement a 40kmph speed limit in the part of the Study Area which is bound by Portrush Road, Magill Road, Nelson Street and Payneham Road, in accordance with the procedure outlined in 'Speed Limit Guidelines'.*
  - b. *That the Council develop a Policy and Procedure for the purpose of undertaking the assessment and management of on-street carparking on both sides of a street versus traffic congestion along streets which have a narrow carriageway width so that a consistent approach is taken throughout the City.*
  - c. *That traffic or parking restrictions along Ann Street to specifically address the concerns over traffic volumes, parked cars and narrow streets, not be implemented.*

- d. *In respect to pedestrians crossing Ann Street adjacent to the zebra crossing (located in the carpark of the Avenues Shopping Centre south of Olive Road), the following be implemented:*
- *relocation of the 'No Stopping' signs to align with the end of the yellow stopping lines.*
  - *construction of an appropriate kerb ramp on both sides of Ann Street and removal of one (1) on-street carparking space on the eastern side of the road; and*
  - *installation of 'Pedestrians Ahead' warning signs on each approach in Ann Street.*
- e. *That no further action be taken at this stage, in respect to the intersection of Ann Street and Olive Road.*
- f. *That no further action be taken at this stage, in respect to the intersection of Ann Street and Flora Street.*
- g. *That a pavement bar median be installed along Laura Street at its intersection with Frederick Street, for the purposes maintaining lane separation.*
- h. *That a 'No Stopping' restriction be installed around the bend in Henry Street and that the restriction be operational between 7.00am to 9.00am and 4.00pm to 6.00pm Monday to Friday.*
- i. *That pavement bars be installed in Frederick Street (northern leg) for the purposes of controlling vehicle turning movements into Henry Street.*
- j. *That the movement through the intersection of Stepney Street and Henry Street, be re-prioritised with 'Stop' signs installed in Stepney Street.*
- k. *That a pavement bar median be installed on the centre line of Morris Street, at its intersection with Bakewell Road, for the purposes of preventing 'corner cutting' at this location.*
- l. *That the feasibility of installing a roundabout and kerb extensions at the intersection of Adelaide Street and Dover Street, be undertaken.*
- m. *That in respect to vehicles turning right from Payneham Road into Ann Street, the Council endorses, subject to consultation with the residents and business owners in Ann Street, the installation of a traffic management device south of the entrance to the Avenues Shopping Centre, to prevent southbound traffic from Payneham Road on the eastern side of Ann Street.*
- n. *That in respect to issues concerning right-hand turns from Magill Road into the Anytime Fitness Centre carpark, this matter be raised with the Department of Planning Transport & Infrastructure as part of the development of Network Operating Plans for main roads and key intersections.*
3. *That in respect to the introduction of the 40kph speed limit into the Study Area (bound by Portrush Road, Payneham Road and Magill Road), the Council notes that no further community consultation will be undertaken and that following approval of the proposal by the Minister, the new speed limit will be introduced (including signage, etc).*
4. *The Council notes that design work for the various recommendations associated with civil works and signage, will now be progressed with a view to completing the installation of new signage, traffic management control devices, etc, by 30 June 2019.*
5. *That all residents and property owners be thanked in writing for the contribution to the Stepney Maylands Evandale Local Area Traffic Management (LATM) Study and advised of the Council's decision.*

*The amendment lapsed for want of a seconder.*

*The original motion was put and carried.*



Cr Moore returned to the meeting at 7.34pm.

*Cr Sims moved:*

*That Item 11.12 be brought forward for consideration.*

*Seconded by Cr Minney and carried.*

## 11.12 ERA WATER

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**REPORT AUTHOR:** Chief Executive Officer  
**GENERAL MANAGER:** Not Applicable  
**CONTACT NUMBER:** 8366 4539  
**FILE REFERENCE:** S/02454 S/04201  
**ATTACHMENTS:** A - B

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### PURPOSE OF REPORT

The purpose of this report is to present for the Council's endorsement, a request from ERA Water to approve additional bore capacity, commencement of water sales to external customers in 2020 and increasing ERA Water's debt limit.

### BACKGROUND

As Members are aware, ERA Water is a Regional Subsidiary established pursuant to the provisions of Section 43 of the *Local Government Act 1999*, for the primary purpose of implementing the Waterproofing Eastern Adelaide Project (the Scheme), which comprises the construction of wetlands and bio-filters, aquifer re-charge and recovery, pipeline network and water storage facilities. ERA Water manages the Scheme on behalf of the Constituent Councils and provides recycled stormwater for the irrigation of parks and reserves within the Constituent Councils' Local Government Areas. Construction of the Scheme has been completed and commissioning is occurring.

The Constituent Councils are the City of Burnside, the City of Norwood Payneham & St Peters and the Town of Walkerville.

The Council is a Member of a number of Regional Subsidiaries, namely the Eastern Health Authority, the Highbury Landfill Authority and East Waste. ERA Water operates on the same basis as the other Regional Subsidiaries insofar as it has been established for a particular purpose/function, it has a Charter (ie. Terms of Reference) and it has a Board to manage the affairs of the Subsidiary on behalf of the Constituent Councils.

The Council has received correspondence from ERA Water dated 8 March 2019, seeking endorsement from its Constituent Councils for the following:

- additional bore capacity;
- sales of water to customers to commence in 2020; and
- increase the Authority's debt limit by \$2.3m.

A copy of the correspondence from ERA Water is contained in **Attachment A**.

It should be noted that this correspondence contains all of the various options which have been considered by the Board and referred to in this report (ie. Options 1A, 1B, 2A and 2B).

### RELEVANT STRATEGIC DIRECTIONS & POLICIES

Not Applicable.

### FINANCIAL AND BUDGET IMPLICATIONS

The Council is a Member of ERA Water, together with the City of Burnside and the Town of Walkerville and has an equal equity in the Subsidiary. Any debt, liabilities and assets incurred by the Subsidiary become the debts, liabilities and assets of the Constituent Councils.

### EXTERNAL ECONOMIC IMPLICATIONS

Not Applicable.

## **SOCIAL ISSUES**

Not Applicable.

## **CULTURAL ISSUES**

Not Applicable.

## **ENVIRONMENTAL ISSUES**

Not Applicable.

## **RESOURCE ISSUES**

## **RISK MANAGEMENT**

Not Applicable.

## **CONSULTATION**

- **Elected Members**  
Cr Minney is the Council's appointee to the Board of ERA Water.
- **Community**  
Not applicable.
- **Staff**  
Nil
- **Other Agencies**  
Not Applicable.

## **DISCUSSION**

### **General**

At its meeting held on 10 December 2018, the ERA Water Board considered its cash flow forecast for the remainder of the 2018-2019 financial year and beyond.

Based upon a review of its cash flow, the Board concluded that it would have insufficient funds to meet its expected expenses from May 2019 to the end of the financial year (ie. 30 June 2019). The extent of this shortfall is estimated at \$224,055.

In order to address this situation, the Board engaged BRM Holdich (Consultants) to undertake financial modelling to consider the impact of four (4) different scenarios associated with the replacement of a failed bore and the commencement of water sales to external customers (ie. in addition to water sales to the Constituent Councils).

The four (4) scenarios which have been considered by the Board at its meeting held on 8 February 2019, are:

- Option 1a No additional expenditure on injection capacity and no external customers in 2020.
- Option 1b No additional expenditure on injection capacity, with external customers in 2020.
- Option 2a Additional expenditure on injection capacity and no external customers in 2020.
- Option 2b Additional expenditure on injection capacity with external customers in 2020.

Following consideration of the options, the Board subsequently requested BRM Holdich to update its financial modelling as per Option 2b above (ie. additional expenditure to establish a new bore, thereby increasing injection capacity with sales to external customers commencing in 2020), to consider the impact of lower than expected/estimated rainfall (ie the 'Dry Case' as occurred during 2018) and the consequent impacts on ERA Water's cash flows and to consider the options available to ERA Water and the Constituent Councils to fund the projected cash shortfall.

Based upon the analysis which has been undertaken by BRM Holdich, the Board has advised the Constituent Councils, that Option 2b is the Board's preferred option and is now seeking the endorsement of the Constituent Councils. Details regarding the analysis undertaken by BRM Holdich is set out in the letter from BRM Holdich contained in **Attachment B**.

It should be noted that the letter from BRM Holdich contains attachments associated with Option 2B.

Based on the various original assumptions which were put together for the project, at or about mid-September 2018, there was an expectation that 120ML (mega litres) of water would be available in the 2018-2019 irrigation season and 458ML available from 2019-2020 onwards.

Based upon the financial modelling, allocations based on 'average yearly' demand were to be paid by the Constituent Councils on a 'take or pay' basis at the SA Water prices. The allocation for each of the Constituent Councils is:

- Burnside – 100ML
- Norwood Payneham & St Peters – 76.7ML
- Walkerville – 28ML

Based on average rainfall occurring, the Authority's Long Term Financial Plan (LTFP) projected a deficit for 2018-2019 of \$547,000, a deficit of \$6,000 in 2019-2020 and the ability to generate a rebate to the Constituent Councils from 2020-2021 onwards.

The Authority's Statement of Financial Position, indicated that borrowings needed to be very carefully managed and could be kept within the debt limit (as approved by the Constituent Councils) of \$13m.

### **Additional Bore Capacity**

Since September 2018, based upon the low rainfall which South Australia and indeed large parts of Australia have experienced, the information concerning water availability and the capacity of the system has been reviewed and updated by the Board.

Following this update, the Board has advised that the following matters require attention, as the matters and consequent issues arising from these, will vary the assumptions upon which ERA Water's financial forecasts are based. These matters are:

- Commissioning of the network has indicated that the current capacity of the system is about 50 – 60 litres per second, which is below the design capacity of 80 litres per second (which would result in the delivery of 458ML). The critical factor which is affecting the capacity is the performance and capacity of an injection bore.

In this respect, one (1) of the five (5) bores which were drilled in 2017, has been unsuccessful in the sense that it produces water, but at a rate which is insufficient for use as a production bore. As such, the Board has advised that this particular bore is now used as a monitoring bore.

As 2018 was a dry year in terms of rainfall (a scenario which could not have been predicted when the original financial analysis was prepared), water availability for harvesting and injection has subsequently been lower than originally assumed. In this respect, the volume of water to date which has been injected into the aquifer is 86.4ML, which in turn yields an estimated 35ML of available water, compared to 120ML which was included in the original financial forecasts.

- Given the inadequacy of one of the bores (as set out above), water availability in future years is subsequently reduced due to the constraints on design capacity which can be addressed by increasing the injection and production capacity of the bores.

To address the above matters, the Board has advised that to increase the injection capacity of the system, an additional (new) bore is required to provide injection of water ahead of the 2021-2022 irrigation season.

The ERA Water Board has advised that the cost of drilling a new bore is in the order of \$60,000 to \$80,000 (with a 30% risk of failure) and fit-out cost of around \$60,000. As such, the Board has advised that the total costs may range from \$320,000 to \$500,000 (based on a 70% risk of failure).

### **Increase in Debt Limit**

In addition to the costs of a new bore (\$320,000 to \$500,000) based on the financial analysis and projections which have been undertaken by BRM Holdich, the Board has requested that approval be granted by the Constituent Councils to increase the Authority's debt limit by \$2.3 million.

In this respect, based upon the 'Dry Case' scenario (as set out in the letter from BRM Holdich and contained in **Attachment B** of this report) and based on the revised water sales assumptions, ERA Water is forecast to record a cash deficit of \$1.223 million in 2019-2020, \$365,000 in 2020-2021 and \$61,000 in 2021-2022.

Based upon these projections and taking into account the cash deficits (ie. as set out above), BRM Holdich estimates that the additional funding required under the 'Dry Case' scenario is to be in the range of \$1.8 million to \$2.3 million.

The 'Dry Case' scenario has been used in this calculation as it takes into account the impact of drier than expected winters over the short term and the consequent impacts on the financial performance and funding requirements of ERA Water.

To this end, WGA (ERA Water's engineering consultants), have estimated that a drier than average winter could have the impact of reducing water which is available for sale by 50% over the short term.

In contrast the 'Base Case' scenario (as set out in the letter from BRM Holdich), assumes average rainfall winters over the short term and in turn, this results in the additional funding required to be in the range of between \$1.2 million and \$1.5 million rather than \$2.3 million, as requested.

As such, for the purposes of projecting the required costs, the Board have assumed a 'Dry Case' scenario as it is a more conservative approach.

In summary, under the 'Dry Case' scenario, as set out above, ERA Water is forecast to operate at a cash deficit between 2019-2020 to 2021-2022, before moving to a cash surplus position in 2022-2023.

The 'Dry Case' scenario also projects that the Constituent Councils will be required to purchase water at SA Water prices until 2024. This of course may change in the event of average rainfall winters occurring, therefore having more water available.

As such, the Board has requested that the Authority's debt limit be increased by \$2.3 million. The current debt limit has been set by the Constituent Councils at \$13 million.

In respect to the various options which are available to fund the additional \$2.3 million, these options are set out in Section 3 of the BRM Holdich letter.

Following its assessment of the funding options, the Board has recommended that the additional funds be borrowed from the Local Government Finance Authority (this is the same arrangement for the current loan of \$13 million). The other options, whilst needing to be assessed, are not considered viable.

### **Third Party Investment and/or Divestment**

As Elected Members will note, as part of the funding options which have been considered by BRM Holdich, the option of third party investment or divestment (ie. sale) has been considered.

In simple terms, this option involves either entering into a joint venture agreement with a third party or full or partial sale of the ERA Water assets to a third party.

In terms of any potential third party involvement, the offer would need to be investigated and would be subject to appropriate procurement processes and due diligence consideration.

To date, there has been no 'appetite' from either the Board or the Constituent Councils to pursue this option, noting that either third party investment or divestment would require the unanimous approval of the three (3) Constituent Councils, which is a complex process and outcome to achieve.

Notwithstanding this, it is an option which should be explored and pursued, commencing with an Expression of Interest process. This would allow the Board and the Constituent Councils to consider any offers and determine a course of action. At the same time, it would be prudent to construct the additional bore and associated structure so that the Scheme can produce the required volumes of water. The Expressions of Interest process should commence as soon as practicable, as it could be a lengthy and potentially complex process.

### **OPTIONS**

The Council can choose to approve the recommendations which have been put forward by the Board or it can choose any of the other options which are set out in the Discussion section of this report.

Following consideration of the options, progressing Option 2b is the most appropriate option, together with exploring third party investment or divestment (sale).

### **CONCLUSION**

The objectives of establishing ERA Water and indeed to undertake the Waterproofing Eastern Adelaide Project, was based on removing/lessening reliance on mains water for irrigation of parks and reserves and by doing so, avoid increasing costs which are charged by SA Water. In short, the objectives were (and remain) both environmental and financial.

The Project is not unique to the extent that many councils have similar schemes (ie. Salisbury, Light, Playford, Charles Sturt and Onkaparinga). These projects are generally long term projects and by nature of such projects, are complex, however, all of them have similar objectives.

In short, projects such as this are similar to new start-up businesses and require patience and confidence from the respective shareholders. The Board has handled the construction and commissioning of the Project in a prudent and responsible manner (on budget and on time) and has sourced advice from consultants who have skills and experience with such projects. Notwithstanding this, as with any project which is undertaken, there are risks and these risks need to be managed.

In this instance, the Board has reviewed the financial projections and has put forward an appropriate course of action and a set of recommendations for the Council's consideration.

In respect to risk, the low rainfall which occurred in 2018, could not have been predicted, however, the consequence is being managed well by the Board.

If the Constituent Councils do not have an appetite for the ongoing risks which may occur from time to time with such projects, then third party involvement or divestment (sale) should be explored.

## COMMENTS

The Town of Walkerville considered this matter at its meeting held on 18 March 2019 and resolved the following:

1. *That Council receive and note the information presented by ERA Water Board appearing as Attachments A, B, C, D, E, F, G, H and the Boards recommendations contained therein.*
2. *That Council having considered the information presented by ERA Water Board (Attachment D) in relation to the system capacity and the financial evaluation of options, accepts the Board's recommendation to:*
  - *additional bore capacity be provided to achieve the original design capacity of the water harvesting and aquifer storage and recovery scheme.*
3. *That Council endorses the recommendations from ERA Water Board (Attachment A) that:*
  - *the historical approach of using debt by borrowing from the Local Government Financing Authority be used to meet ERA Water's funding requirements; and*
  - *Council provide ERA Water with authority to increase the debt limit by \$2.3 million.*
4. *That Council having considered the information presented by ERA Water Board and BRM Holdich (Attachments A – H), request that the Board further explore the 'third party investment or purchase' option and report back to Councils.*

Essentially, the resolution which has been made by the Town of Walkerville is similar to the recommendation which is contained in this report.

The City of Burnside considered this matter at its meeting held on 26 March 2019 and it is understood that the matter was deferred.

## RECOMMENDATION

1. That the email from the Board of ERA Water dated 8 March 2019 and the letter from BRM Holdich dated 12 February 2019, be received and noted.
  2. That the Board of ERA Water be advised that following consideration of advice which has been received from the Board, the Council approves the following:
    - increasing the capacity of the bore (ie. an additional bore) to achieve the original design capacity of the Scheme; and
    - subject to availability, sale of water to external customers to commence in 2020.
  3. That the debt limit of ERA Water be increased by up to \$2.3 million and that approval is given for the additional funds of up to \$2.3 million, to be borrowed from the Local Government Finance Authority.
  4. That having considered the funding options as provided in the letter from BRM Holdich dated 12 February 2019, the Council requests the Board of ERA Water, to explore the possibility of third party investment or divestment (sale) as soon as practicable and that the Council be kept apprised of this process.
-

Cr Minney moved:

1. *That the email from the Board of ERA Water dated 8 March 2019 and the letter from BRM Holdich dated 12 February 2019, be received and noted.*
2. *That the Board of ERA Water be advised that following consideration of advice which has been received from the Board, the Council approves the following:*
  - *increasing the capacity of the bore (ie. an additional bore) to achieve the original design capacity of the Scheme; and*
  - *subject to availability, sale of water to external customers to commence in 2020.*
3. *That the debt limit of ERA Water be increased by up to \$2.3 million and that approval is given for the additional funds of up to \$2.3 million, to be borrowed from the Local Government Finance Authority.*
4. *That having considered the funding options as provided in the letter from BRM Holdich dated 12 February 2019, the Council requests the Board of ERA Water, to explore the possibility of third party investment or divestment (sale) as soon as practicable and that the Council be kept apprised of this process.*

*Seconded by Cr Duke and carried unanimously.*



**Section 2 – Corporate & Finance**  
**Reports**

### 11.3 MONTHLY FINANCIAL REPORT – FEBRUARY 2019

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**REPORT AUTHOR:** Financial Services Manager  
**GENERAL MANAGER:** General Manager, Corporate Services  
**CONTACT NUMBER:** 8366 4585  
**FILE REFERENCE:** S/00697  
**ATTACHMENTS:** A

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#### **PURPOSE OF REPORT**

The purpose of this report is to provide the Council with information regarding its financial performance for the year ended February 2019.

#### **BACKGROUND**

Section 59 of the *Local Government Act 1999* (the Act), requires the Council to keep its resource allocation, expenditure and activities and the efficiency and effectiveness of its service delivery, under review. To assist the Council in complying with these legislative requirements and the principles of good corporate financial governance, the Council is provided with monthly financial reports detailing its financial performance compared to its Budget.

#### **RELEVANT STRATEGIC DIRECTIONS AND POLICIES**

Nil

#### **FINANCIAL AND BUDGET IMPLICATIONS**

Financial sustainability is as an ongoing high priority for the Council. The Council adopted a Budget which forecasts an Operating Surplus of \$1.430 million for the 2018-2019 Financial Year. As part of the Mid-Year Budget Update, the Operating Surplus was revised down to \$1.374 million.

For the period ended February 2019, the Council's Operating Surplus is \$3.282 million against a budgeted Operating Surplus of \$2.913 million, resulting in a favourable variance of \$0.368 million.

#### **EXTERNAL ECONOMIC IMPLICATIONS**

Not Applicable.

#### **SOCIAL ISSUES**

Not Applicable.

#### **CULTURAL ISSUES**

Not Applicable.

#### **ENVIRONMENTAL ISSUES**

Not Applicable.

#### **RESOURCE ISSUES**

Not Applicable.

#### **RISK MANAGEMENT**

Not Applicable.

## CONSULTATION

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

## DISCUSSION

For the period ended February 2019, the Council's Operating Surplus is \$3.282 million against a budgeted Operating Surplus of \$2.913 million, resulting in a favourable variance of \$0.368 million. The favourable timing differences that have been previously reported are being reduced as a result of the deferred expenditure being incurred (ie being spent) and the retiming of remaining expenditure identified during the Mid-Year Budget. The primary drivers of this variance are:

- Employee Expenses are reporting a favourable variance of \$297,000 (3%). There are two major drivers behind this variance, one being staff vacancies and budget hours worked compared to the actual hours worked. Staff positions that are currently vacant or recently recruited have resulted in a favourable variance of \$150,000, that in part has been offset by an increase in the utilisation of consultant services or contractors (see below). The residual variance is driven by a variation in the number of budget hours worked compared to the actual hours worked. This favourable variance arises due to the timing of staff taking Annual and Long Service Leave compared to the allowance made in the budget, combined with the careful utilisation of contracted and casual staff hours when backfilling absences and vacant positions.
- Contracted Services are reporting an unfavourable variance to the budget of \$156,000 (3%). This variance is primarily being driven by:
  - the utilisation of third party contractor services being utilised to fill staff vacancies (\$90,000). These additional costs are offset by favourable variance in Employee Expenses;
  - higher than anticipated costs incurred from the Electoral Commission of South Australia (ECSA) for the conduct of the 2018 Local Government Election (\$40,000). ECSA has advised that the costs associated with the election were higher than forecast due to increased costs associated with the scrutiny of the count and postage, given increased return rate and higher number of eligible voters;
  - security costs associated with Felixstow Reserve due to vandalism following practical completion (\$20,750); and
  - an unfavourable timing variance to the budget with respect to Programmed Line works due to the early on ground delivery of the works than originally anticipated (\$60,000).
- Energy costs are reporting a favourable variance to the budget by \$28,000 primarily being driven by the reduction in energy costs associated with the transition of street lighting to LED.
- Water consumption is higher than budgeted year to date by \$33,000 due to increased watering of parks and reserves brought about by the low rainfall and hot weather conditions experienced.

There are no other individually significant variations to highlight with variances primarily caused by expenditure timings to the budget.

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

**OPTIONS**

Nil

**CONCLUSION**

Nil

**COMMENTS**

Nil

**RECOMMENDATION**

That the February 2019 Monthly Financial Report be received and noted.

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*Cr Minney moved:*

*That the February 2019 Monthly Financial Report be received and noted.*

*Seconded by Cr Stock and carried unanimously.*

## 11.4 EAST WASTE DRAFT 2019-2020 ANNUAL PLAN

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**REPORT AUTHOR:** General Manager, Corporate Services  
**GENERAL MANAGER:** Chief Executive Officer  
**CONTACT NUMBER:** 8366 4585  
**FILE REFERENCE:** S.00045  
**ATTACHMENTS:** A

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### PURPOSE OF REPORT

The purpose of this report is to present to the Council the East Waste Draft 2019-2020 Annual Plan (the Plan) for endorsement.

### BACKGROUND

East Waste (the Authority) is a Regional Subsidiary established pursuant to Section 43 of the Local Government Act 1999, for the purpose of providing waste management services to Constituent Councils. The City of Norwood Payneham & St Peters, together with the City of Burnside, the City of Campbelltown, the City of Mitcham, Adelaide Hill Council, Town of Walkerville and the City of Prospect make up the Constituent Councils of East Waste.

Pursuant to Clause 51 of the East Waste Charter (the Charter), East Waste must prepare an Annual Business Plan which informs and supports the Authority's Annual Budget.

Upon completion of the draft Annual Business Plan and Budget, pursuant to Clause 52.3 of the Charter, the Authority must provide the draft Annual Plan to Constituent Councils for the purposes of obtaining consent from the Constituent Council's on or before 31 May.

The Annual Plan can only be adopted by the East Waste Board, with absolute majority approval of the Constituent Councils.

### RELEVANT STRATEGIC DIRECTIONS & POLICIES

Not Applicable

### FINANCIAL AND BUDGET IMPLICATIONS

As a Constituent Council, there are financial implications for the Council's budget, emanating from the East Waste Annual Plan & Budget and while Constituent Councils are not required, pursuant to the East Waste Charter, to approve the East Waste Budget, by virtue of the endorsement of the Annual Plan, the Councils ostensibly endorse the East Waste Budget.

The Authority's draft Budget is developed based on a Common Fleet Costing methodology, with Common Fleet Costs, which predominately relate to collection costs, which are charged to Constituent Councils based on the cost to undertake the collection of the respective Council's waste streams. The allocation of the Common Fleet Costs is based on the Authority's GPS System.

In addition, where Constituent Councils utilise East Waste for other services such as Contract Management Services (Disposal and Resource processing) and Waste Bin Maintenance, these services are on charged to Councils at cost.

The Draft Budget is reporting an Operating Surplus of \$137,000, which is based on the authorities Budget Framework which seeks to achieve an Operating Surplus equal to 1-2% of Common Fleet Costs plus a breakeven cash position, to enable the Authority to meet its annual loan repayments. The Council's share of the draft Operating Surplus is \$19,591, which is based on an ownership share of 14.3%.

The Authority's collection costs have increased by 2.3% on the 2018-2019 Budget, as per the Second Budget review. The main drivers for the increase is rising diesel fuel prices and additional staff to meet operational and customer service needs.

Common Fleet costs recovery has increased by 3.32% to \$12.159 million, which includes an additional \$120,000 to enable the authority to meet the Authority's Budget framework target of budgeting for an Operating Surplus of between 1-2% of the Common Fleet Costs, which are estimated to be \$12.038 million.

Overall, the Authority's income has increased by 1.5%, due to the anticipated reduction in the processing fee for kerbside recyclable waste.

The Council's Draft Waste Management Recurrent Budget, reflects a proposed Common Fleet fee of \$2.017 million (2018-2019 \$1.908 million) to be charged for the collection of this Council's waste streams, which include Domestic waste, Green Organics, Recyclables, Public Litter Bins, Illegal Dumping and booked Hard Rubbish Collection. The year-on-year increase in the Common Fleet Cost is 5.8%, which is made up of the Council share of the increased common fleet costs (\$44,880), and increase in the Council's share of Common Fleet Costs from 16.2% to 16.6% (\$46,302) and the Council's share of the Operating Surplus as per the Authority's Budget Framework (\$19,920). With respect to the Council Share of the additional Operating Surplus, as this does not relate to the provision of service, but is essentially an additional overhead recovery, this may be better allocated to the Constituent Councils based on the Ownership percentage as opposed to the Common Fleet percentage.

The breakdown of proposed fee per service, for this Council is detailed in Table 1 below.

**TABLE 1: BREAKDOWN OF PROPOSED WASTE COLLECTION FEE**

Fee component	2018-2019 Adopted Budget	2018-2019 Draft Budget	Movement	% Change	Comments
Administration Fee	30,828	32,143	1,314	4.2%	
Collection Costs <i>(Landfill, Recyclables, Green organics and Hard waste)</i>	1,906,042	2,017,145	111,103	5.8%	Cost increase in direct common fleet costs \$44,880. Increase in share of Common Fleet Costs \$46,302. Share of additional Surplus \$19,920.
<b>Total Collection Costs</b>	<b>1,936,870</b>	<b>\$2,049,288</b>	<b>112,418</b>	<b>5.8%</b>	
Green Organics Disposal	153,000	160,650	7,650	5%	Fee based on tonnage estimates.
Recyclables Disposal	300,000	240,000	60,000	-20%	Fee based on tonnage estimates.
Hard Waste Disposal <i>(including illegal dumping)</i>	74,400	76,800	2,400	3.2%	Fee based on tonnage estimates.
<b>Total Waste Collection and Processing Fee</b>	<b>2,464,270</b>	<b>2,526,738</b>	<b>62,468</b>	<b>2.5%</b>	

It should be noted that East Waste are currently in contract negotiation for the processing of the kerbside recyclable waste. While these negotiations are yet to be finalised, based on the information which has been provided by East Waste, it is anticipated that the gate price is likely to be less than the 2018-2019 gate price.

As previously stated, disposal charges are a "pass through" cost from East Waste to Constituent Councils; as such the proposed budget for the disposal of the Council's streams is based on the Council's estimate of waste to be processed.

In previous years, Constituent Councils have made a capital contribution (\$0.021m) to the East Waste Equity Loan. This loan is associated with the formation of the current East Waste entity, following the creation of the Highbury Landfill Authority (which comprises the former Constituent Councils of East Waste prior to the establishment of the current East Waste).

East Waste currently has cash reserves of \$2 million and have no defined plan for the use of the cash reserve, therefore the draft Budget proposes that rather than seek capital contributions from the Constituent Councils for the repayment of the East Waste Equity Loan, East Waste will utilise the current cash reserves to make the final payment on this loan. In addition, given the extent of the Authority cash reserves, which are forecast to be in excess of \$2 million it is questionable as to why the Authority is seeking the Constituent Councils to make a contribution, through increased Common Fleet Cost over and above anticipated cost increases.

#### **EXTERNAL ECONOMIC IMPLICATIONS**

Nil

#### **SOCIAL ISSUES**

Nil

#### **CULTURAL ISSUES**

Nil

#### **ENVIRONMENTAL ISSUES**

Nil

#### **RESOURCE ISSUES**

Nil

#### **RISK MANAGEMENT**

Nil

#### **CONSULTATION**

- **Elected Members**  
Not Applicable
- **Community**  
Not Applicable
- **Staff**  
Representatives from East Waste have held discussions with the Council's Manager, City Services and the Financial Services Manager, regarding the collection costs.
- **Other Agencies**  
Not Applicable

#### **DISCUSSION**

The Authority offers a number of services to its Constituent Councils, with these services encompassing the collection of various waste streams, contract and procurement management of disposal contracts and bin procurement, Customer Service, RFID and GPS Tracking and Waste Education and marketing. The City of Norwood Payneham & St Peters utilise all services with the exception of procurement of dog bags, RFID tracking and personalised truck advertising.

The Draft Annual Plan as presented, builds on the strategic and operational success of East Waste and is based on the key focus areas of Governance, Operational Management, Communication, Work Health & Safety and Financial Management and Performance, which are set out in the 2015-2024 East Waste Business Plan.

A summary of the key activities planned for 2019-2020 are detailed below:

#### Governance

- Based on the work undertaken during 2018-2019, deliver upon the implementation of a Records Management System compliant with the State Records Act 2017.
- Commence the development of policies and procedures which emanated from the Policy & Procedure gap analysis undertaken in 2018-2019.
- Undertake a review of the Authorities Business Continuity Plan.

#### Operational Management

- Work with Constituent Councils to ensure all members utilise the full suite of services offered.
- Commence the upgrade of the GPS tracking software to the latest technology.
- Replacement of five (5) waste collection vehicles.
- Continue the investigation of opportunities for a collective waste disposal contract.

#### Communications

- Continuation of generic educational messaging, maximising the “Why Waste It?” and “Which Bin” branding.
- Implement the Kerbside Services Plan.
- Undertake a Customer/Employee Satisfaction Survey.

#### Work Health & Safety

- Undertake Independent Truck Fleet Audit
- Implementation of 2019 Risk Management Evaluation Plan.

#### Financial Management & Performance

- Undertake a review of the accounting system to ensure the current systems meets the Authority’s needs.
- Review and update the Long Term Financial Plan.
- Undertake an Asset Evaluation Assessment to ensure that complementary and ancillary assets are registered and appropriately insured.

A copy of the Draft 2019-2020 Annual Plan & Budget is contained in **Attachment A**.

### **OPTIONS**

The Council can choose not to endorse the Draft Annual Business Plan, however, there are no specific issues or activities which present a financial or risk management issue for this Council to take this course of action.

### **CONCLUSION**

In line with the East Waste Charter, Constituent Councils are not required to endorse the Draft Budget however by virtue of the endorsement of the Annual Plan, the Council is also ostensibly endorsing the East Waste Budget.

While the Authority’s Annual Plan does not present any specific issues or activities which would create a financial or risk management issue for this Council, it is questionable given the extent of the Authority cash reserves, which are forecast to be in excess of \$2 million, which is why the Authority is seeking the Constituent Councils to make a contribution, through increased Common Fleet Cost over and above anticipated cost increases.

### **COMMENTS**

Nil



## RECOMMENDATION

1. That the Council requests the Eastern Waste Management Authority Incorporated to provide an explanation for the Budget Framework Target of an Operating Surplus of between 1-2% of Common Fleet costs.
  2. That the Eastern Waste Management Authority Incorporated be advised that pursuant to Clause 52 of the Charter, the Council has considered and hereby approves the Authority's Draft 2019-2020 Annual Plan.
- 

Cr Sims left the meeting at 7.59pm.

*Cr Stock moved:*

1. *That the Council requests the Eastern Waste Management Authority Incorporated to provide an explanation for the Budget Framework Target of an Operating Surplus of between 1-2% of Common Fleet costs.*
2. *That the Eastern Waste Management Authority Incorporated be advised that pursuant to Clause 52 of the Charter, the Council has considered and hereby approves the Authority's Draft 2019-2020 Annual Plan.*

*Seconded by Cr Minney and carried unanimously.*

## 11.5 NORWOOD PARADE PRECINCT COMMITTEE DRAFT 2019-2020 ANNUAL BUSINESS PLAN

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**REPORT AUTHOR:** Economic Development Officer  
**GENERAL MANAGER:** Chief Executive Officer  
**CONTACT NUMBER:** 8366 4512  
**FILE REFERENCE:** S/01916  
**ATTACHMENTS:** A

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### PURPOSE OF REPORT

The purpose of this report is to seek endorsement from the Council to release the Norwood Parade Precinct Committee's (NPPC) *Draft 2019-2020 Annual Business Plan*, for consultation for a period of twenty-one (21) days.

### BACKGROUND

At its meeting held on 26 February 2019, the NPPC considered the *Draft 2019-2020 Annual Business Plan*.

The Draft Plan is based on revenue which the Council collects from The Parade Separate Rate. A copy of the *Draft 2019-2020 Annual Business Plan* is contained in **Attachment A**.

### RELEVANT STRATEGIC DIRECTIONS & POLICIES

The *Draft 2019-2020 Annual Business Plan* is structured to implement the strategies relevant to The Parade, Norwood which are contained in the Council's *Business & Economic Development Strategy 2008-2013*, as well as working towards achieving the Vision for the City outlined in the *CityPlan 2030* and translated into the four (4) Outcomes of Cultural Vitality, Social Equity, Environmental Sustainability and predominantly Economic Prosperity.

The *Draft 2019-2020 Annual Business Plan* also seeks to implement the strategies contained in the *Strategic Plan for The Parade & Magill Road Precincts*.

### FINANCIAL AND BUDGET IMPLICATIONS

The proposed budget which has been allocated for the 2019-2020 financial year, is \$215,000 which is the amount of revenue that the Council will raise through The Parade Separate Rate.

At the conclusion of the 2018-2019 financial year, the Council will be provided with a report outlining the achievements of the past year and any carry forward amount.

### EXTERNAL ECONOMIC IMPLICATIONS

The *Draft 2019-2020 Annual Business Plan*, includes strategies and initiatives which are intended to improve the economic development of the Norwood Parade Precinct in areas including, but not limited to:

- increasing diversity of businesses and services;
- prosperity and development of The Parade precinct;
- attracting investment and business opportunities to the area;
- increasing local employment opportunities;
- development and support of appropriate industry clusters;
- building community support;
- attracting tourism visitors to The Parade; and
- creating a cohesive brand for The Parade.

## **SOCIAL ISSUES**

The future development of key business precincts such as The Parade, Norwood impacts positively on the City. A vibrant local economy contributes significantly to creating a vibrant local community and assists in developing social capital.

## **CULTURAL ISSUES**

The Draft Plan contains strategies for activities and events to enhance and express creativity. In particular, the use of street decorations will enhance the unique character and 'sense of place' for The Parade.

## **ENVIRONMENTAL ISSUES**

Not Applicable.

## **RESOURCE ISSUES**

The implementation of the 2019-2020 Norwood Parade Precinct Committee Annual Business Plan will be undertaken by the Economic Development Coordinator and Economic Development Officer and managed by the Manager, Economic Development & Strategic Projects. Input and involvement from other Council staff and/or external contractors will be sought as required.

## **RISK MANAGEMENT**

Not Applicable.

## **CONSULTATION**

- **Elected Members**  
Mayor Robert Bria and Councillors Sue Whittington, Fay Patterson, John Callisto and Kester Moorehouse, are Members of the NPPC and are aware of and have had input into the Draft Plan.
- **Community**  
Following endorsement by the Council, the *Draft 2019-2020 Annual Business Plan* will be released for consultation for a period of twenty-one (21) days.
- **Staff**  
Not Applicable.
- **Other Agencies**  
Not Applicable.

## **DISCUSSION**

The Vision for The Parade in the *Draft 2019-2020 Annual Business Plan* has been identified as:

*A vibrant meeting place and business precinct where residents and visitors can experience and enjoy a place to eat, meet, shop and do business.*

In addition to the Vision, the Draft Plan has been developed around four (4) clear Objectives:

- Attract new customers.
- Promote the Precinct.
- Build on the Precinct's unique atmosphere, culture and 'sense of place'.
- Strengthen relationships amongst businesses and provide support.

Sitting below the overarching Objectives are five (5) Strategies all of which contain a number of Deliverables detailing the Strategies and more broadly how the Objectives will be achieved.

The five (5) Strategies are listed in the Table below:

**TABLE 1: STRATEGIES CONTAINED IN DRAFT PLAN**

<b>Strategy</b>	<b>Budget</b>
Events & Activations	\$35,000
Marketing & Communication	\$80,000
Identity & Brand	\$90,000
Business Development	\$8,000
Administration	\$2,000
<b>TOTAL</b>	<b>\$215,000</b>

The Council is now required to endorse the *Draft 2019-2020 Annual Business Plan*, in order for it to be released for consultation with The Parade business community.

### **OPTIONS**

The Council can choose to either endorse this *Draft 2019-2020 Annual Business Plan* as presented, and release it for consultation, or alternatively, the Council can amend the contents of the *Draft 2019-2020 Annual Business Plan*, including the Separate Rate, prior to releasing it for consultation.

### **CONCLUSION**

Nil

### **COMMENTS**

Nil

### **RECOMMENDATION**

That the *Draft 2019-2020 Annual Business Plan* as approved by the Norwood Parade Precinct Committee, be endorsed for the purposes of consultation with The Parade business community for a period of twenty-one (21) days.

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*Cr Minney moved:*

*That the Draft 2019-2020 Annual Business Plan as approved by the Norwood Parade Precinct Committee, be endorsed for the purposes of consultation with The Parade business community for a period of twenty-one (21) days.*

*Seconded by Cr Whittington and carried.*

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## 11.6 2019 ADELAIDE INTERNATIONAL YOUTH FILM FESTIVAL EVENT

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**REPORT AUTHOR:** General Manager, Governance & Community Affairs  
**GENERAL MANAGER:** Chief Executive Officer  
**CONTACT NUMBER:** 8366 4549  
**FILE REFERENCE:** S.05238  
**ATTACHMENTS:** A

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### PURPOSE OF REPORT

The purpose of this report is to present a request to the Council which has been received from the organisers of the *Adelaide International Youth Film Festival* regarding the 2019 *Adelaide International Youth Film Festival* (the Festival), for the Council's consideration.

### BACKGROUND

The inaugural *Adelaide International Youth Film Festival* was held in the City of Adelaide in 2017.

The objective of the Festival is *'to create a platform for dialogue and debate between a culturally diverse youth audience using film and digital storytelling as the catalyst'*.

Based upon this objective, the Festival aims to build and inspire critical thinking skills within a youth audience, by stimulating dialogue and debate and an exchange of opinions and ideas across ages and cultures. The Festival is the only youth festival of its kind.

In May 2018, the organisers contacted the Council to discuss an opportunity for the Festival to re-locate from the Greater Union Cinema complex in Hindley Street (City of Adelaide), to the Hoyts Cinema complex and to The Parade.

In this respect, negotiations were undertaken with the owners of Parade Central and Hoyts and agreement was reached for the Festival to be 'housed' at the Hoyts/Parade Central complex.

On this basis, the Festival organisers sought to form a partnership with the Council in terms of financial support, (ie sponsorship) of the Festival.

At its meeting held on 29 May 2018, following consideration of the request to sponsor the Festival, the Council resolved to provide cash sponsorship of up to \$35,000.00 for the Festival.

The organisers have again contacted the Council requesting that the Council provide sponsorship of \$50,000.00 for the 2019 Festival.

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

### RELEVANT STRATEGIC DIRECTIONS & POLICIES

The relevant objectives contained in CityPlan 2030 are:

#### *Outcome 2: Cultural Vitality*

1. *An artistic, creative, cultural and visually interesting community*

#### *Strategy 1.1*

*Use the arts to enliven the public realm and create a 'sense of place'.*

#### *Strategy 1.2*

*Provide opportunities and facilities for creative expression for people of all backgrounds, ages and abilities.*

#### *Strategy 1.3*

*Attract and support cultural and creative organisations, businesses and individuals.*

*Outcome 3: Economic Prosperity*

4. *A leading centre for creative industries*
5. *A local economy supporting and supported by its community.*

## **FINANCIAL AND BUDGET IMPLICATIONS**

The cost for the Council to participate in the 2019 Festival a Strategic Partner is \$50,000 (cash sponsorship).

In respect to funding this contribution from the 2018-2019 Budget, there is capacity to do so by re-allocating the \$33,000.00 (Council sponsorship) which was allocated to the 2019 *Little Rundle Street Art Party* event which the organisers decided not to proceed with that event and adjusting this budget allocation by an additional \$17,000.00 as part of the 2018-2019 Budget.

## **EXTERNAL ECONOMIC IMPLICATIONS**

Not Applicable.

## **SOCIAL ISSUES**

The Council is committed to providing opportunities for young people to contribute to the arts and participate in events which expose young people to new skills. The Festival provided to opportunities for young people to connect and grow through storytelling using film as the catalyst.

## **CULTURAL ISSUES**

Participation in the Festival as a strategic partner, provided the Council and the community to build upon its rich cultural heritage and history.

## **ENVIRONMENTAL ISSUES**

Not Applicable.

## **RESOURCE ISSUES**

The Council's Events Staff assisted the organisers of the 2018 Festival with the following:

- traffic management;
- administration of the Festival;
- Sponsorship;
- communication with local schools, and
- promotion and marketing of the Festival.

## **RISK MANAGEMENT**

The Festival was held within the Parade Central Complex which provided the necessary Risk Management Framework to ensure all risks were managed appropriately.

## **CONSULTATION**

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

## DISCUSSION

### The 2018 Adelaide International Youth Film Festival

The *Adelaide International Youth Film Festival* was held from 22 August to 25 August 2018, at the Parade Central and Hoyts Cinema Complex. Over 300 films were shown from 34 different countries. Most of the films were produced by professional film makers and films produced by young filmmakers were also screened in specially-themed screening categories.

Whilst the organisers of the Festival originally advised the Council that up to 6,000 students from around South Australia and Australia were expected to attend the 2018 Festival, just over 1,500 students from schools located within the City and the metropolitan area participated in the 2018 Festival.

All schools located within the City were invited to attend and provided with complimentary tickets to each session, however Marryatville High School was the only school which took up the opportunity and participated in the Festival.

Notwithstanding this, over 3,000 tickets were booked for the Festival, an increase of almost double the number of tickers which were booked during the 2017 Festival.

### The Event Program

The event featured the following components:

- workshops;
- film screenings;
- public film screenings.
- Awards Ceremony

### Local Business Participation

The Council's Event Coordinators approached local traders to seek their support of the Festival through sponsorship of the Awards presented to young people as part of the Festival and to provide discounts for students attending the Festival.

Robern Menz, Gelatissimo and Dillons Bookstore provided sponsorship of the Awards.

Traders located in the Parade Central complex provided student discounts, (ie, Grill'd, TeAmazing, Hoyts Candy Bar and Ben & Jerry's).

### Promotion

The Council provided a range of marketing collateral to promote the Festival including the following:

- digital posts on The Parade's Instagram;
- an article and event listing on the Council's website;
- poster displays in the Norwood Town Hall Foyer and Library Noticeboards;
- digital advertising in The Adelaide Review EDM;
- two (2) Banners which were installed at the entrance (on the pillars), to the Parade Central complex, facing George Street and The Parade intersections.

## Social Media

The Festival has dedicated social media platforms (ie, Instagram, Facebook and Twitter) which were utilised to promote the Festival.

The Festival organisers received the following comments from some of the Festival attendees:

*'I wish the FESTIVAL was around when I was in school. This amazing and inspirational project teaches our youth important lessons and reminds us all what the definition of success is when it comes to our dreams, each other! ... This project clearly inspires and supports young people to express themselves through creative arts. I strongly believe this project will improve mental health. Creativity can help reduce depression, anxiety and loneliness in our youth - it's a no brainer!' - Cassie McInnes, Actress/Writer.*

*'That was awesome! Well done! The kids really enjoyed it and got a lot out of it. I loved it as well. You should be stoked with what you have created.'* Hal Bruce, Pembroke School Year 10 Teacher.

*'Such a great initiative for young people to make and appreciate film!' Georgia Ketels, Jury Member (Part of the Rating of the Films Panel).*

The 2018 *Adelaide International Youth Film Festival* provided a unique event for The Parade and an opportunity for school students to participate in the various activities as part of the Festival.

At its meeting held on 3 December 2018, Elected Members were advised via the report which set out the review of the 2018 Festival, that *"discussions will now take place with the Festival organisers to discuss their ideas regarding a future Festival and to determine how this is progressed. Following these discussions, a report will be presented for the Council's consideration"*.

## The 2019 Adelaide International Youth Film Festival

Ms Chloe Gardner, Chief Executive Officer and Artistic Director of the *Adelaide International Youth Film Festival*, has forwarded a proposal to the Council requesting that the Council sponsors the 2019 Festival.

The 2019 Festival will once again be held at the Hoyts Cinema Complex, Parade Central from 17-21 September 2019.

The 2019 Festival will feature the following components:

- workshops;
- film screenings;
- public film screenings.
- Awards Ceremony.

The organisers have advised that they are hoping to expand the 2019 program to include:

- the Short Film Worx Program as a major feature of the 2019 Festival;
- provide better workshops and interactive display facilities for attendees: and
- include the Youth Jury Program which focuses on bringing youth in from regional SA, Interstate and overseas.

The additional sponsorship funds which are being requested from the Council will support the inclusion of these additional activities as part of the 2019 Festival, with a view to enhance the opportunities for young people participating in the Festival.

Council staff will once again support and assist with the Festival where required.



## CONCLUSION

The Council has again been offered the opportunity to be involved in a unique event. The Festival builds upon the Council's economic development objectives as well as its objectives in the area of creative industries and, in particular, youth.

## COMMENTS

Nil.

## RECOMMENDATION

1. That the Council thanks the organisers of the 2019 *Adelaide International Youth Film Festival* for the opportunity to partner with the 2019 Festival.
  2. That the Council agrees to Sponsor the 2019 *Adelaide International Youth Film Festival* and that the cash sponsorship fee of up to \$50,000.00 be approved.
  3. That the Mayor and Chief Executive Officer be authorised to sign and seal any documents associated with the Council's participation in the *Adelaide International Youth Film Festival*.
- 

Cr Sims returned to the meeting at 8.15pm.

Cr Minney left the meeting at 8.18pm.

Cr Minney returned to the meeting at 8.19pm.

*Cr Whittington moved:*

1. *That the Council thanks the organisers of the 2019 Adelaide International Youth Film Festival for the opportunity to partner with the 2019 Festival.*
2. *That the Council agrees to Sponsor the 2019 Adelaide International Youth Film Festival and that the cash sponsorship fee of up to \$50,000.00 be approved.*
3. *That the Mayor and Chief Executive Officer be authorised to sign and seal any documents associated with the Council's participation in the Adelaide International Youth Film Festival.*

*Seconded by Cr Callisto and carried unanimously.*

## **Section 3 – Governance & General Reports**

**11.7 ELECTION OF MEMBERS OF THE LOCAL GOVERNMENT ASSOCIATION OF SOUTH AUSTRALIA GREATER ADELAIDE REGION ORGANISATION OF COUNCILS (CASUAL VACANCIES)**

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**REPORT AUTHOR:** General Manager, Governance & Community Affairs  
**GENERAL MANAGER:** Chief Executive Officer  
**CONTACT NUMBER:** 8366 4549  
**FILE REFERENCE:** S/03716  
**ATTACHMENTS:** A - B

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**PURPOSE OF REPORT**

The purpose of the report is to advise the Council of the postal ballot required to be undertaken in order to determine the two (2) Casual Vacancies for membership of the Local Government Association of South Australia Greater Adelaide Region Organisation of Councils (the GAROC).

**BACKGROUND**

In January 2019, the LGA forwarded correspondence to the Council advising that, as a result of the 2018 Local Government Election, there are now two (2) vacant positions on the GAROC (Casual Vacancies).

The current members of the GAROC are as follows:

- Mayor Karen Redman, Chair of GAROC (Town of Gawler);
- Councillor Christel Mex (City of Norwood Payneham & St Peters);
- Mayor Gillian Aldridge (City of Salisbury);
- Mayor Kevin Knight (City of Tea Tree Gully);
- Councillor Jan-Claire Wisdom (Deputy Mayor, Adelaide Hills Council);
- Mayor David O'Loughlin (City of Prospect); and
- Lord Mayor Sandy Verschoor (City of Adelaide).

However, as the Council currently has a representative serving as a Member of the GAROC (ie Cr Mex), the Council could not nominate another Elected Member from the Council for appointment to the GAROC.

Therefore, following consideration of the invitation from the LGA, the Council, at its meeting held on 21 January 2019, declined the invitation to submit a nomination to the Local Government Association for the Local Government Association Board as a Member representing the Greater Region of Adelaide (GAROC).

Notwithstanding the above, at the close of nominations, the LGA received a total of ten (10) nominations from councils for the two (2) positions. In accordance with the Terms of Reference for the GAROC, an election now needs to be conducted to determine the successful candidates to be appointed to the GAROC. The two (2) nominees with the highest number of votes (ie "first past the post"), will be appointed to the GAROC.

**RELEVANT POLICIES & STRATEGIC DIRECTIONS**

Not Applicable.

**DISCUSSION**

The role of the GAROC is to provide regional advocacy, policy initiation and review, leadership, engagement and capacity building in the region(s).

The Council must determine by resolution which two (2) candidates it wishes to elect and the voting must be recorded on the Ballot Paper. The Ballot Paper must be returned to the LGA by Thursday, 11 April 2019.

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

- Councillor Jordan Dodd (City of Unley);
- Mayor Michael Coxon (City of West Torrens).
- Councillor Tim Pfeiffer (Deputy Mayor, City of Marion);
- Mayor Angela Evans (City of Charles Sturt);
- Mayor Jill Whittaker (Campbelltown City Council);
- Councillor Grant Piggot (City of Burnside);
- Mayor Heather Holmes-Ross (City of Mitcham);
- Councillor Don Palmer (City of Unley);
- Mayor Erin Thompson (City of Onkaparinga); and
- Mayor Amanda Wilson (City of Holdfast Bay).

A copy of the Candidate Information for each Candidate is contained within **Attachment A**.

Councillor Tim Pfeiffer, City of Marion, has written to the Council seeking the Council's support of his nomination.

A copy of the letter dated 8 March 2019, which has been forwarded to the Council by Councillor Pfeiffer is contained within **Attachment B**.

The counting of the votes will take place at the Adelaide Entertainment Centre on 12 April 2019.

#### **RECOMMENDATION**

The Council determines the following candidates in order of preference for appointment to the Greater Region of Adelaide Organisation of Councils:

1. -----
  2. -----
- 

#### Call for Nominations

The Mayor called for nominations for the appointment of candidates to the Greater Region of Adelaide Organisation of Councils.

The following nominations were received:

- Mayor Michael Coxon (City of West Torrens);
- Councillor Tim Pfeiffer (Deputy Mayor, City of Marion);
- Mayor Angela Evans (City of Charles Sturt); and
- Mayor Jill Whittaker (Campbelltown City Council).

#### Voting by Secret Ballot

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

Cr Callisto left the meeting at 8.31pm.

Cr Callisto returned to the meeting at 8.32pm.

Completion of Counting of Votes by Secret Ballot

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

- Mayor Michael Coxon (City of West Torrens) – 6 votes
- Councillor Tim Pfeiffer (Deputy Mayor, City of Marion) – 9 votes
- Mayor Angela Evans (City of Charles Sturt) – 3 votes
- Mayor Jill Whittaker (Campbelltown City Council) – 8 votes.

*Cr Mex moved:*

*The Council determines the following candidates in order of preference for appointment to the Greater Region of Adelaide Organisation of Councils:*

1. *Councillor Tim Pfeiffer (Deputy Mayor, City of Marion);*
2. *Mayor Jill Whittaker (Campbelltown City Council).*

*Seconded by Cr Duke and carried unanimously.*

## 11.8 NOMINATION TO EXTERNAL BODIES – STORMWATER MANAGEMENT AUTHORITY

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

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### PURPOSE OF REPORT

The purpose of the report is to advise the Council of the call for nominations by the Local Government Association of South Australia (LGA), for appointment to the Stormwater Management Authority (SMA).

### Stormwater Management Authority

The SMA is established under Schedule 1A of the *Local Government Act 1999*. The role of the SMA is to facilitate and co-ordinate stormwater management planning by Local Government and to ensure relevant public authorities co-operate in respect to facilitating this outcome.

The Minister for Environment and Water has written to the Local Government Association of South Australia (LGA), requesting nominations for a Presiding Member and three (3) Members to be appointed to the Stormwater Management Authority (SMA).

A person nominated for appointment to the SMA must have appropriate qualifications or experience in public administration, water resources, stormwater management, mitigation of flood hazards, environmental management or infrastructure development.

Appointments to the SMA are for a period not exceeding three (3) years, commencing in July 2019.

The LGA is currently represented by Mr Stephen Hains (Presiding Member), Ms Lorraine Rosenberg (former Mayor City of Onkaparinga), Dr Helen Macdonald (Clare & Gilbert Valleys Council) and Mr Wally Iasiello (Port Adelaide Enfield Council). The term of the current Members of the SMA expires on 30 June 2019.

Meetings are held quarterly at the Department of Environment, Water and Natural Resources, 81-95 Waymouth Street, Adelaide. Sitting fees, allowances and expenses approved by the Governor are applicable.

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

All nominees must provide an up-to-date Resume with the LGA Nomination Form.

### RELEVANT POLICIES & STRATEGIC DIRECTIONS

Not Applicable.

### RECOMMENDATION

1. The Council notes the report and declines the invitation to submit a nomination to the Local Government Association for the Stormwater Management Authority.

**or**

2. The Council nominates \_\_\_\_\_ to the Local Government Association for the Stormwater Management Authority.
-

*Cr Duke moved:*

*The Council nominates Cr John Minney to the Local Government Association for the Stormwater Management Authority.*

*Seconded by Cr Knoblauch and carried.*

## 11.9 PEMBROKE SCHOOL FOOTBRIDGE, SHIPSTERS ROAD, KENSINGTON – SECTION 221 AUTHORISATION

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**REPORT AUTHOR:** Manager, Governance, Legal & Property  
**GENERAL MANAGER:** General Manager, Governance & Community Affairs  
**CONTACT NUMBER:** 8366 4507  
**FILE REFERENCE:** S/02795  
**ATTACHMENTS:** A - C

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### PURPOSE OF REPORT

The purpose of this report is to present to the Council the final approved plans for the Pembroke School footbridge which is proposed to be constructed over Shipsters Road, Kensington, and the Section 221 Authorisation between the Council, the City of Burnside and Pembroke School for the footbridge, for the Council's consideration and approval.

### BACKGROUND

At its meeting held on 4 June 2018, the Council considered a proposal by Pembroke School to construct a footbridge over Shipsters Road, Kensington.

The centre of Shipsters Road is the boundary between the City of Norwood Payneham & St Peters and the City of Burnside. As such, the approval of both councils is required for the construction of the footbridge over the road.

The proposed footbridge was granted Development Plan Consent by the State Commission Assessment Panel ('SCAP') on 7 December 2017. At its meeting held on 4 June 2018, the Council considered the approved plans for the proposed footbridge together with an independent valuation relating to the imposition of a fee for the footbridge structure.

Following consideration of the report, at its meeting held on 4 June 2018, the Council resolved as follows:

1. *That the Council endorses the final plans of the Pembroke footbridge as contained in Attachment A.*
2. *That no charge be sought for the use of the air space to be occupied by the footbridge.*
3. *That no advertising of any type (other than Pembroke School's name and logo) be permitted to be placed on the Pembroke footbridge, with the exception of any advertising which the Council may wish to display on any part of the structure located over the portion of Shipsters Road vested in the Council.*
4. *That the Council requests the Chief Executive Officer to prepare an authorisation, land management agreement and/or lease with Pembroke School and the City of Burnside, for the Council's consideration, regarding the use of the air space over Shipsters Road, Kensington for the Pembroke footbridge, with all associated costs in preparing and executing the authorisation, land management agreement and/or lease to be borne by Pembroke School.*

At its meeting held on 10 July 2018, the City of Burnside resolved the following, with respect to the Pembroke footbridge:

1. *That the Report be received.*
2. *That Council endorse the final plans of the Pembroke School footbridge.*
3. *That no charge be sought for the use of the airspace to be occupied by the footbridge.*
4. *That no advertising of any type (other than Pembroke School's name and logo) be permitted to be placed on the Pembroke School footbridge, with the exception of any advertising which the Council may wish to display (or allow to be displayed) on any part of the structure located over the portion of Shipsters Road vested in the Council.*



5. That Council support the Chief Executive Officer to prepare an authorisation, land management agreement and/or lease with Pembroke School and the City of Norwood, Payneham and St Peters in relation to the use of the air space over Shipsters Road, Kensington Park for the Pembroke footbridge, with all associated costs in preparing and executing the authorisation, land management agreement and/or lease to be borne by Pembroke School.

In negotiations with the SCAP regarding the final design and details of the footbridge (particularly their interface with the adjacent School buildings), Pembroke School proposed a minor variation to the approved footbridge plans (dated 7 December 2017) incorporated in their Development Plan Consent.

The proposed metal shroud has now been introduced on the southern side of the footbridge structure at the request of the SCAP, in order to provide a better balance of the shading element proposed for the northern side of the footbridge. Additionally, the proposed shroud is now lilac coloured to reference the Jacaranda trees within the locality. The concrete support structures at the eastern end of the footbridge remain located on School property ('King's Campus') and do not encroach onto the public road, and at its western end, the footbridge connects directly into the adjacent School building ('Shipsters Building').

On 22 August 2018, SCAP referred the proposed variation to the footbridge plans to both councils for comment, in accordance with Regulation 38(2) of the *Development Regulations 2008*. Council staff from the City of Norwood Payneham & St Peters and the City of Burnside did not identify any concerns with the proposed variation.

Development Plan Consent was subsequently granted by the SCAP in respect of the proposed variation and amended footbridge plans on 31 October 2018.

A copy of the original plans dated 7 December 2017, is contained within **Attachment A**.

A copy of the final approved plans dated 31 October 2018, is contained within **Attachment B**.

A Section 221 Authorisation has now been prepared and its terms have been agreed by Pembroke School and the City of Burnside. The Authorisation is for a maximum term of forty-two (42) years and will take effect on the date that it is executed by the parties.

A copy of the Authorisation is contained within **Attachment C**.

### **Relevant Terms of the Authorisation**

Under the Authorisation, Pembroke School is solely responsible for the upkeep and maintenance of the footbridge and must keep it in good condition and repair at all times. Clause 10 of the Authorisation also requires Pembroke to submit to the Council a maintenance plan for the footbridge, to be updated every three (3) years.

Under the Authorisation, Pembroke School is required to maintain Public Liability Insurance in respect of the footbridge to the value of \$20,000,000 for each claim and to indemnify the Council against any relevant risks. Pembroke School has confirmed that it holds public liability insurance to the value of \$200,000,000. However, the School has requested that Clause 12.1.1 of the Authorisation only include the stated \$20,000,000 on the basis that the School may not retain the higher level of insurance (at \$200,000,000) for the duration of the Authorisation. Legal advice confirms that the \$20,000,000 provided for in Clause 12.1.1, appropriately protects the Council's interests.

Pembroke School is required to remove the footbridge structure from the road upon the expiry or earlier cancellation of the Authorisation, and must repair at its cost any damage caused to the road or Council property in the removal.

### **Authorisation and Lease**

The purpose of this report is to present to the Council the first step in the process with respect to authorising the proposed footbridge structure over Shipsters Road. Namely, the granting of an authorisation under Section 221 of the *Local Government Act 1999*, to Pembroke School for the construction of the footbridge and use of the air space over Shipsters Road. This is an interim measure, while the necessary arrangements for a long-term Lease over the airspace (including creation of a strata allotment) are completed.

Once a Lease for the footbridge has been prepared and finalised, the Lease can be entered into between the City of Norwood Payneham & St Peters, the City of Burnside and Pembroke School in place of the Authorisation (with the same terms and conditions) for a maximum term of 99 years (in accordance with the *Local Government Act 1999*). The Lease arrangement will appropriately reflect the long-term nature of the footbridge structure and will provide Pembroke School with greater security of tenure.

#### **RELEVANT STRATEGIC DIRECTIONS & POLICIES**

Not Applicable.

#### **FINANCIAL AND BUDGET IMPLICATIONS**

Pembroke School will be required to cover all reasonable legal costs incurred in connection with the drafting, negotiation, finalisation and execution of the Authorisation.

#### **RISK MANAGEMENT**

Not Applicable.

#### **RECOMMENDATION**

1. That the Council notes the final approved plans dated 31 October 2018, for the Pembroke School footbridge as contained within Attachment B.
  2. That the Chief Executive Officer be authorised to execute on behalf of the Council the Section 221 Authorisation between the Council, Pembroke School and the City of Burnside for the Pembroke footbridge which is proposed to be constructed over Shipsters Road, Kensington.
  3. That the Council notes that a draft Lease between the City of Norwood Payneham & St Peters, the City of Burnside and Pembroke School, in respect of the footbridge over Shipsters Road, Kensington, will be presented to the Council for its consideration and approval once prepared.
- 

Cr Callisto declared a material conflict of interest in this matter, as he is employed by Pembroke School as a music teacher and left the meeting at 8.36pm.

*Cr Mex moved:*

1. *That the Council notes the final approved plans dated 31 October 2018, for the Pembroke School footbridge as contained within Attachment B.*
2. *That the Chief Executive Officer be authorised to execute on behalf of the Council the Section 221 Authorisation between the Council, Pembroke School and the City of Burnside for the Pembroke footbridge which is proposed to be constructed over Shipsters Road, Kensington.*
3. *That the Council notes that a draft Lease between the City of Norwood Payneham & St Peters, the City of Burnside and Pembroke School, in respect of the footbridge over Shipsters Road, Kensington, will be presented to the Council for its consideration and approval once prepared.*

*Seconded by Cr Minney and carried unanimously.*

Cr Callisto returned to the meeting at 8.39pm.

## 11.10 68 NELSON STREET, STEPNEY – LEASE PROPOSAL

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**REPORT AUTHOR:** Manager, Governance, Legal & Property  
**GENERAL MANAGER:** General Manager, Governance & Community Affairs  
**CONTACT NUMBER:** 8366 4507  
**FILE REFERENCE:** S/02410  
**ATTACHMENTS:** A - D

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### PURPOSE OF REPORT

The purpose of this report is to present to the Council a proposal to lease the Council-owned premises at 68 Nelson Street, Stepney for the Council's consideration and approval.

### BACKGROUND

As Elected Members will recall, the premises located at 68 Nelson Street were vacated by the former tenant, the Minister for Mental Health and Substance Abuse.

In order to secure a new tenant for the premises, at its meeting held on 5 March 2018, the Council resolved as follows:

1. *That the premises located at 68 Nelson Street, Stepney be re-leased on a commercial basis.*
2. *That the Council determines to obtain a market rent valuation of the premises to determine “fair market rent” and notes that a property agent will be engaged to re-advertise the premises for lease on a commercial basis.*
3. *That the Council authorises the Chief Executive Officer to enter into negotiations with potential commercial tenants of the premises and to prepare draft lease documents for presentation to the Council for its consideration and endorsement.*

Liquid Property Consultants were subsequently engaged to prepare a market rental valuation of the premises. A copy of the valuation report is contained within **Attachment A** (the redactions in the document relate to valuation information obtained regarding other properties).

Following an Expression of Interest and quotation process, McGees Property were engaged in September 2018 as the real estate agent to re-advertise the premises for lease on a commercial basis.

McGees commenced public advertisement of the premises in October 2018, which comprised a signboard on-site, an online advertisement on their website and an information brochure. A copy of the information brochure is contained within **Attachment B** for your information.

A total of five (5) applications from prospective tenants were received by McGees during the period November 2018 – January 2019.

Negotiations were entered into with the first Tenant in November 2018. The Tenant proposed to establish a ‘bike rider-centric fitness and wellness hub’ with allied health services (physio & podiatry), an indoor cycling studio and a podcast interview space in the premises at 68 Nelson Street. The proposed use of the premises appeared consistent with the Community Land Management Plan and Development Plan Community Zone provisions applying to the premises, and they were willing to meet the asking commercial rental.

After several months of negotiations with the first Tenant regarding the proposed fit-out of the premises, in February 2019 they withdrew from the process as one of their members was no longer in a position to commit financially to the project.

At this stage, Council Staff entered into negotiations with another prospective tenant who had made an application to McGees, Ms Yiuen Chai and Mr Ian Voo, who proposed to establish a physiotherapy clinic at the premises ('Next Step Physiotherapy Clinic'). Again, the proposed use of the premises appeared consistent with the Community Land Management Plan and the Development Plan Community Zone provisions applying to the premises, and Ms Chai and Mr Voo have advised that they are willing to meet the asking commercial rental.

On this basis, a proposed draft Lease has been prepared between the Council and Next Step Physio Clinic Pty Ltd (the company established by Ms Chai and Mr Voo). A copy of the proposed Lease is contained within **Attachment C**.

An additional three (3) lease applications that were received by McGees were assessed by Council Staff. These applications were not progressed on the basis that they lacked sufficient detail regarding their proposed use of the premises (and did not provide further detail upon request) and they did not provide sufficient information regarding relevant business trading experience or financial capacity. These applications similarly proposed health and education uses of the premises.

### **RELEVANT STRATEGIC DIRECTIONS & POLICIES**

The relevant Goals contained in *CityPlan 2030: Shaping Our Future* are:

#### **Outcome 1: Social Equity**

A connected, accessible and pedestrian friendly community.

#### **Objectives**

Convenient and accessible services, information and facilities.

#### **Outcome 3: Economic Prosperity**

A dynamic and thriving centre for businesses and services.

#### **Objectives**

A diverse range of businesses and services.

Attract new enterprises and local employment opportunities to locate in our City.

A local economy supporting and supported by its community.

### **FINANCIAL AND BUDGET IMPLICATIONS**

The previous tenant of the premises, the Minister for Mental Health and Substance Abuse, paid a commercial rental for the premises (\$47,680 plus GST per annum in their final year of occupation from 1 January 2017 – 31 December 2017).

As such, at its meeting held on 5 March 2018, the Council resolved that the premises be re-leased on a commercial basis, with the rental to be set at 100% of the market rent.

Liquid Property Consultants were engaged to prepare a market rental valuation of the premises. They recommended a net market rent of \$45,000 per annum plus GST, based on a \$300/m<sup>2</sup> rental rate. This was based on similar types of office accommodation in the area.

This recommended rental is only fractionally below the previous rental charged for the premises, that rental having been increased by CPI on an annual basis over the previous lease term to the Minister. As such, the proposed rental of \$45,000 per annum plus GST is a reasonable starting rental for a new lease of the premises.

### **EXTERNAL ECONOMIC IMPLICATIONS**

Not Applicable.

### **SOCIAL ISSUES**

Not Applicable.

## CULTURAL ISSUES

Not Applicable.

## ENVIRONMENTAL ISSUES

Not Applicable.

## RESOURCE ISSUES

Not Applicable.

## RISK MANAGEMENT

A Lease is proposed to be entered into with the preferred tenant of 68 Nelson Street in order to govern the terms of their use of the premises including legislative compliance, insurance requirements and indemnities. The Lease also serves to reduce exposure to claims from third parties that suffer injury or loss whilst on the Council premises under the tenant's lease.

## CONSULTATION

- **Elected Members**

The Council considered a report with respect to the re-advertisement of 68 Nelson Street for lease on a commercial basis at its meeting held on 5 March 2018.

- **Community**

Community consultation is required in accordance with Section 202 of the *Local Government Act 1999* as the proposed Lease is for a term over five (5) years.

Additionally, community consultation is required as the Dunstone Grove – Linde Reserve Community Land Management Plan restricts leases of any of the Nelson Street cottages to five (5) years or less.

- **Staff**

General Manager, Governance & Community Affairs  
Acting Manager, City Assets

- **Other Agencies**

Not Applicable.

## DISCUSSION

### Proposed use of Premises

The prospective tenant of the premises at 68 Nelson Street, Next Step Physio Clinic Pty Ltd ('the Tenant'), consists of two physiotherapists (Ms Chai and Mr Voo) who are looking to set up their own physiotherapy practice called 'Next Step Physiotherapy Clinic'. Mr Voo has six (6) years' experience at private physiotherapy practices in Adelaide and Malaysia, whilst Ms Chai has four (4) years' experience at private physiotherapy practices in Adelaide.

The Tenant's proposal to use the premises as a physiotherapy clinic involves the use of two (2) rooms to treat patients, with the option to bring on a third treating physiotherapist in time as demand increases. One (1) additional room will be utilised as a reception area, and the larger rear room at the premises is proposed to be used as a gym and pilates studio for clients. As set out in the Tenant's Business Plan, the practice will provide hands-on treatment, dry needling, pre-natal and post-natal treatments, sports injury treatment, pain management, post-surgical rehabilitation, clinical pilates classes, and individual rehabilitation and fitness sessions. A receptionist / practice manager will also be hired. The proposed hours of use are Monday to Friday 8am-8pm and Saturday 8am-1pm.

The Tenant is looking to differentiate themselves in the local market by offering affordable services, becoming a preferred provider for Health Funds, having longer opening hours and focusing on women's health and aged care physiotherapy services.

The mission statement of the Tenant's business is '*to use the latest clinical research and physiotherapy equipment to develop a personal treatment plan to help clients recover for their specific condition*'.

A copy of the Tenant's Business Plan is contained within **Attachment D**.

### **Planning and Community Land Considerations**

The proposed use of the premises does not require development approval as it fits within existing use rights for the premises as 'consulting rooms' (noting that the premises was previously used by the Minister for Mental Health & Substance Abuse for the provision of a mental health outreach and psychosocial rehabilitation service).

The proposed use of the premises is also broadly consistent with the objectives set out in the Council's *Dunstone Grove – Linde Reserve Community Land Management Plan* for the land, and the Community Zone provisions of the *Norwood Payneham and St Peters (City) Development Plan*, in that it is continuing to provide a health service to the community. In their Business Plan, the Tenant notes that an area of focus for their physiotherapy practice will be women's health care and providing physiotherapy services to residential aged care facilities, including home visits, to enable at-risk older persons to remain in the community through rehabilitation and restorative care. The Tenant has identified that these areas are not currently focused on by existing clinics located in the Stepney area. The Tenant also notes that when there is opportunity, the clinic could hold open community talks regarding health issues and the benefits of exercise to maintain quality of life.

The *Community Land Management Plan* provides, relevantly, that the purpose of the land (including Linde Reserve and the Nelson Street Cottages) is to 'provide land and facilitates that benefit the area' and 'which residents, workers and visitors to the region can use and enjoy for community, recreational, social and cultural purposes'. The Plan also provides that the land may be used for business purposes provided that these activities are consistent with the purpose and objectives set out in the Plan.

Similarly, the Community Zone in the Council's Development Plan lends itself to a range of land uses, with the planning objectives for this Zone seeking to accommodate community, educational, environmental, recreational, cultural and health care facilities and activities for the general public's benefit.

Although consistent with these objectives, the Tenant's proposed use of the premises as a physiotherapy clinic, is predominantly a commercial use of the premises. This is consistent with advertising the premises for lease on a commercial basis, which attracted interest from a number of Tenants who proposed to provide predominantly commercial health-related services to the community from the premises.

Continuing to lease the premises on a commercial basis, whilst still facilitating the provision of health services to the community, enables the Council to meet both social and financial objectives. The commercial rental proposed to be charged under the Lease will provide the Council with a valuable income stream that enables it to continue to provide other services and facilities to the community through the other Nelson Street cottages (which have subsidised rentals) and more broadly across the City.

Ultimately, it is for the Council to consider whether the proposed use of the premises at 68 Nelson Street under the proposed Lease to the Tenant is suitable in the context of the relevant planning and land management objectives for the location.

### **Financial Capacity**

An assessment of the Tenant's financial capacity has been undertaken by Council Staff and it is considered that they are in a position to meet the financial obligations which are required under the proposed Lease of the premises.

## Key Lease terms

The proposed Lease has been prepared with standard commercial lease terms.

### Rent

The Lease provides for the market rental of \$45,000 per annum plus GST and outgoings. The Tenant has requested a two (2)-month rent-free period to establish their new business and receive all equipment which has been ordered for the business.

### Lease Term

The Tenant has proposed a five (5) year initial Lease Term, with an option to renew for a further three (3) years. Section 202 of the *Local Government Act 1999*, provides that community consultation is required for leases of community land that exceed five (5) years. Additionally, the *Dunstone Grove – Linde Reserve Community Land Management Plan* currently provides that any new leases of the Nelson Street cottages are not to exceed five (5) years.

It remains at the Council's discretion to grant a Lease for a term exceeding five (5) years, however, community consultation would be required in accordance with the Act and the *Management Plan*. In the event that the Council endorses the proposed Lease, the *Community Land Management Plan* can be amended to reflect the longer Lease Term.

The longer Lease Term, as requested by the Tenant, provides the Tenant with greater security of tenure and an opportunity to develop the business at the premises over a longer period of time, whilst retaining the option to end the Lease after the initial five (5) year Term if required. Securing a long-term tenant for the premises at 68 Nelson Street, also benefits the Council in that it provides guaranteed rental for a longer period of time (subject to the Tenant choosing not to renew for the additional three (3) year term).

There is little risk to the Council in granting the longer five (5) + three (3) year Lease Term to the Tenant. The renewal clause in the Lease provides for the Council to refuse to renew the Lease if the Lessee has at any time been in breach of the obligations under the Lease, and a fresh bank guarantee would be requested from the Lessee upon renewal.

The other Council-owned Cottages on Nelson Street are both subject to five (5) year Leases ending in 2021-2022. Both Cottages were also subject to five (5) year Leases for the five (5) preceding years to the same tenants.

### Other

A bank guarantee of six (6) month's rent will be provided by the Tenant to the Council under the terms of the Lease, as security for performance of their obligations under the Lease, particularly in relation to their financial obligations as a newly operational business.

The Tenant has only requested some minimal fit-out works at the premises relating to the side door and signage, which are provided for in the Special Conditions to the Lease, along with provision for early occupation of the premises to carry out these fit-out works.

Public car parking is available in the Council-owned car parks adjacent to the premises (and adjacent to 64 Nelson Street) at Linde Reserve for the Tenant and their patrons. No car parking is provided for expressly in the Lease.

The Maintenance Schedule included in Annexure B to the Lease reflects the maintenance schedule in place under the previous Lease between the Council and the Minister for the premises. In general, the Scheduled provides that the Council is responsible for structural maintenance of the premises, whilst the Lessee is responsible for all ongoing maintenance and repair.

## OPTIONS

### Option 1

The Council can determine to lease the premises at 68 Nelson Street, Stepney to Next Step Physio Clinic Pty Ltd in accordance with the terms and conditions set out in the proposed Lease contained within Attachment D, and can endorse the proposed Lease for the purposes of community consultation.

### Option 2

The Council can determine to lease the premises to Next Step Physio Clinic Pty Ltd in accordance with the proposed Lease contained within Attachment D, but amending the Lease Term to a total of five (5) years in accordance with the *Dunstone Grove – Linde Reserve Community Land Management Plan*, and can endorse the amended Lease for the purposes of community consultation.

### Option 3

The Council can determine not to lease the premises to Next Step Physio Clinic Pty Ltd, and to re-advertise the premises for lease on a commercial basis in order to attract additional lease applications from prospective tenants.

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

## CONCLUSION

The Council-owned premises at 68 Nelson Street was vacated by the former tenant, the Minister for Mental Health and Substance Abuse. The premises was re-advertised for lease on a commercial basis by McGees Property and an application was received from Ms Yiuen Chai and Mr Ian Voo proposing to establish a physiotherapy clinic at the premises.

A draft Lease has been prepared between the Council and Next Step Physio Clinic Pty Ltd (the company established by Ms Chai and Mr Voo) which provides for a Lease Term of five (5) + three (3) years and a rental of \$45,000 per annum plus GST and outgoings. This is a commercial rental based upon a market rental valuation of the premises.

Community consultation is required for lease terms over five (5) years in accordance with the *Local Government Act 1999* and the *Dunstone Grove – Linde Reserve Community Land Management Plan*.

The proposed Lease contained in Attachment D is suitable for endorsement by the Council for the purposes of community consultation, after which final approval may be granted by the Council.

## COMMENTS

Nil.

## RECOMMENDATION

1. That the Council agrees in principle to lease the premises at 68 Nelson Street, Stepney to Next Step Physio Clinic Pty Ltd in accordance with the terms and conditions set out in the proposed Lease contained within Attachment D.
2. That the Council endorses the proposed draft Lease contained within Attachment D for the purposes of community consultation.
3. That the Council notes that any responses which are received in the community consultation will be presented to the Council along with the Lease, following the conclusion of the community consultation period, for the Council's consideration and final approval.



*Cr Whittington moved:*

- 1. That the Council agrees in principle to lease the premises at 68 Nelson Street, Stepney to Next Step Physio Clinic Pty Ltd in accordance with the terms and conditions set out in the proposed Lease contained within Attachment D.*
- 2. That the Council endorses the proposed draft Lease contained within Attachment D for the purposes of community consultation.*
- 3. That the Council notes that any responses which are received in the community consultation will be presented to the Council along with the Lease, following the conclusion of the community consultation period, for the Council's consideration and final approval.*

*Seconded by Cr Duke and carried unanimously.*

## 11.11 REVIEW OF THE 2018 ZEST FOR LIFE PROGRAM

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**REPORT AUTHOR:** Manager, Community Services  
**GENERAL MANAGER:** General Manager, Governance & Community Affairs  
**CONTACT NUMBER:** 8366 4600  
**FILE REFERENCE:** S/03896  
**ATTACHMENTS:** A

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### PURPOSE OF REPORT

The purpose of this report is to provide the Council with an evaluation of the 2018 *Zest for Life Festival*.

### BACKGROUND

The Council on the Ageing (COTA) *ZestFest* is one of Australia's longest running annual arts and community festivals, regularly attracting over 100,000 participants across the State. Previously known as COTA's *Every Generation Festival*, the Festival underwent a review in 2017. The outcome of the review resulted in a change in name (i.e. *ZestFest*) and branding. COTA advised this was undertaken to challenge stereotypes of older people

In 2017, a review of COTA's *Every Generation* branding was undertaken. The outcome of the review included a change of name of the Festival from *Every Generation* to *ZestFest 2017- a Festival for Modern Ageing*. COTA advised that the name change for the Festival was designed to challenge stereotypes of older people.

To align with COTA's rebranding, a change of name and branding was also undertaken for the Council's *Every Generation Festival*. The Council's *Every Generation Festival* was subsequently renamed *Zest for Life*.

COTA'S *ZestFest* Co-ordinator has commended the Council on its branding for the *Zest for Life Program* reporting that it reflects and communicates well the message of modern ageing well. A copy of the 2018 *Zest for Life Program* is contained within **Attachment A**.

The 2018 *Zest for Life Program* was held in October 2018 over a two (2) week period and focused once again on well-being activities such as Yoga, Pilates, Tai Chi, Tea Tasting, Healthy Cooking, Garden Tours and Tea Tasting. The activities were open to citizens of all ages.

This report provides an evaluation of the Council's 2018 *Zest for Life Program*.

### RELEVANT STRATEGIC DIRECTIONS & POLICIES

The relevant Goals contained in *City Plan 2030* are;

*Outcome 1; Social Equity*

*Objective 4; A strong and resilient communities*

*Strategy - Encourage increased physical activity and healthier lifestyles.*

*Strategy - Encourage lifelong learning*

The 2018 *Zest for Life Program* provides a range of opportunities for citizens of all generations to participate. The activities available promoted healthy lifestyles and lifelong learning through healthy eating, being physically active and socially engaged.

The focus on healthier lifestyles and lifelong learning is also consistent with the intent and priorities under the Eastern Regional Public Health Plan – *Better Living Better Health*. The activities provided through the *Zest for Life Festival* align with *Priority Area 2: Increasing Opportunities for Healthy Living, Healthy Eating and Being Active*.

## FINANCIAL AND BUDGET IMPLICATIONS

The Council allocated \$14,000 for the 2018 *Zest for Life* Program. The overall total costs for the 2018 *Zest for Life* Program are set out in Table 1 below.

**TABLE 1: SUMMARY OF EXPENDITURE AND INCOME**

	Budget	Actual
Income	-\$2000	-\$2,102
Expenditure	\$14,000	\$12,797
<b>Total Cost to Council</b>	<b>\$12,000</b>	<b>\$10,695</b>

To assist in funding the program of activities, income was received through the sale of tickets for most *Zest for Life* program activities. Activities such as the seminars, *Sustainable Garden and St Peters Billabong Tours* and the Library movie and games afternoon were provided at no charge.

## EXTERNAL ECONOMIC IMPLICATIONS

Not Applicable.

## SOCIAL ISSUES

The Council's Community Profile indicates that there is a significant number of older citizens (approximately 21%) living in the City. One of the objectives of the *Zest for Life Program* is to provide opportunities for older citizens to engage positively in their local community and highlight the value and contribution of older citizens, thereby promoting a positive image of older people to the broader community.

In order to facilitate access for potential participants, consideration was given to accessibility by ensuring that the venues were accessible and that the activities were appropriate and affordable for citizens on low incomes. The *Zest for Life* Program was open to citizens of all ages, cultures and abilities.

## CULTURAL ISSUES

There were no specific cultural issues associated with the *Zest for Life* Program.

## ENVIRONMENTAL ISSUES

There were no environmental issues in relation to the *Zest for Life* Program.

## RESOURCE ISSUES

The *Zest for Life* Program was managed internally by the Council's Events Coordinators and Community Services Unit with assistance from staff across the organisation (such as the Customer Service unit, Library Services & Lifelong Learning, and Urban Planning and Sustainability).

## RISK MANAGEMENT

As with all Council events, a risk assessment of all Festival activities was undertaken. Risks identified included managing the health and well-being of participants' in particular vulnerable citizens. In short, ensuring Council's responsibility of duty of care was upheld.

These risks were managed through actions such as:

- setting a maximum on the number of participants that could participate in various activities;
- ensuring contracted Instructors had the relevant skills and accreditation and clearances (National Criminal History Check) to undertake the activity;
- procedures in place to respond to incidents and accidents; and
- ensuring facilities chosen for the events and activities were accessible;

## CONSULTATION

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

## DISCUSSION

Approximately 815 citizens participated in the range of activities as part of the Council's 2018 *Zest for Life* Program. This estimate represents individual participants who participated in one or more of the activities on offer. This result also reflects an 80% increase in participation based on the 2017 program attendances. The reason for the significant increase in participation was the inclusion of the *Author Event* featuring artist Ben Quilty, which attracted 380 participants (i.e. 47% of the total participants).

The majority of participants lived locally, with approximately 70% residing in the City of Norwood Payneham & St Peters. The remaining 30% of attendees came from other Local Government Areas such as Campbelltown, Burnside, Campbelltown, Unley, Prospect, Tea Tree Gully, Port Adelaide Enfield, Charles Sturt, West Torrens, Marion and Adelaide.

Approximately 5% of participants attended more than one (1) activity of the Program.

### The Program of Activities

The 2018 *Zest for Life Program* provided a range of events, activities and programs for all citizens. A total of twenty (20) different events, programs and activities were held as part of the Festival, including the following:

- Zest for Life Concert;
- Computer Classes (3 classes);
- Games Afternoon (1 sessions);
- Tour of St Peters Billabong (1 tour);
- Tour of an Award Winning Sustainable Garden;
- Payneham's Genteel Past History Bus Tour (1 tour);
- Learn how to Knit (2 classes);
- Hump Day Cooking;
- NBN Fundamentals (Seminar);
- Your Gut and You (Seminar);
- Come and Try Tango (1 session);
- Come and Try Rumba (1 session);
- Tai Chi in the Park (1 session);
- Heart Foundation Walking Groups (2 Walks);
- Awakening Adults Yoga (1 session);
- Pilates (1 session);
- Men's Shed Open Day and BBQ Lunch;
- Movie Afternoon at the Library-The Zoo Keeper's Wife;
- Beer Tasting – Little Bang Brewing Company;
- Secrets of a Tea Master;
- Author Event – Ben Quilty; and
- Pop up Art Centre.

There were a number of activities which were aimed at encouraging adults and older citizens to become active through low impact exercise options, including *Tai Chi in the Park*, *Yoga*, and *Come and Try Rumba* and *Tango* classes. All classes were delivered by experienced Instructors and well attended. The *Tai Chi in the Park* class was again held at Linde Reserve. The *Yoga*, *Pilates* and *Rumba* classes were held at the Payneham Library and Facilities complex.

The *Heart Foundation Walking* program welcomed existing and new members to join their regular walks around Stepney, lead by the *Heart Foundation* Volunteers. A total of 45 citizens participated in the walks. The Council's Stepney *Heart Foundation* walking group gained 14 new members as a result of this program.

The *Zest for Life* program continues to promote existing Council services and new initiatives. This year the Festival promoted the Library's *Movies and Games Afternoon*.

The *Movie Afternoon* included a screening of *The ZooKeeper's Wife*, was well attended with forty three (43) participants attending. The *Games Afternoon* offered participants a fun filled afternoon of board games, cards and jig saw puzzles at the Payneham Library. A total of twelve (12) participants attended the *Games Afternoon*.

The Festival Program also had a lifelong learning focus, and included one-on-one computer training sessions and two (2) seminars, *Your Gut and You* and *NBN Fundamentals*. The one-to-one computer training sessions provided citizens with personalised sessions on topics such as the internet, android devices and email. The computer training also included small group computer training sessions (i.e. 3-4 participants per session) delivered by the Council's Library Services Staff on the following topics:

- *IPad Essentials*;
- *Cyber Safety for Seniors*; and
- *Introduction to 3D Printing*.

These sessions were well attended with all three (3) groups fully booked.

The *Your Gut and You Seminar* was presented by Louise Mathwin from Healthier Habits at the Payneham Library. The presentation provided participants with information on how the health of the gut impacts on a person's physical and emotional well-being. This seminar was well attended with a total of sixty (60) people attending. The second seminar *NBN Fundamentals* was also held at Payneham Library and presented by Graham Wedding from the Telstra (Norwood). This seminar presented information on the National Broadband Network and how to transition to the network. A total of twenty eight (28) people attended this seminar.

Tours of an Award Winning Sustainable Garden were included in the *2018 Zest for Life* program. These tours included two (2) guided tours of Chris Bryant and John Borland's Felixstow Garden. A total of 50 people attended the tours. Two (2) were also conducted of the St Peters Billabong and a total of thirty people (30) attended the tours.

The *2018 Zest for Life* Program also featured the Council's Library Services Author Event, with Artist Ben Quilty. Held in conjunction with Dillions Bookshop Norwood, this event featured an interview with artist Ben Quilty regarding his recently released book: *Home a Collection of drawings by Syrian Children*. A total of 380 people attended this event. As mentioned previously, attendances at the Library's Author event with Artist Ben Quilty contributed to the increase in the number of participants in this year's *Zest for Life* Program. Given the success of the event a similar event will be considered as part of the *2019 Zest for Life* program

This *2018 Zest for Life* Concert again featured the South Australian Police Band performing at the Norwood Concert Hall. Morning tea was provided for all participants who attended. Compared to the number of people who attended this concert in 2017, there was a 23% decrease in the number of people who attended the *Zest for Life Concert* in 2018.

The Campbelltown City Council had also booked the South Australian Police Band for their *ZestFest* Program. This was the first year that Campbelltown City Council included the South Australian Police Band as part of its *ZestFest* Program. As a consequence, participants residing in the Campbelltown City Council who, in past years attended the City of Norwood Payneham & St Peters *Zest for Life* Concert attended the Campbelltown City Council's event instead, thereby reducing the number of people attending.

Table.2 below provides a summary of the number of participants for each activity. The *Capacity* column indicates the maximum number of participants that could attend, taking into consideration costs, resources available and risk management requirements.

**TABLE 2: SUMMARY OF ATTENDANCES FOR THE 2018 ZEST FOR LIFE FESTIVAL**

<b>Activity</b>	<b>Capacity</b>	<b>Total Participant Numbers</b>
Zest For Life Concert	200	109
Computer Classes (3 Classes)	4 (per class)	12
Introduction to Three D Printing( 1 Class)	8	8
Payneham's Genteel History Bus Tour	20	20
Tour of Sustainable Garden ( 2 tours)	25 per tour	50
Tour of St Peters Billabong ( 2 Tours)	15 per tour	30
Hump Day Cooking Class	16	30
Tai Chi in the Park (1 session)	19	20
Heart Foundation Walking Groups( 2 walks)	No limit	45
Awakening Adults Yoga (1 Sessions)	30	14
Pilates (1 Session)	13	15
Come and Try Rumba	20	15
Come and Try Tango	20	14
Men's Shed Open Day	15	8
Learn How to Knit	15	5
Your Gut and You Seminar	50	60
NBN Fundamentals Seminar	50	28
Movie Afternoon – the Zookeeper's Wife	40	43
Beer Tasting – Little Bang Brewery	15	15
Secrets of a Tea Master	40	21
Games Afternoon (1 session)	20	8
Author Event – Ben Quilty	500	380

Overall, most of the activities and events were well attended. The following activities were particularly successful;

- *Tai Chi in the Park*
- *Pilates*
- *Heart Foundation Walking,*
- *Come and Try Rumba*
- *Come and Try Tango,*
- *Computing sessions*
- *Your Gut and You Seminar*
- *Movie Afternoon at the Library and*
- *Beer Tasting – Little Bang Brewing Company*
- *Sustainable Garden and St Peters Billabong Tours*
- *Beer Tasting – Little Bang Brewery*
- *Payneham's Genteel History Bus Tour*

The activities that were not successful included *the Pop up Arts Centre* and the *Learn How to Knit* Classes. The *Pop up Art Centre* was designed to bring together people interested in painting together to paint and share their skills. Due to low registrations (i.e. 2 people), this activity was cancelled. The *Learn How to Knit* Class had low participation rate with only five (5) people attending.

### Comments from Participants

Participants were asked to complete a survey regarding the *2018 Zest for Life* Program. The Council received 195 responses to the survey. Of those surveyed, 32% had participated in previous programs and 68% of the respondents were new to the Program. This indicates that whilst citizens are returning to participate in *Zest for Life*, the Program is also attracting new participants.

Participants were asked whether the activities in which they participated, provided any well-being benefits to them. Approximately 94% of respondents reported that they received either health, social or learning benefits from participating in the program.

Respondents provided positive comments regarding the activities and events, in which they participated, including the following:

- Program was great, had something for everyone;
- Keep it going it's an excellent cross section of activities;
- Keep up the great initiative;
- The consistency of high quality and widely varying Zest for Life offerings are very much anticipated and enjoyed. Thank you;
- 2018 Program is better than 2017. Love the dancing classes;
- Great idea!! Please continue with the program; and
- Well done to the organisers-thoroughly enjoyed all the activities I participated in.

### **OPTIONS**

This report is provided for information purposes only.

### **CONCLUSION**

The *Zest for Life* Program is based on an inclusive community engagement model which aims to foster participation of the aged and general community, whilst promoting healthy lifestyles, increased physical activity and encouraging lifelong learning opportunities.

The Council's *Zest for Life* Program is continuing to establish itself in the community as a Program of interest to older citizens. The completion of each Program provides better insight into the types of activities citizens' which are valued by citizens, which in turn provides a basis for ensuring events and activities improve the quality and level of participant engagement of future *Zest for Life* Programs.

Based on attendances and comments which have been received over the past three (3) years, the results suggest that activities focusing on exercise and relaxation such as Tai Chi, Yoga, Pilates, dancing and walking, continue to consistently be well attended. Activities that contribute to lifelong learning such as seminars on health topics and author events are also highly valued and will continue to be included in future *Zest for Life* Programs

### **COMMENTS**

Nil

### **RECOMMENDATION**

That the report be received and noted.

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*Cr Minney moved:*

*That the report be received and noted.*

*Seconded by Cr Dottore and carried.*

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*[This Item was dealt with out of sequence – refer to Page 24 for the Minutes relating to this Item]*

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**11.12 ERA WATER**

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*[This Item was dealt with out of sequence – refer to Page 24 for the Minutes relating to this Item]*



## 12. ADOPTION OF COMMITTEE MINUTES

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

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### PURPOSE OF REPORT

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

- Business & Economic Development Committee – (19 March 2019)  
(A copy of the Minutes of the Business & Economic Development Committee meeting is contained within **Attachment A**)

### ADOPTION OF COMMITTEE MINUTES

- **Business & Economic Development Committee**

*Cr Sims moved that the minutes of the meeting of the Business & Economic Development Committee held on 19 March 2019, be received and that the resolutions set out therein as recommendations to the Council are adopted as decisions of the Council. Seconded by Cr Dottore and carried.*

**13. OTHER BUSINESS**

Nil

Adjournment of Council Meeting

*At 8.51pm Cr Moore moved:*

*That the Council meeting be adjourned for two (2) minutes.*

*Seconded by Cr Sims and carried.*

Resumption of Council Meeting

At 8.55pm the Council meeting resumed.

**14. CONFIDENTIAL REPORTS**

## 14.1 APPOINTMENT OF INDEPENDENT MEMBER TO THE AUDIT COMMITTEE

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**REPORT AUTHOR:** General Manager, Corporate Services  
**GENERAL MANAGER:** Chief Executive Officer  
**CONTACT NUMBER:** 8366 4585  
**FILE REFERENCE:** S/03636  
**ATTACHMENTS:** A

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### PURPOSE OF REPORT

The purpose of the report is to present for the Council's consideration, candidates for consideration for appointment as an Independent Member of the Council's Audit Committee.

### BACKGROUND

The Council's Audit Committee is established under Section 41 of the *Local Government Act 1999* (the Act). Pursuant to Section 126 (1) of the Act, the Council must have an Audit Committee and the membership of the Audit Committee:

- (a) *may include persons who are not members of the Council; and*
- (b) *may not include an employee of the council (although an employee may attend a meeting of the committee if appropriate); and*
- (c) *may include, or be comprised of, members of an audit committee for another council; and*
- (d) *must otherwise be determined in accordance with the requirements of the regulations.*

In respect to the Membership of an Audit Committee, pursuant to Clause 17 of the *Local Government (Financial Management) Regulations 2011* (the Regulations) requires that the Audit Committee:

- (a) *must have between three (3) and five (5) members (inclusive); and*
- (b) *must include at least one (1) person who is not a member of the Council and who is determined by the Council to have financial experience relevant to the functions of the Audit Committee; and*
- (c) *must not include, as a member, the Council's External Auditor under section 128 of the Act.*

The Council's Audit Committee was established following the November 2018 Local Government Elections, with membership comprising of three (3) Elected Members and two (2) Independent Members. The term of the current Committee concludes on 31 October 2020.

At its meeting held on 3 December 2018, the Council appointed the following Elected Members to the Audit Committee:

- Cr John Minney (Presiding Member);
- Mayor Robert Bria; and
- Cr Mike Stock.

At its meeting held on 17 January 2019, the Council re-appointed Mr Peter Holmes as an Independent Member to the Audit Committee and resolved to seek:

*an Expression of Interest from suitably qualified persons be sought to fill the vacancy that exist for the second Independent Member on the City of Norwood Payneham & St Peters Audit Committee, with the term of that appointment concluding on 31 October 2020.*

In accordance with the Committee's Terms of Reference, an Interview Panel comprising Mayor Bria, Councillors Stock and Minney and the Chief Executive Officer, interviewed three (3) candidates for selection for appointment to the Committee.

The Interview Panel was unable to reach a consensus on the selection of a candidate to be nominated to the Council for appointment to the Committee. As such, no recommendation has been made in this respect.

#### **RELEVANT STRATEGIC DIRECTIONS & POLICIES**

Not Applicable.

#### **FINANCIAL AND BUDGET IMPLICATIONS**

The Council has determined that the Independent Members of the Audit Committee will receive a sitting fee of \$440 per meeting. In line with the Terms of Reference, the Audit Committee is required to meet four (4) times per annum. The annual cost to the Council for two (2) Independent Members is \$3,520.

#### **EXTERNAL ECONOMIC IMPLICATIONS**

Not Applicable.

#### **SOCIAL ISSUES**

Not Applicable.

#### **CULTURAL ISSUES**

Not Applicable.

#### **ENVIRONMENTAL ISSUES**

Not Applicable.

#### **RESOURCE ISSUES**

Not Applicable.

#### **RISK MANAGEMENT**

Pursuant to Section 126 of the Act, the Council must have an audit committee to assist in the performance of council functions. The Act prescribes certain requirements in respect to the membership and the functions of an Audit Committee.

The Audit Committee's Terms of Reference, satisfies the requirements of Section 126.

The establishment of the Audit Committee and adoption of the Committee's Terms of Reference, complies with the provisions of the Act.

To ensure the proper discharge of responsibilities, the Committee will be required to operate within the parameters of its Terms of Reference, as established by the Council.

#### **CONSULTATION**

- **Elected Members**

Mayor Bria, Cr John Minney (Presiding Member) and Cr Stock are members of the Audit Committee and together with the Chief Executive Officer, formed the Interview Panel to select the Independent Member.

- **Community**

Not Applicable.

- **Staff**

The Chief Executive Officer, who in line with the Audit Committees Terms of Reference, was part of the Interview Panel.

- **Other Agencies**

Not Applicable

## DISCUSSION

An advertisement was placed in The Advertiser on 16 January 2019, calling for Expressions of Interest for Independent Members of the Audit Committee. The closing date for submissions was 13 February 2019

Expressions of Interest were received from three (3) applicants as detailed below:

- Mr Kevin Shepherdson;
- Ms Sandra DiBlasio; and
- Mr Ross Haslam.

A copy of the respective Expressions of Interest is contained in **Attachment A**.

Given the number of applications, it was decided that all applicants would be interviewed.

The Interview Panel interviewed the applicants between Wednesday 27 February 2019 and Tuesday 5 March 2019. The interview questions focussed on key aspects of the role and were aimed at ascertaining how each candidate would contribute to the effective operation of the Audit Committee. A summary of each applicants experience and interview are detailed below:

- **Mr Kevin Shepherdson**

Mr Shepherdson is a resident of Norwood and a previous Elected Member of the City of Norwood Payneham & St Peters. Whilst an Elected Member, Mr Shepherdson was appointed to the Audit Committee and served on the Committee from May 2015 to October 2018. Mr Shepherdson's application states that he is aware of the legal, governance and financial requirements, as well as the risk analysis that is applied to ensure that risk is managed.

- **Ms Sandra Di Blasio**

Ms Di Blasio is a resident of Norwood and a Non- Executive Director, with a background in risk management. Ms Di Blasio is currently a member of a number of Boards and Committees and is the Chair of the Finance and Audit Committee for Disability Living Inc. and the Pork Co-operative Research Centre.

- **Mr Ross Haslam**

Mr Haslam is a retired Partner with Ernst & Young and Ferrier Hodgson. Mr Haslam is currently a board member of the Port Adelaide Football Club and the South Australian Health and Medical Research Institute (SAHMRI). In addition, Mr Haslam is a member on a number of risk and audit committees of both State and Local Government entities.

During the interview, all applicants demonstrated that they have either the skills or experience in respect to the role and function of an Audit Committee and/or have expertise in areas that will assist the organisation and the Council.

The Terms of Reference approved by the Council at its meeting held on 17 January 2019, provided for the appointments to be for a maximum term of two (2) years (expiring on 31 October 2020).

## OPTIONS

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

1. the Council can choose to appoint one (1) of the three (3) applicants who responded to the Expression of Interest; or
2. the Council can choose not to appoint any of the applicants as an Independent Member of the Audit Committee and re-advertise for Expressions of Interest from suitably qualified persons to fill the vacant Independent Member position on the Audit Committee.

Option 1 is recommended.

## CONCLUSION

To comply with the requirements of the Act and the Terms of Reference which the Council has set for the Audit Committee, the Council is required to appoint two (2) Independent Members to its Audit Committee. The Council has, at its meeting held on 17 January 2019, re-appointed Mr Peter Holmes to the Audit Committee and is now required to appoint a second Independent Member. Given the current focus on effective financial management in Local Government, it is important that the Council can demonstrate effective financial governance. To ensure the effective and efficient operation of the Audit Committee, the Council must ensure that the Audit Committee has suitably qualified and/or experienced persons to ensure that the Committee as a whole, can effectively and confidently fulfil its duties and responsibilities as set out in the Committee's Terms of Reference.

## COMMENTS

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

That \_\_\_\_\_ be appointed to the City of Norwood Payneham & St Peters Audit Committee, with the term of the appointment being effective from the May 2019 Audit Committee Meeting and concluding on 31 October 2020.

## RECOMMENDATION 3

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

*Cr Stock moved:*

*That pursuant to Section 90(2) and (3) of the Local Government Act, 1999 the Council orders that the public, with the exception of the Council staff present [Chief Executive Officer, General Manager, Governance & Community Affairs, General Manager, Urban Planning & Environment, General Manager, Urban Services, General Manager, Corporate Services and Executive Assistant, Urban Services], be excluded from the meeting on the basis that the Council will receive, discuss and consider:*

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

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

*Seconded by Cr Duke and carried unanimously.*

Mayor Bria sought leave of the meeting to make a Personal Explanation in relation to this Item.  
The meeting granted leave for Mayor Bria to make a Personal Explanation.

#### Mayor Robert Bria's Personal Explanation

On Wednesday, 20 February, having received the CV's of the three candidates for the position of Independent Members for the Council's Audit Committee, I notified the General Manager of Governance and Community Affairs, that from 2012-18 I served on the St Joseph's Memorial School Board with one of the candidates, Ms Sandra Di Blasio.

I asked the General Manager, Governance and Community Affairs if she could refer my situation to Kelledy Jones Lawyers for legal advice as to whether I had a conflict of interest and if I did, what kind, which she did.

On 21st February, Mr Kelledy forwarded his legal advice to the General Manager, Governance and Community Affairs stating that I did not have any type of conflict of interest, and was therefore, able to fully participate in the interview process for the independent members of the Council's Audit Committee.

However, for reasons of probity, Mr Kelledy recommended that I make known my previous interaction with Ms Di Blasio to the other Elected Members on the interview panel, Councillors Mike Stock and Councillor John Minney.

In addition, Mr Kelledy advised that if Ms Di Blasio was to be interviewed that, at the commencement of the interview, I mention again our relationship as members for the past 6 years on the St Joseph's Memorial School Board and ask her if she had any objection to me being a member of the Panel to interview her and assess her application.

On 23 February, I duly advised both Cr Stock and Cr Minney of my situation and the legal advice from Mr Kelledy.

At the interview with Ms Di Blasio on 1 March 2019, before any questions were asked, I stated that I had advised the panel members of our previous interactions as members of the St Joseph's Memorial School Board, and the legal advice I received that I did not have a conflict of interest because of our previous interactions. I then asked Ms Di Blasio whether she objected to me being part of the panel asking her questions. She replied that she has no objection, and asked the Chief Executive Officer to note Ms Di Blasio's response.

*Cr Stock moved:*

*That Mayor Bria's Personal Explanation be included in the Council Minutes.*

*Seconded by Cr Dottore and carried.*

Cr Callisto sought leave of the meeting to make a Personal Explanation in relation to this Item.  
The meeting granted leave for Cr Callisto to make a Personal Explanation.

#### Summary of Cr John Callisto's Personal Explanation

On Friday night at the Norwood football match, whilst at the food stall I was approached by former Councillor Kevin Shepherdson. He asked how it was going in Council and then mentioned there was going to be a confidential meeting on Monday to discuss an appointment to the Council's Audit Committee. He continued to inform me he had applied for the position as he could continue his involvement in Council and his past experience in Council. I felt very uncomfortable and very apprehensive regarding the conversation. I said very little as I believe it was not a conversation I should be having outside of Council. I wished him the very best and left.

*Cr Stock moved:*

*That a secret ballot be conducted for the appointment of the Independent Member to the Audit Committee.*

*Seconded by Cr Duke and carried.*

#### Voting by Secret Ballot

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

#### Completion of Counting of Votes by Secret Ballot

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

- Mr Kevin Shepherdson (4 votes)
- Ms Sandra Di Blasio (6 votes)
- Mr Ross Haslam (3 votes).

*Cr Sims moved:*

*That Ms Sandra Di Blasio be appointed to the City of Norwood Payneham & St Peters Audit Committee, with the term of the appointment being effective from the May 2019 Audit Committee Meeting and concluding on 31 October 2020.*

*Seconded by Cr Moore and carried.*

*Cr Dottore moved:*

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

*Seconded by Cr Moore and carried.*



**15. CLOSURE**

There being no further business, the Mayor declared the meeting closed at 9.24pm.

\_\_\_\_\_  
**Mayor Robert Bria**

**Minutes Confirmed on** \_\_\_\_\_  
(date)