

Council Meeting Minutes

4 November 2024

Our Vision

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

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

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City of
Norwood
Payneham
& St Peters

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VENUE Council Chambers, Norwood Town Hall

HOUR 7.00pm

PRESENT

Council Members Mayor Robert Bria
Cr Kester Moorhouse
Cr Claire Clutterham
Cr Garry Knoblauch
Cr Hugh Holfeld
Cr Josh Robinson
Cr Kevin Duke
Cr Connie Granozio
Cr Victoria McFarlane
Cr Scott Sims
Cr Grant Piggott
Cr Sue Whittington
Cr John Callisto
Cr Christel Mex

Staff Mario Barone (Chief Executive Officer)
Derek Langman (General Manager, Infrastructure & Major Projects)
Lisa Mara (General Manager, Governance & Civic Affairs)
Andrew Hamilton (General Manager, Community Development)
Jenny McFeat (Manager, Governance)
Natalia Axenova (Chief Financial Officer)
Eleanor Walters (Manager, Urban Planning & Sustainability)
Geoff Parsons (Manager, Development & Regulatory Services)
Jim Allen (Senior Urban Planner)
Gayle Buckby (Manager, Traffic & Integrated Transport)
Tina Zullo (Administration Assistant, Governance & Civic Affairs)

APOLOGIES Nil

ABSENT Nil

1. KAURNA ACKNOWLEDGEMENT

2. OPENING PRAYER

The Opening Prayer was read by Cr Connie Granozio.

3. CONFIRMATION OF THE MINUTES OF THE COUNCIL MEETING HELD ON 8 OCTOBER 2024

Cr Clutterham moved that the Minutes of the Council meeting held on 8 October 2024 be taken as read and confirmed. Seconded by Cr Callisto and carried unanimously.

4. MAYOR'S COMMUNICATION

Tuesday, 8 October	<ul style="list-style-type: none">• Presided over a Council meeting, Council Chamber, Norwood Town Hall.
Tuesday, 15 October	<ul style="list-style-type: none">• Attended the Mainstreet SA Committee meeting, Unley Oval.
Tuesday, 15 October	<ul style="list-style-type: none">• Attended the Mainstreet SA Strategic Planning Session, Unley Oval.
Monday, 21 October	<ul style="list-style-type: none">• Presented prizes for the 2024 Mayor's Christmas Card Competition, Mayor's Parlour, Norwood Town Hall.
Monday, 21 October	<ul style="list-style-type: none">• Presided over the Chief Executive Officer's Performance Review Committee, Mayor's Office, Norwood Town Hall.
Tuesday, 22 October	<ul style="list-style-type: none">• Attended a meeting with the Chief Executive Officer and Manager, Marketing & Place Activation, Mayors Office, Norwood own Hall.
Monday, 23 October	<ul style="list-style-type: none">• Presided over a meeting of the Audit & Risk Committee, Mayor's Parlour, Norwood Town Hall.
Monday, 4 November	<ul style="list-style-type: none">• Attended a meeting with Council's Events staff, Mayor's Office, Norwood Town Hall.
Monday, 4 November	<ul style="list-style-type: none">• Attended a meeting with the Chief Executive Officer, Cr Hugh Holfeld and Cr Garry Knoblauch, Mayor's Office, Norwood Town Hall.

- **Eastern Region Alliance (ERA) Mayors and Chief Executive Officers Group**

Mayor Bria advised that The Hon Joe Szakacs MP, Minister for Local Government, will not be attending the final ERA Mayors and Chief Executive Officers' meeting for 2024 on 28 November 2024.

- **Greater Adelaide Regional of Council (GAROC)**

Mayor Bria briefed the Council on the latest development regarding the Greater Adelaide Region of Council (GAROC) and the proposed changes to the Local Government Association of South Australia Constitution, to amend the composition of GAROC.

5. DELEGATES COMMUNICATION

Nil

6. QUESTIONS WITHOUT NOTICE

Nil

7. QUESTIONS WITH NOTICE

7.1 QUESTIONS WITH NOTICE – 2022-2027 TREE STRATEGY - SUBMITTED BY CR KESTER MOORHOUSE

QUESTION WITH NOTICE: 2022-2027 Tree Strategy
SUBMITTED BY: Cr Kester Moorhouse
FILE REFERENCE: qA1040
ATTACHMENTS: Nil

BACKGROUND

Cr Moorhouse has submitted the following Questions with Notice:

Can staff please provide an update on the progress of the Tree Strategy's 2022-2027 Action Plan? What resources have been made available for its implementation?

REASONS IN SUPPORT OF QUESTION

Nil

**RESPONSE TO QUESTION
PREPARED BY GENERAL MANAGER, GOVERNANCE & CIVIC AFFAIRS**

As Elected Members may recall, an Elected Members' Information Briefing Session was originally scheduled for 30 September 2024, to provide an update regarding the implementation of the Tree Strategy.

As the package of information for this Information Briefing Session was not completed, as Elected Members have been advised, this Information Briefing Session has now been re-scheduled to Monday 25 November 2024. An update on the progress of the Tree Strategy will be provided at that Information Briefing Session.

In terms of implementation of the Tree Strategy, staff from across the organisation are responsible for implementation of the various strategies and actions, with overall co-ordination of reporting through the former Manager, Strategy.

**7.2 QUESTIONS WITH NOTICE – IMPLEMENTATION OF INFORMATION TECHNOLOGY (IT)
STRATEGY - SUBMITTED BY CR SCOTT SIMS**

QUESTION WITH NOTICE: Implementation of Information Technology (IT) Strategy
SUBMITTED BY: Cr Scott Sims
FILE REFERENCE: qA1040
ATTACHMENTS: Nil

BACKGROUND

Cr Scott Sims has submitted the following Question with Notice:

Could Council staff please provide an update on the preparation of the Council's Information Services (IT) Strategy, including progress made and the anticipated completion timeline, as part of the 2024-2025 budget?

REASONS IN SUPPORT OF QUESTION

Nil

**RESPONSE TO QUESTION
PREPARED BY GENERAL MANAGER, GOVERNANCE & CIVIC AFFAIRS**

A Project Brief has been prepared and the Request for Tender documents are currently being finalised and is scheduled to be released by Wednesday, 6 November 2024.

The IT Strategy will be completed by 31 March 2025.

7.3 QUESTIONS WITH NOTICE – WORK-FROM-HOME POLICY - SUBMITTED BY CR SCOTT SIMS

QUESTION WITH NOTICE: Work-from-Home Policy
SUBMITTED BY: Cr Scott Sims
FILE REFERENCE: qA1040
ATTACHMENTS: Nil

BACKGROUND

Cr Scott Sims has submitted the following Question with Notice:

Could the Chief Executive Officer please advise if the City of Norwood Payneham and St Peters has a Work-from-Home Policy for staff, and if not, could he explain why?

REASONS IN SUPPORT OF QUESTION

Nil

RESPONSE TO QUESTION PREPARED BY GENERAL MANAGER, GOVERNANCE & CIVIC AFFAIRS

Section 99(1)(b) of the *Local Government Act 1999* sets out that the Chief Executive Officer is responsible for the day-to-day operations and affairs of the Council and in doing so, Section 103 of the Act stipulates that the Chief Executive Officer is “*responsible for appointing, managing, suspending and dismissing the other employees of the council (on behalf of the council)*”.

Further to this, Section 107 of the Act sets out the following in respect to the principles of human resource management (ie staff matters):

(2) *In particular, the chief executive officer must ensure—*

- (c) *that employees are treated fairly and consistently, and are not subject to arbitrary or capricious decisions; and*
- (f) *that employees are provided with safe and healthy working conditions.*

This means that Human Resource matters (ie staff related matters), including the preparation of employment related policies are operational and sit with a Council’s Chief Executive Officer – these matters do not fall within the jurisdiction of the Council.

Notwithstanding the above the response to the question is provided below.

As Elected Members are aware, the Council employees over 200 staff across a range of roles, including, Arts & Culture, Administration, Child Care, Civil Services, Engineering, Events, Horticulture Services, Libraries, Planning and Building, Swimming Centres, Regulatory Services, Traffic Management, Work, Health & Safety, etc. – many of these are ‘front-facing’ service roles.

All staff employed at the City of Norwood Payneham & St Peters are employed under the Local Government Employees Enterprise Agreement (Australian Workers Union) (ie Depot and Swimming Centres casual staff) and the Municipal Officers Enterprise Agreement (Administration, Library and Child Care Staff). These Enterprise Agreements cover items such as span of hours, leave and other employment related matters.

The Agreements ensure that all staff who are employed under these Agreements, are afforded equity in terms of the various provisions within the Agreement and conditions of employment.

This requirement reflects the basis of employment as set out in the Act for which the Chief Executive Officer is legally obliged to ensure and is responsible for.

In respect to hours of work, on the basis of staff covered by the Municipal Officers Enterprise Agreement working 38 hours per week, staff are automatically entitled to one (1) Rostered-Day-Off each month (ie a 19 day month) and staff covered by the Local Government Employees Enterprise Agreement (Australian Workers Union) are automatically entitled to a nine (9) day fortnight.

The Agreements also cater for hours of work in terms of the span of hours. For example, for staff covered by the Municipal Officers Enterprise Agreement the span of hours is from 7.00am until 7.00pm.

As Elected Members may be aware, the “work from home” phenomenon commenced during the COVID-19 pandemic when the Nation was in lock down.

These arrangements have, in some sectors of the economy, continued – noting that not all organisations have work from home arrangements.

Taking into account the “nature of the business” – the Council is the provider of services to its community – and the requirements of the Act and the Terms and Conditions contained in the respective Enterprise Agreements, the Council does not have a Working from Home Policy.

In respect to this Council, as with many Councils, its services range from Libraries, Field staff, Child Care Centre, Swimming Centres and Administration/Corporate. Put simply, working from home for Library staff, Field staff and Child Care Centre staff, just is not practical and indeed possible.

As such we have adopted an “equalitarian approach” to this issue, on the basis that not every staff member would have access to such an arrangement – that is, all staff are treated equally as we are one organisation.

Notwithstanding this, we have adopted a case-by-case approach that takes into account a staff member’s personal circumstances.

To this end, we provide flexibility in terms of managing staff members’ personal circumstances associated with health, parental duties, “quiet time” to write a report, and so on – noting that all staff, provided that they work 38 hours, have access to a Rostered-Day-Off and the span of hours from 7.00am to 7.00pm provide start and finish flexibility. A number of these personal arrangements are currently in place.

Whilst some organisations have work from home arrangements, it is becoming clear that in diverse organisations, the tensions between those who can and those who cannot work from home, will continue to come to the surface and it is understood this is occurring in some organisations.

As such, we believe that offering flexibility is at this stage, the best approach.

7.4 QUESTIONS WITH NOTICE – PROCESSES FOR BUILDERS OF MULTI-STOREY DEVELOPMENTS - SUBMITTED BY GRANT PIGGOTT

QUESTION WITH NOTICE: Processes for Builders of Multi-storey Developments
SUBMITTED BY: Cr Grant Piggott
FILE REFERENCE: qA1040
ATTACHMENTS: Nil

BACKGROUND

Cr Piggott has submitted the following Questions with Notice:

What processes are in place to ensure that builders of multi-storey developments in our City achieve the following:

- Compliance with legislation regarding time worked, noise, etc.
- Adherence to conditions required by Council for exemptions allowed
- Consideration for residential and business neighbours in respect to good and regular communication and mindfulness of the impact caused to adjacent properties?

REASONS IN SUPPORT OF QUESTIONS

Nil

RESPONSE TO QUESTIONS PREPARED BY MANAGER, DEVELOPMENT & REGULATORY SERVICES

There are a number of separate pieces of legislation which have some impact on the methods and manner in which the construction of multi-storey developments occur. Such legislation includes (but is not limited to) the following:

- *Planning, Development & Infrastructure Act 2016*;
- *Local Nuisance and Litter Control Act 2016*;
- *Local Government Act 1999*; and
- *Environment Protection Act 1993*.

It is also important to note, that a majority of multi-storey developments are granted Planning Consent by the State Commission Assessment Panel (SCAP). As part of the assessment process undertaken by SCAP, the Council can (and often does) suggest conditions which should be applied to any consent, however the discretion to impose such conditions rests with the SCAP.

The legislation referred above, works to prescribe a number of requirements that Applicants must adhere to, including:

- a general duty to not cause environmental harm;
- a requirement to construct any development in accordance with the approved plans;
- a requirement to adhere to any conditions of Development Approval;
- a requirement to limit the noise from construction activities on any Sunday or Public Holiday, or after 7.00pm and before 7.00am any other day so as to not cause a local nuisance;
- a requirement to avoid generating other forms of local nuisance;
- obtaining any relevant hoarding / public realm occupation permits;
- adherence to any approved traffic management plan; and
- notifying the Council and the public of certain works and road closures.

The Council employs two (2) staff who are, amongst other tasks, responsible for ensuring compliance with the above – the Public Realm Compliance Officer and Compliance Officer, Planning Services. Compliance is monitored and enforced in accordance with the Council's *Enforcement Policy* and includes the following:

- regular communication including:
 - initial site meetings;
 - regular inspections;
 - written correspondence and approvals;
 - written exemptions to the Local Nuisance and Litter Control Act; and
 - written permits and conditions.
- the assessment of permits and applications and the imposition of conditions.
- the issuing of Enforcement Notices, Abatement Notices and penalties as may be required.

The Council cannot compel an Applicant to have good working relationships with neighbours, however the Council actively encourages Applicants to do so by drawing their attention to other land uses in the area that may be impacted upon by their activities and encouraging regular communication and liaison.

7.5 QUESTIONS WITH NOTICE – CURRENT JOB VACANCIES AT THE CITY OF NORWOOD PAYNEHAM & ST PETERS - SUBMITTED BY CR GRANT PIGGOTT

QUESTION WITH NOTICE: Current Job Vacancies at the City of Norwood Payneham & St Peters
SUBMITTED BY: Cr Grant Piggott
FILE REFERENCE: qA1040
ATTACHMENTS: Nil

BACKGROUND

Cr Piggott has submitted the following Question with Notice:

Can the Chief Executive Officer please provide a list of all current job vacancies at the City of Norwood Payneham & St Peters and the status of their fulfilment?

REASONS IN SUPPORT OF QUESTION

Nil

**RESPONSE TO QUESTION
PREPARED BY CHIEF EXECUTIVE OFFICER**

STATUS OF VACANT POSITIONS – 1 NOVEMBER 2024	
Manager, City Services	VACANT: Recruitment to commence shortly.
Team Member, Civil Maintenance	VACANT: Recruitment in progress.
Team Member, Civil Maintenance	VACANT: Recruitment in progress.
Team Member, Civil Maintenance	VACANT: Recruitment in progress.
Leading Worker, Parks & Gardens	VACANT: Recruitment to commence shortly.
Volunteer Visitor Scheme Coordinator	VACANT: Recruitment in progress.
Coordinator, Volunteer Services	VACANT: Recruitment in progress.
*Coordinator, Children’s & Youth Services	VACANT: Recruitment in progress.
*Library Customer Services Officer	VACANT: Currently filled with a Temp Labour Hire.
*Lifelong Learning Programs Officer	VACANT: Recruitment in progress. Appointment to be made shortly.
Manager, Strategy	VACANT: Recruitment to commence shortly. Currently completing outstanding projects.
Economic Development Officer	VACANT: Recruitment in progress.
Corporate Planner	VACANT: Recruitment scheduled to commence in November.
Citizen Services Officer (0.6 FTE)	VACANT: Currently filled with Temp Labour Hire whilst resourcing is reviewed.
**Team Leader, Educator	VACANT: Filled via secondment.
**Team Leader, Educator	VACANT: Filled via an Acting Arrangement. Recruitment in progress.
**Educator	VACANT: Internal recruitment in progress.
**Cook	VACANT: Recruitment in progress.
Manager, Strategic Communications & Advocacy	VACANT: Recruitment in progress (interviews being scheduled).
Executive Assistant, Urban Planning & Environment	VACANT: Previous Executive Assistant accepted a new position in the Infrastructure & Major Projects Department. Recruitment on hold pending return of General Manager, Urban Planning & Environment.
Organisational Development Specialist	VACANT: Recruitment to commence shortly.
Manager, Traffic & Integrated Transport Planning Assistant	VACANT: Recruitment to commence shortly.
	VACANT: Suitable candidate not sourced. Currently filled with Temp Labour Hire.

Parking Inspector	VACANT: Currently filled with Temp Labour Hire. Recruitment in progress.
Parking Inspector	VACANT: Currently filled with Temp Labour Hire. Recruitment in progress.
Parking Inspector	VACANT: Currently filled with Temp Labour Hire. Recruitment in progress.
Team Member, Civil Maintenance	Preferred candidate has been selected & employment offer issued.
Leading Worker, Civil Maintenance	Preferred candidate has been selected & employment offer issued.
Team Member, Parks & Gardens	Preferred candidate has been selected & employment offer issued.
Team Leader, Collections & Digital Services	Preferred candidate selected. Letter of Offer to be issued.
Library Tech Operations Support Officer	Preferred candidate selected. Letter of Offer issued.
Acquisition Customer & Information Services Officer	Preferred candidate selected. Letter of Offer issued.
Senior Corporate Services Officer	Preferred candidate selected. Position to be filled on a fixed-term contract to manage restructuring of the Corporate Records System.
Manager, City Assets	This position has been combined with City Projects (i.e. Manager, City Projects & Assets). Salary allocated to this position has been re-allocated to a new position that will focus on Building Assets.
Project Manager	Salary from this position has been re-allocated to a new position that will focus on Building Assets (as above).
Senior Mechanic	This position is not being replaced. Salary for this position has been re-allocated to a new position in the City Services Field Staff.
Strategic Planner	Salary for this position has been redirected to undertake the preparation of the Building Assets Strategy that has been identified as a priority. Project to be outsourced.

* All vacant positions in the Library Services Unit are being filled through secondments of part-time, casual staff and temp labour hire pending the outcome of the Library Services Review. All vacant positions will be filled on this basis to 30 June 2025, to enable the implementation of the new staffing arrangements. Recruitment for permanent staff will occur once new staff structure is endorsed.

** Positions at the St Peters Child Care Centre & Preschool are flexible and dictated by staff to children ratios and needs.

8. DEPUTATIONS

8.1 DEPUTATION – PROPOSED CYCLIST CROSSING AT NELSON STREET AND HENRY STREET, STEPNEY

REPORT AUTHOR: General Manager, Governance & Civic Affairs
GENERAL MANAGER: Chief Executive Officer
CONTACT NUMBER: 8366 4568
FILE REFERENCE: qA1041
ATTACHMENTS: Nil

SPEAKER/S

Ms Shauna Potter

ORGANISATION/GROUP REPRESENTED BY SPEAKER/S

Not Applicable.

COMMENTS

Ms Shauna Potter has written to the Council requesting that she be permitted to address the Council in relation to the proposed cyclist crossing at Nelson Street and Henry Street, Stepney.

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

Ms Shauna Potter addressed the Council in relation to this matter.

8.2 DEPUTATION – PROPOSED CYCLIST CROSSING AT NELSON STREET AND HENRY STREET, STEPNEY

REPORT AUTHOR: General Manager, Governance & Civic Affairs
GENERAL MANAGER: Chief Executive Officer
CONTACT NUMBER: 8366 4568
FILE REFERENCE: qA1041
ATTACHMENTS: Nil

SPEAKER/S

Ms Fay Patterson

ORGANISATION/GROUP REPRESENTED BY SPEAKER/S

NPSP Bicycle Users Group (BUG)

COMMENTS

Ms Fay Patterson has written to the Council requesting that she be permitted to address the Council in relation to the proposed cyclist crossing at Nelson Street and Henry Street, Stepney.

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

Ms Fay Patterson addressed the Council in relation to this matter.

9. PETITIONS
Nil

10. WRITTEN NOTICES OF MOTION

10.1 WRITTEN NOTICE OF MOTION – CYCLIST CROSSING AT NELSON STREET AND HENRY STREET, STEPNEY – SUBMITTED BY CR KESTER MOORHOUSE

NOTICE OF MOTION: Cyclist Crossing at Nelson Street and Henry Street, Stepney
SUBMITTED BY: Cr Kester Moorhouse
FILE REFERENCE: qA1039
ATTACHMENTS: A

Pursuant to Regulation 12(1) of the *Local Government (Procedures at Meetings) Regulations 2013*, the following Notice of Motion has been submitted by Cr Kester Moorhouse.

NOTICE OF MOTION

That Council thanks the Department of Infrastructure and Transport (DIT) for undertaking investigations and design options for the Nelson Street and Henry Street intersection and requests that the Department investigate a broader range of active transport safety designs for this intersection, noting that some design options may result in some movement restrictions for motor vehicles.

REASONS IN SUPPORT OF MOTION

By way of background, at the 1 February 2021 Council meeting, the Council passed the following resolution:

1. *That the cyclist refuge at the intersection of Nelson Street and Henry Street be installed as contained in Attachment E.*
2. *The Council notes that an application will be made to the State Bike Fund for funding to cover 100% of the construction costs of the cyclist refuge at the intersection of Nelson Street and Henry Street.*
3. *That the Chief Executive Officer be authorised to make any minor amendments to the detailed design as necessary to finalise the documentation in a form suitable for construction.*
4. *The Council notes that should the State Bike Fund agree to fund 100% of the construction costs of the cyclist refuge at the intersection of Nelson Street and Henry Street, this project will proceed to tender and construction in the 2020-21 year.*
5. *That if funding is not received from the State Bike Fund, the Council notes that a Budget submission will be prepared for its consideration, as part of the Draft 2021-2022 Budget.*

However, at the 3 May 2021 meeting the Council voted to rescind that resolution and, in its place, passed the following resolution instead:

That a report be prepared for the Council's consideration on:

- (a) *the installation of a fully signalised or pedestrian activated crossing at the intersection of Magill Road and Frederick Street, Maylands, to allow safe passage for cyclists to Edward Street and then onto Beulah Road; and*
- (b) *the option of signalling the intersection of Henry Street and Nelson Street together with other options for providing safe access for cyclists to cross Nelson Street.*

The requested report was presented to Council at the 3 June 2024 Council meeting and it found that neither option (a) nor (b) were viable.

At the 4 March 2024 Council meeting the Council also passed a motion supportive of additional safe crossing points for pedestrians and cyclists on Nelson Street:

That the Council write a letter to The Hon Tom Koutsantonis MP, Minister for Infrastructure and Transport, and The Hon Joe Szakacs MP, Minister for Police, Emergency Services and Correctional Services (with responsibility for road safety) requesting:

- 1. the public release of the Intersection Efficiency and Road Corridor Planning Studies for Portrush Road and Payneham Road that commenced in 2020 and for Council to be consulted on implementation of any recommendations to improve road safety and pedestrian crossings stemming from these reports; and*
- 2. the reduction of the speed limit along Stephen Terrace and Nelson Street from 60km/h to 50km/h, as well as the introduction of additional safe crossing points for pedestrians and cyclists.*

The motion currently before Council seeks Council support for DIT to investigate all design options for the intersection, including design options which restrict motor vehicles from turning right at the intersection. This will help the Council meet its stated ambition to introduce additional pedestrian and cyclist safe crossing points across Nelson Street and be in keeping with the Citywide Cycling Plan.

The St Morris Bikeway is recognised as a significant metropolitan route which extends from Adelaide through Kent Town, Stepney, Maylands, Trinity Gardens, St Morris and then onwards through suburbs of Campbelltown City Council. As both Magil Road and North Terrace/ Payneham Road are widely perceived as unwelcoming and unsafe for cyclists, the St Morris Bikeway offers a safer route for cyclists to take. Nelson Street, however, is a daunting and unsafe barrier for cyclists travelling along the St Morris Bikeway. During peak hours there are often quite a few cyclists and pedestrians waiting for a safe opportunity to cross its four lanes of traffic, plus its turning lane. Improving safety at this intersection will attract additional cyclists to use the route who may otherwise feel too intimidated to cycle and be of benefit to commuters travelling the entire length of the St Morris Bikeway.

A bike refuge will also deter rat-running, as noted by BE Engineering Solutions in their January 2021 Traffic Impact Assessment Report on the intersection of Nelson Street and Henry Street; "The ban on right-turn movements at the intersection will deter any non-local through traffic and this traffic is likely to remain on the collector and arterial road network and reduce traffic volumes on Henry Street." The report also notes that there were five crashes at the intersection during the 2015-2019 period and all crashes were right-angle turns (refer to **Attachment A**).

Should the Council support this motion it would not bind the Council to give subsequent approval to any designs drafted by DIT. Nor would passing this motion have any financial implications for Council as 100% funding from the State Bike Fund could once again be sought.

STAFF COMMENT
PREPARED BY GENERAL MANAGER, GOVERNANCE & CIVIC AFFAIRS

At its meeting held on 3 June 2024, the Council considered a report regarding the investigations that were undertaken in relation to a proposal to install cyclist refuge at the intersection of Nelson and Henry Street, Stepney.

Following consideration of the matter the Council **noted** that the design options were not feasible as the options resulted in restrictions to vehicle turning movements. In addition, some of the options required the acquisition of land to facilitate the installation of a cyclist refuge.

The Notice of Motion which has been submitted by Cr Moorhouse, seeks to request the Department of Infrastructure and Transport (DIT), to investigate alternative options, including designs that may result in some movement restrictions for motor vehicles.

Cr Sims declared a general conflict of interest in this matter as he is a Member of the Norwood Payneham & St Peters Bicycle Users Group (BUG). Cr Sims advised that he would remain in the meeting and take part in the discussion and voting regarding this matter.

Cr Moorhouse declared a general conflict of interest in this matter as he is a Member of the Norwood Payneham & St Peters Bicycle Users Group (BUG). Cr Moorhouse advised that he would remain in the meeting and take part in the discussion and voting regarding this matter.

Cr Moorhouse moved:

That Council thanks the Department of Infrastructure and Transport (DIT) for undertaking investigations and design options for the Nelson Street and Henry Street intersection and requests that the Department investigate a broader range of active transport safety designs for this intersection, noting that some design options may result in some movement restrictions for motor vehicles.

Seconded by Cr Mex and carried unanimously.

Cr Moorhouse voted in favour of the motion.
Cr Sims voted in favour of the motion.

10.2 WRITTEN NOTICE OF MOTION – UPDATES ON KEY ELEMENTS OF COUNCIL ACTIVITIES – SUBMITTED BY CR VICTORIA MCFARLANE

NOTICE OF MOTION: Updates on Key Elements of Council Activities
SUBMITTED BY: Cr Victoria McFarlane
FILE REFERENCE: qA1039
ATTACHMENTS: Nil

Pursuant to Regulation 12(1) of the *Local Government (Procedures at Meetings) Regulations 2013*, the following Notice of Motion has been submitted by Cr Victoria McFarlane.

NOTICE OF MOTION

1. The Council notes the need for formalised updates regarding key elements of Council activities.
2. That the Council requests a monthly report from the Chief Executive Officer at each formal Council meeting that would include, but not be limited to, the following updates:
 - update on major projects (in planning, design, and construction) and asset renewal program;
 - register of Motions outstanding, including status and timeframes for implementation;
 - register of notifiable incidents, including near misses and injury days taken;
 - risk register;
 - organisational chart and list of open vacancies; and
 - any substantive operational, financial, project, or reputational risks and opportunities as they arise.

REASONS IN SUPPORT OF MOTION

The Council will recall the Motion made in May 2023 for a regular monthly report outlining key elements of Council activities. While the Motion in May 2023 was unsuccessful, undertakings were made in response to that request to provide regular reports from July 2023.

It is understood that staff vacancies delayed the provision of this report; however, a Corporate Reporting System has been developed since then and will soon be made available to Elected Members.

It is acknowledged that the administration currently provides updates on a raft of reports and information through various means, including formal Council meetings, committees, training, emails, informal conversations, and the Communique. However, it is noted that promptly accessing relevant information through these various avenues can sometimes be challenging for the recipient.

Simplifying reporting to a single monthly “Chief Executive Officer’s Report,” as outlined above, will improve the ability of Elected Members to be informed and stay up-to-date on the Council’s key activities and operations.

STAFF COMMENT
PREPARED BY GENERAL MANAGER, GOVERNANCE & CIVIC AFFAIRS

As Elected Members will recall, at its meeting held on 3 April 2023, the Council considered a Notice of Motion requesting that the Chief Executive Officer provide a monthly report to the Council regarding the following items:

- *Update on executive activity in respect to Work Health & Safety and any key statistics considered relevant (e.g. Near Misses, Days lost).*
- *Summary update (1-2 paragraphs) on progress of Capital Projects:*
 - *New assets budgeted to exceed \$250,000;*
 - *Renewal assets as a group; and*
 - *Other projects considered worthy of reporting by the CEO.*
- *List of vacant staff positions, date of the position becoming vacant and status of action for recruitment.*

The motion was Lost.

At that time, the Council was advised that:

At its meeting held on 7 March 2022, the Council endorsed the implementation of a quarterly project and corporate reporting system. This system was recommended to replace the ad-hoc method in which information is currently provided.

At the time, the Council was advised that the project would require considerable planning to ensure the implementation of the corporate reporting system is managed effectively and provides relevant and up-to-date information.

The Council was also advised that the implementation and ongoing reporting requirements would have a significant impact in terms of resources, both from a financial perspective and staff requirements and will require consideration by the Council as part of the Budget process.

The Notice of Motion seeks to implement a monthly reporting requirement, in addition to the quarterly reporting system which the Council has agreed to.

The finalisation of the Corporate Reporting System has unfortunately slipped and staff have been requested to finalise the system and make it operational by the end of December 2024.

In respect to the Motion which has been submitted by Cr McFarlane the following information is provided.

Update on Major projects (in planning, design, and construction) and asset renewal program

In terms of projects, regular updates have been provided at Information & Briefing Sessions, Council reports included as part of the Agenda for Council Meetings and via the Elected Members Weekly Communique.

The level of detail associated with the Project Update Status reports is intended to be included in the new Corporate Reporting system and provided on a quarterly basis.

Register of Motions outstanding, including status and timeframes for implementation

This information is included within the Communique.

Notwithstanding this, this information will be included in the new Corporate Reporting system.

Register of Notifiable Incidents, including near misses and injury days taken

As previously advised to the Council, in terms of Work, Health & Safety reporting, the Council should be (and is), made aware of significant issues which have the potential to create a liability issue for the Council. Likewise, work, health and safety matters of a strategic nature should and are reported to the Council.

In terms of reporting matters such as Near Misses and Days Lost, the Executive Leadership Team (ELT) focuses on strategic WHS issues, tracking WHS data/performance and monitoring the WHS Plan. These are operational and sit with the Chief Executive Officer and Executive Leadership team to review and consider.

This Council's approach is considered to be 'best practice' as it ensures that Senior Management are exercising due diligence and provide a forum for WHS monitoring and decision making and when necessary, matters are reported to the Council.

Risk Register

Section 126 (4)(h) of the *Local Government Act 1999* (the Act) provides that one of the functions of a Council's Audit & Risk Committee includes:

'reviewing and evaluating the effectiveness of policies, systems and procedures established and maintained for the identification, assessment, monitoring, management and review of strategic, financial and operational risks on a regular basis'.

In addition, Section 126(8)(a) of the Act provides that the Audit & Risk Committee must *'provide a report to the council after each meeting summarising the work of the committee during the period preceding the meeting and the outcomes of the meeting'*.

This means that the Council's Audit & Risk Committee is responsible for the management of risks on behalf of the Council and providing the Council with assurance on these matters. Agendas and Minutes of the Council's Audit & Risk Committee are provided to all Elected Members.

In this regard, as the Committee is now also required to present a report to the Council (the *Audit & Risk Committee General Report to the Council*), summarising the work of the Committee and the outcomes of the meeting, risk management matters will be presented to the Council as part of a separate report.

The Council's Governance Unit will prepare the *Audit and Risk Committee General Report* to the Council following each meeting of the Audit & Risk Committee. The Committee's Work Plan and the discussions, resolutions and proceedings of the Committee Meeting will inform the preparation of the report.

Organisational Chart and list of open vacancies

The Organisational Chart is available via the Council's website.

Notwithstanding this, the Organisational Chart is currently being updated to provide additional information regarding the functions under each department which will be provided via an Elected Member "intranet" as part of the Corporate Reporting system.

There will always be a number of vacant positions at any given time for various reasons (ie resignations, retirement, leave entitlements, finding the best candidate).

These are operational matters and are monitored by the Chief Executive Officer and General Managers.

Any substantive operational, financial, project, or reputational risks and opportunities as they arise.

Refer to the comments regarding the Risk Register.

Summary

As Elected Members are aware, a number of reporting mechanisms are currently in place, (ie Council reports, Information and Briefing Sessions, the Elected Member Weekly Communicue and more broadly, the Annual Report), and the new Corporate Reporting system.

The request to implement a monthly reporting system must be considered by the Council in the context of the objective for providing such reporting together with consideration of the impact on the organisation in terms of the resourcing requirements for such reporting and in terms of its value.

Whilst there is always value in reporting information that is relevant to the role of the Council, the Council must then adequately resource this function to ensure that any information reported is of value and meets the objective.

The new Corporate Reporting system is nearing completion and as set out above, staff have been requested to complete and have the system operational by the end of December 2024.

The new system will be presented to Elected Members following the completion of the testing phase.

Cr McFarlane moved:

1. *The Council notes the need for formalised updates regarding key elements of Council activities.*
2. *That the Council requests a monthly report from the Chief Executive Officer at each formal Council meeting that would include, but not be limited to, the following updates:*
 - *update on major projects (in planning, design, and construction) and asset renewal program;*
 - *register of Motions outstanding, including status and timeframes for implementation;*
 - *register of notifiable incidents, including near misses and injury days taken;*
 - *risk register;*
 - *organisational chart; and*
 - *any substantive operational, financial, project, or reputational risks and opportunities as they arise.*

Seconded by Cr Moorhouse.

Cr Holfeld moved:

That this matter be deferred until the January 2025 Council meeting, to allow for the information and presentation of the information within the Power BI corporate reporting system to be compared against the information requested in the Notice of Motion submitted by Cr McFarlane as part of Item 10.2 of the Council meeting held on 4 November 2024.

Seconded by Cr Sims.

Variation

Formal Motion

Cr Holfeld, as the mover of the motion, with the consent of Cr Sims as the seconder, sought leave of the meeting to vary the motion as follows:

That this matter be adjourned until the January 2025 Council meeting to allow for the information and presentation of the information within the Power BI corporate reporting system to be compared against the information requested in the Notice of Motion submitted by Cr McFarlane as part of Item 10.2 of the Council meeting held on 4 November 2024.

Mayor Bria put the request for leave to the meeting.

The meeting granted leave and the motion was varied as set out above.

The formal motion (as varied) was put and carried unanimously.

**10.3 WRITTEN NOTICE OF MOTION – STAFF RECRUITMENT PROCESSES – SUBMITTED BY
CR GRANT PIGGOTT**

NOTICE OF MOTION: Staff Recruitment Processes
SUBMITTED BY: Cr Grant Piggott
FILE REFERENCE: qA1039
ATTACHMENTS: Nil

Pursuant to Regulation 12(1) of the *Local Government (Procedures at Meetings) Regulations 2013*, the following Notice of Motion has been submitted by Cr Grant Piggott.

NOTICE OF MOTION

That the Chief Executive Officer prepare a Report for the December 2024 Council meeting, outlining the following:

1. Actions that have been taken or are planned to be taken to address recruitment and retention of staff.
2. Actions that have been taken or are planned to recruit appropriate personnel to fill job vacancies, and
3. Additional resources, if any, required by the Chief Executive Officer from Council to support the addressing of these issues.

REASONS IN SUPPORT OF MOTION

Like many organisations, the City of Norwood Payneham & St Peters is continuing to experience the loss of staff from throughout the tiers of the organisation. This places undue pressure on the organisation through the need for staff to shoulder greater responsibilities and the need to engage contract staff to a significant degree.

The 2023-2024 Audited Financial Statements report an underspend of \$1.089 million in Employee costs – approximately 6% of the annual budget. This equates to approximately 10 vacancies at the City of Norwood Payneham & St Peters throughout the year.

Financial report to the end of August 2024 (the first two months of this financial year) report an underspend of \$349,000 (on pace to be over \$2.0 million for the year if continued) – 11 % of planned spend not being used.

It is challenging to recruit staff in the current labour market, but we need to ensure that City of Norwood Payneham & St Peters achieves this ahead of other organisations. We need a plan and resources to do so. Council is keen to support the Chief Executive Officer to achieve this outcome and this Motion provides the Chief Executive Officer with the forum to share his plans and identify the resources needed to achieve the Plan.

**STAFF COMMENT
PREPARED BY CHIEF EXECUTIVE OFFICER**

A report, as requested in the Notice of Motion, can be provided to the December 2024 Council meeting.

Cr Piggott moved:

That the Chief Executive Officer prepare a Report for the December 2024 Council meeting, outlining the following:

- 1. Actions that have been taken or are planned to be taken to address recruitment and retention of staff.*
- 2. Actions that have been taken or are planned to recruit appropriate personnel to fill job vacancies, and*
- 3. Additional resources, if any, required by the Chief Executive Officer from Council to support the addressing of these issues.*

Seconded by Cr Robinson and carried.

11. STAFF REPORTS

Section 1 – Strategy & Policy

Reports

11.1 REVIEW OF E-SCOOTER PERMITS

REPORT AUTHOR: Sustainability Officer
GENERAL MANAGER: Chief Executive Officer
CONTACT NUMBER: 8366 4532
FILE REFERENCE: qA72872
ATTACHMENTS: Nil

PURPOSE OF REPORT

The purpose of this report is to consider the future operation of e-scooters in the City of Norwood Payneham & St Peters.

BACKGROUND

At its meeting held on 5 June 2023, the Council resolved the following:

1. *That continued operation of the e-scooter permits for a further eighteen (18) months until 31 December 2024 be endorsed, noting that the State Government is currently undertaking a review of legislation relating to e-scooters and other personal mobility devices.*
2. *That the Chief Executive Officer be authorised to write to the Minister for Infrastructure and Transport, advising of the outcomes of this report and seeking further authorisation through exemption of e-scooters under the Road Traffic Act 1961 until 31 December 2024.*

The Council has been operating the current e-scooter trial since 14 May 2021 and the current permits that have been issued to the two (2) commercial operators (Beam and Neuron) will expire on 31 December 2024.

The Cities of Adelaide, Norwood Payneham & St Peters and Charles Sturt are the remaining participants in the shared e-scooter trials in South Australia. The City of Unley ended its participation in the trial in February 2024, with other coastal councils, discontinuing their trials previously. The City of Adelaide trial permit ends on 30 April 2025. The City of Charles Sturt Coastal Park Trail trial permit ends on 31 October 2024.

Personal Mobility Devices (PMDs) are currently only permitted to be used on public infrastructure (public roads and paths), if approval has been granted by the Minister for Infrastructure & Transport. Only fleet-operated e-scooters are approved for use in a partnership between Councils and commercial e-scooter fleet operators.

For an e-scooter trial to legally operate within a Local Government Area in South Australia, two approvals are required:

1. **Ministerial approval.** E-scooters are currently not legally permitted to operate on public roads in South Australia and Ministerial approval is required to operate an e-scooter trial. The Gazettal Notice under Section 161A of the *Road Traffic Act 1961*, only permits e-scooters to operate under trial conditions, within a defined area (as agreed with the Council as part of its Use Case submission) and must comply with e-scooter trial laws and road rules: <https://mylicence.sa.gov.au/roadrules/e-scooter-trial>.
2. **Council approval.** The only e-scooters allowed to be used in the approved trial area as defined by the Minister's gazettal notice, are those operating subject to an e-scooter permit which has been issued by a Council.

New Personal Mobility Device legislation

Between 11 April and 21 May 2023, the Department for Infrastructure & Transport (DIT) released a Discussion Paper on Personal Mobility Device Use in South Australia. DIT sought community feedback on the future use of PMDs (e-scooters, e-skateboards, single-wheel self-balancing devices, segways). As Elected Members will recall the Council lodged a submission on the Discussion Paper.

Following consultation, the State Government introduced the *Statutes Amendment (Personal Mobility Devices) Bill 2024*. The Bill amends the *Motor Vehicles Act 1959* and the *Road Traffic Act 1961*, to provide a framework for allowing privately-owned PMDs to be used on roads and paths. It is anticipated that the legislation will be enacted in early 2025.

The State Government's justification for introducing legalisation to legalise the use of privately owned PMDs, is to provide greater mobility choice, promote transport equity and convenience and help to reduce congestion and emissions. The classification of PMDs means that these will be treated in the same way as a bicycle. The proposed changes to the regulations will:

- Permit privately owned e-scooters on public footpaths and pedestrian infrastructure, with a speed limit of 15km/h.
- Permit privately owned e-scooters on public roads when there is a default speed limit for vehicles of 50km/h on that road – with e-scooters permitted to travel at 25km/h.
- Require a helmet to be worn at all times.
- Prohibit privately owned e-scooters being used under the influence of alcohol or drugs.
- Require riders of an e-scooter to be aged 16 and older.

Once the PMD legislation is enacted, shared hire operators (such as Beam and Neuron) will no longer require approval to be granted by the Minister for Infrastructure & Transport. Operators will still require Council approval permits for storage or parking of devices on footpaths, which is considered as a use of council-controlled land for business purposes.

Beam underreporting of e-scooter deployment

In September 2024, there were media reports regarding accusations raised by some New Zealand and Australian Councils, that Beam were deliberately under reporting e-scooter deployments. Subsequently, several councils, including the Cities of Auckland, Brisbane, Canberra and Townsville, have cancelled permits for Beam to operate, citing evidence of deliberate under reporting of e-scooter deployment in their respective Local Government Areas. Under reporting is of significance as most of the commercial arrangements Councils have with e-scooter operators, are based on the number of deployed scooters and have caps on the maximum number allowed at any one time. In some instances, it has been reported in the media, that the accusations have been referred to the Australian Securities and Investment Commission (ASIC) and police in the relevant jurisdictions.

Like other Councils, this Council and the City of Adelaide, subscribes to shared e-scooter monitoring data via the shared reporting platform Ride Report. Following the revelations relating to Beam, Ride Report have undertaken an analysis of data to identify whether there are any anomalies to suggest data manipulation by Beam in the City of Norwood Payneham & St Peters and the City of Adelaide. This analysis assessed 'unknown' events, or absences of devices and spot checks of average numbers of e-scooters deployed. This found there were no discrepancies observed in the City of Norwood Payneham & St Peters and the City of Adelaide.

While no deliberate data manipulation was apparent in the City of Norwood Payneham & St Peters and the City of Adelaide, the accusations towards Beam still present a potential reputational, performance and operational risk to the Council. Therefore, if shared e-scooter operations are being considered to remain in Norwood Payneham & St Peters, approval for Beam's continued operation will need to be considered in light of these accusations and the cancellation by other Councils.

RELEVANT STRATEGIC DIRECTIONS & POLICIES

The relevant Outcomes and Objectives contained in the Council's Strategic Plan, CityPlan 2030, are set out below:

Outcome 1 Social Equity

An inclusive, connected, accessible and friendly community

Objective:

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

Outcome 3 Economic Prosperity

A dynamic and thriving centre for business and services

Objective:

3.1: A diverse range of businesses and services.

Outcome 4: Environmental Sustainability

A leader in environmental sustainability

Objective:

4.4. Mitigating and adapting to the impacts of a changing climate.

FINANCIAL AND BUDGET IMPLICATIONS

The Permits issued to operators incorporate a fee that generates a combined income to the Council of \$6,300 per annum, which is applied towards administrative costs such as the Ride Share mobility management platform.

EXTERNAL ECONOMIC IMPLICATIONS

The transport and parking convenience offered by shared mobility devices, combined with the City's close proximity to the Adelaide CBD, means that the City of Norwood Payneham & St Peters is attractive for shared mobility device operators and users.

Shared mobility devices have the potential to attract more visitors to the City. This is supported by results from previous e-scooter user surveys that have been conducted by operators in the City of Norwood Payneham & St Peters. The surveys by one operator of 92 respondents found 28% of users were from the City of Norwood Payneham & St Peters; 66% of users were from another Local Government Area in South Australia and 3% from another location (e.g. interstate).

Increased local accessibility through micro-mobility devices can also increase the level of patronage and expenditure for local businesses and events in the Council area. Another user survey showed that over 60% of users made a purchase shortly before or after their trip, demonstrating patronage of local businesses via users of these modes of transport.

E-scooter use also increases significantly during major events, such as Gather Round and the Adelaide Fringe.

SOCIAL ISSUES

Shared mobility device schemes offer a convenient and affordable mode of transport to people who may not have the capacity or desire to travel by private car, ride share or taxi. This in turn can contribute to a healthier, more connected and more active community.

The flexibility offered by shared mobility devices can contribute to a reduction in reliance on car use and ownership, as part of a growing diversity of available options for accessible and convenient transport alternatives.

CULTURAL ISSUES

Not Applicable.

ENVIRONMENTAL ISSUES

Shared mobility devices, such as e-scooters are known to replace car journeys and therefore reduce carbon emissions and air pollution and congestion. Additionally, shared mobility device schemes provide a link for passengers to public transport, by offering a low-cost faster option of travelling to and from public transport stops (first and last mile transport).

User data shows that in the City of Norwood Payneham & St Peters, most shared mobility device trips are quite short; 57% of trips are under 10 minutes and 89% of trips are under 20 minutes in duration. 88% of trips are less than 3 kilometres.

Both current operators charge e-scooters using renewable electricity and have additional operation wide environmental sustainability and carbon mitigation commitments.

RESOURCE ISSUES

While resources dedicated to the ongoing management of the scheme has reduced over time, it is anticipated that continuation of a shared e-scooter scheme will require an increase of staff resources for the purposes of conducting a new Expression of Interest/tender and reviewing aspects of the schemes design and conditions, such as parking/docking locations.

RISK MANAGEMENT

The Council has responded to areas of possible risk by adjusting the operational requirements through Permit conditions and requests to the operators. For example, some narrow streets or locations with no footpaths or narrow laneways and car parking areas have been designated 'No Parking Zones' to prevent users leaving devices in dangerous locations (either blocking traffic, car parks or pedestrian access). Response times for notification of dangerously located devices has generally been adhered to by operators through the Permit terms.

It is anticipated that further, more strategic consideration of these impacts will be required in determining the long-term future of shared e-scooter services.

CONSULTATION

- **Elected Members**
Not Applicable.
- **Community**
Not Applicable.
- **Staff**
Manager, Urban Planning & Sustainability.
- **Other Agencies**
Beam.
Neuron.
City of Adelaide.
Ride Report.

DISCUSSION

The e-scooter trial was initiated as shared mobility schemes offer a low-emission mobility option, contributing to reductions in congestion and car-parking issues in the City and a more equitable, diverse, convenient and accessible transportation network.

As development intensifies in the City of Norwood Payneham & St Peters and surrounding areas, pressures on transport congestion and parking will continue to increase. Shared mobility and PMDs should be considered in light of these trends, while balancing against any safety and public amenity concerns.

An evaluation of the key usage trends, safety issues and community feedback are outlined below.

E-scooter use and deployment

The number of trips (measured both by trip start and trip end) in the City of Norwood Payneham & St Peters has continuously declined each year since the start of the trial period. Table 1 outlines the numbers of trips per year and median daily trips for the last three financial years for both providers combined.

TABLE 1: TOTAL ANNUAL AND MEDIAN DAILY TRIPS (MEASURED BY TRIP START AND TRIP END)

Year	Annual Trip start total	Daily Trip starts median	Annual Trip end total	Daily Trip ends median
2021-22	42,570	102	51,465	118
2022-23	32,055	76	40,407	93
2023-24	24,581	56	29,036	66

Usage increases significantly during events such as the Adelaide Fringe, the Adelaide 500 and the AFL Gather Round. Daily usage patterns indicate that weekends and nighttime use is the most common. Some commuter use is indicated by slight peaks in morning and evening peak traffic periods.

The average trip per e-scooter per day is approximately 0.3 trips. Below 0.3 trips per day per e-scooter average is a trigger within the permit for each operator for a review of e-scooter deployment numbers.

In response to changes in customer demand, e-scooter providers have changed the boundaries of their operations, within the permitted operating areas. Recently, Beam significantly reduced its operating boundaries, with e-scooters now restricted to Kent Town, Hackney, College Park and a small portion of western Norwood. Future commitment to e-scooter deployment could be a consideration in any future procurement process for e-scooter operators.

E-scooter complaints and feedback

In the previous report that was considered by the Council on 5 June 2023, staff outlined an ongoing reduction in the number of complaints to Council regarding the shared e-scooter scheme. The past 12 months has been consistent with this trend with four (4) complaints being received. Three complaints related to obstructions caused by incorrect/inappropriate parking and one related to customer service received from an operator relating to vehicle damage from a parked scooter.

It is likely that the decline in complaints and feedback over time is also a consequence of the growing familiarity with the presence of e-scooters and not entirely aligned with changes in behaviours of users or complainants have simply ceased complaining.

Interstate experience

In other jurisdictions, the experience with PMDs has continued to evolve in a similar manner to Adelaide. Victoria and Brisbane have legalised the private use of PMDs. In Victoria there was initially a trial shared e-scooter scheme, as in South Australia, operating in the City of Melbourne, City of Yarra and City of Port Phillip. In April 2023, the Victorian Government extended its approval for e-scooter schemes to apply across Victoria, meaning that any council could approve shared e-scooter operators within their area.

The City of Melbourne has recently ended shared e-scooter operations on 24 September 2024, citing misuse of e-scooters and associated safety risks for this decision. In response neighbouring councils, Darebin, Merri-bek and Moonee Valley councils have announced a commitment to work together to continue to provide shared e-scooter services. Shared e-scooter programs are also operating in other parts of the country, including NSW and the Northern Territory.

Safety

As indicated above, there are methods applied to reduce safety risks associated with the use of e-scooters. Operators implement speed limit, no parking and restricted use zones using geolocation technology. Reports of accidents have gradually decreased over time as have reports associated with inappropriate parking.

The Council's response to the State Government's consultation process, highlighted a range of safety related issues facing active transport options, including bicycles and PMDs. Existing painted bicycle lanes on roads with motor vehicles travelling at speeds greater than 30km/h do not provide separation, are often not wide enough for cyclists, located in dooring areas and abruptly end or disappear at intersections or areas with timed parking. The inadequate safety and comfort afforded by active transport infrastructure is particularly impactful on the experience of women, children and the elderly.

The proposed State Government changes to allow private use of PMDs, incorporate notable changes such as allowing use on roads with speed limits under 50km/h and permitting travel speeds for on road use of up to 25km/h.

The Council will continue to seek improvements in shared e-scooter safety through working with partners and operators, improving permit conditions and ongoing monitoring of shared e-scooter operator performance.

Future Demand

As indicated earlier in the report, demand for e-scooters has gradually reduced. It is difficult to know whether this demand is close to plateauing and what a future stable demand level is likely to be. Regardless, even with a lower demand, deployed numbers of e-scooters can be adjusted by operators assuming that continued operation in this market is deemed to be viable by them.

An additional unknown is the impact on demand for shared e-scooters from the introduction of the PMD legislation allowing private use of e-scooters and other PMDs, anticipated in early 2025. Neuron have indicated that they are hopeful that the PMD legislation will include provisions that enable them to improve the product offering to consumers and Councils. This includes improved device useability and comfort, increased speeds for on-road use and improved geolocation capabilities for more accurate device monitoring. The broader legalisation of the use of PMDs will also provide a more stable longer term operating environment.

Lower demand for the shared e-scooter scheme is not necessarily a concern, if Council is satisfied that the operators can continue to operate at the levels of compliance stipulated by permit conditions, in terms of things such as safety, amenity, operational responsiveness and reporting. Even at lower numbers, shared e-scooters can still provide a sustainable alternative transport option to car use.

Alignment with City of Adelaide and other Councils

To date, the trial has existed only in conjunction with the City of Adelaide. The majority of trips occur within the CBD and North Adelaide. It is questionable whether e-scooter operators will be interested in operating without the ongoing participation of the City of Adelaide. Therefore, if this Council continues to support the use of shared e-scooters, confirmation of the City of Adelaide's ongoing approval for e-scooter schemes and coordination on any future Expression of Interest /tender processes, scheme design and improvements will be critical.

Due to the misalignment between the City of Norwood Payneham & St Peters permit period (31 December 2024) and the City of Adelaide's permit period (30 April 2025), should Council continue to support the operation of a shared e-scooter scheme, seeking an extension of the permit and Ministerial approval, to align with the City of Adelaide's permit expiry date, would be logical to enable discussions to be held on future options for shared mobility beyond this date.

This would enable consideration of changes to permit conditions and exploration of options for a new procurement process and improvements to shared e-scooter operations.

OPTIONS

Option 1: Short-term extension of e-scooter trial permits

This option would enable the e-scooters to continue operation for a further four (4) months (to 30 April 2024) to coincide with the expiry of the permit period in the City of Adelaide and enable coordinated consideration and decision on the long-term future of shared e-scooter operation.

This will also provide additional time in which it is expected that the State Government will have finalised and enacted legislation to legalise the private use of PMDs.

This is the recommended option.

Option 2: Long-term extension of e-scooter trial permits

This option provides a longer-term commitment to a shared e-scooter trial. However, given the ongoing operation and viability of a shared e-scooter scheme is likely to be dependent on the commitment of the City of Adelaide, this is not a recommended option.

Option 3: Discontinue shared e-scooter operations

Under this option the Council could choose not to extend the shared e-scooter scheme due to public perceptions relating to public nuisance and safety concerns.

Assuming a shared e-scooter scheme is still operating in the City of Adelaide, it is possible that Council could reconsider and permit operators at a future stage. However, this option is not recommended due to the sustainability benefits of the scheme, as outlined above and the benefits of the partnership with the City of Adelaide and other stakeholders in managing the scheme.

CONCLUSION

While use of e-scooters has declined over time, the devices continue to provide a sustainable and affordable transport mode. In the context of continued intensification of urban development and population growth, maximising the availability of alternative transport options will be critical to maintaining and improving the liveability of the City of Norwood Payneham & St Peters and Adelaide as a whole.

If sufficient demand is maintained and operators of shared e-scooter programs continue to want to operate, a key focus should be on improvement to the services and public experience of the scheme.

COMMENTS

Nil.

RECOMMENDATION

1. That an extension of the e-scooter permits to Beam and Neuron until 30 April 2024, be endorsed for the purposes of aligning with the permit period of the City of Adelaide, noting that Council staff will work with the City of Adelaide during this period and a report will be provided to Council on the long-term future for the operation of a shared e-scooter scheme.
2. That the Chief Executive Officer be authorised to write to the Minister for Infrastructure & Transport, advising of the outcomes of this report and seeking further authorisation through exemption of e-scooters under the *Road Traffic Act 1961* until 30 April 2025, or until such time as the proposed PMD legislation is enacted, removing the need for this authorisation.

Cr Clutterham left the meeting at 8.37pm.
Cr Piggott left the meeting at 8.37pm.
Cr Piggott returned to the meeting at 8.38pm.
Cr Clutterham returned to the meeting at 8.39pm.

Cr Sims moved:

- 1. That an extension of the e-scooter permits to Beam and Neuron until 30 April 2025, be endorsed for the purposes of aligning with the permit period of the City of Adelaide, noting that Council staff will work with the City of Adelaide during this period and a report will be provided to Council on the long-term future for the operation of a shared e-scooter scheme.*
- 2. That the Chief Executive Officer be authorised to write to the Minister for Infrastructure & Transport, advising of the outcomes of this report and seeking further authorisation through exemption of e-scooters under the Road Traffic Act 1961 until 30 April 2025, or until such time as the proposed PMD legislation is enacted, removing the need for this authorisation.*

Seconded by Cr Granozio and carried unanimously.

11.2 GREATER ADELAIDE REGIONAL PLAN SUBMISSION

REPORT AUTHOR: Senior Urban Planner
GENERAL MANAGER: Chief Executive Officer
CONTACT NUMBER: 8366 4561
FILE REFERENCE: qA82455
ATTACHMENTS: A - F

PURPOSE OF REPORT

The purpose of this report is to present for the Council's endorsement, a draft submission in response to the State Government's draft Greater Adelaide Regional Plan.

BACKGROUND

The State Planning Commission has invited public comment on the draft *Greater Adelaide Regional Plan* which will replace the 2017 *30-Year-Plan for Greater Adelaide*.

The draft Council submission is contained in **Attachment A**.

Under the *Planning, Development and Infrastructure Act 2016* (PDI Act), Regional Plans are prepared by the State Planning Commission and must be approved by the Minister for Planning. The State is divided into five regions for planning purposes. The City of Norwood Payneham & St Peters is one of 15 Local Government Areas in the Greater Adelaide Region.

A Regional Plan defines the South Australian Government's long-term vision for growth, integration of land use, transport and the public realm and the application of State Planning Policies in the region.

The draft Regional Plan includes recommendations about the application of the Planning & Design Code (the Code), in the region and defines actions such as future amendments to the Code.

The draft Regional Plan (refer to **Attachment F**) has been released for public consultation for a period of six (6) weeks from 23 September to 4 November 2024. As 4 November 2023 is also the date of this Council meeting, staff have received confirmation that the Council is able to submit its final endorsed submission by 6 November 2024.

The consultation period has been reduced and is much shorter than the anticipated twelve (12) weeks (which was the duration of the Kangaroo Island Regional Plan consultation undertaken earlier in the year). The condensed consultation period is an effort to 'fast track' the Greater Adelaide Regional Plan, and justified on the basis that it is driven by the State Government's 'Housing Roadmap' reforms which seek to address the State's current housing crisis. It is considered that the shorter consultation period will limit the effectiveness of the consultation.

In August 2023, a draft Discussion Paper was released identifying issues and options for early consultation relating to the review of the regional plan. The Council provided a submission which is included as **Attachment B**. The Discussion Paper was accompanied by recent population projections and an analysis of land supply.

Subsequently, during 2024, the following investigations were undertaken for the State Planning Commission to inform preparation of the draft Greater Adelaide Regional Plan:

- Greenfields and Township Investigation
- Transit Corridors and Targeted Infill Study
- Industrial Employment and Activity Centre Strategies
- Regional Open Space Strategy
- Housing Diversity Study
- Targets and Measures Review.

Much of this material is not available or has been issued in an abbreviated form in a Technical Report.

In addition, the following documents are referenced in the Regional Plan but are not currently available (and in some cases are incomplete):

- 20-year Infrastructure Strategy (superseding the State Infrastructure Strategy)
- Transport Plan
- Public Transport Plan
- Social Infrastructure Benchmarking framework
- Structure planning guidelines
- Infrastructure Capacity Analysis
- Employment Lands Strategy
- Prioritisation Guide.

The draft Regional Plan envisages a role for Local Governments in implementing targets and undertaking local strategic planning and planning investigations. For Local Governments to play an effective role, there needs to be greater transparency, data access, role clarity and integration of infrastructure and land use planning across the region and sub-regions. Partnership and sharing of information is required to unlock Local Government's capacity to contribute.

It should also be noted that a Transport Plan and a Public Transport Plan are future actions, yet to be implemented. This is likely to mean that, at least for an interim period, the Regional Plan will fall short of delivering a comprehensive integrated transport and land use vision.

The submissions from the Council and the Local Government Association on the 2023 Discussion Paper emphasised a need for greater integration of land use and infrastructure planning. This is now a lost opportunity.

Like the 2023 Discussion Paper, the draft Regional Plan promotes strategic infill for mixed use including housing in the Stepney Triangle.

The Stepney Triangle contains employment lands (currently zoned Employment in the Planning and Design Code) identified by the Council for further investigation as a Stepney food and beverage manufacturing precinct.

As endorsed by the Council at its meeting held on 3 July 2023, the Council is committed to a strategic review of employment lands in Glynde and Stepney which will, amongst other things seek to:

- “g) identify threats and challenges to existing and future land use in Glynde and the Stepney Triangle to determine if there is a need for Council to prepare a Code Amendment to provide certainty to existing and potential food and beverage manufacturers regarding long-term planning and investment in the sector...”*

On 1 September 2023, Mayor Bria on behalf of the Council, wrote to the Chair of the State Planning Commission seeking the Commission's early response on the Glynde and Stepney Food and Beverage Manufacturing Precinct concept (refer **Attachment C**). Since receipt of an early but relatively non-committal response from the Commission (**Attachment D**), the Commission's position has resolved in favour of a housing-led urban renewal, affecting the whole of Stepney Triangle. This position does not embrace the Council's concept. As explained in the Council's submission on the 2023 Discussion Paper, this could displace sensitive uses close to existing manufacturing and other business activities likely to affect residential amenity.

The draft Regional Plan includes the Stepney Triangle (but not Glynde) as one of several State-significant urban renewal areas close to the CBD (like Kent Town, Glenside, Keswick Barracks etc), with the intent of creating “mixed-use environments that are attractive places for people to live and work”.

As Elected Members will recall, Council recently commissioned ACIL Allen, an independent economic, policy and strategy advisory firm, to conduct an Economic Market and Strategic Options Analysis for the Glynde and Stepney employment precincts – refer August 2024 Economic Development Advisory Committee agenda:

https://www.npsp.sa.gov.au/files/22768_b_and_edac_agenda_13_august_2024.pdf?v=952

This analysis found that the growth in food manufacturing in recent years and increased focus on advanced manufacturing in South Australia and Australia, underpins the strategic importance of protecting these Employment Lands for mixed or light industrial use with an increasing focus on feed and beverage manufacturing where possible. Further, the presence of Employment Lands so close the city is a major asset given the limited industrial land and increasing pressures from residential infilling and population growth.

RELEVANT STRATEGIC DIRECTIONS & POLICIES

The Regional Plan has the potential to affect many of the Council's Strategic Directions and Policies.

FINANCIAL AND BUDGET IMPLICATIONS

Preparation of a draft response to the draft Regional Plan has been undertaken with existing resources.

EXTERNAL ECONOMIC IMPLICATIONS

As the State Government's blueprint for planning and development, the Regional Plan will have a range of implications for economic development within the City of Norwood Payneham & St Peters.

SOCIAL ISSUES

The Regional Plan has the potential to shape the City's social profile and delivery of community infrastructure associated with future development.

CULTURAL ISSUES

The Regional Plan has the potential to influence the extent to which the cultural heritage is protected and enhanced in the built environment and landscape.

ENVIRONMENTAL ISSUES

The Regional Plan has the potential to influence the effectiveness of environmental management and protection, including in relation to green cover, water resources, air quality, noise, and impact of climate change.

RESOURCE ISSUES

While the *PDI Act* does not directly oblige the Council to carry out investigations or other responsibilities relating to a review of the Regional Plan or its implementation, there are expectations at community and State Government level, that the Council cooperatively aligns strategic outcomes with local planning, works and services. This can be done using existing staff and allocated resources. Noting that this carries some risk in terms of the Council's reputation and influence, another option involves the State government undertaking implementation that might normally have fallen to the Council to do. (While the *Local Government Act 1999* assigns a more general local strategic planning role, cited in the draft Regional Plan, this is an overarching obligatory role linked to all local government functions, including those associated with the Regional Plan but also many and diverse separate areas of decision-making, service provision etc.).

RISK MANAGEMENT

The review of the Regional Plan involves a suite of risks and opportunities that are important to monitor and respond to as an advocate for the community such as through preparation of an effective submission on the Discussion Paper in 2023. A response to the draft Regional Plan can supplement the earlier submission.

There is reputational risk in not responding. The Regional Plan has the capacity to drive significant change to the urban environment and conditions experienced by the community and visitors. There is also corporate risk if the emerging regional planning policy framework does not match the Council's objectives to the greatest extent possible. There are also strategic risks, for example, if long term objectives relating to economic development and the Stepney Triangle are undermined by the Regional Plan.

While there is diminished opportunity for Local Government to lead and influence strategic land use planning under the PDI Act, the attached draft submission, together with ongoing dialogue with the State Planning Commission, hopefully should assist in going some way towards mitigating these risks.

State agencies not sharing key data and analyses that impinge on local governments' capacity to undertake purposeful local area planning is a key risk that should be articulated and addressed in the submission.

It is important to note that the Regional Plan will guide amendments to the *Planning & Design Code*, including Code Amendments initiated by private proponents as well as by State and local government.

CONSULTATION

- **Elected Members**

Unlike September 2023, as part of the Discussion Paper consultation, where an Elected Member Information Briefing was held with representatives of the State Planning Commission, the only opportunity for Elected Members to be briefed on the draft Regional Plan was a session organised by the Commission for Elected Members from all Greater Adelaide Councils. This briefing occurred online via Teams on Tuesday 24 September 2024 at 10:00am and was notified via the weekly Communique to Elected Members on 12 September 2024. In a pre-engagement meeting with representatives of the State Planning Commission, staff requested a specific briefing on the Regional Plan for this Council, however this request was not heeded.

- **Community**

The State Planning Commission is responsible for ensuring adequate levels of community engagement on the draft Regional Plan. The Commission held several community events. At this stage, the level of attendance is unknown.

- **Staff**

Manager, Urban Planning & Sustainability

- **Other Agencies**

Planning & Land Use Services, Attorney General's Department
Local Government Association - which organised a workshop for local government planners on the draft Regional Plan which was attended on 9 October 2024.

It is noted that the abbreviated 6-week consultation period adopted by the State Planning Commission and limited transparency of the process more generally, precluded effective engagement of community stakeholders in preparing the Council's response.

DISCUSSION

Regional Planning Process and Format

Investigations for the review of the *Greater Adelaide Regional Plan* proceeded with limited and uneven involvement of Local Government, other than during the Discussion Paper consultation period in late 2023.

The draft Regional Plan indicates that the State Government is seeking to plan for:

1. Population growth of up to 670,000 people.
2. The construction of up to 315,000 additional homes.
3. The creation of up to 254,000 additional jobs.

The main thrust of the draft plan is structured around six key outcomes:

1. More housing in the right places.
2. Liveable, accessible and inclusive communities.
3. A strong economy built on a smarter, cleaner future.
4. A greener, wilder and more climate-resilient environment.
5. An integrated and connected region.
6. Coordinated delivery of land use and infrastructure planning.

The last two outcomes (5 and 6) are additional to those proposed in the 2023 draft Discussion Paper. However, concerns remain that there is still much work needed to effectively address the nexus between infrastructure/connectivity and land use planning in a sufficiently integrated way.

The draft Regional Plan has been delivered in an online format via an interactive regional planning platform. A downloadable PDF document is also available. The draft submission prepared (**Attachment A**) follows the structure of this document. An accompanying on-line dashboard provides greater spatial resolution and clarity, as well as a summary, information sheets and FAQs, all available via the YourSAy website: <https://yoursay.sa.gov.au/greater-adelaide-regional-plan>

Key Proposals and Themes

An initial review of the draft GARP has indicated the following key proposals or themes of greatest interest to this Council:

Housing Targets

Although the draft Regional Plan covers a range of factors relating to the future development and direction of the Greater Adelaide region, it has a strong focus on the provision of housing. It includes housing targets broken down into Local Government Areas and the target established for this Council is 2100 new dwellings, to be constructed by 2031. The supporting information indicates this City is 'on track' with respect to the number of new dwellings that have been recently constructed, however further analysis is required to determine how this target compares with the longer-term trend of new development occurring in the City of Norwood Payneham & St Peters.

State-Significant Infill Areas

Areas with potential for 'state significant' urban renewal and infill have been identified across Greater Adelaide and include existing and future Urban Corridor Zones, 'underutilised' employment lands, areas with older public housing stock, regional centres, and opportunities for higher densities near transport and other services. In the City of Norwood Payneham & St Peters., State-significant infill areas have been identified in Stepney, Kent Town, and along portions of arterial roads, as indicated in blue in the attached Map 1 (**Attachment E**). In some locations this State Significant Infill reflects existing Urban Corridor Zones, but it also indicates future corridor zoning along arterial roads, and notably a shift from light industry to mixed use / urban renewal in the Stepney Triangle. The draft Regional Plan indicates these proposed development areas would be implemented through 'State government leadership', which implies a future rezoning through State government Code Amendments or similar high-level coordination to facilitate urban renewal. It is worth noting the State-significant infill areas are intended to be implemented in stages across the 30-year timeframe of the Regional Plan, however no specific timeframes or prioritisation has been indicated.

Local Infill Investigation Areas

Local infill investigation areas have been identified as areas which could provide opportunity for more diverse housing options and small-scale employment opportunities, subject to further investigation and potential local government coordination (e.g. through infrastructure provision or Council-led rezoning). In the City of Norwood Payneham & St Peters, local infill investigation areas have been identified by the State Planning Commission in Marden, Payneham South, Firle (including the Firle Shopping Centre and surrounds) and along a portion of Portrush Road, north of Magill Road as indicated in yellow on Map 1 in **Attachment E**.

These areas appear to primarily be residential zones which are not within the Character or Historic Area Overlays and which have not already seen larger scale infill development such as the Housing SA renewal developments in Felixstow and Marden. Some of these areas (for example in parts of Firle) are already zoned Housing Diversity Neighbourhood Zone, where the Code policy allows for higher density living. Other zones affected include the General Neighbourhood Zone across much of Payneham South for example, and smaller areas in the Community Facilities Zone, Suburban Activity Centre Zone (at Firle), Employment Zone and the Suburban Business Zone (the latter two along Portrush Road in Trinity Gardens).

As the Council has been assigned no effective role in the current regional planning process to date and is not privy to much of the investigative work done so far, it is difficult to know whether this would be a priority for the Council to pursue further or if information to help clarify this and/or undertake further investigations would be readily available. It appears that local government more generally has been more disempowered than empowered by the process to date. This is in large part because the information flow to enable an effective response has been very limited.

Hopefully a greater focus on integrating and resolving the planning roles undertaken at different levels of government will emerge to help refine the content and delivery of the plan.

Employment Land

The draft GARP maps existing 'employment land' (employment generating land including industry and other businesses) and outlines a projected shortfall of employment land in the inner metropolitan area of 41 hectares by 2051. Yet, the draft Regional Plan lacks a clear commitment to preserve local level employment lands. Of particular concern is the aforementioned identification of Stepney as a State-significant infill area, which is at odds with the Council's current vision for the Stepney triangle to remain a light industrial precinct with a potential focus on food and beverage manufacturing.

Protection of employment lands in existing built-up areas will be important to supporting the concept of living locally and working.

Expansion of the Affordable Housing Overlay to include Historic Areas and Character Areas

The Affordable Housing Overlay of the Planning and Design Code is proposed to be expanded to apply to all 'residential' zones (as foreshadowed in the State Government's Housing Roadmap) including those which are in existing Historic Areas or Character Areas.

While the provisions of the Historic Area / Character Area Overlays in the Planning and Design Code will still apply, the Affordable Housing Overlay offers incentives such as increased density and height, and in relation to car parking rates. The Assessment Provisions in the Affordable Housing Overlay, include the following Performance Outcomes:

PO 2.1

Affordable housing is designed to complement the design and character of residential development within the locality.

PO 3.1

To support the provision of affordable housing, minimum allotment sizes may be reduced below the minimum allotment size specified in a zone while providing allotments of a suitable size and dimension to accommodate dwellings with a high standard of occupant amenity.

DPF 3.1

The minimum site area specified for a dwelling can be reduced by up to 20%, or the maximum density per hectare increased by up to 20%, where it is to be used to accommodate affordable housing except where the development is located within the Character Area Overlay or Historic Area Overlay.

PO 3.2

To support the provision of affordable housing, building heights may be increased above the maximum specified in a zone.

DPF 3.2

Where a building incorporates dwellings above ground level and includes at least 15% affordable housing, the maximum building height specified in any relevant zone policy can be increased by 1 building level in the:

- a. Business Neighbourhood Zone
 - b. City Living Zone
 - c. Established Neighbourhood Zone
 - d. General Neighbourhood Zone
 - e. Hills Neighbourhood Zone
 - f. Housing Diversity Neighbourhood Zone
 - g. Neighbourhood Zone
-

- h. Master Planned Neighbourhood Zone
- i. Master Planned Renewal Zone
- j. Master Planned Township Zone
- k. Rural Neighbourhood Zone
- l. Suburban Business Zone
- m. Suburban Neighbourhood Zone
- n. Township Neighbourhood Zone
- o. Township Zone
- p. Urban Renewal Neighbourhood Zone
- q. Waterfront Neighbourhood Zone

and up to 30% in any other zone, except where:

- a. the development is located within the Character Area Overlay or Historic Area Overlay
or
 - b. other height incentives already apply to the development.
-

Importantly the above Design Performance Features (DPF) 3.1 and 3.2 are illustrating only **one** way of meeting the associated Performance Outcomes with their height and site area incentives (ie. PO 3.1 and PO 3.2 respectively). Therefore, it cannot be concluded that the height and site area incentives would not apply if and where the Affordable Housing Overlay overlaps the Character Areas Overlay and Historic Areas Overlay as proposed without further amendments to clarify the intent. The proposed action of adding the Affordable Housing Overlay is likely to result in considerable confusion about intent and may impact on the layout and design quality in historic and residential character locations, which is of concern. Possibly DPF 3.2 is only likely to apply in redevelopment of larger (and atypical) sites like an existing aged care or retirement home complex, however, there is far too much ambiguity in the existing Code provisions set out above and greater clarity and protection for the protection of historic and other significant character attributes is required.

Further, there is a need to examine the effectiveness of the Affordable Housing Overlay provisions based on recent outcomes as a precursor to considering applicability to any new areas.

The Council has already corresponded with the Commission about the need for better clarity about height policy in Historic Areas and is seeking to address this issue, in part, through a review of Historic Area Statements. This is emphasised in the attached draft Council's submission as well the need for a more general review of the effectiveness of housing affordability policies and stronger support for improved policies in the Historic and Character Area Overlays,

Other Key Issues

The November 2023 submission by the Council and the submission of the Local Government Association on the Greater Adelaide Regional Plan Discussion Paper, both identified the following key issues:

- infrastructure provision is key to delivery of anticipated growth of Greater Adelaide, with results from an LGA survey showing that there is a vast array of infrastructure challenges with public transport, road upgrades, stormwater, public open space and community services identified as the most challenging;
- the location of growth areas for housing needs should be supported by efficient and eco-friendly transit, cycling and walking that contributes to integrated transport, and well-designed attractive places to live;
- further investigations to support the Regional Plan should leverage Councils' local knowledge and experience far more than has been achieved to date – due to a largely closed investigation offering limited engagement (mainly inform, with long intervening gaps and insufficient detail to inform effective engagement or help deliver the future local area planning that is envisaged in the draft plan);
- need for a greater focus on design quality, climate resilience and environmental performance;

- better understanding of constraints and opportunities that have a bearing on whether particular urban corridors and other identified strategic sites, or investigation areas, can contribute significantly to housing targets such as those assigned to Local Government Areas;
- aligning the Regional Plan with the greening strategies - noting that the measurable urban greening targets have been increased in the draft Regional Plan.

These points are still valid in relation to the draft Regional Plan and are reflected in the attached draft Council submission.

Next Steps / Complying Code Amendments

The draft Regional Plan contains a set of recommended actions but does not define any tasks, such as rezoning, that can be undertaken by a 'complying' Code Amendment. A complying Code Amendment would follow a fast-track process that allows for zone, sub-zone or overlay boundary changes to the Code that are consistent with a clear recommendation in a Regional Plan.

For this to occur, the proposed changes to the Code must be clearly and expressly identified in the Regional Plan via specific maps or information about the changes proposed to the Code.

It is possible for a Complying Change to the Code and an amendment to a Regional Plan to be consulted on and approved at the same time.

However, it is understood that future revisions of the Regional Plan, not the one currently underway, are likely to give rise to complying Code Amendments.

Normally a Code Amendment is an entirely separate process to revision of the Regional Plan, including the consultation phases of each being entirely separate.

OPTIONS

The Council has the following options in respect to making a submission:

1. Providing a comprehensive submission on the draft Regional Plan that seeks to fully address all issues supported by robust analyses of spatial data and other evidence that should be considered by the Commission now and in the future. The scope to do so is significantly hampered by the halving of the engagement period to only six weeks and the limited access to background investigations. Further, it may be more strategic to focus on a commentary on things that are Council priorities or additions to, or departures from the 2023 Discussion Paper, while reiterating key points in the 2023 response more concisely and strategically to reflect the content of the draft Regional Plan.
2. Respond with focussed comments on key issues of strategic importance to the Council and other changes since the 2023 Discussion Paper while also emphasising a need and preparedness to exchange data and evidence in an ongoing process to ensure that the Regional Plan has a sound evidence base and is responsive to local context. This is more realistic given other commitments that coincide with the formal consultation period and, also, given that the regional planning process will logically need to be supplemented by local input, both in the period up to finalisation of the current review and in the proposed revision process. (including amendments to the Planning and Design Code).

Generally-speaking, it would be better to impress on the Commission the need to involve Local Government more effectively in terms of further analysis and review of draft recommendations rather than compromising the quality of input or attempting a comprehensive formal submission by 6 November 2024. A risk will be if the Commission is not amenable to input post the consultation period. This tends to be at odds with statements in the draft Regional Plan about the role of Local Government in undertaking local area planning, strategic investigations, and related roles.

3. The Council could choose not to make a submission.

Not providing a response will not assist in representing community interests in regional planning, sharing local knowledge, supporting better regional planning, and this in turn will allow further erosion of the Council's role in planning for the City – a function that has slowly and incrementally over time, removed Local Government from strategic planning and development assessment.

For the reasons stated, Option 2 is the recommended approach, and has informed the approach taken in the draft submission.

CONCLUSION

It is important that the Council engages in the regional planning process, which is being conducted by the State Planning Commission, both in terms of sharing local knowledge and effectively representing and advocating for the Council's strategic goals and community interest. The attached draft submission reflects the Council's priorities and the relative significance of anticipated consequences, such as those that stem from a greater emphasis on intense corridor growth along selected arterial roads.

The draft submission covers a wide span of issues at a high level, with comments on more specific issues such as the land use future of the Stepney Triangle and the Council's position relating to heritage and character.

COMMENTS

Nil

RECOMMENDATION

1. That the submission (as contained in Attachment A) on the draft Greater Adelaide Regional Plan, be endorsed and forwarded to the South Australian Planning Commission.
 2. That the Mayor and Chief Executive Officer be authorised to make a deputation to the Minister for Planning and the Chair of the South Australian Planning Commission, regarding the Stepney and Glynde food, beverage and industrial uses.
 3. That the Chief Executive Officer be authorised to make any necessary minor amendments to finalise the submission, providing the changes do not affect the intent of the submission.
-

Cr Robinson left the meeting at 8.43pm.
Cr Sims left the meeting at 8.43pm.
Cr Whittington left the meeting at 8.43pm.
Cr Sims returned to the meeting at 8.44pm.
Cr Robinson returned to the meeting at 8.45pm.
Cr McFarlane left the meeting at 8.45pm.
Cr McFarlane returned to meeting at 8.46pm.
Cr Whittington returned to the meeting at 8.46pm.

Cr Mex moved:

1. *That the submission (as contained in Attachment A) on the draft Greater Adelaide Regional Plan, be endorsed and forwarded to the South Australian Planning Commission.*
2. *That the Mayor and Chief Executive Officer be authorised to make a deputation to the Minister for Planning and the Chair of the South Australian Planning Commission, regarding the Stepney and Glynde food, beverage and industrial uses.*
3. *That the Chief Executive Officer be authorised to make any necessary minor amendments to finalise the submission, providing the changes do not affect the intent of the submission.*
4. *That the Mayor write to the Member for Dunstan requesting that she advocates for the outcomes sought in the Council's submission.*

Seconded by Cr Holfeld.

Variation

Cr Mex, as the mover of the motion, with the consent of Cr Holfeld as the seconder, sought leave of the meeting to vary point 2. of the motion as follows:

- 2. That the Mayor and Chief Executive Officer be authorised to make a deputation to the Minister for Planning and the Chair of the South Australian Planning Commission, regarding the outcomes sought in the Council's submission and the Stepney and Glynde food, beverage and industrial uses.*

Mayor Bria put the request for leave to the meeting.

The meeting granted leave and the motion was varied as set out above.

The motion (as varied) was put and carried unanimously.

11.3 FINAL DRAFT ASSET MANAGEMENT PLANS

REPORT AUTHOR: Project Manager, Assets
GENERAL MANAGER: General Manager, Infrastructure & Major Projects
CONTACT NUMBER: 8366 4586
FILE REFERENCE: qA156423
ATTACHMENTS: A

PURPOSE OF REPORT

The purpose of this report is to advise the Council of the outcome of the community consultation on the draft Asset Management Plans and present the final draft Asset Management Plans to the Council for endorsement.

BACKGROUND

Pursuant to Section 122 (4) of the *Local Government Act 1999*, the Council must undertake a comprehensive review of its Strategic Management Plans, which includes the Council's Asset Management Plans, within two (2) years after each Local Government General Election.

RELEVANT STRATEGIC DIRECTIONS & POLICIES

The Council's Strategic Management Plan, *CityPlan 2030*, provides the framework upon which the Council's Strategic Management Plans are developed. The Council's suite of Strategic Management Plans currently incorporates the *CityPlan 2030*, the Long-Term Financial Plan (LTFP), the Asset Management Plans, and the Annual Business Plan and Budget.

FINANCIAL AND BUDGET IMPLICATIONS

The Asset Management Plans allow for the long-term planning of the renewal and upgrade of the City's infrastructure and assets, which in turn provides for the integration of projects from across the respective asset classes. This approach leads to improved efficiency and more effective use of the Council's financial and human resources, which in turn results in better outcomes for the community.

To this end, reference should be made each year to the Asset Management Plans when preparing the Annual Business Plan and Annual Budget, to ensure that the Council's broad outcomes, both financial and operational, are continuing to be achieved.

EXTERNAL ECONOMIC IMPLICATIONS

Not Applicable.

SOCIAL ISSUES

The Asset Management Plans set out how the Council intends to maintain, renew and upgrade its existing asset base. The Asset Management Plans identify the service standards that are to be set and maintained with respect to the roads, footpaths, stormwater drainage, open space and buildings. If assets are not maintained and renewed in line with the timing and standards set out within the respective Asset Management Plans, community well-being may be impacted upon through a reduction in service through the removal of assets (i.e., playgrounds, public facilities) from service or exposure to hazards resulting from inadequately maintained assets.

CULTURAL ISSUES

Not Applicable.

ENVIRONMENTAL ISSUES

Not Applicable.

RESOURCE ISSUES

Not Applicable.

RISK MANAGEMENT

The review of the Asset Management Plans has been undertaken to ensure that Council meets its legislative obligations, as set out in the *Local Government Act 1999*.

CONSULTATION

- **Elected Members**

An Elected Members Information Briefing Session was held 12 August 2024.

The Council's Audit & Risk Committee subsequently considered and endorsed the initial draft Asset Management Plans at its meeting held on 19 August 2024.

Elected Members considered the initial draft Asset Management Plans and endorsed their release for community consultation at its meeting held on 2 September 2024.

- **Community**

The Community was provided with the opportunity to comment on the draft Asset Management Plans from 4 September 2024 until 2 October 2024. The consultation was promoted via the following methods:

- the Council's website;
- the Council's Look East digital newsletter;
- social media posts via Facebook, LinkedIn and Instagram; and
- A4 posters at the Norwood Town Hall and at each of the Council's Libraries.

The draft Asset Management Plans were available for viewing at the Norwood Town Hall and at each of the Council's Libraries. Citizens could also download a copy of the initial draft Asset Management Plans from the Council's website.

The community had several options available to submit comments, including:

- completing an on-line feedback form, which was available on the Council's website;
- completing a hard copy feedback form, which was available at the Norwood Town Hall and at each of the Council's Libraries; or
- lodging a written submission.

At the conclusion of the consultation period, no submissions were received.

- **Staff**

Chief Executive Officer
Chief Financial Officer
General Manager, Infrastructure & Major Projects
Finance Business Partner
Manager, City Projects
Manager, Marketing & Place Activation
Events & Campaign Coordinator
Senior Graphic Designer

- **Other Agencies**

Not Applicable.

DISCUSSION

Asset management is the combination of financial, economic, engineering and other practices that are applied to the management and custodianship of physical assets with the objective of meeting the required level of service in the most cost-effective manner. Asset management planning ensures the delivery of services from an infrastructure perspective is provided in a financially sustainable manner.

The Asset Management Plans form part of the Council's suite of Strategic plans and set out the Council's approach to the management of Council owned assets over the lifecycle of each asset class, which includes acquisition, operational maintenance, renewal and disposal.

The Council has Asset Management Plans for each of the major asset classes:

- Civil Infrastructure, comprising:
 - roads (surface, pavement, kerbing and footpaths);
 - traffic control devices;
 - off-road carparks; and
 - shared paths.
- Stormwater Management, comprising:
 - culverts;
 - pipes; and
 - pits.
- Buildings, comprising:
 - external structures;
 - internal structures; and
 - services, including mechanical and electrical.
- Recreation and Open Space, comprising:
 - reserves and play equipment;
 - fences;
 - lighting; and
 - furniture (seats, benches, BBQs, bins and bus shelters).

Pursuant to Section 122 (6) of the Act, the Council must adopt a process or processes, to ensure that members of the public are given a reasonable opportunity to be involved in the development and review of its strategic management plans, which includes the Asset Management Plans.

No public comments or submissions regarding the draft Asset Management Plans were received during the community consultation period. As a result, no content changes are proposed to be made to the draft Asset Management Plans.

The final draft Asset Management Plans, which are contained in **Attachment A**, have been graphically designed and edited for the Council's adoption and publication.

OPTIONS

Not Applicable.

CONCLUSION

Given the existing services, asset renewal program and strategic projects which have been identified to be completed across the planning timeframe, the final draft Asset Management Plans represent a solution to the management of the competing demands of services and facilities to the community. The final draft Asset Management Plans seek to balance the funding needs of renewal infrastructure assets, with the timing of proposed upgrade or new infrastructure projects being linked to asset renewals, so that the existing levels of service can be maintained.

COMMENTS

Nil.

RECOMMENDATION

1. That the Asset Management Plans contained in **Attachment A**, be endorsed.
 2. That the Chief Executive Officer be authorised to make any necessary editorial changes to the Asset Management Plans prior to them being published on the Council's website.
-

Cr Moorhouse left the meeting at 8.56pm.

Cr Mex left the meeting at 8.56pm.

Cr Mex returned to the meeting at 8.57pm.

Cr Moorhouse returned to the meeting at 9.01pm.

Cr Callisto left the meeting at 9.01pm.

Cr Holfeld moved:

1. *That the Asset Management Plans contained in Attachment A, be endorsed.*
2. *That the Chief Executive Officer be authorised to make any necessary editorial changes to the Asset Management Plans prior to them being published on the Council's website.*

Seconded by Cr Duke and carried unanimously.

Section 2 – Corporate & Finance
Reports

11.4 MONTHLY FINANCIAL REPORT – SEPTEMBER 2024

REPORT AUTHOR: Senior Finance Business Partner
GENERAL MANAGER: Chief Financial Officer
CONTACT NUMBER: 8366 4548
FILE REFERENCE:
ATTACHMENTS: Nil

PURPOSE OF REPORT

The purpose of this report is to provide the Council with information regarding its financial performance for the period ended September 2024.

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

Not Applicable.

FINANCIAL AND BUDGET IMPLICATIONS

Financial sustainability is as an ongoing high priority for the Council. The Adopted Budget forecast an Operating Surplus of \$229,418 for the 2024-2025 Financial Year Following the First Budget Review, where Council approved the carry forward of Operating projects from the previous financial year 2023-2024 of \$610,747, Council is projecting an Operating Deficit of \$381,329.

DISCUSSION

For the period ended September 2024, the Council's financial performance remained stable, with a year-to-date Operating Surplus of \$2,036,216 against a year-to-date Budgeted Operating Surplus of \$227,520 resulting in a favourable variance of \$1,808,696. There are number of variances in certain income and expense categories that are impacting upon the overall performance of the Council and they are set out in Table 1 below.

TABLE 1: OVERVIEW OF FINANCIAL PERFORMANCE

Financial Performance for the period ended 30 September 2024					
LYTD Actual		YTD Actual	YTD Revised Budget	Var	Var %
\$'000		\$'000	\$'000	\$'000	
	Revenue				
10,927	Rates Revenue	11,842	11,821	21	0%
569	Statutory Charges	712	633	79	12%
914	User Charges	935	936	(0)	(0%)
761	Grants, Subsidies and Contributions	1,765	468	1,297	277%
24	Investment Income	5	19	(14)	(73%)
3	Reimbursements	37	-	37	-
119	Other	155	125	30	24%
13,317	Total Revenue	15,451	14,001	1,450	10%
	Expenses				
4,513	Employee Expenses	4,346	4,706	360	8%
3,295	Contracted Services	3,567	3,308	(260)	(8%)
441	Government Levies	458	461	3	1%
211	Parts, Accessories and Consumables	274	285	11	4%
136	Utilities	333	264	(69)	(26%)
246	Insurance	251	245	(6)	(2%)
160	Subscriptions, Memberships & Licences	187	184	(4)	(2%)
186	Legal Expenses	88	46	(42)	(91%)
302	Other Expenses	341	413	72	17%
3,115	Depreciation, amortisation & impairment	3,270	3,270	-	-
134	Finance Costs	301	594	293	49%
76	Net Loss - Joint Ventures & Associates	-	-	-	-
12,814	Total Expenses	13,415	13,774	359	3%
503	Operating Surplus/(Deficit)	2,036	229	1,808	791%

Variations - Income

Statutory Fees & Charges:

The increase in revenue from statutory Fees & Charges is primarily due to higher than budget Planning Consent fees as a result of the higher numbers and values of Development Applications being submitted in the first quarter of the 2024-2025 Financial Year.

Grants:

Increase in Grant income in comparison to Adopted Budget is predominantly due to the delay in receiving the advancement of the *Financials Assistance Grant for 2024-2025 from the Federal Government*, which was expected to be received in June 2024.

Investment Income:

Decrease in Investment Income is primarily due to the lower interest being earned on the Council's cash deposits with the Local Government Financial Authority of South Australia.

Reimbursements:

There is an increase in reimbursement income mainly relating to insurance claims, which is offset against the unplanned repair costs incurred by the Council reported as part of Expenses.

Other Income:

There is an increase in Other Income mainly due to insurance rebates which are higher than forecast.

Variances - Expenses

Employee Costs:

In the first quarter of the year, there is an underspend against budget of \$360,411 due to vacant positions. While some of these roles are temporarily covered by contract staff, several positions are currently in the recruitment process.

Contracted Services:

The negative variance of \$259,923, is mainly due to an overspend in Infrastructure Maintenance (kerb, footways surface, traffic signs etc.) and Street Trees Contracted services. This is offset by a reduction in staff wages and salaries.

Utilities:

The unfavourable variance of \$69,323 is related to the SA Water charges for median and grass maintenance relating to May and June 2024 that was invoiced to Council in July 2024.

Legal Fees:

An unfavourable variance of \$41,773 in the Legal Fees.

Other Expenses:

A favourable variance of \$71,656, mainly due to timing of actual expenditure and budget. This gap is expected to close at end of Financial Year as spending is ramped up to align with budgeted expenditure.

Finance Expenses:

Finance costs are lower than Budget by \$292,918 as a result of lower than expected borrowings due to a deferment in payments for major projects from the 2023-2024 Financial Year. The payment schedule for major projects will be re-assessed as part of the Second Budget Review.

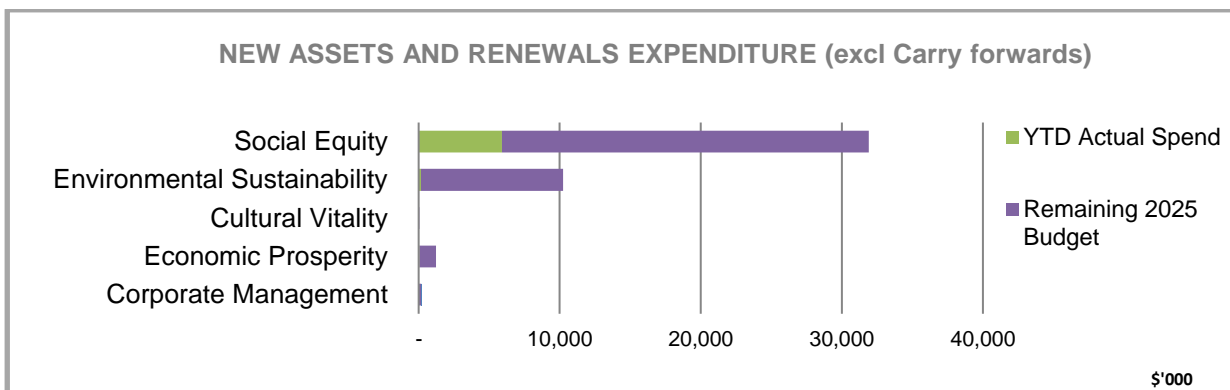
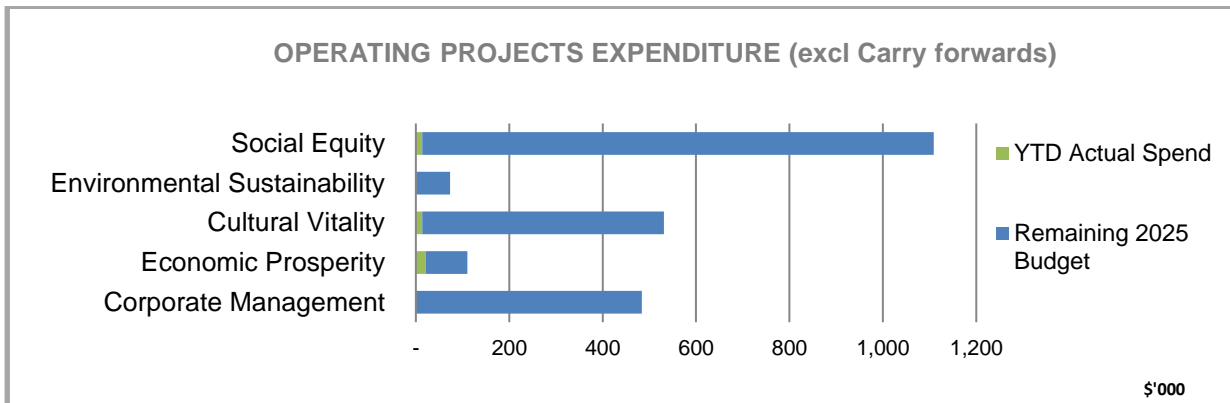
PROJECTS OVERVIEW

The Council's financial performance has been based not only on recurring expenses but also on the progress of Operating and Capital projects. Table 2 below provides an overview of both Operating and Capital Projects, Carried Forward Projects from the previous budget year and new Projects that were initiated as part of the 2024-2025 Adopted Budget. At the start of this financial year, significant focus has been placed on completing Carried Forward Projects from the previous budget year.

TABLE 2: PROJECT EXPENDITURE SUMMARY FOR PERIOD ENDED 30 SEPTEMBER 2024

	YTD Actual Spend	YTD Budget	Variance	Remaining 2025 Budget
	\$'000	\$'000	\$'000	\$'000
OPERATING PROJECTS EXPENDITURE (excl. Carry Forwards)				
Corporate Management	-	15	15	484
Economic Prosperity	21	19	(2)	89
Cultural Vitality	14	22	8	517
Environmental Sustainability	1	5	4	72
Social Equity	14	-	(14)	1,095
Net Cost of Operating Projects	49	60	11	2,258

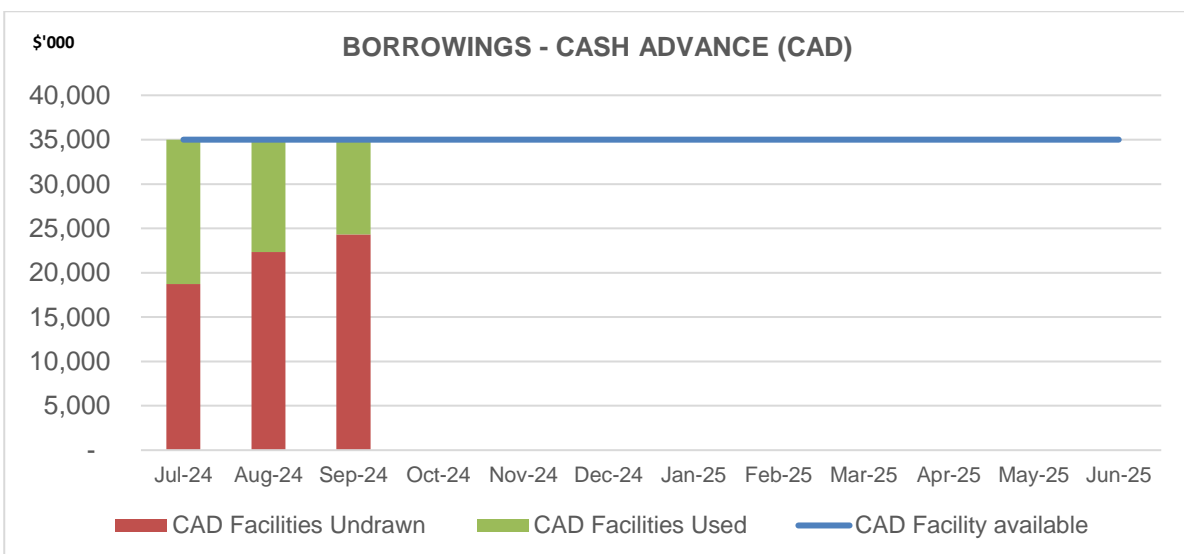
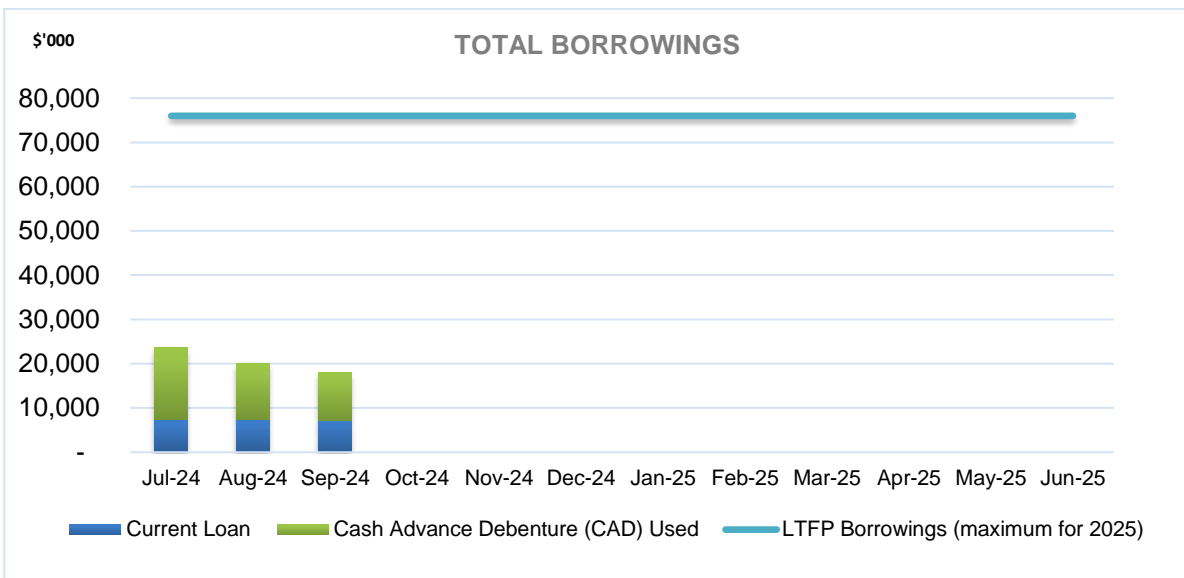
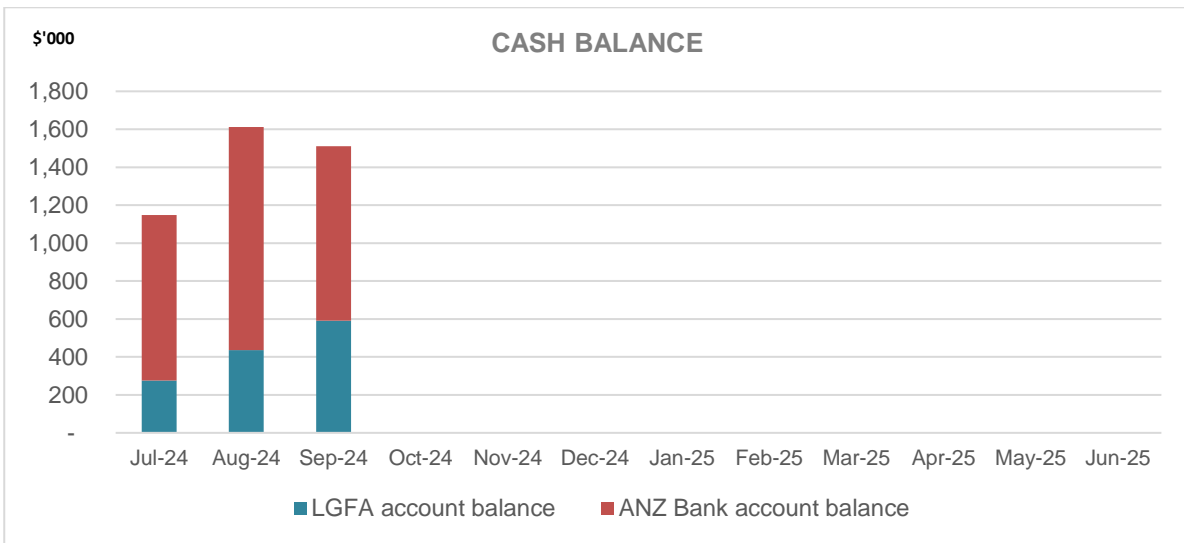
OPERATING PROJECTS EXPENDITURE (excl. Carry Forwards)				
Corporate Management	2	-	(2)	177
Economic Prosperity	44	-	(44)	1,195
Cultural Vitality	-	-	-	55
Environmental Sustainability	160	2,864	2,704	10,089
Social Equity	5,909	11,172	5,264	26,012
Net Cost of Capital Projects	6,115	14,036	7,922	37,528



STATEMENT OF FINANCIAL POSITION

Statement of Financial Position as at 30 September 2024				
	30 June 2024	30 September 2024	Movement	
	Draft	Actual		
	\$'000	\$'000	\$'000	%
ASSETS				
Current Assets				
Bank and Cash	997	1,532	(535)	-54%
Accounts receivables	4,106	5,496	(1,390)	-34%
Less : Provision for Bad Debts	(386)	(385)	(1)	0%
Total Current Assets	4,717	6,644	(1,926)	-41%
Non-current Assets				
Financial Assets	111	-	111	100%
Investments in Joint Ventures	3,175	2,239	936	29%
Infrastructure, Property, Plant and Equipment	645,596	648,441	(2,845)	0%
Other Non-current Assets	8,873	8,873	(0)	0%
Total Non-current Assets	657,755	659,554	(1,799)	0%
Total Assets	662,472	666,197	(3,725)	-1%
LIABILITIES				
Current Liabilities				
Trade and Other Payables	8,828	13,702	(4,873)	-55%
Borrowings	1,136	10,869	(9,733)	-857%
Provisions	3,624	3,442	181	5%
Total Current Liabilities	13,588	28,013	(14,425)	-106%
Non-current Liabilities				
Borrowings	19,020	7,274	11,746	62%
Provisions	460	460	(0)	0%
Investments in Joint Ventures	970	(20)	990	102%
Total Non-current Liabilities	20,450	7,713	12,736	62%
Total Liabilities	34,038	35,726	(1,689)	-5%
NET ASSETS	628,434	630,471	(2,036)	0%
EQUITY				
Accumulated Surplus	66,480	66,480	(0)	
Profit/(Loss) for the year-to-date	-	2,036	(2,036)	
Asset Revaluation Reserves	561,954	561,954	(0)	
TOTAL EQUITY	628,434	630,471	(2,036)	0%

TREASURY



CONCLUSION

Not Applicable.

COMMENTS

Nil

RECOMMENDATION

That the September 2024 Monthly Financial Report be received and noted.

Cr Callisto returned to the meeting at 9.04pm.

Cr Clutterham moved:

That the September 2024 Monthly Financial Report be received and noted.

Seconded by Cr Duke and carried unanimously.

11.5 PAYMENT OF COUNCIL RATES – PROVISION OF DIRECT DEBIT SERVICES

REPORT AUTHOR: Chief Financial Officer
GENERAL MANAGER: Chief Executive Officer
CONTACT NUMBER: 8366 4548
FILE REFERENCE:
ATTACHMENTS: A

PURPOSE OF REPORT

The purpose of this report is to present information to the Council regarding an additional option that staff have investigated for the payment of Council rates, for the Council 's consideration and endorsement.

BACKGROUND

The Council provides a number of options for citizens to use when paying their Council rates, including paying in person, online, credit card over the telephone, BPAY and through agencies such as Australia Post.

Notwithstanding this, over the last few years a number of citizens have requested the option of paying their rates via direct debit.

A recent review of the various options which the Council has in place for the payment of Council rates, has been undertaken to consider whether the option of providing direct debit payment options for citizens is viable. As part of this process, it has been highlighted that a large volume of payments are currently received through high-cost channels, such as BPAY and Australia Post, which incur significant fees for each transaction.

With cost-of-living pressures increasing, it is important that the Council investigates and where possible provides a range of cost-effective options for citizens to meet and stay on-top of their rates payments.

On this basis, the Council should, if possible and practical provide a direct debit payment option for citizens.

Payble Pty Ltd (*Payble*) provides a solution that offers flexible payment options such as direct debit payments and "bill smoothing" which, at the same time, has the potential to also provide operational efficiencies for the Council.

RELEVANT STRATEGIC DIRECTIONS & POLICIES

The payment of Council Rates and options to assist citizens to manage their financial obligations in terms of the payment of Council Rates, are set out in various Council policies, including the followings:

- *Rating Policy;*
- *Receivables and Debt Recovery Policy;* and
- *Financial Hardship Policy.*

FINANCIAL AND BUDGET IMPLICATIONS

The Council has not allocated funding for a new payment option (ie direct debit), as part of the 2024-2025 Budget.

The cost to implement *Payble* is \$49,900 per annum.

However, through the implementation of *Payable* it is anticipated that by the second year, cost savings will be achieved through a reduction in transaction fees, printing and postal costs, as ratepayers select to pay via the direct debit option.

It is estimated that based on approximately 17% of rates payments being made through the digital direct debit option, savings of approximately \$38,000 by the end of Year 1 will be achieved, with a further increase in the following years based on an estimate of the number of citizens (up to 26%), who choose to use the direct debit system.

EXTERNAL ECONOMIC IMPLICATIONS

Not Applicable.

SOCIAL ISSUES

The implementation of a direct debit payment option can assist those citizens who are experiencing financial hardship and also those citizens who just want to manage their household budgets more effectively. In addition, proactive repayment options at a manageable rate will assist those citizens to manage any outstanding debts and prevent further accumulation of debt.

CULTURAL ISSUES

Not Applicable.

ENVIRONMENTAL ISSUES

The implementation of *Payble* includes electronic (SMS and email) notifications, which in turn will reduce paper billing and the carbon footprint associated with traditional mail services.

RESOURCE ISSUES

The implementation of *Payble*, will reduce the time spent on manual processing tasks, such as payment arrangements and handling customer enquiries. These resource savings, estimated at 1,000–1,200 hours per year, will enable staff to focus on higher-value tasks like managing complex issues.

RISK MANAGEMENT

Implementing *Payable* presents minimal risk due to the software's proven track record with other Councils across Australia and its seamless integration with existing Council systems (the system integrates directly to Council's Authority system).

Whilst there is a risk that the use of the system will be slow initially, promotion of the service and support for citizens during the transition will be undertaken. The Council's existing payment options will still be available and therefore those ratepayers who do not wish to pay by direct debit can continue with their preferred payment method.

CONSULTATION

- **Elected Members**
Not Applicable.
- **Community**
Not Applicable.
- **Staff**
Chief Executive Officer
Responsible Officers
General Managers
- **Other Agencies**
Not Applicable.

DISCUSSION

Payble Pty Ltd is a local Australian company, pioneering the first payment experience platform for Local Government. The company works exclusively to assist Councils to optimise their payment experiences to reduce costs, improve efficiencies and community satisfaction. *Payble* is also Civica's (Authority), exclusive partner for payment optimisation technology. Authority is used by this Council.

Payble offers a robust, cost-effective solution that addresses multiple challenges facing Councils today, from reducing arrears to improving payment flexibility for residents.

The benefits are both operational – saving time and reducing transaction costs – and community-oriented, with a strong emphasis on supporting households facing financial stress or those who simply want to manage their payments. The system is designed to integrate smoothly with existing infrastructure, ensuring a low-risk implementation.

The *Payble* system includes a comprehensive suite of capabilities designed to streamline payment processes for Councils. Key features include flexible payment plans (including credit/debit card direct debit), automated SMS (text messages), email reminders and notifications messages (all of which can be 'turned on' or 'turned off' to suit each individual) and self-service options for citizens to manage their accounts when they need to.

Payble provides additional payment options to citizens (ie citizens can choose to pay their rates fortnightly, monthly, or quarterly without incurring late payment interest or fines), with reduced transaction costs for the Council.

The payment options can be managed via a mobile telephone as demonstrated in **Attachment A**.

These options reduce the need for staff and citizens to complete written requests in relation to financial hardship and payment arrangements – citizens select their preferred payment option.

In the event that a citizen defaults on a direct debit payment, the process of rate arrears and debt recovery remains the same as other payments methods, in accordance with the Council's *Receivables & Debt Recovery Policy* and *Financial Hardship Policy*.

The system also integrates seamlessly with Civica Authority and supports real-time data synchronisation with banking systems.

In addition, over 7,000 Council rate-related enquiries are made annually, many of which could be automated or handled through self-service payment systems.

Payble is used by a number of Councils interstate and more recently in South Australia, including the Campbelltown City Council, Port Pirie Regional Council and the City of West Torrens.

The City of West Torrens introduced the system in 2022 and have advised that Council staff are impressed with the system, they have estimated an annual saving of 2700 hours in terms of staff time and that more than 1000 citizens using the system have provided positive feedback to the City of West Torrens regarding the system.

OPTIONS

The Council can determine not to implement a direct debit payment option for citizens and can continue to provide the payment methods currently available to citizens.

This option however is not recommended as the ability to make payments via a direct debit system is now provided by a number of organisations, including Councils, as an effective payment option that meets the needs of their clients and customers.

The Council must be cognisant of the costs of living pressures facing many households in the community and in doing so, if possible and practical, provide options to meet the needs of those citizens.

CONCLUSION

Investment in a direct debit payment system represents a forward-thinking approach to improve Council services, support the community and achieve cost savings. With a positive Return on Investment (ROI) expected by Year two (2) following implementation, this solution presents minimal risk and substantial long-term benefits for both the Council and the community.

COMMENTS

The shift towards digital and automated services is well underway in most industries and Councils are no exception. Implementing this solution will modernise the Council's interactions with residents, providing a smoother, more responsive experience that is aligned with contemporary service expectations.

RECOMMENDATION

1. That the Council endorses the implementation of a direct debit payment option for the payment of Council Rates by citizens.
 2. That the Council allocates \$49,900 as part of the 2024-2025 Budget for the implementation of *Payble* to provide for the direct debit payment option to the community and the 2024-2025 Budget be amended accordingly.
-

Cr Clutterham left the meeting at 9.06pm.

Cr Clutterham returned to the meeting at 9.07pm.

Cr Mex moved:

1. *That the Council endorses the implementation of a direct debit payment option for the payment of Council Rates by citizens.*
2. *That the Council allocates \$49,900 as part of the 2024-2025 Budget for the implementation of Payble to provide for the direct debit payment option to the community and the 2024-2025 Budget be amended accordingly.*

Seconded by Cr Duke and carried unanimously.

**Section 3 – Governance & General
Reports**

11.6 BUILDING FIRE SAFETY COMMITTEE - ANNUAL REVIEW

REPORT AUTHOR: Manager, Development & Regulatory Services
GENERAL MANAGER: General Manager, Urban Planning & Environment
CONTACT NUMBER: 8366 4567
FILE REFERENCE: qA1795
ATTACHMENTS: Nil

PURPOSE OF REPORT

The purpose of this report is to provide for the Council's information, the outcomes of the operations of the Building Fire Safety Committee, for the period September 2023 to September 2024.

BACKGROUND

Local Government plays an important role in protecting the ongoing safety of building occupiers and users, through the provisions of the *Planning, Development and Infrastructure Act 2016*.

Section 157 of the *Planning, Development and Infrastructure Act 2016*, specifically places obligations upon an "Appropriate Authority" in relation to building fire safety. Specifically, it provides powers for "Authorised Officers" to investigate whether or not building owners are maintaining proper levels of fire safety in their buildings for the protection of all occupiers, whether the occupiers are residents or workers who use the buildings regularly, or clients and visitors who use the buildings occasionally.

For the purposes of Section 157 of the *Planning, Development and Infrastructure Act 2016* ('the Act'), an *Appropriate Authority* is a body established by a Council, or by two (2) or more Councils and designated by the Council or Councils, as an *Appropriate Authority*. In the case of the City of Norwood Payneham & St Peters, the Council has established the *Building Fire Safety Committee* as the *Appropriate Authority*.

If a building is not considered to be adequate from a building fire safety perspective, Section 157 of the Act, provides powers for the *Building Fire Safety Committee* to require remedial action to rectify any problems associated with the building.

In respect to this Council's Building Fire Safety Committee, at its meeting held on 4 September 2023, the Council resolved the following:

1. *That the report on the activity of the Council's Building Fire Safety Committee during the period commencing September 2022 and ending September 2023, be received and noted.*
2. *That the following persons be appointed to the City of Norwood Payneham & St Peters Building Fire Safety Committee for a period from March 2024 to March 2027:*
 - *Mr Troy Olds as a Presiding member of the Committee and a person with expertise in fire safety;*
 - *Mr Demetrius Poupoulas as a member of the Committee;*
 - *A primary person nominated by the Chief Officer (CO) of the SAMFS;*
 - *An alternate person (proxy) nominated by the Chief Officer (CO) of SAMFS; and*
 - *Mr Mario Hlavati as a person with qualifications in Building Surveying.*
2. *That Clauses 2.2 and 2.3 in the Committee's Terms of Reference be updated to reflect the new term of appointment for the existing Committee Members, in accordance with part 2 of this recommendation.*

This report sets out the outcomes of the Committee's operations during the period September 2023 to September 2024, in accordance with the Committee's current Terms of Reference.

RELEVANT POLICIES & STRATEGIC DIRECTIONS

The *Building Fire Safety Committee* is required to be established by legislation. The following goals contained in *City Plan 2030*, have been identified as relevant to the appointment and operation of the Council's *Building Fire Safety Committee*:

Outcome 2: Cultural Vitality

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

Objective 2.4 Pleasant, well designed and sustainable urban environments.

The *Building Fire Safety Committee* is responsible for ensuring that building occupants are adequately protected against fire. The inclusion of appropriate fire evacuation paths and firefighting equipment is an important consideration in the design and maintenance of buildings throughout the City.

FINANCIAL AND BUDGET IMPLICATIONS

The *Building Fire Safety Committee* has no specific budget allocation. Funds required to deal with enforcement matters are drawn from General Planning and Building Legal and Contractor Budgets (as required). Costs associated with the engagement of External Independent Members of the Committee, namely Mr Troy Olds and Mr Demetrius Poupoulas, are also allocated from General Planning and Building Legal and Contractor Budgets.

The approximate annual cost of investigating building fire safety matters, taking into account the professional fees which are paid to Mr Olds and Mr Poupoulas, ranges between \$5000 - \$10,000.

If enforcement action is required (due to non-compliance by a building owner) legal costs can escalate as required to satisfactorily resolve the matter.

EXTERNAL ECONOMIC IMPLICATIONS

Not Applicable.

SOCIAL ISSUES

A properly constituted and functioning *Building Fire Safety Committee* will result in increased awareness of building fire safety issues and obligations amongst the community and will maximise the prospect of safe buildings.

The community expects standards in respect to building fire safety to be achieved and maintained.

CULTURAL ISSUES

Not Applicable.

ENVIRONMENTAL ISSUES

Not Applicable.

RESOURCE ISSUES

Presently, the Committee meets on a quarterly basis (i.e. four (4) times per year) in accordance with the Terms of Reference (noting additional meetings can be called as required). It should also be noted that whilst the Committee meets quarterly, the Members can deal with matters between meetings, in respect to either inspecting or discussing 'at risk' premises where issues have arisen or to deal with matters which required an immediate response from the Committee.

All of the administrative tasks including drafting of correspondence and notices are undertaken in-house by the Senior Development Officer, Building and distributed to the Committee Members electronically for review. It is estimated that the Council's Senior Development Officer, Building contributes approximately twenty-five (25) hours per month to facilitate the operation and administration of the Committee, including inspections and follow up actions arising from Committee meetings and managing incoming and outgoing correspondence with stakeholders.

RISK MANAGEMENT

The establishment and operation of the Council's *Building Fire Safety Committee* is necessary and required to ensure that the Council fulfils its statutory obligations under the *Planning, Development and Infrastructure Act 2016*, with respect to building fire safety. A properly functioning Committee is necessary to enable the Council to undertake the roles and fulfil the responsibilities of an '*Appropriate Authority*', pursuant to Section 157 of the respective Act.

As Elected Members may recall, the *Building Fire Safety Committee* has developed a risk assessment process which is intended to identify and select buildings of interest, based on risk assessment criteria contained in the Risk Assessment Process, which forms part of the Committee's Terms of Reference. The Risk Assessment Process specifies which buildings are of the highest risk, based on building classification, size and use.

The application of a Risk Assessment Process is important to ensure that the Council's *Building Fire Safety Committee* performs its duties under the *Planning, Development and Infrastructure Act 2016*, by prioritising matters based on an assessment of relative risk, rather than via random selection of buildings to review without defined reasoning for its investigations or prioritisation.

The Risk Assessment Process contained within the Terms of Reference, was endorsed by the Council at its meeting held on 18 January 2021.

CONSULTATION

- **Elected Members**
The Council considered and endorsed the current Terms of Reference at its meeting held 18 January 2021 (with updates endorsed on 4 September 2023), and receives annual reports on the operation of the *Building fire Safety Committee*.
- **Community**
Not Applicable
- **Staff**
Senior Development Officer, Building
- **Other Agencies**
Not Applicable

DISCUSSION

Objects and Role of the Committee

The Committee essentially has an administrative function, established as a requirement pursuant to the *Planning, Development and Infrastructure Act 2016*, to administer building fire safety and acts as a compliance body in terms of enforcing the building fire safety provisions of the *Act*.

The focus of the Council's *Building Fire Safety Committee* is to ensure that buildings and its occupants within the city are adequately protected against fire. The Committee's activities are prioritised to ensure that firstly, there is a reasonable standard of safety for the occupiers of buildings. Secondly, the Committee seeks to ensure that appropriate controls are in place so that there is a minimal spread of fire and smoke within buildings. Thirdly, the Committee seeks to ensure that there is an acceptable fire-fighting environment and infrastructure provided within buildings.

The Committee applies a Risk Assessment Process (included in Terms of Reference) to identify the types of buildings that require inspections in order of priority. The Risk Assessment Process specifies which buildings are of the highest risk, based on building classification, size and use having regard to industry best practice, the Building Code of Australia (BCA) and the experience of the Committee Members in dealing with building fire safety issues.

Review of the Committee’s Activities for the period September 2023 to September 2024

In accordance with Part 3.10 of the Terms of Reference, an outline of the Committee’s activities is provided in this report.

The Council's *Building Fire Safety Committee* met on four (4) occasions between September 2023 and September 2024. All Members attended all meetings of the Committee.

During the reporting period, twelve (12) buildings were subjected to fire safety investigations within the City, some carried over from the previous reporting period and some newly added for investigation. Of these, one (1) fire safety matter was resolved and two (2) buildings are currently subject to an Aluminium Composite Panel Cladding audit. In total, five (5) inspections were undertaken by the Committee for the period of September 2023 and September 2024.

Table 1 below contains specific details on the number of inspections undertaken of each building type during the reporting period. It must be noted, that some buildings required more than one inspection during the reporting period but they have not been reported separately.

TABLE 1: TYPES OF BUILDINGS INSPECTED DURING 2023-2024

Building Type	Number of Inspections September 2023 – September 2024
Supported Residential Facilities	0
Accommodation Buildings	3
Office Buildings	0
Hotels	0
Assembly Buildings	0
Other	2
TOTAL	5

A summary of the key statistics of the operation of the Building Fire Safety Committee during the period commencing September 2023 to September 2024, is set out below:

- the Committee has met on four (4) occasions;
- currently there are eleven (11) outstanding matters on the Committee’s Agenda, including Aluminium Composite Panel Cladding (ACP) audit matters;
- there has been one (1) matter resolved in this reporting period;
- there were eight (8) outstanding matters in the previous reporting period; and
- there are two (2) buildings currently under investigation as a result of State wide Aluminium Composite Panel Cladding Audit.

Building inspections during the reporting period, focussed primarily on the environment (nature of the building use, floor layout, number of occupants, number of and distance to exits, etc.) and equipment provided within the buildings to facilitate the safe evacuation of occupants in the event of an emergency. Aspects such as fire and smoke compartmentalisation, exit provisions, smoke detection and alarm systems, emergency lighting and sprinkler protection systems were reviewed.

Currently, the Committee is dealing with fire safety matters associated with seven (7) accommodation/residential buildings, one (1) entertainment/restaurant building and three (3) warehouse buildings. One (1) building fire safety matter was resolved during the reporting period, without the need to pursue legal action. One (1) Fire Safety Defect Notice was issued in this reporting period under Section 157 of the *Planning, Development and Infrastructure Act 2016*. With respect to two (2) buildings containing Aluminium Composite Panel Cladding (ACP), the Committee is awaiting a report from a fire engineer to enable it to consider the fire safety standard of acceptability for one building, and another building is pending confirmation of the replacement of aluminium composite cladding.

A brief summary of the outstanding compliance matters currently being investigated by the Committee, is set out below:

- three (3) storey residential/commercial building requiring replacement of existing aluminium composite cladding;
- two (2) storey accommodation building requiring alarm monitoring and fire separation in the roof space;
- four (4) storey residential building requiring maintenance of fire safety provisions and evidence of fire separation;
- two (2) warehouses awaiting a report from a fire engineer in response to fire notice;
- residential apartment complex pending inspection by the Committee due to a report from SAMFS;
- a multi-storey apartment complex having ACP cladding continuous in a vertical plane;
- entertainment venue requiring a review of egress door hardware and exit and emergency lighting;
- retirement complex requiring evidence of maintenance of essential safety provisions and separation within the roof space;
- four (4) storey residential unit complex requiring extensive fire safety upgrades; and
- warehouse building requiring an additional smoke detection system near the boundary.

The legislative requirement that allows a person two (2) months within which to provide a written response to the Committee regarding any Compliance Notices which are issued by the Committee, often makes it difficult to resolve issues within a short timeframe. Despite this limitation, the Committee continues to progress all enforcement matters with reasonable expediency and effectiveness.

In accordance with the 'Audit Methodology' contained within the current Terms of Reference, the Council's *Building Fire Safety Committee*, with the assistance and advice of qualified Council Staff, is required to undertake an annual audit of buildings by systematically auditing one (1) suburb per annum. All buildings within that suburb which are identified as warranting investigation due to potential fire safety deficiencies, are required to be listed and investigated by the Committee following the audit. The investigations are required to be prioritised in accordance with risk analysis and identification as determined during the audit. However, this standard process was not followed in the 2023-24 reporting period due primarily to a number of buildings being reported to the Committee by the SAMFS. The buildings reported by the SAMFS required investigation and elevated the level of importance, such that they overrode Council's normal risk identification process.

Other Activities

Other than the responsibilities set out in Section 157 of the Act, the Committee has also been responsible for the recent audit of the buildings which contain a designated building product known as ACP (Aluminium Composite Panel). The audit, as initiated by the former State Government Department of Planning, Transport & Infrastructure ("DPTI"), (now PlanSA), has been primarily undertaken by the Senior Development Officer, Building and presented to the Committee for actioning.

The respective owners of all buildings which have been the subject of the Aluminium Composite Panel Cladding Audit, have received written correspondence and been advised of the audit and its outcomes. To date, the Committee is liaising with PlanSA regarding the progress of the audit and its outcomes. Two (2) matters arising from the audit and random investigations are ongoing.

OPTIONS

This report is provided for information purposes only.

CONCLUSION

The Committee has been very efficient and effective in diligently actioning a range of on-going and complex enforcement matters. The effectiveness of the Committee's activities is reinforced by the results which have been achieved within this reporting period, being the completion of one (1) matter.

A methodical risk-assessment based approach has been applied by the Committee for several years and this has ensured that building fire safety risks have been afforded an appropriate level of attention. Whilst such risks cannot be entirely mitigated, the Committee's role and function is crucial in ensuring that buildings with vulnerable occupants are adequately protected against fire.

RECOMMENDATION

That the report on the activity of the Council's *Building Fire Safety Committee* during the period commencing September 2023 and ending September 2024, be received and noted.

Cr Duke moved:

That the report on the activity of the Council's Building Fire Safety Committee during the period commencing September 2023 and ending September 2024, be received and noted.

Seconded by Cr Clutterham and carried unanimously.

11.7 EASTERN HEALTH AUTHORITY - LEASE AGREEMENT

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

PURPOSE OF REPORT

The purpose of this report is to present for the Council's consideration a request that has been received from the Eastern Health Authority, for the Council to reconsider its position regarding the term of the new lease for the tenancy at the St Peters Town Hall Complex.

BACKGROUND

At its meeting held on 2 September 2024, the Council considered the draft lease between the Council and the Eastern Health Authority (EHA), for the premises located at the St Peters Town Hall Complex. The draft lease was for a further period of twenty (10 + 10) years.

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

That Council approves a Lease to Eastern Health Authority for the offices that they currently occupy for five (5) years (all other terms of the Lease to remain the same), noting that it is committed to Eastern Health Authority using the facilities into the future but seeks greater flexibility in the ongoing management of its community land.

Following the Council Meeting, EHA were subsequently advised of the Council's decision as set out above.

On 25 October 2024, a letter was sent to the Council from the Chief Executive Officer, EHA requesting that the Council reconsider its position regarding the term of the new lease.

A copy of the letter dated 25 October 2024 is contained within **Attachment A**.

RELEVANT STRATEGIC DIRECTIONS & POLICIES

Not Applicable.

FINANCIAL AND BUDGET IMPLICATIONS

The draft Lease provides for a rental of \$124,150 per annum plus GST and outgoings. This is a commercial rental reflective of the market rental value of the premises. The rent is to be increased by CPI annually and to market rental value upon renewal.

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**
Crs Whittington and Moorhouse are the Council's appointees on the Board of EHA.
- **Community**
Not Applicable.
- **Staff**
Not Applicable.
- **Other Agencies**
Not Applicable.

DISCUSSION

In accordance with its Charter, EHA is a Regional Subsidiary that has been established for the purpose of providing public and environmental health services primarily to and within the areas of the Constituent Councils and has been a tenant of the St Peters Town Hall since 9 February 1998.

The previous Lease between the Council and EHA for the tenancy located at Unit 3 in St Peters Town Hall Complex was for ten (10) years commencing on 1 June 2012, with a right of renewal for a further ten (10) years.

As set out in the letter dated 25 October 2024, the Chief Executive Officer of EHA has requested that the Council reconsider its position in respect to the term of the new lease and offer the lease to EHA for a term of twenty (10 + 10) years.

In the event the Council did determine to reconsider its position as requested by EHA it is important to note that the Council can only do so via a Motion with Notice in accordance with the *Local Government (Procedures at Meetings) Regulations 2013*.

This means that a Motion with Notice to amend the Council's previous decision would need to be received seven (7) clear days prior to the next Council Meeting which is scheduled to be held on Monday, 2 December 2024.

The Motion with Notice would need to be received by Sunday 24 November 2024.

OPTIONS

Not Applicable.

The Council has resolved to enter into a new lease with EHA for the premises located at the St Peters Town Hall Complex for a five (5) year term (with no provision for an automatic renewal for a further period).

CONCLUSION

Whilst the Council can reconsider its position regarding the term of the lease as requested by EHA, it can only do so via the process as set out in this report.

As a Regional Subsidiary, EHA provides services to its Constituent Councils, which includes the City of Norwood Payneham & St Peters. In addition to being an organisation that is 'part-owned' by this Council, EHA is also a long-term tenant that is seeking to maintain a Lease which provides stability to EHA and a revenue stream for the Council.

The St Peters Town Hall Complex is essentially a "community hub" that comprises the St Peters Library, the Banquet Hall, 3D Radio and EHA. These uses are all compatible and have over a long period, worked well together.

COMMENTS

Nil.

RECOMMENDATION

That the report be received and noted.

Cr McFarlane left the meeting at 9.17pm.

Cr Whittington moved:

That the report be received and noted.

Seconded by Cr Granozio and carried unanimously.

11.8 NOMINATIONS TO EXTERNAL BODIES – DOG AND CAT MANAGEMENT BOARD AND LOCAL GOVERNMENT TRANSPORT ADVISORY PANEL

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

PURPOSE OF REPORT

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

1. Dog and Cat Management Board; and
2. Local Government Transport Advisory Panel.

Details relating to these appointments are set out below.

Dog and Cat Management Board

The Local Government Association of South Australia (LGA), is inviting nominations for appointment for two (2) Local Government representatives on the Dog and Cat Management Board (the Board).

The Dog and Cat Management Board is a Statutory Authority that is governed by the *Dog and Cat Management Act 1995* (the Act). The Board works closely with key organisations and the State Government, to improve dog and cat management in South Australia.

Appointments are for a three (3) year term, commencing 1 February 2025 until 31 January 2028.

The Board regularly meets at metropolitan and regional Council offices on the third Tuesday every month, excluding January.

The sitting fee for Board members is currently \$206 per meeting.

Members of the Board are required to have the following attributes:

- practical knowledge of and experience in, Local Government, including Local Government processes, community consultation and the legislation as it applies to Local Government;
- experience in the administration of legislation;
- experience in financial management; and
- experience in education and training.

A copy of the Dog and Cat Management Board Selection Criteria and Nomination Form is contained within **Attachment A**.

All nominees must complete the LGA Nomination Form and provide a current CV and respond to the selection criteria.

Applications close on 29 November 2024.

Local Government Transport Advisory Panel

Following the resignation of Mr Chris Dunn from the City of Port Adelaide Enfield, the Local Government Association of South Australia (LGA), is inviting nominations for appointment to the Local Government Transport Advisory Panel (the Panel) for the remainder of the current term, until 1 August 2026.

The Panel oversees the governance and operations of the Special Local Roads Program which has been in place in South Australia since 1985.

The objectives of the Special Local Roads Program are to:

- prioritise the construction and maintenance of strategic and significant local roads whose benefits exceed the boundary of the council and its community;
- support the delivery of local roads in an orderly and coordinated manner through evidence-based decisions that draw upon the best available State, Regional and Local plans; and
- demonstrate accountability and transparency in the administration of the program.

The Panel's role is to consider applications for Special Local Roads Program funding and make recommendations to the LGA Board of Directors, which are then forwarded to the South Australian Local Government Grants Commission and relevant State and Federal Ministers for approval.

The current members of the Panel are:

- Mayor Leon Stephens, Port Pirie Regional Council, (a member of the LGA Board);
- Mr Richard Dodson, CEO, Light Regional Council, (Regional Council Representative);
- Mr Peter Tsokas, CEO, City of Unley, (Greater Adelaide Council Representative);
- Ms Bridget Mather, CEO, Coorong District Council, (Regional Council Representative);
- Ms Sarah Wozniak, Senior Policy Officer, (as delegate of the LGA);
- Mr Peter Ilee, (as nominee of the Minister for Local Government); and
- Mr Russel Troup, (as nominee of the Minister for Infrastructure and Transport).

Nominees are required to have relevant qualifications, experience and/or knowledge in the following:

- Local Government knowledge and experience;
- infrastructure, planning and delivery and grant management;
- sound project management, financial management and governance skills;
- local, regional and state transport planning; and
- evaluation of grant applications, including analysis of information of a technical and financial nature.

The Panel meets at least three (3) times a year, at Local Government House, 148 Frome Street Adelaide.

Applications close on 15 November 2024.

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

The Local Government Transport Advisory Panel is a committee of the LGA, and whilst nominations are not required to be endorsed by the Council, it is this Council's practise to endorse any nomination (i.e. Elected Member or staff nominations), for appointment to external committees.

RELEVANT POLICIES & STRATEGIC DIRECTIONS

Not Applicable.

RECOMMENDATION 1 – DOG AND CAT MANAGEMENT BOARD

1. The Council notes the report and declines the invitation to submit a nomination to the Local Government Association for the Dog and Cat Management Board.

or

2. The Council nominates _____ to the Local Government Association for the Dog and Cat Management Board.

RECOMMENDATION 2 – LOCAL GOVERNMENT TRANSPORT ADVISORY PANEL

1. The Council notes the report and declines the invitation to submit a nomination to the Local Government Association for the Local Government Transport Advisory Panel.

or

2. The Council nominates _____ to the Local Government Association for the Local Government Transport Advisory Panel.
-

Cr Duke moved:

The Council notes the report and declines the invitation to submit a nomination to the Local Government Association for the Dog and Cat Management Board.

Seconded by Cr Knoblauch and carried unanimously.

Cr Robinson moved:

The Council notes the report and declines the invitation to submit a nomination to the Local Government Association for the Local Government Transport Advisory Panel.

Seconded by Cr Clutterham and carried unanimously.

11.9 DELEGATIONS UNDER THE PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016

REPORT AUTHOR: Manager, Governance
GENERAL MANAGER: General Manager, Governance & Civic Affairs
CONTACT NUMBER: 83664593
FILE REFERENCE: qA160647
ATTACHMENTS: A - B

PURPOSE OF REPORT

The purpose of this report is to present the updated delegations that have been made under the *Planning, Development and Infrastructure Act 2016* (the PDI Act) and statutory instruments, to the Council for approval.

BACKGROUND

Under the PDI Act and related statutory instruments (including the Regulations and Practice Directions), there are various functions and powers, which are vested in the Council as a Council, a Designated Authority, a Designated Entity or a Relevant Authority.

The Council has the ability to delegate many of its decision-making powers and functions under various pieces of legislation, including the PDI Act. The primary purpose of delegating powers and functions, is to facilitate an efficient and effective organisation by allowing decisions to be made by the staff who carry out the day-to-day operations and to ensure that decisions are made at the appropriate level.

The current delegations under the PDI Act and related statutory instruments, have been reviewed and are now presented to the Council for consideration and approval.

This report is one in a suite of reports regarding the overall review of the Council's delegations. Lining up these delegations with the other delegations that are made by the Council, is logical from a timing and review perspective and will ensure that any legislative change to the PDI Act since the last review in 2022, is included. This in turn, will assist with ensuring all the sub-delegations are done appropriately based on these delegations.

As Elected Members may recall, the Council determined by resolution, the general delegations at the Council Meeting held on 8 October 2024. In addition, a review of the Council's delegation of powers and functions to the Eastern Health Authority (EHA) was undertaken in April 2024, with no changes recommended. As EHA is a Regional Subsidiary established under Section 43 of the *Local Government Act 1999*, the timing of the review of delegations is coordinated with the other Constituent Councils to support the operations of EHA and are therefore separated from the general delegations.

A separate report to this meeting of the Council presents the *Instrument of Sub-Delegation and authorisations relevant to the Minister for Transport & Infrastructure's Instrument of General Approval and Delegation to the Council (dated 22 August 2013)*.

RELEVANT STRATEGIC DIRECTIONS & POLICIES

Not Applicable.

FINANCIAL AND BUDGET IMPLICATIONS

Not Applicable.

EXTERNAL ECONOMIC IMPLICATIONS

Not Applicable.

SOCIAL ISSUES

Not Applicable.

CULTURAL ISSUES

Not Applicable.

ENVIRONMENTAL ISSUES

Not Applicable.

RESOURCE ISSUES

Not Applicable.

RISK MANAGEMENT

The adoption of an appropriate framework of delegations allows for decision making at appropriate levels within the organisation.

CONSULTATION

- **Elected Members**
Not Applicable.
- **Community**
Not Applicable.
- **Staff**
Consultation has been undertaken with relevant staff regarding the review of delegations that are being made under the PDI Act and further consultation will occur through the sub-delegation process.
- **Other Agencies**
Not Applicable.

DISCUSSION

Section 44(1) of the *Local Government Act 1999* (the Act), enables the delegation by the Council of powers and functions under the Act or any other Act or Regulations. Therefore, in general, if an Act does not contain an express power of the Council to delegate its powers and functions under that Act, then Section 44 of the Act may be used.

For the purposes of the PDI Act and statutory instruments, Section 44 (1) of the Act is used to delegate the powers and function of a Council, a Designated Authority or a Designated Entity. The powers and functions of the Council as Relevant Authority are delegated under Section 100(1) of the PDI Act.

Section 44(4) of the Act, provides that a delegation:

- is subject to conditions and limitations determined by the Council or specified by the Regulations;
- if made to the Chief Executive Officer, authorises the sub-delegation of the delegated power or function unless the Council directs otherwise and if made to anyone else authorises the sub-delegation of the delegated power or function with the approval of the Council; and
- is revocable at will and does not prevent the Council from acting in a matter.

Section 100(2) of the PDI Act provides that a delegation by the Council as a Relevant Authority:

- may be made subject to conditions or limitations specified in the Instrument of delegation; and
- if the Instrument of delegation so provides, may be further delegated by the delegate; and
- is revocable at will and does not derogate from the power of the relevant authority to act in any matter.

For a delegation to be granted under a statutory power of delegation, the Council must pass a resolution:

- identifying the delegate;
- identifying the powers and functions which are delegated; and
- specifying any conditions or limitations on the delegation.

The recommendation and Instruments attached have been prepared to ensure the Council appropriately delegates the powers and functions under the PDI Act.

Instrument A, the *Instrument of Delegation under the PDI Act, Regulations, Planning & Design Code and Practice Directions of Powers of the Council as a Council, a Designated Authority and a Designated Entity* is contained within **Attachment A**.

Instrument B – the *Instrument of Delegation under the PDI Act, Regulations, Planning & Design Code and Practice Directions of Powers of the Council as a Relevant Authority* is contained within **Attachment B**.

OPTIONS

Delegations are an essential component in the operations of any organisation and an important governance requirement. Without appropriate delegations, matters requiring decision under the PDI Act would need to be referred to the Council for decision and the task of running the Council's operation efficiently and effectively would be made unnecessarily more difficult, complex, unwieldy and unsustainable.

It is recommended that the Council delegates the powers and functions under the PDI Act and statutory instruments to the Chief Executive Officer to ensure that decisions under the PDI Act continue to be lawful.

The respective powers and functions may be sub-delegated by the Chief Executive Officer under Sections 44 and 101 of the Act or under Section 100(2)(c) of the PDI Act.

CONCLUSION

The Council's delegation of powers and functions under the PDI Act, Regulations and Practice Directions is sought to ensure the Council complies with the PDI Act Objects and Functions.

COMMENTS

Nil.

RECOMMENDATION

1. That the previous delegation of powers and functions of the Council as a Council, Designated Authority, a Designated Entity or a Relevant Authority under the *Planning, Development and Infrastructure Act 2016*, be revoked effective from midnight 30 November 2024.
2. In exercise of the power contained in Section 44 of the *Local Government Act 1999* the powers and functions under the *Planning, Development and Infrastructure Act 2016* and statutory instruments made thereunder contained in the proposed *Instrument of Delegation under the PDI Act, Regulations, Planning & Design Code and Practice Directions of Powers of the Council as a Council, a Designated Authority and a Designated Entity* provided as Attachment A, are hereby delegated to the person occupying or acting in the office of Chief Executive Officer of the Council effective from 1 December 2024 and subject to the conditions and/or limitations, if any, specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation.
3. The Council notes that such powers and functions may be further delegated by the Chief Executive Officer in accordance with Sections 44 and 101 of the *Local Government Act 1999* as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation.

4. In exercise of the power contained in Section 100 of the *Planning, Development and Infrastructure Act 2016* the powers and functions under the *Planning, Development and Infrastructure Act 2016* and statutory instruments made thereunder contained in the proposed *Instrument of Delegation under the PDI Act, Regulations, Planning & Design Code and Practice Directions of Powers of the Council as a Relevant Authority* provided as Attachment B, are hereby delegated to the person occupying or acting in the office of Chief Executive Officer of the Council effective from 1 December 2024 and subject to the conditions and/or limitations, if any, specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation.
 5. The Council notes that such powers and functions may be further delegated by the Chief Executive Officer in accordance with Section 100(2)(c) of the *Planning, Development and Infrastructure Act 2016* as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation.
-

Cr Sims moved:

1. *That the previous delegation of powers and functions of the Council as a Council, Designated Authority, a Designated Entity or a Relevant Authority under the Planning, Development and Infrastructure Act 2016, be revoked effective from midnight 30 November 2024.*
2. *In exercise of the power contained in Section 44 of the Local Government Act 1999 the powers and functions under the Planning, Development and Infrastructure Act 2016 and statutory instruments made thereunder contained in the proposed Instrument of Delegation under the PDI Act, Regulations, Planning & Design Code and Practice Directions of Powers of the Council as a Council, a Designated Authority and a Designated Entity provided as Attachment A, are hereby delegated to the person occupying or acting in the office of Chief Executive Officer of the Council effective from 1 December 2024 and subject to the conditions and/or limitations, if any, specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation.*
3. *The Council notes that such powers and functions may be further delegated by the Chief Executive Officer in accordance with Sections 44 and 101 of the Local Government Act 1999 as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation.*
4. *In exercise of the power contained in Section 100 of the Planning, Development and Infrastructure Act 2016 the powers and functions under the Planning, Development and Infrastructure Act 2016 and statutory instruments made thereunder contained in the proposed Instrument of Delegation under the PDI Act, Regulations, Planning & Design Code and Practice Directions of Powers of the Council as a Relevant Authority provided as Attachment B, are hereby delegated to the person occupying or acting in the office of Chief Executive Officer of the Council effective from 1 December 2024 and subject to the conditions and/or limitations, if any, specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation.*
5. *The Council notes that such powers and functions may be further delegated by the Chief Executive Officer in accordance with Section 100(2)(c) of the Planning, Development and Infrastructure Act 2016 as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation.*

Seconded by Cr Duke and carried unanimously.

Cr McFarlane returned to the meeting at 9.21pm.

11.10 SUB-DELEGATION AND AUTHORISATIONS – MINISTER’S GENERAL APPROVAL FOR ROAD TRAFFIC ACT

REPORT AUTHOR: Manager, Governance
GENERAL MANAGER: General Manager, Governance & Civic Affairs
CONTACT NUMBER: 8366 4593
FILE REFERENCE: qA160647
ATTACHMENTS: A - B

PURPOSE OF REPORT

The purpose of this report is to seek the Council's approval for the sub-delegations and authorisations made pursuant to the Minister for Transport & Infrastructure's *Instrument of General Approval and Delegation (dated 22 August 2013)*.

BACKGROUND

The primary purpose of delegating powers and functions is to facilitate an efficient and effective organisation by allowing decisions to be made by the staff who conduct the day-to-day operations and to ensure that decisions are made at the appropriate level.

As Elected Members will recall, the Council resolved to grant the delegation of powers and functions of the Council under many pieces of legislation to the Chief Executive Officer at the Council Meeting held on 8 October 2024. These delegated powers and functions will be effective from 1 December 2024, with the current delegated powers and functions in effect until midnight 30 November 2024.

The Instruments of Delegation for powers and functions under the *Planning, Development and Infrastructure Act 2016*, are the subject of a separate report to this Council Meeting.

RELEVANT STRATEGIC DIRECTIONS & POLICIES

Not Applicable.

FINANCIAL AND BUDGET IMPLICATIONS

Not Applicable.

EXTERNAL ECONOMIC IMPLICATIONS

Not Applicable.

SOCIAL ISSUES

Not Applicable.

CULTURAL ISSUES

Not Applicable.

ENVIRONMENTAL ISSUES

Not Applicable.

RESOURCE ISSUES

Not Applicable.

RISK MANAGEMENT

The adoption of an appropriate framework of delegations allows for decision making at appropriate levels within the organisation.

CONSULTATION

- **Elected Members**
Not Applicable.
- **Community**
Not Applicable.
- **Staff**
Consultation has been undertaken with relevant staff through the review of the Delegations and further consultation will occur through the sub-delegation process.
- **Other Agencies**
Not Applicable.

DISCUSSION

In accordance with the power conferred on the Minister for Transport & Infrastructure under the *Road Traffic Act 1961* (RT Act), the Minister granted general authorisations and delegations to all Councils for the purposes of exercising specific powers and functions under the RT Act via the *Instrument of General Approval and Delegation (dated 22 August 2013)* (the General Approval). For reference, the General Approval is contained within **Attachment A**.

The General Approval permits the Council to:

1. sub-delegate the powers under Section 33(1) of the RT Act to the Chief Executive Officer; and
2. authorise employees of the Council to exercise the powers under sections 17 and 20 of the RT Act.

Sub-delegation of powers under Section 33(1) of the RT Act

Section 33(1) of the RT Act relates to '*Road closing and exemptions for certain events*' and prescribes:

- (1). *On the application of any person interested, the Minister may declare an event to be an event to which this section applies and may do either or both of the following:*
 - (a). *make an order directing that specified roads (being roads on which the event is to be held or roads that, in the Minister's opinion, should be closed for the purposes of the event) be closed to traffic for a period specified in, or determined in accordance with, the order;*
 - (b). *make an order directing that persons participating in the event be exempted, in relation to specified roads, from the duty to observe an enactment, regulation or by-law prescribing a rule to be observed on roads by pedestrians or drivers of vehicles.*

The General Approval delegates the above powers to the Council and the attached *Instrument of Sub-Delegation under the General Approval – Road Traffic Act 1961*, as contained in **Attachment B**, sub-delegates these powers to the Chief Executive Officer. The Chief Executive Officer cannot further delegate this sub-delegation.

Authorising employees of the Council to exercise powers under Sections 17 and 20 of the RT Act

Section 17 of the RT Act relates to '*Installation etc of traffic control devices – general provisions*', and Section 20 of the RT Act relates to '*Work areas and work sites*'.

The General Approval provides that any authorisations to staff of the Council, must be made in writing and approved by the Chief Executive Officer on behalf of the Council. For this reason, the Chief Executive Officer will, on behalf of the Council make these authorisations and these are therefore not presented to the Council and will remain in place until such time as the Chief Executive Officer revokes them.

However, Clause A.7 of the General Approval includes various conditions which apply to the exercise of the Council's power to install, maintain, alter, operate or remove any traffic control device as follows:

- (a) a Traffic Impact Statement must be prepared by a person who the Council considers is an experienced traffic engineering practitioner;
- (b) the Traffic Impact Statement must be endorsed by a person authorised by the Council.

In addition, Clause E.2 of the General Approval, requires all traffic control devices for the purpose of an event other than those specified in Clause A.8 to be installed in accordance with a Traffic Management Plan that is prepared by a person, who in the opinion of the Council, has an appropriate level of knowledge and expertise in the preparation of traffic management plans.

In summary, the Council is required to authorise the appropriate people to do the following within the circumstances prescribed in the General Approval:

- prepare a Traffic Impact Statement;
- endorse a Traffic Impact Statement; and
- prepare a Traffic Management Plan

These authorisations are therefore included as part of the recommendation for the Council's consideration and adoption.

OPTIONS

Delegations are an essential component in the operation of any organisation and an important governance requirement. The majority of the delegations are of an administrative nature and are necessary for the efficient and effective implementation of decisions and the administration of Council business and operations and the efficient use of limited resources.

Without appropriate delegations, a substantial number of minor matters would need to be referred to the Council for decision and the task of running the Council's operation efficiently and effectively would be made unnecessarily more difficult, complex, unwieldy and unsustainable.

The authorisations contained in this report are part of the Council's delegation framework. Unlike delegations (and sub-delegations) however, authorisations are made to individuals rather than to the position an individual holds. Therefore, authorisation is provided to the individual person listed in the recommendation and their position within the Council is included for information purposes.

CONCLUSION

Council decision making occurs either by resolution of the Council in a Council Meeting or through delegation. The review of the Council's delegation framework ensures compliance with legislative requirements and the effective administration of Council's powers, functions and duties.

The sub-delegations and authorisations under the General Approval are another important element in the Council's delegation framework.

COMMENTS

The sub-delegations and authorisations determined by the Council will take effect immediately.

RECOMMENDATION

1. The Council notes the *Instrument of General Approval and Delegation to Council (dated 22 August 2013)* from the Minister for Transport and Infrastructure (General Approval) as contained in Attachment A.
 2. That the previous sub-delegation of powers and functions to the Chief Executive Officer, and authorisations, made by the Council under the General Approval be revoked.
 3. That the Council resolves to grant the sub-delegation of powers under the *Road Traffic Act 1961*, as provided for in the General Approval to the Chief Executive Officer in the attached *Instrument of Sub-Delegation under the General Approval – Road Traffic Act 1961* (Attachment B).
 4. In accordance with the General Approval, the Council authorises the following persons pursuant to Clause A.7 of the General Approval to endorse Traffic Impact Statements for the purposes of Clause A of the General Approval provided that such person(s) shall take into account the matters specified in Clause A.7 of the General Approval in respect of Traffic Impact Statements:
 - Rebecca Vander Pennen (Traffic Engineer)
 - Derek Langman (General Manager, Infrastructure & Major Projects)
 - Michael Moshos (Project Manager, Civil)
 - Josef Casilla (Project Manager, Assets)
 - Michael Surnak (Project Officer, Civil)
 5. In accordance with Clause A.7 of the General Approval, the Council is of the opinion that the following persons are experienced traffic engineering practitioner(s) for the purposes of preparing a Traffic Impact Statement as required by Clause A.7 of the General Approval:
 - Rebecca Vander Pennen (Traffic Engineer)
 - Derek Langman (General Manager, Infrastructure & Major Projects)
 - Michael Moshos (Project Manager, Civil)
 - Josef Casilla (Project Manager, Assets)
 - Michael Surnak (Project Officer, Civil)
 6. In accordance with Clause E.2 of the General Approval, the Council is of the opinion that the following persons have an appropriate level of knowledge and expertise in the preparation of Traffic Management Plans:
 - Rebecca Vander Pennen (Traffic Engineer)
 - Derek Langman (General Manager, Infrastructure & Major Projects)
 - Michael Moshos (Project Manager, Civil)
 - Josef Casilla (Project Manager, Assets)
 - Michael Surnak (Project Officer, Civil)
-

Cr Duke moved:

1. *The Council notes the Instrument of General Approval and Delegation to Council (dated 22 August 2013) from the Minister for Transport and Infrastructure (General Approval) as contained in Attachment A.*
2. *That the previous sub-delegation of powers and functions to the Chief Executive Officer, and authorisations, made by the Council under the General Approval be revoked.*
3. *That the Council resolves to grant the sub-delegation of powers under the Road Traffic Act 1961, as provided for in the General Approval to the Chief Executive Officer in the attached Instrument of Sub-Delegation under the General Approval – Road Traffic Act 1961 (Attachment B).*
4. *In accordance with the General Approval, the Council authorises the following persons pursuant to Clause A.7 of the General Approval to endorse Traffic Impact Statements for the purposes of Clause A of the General Approval provided that such person(s) shall take into account the matters specified in Clause A.7 of the General Approval in respect of Traffic Impact Statements:*
 - *Rebecca Vander Pennen (Traffic Engineer)*
 - *Derek Langman (General Manager, Infrastructure & Major Projects)*
 - *Michael Moshos (Project Manager, Civil)*
 - *Josef Casilla (Project Manager, Assets)*
 - *Michael Surnak (Project Officer, Civil)*
5. *In accordance with Clause A.7 of the General Approval, the Council is of the opinion that the following persons are experienced traffic engineering practitioner(s) for the purposes of preparing a Traffic Impact Statement as required by Clause A.7 of the General Approval:*
 - *Rebecca Vander Pennen (Traffic Engineer)*
 - *Derek Langman (General Manager, Infrastructure & Major Projects)*
 - *Michael Moshos (Project Manager, Civil)*
 - *Josef Casilla (Project Manager, Assets)*
 - *Michael Surnak (Project Officer, Civil)*
6. *In accordance with Clause E.2 of the General Approval, the Council is of the opinion that the following persons have an appropriate level of knowledge and expertise in the preparation of Traffic Management Plans:*
 - *Rebecca Vander Pennen (Traffic Engineer)*
 - *Derek Langman (General Manager, Infrastructure & Major Projects)*
 - *Michael Moshos (Project Manager, Civil)*
 - *Josef Casilla (Project Manager, Assets)*
 - *Michael Surnak (Project Officer, Civil)*

Seconded by Cr Holfeld and carried unanimously.

11.11 SCHEDULE OF COUNCIL MEETINGS FOR 2025

REPORT AUTHOR: Governance Officer
GENERAL MANAGER: General Manager, Governance & Civic Affairs
CONTACT NUMBER: 8366 4533
FILE REFERENCE: qA66130
ATTACHMENTS: A

PURPOSE OF REPORT

The purpose of the report is to present for the Council's approval, the draft 2025 Schedule of Ordinary Council Meetings and the proposed date for the January 2025 Ordinary Council meeting.

BACKGROUND

Pursuant to Section 81 of the *Local Government Act 1999*, the Council is required to appoint the times and places for Ordinary Meetings of the Council.

Previously and most recently, at its meeting held on 6 November 2023, the Council resolved that Ordinary Meetings of the Council will be held in the Council Chambers, Norwood Town Hall, commencing at 7.00pm on the first Monday of each month, unless otherwise determined by the Council. In addition, the Council has determined that Council Meetings will conclude by 11.00pm.

In the event of a Public Holiday occurring on the first Monday of a month, historically the Council has determined that in such circumstances, all meetings regularly scheduled for the first Monday, will be held on the first Tuesday of the month, unless otherwise determined by the Council.

A draft Schedule of Meetings for 2025 has been prepared for consideration by the Council, based on the convention (ie previous Council resolutions), of conducting Council meetings on the first Monday of the month.

A copy of the Schedule of Meetings for 2025 is contained in **Attachment A**.

RELEVANT POLICIES & STRATEGIC DIRECTIONS

Not Applicable.

DISCUSSION

Current arrangements in respect to the scheduling of meetings has worked well and in order to ensure consistency and stability, it is recommended that this schedule be followed in 2025, with one exception, that being, the date of the January 2025 Ordinary Council meeting.

To this end, in 2025 the proposed date for the January Council Meeting is 20 January 2025. As per the case in previous years, this provides for a two (2) week gap between the January Ordinary Meeting of the Council and the scheduled Ordinary Council Meeting in February.

The draft Schedule of Council Meetings for 2025, therefore includes Monday, 20 January 2025, as the recommended date of the first Ordinary Meeting of the Council for 2025, however this can be amended to reflect whatever date the Council determines.

During 2025, there is one (1) Ordinary Meeting of the Council which will be affected by a Public Holiday, namely, the October Council Meeting, which is the Labour Day Public Holiday. The attached draft Schedule of Meetings for 2025, therefore, in keeping with past practice, indicates that the October Council Meeting will be held on Tuesday, 7 October 2025.

OPTIONS

The Council can determine that the January 2025 Ordinary Meeting of the Council be held on Monday, 20 January 2025 and set the Schedule of Ordinary Council meetings as set out in the attached draft 2025 Schedule of Meetings or it can determine an alternative date for the January 2025 Council meeting and an alternative schedule for Council Meetings during 2025.

CONCLUSION

Determination of the times and places for ordinary meetings of the Council, will ensure compliance with the requirements of the *Local Government Act 1999* and enables these dates and times to be communicated to the community.

Consistency of approach to this issue is recommended.

COMMENTS

Nil.

RECOMMENDATION

1. That the first Ordinary Meeting of the Council for 2025, be held on Monday, 20 January 2025, commencing at 7.00pm in the Council Chambers, Norwood Town Hall, 175 The Parade, Norwood.
 2. That the Council meetings affected by a Public Holiday, be held on the first Tuesday of the month, in accordance with the draft 2025 Schedule of Council Meetings as contained in Attachment A, commencing at 7.00pm in the Council Chambers, Norwood Town Hall, 175 The Parade, Norwood.
 3. That all other Ordinary Meetings of the Council be held on the first Monday of each calendar month, in accordance with the draft 2025 Schedule of Council Meetings as contained in Attachment A.
-

Cr Sims moved:

1. *That the first Ordinary Meeting of the Council for 2025, be held on Monday, 20 January 2025, commencing at 7.00pm in the Council Chambers, Norwood Town Hall, 175 The Parade, Norwood.*
2. *That the Council meetings affected by a Public Holiday, be held on the first Tuesday of the month, in accordance with the draft 2025 Schedule of Council Meetings as contained in Attachment A, commencing at 7.00pm in the Council Chambers, Norwood Town Hall, 175 The Parade, Norwood.*
3. *That all other Ordinary Meetings of the Council be held on the first Monday of each calendar month, in accordance with the draft 2025 Schedule of Council Meetings as contained in Attachment A.*

Seconded by Cr Holfeld and carried unanimously.

12. ADOPTION OF COMMITTEE RECOMMENDATIONS

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

PURPOSE OF REPORT

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

- Audit & Risk Committee – (28 October 2024)
(A copy of the Minutes of the Audit & Risk Committee meeting is contained within **Attachment A**)

ADOPTION OF COMMITTEE RECOMMENDATIONS

Cr Sims left the meeting at 9.23pm.
Cr Sims returned to the meeting at 9.24pm.

- **Audit & Risk Committee**

Cr Callisto moved that the Minutes of the meeting of the Audit & Risk Committee held on 28 October 2024, be received and that the resolutions set out therein as recommendations to the Council are adopted as decisions of the Council. Seconded by Cr Clutterham and carried unanimously.

13. OTHER BUSINESS
Nil

14. CONFIDENTIAL REPORTS

14.1 CHIEF EXECUTIVE OFFICER'S REMUNERATION REVIEW

RECOMMENDATION 1

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

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

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

RECOMMENDATION 2

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

Cr Robinson moved:

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

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

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

Seconded by Cr Knoblauch and carried unanimously.

Cr Callisto moved:

That, taking into account the outcome of the Chief Executive Officer's 2024 Performance Review, the Chief Executive Officer's Total Remuneration be adjusted as follows:

REMUNERATION AND BENEFITS

<i>Base Salary</i>	<i>\$316,560.00</i>
<i>9.3% Superannuation</i>	<i>\$ 29,440.00</i>
<i>Vehicle</i>	<i>\$ 12,000.00</i>
<i>Total Remuneration</i>	<i>\$358,000.00</i>

Seconded by Cr Piggott and carried unanimously.

Cr Piggott moved:

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

Seconded by Cr Granozio and carried unanimously.

15. ADOPTION OF COMMITTEE RECOMMENDATIONS

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

PURPOSE OF REPORT

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

- Chief Executive Officer's Performance Review Committee – (21 October 2024)
(A copy of the Minutes of the Chief Executive Officer's Performance Review Committee meeting is contained within **Attachment A**)

ADOPTION OF COMMITTEE RECOMMENDATIONS

- **Chief Executive Officer's Performance Review Committee**

Cr Callisto moved that the Minutes of the meeting of the Chief Executive Officer's Performance Review Committee held on 21 October 2024, be received and that the resolutions set out therein as recommendations to the Council are adopted as decisions of the Council. Seconded by Cr Duke and carried unanimously.

16. CLOSURE

There being no further business, the Mayor declared the meeting closed at 9.38pm.

Mayor Robert Bria

Minutes Confirmed on _____
(date)