

# Council Meeting Minutes

**1 February 2021**

## **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** Cr John Minney (Acting Mayor)  
Cr Kester Moorhouse  
Cr Evonne Moore  
Cr Garry Knoblauch  
Cr Carlo Dottore  
Cr Kevin Duke  
Cr Connie Granozio  
Cr Mike Stock  
Cr Scott Sims  
Cr Fay Patterson  
Cr Sue Whittington  
Cr John Callisto  
Cr Christel Mex

**Staff** Mario Barone (Chief Executive Officer)  
Peter Perilli (General Manager, Urban Services)  
Carlos Buzzetti (General Manager, Urban Planning & Environment)  
Lisa Mara (General Manager, Governance & Community Affairs)  
Sharon Perkins (General Manager, Corporate Services)  
Isabella Dunning (Manager, Governance, Legal & Property)  
Paul Mercorella (Acting Manager, City Assets)  
Scott Dearman (Project Manager, Assets)  
Josef Casilla (Project Officer, Assets)  
Rico Palombella (Project Manager, Civil)  
Michael Moshos (Project Officer, Civil)  
Gayle Buckby (Manager, Traffic & Integrated Transport)  
Rosanna Busolin (Manager, Community Services)  
Simonne Reid (Communications Officer)  
Marina Fischetti (Executive Assistant, Urban Services)

**APOLOGIES** Mayor Robert Bria

**ABSENT** Nil

The Chief Executive Officer opened the Council meeting as Mayor Robert Bria was an apology for this meeting.

**1A. APPOINTMENT OF ACTING MAYOR**

*Cr Stock moved that Cr John Minney be appointed Acting Mayor for the duration of the Council meeting. Seconded by Cr Whittington and carried unanimously.*

**1B. KAURNA ACKNOWLEDGEMENT**

**2. OPENING PRAYER**

The Opening Prayer was read by Cr Mike Stock.

**3. CONFIRMATION OF THE MINUTES OF THE COUNCIL MEETING HELD ON 18 JANUARY 2021**

*Cr Knoblauch moved that the minutes of the Council meeting held on 18 January 2021 be taken as read and confirmed. Seconded by Cr Stock and carried.*

**4. MAYOR'S COMMUNICATION**

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Monday, 18 January	<ul style="list-style-type: none"><li>• Presided over a Council meeting, Council Chamber, Norwood Town Hall.</li></ul>
Wednesday, 20	<ul style="list-style-type: none"><li>• Radio interview with David Bevan, ABC.</li></ul>
Wednesday, 20 January	<ul style="list-style-type: none"><li>• Television interview with Channel 7.</li></ul>
Friday, 22 January	<ul style="list-style-type: none"><li>• Attended the Media launch of the Wold Blass Centre, Cooper's Stadium.</li></ul>
Saturday, 23 January	<ul style="list-style-type: none"><li>• Radio interview with Dave Howard, 5aa.</li></ul>
Tuesday, 26 January	<ul style="list-style-type: none"><li>• Presided over a Citizenship Ceremony and 2021 Australia Day celebrations, Norwood Town Hall.</li></ul>
Tuesday, 26 January	<ul style="list-style-type: none"><li>• Attended a meeting with General Manager, Governance &amp; Community Affairs and Events staff, Mayor's Office, Norwood Town Hall.</li></ul>
Tuesday, 26 January	<ul style="list-style-type: none"><li>• Attended the 'Poolside' event, Payneham Memorial Swimming Centre.</li></ul>
Wednesday, 27 January	<ul style="list-style-type: none"><li>• Opinion article in 'The Advertiser'.</li></ul>
Wednesday, 27 January	<ul style="list-style-type: none"><li>• Presided over the Chief Executive Officer's Performance Review Committee, Mayor's Office, Norwood Town Hall.</li></ul>
Wednesday, 27 January	<ul style="list-style-type: none"><li>• Attended an Information Session: Council Chief Executive Officer's Contract of Employment, Mayor's Parlour, Norwood Town Hall.</li></ul>

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**5. DELEGATES COMMUNICATION**

Nil

**6. QUESTIONS WITHOUT NOTICE**

Nil

**7. QUESTIONS WITH NOTICE**

Nil

**8. DEPUTATIONS**

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

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**REPORT AUTHOR:** Manager, Traffic & Integrated Transport  
**GENERAL MANAGER:** General Manager, Urban Planning & Environment  
**CONTACT NUMBER:** 8366 4542  
**FILE REFERENCE:** qA59632  
**ATTACHMENTS:** Nil

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**SPEAKER/S**

Mr Brenton Whittenbury

**ORGANISATION/GROUP REPRESENTED BY SPEAKER/S**

Not Applicable.

**COMMENTS**

Mr Brenton Whittenbury has written to the Council requesting that he be permitted to address the Council in relation to the proposed cyclist refuge on the corner of Nelson Street and Henry Street, Stepney.

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

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Mr Brenton Whittenbury addressed the Council in relation to this matter.

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

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**REPORT AUTHOR:** Manager, Traffic & Integrated Transport  
**GENERAL MANAGER:** General Manager, Urban Planning & Environment  
**CONTACT NUMBER:** 8366 4542  
**FILE REFERENCE:** qA59632  
**ATTACHMENTS:** Nil

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**SPEAKER/S**

Mr Nick Faulkner

**ORGANISATION/GROUP REPRESENTED BY SPEAKER/S**

Not Applicable.

**COMMENTS**

Mr Nick Faulkner has written to the Council requesting that he be permitted to address the Council in relation to the proposed cyclist refuge on the corner of Nelson Street and Henry Street, Stepney.

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

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Mr Nick Faulkner addressed the Council in relation to this matter.

*Cr Moorhouse moved:*

*That Item 11.2 be brought forward for consideration.*

*Seconded by Cr Sims and carried.*

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## 11.2 PROPOSED CYCLIST REFUGE AT NELSON STREET AND HENRY STREET, STEPNEY

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**REPORT AUTHOR:** Manager, Traffic & Integrated Transport  
**GENERAL MANAGER:** General Manager, Urban Planning & Environment  
**CONTACT NUMBER:** 8366 4542  
**FILE REFERENCE:** qA59632  
**ATTACHMENTS:** A – E

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### PURPOSE OF REPORT

The purpose of this report is to advise the Council of the progress of investigations into the proposed installation of a cyclist refuge at the intersection of Nelson Street and Henry Street, Stepney (hereafter described as the cyclist refuge), that has been identified as a priority action from the Council's Citywide Cycling Plan.

This report includes:

- the design of the cyclist refuge and resulting changes to traffic movements;
- description of the consultation process and responses that have been received;
- investigations undertaken to evaluate concerns which have been raised by respondents; and
- staff recommendations.

### BACKGROUND

The *City of Norwood Payneham & St Peters City Wide Cycling Plan 2013* (the Plan), identifies a connected network of cycling streets and an action plan for implementation. A key objective of the Plan is to increase overall cycling rates by making cycling more enjoyable. The Plan emphasised the importance of providing safe crossing points at intersections where a local road intersects with an arterial road. These locations represent the greatest safety risk to cyclists and a significant barrier to the uptake of cycling as a sustainable form of transport.

The road crossing of Nelson Street at Henry Street has been identified as a location where a safe crossing facility is required. Henry Street forms part of a key east-west cycling route between Glynburn Road and Magill Road and traverses through residential streets in Stepney, Maylands, Trinity Gardens and St Morris. It provides a low-traffic, alternative route to cycling on Payneham Road or Magill Road and the Stepney section of the route provides local community access to the St Peters Library, Linde Reserve, Eastern Health Centre and Child Care Centres.

It is also worth noting that the *'Metropolitan Local Government Group Cycling Strategy, 2015'*, also recognises this route as a strategic cycling route and named it the *St Morris Bikeway*. The route extends beyond this City, through the Campbelltown City Council and to the Adelaide Hills. In addition, it provides north-south connections to the Norwood-Magill Bikeway (Beulah Road) and the River Torrens Linear Park.

### 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**

"A connected, accessible and pedestrian-friendly community"

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

*Strategy: Promote the use of alternative transport to motor vehicles.*

*Strategy: Provide improved and safer movement for cyclists, pedestrians and people using motorised personal vehicles.*

*Objective 4. A strong, healthy and resilient community.*

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

#### **Outcome 4: Environmental Sustainability**

*"A leader in environmental sustainability"*

*Objective 1. Sustainable and efficient management of water, waste, energy and other resources.*

*Strategy: Promote sustainable and active modes of transport.*

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

The Council allocated a lump sum of \$25,000 in the 2019-20 Budget to undertake the design for two priority cyclist crossing upgrades, located at:

- Langman Grove and Wicks Avenue; and
- Nelson Street and Henry Street (subject of this report).

The design of the cyclist crossing at Langman Grove and Wicks Avenue was integrated into the Langman Grove Road Reconstruction Project and therefore, this component of the budget was not required.

The cost to prepare the concept design of the cyclist refuge for the Nelson Street and Henry Street crossing was \$2,640. If the implementation of the cyclist refuge is endorsed by the Council, the detailed design process will include engineering survey, lighting design, road safety audit and documentation to DIT standards. This is anticipated to cost in the order of \$15,000 and so there are sufficient funds remaining in the current budget to complete the detail design.

The Department for Infrastructure and Transport (DIT) staff have informed that the cyclist refuge is eligible for allocation of funding from the State Bike Fund. If the implementation for the refuge is endorsed by the Council, State funding for 100% of the construction costs will be sought. Applications for the State Bike Fund open in April 2021, for construction in the 2021-22 financial year.

If the application for State Bike Funding is successful, there would be no additional funding required from the Council. If the funding application is not successful, the estimated cost for construction would be between \$20,000 and \$30,000 depending on whether DIT would allow construction to occur during the day or would allow night time works only.

#### **EXTERNAL ECONOMIC IMPLICATIONS**

Creating safer cycling routes can assist to enhance accessibility and broaden the scope and long-term viability of the local business sector.

#### **SOCIAL ISSUES**

The implementation of safer and convenient cyclist infrastructure and end-of-trip facilities contributes to fostering a healthier, more active and connected community.

#### **CULTURAL ISSUES**

The implementation of a safe cycling network of streets sends a clear signal to our community that the Council understands and supports the multiple benefits that cycling provides to the cultural fabric of the City.

#### **ENVIRONMENTAL ISSUES**

Transport plays a vital role in our society with the private motor vehicle currently dominating the residential streetscape and how people choose to move. Cycling is an environmentally sustainable alternative form of transport that does not produce harmful particulate or greenhouse gas pollution, or congestion and offers a viable alternative to car use for many short or commuter journeys.

#### **RESOURCE ISSUES**

The concept design and consultation phase of the project has been undertaken by Council staff. The detailed design and traffic impact assessment has been undertaken by BE Engineering. Management of the detailed design and construction of the cyclist refuge will be undertaken by Council staff.



## RISK MANAGEMENT

Potential risks have been managed through the duration of this Project by:

- seeking expert traffic consultant advice regarding traffic impacts arising from the implementation of the cyclist refuge; and
- working closely with DIT staff.

If the implementation of the cyclist refuge is endorsed by the Council, the detailed design will be to DIT Standards and DIT will require approval.

## CONSULTATION

- **Elected Members**  
Cr Sims, Cr Moorhouse and Cr Patterson are members of the Norwood Payneham & St Peters Bicycle User Group (BUG) and have been involved in discussions regarding this matter.
- **Community**
  - Community and stakeholder consultation was undertaken in September 2020, in the form of a letterbox drop to 324 residents, home owners and businesses. The area for the letterbox drop was bound by Magill Road, Payneham Road, Frederick Street and Olive Road, Stepney.
  - The Norwood Payneham & St Peters BUG.
- **Staff**  
General Manager, Urban Planning & Environment  
Project Manager, City Assets
- **Other Agencies**  
Department for Infrastructure & Transport

## DISCUSSION

The Council is committed to implementing a Citywide cycling network as demonstrated by the recent significant investment to the *Norwood-Magill Bikeway* (Beulah Road). In addition, cycling routes are integrated into road reconstruction works when applicable and bicycle logos have been installed on most routes.

The proposed cyclist refuge at the intersection of Nelson Street and Henry Street is a key safety element of the cycling network and in particular the *St Morris Bikeway*. Other streets that form the *St Morris Bikeway* fall within the Trinity Valley Stormwater Drainage Project that is currently in the design phase. Therefore, Council staff are working together to ensure that safe cycling streets are being integrated into the Trinity Valley Stormwater Drainage Project. As such, this upgrade will increase safety and awareness of the entire *St Morris Bikeway* route within the City of Norwood Payneham & St Peters bounds and will likely lead to an increase the number of cyclists using it. This in turn, is likely to increase the need for a safe crossing facility at the intersection of Nelson Street and Henry Street.

### Consultation

Nelson Street is under the care and control of the Department for Infrastructure and Transport (DIT) and their approval for the cyclist refuge is therefore required. A meeting was held with DIT staff to discuss the concept design. DIT staff identified that the cycling route aligns with the *Metropolitan Local Government Group Cycling Strategy* and the installation of the cyclist refuge was strongly supported.

Community and stakeholder consultation was undertaken in September 2020, in the form of a letterbox drop to 324 residents, home owners and businesses. The area for the letterbox drop was bound by Magill Road, Payneham Road, Frederick Street and Olive Road, Stepney. The letter included the background to the project, an illustration of the design and details of the proposed traffic restrictions and impacts. The recipients were invited to indicate whether they supported, did not support or were undecided about the cyclist refuge and space was provided for comments. The consultation letter and survey is contained in **Attachment A**.

129 submissions were received which represented a 40% response rate. Of these submissions:

- 51 supported the cyclist refuge (40%).
  - respondents had a clear understanding of the need for improved and safer crossing for cyclists;
- 67 did not support the cyclist refuge (52%).
  - respondents raised concerns with the potential for increased traffic volumes in the local road network east of Nelson Street.
- 11 were undecided (8%).
  - most respondents understood the need for a safer crossing but were equally concerned at the potential impact to the local road network.

A copy of each submission, is contained in **Attachment B**.

The key concerns that were raised by these respondents are discussed in detail below.

### **Streets in Stepney will be impacted by more traffic**

Respondents are concerned that the traffic will divert into other streets (Laura Street, Flora Street, Ann Street and Alfred Street) as motorists change their exit point from Henry Street to Alfred Street. The concern was that this traffic would increase travel time, reduce the safety and amenity for the residents of these streets and make it difficult to reverse out of driveways. It was noted that the impacts are exacerbated because the streets are already very narrow and on-street parking allows for one-travel at a time.

*Staff response:* The traffic counts (7:00am to 7:00pm) indicate that less than 20 vehicles per hour are likely to be displaced to alternative routes and this traffic is assumed to be local traffic from within the area. Laura Street, Flora Street, Ann Street and Alfred Street all carry less traffic than Henry Street and have the capacity for the anticipated minor traffic diversions. In addition, the traffic movement bans may deter some non-local traffic from rat-running through Maylands and Stepney which would result in an overall reduction of traffic volumes.

### **All vehicle movements out of Henry Street are required**

Respondents are concerned that:

- there was a lack of exit points from the Stepney and Maylands area and reducing all exits to Alfred Street would result in intolerable restrictions; and
- Henry Street west is a commercial area and requires unrestricted access for heavy vehicles.

*Staff response:* The Henry Street exit will remain open for left turning traffic. Traffic data showed that this is by far the predominant movement comprising of approximately 80% of all movements. The low through and right volumes indicate that this manoeuvre is already unfavourable, likely due to the delays waiting for sufficient gaps in the Nelson Street traffic.

### **Travel time will increase**

A number of respondents are concerned that the reduction in turning movements and increased traffic congestion would inconvenience their motor vehicle trips and increase their travel time.

*Staff response:* The traffic data identified that the through and right turn movements (that would be banned) are low volume. This indicates that these movements (requiring the crossing of two lanes of traffic in Nelson Street) are already unfavourable. This is likely due to the delays waiting for sufficient gaps in the Nelson Street traffic. Motorists who do perform that manoeuvre would see a marginal increase in travel time. The shortest diversion would be to turn left onto Nelson Street and perform a U-turn in front of either Union Street or Alfred Street.

### **U-turns in Nelson Street are hazardous**

A number of respondents are concerned that additional u-turns on Nelson Street (opposite Alfred Street and Union Street) would reduce safety and/or increase congestion at these locations. It was noted by the respondents that the u-turn manoeuvre is already hazardous and additional queuing will increase the risk of rear-end collisions and also block sight distance to vehicles wanting to turn right into Ann Street

*Staff response:* The peak hour traffic counts from February 2020 indicates that if two-thirds of the displaced vehicles performed U-turns instead of diverting to other streets, there would be:

- 11 vehicles from Henry Street east turning left onto Nelson Street and perform a U-turn opposite Union Street; and
- 14 vehicles from Henry Street west turning left into Nelson Street and perform a U-turn opposite Alfred Street.
- U-turns are permitted at both Union Street and Alfred Street and these are both T-junctions. The cyclist refuge will ban higher-risk U-turns from being undertaken at 4-way intersection of Henry Street.
- Staff at the Department for Transport and Infrastructure have reviewed the design drawings and traffic impacts and did not raise concern regarding the additional U-turns.

### **A cyclist refuge is not required**

A number of respondents noted that the cyclist refuge was not required because:

- cyclists do not use Henry Street;
- Henry Street is too busy and narrow for cyclists;
- cyclists should ride on along Magill Road, Payneham Road and Beulah Road instead; and/or
- cyclists can already cross at the break in the median island approximately 50 metres to the south of Henry Street.

*Staff response:* The 12-hour traffic counts confirmed that cyclists do ride along Henry Street (96 cyclists recorded), and the 51 respondents who supported the implementation of the cyclist refuge commented that they ride along Henry Street and would welcome the road crossing safety improvement. It is also noted that the St Morris Bikeway is not completed and so bike riders are not aware that the route exists. When the bikeway is completed, wayfinding signage and safer streets will likely attract more cyclists.

The existing break in the median requires that cyclists ride 100 metres out of their way safely cross Nelson Street. To create a high quality cycling route that encourages more people to ride, it is important to locate safe road crossings along the route (not offset) where possible. Facilities that add unnecessary distance to a route are often unused and do not represent a safe, connected cycling network.

### **Businesses will be affected**

Several respondents are concerned that the traffic restrictions would adversely affect businesses in the area, deter prospective tenants from renting properties and impede access to the child care centres on Henry Street west.

*Staff response:* The additional traffic restrictions do not *prevent* access to any businesses but simply change some travel patterns. It is considered highly unlikely that the traffic restrictions would impede any business activity.

### **The Otto's development will exacerbate traffic issues further**

Two (2) respondents are concerned that the traffic impacts will be exacerbated with more traffic from the future Otto's development.

*Staff response:* The proposed re-zoning of the Otto's Timberyard land adjacent Magill Road is yet to be approved by the Minister for Planning and there are currently no land use proposals under assessment for the Otto's site. As such, the traffic impacts from a future 'unknown' Otto's development is not considered to be a relevant consideration to the proposed cyclist refuge.

A meeting was held with the Norwood Payneham & St Peters BUG and the Manager, Traffic & Integrated Transport to discuss the consultation feedback. The Norwood Payneham & St Peters BUG discussed the traffic impact concerns of the respondents and whether there was an alternative route and/or crossing location. It was unanimously agreed that due to the street layout, a safe crossing point at Nelson Street and Henry Street was the only viable solution for a continuous, safe cycling route.

### Traffic Data

During the design process, it was identified that some movements out of Henry Street would need to be banned for the cyclist refuge to fit within the road layout. Traffic data was carefully analysed so that the movements with the least traffic were banned and the highest traffic movements were maintained.

General traffic volume and speed data for the area was undertaken in 2017, and additional turning counts at the intersection on Henry Street and Nelson Street were undertaken on February 12, 2020. This data in detail is provided in **Attachment C**.

The turning counts provided information of each traffic movement and therefore the percentage of traffic likely to be impacted by the installation of the cyclist refuge. The movement percentages and whether that movement is maintained or banned is listed in Table 1 below.

**TABLE 1: PERCENTAGE OF TRAFFIC IMPACTED**

Henry Street (west)	Henry Street (east)
85% turn left out of Henry Street: <b>maintained</b>	78% turn left out of Henry Street: <b>maintained</b>
6% straight to Henry Street east: <b>banned</b>	6% straight to Henry Street west: <b>banned</b>
9% turn right into Nelson Street: <b>banned</b>	16% turn right into Nelson Street: <b>banned</b>

The 2017 traffic data for each street within close vicinity of the cyclist refuge is shown in Table 2 below.

East of Nelson Street, Henry Street carries the highest traffic volumes at 1,685 vehicles per day, followed by Alfred Street with 1,350 vehicles per day. Laura Street, Ann Street and Flora Street all carry less than 1,000 vehicles per day. These volumes are typical, given that the Avenues shopping centre is within this precinct.

West of Nelson Street, Henry Street carries in the order of 1,900 vehicles per day. This higher traffic volume is evenly split in each direction and is a result of the commercial activity.

**TABLE 2: TRAFFIC DATA 2017**

Street (east of Nelson Street)	Section	Traffic volume (vehicles per day)	Traffic speed (85 <sup>th</sup> percentile)
Henry Street	Nelson Street to Ann Street	1,685 (directions evenly split)	28.6 km/h
Alfred Street	Nelson Street to Ann Street	1350 (516 eastbound & 833 westbound)	36.9 km/h
Laura Street	Ann Street to Morcomb Street	731 (233 eastbound, 498 westbound)	38.4km/h
Ann Street	Henry Street to Lindas Lane	773 (directions evenly split)	43.8 km/h
Ann Street	Olive Road to Flora Street	801 (directions evenly split)	40.2 km/h
Flora Street	Ann Street to Battams Street	379 (213 eastbound & 166 westbound)	37.6 km/h
Street (west of Nelson Street)	Section	Traffic volume (vehicles per day)	Traffic speed (85 <sup>th</sup> percentile)
Henry Street	Stepney Street to Nelson Street	1,908 vehicles per day (directions evenly split)	45.2km/h

On the day of the turning count survey:

- seventeen (17) vehicles were counted turning right out or driving across Nelson Street from Henry Street (east) during the highest peak hour (AM peak), and
- Twenty-two (22) vehicles were counted turning right out or driving across Nelson Street from Henry Street (west) during the highest peak hour (PM peak).

If the cyclist refuge is installed, traffic that currently turns right out of Henry Street or crosses over Nelson Street would be required to change their traffic patterns.

The traffic would likely be split as follows:

- vehicles may divert to adjacent streets to line up with a median break in Nelson Street. E.g. westbound vehicles to Alfred Street and westbound vehicles to Union Street; or
- vehicles may turn left at Henry Street and perform a u-turn at the nearest opportunity; either Alfred Street or Union Street, or
- non-local traffic may continue along the arterial roads instead of rat-running through the local street network.

This change in traffic patterns is considered to be within the capacity of the existing street layout. Of particular note is that the traffic restrictions may discourage some of the rat-running of non-local traffic through Maylands and Stepney.

### **Traffic Impact Assessment**

Given that the majority of respondents who do not support the proposal have concerns about the impact of traffic in the adjacent streets, Council staff engaged traffic consultants (BE Engineering Solutions) to provide a Traffic Impact Assessment Report. This report is summarised below and the full report is contained in **Attachment D**.

- the through and right turn movements are low volume and the banning of these represents a minor traffic impact;
- the traffic counts (7am to 7pm) indicate that less than 20 vehicles per hour are likely to be displaced to alternative routes and this traffic is assumed to be local traffic from within the area;
- the ban on right turn movements at the intersection will likely deter any non-local through traffic. This traffic is likely to remain on the collector and arterial road network and result in a reduction of traffic volumes on Henry Street;
- it is anticipated that U-turn movements at Alfred Street (north of Nelson Street) and at Union Street (south of Nelson Street) may increase for motorists who want to access Henry Street;
- site observations confirmed that U-turns are currently conducted at Henry Street, Alfred Street and Union Street; and
- the cyclist refuge will improve road safety by removing the high risk of conducting a U-turn at the Henry Street 4-way intersection (noting that Union Street and Alfred Street are T-junctions not 4-way intersections).

The BE Engineering Solutions report has concluded that the implementation of the cyclist refuge will improve road safety with negligible traffic impacts to the local road network and will affirm the Council's commitment to the local and broader community to provide improved infrastructure that supports an increase in cycling throughout the City of Norwood Payneham & St Peters.

### **OPTIONS**

The Council has two (2) options available in respect to this project. The Council could resolve to either:

- Option 1** Endorse the implementation of the cyclist refuge at the intersection of Nelson Street and Henry Street (as contained in **Attachment E**), or
- Option 2** Resolve not to proceed with the implementation of the cyclist refuge at the intersection of Nelson Street and Henry Street (as contained in **Attachment E**).

## CONCLUSION

The engagement phase of the project identified that a majority of respondents who do not support the implementation of the cyclist refuge, mostly due to their concerns about the impact on traffic. Independent traffic consultants have analysed the traffic impacts and concluded that the implementation of the cyclist refuge would improve road safety with negligible traffic impacts to the local road network and affirm the Council's commitment to the local and broader community to provide improved infrastructure that supports an increase in cycling throughout the City of Norwood Payneham & St Peters.

The installation of the refuge is also supported by DIT.

On balance, having regard to the outcomes of the consultation and traffic data analysis, it is recommended that the Council proceed to implement the cyclist refuge at the intersection of Nelson Street and Henry Street.

## COMMENTS

Henry Street, Stepney forms part of the *St Morris Bikeway* which although not complete, is recognised as a metropolitan strategic cycling route. Nelson Street has been identified as a barrier for cyclists travelling east-west on Henry Street and the installation of a cyclist refuge would provide a protected space for cyclists to wait in the central median whilst crossing the road, improve connectivity, encourage more people to cycle and provide a safer road environment for cyclists.

Implementation of the *Citywide Cycling Plan* demonstrates the Council's strong support to State and Federal Government initiatives and targets that aim to reduce car dependence and increase the number of people cycling as a sustainable transport mode. To achieve the strategic outcome, infrastructure improvements supported by community engagement and education are required on arterial and local road networks and the Council is well positioned to deliver the Plan with grant funding by all tiers of Government.

As the Council continues to work through delivering the Cycling Plan, it will be deal with and manage the car versus bicycle dichotomy. Cyclists represent a minority of road users but are the most vulnerable of road users. Providing safe road crossings is critical to achieve all of the key aims of the Plan and committing to the encouragement of sustainable transport modes.

The introduction of new infrastructure often results in the need for a trade-off of some kind. In the case of this cyclist refuge, it is the introduction of some traffic restrictions and a change in traffic patterns. The Council must weigh up the benefits and dis-benefits as discussed in this report.

## RECOMMENDATION

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.

Cr Moore declared a conflict of interest in the matter, as she resides in Henry Street, Maylands and left the meeting at 7.19pm.

*Cr Patterson moved:*

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.*

*[The above highlighted resolution was rescinded at the Council meeting held on 3 May 2021. Refer to Item 10.1, page 8 of the Council Minutes dated 3 May 2021]*

*Seconded by Cr Sims and carried.*

Cr Moore returned to the meeting at 8.06pm.

**9. PETITIONS**  
Nil

**10. WRITTEN NOTICES OF MOTION**



## 10.1 CAT MANAGEMENT IN SOUTH AUSTRALIA – SUBMITTED BY CR FAY PATTERSON

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**NOTICE OF MOTION:** Cat Management in South Australia  
**SUBMITTED BY:** Cr Fay Patterson  
**FILE REFERENCE:** qA1039 qA2136  
**ATTACHMENTS:** Nil

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

### NOTICE OF MOTION

That the Council writes to The Honourable David Speirs, Minister for Environment and Water, requesting that the State Government together with the Dog & Cat Management Board undertake a review of cat management laws with a view to introducing uniform cat management regulations, including provisions for the containment of cats, in metropolitan Adelaide and/or State-wide.

### REASONS IN SUPPORT OF MOTION

Responsible cat management is of concern to our residents for reasons of cat care, nuisance issues and/or the impact on wildlife. While councils throughout the State encourage cat owners to microchip and neuter their pets, this does not address all cat issues and a number of councils are looking at options for more active management within their areas. This includes Mt Barker Council introducing a curfew on cats in 2020.

According to a Media Statement issued by the RSPCA in response to the City of Marion's attempts to introduce a By-law for the management of cats within their area, "...a *state-wide approach to cat management is the only way to turnaround the current, unsustainable situation of cat overpopulation and other issues with stray cats in South Australia, and keeping cats confined to their owner's property is so much safer not only for wildlife, but for cats. It also prevents them from getting hit by cars, injured in fights, lost, or even hurt or stolen by someone else.*

*"Going forward, we strongly believe that fully effective cat management in South Australia will only be possible when a state-wide approach is adopted, instead of the current piecemeal approach by individual councils.*

*"Cats do not understand council borders, and we currently have about one third of councils with cat by-laws that are completely different.*

*"It is no surprise that they are proving to be totally ineffective in addressing the issue of cat management across our state."<sup>1</sup>*

According to the RSPCA, there are over 400,000 owned cats in South Australia and potentially in excess of 170,000 unowned cats. While our Council does not receive significant numbers of complaints regarding cats on an annual basis, it is likely that complaints are not being registered due to Council's lack of management powers, and the issues outlined by RSPCA South Australia CEO Paul Edwards above are relevant to cat management in our Council area.

As stated by the RSPCA, the only effective way for South Australian Councils to manage cats within their respective areas is for the State Government to introduce legislation that provides a uniform approach across council boundaries. Whether this should be State wide or whether different practices are warranted in metropolitan Adelaide should be part of the State Government and Dog & Cat Management Board's consideration.

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<sup>1</sup> Media Statement 2 July 2020, *Rejection of council's proposed cat by-law reinforces urgent need for state-wide action*, [www.rspcasa.org.au](http://www.rspcasa.org.au)

**STAFF COMMENT**  
**PREPARED BY GENERAL MANAGER, GOVERNANCE & COMMUNITY AFFAIRS**

A letter can be forwarded to the Minister as set out in the Motion.

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Cr Stock left the meeting at 8.07pm.  
Cr Stock returned to the meeting at 8.08pm.  
Cr Sims left the meeting at 8.18pm.  
Cr Sims returned to the meeting at 8.21pm.

*Cr Patterson moved:*

*That the Council writes to The Honourable David Speirs, Minister for Environment and Water, requesting that the State Government together with the Dog & Cat Management Board undertake a review of cat management laws with a view to introducing uniform cat management regulations, including provisions for the containment of cats, in metropolitan Adelaide and/or State-wide.*

*[The above highlighted resolution was rescinded at the Council meeting held on 6 April 2021. Refer to Item 10.1, page 6 of the Council Minutes dated 6 April 2021]*

*Seconded by Cr Sims and carried.*

**11. STAFF REPORTS**

## **Section 1 – Strategy & Policy**

### **Reports**

## 11.1 THE CITY OF NORWOOD PAYNEHAM & ST PETERS CITY WIDE CYCLING PLAN 2013 ACTION PLAN UPDATE 2021-2026

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**REPORT AUTHOR:** Manager, Traffic & Integrated Transport  
**GENERAL MANAGER:** General Manager, Urban Planning & Environment  
**CONTACT NUMBER:** 8366 4542  
**FILE REFERENCE:** qA60848  
**ATTACHMENTS:** A – C

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### PURPOSE OF REPORT

This report informs the Council of the progress to date in implementing the *City of Norwood Payneham & St Peters City Wide Cycling Plan 2013* (the Plan) and includes recommendations for an updated 'City Wide Cycling Action Plan' for the period 2021-2026.

### BACKGROUND

The *City of Norwood Payneham & St Peters City Wide Cycling Plan 2013* (the Plan), identifies a connected network of cycling streets and an action plan for implementation.

The key objectives of the Plan are to:

- improve cyclist safety;
- increase the range of people who cycle in the area, e.g., the elderly and the young;
- increase local cycling trips (to schools, shops, etc);
- improve permeability and connectivity within the local area and with the adjoining municipalities and the Adelaide CBD;
- facilitate healthy communities through increased physical activity;
- improve the liveability of neighbourhoods and increase social connections;
- provide real transport alternatives to the personal car that are socially equitable,
- provide solutions for environmental sustainability;
- increase supporting infrastructure, such as bicycle parking;
- reduce traffic congestion;
- address cyclist black spots;
- encourage lasting travel mode shift through travel behaviour change initiatives; and
- provide information and support to communities to raise the profile of cycling as an alternative transport mode.

The Plan included a list of priority actions that included the implementation of cyclist infrastructure, end-of-trip facilities and behaviour change initiatives and the Plan recommended that these be reviewed and updated every five (5) years.

### 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**

"A connected, accessible and pedestrian-friendly community"

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

Strategy: *Promote the use of alternative transport to motor vehicles.*

Strategy: *Provide improved and safer movement for cyclists, pedestrians and people using motorised personal vehicles.*

Objective 4. *A strong, healthy and resilient community.*

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

#### **Outcome 4: Environmental Sustainability**

*“A leader in environmental sustainability”*

Objective 1. *Sustainable and efficient management of water, waste, energy and other resources.*

Strategy: *Promote sustainable and active modes of transport.*

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

If the recommended City Wide Cycle Plan Action Plan is endorsed by the Council, funding of the actions will need to be considered annually as part of the Council’s budget setting process.

#### **EXTERNAL ECONOMIC IMPLICATIONS**

Implementing a safe and enjoyable cycling network can assist to enhance accessibility and broaden the scope and long-term viability of the local business sector.

#### **SOCIAL ISSUES**

The implementation of a safe and enjoyable cycling network fosters a healthier, more active and connected community.

#### **CULTURAL ISSUES**

The implementation of a safe and enjoyable cycling network sends a clear signal to our community that the Council understands and supports the multiple benefits that cycling provides to the cultural fabric of the City.

#### **ENVIRONMENTAL ISSUES**

Transport plays a vital role in our society with the private motor vehicle currently dominating the residential streetscape and how people choose to move. Cycling is an environmentally sustainable alternative form of transport that does not produce harmful particulate or greenhouse gas pollution, or congestion and offers a viable alternative to car use for many short or commuter journeys.

#### **RESOURCE ISSUES**

The update to the Action Plan has been undertaken by Council staff. The infrastructure recommendations set out in the Action Plan will require the input from Consultants in respect to design and documentation. The recommendations of relating travel behaviour change and the ongoing liaising / lobbying with the Department for Infrastructure and Transport (DIT) will be undertaken by Council staff.

#### **RISK MANAGEMENT**

If the Action Plan is not updated periodically, there is a risk that the *City Wide Cycling Plan* will not be fully implemented. This in turn, may result in gaps in the Council’s cycling route network and leave safety issues for cyclists unresolved. These risks have been managed through the duration of the project by working with the Norwood Payneham & St Peters BUG; and DIT staff to identify priority actions for the short to medium term and through the preparation of a revised Action Plan.

#### **CONSULTATION**

- **Elected Members**  
Cr Sims, Cr Moorhouse and Cr Patterson are members of the Norwood Payneham & St Peters BUG and have been involved in discussions regarding this matter.
- **Community**  
The Norwood Payneham & St Peters BUG.

- **Staff**

General Manager, Urban Planning & Environment  
Manager, Urban Planning & Sustainability  
Project Manager, City Assets  
Project Manager, Urban Design and Special Projects  
Sustainability Officer  
Coordinator Youth Programs

- **Other Agencies**

Department for Infrastructure & Transport  
City of Burnside  
City of Adelaide  
Town of Walkerville  
Campbelltown City Council

## DISCUSSION

A significant outcome of the 2013 Action Plan was the formation of the Norwood Payneham & St Peters BUG. The Norwood Payneham & St Peters BUG communicate with the wider cycling community via a Facebook Page and hold meetings when required. The aim of the Norwood Payneham & St Peters BUG is to engage with the Council and identify barriers to cycling and opportunities to assist Council staff to identify and prioritise works and to promote a positive cycling culture. The Norwood Payneham & St Peters BUG were consulted as part of this action plan update and have provided valuable input.

The update of the Action Plan was undertaken by Council staff and the following tasks were undertaken:

- Identification of the items from the Action Plan that have been implemented;
- Identification of the priority actions that have not been implemented, and investigate why they have not been implemented;
- Identification of actions that are not required due to changes in legislation or design guidance. This includes:
  - change to legislation in 2017 that allows bicycle riders of all ages are permitted to ride on the footpath unless a 'no bicycles' sign is present; and
  - the introduction of Sharrow pavement marking, to replace Advisory bike logos.
- reviewing the DIT crash data for a 5-year history of collisions involving cyclists to identify unsafe locations;
- reviewing traffic data to identify where cycling routes coincide with high traffic speed and/or volumes;
- cycle the network to understand the existing cycling conditions;
- liaising with the Norwood Payneham & St Peters BUG to understand the gaps in the network, and their priority actions;
- liaising with DIT to inform them of the arterial road crossings and routes that require upgrade or new infrastructure; and
- liaising with DIT to identify their planned works and ensure that cycling infrastructure is incorporated into those works where they coincide with the local cycling network.

The tasks listed above were cross-referenced and analysed to identify the priority actions for the next five (5) years (i.e. to 2021-2026).

The 2013 Action Plan for infrastructure works has been condensed and modified to include a column that identifies whether the action has been completed, is in progress, or has not been completed. This table is contained in **Attachment A**.

## Completed Actions

The Council has completed a number of cycling infrastructure projects including:

- The Norwood-Magill Bikeway (Beulah Road), including traffic calming, landscaping, wayfinding signage and upgrading of roundabouts;
- Ninth Avenue streetscape and traffic calming;
- River Torrens Shared path upgrades, Felixstow and various locations;
- Sharrow pavement marking along cycling routes and refreshing of existing compliant linemarking to align with the city wide cycling network; and
- installation of a bicycle repair station at Battams Road and Ninth Avenue junction.

In consultation with Council staff, DIT have also completed numerous cycling infrastructure projects that were identified in the Plan, including:

- Bicycle lane upgrade of Rundle Street including raised intersection at Rundle Street and The Parade West;
- cyclist facilities to enable safer road crossings:
  - Beulah Road and Portrush Road;
  - Beulah Road and Fullarton Road;
  - Hackney Road, opposite Bertram Street;
  - The Parade and Edward Street;
  - Angas Street and Dequetteville Terrace;
  - The Parade and Sydenham Road;
  - Hackney Road and Cambridge Street;
  - The Parade West and Fullarton Road cycle lane upgrade; and
- extension of Clearway times on arterial roads which extends operating times of part-time bicycle lanes.

## Actions Partially Completed

There are a number of cycling projects that the Council has not yet completed but are in progress. These are discussed below.

### *Safe Road Crossings*

- Langman Grove and Wicks Avenue, Felixstow. A cyclist refuge and wombat crossing has been designed and is planned for construction in 2021;
- Nelson Street and Henry Street, Stepney. A cyclist refuge has been designed and its implementation is currently under review;
- Winchester Street, St Peters. The roundabouts along this street were identified in the Action Plan to be upgraded to improve cyclist safety. This work is being integrated into the asset renewal program planned for design in 2021-2022;
- Beulah Road and Osmond Terrace, Norwood. The final stage of the Beulah Road cycle route is the cyclist crossing through the median at Osmond Terrace. This has been designed and is planned for construction in 2021;
- Magill Road, near Avonmore Avenue. A pedestrian actuated crossing (PAC) is required at this location to enable cyclists and pedestrians to cross Magill Road safely. A north-south cycle route crosses Magill Road at this location and liaison with the City of Burnside has confirmed its support for the PAC. Discussions have been undertaken with DIT who are not prepared to fund the crossing but will consider the installation if the City of Norwood Payneham & St Peters and the City of Burnside pay the associated costs. The concept design for the crossing has been undertaken by the Council;
- Cyclist Blackspots. The intersections of William Street with Elizabeth Street and George Street have been identified as cyclist blackspots. An application for Blackspot funding to upgrade these roundabouts has been submitted to DIT.



### *St Morris Bikeway*

The St Morris Bikeway is a key east-west cycling route between Glynburn Road and Magill Road and traverses through residential streets in Stepney, Maylands, Trinity Gardens and St Morris.

The streets in this route coincide with the Trinity Valley Stormwater Drain Project which is currently undergoing concept design. Therefore, the upgrade to the cycling facilities along this route has been incorporated into this project and relevant Council staff are working together to integrate the stormwater drainage and cycle route design.

### *Marden – St Peters Bikeway*

A shared path was constructed through the Marden Education Centre to connect Church Street to O.G. Road.

### *River Torrens Linear Park*

Council staff (City Assets) are currently undertaking design works along the River Torrens. These works are being integrated with cycling upgrades which include:

- New shared path through Twelftree Reserve, Hackney; and
- Path and bridge upgrade and new stairs with cyclist wheeling ramp, near Twelftree Reserve. The shared path terminates at this location due to steep banks and Adelaide Caravan Park ownership. Cyclists must either enter climb the stairs or backtrack along the path to continue along Richmond Street (with high traffic volume); or cross the bridge into Walkerville which provides an off-road connection to the Adelaide CBD. This upgrade will improve safety and provide better transport choices.

### *End of Trip and Mid-Trip Facilities*

- Approximately 35 bicycle parking rails have been installed throughout the city in various locations. Additional rails are required at key locations to support and encourage bicycle use; and
- A bicycle repair station has been purchased for for the Norwood-Magill Bikeway but has not yet been installed.

## **Travel Behaviour Change, Cycling Promotion and Education**

The Council has undertaken numerous initiatives to promote cycling and encourage more people to cycle, including:

- The E-bikes shared bicycle scheme;
- Promote Ride to School and Way2Go programs to Schools;
- Promotion of cycling and cycling infrastructure at Tour Down Under events;
- In conjunction with the City of Adelaide, developed the 'wheelie good guide', which promotes safe cycling routes and local destinations;
- Pop up Wheel Park at Fogolar Furlan during School holidays;
- Promotion of National Ride to Work Day;
- Provision of electric bikes for Council staff use;
- Wayfinding signage along Norwood-Magill Bikeway.
  - *Share with Care* pavement decals along Linear Park;
  - multiple bicycle maintenance courses; and
  - cycling safety courses.

### *Cyclist Data Collection*

Traffic data provides critical information for designing the road network and historically has only included speed and volume of motor vehicles. It is now recognised globally that more data on cycling is needed to provide an evidence-base for developing cycling networks. This includes collecting cyclist volumes, and evaluating the effectiveness of infrastructure. As of 2020, all traffic data collected by the Council includes the counting of cyclists. This will enable the Council to understand where people are cycling and therefore where cyclist infrastructure is needed. In addition, volunteers collect cycling data on Super-Tuesday and provide the information to the Council. Super Tuesday is Australia's biggest annual commuter bike count which records cyclist volumes, gender, and movement flow of people on bikes between 7:00am and 9:00am on the first Tuesday in March. In 2020, thirteen (13) locations were counted.

In addition to the metropolitan wide Super Tuesday counts, Council staff have also undertaken its own annual counts of pedestrians and cyclists along Beulah Road, Norwood to support the business case for the implementation of the Norwood Magill Bikeway.

### **Identified Priority Actions for 2021-2026**

The Draft updated Action Plan for infrastructure focuses on the following principles:

- completing routes that are only partially implemented;
- addressing critical gaps in the cycling network;
- prioritising cycling streets that can be integrated into works undertaken by City Assets program;
- addressing locations that have a combination of high traffic volumes and high cyclist volumes; and
- safe road crossings at hazardous locations;

The key recommended priority actions are discussed below. The updated table is contained in **Attachment B** and illustrated in **Attachment C**.

#### *Low-Traffic Cycling Route to Connect Beulah Road to the CBD*

The eastern end of the Norwood-Magill Bikeway (Beulah Road) connects to the cyclist crossing facility at Fullarton Road which takes citybound cyclists to Rundle Street. Rundle Street is a busy road and bus route, with a 60km/h speed limit, maintained and operated by DIT. Rundle Street is intimidating for many cyclists as they are positioned between parked cars (with potential for doors opening onto cyclist) and high volume/speed moving traffic. Given that the Norwood-Magill Bikeway is designed for cyclists of all-ages, it is critical that an additional low-traffic cycle route that connects Beulah Road to the City is provided.

Discussions have been held with DIT and the City of Adelaide to identify an alternative route. There are limited options and it was agreed that Little Grenfell Street and Capper Street constitute the most appropriate route and this is supported by the Norwood Payneham & St Peters BUG. The following infrastructure would be required to complete this route:

- median island refuge in Fullarton Road, to connect to Little Grenfell Street (by DIT);
- a safe crossing facility at The Parade West, a Wombat Crossing is anticipated to be appropriate at this locations;
- a safe crossing facility at Dequetteville Terrace (by DIT). The City of Adelaide has designated this crossing to be a Pedestrian Actuated Crossing (signals), and DIT have agreed to this proposal; and
- sharrow pavement marking and wayfinding signage along the route.

#### *Complete Cycling Route from Ninth Avenue to Hackney Road*

Ninth Avenue is well-utilised by cyclists exiting the River Torrens Shared path at Battams Road to avoid the meandering river section. The connection from Ninth Avenue to Hackney Road (via Eighth Avenue and Richmond Street) was identified as a high priority in the Action Plan but has not been implemented. Richmond Street carries high traffic volumes and is narrow and therefore the provision of a cyclist facility will require a complex design solution but is considered critical given the absence of alternative options. The junction of Eighth Avenue and St Peters Street is planned for a significant upgrade in 2021-2022 (as part of the St Peters Street Upgrade Project), which will include cycling facilities and traffic calming at this key junction of two cycling routes.

### *The St Morris Bikeway*

The St Morris Bikeway is a key east-west cycling route recognised on a state strategic bicycle route by the *'Metropolitan Local Government Group Cycling Strategy, 2015'*, and extends beyond NPSP, through the City of Campbelltown and to the Adelaide Hills. It traverses through residential streets in Stepney, Maylands, Trinity Gardens and St Morris and provides a low-traffic, alternative route to cycling on Payneham Road or Magill Road. It provides local community access to the Trinity Gardens Primary School, St Peters Library and Linde Reserve and connects further afield to other cycling routes that link to the River Torrens shared path and the Norwood-Magill Bikeway.

The streets of this route coincide with the Trinity Valley Drain Project (City Assets) which is currently undergoing concept design. Therefore, the upgrade to the cycling facilities along this route has been incorporated into this project and relevant Council staff are working together to integrate the drainage and cycle route design.

### *North-South Bikeway – Felixstow to Beulah Road*

This cycling route provides an important north-south route from the River Torrens Linear Park, connecting to the Norwood – Magill Bikeway and beyond to the City of Burnside and the suburbs of Kensington and Marryatville. The route connects to the proposed St Morris Bikeway (described above) and also extends further south to Kensington and Marryatville via the City of Burnside cycling network. It comprises Laver Terrace, Lewis Road, Barnes Road, Gage Street, Aberdare Avenue, Avonmore Avenue. 150 cyclists a day were counted on Gage Street which indicates that this is a popular route. It is identified with pavement marking (sharrows), but given the high cyclist volumes, a more comprehensive assessment should be undertaken that identifies possible safety and access improvements.

### *William Street*

William Street is a popular cycling route that offers a low-traffic alternative to The Parade, on the south side of The Parade. The roundabouts at George Street and Edward Street have been identified as cyclist blackspots and an application for Blackspot funding to upgrade these roundabouts has been submitted to DIT. In addition, the cycle path in the median island at Osmond Terrace is narrow and in poor condition and requires an upgrade.

### *Marden – St Peters Bikeway*

A shared path was constructed through the Marden Education Centre to connect Church Street to O.G. Road. The remaining route requires completion with pavement marking and wayfinding signage.

### *Pembroke Street and Eton Lane*

This cycling route is currently used by cyclists but is not identified on the ground. It provides a direct low-traffic connection between Linear Park shared path and the traffic signals at North Terrace.

### *St Peters Street*

St Peters Street is identified as a future bicycle boulevard and is undergoing a significant upgrade in 2021/22 that will include footpath widening, traffic calming, landscaping, improved roundabout design and cycling facilities. It will result in a high quality and enjoyable cycling route linking the pedestrian crossing at Payneham Road to the River Torrens Linear Park.

### *Wayfinding Signage*

Prepare a citywide cyclist wayfinding sign strategy and plan a roll-out of signs to complete the network by 2026.

### *Pavement Decals*

Evaluate the effectiveness and longevity of the Share with Care pavement decals along Linear Park and extend the installation if deemed appropriate.

### *Bicycle Rails*

Undertake an audit of existing bicycle rail locations and identify locations where additional rails are required. Install approximately fifteen (15) rails each year.

### *Continue Working with DIT*

Council staff and DIT staff have a good working relationship and it is critical that the Council continue to lobby DIT for safety improvements to the cycling network. The key locations for DIT upgrades include the following and the long list of locations is provided in the updated Action Plan table contained in **Attachment B**:

- Magill Road, near Avonmore Avenue, Trinity Gardens - Pedestrian/cyclist actuated crossing (PAC);
- Glynburn Road near Seventh Avenue, St Morris - Safe cyclist crossing;
- The Parade and Edward Street, Norwood - Safe cyclist crossing;
- Dequetteville Terrace and Capper Street - Pedestrian Actuated Crossing (PAC);
- Fullarton Road, Norwood to connect Beulah Road to Little Grenfell Street - Safe cyclist crossing;
- Stephen Terrace, near Ninth Avenue, St Peters - Cyclist refuge;
- Fullarton Road (west side), Norwood - footpath connection from Bailol Street, St Peters to Rundle Street, Kent Town;
- The Parade, just west of Portrush Road – install green bike lanes
- Stephen Terrace - Upgrade to cycle lane; and
- Linear Park shared path - Access improvements from the street network.

In addition, Council staff are working with DIT as part of the investigation into implementing 40km/h area speed limits.

### *Collect Cyclist Data*

Continue to collect cyclist data at every opportunity and support volunteers who participate in Super-Tuesday.

### *Support the Norwood Payneham & St Peters BUG*

Continue to engage proactively with the Norwood Payneham & St Peters BUG to identify hotspots, barriers and opportunities and to help promote a positive cycling culture.

### *Promote National and State Cycling Promotion Initiatives*

- Promote Ride to Work and Ride to School Day (and others as identified). Use a variety of media, including printed posters and on-line resources;
- Continue to work with Schools to educate and encourage cycling to School programs;
- Leverage off of other programs and initiatives when possible, e.g. the Tour Down Under, etc.

### *Promote the Cycling Network*

- Prepare printed maps of the cycling network for distribution at the Council offices and other community facilities throughout the city; and
- Update the Council website and social media pages regularly with cycling news;
- Prepare media releases to inform the community when a cycle route is completed.

## OPTIONS

The Council has three (3) options available in respect to this project. The Council could resolve to either:

- Option 1** Endorse the recommended City Wide Cycling Action Plan 2021-2026 (as contained in **Attachment B**), or
- Option 2** Modify the recommended City Wide Cycling Action Plan 2021-2026 (as contained in **Attachment B**), or
- Option 3** Resolve not to proceed with the recommended City Wide Cycling Action Plan 2021-2026 (as contained in **Attachment B**).

## CONCLUSION

The recommended *2021-2026 City Wide Cycling Action Plan* includes the implementation of infrastructure on Council-owned roads and DIT-owned roads, as well as educational and promotional activities that aim to encourage more people to ride their bike more often.

Implementation of the recommended action plan will require financial commitment by the Council to resource and fund the works required as well ongoing lobbying of the State Government. However, as the recommended actions have yet to be investigated, the costs associated with implementation are unknown at this stage. As such, funding for each of the proposed actions will need to be considered on an annual basis by the Council. If the action plan is endorsed and implemented by 2026, a significant portion of the proposed City wide cycling network will be completed.

## COMMENTS

Nil.

## RECOMMENDATION

That the *2021-2026 City Wide Cycling Action Plan* (as contained in Attachment B), be endorsed.

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Cr Mex left the meeting at 8.35pm.

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

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

Cr Mex returned to the meeting at 8.38pm.

Cr Duke moved:

*That the 2021-2026 City Wide Cycling Action Plan (as contained in Attachment B), be endorsed.*

*Seconded by Cr Dottore and carried unanimously.*

*[This Item was dealt with out of sequence – Refer to Page 5 for the Minutes relating to this Item]*

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**11.2 PROPOSED CYCLIST REFUGE AT NELSON STREET AND HENRY STREET, STEPNEY**

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*[This Item was dealt with out of sequence – Refer to Page 5 for the Minutes relating to this Item]*

### 11.3 PAYNEHAM OVAL PRECINCT CAR PARKING CONSULTATION

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**REPORT AUTHOR:** Project Officer – Assets  
**GENERAL MANAGER:** General Manager, Urban Services  
**CONTACT NUMBER:** 8366 4586  
**FILE REFERENCE:** qA1641  
**ATTACHMENTS:** A - F

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#### PURPOSE OF REPORT

The purpose of this report is to advise the Council of the outcome of the community consultation which has been undertaken regarding the Payneham Oval Precinct Car Parking and to present the final recommendation to the Council for its endorsement.

#### BACKGROUND

On-street car parking on both sides of John Street, Payneham, currently prevents efficient two-way traffic flow, in particular during days when events are being held at Payneham Oval (i.e. match day sporting events).

As part of the investigation process, an holistic approach was adopted and the scope was expanded to encompass all of the streets surrounding the Payneham Oval (i.e. not just John Street).

To obtain a better understanding of the existing footpath and traffic lane configuration, an assessment of both John Street and Rosella Street has been undertaken. The assessment identified that when vehicles are parked on both sides of John Street and Rosella Street, the streets are reduced to a width which is not compliant for two-way traffic flow, predominantly evident when events are held on Payneham Oval. Driveways, however, do provide opportunities for motorists to temporarily pull over and allow the motorist travelling from the opposite direction to pass.

As Elected Members may recall, the following concepts to mitigate the traffic flow and on-street car parking issues on both Rosella Street and John Street were investigated:

- Concept 1 – Replicating Rosella Street Footpath Car Parking on John Street;
- Concept 2 – Restricting Parking to One Side of the Street;
- Concept 3 – Implementation of One-way Traffic; and
- Concept 4 – Street Widening.

Concept 1 resulted in non-compliant car parking, Concept 2 resulted in a significant reduction of on-street car park spaces, Concept 3 resulted in a significant change in traffic conditions and Concept 4 resulted in significant impacts on existing infrastructure, including but not limited to, the removal of approximately 26 trees, eight (8) Stobie poles and the relocation of the oval boundary fencing. As a result, Concepts 1 to 4 were not considered further.

Taking into account all of the relevant factors, including but not limited to cost, adherence to current standards and road rules, maintaining assets, as well as providing a safe environment for pedestrians, motorists and adjoining residents, Concept 5 (Passing Bays Concept), which involved the following works, was investigated:

- slightly widening both Rosella Street and John Street by moving the kerbing approximately 500mm on the Payneham Oval side; and
- implementing additional yellow painted road markings in specified sections of both Rosella Street and John Street to restrict on-street car parking.

The Passing Bays Concept results in a slightly wider travel lane and lengthier passing bays and allows motorists to pull over to allow other vehicles to pass. Traffic flow is therefore improved and significant infrastructure, such as street trees, Stobie poles and fencing, would not be impacted upon.

Illustrations of the existing configuration of John Street and Rosella Street and the concept design drawings of Concepts 1 to 5 are contained in **Attachment A**.

At its meeting held on 6 October 2020, the Council considered a report on options to mitigate the traffic flow issues on John Street and Rosella Street adjacent to Payneham Oval and resolved the following:

1. *That Option B (Passing Bays Concept), be endorsed for the purposes of undertaking consultation.*
2. *The Council notes that consultation on Option B will now be undertaken for 21 working days in accordance with the Council's Community Consultation Policy following which a report will be prepared for the Council's consideration on the outcomes of the consultation.*

In accordance with the Council's resolution, a letter outlining the issue and the options which have been investigated, particularly the endorsed Passing Bays Concept, was mailed to the residents and property owners of John Street and Rosella Street adjacent to Payneham Oval as part of the community consultation process. A copy of the letter, which includes the concept design drawings of the Passing Bays Concept, is contained in **Attachment B** and the outcome is outlined in the Discussion section of this report.

## **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**

*A connected, accessible and pedestrian-friendly community*

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

Strategy: *Provide safe and accessible movement for people of all abilities.*

Objective 4. *A strong, healthy, resilient and inclusive community.*

Strategy: *Encourage physical activity and support mental health to achieve healthier lifestyles and well-being.*

## **FINANCIAL AND BUDGET IMPLICATIONS**

As part of the 2019-2020 Budget, the Council allocated \$20,000 for the design of the conversion of the footpath on the northern side of John Street to roll-over kerb, providing a wider travel lane and allowing footpath car parking, hence replicating the existing configuration of Rosella Street.

As part of the 2020-2021 Budget, the Council allocated \$250,000 for the preparation of the design documentation and construction of the project.

To date, \$8,530 has been spent on development of the concepts. The various investigations which have been undertaken relate to traffic flow, car parking and civil infrastructure. Following the preparation of the final design, an estimate of the cost to complete the Project will be obtained.

## **EXTERNAL ECONOMIC IMPLICATIONS**

Nil.

## **SOCIAL ISSUES**

The implementation of safer and convenient road infrastructure contributes to fostering a healthier, more active and connected community.

## **CULTURAL ISSUES**

Nil.

## **ENVIRONMENTAL ISSUES**

Nil.



## RESOURCE ISSUES

The delivery of the Project will be managed by Council staff.

## RISK MANAGEMENT

A risk assessment for the existing configuration, the Street Widening Concept and the Passing Bays Concept for John Street and Rosella Street has been undertaken. Concepts 1, 2 and 3 were not assessed as they were deemed not viable. It should be noted that the risk assessment was based on event-day conditions, namely cars parked on both sides of the street and notable two-way traffic flow and foot traffic present.

Three (3) risk categories were assessed as listed below:

- Pedestrian Injury – due to non-compliant footpaths and potential speeding by motorists
- Motorist Injury – due to non-compliant roads and potential speeding by motorists
- Reputational Risk – due to loss of significant loss of Council infrastructure (namely street trees and Oval trees) and significant construction costs

A summary of the risk assessments are contained in Table 1 below.

**TABLE 1 – SUMMARY OF THE RISK ASSESSMENTS**

		Pedestrian Injury	Motorist Injury	Reputational Risk
<b>John Street</b>	Existing configuration	Low 24	Medium 19	Low 23
	Street Widening Concept	Low 21	Low 21	Extreme 4
	Passing Bay Concept	Low 24	Low 21	Low 23
<b>Rosella Street</b>	Existing configuration	High 9	Medium 19	Low 21
	Street Widening Concept	Low 21	Low 21	Extreme 4
	Passing Bay Concept	Low 21	Low 21	Low 23

The risk rating table and template that was used in to undertake the risk assessment is contained in **Attachment C**.

As shown in Table 1, it has been deemed that the existing configuration of Rosella Street is a high risk for pedestrians, particularly due to the non-compliant footpath car parking.

The result of the risk assessment of the Street Widening Concept substantiates the decision to not consider the concept further. While the risk to pedestrians and motorists are reduced in comparison to the existing configurations, the reputational risk associated with this concept was deemed “Extreme” due to the significant implementation costs and effect on infrastructure.

The Passing Bays Concept was deemed low risk for both streets with respect to all risk categories.

## COVID-19 IMPLICATIONS

Nil.

## CONSULTATION

### • Elected Members

An Elected Member Information Session was held on 10 August 2020, at which the project background and the concepts to mitigate the existing issues were presented.

Options to mitigate the traffic flow issues were presented to the Council at its meeting held on 6 October 2020. At that meeting, the Council endorsed Concept 5 (Passing Bays Concept) for the purposes of undertaking community consultation for a period of twenty-one (21) working days.

- **Community**

Consultation was undertaken with the community from 9 November 2020 to 11 December 2020. As part of the consultation process, a letter was mailed to the residents / property owners of John Street and Rosella Street adjacent to Payneham Oval. A template of the letter, which includes the concept design drawings of the Passing Bays Concept, is contained in **Attachment B**. A map illustrating the properties which were notified is contained in **Attachment D**.

- **Staff**

Chief Executive Officer  
General Manager, Urban Services  
Acting Manager, City Assets  
Manager, Traffic & Integrated Transport  
Team Leader, Customer & Regulatory Services  
Project Manager, Assets  
Project Manager, Urban Design & Special Projects

- **Other Agencies**

Nil.

## DISCUSSION

To commence the consultation process, a letter was mailed to 117 residents and owners of properties where the dwelling and / or driveway fronts onto John Street and Rosella Street adjacent to Payneham Oval.

The letter sought for response from residents / property owners in respect to whether they supported the implementation of the Passing Bays Concept by responding with a 'Yes' or 'No' and advised that if the Council does not receive a submission from the resident / property owner prior to the end of the consultation period, they are considered to have no objections to the proposal and are therefore in favour of the Passing Bays Concept. The community consultation process was undertaken from 9 November to 11 December 2020.

In response, a total of sixteen (16) submissions were received. A summary of all of the submissions and a response from Council staff to each of the submissions is contained in **Attachment E**. A copy of the original submissions which have been received are contained in **Attachment F**.

Out of the sixteen (16) submissions, ten (10) are in favour of the implementation of the Passing Bays Concept while six (6) are not in favour. Taking into consideration that no response from the resident / property owner supports the Passing Bays Concept, of the 117 letters issued, a total of 111 residents / property owners are in favour of the Passing Bays Concept.

The reasons for opposing the Passing Bay Options are varied, including a preference for on-street car parking to be allowed only on the Payneham Oval side of the road and preference for on-street car parking to be allowed only on the side of the road opposite Payneham Oval, with both suggestions deemed unsuitable due to the significant number of on-street car parking spaces which would be removed.

A number of concerns relate to certain on-street car parking spaces causing sight line issues and hence some submissions requested these to be removed. Upon further review by the Manager, Traffic & Integrated Transport, these on-street car park spaces have been deemed to be compliant with the relevant standards and guidelines, hence not altering the overall concept design.

Where appropriate, any comments which were received and not related to the scope of this Project, such as concerns with John Street being a thoroughfare between Portrush Road and Glynburn Road, have been passed onto relevant Council staff for review and have not been taken into account as part of this Project.

Given the nature of the submissions which have been received, no amendments have been made to the concept design of the proposed Passing Bays Concept as the concerns are satisfactorily addressed through implementation of this concept.

## OPTIONS

The options available to Council are listed below:

- A. Retain the current configuration of the streets surrounding the Payneham Oval, including Rosella Street and John Street.
- B. Endorse Concept 5, the Passing Bays Concept.
- C. Endorse Concept 5, the Passing Bays Concept, in conjunction with the additional car parking opportunities on Arthur Street and within the surrounds of Payneham Oval.

Given the outcomes of the consultation, it is recommended that Option B, Passing Bays Concept, be endorsed as the preferred option to enable the detailed design to be finalised and construction to be progressed. It is seen as a suitable compromise solution which is cost-effective, causes minimal impact on existing infrastructure, improves traffic flow and is deemed low risk with regards to pedestrian injury, motorist injury and reputational risk.

## CONCLUSION

The Passing Bays Concept provides a low-risk and cost-effective solution to the existing on-street car parking and traffic flow issues and is supported by the adjoining residents / property owners. As such, it is recommended that the Passing Bays Concept be endorsed as the preferred design approach to enable detailed design to be finalised and construction be delivered for the Payneham Oval Car Parking project.

## COMMENTS

Nil.

## RECOMMENDATION

1. That Option B, Passing Bays Concept, as per the concept design drawings contained in Attachment B, be endorsed.
2. The Council notes that the Project will now proceed to the detailed design stage with construction to commence in the 2020-2021 financial year.

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Cr Granozio left the meeting at 8.38pm.  
Cr Granozio returned to the meeting at 8.40pm.

*Cr Duke moved:*

1. *That Option B, Passing Bays Concept, as per the concept design drawings contained in Attachment B, be endorsed.*
2. *The Council notes that the Project will now proceed to the detailed design stage with construction to commence in the 2020-2021 financial year.*

*Seconded by Cr Dottore and carried unanimously.*

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

## 11.4 MONTHLY FINANCIAL REPORT – DECEMBER 2020

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**REPORT AUTHOR:** Financial Services Manager  
**GENERAL MANAGER:** General Manager, Corporate Services  
**CONTACT NUMBER:** 8366 4585  
**FILE REFERENCE:** qA64633/A110359  
**ATTACHMENTS:** A

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### **PURPOSE OF REPORT**

The purpose of this report is to provide the Council with information regarding its financial performance for the period ended December 2020.

### **BACKGROUND**

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

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

Nil

### **FINANCIAL AND BUDGET IMPLICATIONS**

Financial sustainability is as an ongoing high priority for the Council. Given the COVID-19 pandemic, the Council adopted a Budget which included measures to minimise the impact on ratepayers and support local business. As a result, the Council adopted a Budget which forecasts an Operating Deficit of \$798,455 for the 2020-2021 Financial Year. The First Budget update increased the Operating Deficit by \$225,755 to \$1,024,210 for the 2020-2021 Financial Year.

For the period ended December 2020, the Council's Operating Surplus is \$683,000 against a budgeted Operating Deficit of \$511,000, resulting in a favourable variance of \$1,194,000.

### **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.

## COVID-19 IMPLICATIONS

As Elected Members are aware, the development of the 2020-2021 Budget, was undertaken during an unprecedented time where the on-going health, social and economic impacts of the COVID-19 Pandemic were relatively unknown and the future impacts of the physical distancing measures introduced to address the health impacts remained uncertain and were changing rapidly.

For the period ended December 2020, the Council has spent \$162,000 on its response to the COVID-19 pandemic. This covers additional cleaning services across all Council facilities and purchases of materials to ensure that appropriate physical distance and other protection measures are in place to assure both staff and customers of Council Service.

Staff are continuing to monitor the financial impacts of the COVID-19 pandemic, and will incorporate any proposed budget adjustments in the Mid-Year Budget Review.

## CONSULTATION

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

## DISCUSSION

For the period ended December 2020, the Council's Operating Surplus is \$683,000 against a budgeted Operating Deficit of \$473,000, resulting in a favourable variance of \$1,194,000.

Other income is \$129,000 favourable compared to the Budget. This variance has primarily been driven by the Council receiving a credit from the temporary staffing agency from which contractors are sourced for backfilling requirements at the Depot. The credit has arisen due to the agency being eligible for the Federal Government's Job Keeper assistance program and the agency offering to pass on credit to the Council for equivalent value of the Job Keeper component that was received for staff that have been engaged at the Depot. For the period ended December 2020 this has equated to \$95,500.

User Charges are \$310,000 favourable compared to the Budget. This is the result of allowances in the budget that were made for the COVID-19 Pandemic which accounted for the Swimming Centres (\$193,600) and the Norwood Concert Hall (\$50,000) being unable to be operational until 2021. Due to the relaxation of restrictions occurring earlier than anticipated, these facilities were re-established and opened earlier than anticipated which has also resulted in the additional income being offset by an increase in running costs.

In addition, as Elected Members may recall, both the State and Federal Governments extended support packages to the Child Care sector, which was unknown at the time of drafting the adopted budget. This additional support combined with the maintenance of a strong level of enrolments. This has resulted in a favourable variance of \$39,000.

Employee Expenses are \$257,000 favourable to budget with the primary drivers being:

- Depot staff vacancies are being filled on a temporary basis with the use of contractors to maintain staffing levels to ensure that services delivery are not reduced during the recruitment of permanent staff. The arrangements with the contractor employment agency are such that absences, (ie medical and personnel days), are not charged to the Council. This engagement arrangement has subsequently resulted in fewer worked hours compared to the in the Adopted Budget expectation. The reduced paid hours accounts for a favourable variance of \$86,000;

- There are some vacancies which are unfilled over the reporting period which were not being covered though the use of temporary staffing arrangements which has resulted in an \$96,000 favourable variance; and
- During the COVID-19 pandemic staff in roles which were directly impacted by the State and Federal Government imposed restrictions were redeployed into vacancies where the organisation would have had to otherwise engage contractors. This has resulted in a saving of \$10,000.

Finance costs are favourable to the Adopted Budget by \$89,000. The Budget made allowance for short term borrowings in the first half of the year, however, with careful cash flow management and stronger collection of quarterly rate payments then anticipated these borrowings were not drawdown.

Legal expenses are unfavourable to the budget by \$87,000. The primary driver behind the increased cost is related to advices with respect to the George Street Scramble Crossing including the judicial review. This matter will be reviewed as part of the Mid-Year Budget Review and a budget adjustment proposed.

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

#### **OPTIONS**

Nil

#### **CONCLUSION**

Nil

#### **COMMENTS**

Nil

#### **RECOMMENDATION**

That the December 2020 Monthly Financial Report be received and noted.

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*Cr Granozio moved:*

*That the December 2020 Monthly Financial Report be received and noted.*

*Seconded by Cr Sims and carried unanimously.*

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



## 11.5 GREATER ADELAIDE REGION ORGANISATION OF COUNCILS (GAROC) ANNUAL BUSINESS PLAN 2021-2022

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**REPORT AUTHOR:** General Manager Governance & Community Affairs  
**GENERAL MANAGER:** Chief Executive Officer  
**CONTACT NUMBER:** 8366 4549  
**FILE REFERENCE:** qA59226  
**ATTACHMENTS:** A - B

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### PURPOSE OF REPORT

The purpose of this report is to advise the Council of the invitation from the Local Government Association of South Australia Greater Adelaide Region Organisation of Council (GAROC) for the Council to provide comments and input into the preparation of the GAROC's 2021-2022 Annual Business Plan.

### BACKGROUND

The Greater Adelaide Region Organisation of Councils (GAROC) Committee was formally established through the new LGA Constitution in October 2018. The Terms of Reference for the GAROC stipulates that the role of GAROC is to *provide advocacy, policy initiation and review, leadership, engagement and capacity building for the benefit of metropolitan South Australian councils and their communities.*

In addition and in accordance with the GAROC Terms of Reference, the GAROC has prepared a Strategic Plan for the 2019-2023 period and an Annual Business Plan for 2020-2021. The four (4) year Strategic Plan identifies the key objectives that GAROC are seeking to progress on behalf of Member councils, while the Annual Business Plan identifies the key actions that the GAROC will be seeking to progress on an annual basis.

A copy of the Annual Business Plan 2020-2021 is contained within **Attachment A**.

The GAROC is now in the process of preparing a new Annual Business Plan for the 2021-2022 period and has invited Councils to provide input into the process.

### 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

Not Applicable.

## CONSULTATION

- **Elected Members**  
Not Applicable.
- **Community**  
Not Applicable.
- **Staff**  
General Manager, Urban Planning & Environment  
Manager, Urban Planning & Sustainability  
Manager, Economic Development & Strategic Projects  
Sustainability Officer
- **Other Agencies**  
Not Applicable.

## DISCUSSION

As set out in the GAROC Strategic Plan 2019-2023, “the GAROC Committee supports the LGA to ‘advocate, assist and advance’ the interests of Local Government by:

1. supporting the activities of the LGA at a regional level;
2. promoting communication between Members and the LGA;
3. advocating in respect of matters which affect the GAROC Regional Group;
4. encouraging engagement of Members within the GAROC Regional Group with GAROC and the
5. LGASA; and
6. participating in policy development and implementation.

In addition to the above, the GAROC has developed the following guiding principles that it intends to operate under:

1. Be community centered and put people first in decision making;
2. Prioritise and address issues that are common across the metropolitan region;
3. Carefully consider items of business from any Member of the metropolitan area or items raised independently by GAROC Members, for consideration by the LGA Board of Directors or at a General Meeting;
4. Collaborate closely with the LGA and SAROC on issues that matter to metropolitan councils; and
5. Be nimble, agile and responsive to the needs of metropolitan councils.

GAROC has identified the following four (4) key themes to guide the work of GAROC over the next four (4) years:

1. Economic Development
2. Design, Planning and Placemaking
3. Environmental Reform
4. Reform and Innovation

To assist the GAROC with the preparation of its Annual Business Plan for the 2021-2022 period, GAROC has asked Councils to respond to a series of questions which relate to the first three (3) themes as set out above.

1. Economic Development

*Metropolitan Adelaide is a key driver of South Australia's economy. GAROC recognises the important role of councils to enable, facilitate and enhance local economic opportunities.*

*What are the ways in which GAROC can support metropolitan councils to play their important role in stimulating the economic growth in post COVID-19 recovery?*

2. Design, Planning and Placemaking

*GAROC recognises the importance of good decision making that enhances the built environment and supports well-considered planning processes that achieve quality design outcomes and the preservation of tree canopy, character and local heritage.*

*How can metropolitan councils come together through GAROC to maintain our positive influence planning reforms?*

3. Environmental Reform

*GAROC acknowledges local government's role in protecting and enhancing the environment and recognises that climate change poses a serious risk to local communities and ecosystems.*

*How can GAROC support climate change mitigation and adaptation efforts within metropolitan councils?*

In addition, GAROC have asked the following question:

*Are there any other key issues, under these themes or our fourth Strategic Theme of Reform and Innovation that you would like GAROC to focus on in the coming year?*

To assist the Council, a draft response has been prepared for the Council's consideration and is contained within **Attachment B**.

## **OPTIONS**

The Council can choose to provide comments to the GAROC regarding the GAROC Annual Business Plan for the 2021-2022 period or decline the opportunity.

It is recommended that the Council does provide its comments to GAROC to ensure the Council's views are considered as part of the development of the GAROC's Annual Business Plan.

## **CONCLUSION**

The Greater Adelaide Region Organisation of Councils (GAROC) has been established under the LGA's Constitution to review and develop policy positions for Local Government and provide strategic advice to the LGA Board. It is therefore important that any Annual Business Plan developed by the GAROC align with its Terms of Reference to ensure compliance with the LGA's Constitution.

## **COMMENTS**

GAROC will also be hosting a series of workshops with Elected Members and Chief Executive Officers in February 2021, however, at the time of writing this report, the details of these workshops have not yet been finalised.

## **RECOMMENDATION**

That the *GAROC Annual Business Plan 2021-2022 Submission*, as contained within Attachment B to this report, be forwarded to the Greater Adelaide Region Organisation of Councils in response to the request for input from councils regarding the preparation of its Annual Business Plan 2021-2022.

Cr Sims left the meeting at 8.51pm  
Cr Sims returned to the meeting at 8.52pm.

*Cr Duke moved:*

*That the GAROC Annual Business Plan 2021-2022 Submission, as contained within Attachment B to this report and as amended, be forwarded to the Greater Adelaide Region Organisation of Councils in response to the request for input from councils regarding the preparation of its Annual Business Plan 2021-2022.*

*Seconded by Cr Moorhouse and carried unanimously.*

## 11.6 LOCAL GOVERNMENT ASSOCIATION (LGA) 2021 ORDINARY GENERAL MEETING – ITEMS OF BUSINESS

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**REPORT AUTHOR:** General Manager, Governance & Community Affairs  
**GENERAL MANAGER:** Chief Executive Officer  
**CONTACT NUMBER:** 8366 4549  
**FILE REFERENCE:** qA2219  
**ATTACHMENTS:** A

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### PURPOSE OF REPORT

The purpose of the report is to advise the Council of the Local Government Association of South Australia's (LGA) 2021 Ordinary General Meeting and the invitation from the LGA to submit *Items of Business* for consideration at the Ordinary General Meeting.

### BACKGROUND

The Local Government Association (LGA) 2021 Ordinary General Meeting, will be held on Friday, 30 April 2021, at the Adelaide Entertainment Centre.

The purpose of the OGM is to consider items of strategic importance to Local Government and the LGA, as recommended by the Board of Directors, the South Australian Region Organisation of Councils (SAROC) or the Greater Adelaide Region of Councils (GAROC).

*Items of Business* must be submitted to either the LGA Board of Directors, or in the case of this Council, GAROC, for consideration prior to being referred to the OGM (or AGM), for consideration. It is however at the discretion of the Council to determine if the Notice of Motion is to be submitted to either the Board of Directors or GAROC.

The role of the Board of Directors is to oversee the corporate governance of the LGA and provide strategic direction and leadership.

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

Whilst not strictly specified, the logical approach is to refer the *Item of Business* to the relevant body in accordance with its role.

Pursuant to the LGA Constitution, Councils are invited to submit Items of Business for consideration at the Ordinary General Meeting. Items of Business must be received by the by Friday 25 February 2021, if they are to be considered at the 2021 Ordinary General Meeting.

### RELEVANT POLICIES & STRATEGIC DIRECTIONS

Not Applicable.

### DISCUSSION

A requirement of the LGA in respect to Items of Business, is that Items of Business submitted by Councils, should highlight a relevant reference to the LGA Strategic Plan.

A copy of the LGA 2016-2020 Strategic Plan is contained within **Attachment A**.

A memorandum, dated 26 November 2020, was forwarded to Elected Members, inviting Members wishing to submit an Item of Business for consideration at the LGA Ordinary General Meeting, to contact the Council's General Manager, Governance & Community Affairs, prior to this Council meeting, for advice and assistance in the formulation of an appropriate Notice of Motion.

At the time of writing this report, the General Manager, Governance & Community Affairs has not been contacted by any Elected Member wishing to submit An Item of Business.

**RECOMMENDATION**

That the report be received and noted.

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*Cr Stock moved:*

*That the report be received and noted.*

*Seconded by Cr Sims and carried unanimously.*

## 11.7 PROPOSED CONVERSION OF PRIVATE LANEWAY TO PUBLIC ROAD – SALISBURY LANE, ROYSTON PARK AND ROSEMONT LANE, NORWOOD

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**REPORT AUTHOR:** Manager, Governance, Legal & Property  
**GENERAL MANAGER:** General Manager, Governance & Community Affairs  
**CONTACT NUMBER:** 8366 4507  
**FILE REFERENCE:** qA2011 qA2010  
**ATTACHMENTS:** A - E

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### PURPOSE OF REPORT

The purpose of this report is to present to the Council for its consideration a proposal to convert the Private Laneways known as Rosemont Lane, Norwood and Salisbury Lane, Royston Park to Public Road pursuant to Section 210 of the *Local Government Act 1999* and the Council's *Private Laneways Policy & Procedure*.

### BACKGROUND

The Council's *Private Laneways Policy & Procedure* (the Policy) provides that the Council will select up to two (2) Private Laneways for conversion to Public Road each year. The Public Road conversion process is required to be conducted in accordance with Section 210 of the *Local Government Act 1999* (the Act) and the requirements of the Council's Policy.

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

Since the adoption of the Policy, the following Private Laneways have been selected for conversion to Public Road:

- 2018-2019 – Post Office Lane, Norwood and Tolmer Place, Norwood; and
- 2019-2020 – Charlotte Lane, Norwood and Nelson Lane, Stepney.

Whilst Post Office Lane and Charlotte Lane have been successfully converted to Public Road, Tolmer Place and Nelson Lane failed to obtain the required level of agreement from adjoining property owners in accordance with the Council's Policy.

For the 2020-2021 financial year, Salisbury Lane, Royston Park and Rosemont Lane, Norwood have been identified as two (2) Private Laneways that are suitable for conversion to Public Road. Both Laneways are predominantly unsealed with poor surface condition and have a history of experiencing flooding issues which impact upon adjoining property owners.

Initial investigations have been undertaken by Council staff to determine the scope and cost of drainage infrastructure works required to resolve the flooding and stormwater issues in connection with the upgrade of either Laneway to Public Road, prior to commencing the research and consultation process for conversion to Public Road under the Act. In addition, initial discussions have been held with the adjoining property owners of Salisbury Lane due to the presence of Rights of Way and private ownership of sections of the Laneway.

The results of these early investigations and discussions are now presented to the Council for its consideration and determination as to whether one or both Laneways are suitable for conversion to Public Road in 2020-2021 under the Council's Policy.

### RELEVANT STRATEGIC DIRECTIONS & POLICIES

#### Outcome 1: Social Equity

##### Objectives

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

2.2 Provide safe and accessible movement for people of all abilities.

**3. An engaged and participating community.**

3.3 Provide opportunities for community input in decision-making and program development.

**FINANCIAL AND BUDGET IMPLICATIONS**

The costs of converting a Private Laneway to Public Road are divided into, firstly, the legal and advertising costs required in the first financial year to acquire ownership of the Laneway under Section 210 of the Act, and secondly, the design and construction costs required in the second financial year to upgrade the Laneway to Public Road standard.

In the case of both Salisbury Lane and Rosemont Lane, additional costs will be incurred in order to install stormwater drainage infrastructure in both Laneways to resolve the existing flooding and stormwater issues. In addition, further legal and associated costs (including surveying fees and Lands Titles Office lodgement fees) will be incurred where easements through adjoining properties are required.

With respect to Salisbury Lane, due to the fact that four (4) adjoining property owners each own a section of the Laneway (see below for further information), additional legal and associated costs will be incurred in negotiating and preparing the required documentation for a boundary realignment and vesting of the land in the Council as Public Road (including surveying fees and Lands Titles Office lodgement fees).

A high-level estimate of the costs involved in the proposed conversion of Salisbury Lane and Rosemont Lane is set out in Table 1 below based upon the preferred stormwater drainage solution for each Laneway as set out in the Discussion section of this report. With respect to Rosemont Lane, the options for pavement treatment as part of the civil works required to upgrade the laneway are still being assessed. These estimates are subject to change and do not include the costs of negotiation or any compensation that may be agreed with adjoining property owners in respect to easements or boundary realignments.

**TABLE 1: ESTIMATED COSTS OF CONVERSION TO PUBLIC ROAD**

Estimated Costs		Salisbury Lane, Royston Park	Rosemont Lane, Norwood
<b>Stage 1: Legal and advertising</b>  (2020-2021)	Standard costs	\$6,850	\$6,850
	Easement costs	\$4,000	N/A
	Boundary realignment & land vesting costs	\$7,500	N/A
<b>Stage 2: Design &amp; construction</b>  (2021-2022)	Design	\$20,000	\$20,000
	Civil works	\$337,500	\$18,000- \$155,000
	Drainage	\$90,000	\$15,000
<b>TOTAL</b>		<b>\$465,850</b>	<b>\$59,850-\$196,850</b>

\*Note: all figures in this table are GST exclusive.

By way of comparison, the total cost of converting Post Office Lane, Norwood to Public Road was \$110,362 (GST exclusive) and the total cost of converting Charlotte Lane, Norwood to Public Road, which is still being completed, is estimated at \$300,696 (GST exclusive).

The Council ordinarily budgets for the conversion of two (2) Private Laneways in each financial year, at a total cost of approximately \$300,000-\$400,000.

In accordance with the Council's Policy, the standard legal, advertising and administrative costs of converting a Private Laneway to Public Road are recovered from the adjoining property owners of the Laneway if the conversion to Public Road proceeds – with the costs to be shared equally between them and recovered by way of a Separate Rate declared over the relevant properties.



## **EXTERNAL ECONOMIC IMPLICATIONS**

Not Applicable.

## **SOCIAL ISSUES**

The Council's *Private Laneways Policy & Procedure* provides a framework for the Council to progressively assume ownership of and responsibility for Private Laneways throughout the City which have often deteriorated over time. Although the Council has no legal obligation to maintain these Laneways or convert them to Public Road, it is recognised that in many cases, the Council is the only authority which has the capacity to provide a solution for adjacent residents and businesses where there is no known owner of the Laneway.

Although the upgrade of a Private Laneway to Public Road benefits the community at large by improving the public road network, the Council's Policy requires that the legal and administrative costs of conversion are met by the adjoining owners of the Laneway, as they will most directly benefit from the upgrade. In accordance with the Council's Policy, the Council has determined to cover the costs of the capital upgrade works to bring the Laneway up to Public Road standard.

In some cases, despite the potential benefits of upgrading a Private Laneway to Public Road, the adjacent owners may determine that it is preferable for the Laneway to remain in private ownership. This may be for reasons of amenity, ease of current use and parking, and existing maintenance arrangements between adjacent owners.

## **CULTURAL ISSUES**

Not Applicable.

## **ENVIRONMENTAL ISSUES**

Not Applicable.

## **RESOURCE ISSUES**

The Private Laneways conversion process is managed in-house by Council Staff with assistance from external lawyers and consultants as required.

## **RISK MANAGEMENT**

By converting a Private Laneway to Public Road under the legislative process set out in Section 210 of the Act, the Council assumes responsibility for the ongoing maintenance and upkeep of the Laneway, rather than responsibility and liability for the condition of the Laneway remaining an unknown factor due to the Laneway having no identifiable owner or a mix of ownership arrangements.

## **COVID-19 IMPLICATIONS**

There are no direct implications from the COVID-19 pandemic or associated State Government restrictions on the proposed conversion of Salisbury Lane and Rosemont Lane to Public Road under the Council's Policy. In the event that the Council determines to proceed with the conversion of one or both of the Laneways and seeks to pass the legal and advertising costs of conversion on to the adjoining property owners as a Separate Rate in accordance with the Council's Policy, any financial hardship that may impact upon the ability of property owners to pay the Separate Rate will be considered by the Council on a case-by-case basis.

## CONSULTATION

- **Elected Members**

Not Applicable.

- **Community**

An initial public meeting was held in February 2020 with the adjoining owners of Salisbury Lane to discuss the Council's proposal to convert Salisbury Lane to Public Road.

If the Council determines to proceed with the Public Road conversion process for Salisbury Lane or Rosemont Lane, further consultation will be conducted as required by Section 210 of the Act and the Council's Policy, including correspondence to all adjoining property owners and public notices.

- **Staff**

General Manager, Governance & Community Affairs  
General Manager, Urban Services  
General Manager, Urban Planning & Environment  
Acting Manager, City Assets  
Project Manager, Assets  
Project Officer, Assets

- **Other Agencies**

Not Applicable.

## DISCUSSION

### Salisbury Lane

#### Background

Salisbury Lane was previously brought to the attention of Council staff as a result of reports from adjoining property owners of flooding at the south-western end of the Laneway and complaints regarding its degraded surface condition. The Laneway itself is of considerable length at 138 metres and has 38 adjoining rateable properties (comprising 25 Certificates of Titles), both residential and commercial.

Five (5) of the residential properties adjoining the Laneway, have primary vehicle access from First Avenue, but also have rear pedestrian access or access to additional sheds and garages from Salisbury Lane. The nine (9) units at 155 First Avenue at the end of the Laneway rely upon the Laneway for sole vehicle access from the Public Road network, as do another two (2) adjoining residential properties. All of the commercial properties on Payneham Road have vehicle access from both Payneham Road and rear access to additional car parking from Salisbury Lane.

The Laneway therefore has considerable usage by residents, businesses and customers, however, it is not relied upon as the sole vehicle access point from the Public Road network for the majority of adjoining properties.

A map showing the location of Salisbury Lane and the adjoining properties is contained within **Attachment B**.

The map identifies the property address for each Certificate of Title – in some cases, each Title is comprised of several rateable properties (e.g. separate business tenancies located within the one building).

As can be seen from the photos contained within **Attachment C**, the Laneway is predominantly unsealed and contains numerous potholes and corrugations caused by surface stormwater run-off. There is no existing stormwater drainage infrastructure except for a grated inlet pit located at the south-western end of the Laneway and a grated inlet pit located at the rear of the Units at 155 First Avenue. Both pits have limited capacity and connect to existing Council stormwater drainage infrastructure via a privately-owned pipe through the property located at 291 Payneham Road. A number of the adjoining properties discharge stormwater directly into the Laneway. During high rainfall events, the stormwater naturally drains towards the south-western end of the Laneway and flooding often occurs, including in the adjoining car parking area of the Units located at 155 First Avenue.

The north-eastern end of the Laneway, directly behind the Minicozzi Shopping Centre at 305-309 Payneham Road, was previously sealed and spoon drains were installed on either side of this section of the Laneway in around 2011 by the owner of the Shopping Centre to create easier access to the rear car parking area for tenants and customers.

#### Ownership and Rights of Way

In early 2020, Council staff commenced investigations into the ownership and status of Salisbury Lane. As shown on the map contained within **Attachment B**, the majority of the Laneway is privately owned by adjoining property owners. Namely, sections of the Laneway are included within the private Certificate of Title of four (4) properties – 165 First Avenue, 161 First Avenue, 301 Payneham Road and 155 First Avenue. These portions of land are subject to Rights of Way to enable other property owners to travel over the Laneway to access their properties.

In addition, two (2) sections of the Laneway are held in historical Certificates of Title by deceased estates. The Council also owns a portion of the Laneway directly adjoining Salisbury Avenue as a public thoroughfare.

These mixed ownership arrangements can make ongoing responsibility for maintenance and upkeep of the Laneway difficult to manage. Each individual property owner who owns a section of the Laneway, is responsible for maintaining their section to ensure it remains accessible and traversable by other persons who have the benefit of a Right of Way over it. However, there is no clear responsibility for maintenance of the two portions of the Laneway that remain under the ownership of a deceased estate, as is the case with the majority of Private Laneways in the City. This leads to different standards of maintenance along the Laneway and difficulties if agreement cannot be reached where upgrades are required to the whole length of the Laneway.

This has caused the deterioration of the Laneway's condition over time and explains why a comprehensive stormwater drainage solution has never been installed (particularly when the effects of flooding are predominantly experienced at the south-western end of the Laneway, with the properties closer to Salisbury Avenue being less affected).

#### Consultation with Adjoining Owners

Due to the ownership arrangements of Salisbury Lane, the agreement of the adjoining property owners who own sections of the Laneway would be required to any proposed conversion to Public Road, in addition to the required agreement from two-thirds (2/3<sup>rds</sup>) of the adjoining owners under the Council's Policy. This is because a boundary realignment would be required and a transfer and vesting of those sections of privately owned land in the Council as Public Road. As owners of this land, it is at their discretion as to whether they agree to any boundary realignment and vesting of land in the Council. However, without the agreement of these four (4) property owners, the whole length of Salisbury Lane could not be converted to Public Road and the process would be frustrated.

By contrast, for the two (2) small sections of the Laneway that remain owned by a deceased estate, the normal process under Section 210 of the Act can be followed, including public notification to determine if any beneficiaries or descendants of the estate come forward. If not, the Council can proceed to take ownership of those sections of land under the Act, provided the required agreement is obtained from 2/3<sup>rds</sup> of the adjoining owners in accordance with the Council's Policy.

On this basis, and to gain an early indication of the attitude of adjoining owners, Council staff wrote to all of the adjoining property owners of Salisbury Lane in February 2020, to advise of the Council's proposal to convert Salisbury Lane to Public Road in order to resolve the surface condition and flooding issues. The letter explained the process required under Section 210 of the Act and the Council's Policy (including the requirement for 2/3<sup>rds</sup> of the adjoining owners to agree to the proposed conversion), and the requirement for those owners who own sections of the Laneway to also agree to a boundary realignment and transfer of land to the Council.

The letter invited all adjoining owners to attend a meeting to discuss the proposal. A meeting was held on 24 February 2020 at the St Peters Banquet Hall and property owners from 10 adjoining properties (including a representative of the 9 units at 155 First Avenue) attended. At the meeting, the issues related to flooding and the condition of the Laneway were discussed, including who is responsible for managing stormwater runoff at present and how the Council was proposing to address this. A query was also raised as to whether compensation would be provided to the adjoining owners who would be required to transfer a portion of their land to the Council as part of the Public Road conversion. These issues are discussed in further detail below.

In principle support was provided by eight (8) of the property owners to the proposed Public Road conversion of Salisbury Lane at the conclusion of the meeting. However, some owners (including those with ownership of a section of the Laneway) did not agree to the proposed conversion and boundary realignment, preferring that the land remains in private ownership on the basis that it adds value to their property and that flooding issues were not experienced in their section of the Laneway.

Council staff provided a written response to property owners in April 2020, to follow-up on the issues raised at the meeting and to advise of the Council's next steps. This confirmed that the Council had obtained preliminary engineering advice which indicated that it may be possible to connect new stormwater drainage infrastructure into existing underground drainage infrastructure near the western end of the Laneway, but that the Council would undertake further investigations into the feasibility of various drainage solutions for the Laneway to manage the flooding issues before proceeding further.

In respect to the question of compensation, Council staff confirmed that compensation would not be provided to adjoining property owners that agreed to transfer the required land to the Council on the basis that the Council would be meeting all costs associated with the capital works required to bring the Laneway up to Public Road standard, together with the ongoing future costs associated with maintenance of the Laneway.

A query was also raised following the meeting as to whether converting the Laneway to Public Road would enable further development of the commercial properties fronting Payneham Road. Advice obtained from the Council's Urban Planning Department confirmed that the conversion of the Laneway itself would not facilitate opportunities for multi-storey mixed use development on the Payneham Road-fronting properties. Rather, those opportunities would be facilitated by the planning policy changes being pursued by the State Government through the State Government's *Planning and Design Code*.

However, if those development opportunities were taken up, then the conversion of Salisbury Lane to Public Road would, over time, likely result in more intense flows of traffic along the Laneway. This is because any such developments would likely seek to take advantage of Public Road rear access via Salisbury Lane and may seek to split access and egress movements between Payneham Road and the Laneway, or seek to use the Laneway for all access and egress to their development site.

There was an indication from some of the adjoining property owners that these factors may lead them to not be supportive of the proposed conversion of Salisbury Lane to Public Road.

#### Stormwater Drainage Investigations

Tonkin was engaged by the Council in July 2020, to undertake an options assessment for drainage works within Salisbury Lane. Three (3) alternative options were assessed and high-level construction cost estimates were provided.

The options identified were designed to meet the 100 year ARI (1-in-100 year flood) drainage standard. Tonkin noted that this standard is not currently achievable in this location (even if one of the drainage solutions in the options set out below is adopted), due to capacity of the Council's downstream system in Payneham Road. However, the Council intends to undertake works to upgrade this downstream system as part of the Council's *Long-Term Drainage Program* for the period 2020 to 2030.

- **Drainage option 1**

Under Option 1, runoff from Salisbury Lane would be directed to the existing Council drain within the property located at 291 Payneham Road. The graded inlet pit at the end of the Laneway would be upgraded to a double side entry pit or several grated inlet pits to increase capacity and the existing Council drain would also be upgraded. An easement would need to be negotiated with the property owner of 291 Payneham Road to formalise the new drainage infrastructure.

The proposed drainage works under Option 1 are relatively minor, with an estimated cost of around **\$90,000** (GST exclusive).

- **Drainage option 2**

Under Option 2, stormwater flows from Salisbury Lane would be redirected through a new drain to be constructed in the central common property of the units at 155 First Avenue, with the drain to continue along First Avenue and connect into the Council's existing stormwater drainage network at the western end of First Avenue. Due to the length of the proposed new stormwater pipe and the surrounding terrain, parts of the new stormwater pipe would need to be constructed at a significant depth. This would require significant excavation works on the common property. An easement would also need to be negotiated with the property owners at 155 First Avenue to formalise the new drainage infrastructure.

The proposed drainage works under Option 2 are more substantial, with an estimated cost of around **\$260,000** (GST exclusive).

- **Drainage option 3**

Under Option 3, stormwater runoff arriving at the western end of Salisbury Lane would be pumped back up the Laneway to the Salisbury Avenue water table. From there, runoff would follow the existing flow path towards First Avenue, before being captured by the existing inlet at the western end of First Avenue. The length of this flow path is significant, at 340 metres. A pump station and sump with increased storage volume, together with a new rising main along the length of the Laneway, would need to be installed.

The proposed drainage works under Option 3 are substantial with an estimated up-front cost of **\$260,000** (GST exclusive) together with the ongoing operating and maintenance costs for the pump.

As per Tonkin's recommendation, Option 1 is the preferred drainage outcome as it makes use of existing Council infrastructure and is more cost effective, whilst still delivering a comparable drainage solution to the other options.

### Construction

In addition to the proposed stormwater drainage works, significant civil works would also be required to upgrade Salisbury Lane to Public Road standard, at an estimated cost of \$337,500. Such works would include re-laying of asphalt and sub-base, line-marking, construction of a spoon drain and signage. Due to the degraded condition of Salisbury Lane, the cost of constructing the sub-base underneath the pavement is significant.

If Option 1 for the drainage works is adopted, this would result in a total estimated construction cost of **\$427,500** (GST exclusive) for the upgrade of Salisbury Lane.

## Rosemont Lane

### Background

Rosemont Lane was also brought to the attention of Council staff by adjoining property owners as a result of flooding that occurs at the western end of the Laneway. This Laneway services a smaller number of properties but is still of considerable length at 140 metres. It has a total of 21 adjoining rateable properties (noting that two (2) of these properties are strata titled and each contain a large number of units with vehicle access from William Street – on this basis, only the common property of the Strata Corporation has been included as an adjoining property). The Laneway provides primary vehicular access for 10 residential properties on Rosemont Street and rear access for one of the residential properties on Elizabeth Street.

A map showing the location of Rosemont Lane and the adjoining properties is contained within **Attachment D**.

As can be seen from the photographs contained within **Attachment E**, the Laneway is unsealed (although in relatively good condition) and contains no existing drainage infrastructure. All of the garages at the rear of the properties on Rosemont Street discharge stormwater into the Laneway. In high rainfall events, flooding often occurs at the western end of the Laneway (behind the properties at 5B and 7 Rosemont Street) as the land naturally falls towards the west and there is no outlet for stormwater. There are six (6) large Red Gum trees on the northern boundary of the laneway, located within private property.

### Ownership

The entirety of Rosemont Lane is privately owned, with the majority of the Laneway owned by an unknown or deceased owner (to be confirmed once the required legal research and public notices have been undertaken). There is a small portion of land at the western end of the laneway, directly behind 5B and 7 Rosemont Street, which is contained in a separate Certificate of Title (CT 5209 / 850). This is marked on the map contained within **Attachment D**.

This parcel of land appears to be owned by a company based in Adelaide and is subject to a Right of Way to enable access by adjoining owners. It is unclear how this ownership arrangement came about, given this is a small landlocked parcel of land at the end of the Laneway with no connection to the ownership of the adjoining allotments. It may be that this parcel is simply the remainder of a larger parcel of land left behind after subdivision of the land in this location many years ago, as is likely the case with the rest of the Laneway.

In any event, efforts will need to be made to locate the current property owner to negotiate a transfer of this small parcel of land to the Council to facilitate the conversion of the entire stretch of the Laneway to Public Road. This will also be important to enable the recommended drainage works to be undertaken on the Laneway, as detailed further below.

With respect to the remainder of the Laneway, the normal process under Section 210 of the *Local Government Act 1999* and the Council's Policy to convert the Private Laneway to Public Road can be undertaken. This would also require agreement from two-thirds (2/3<sup>rds</sup>) of the adjoining property owners to the proposed conversion of the Laneway to Public Road.

### Stormwater Drainage Investigations

Tonkin was engaged by the Council in February 2020 to undertake an options assessment for drainage works within Rosemont Lane. Three (3) alternative options were initially identified.

- **Drainage option 1**

Under Option 1, new stormwater drainage infrastructure would be constructed within Rosemont Lane with the system discharging through a new underground pipe along the northern boundary of the property at Unit 2, 112 Sydenham Road, down the driveway and out to Sydenham Road. As there is no existing infrastructure in this section of Sydenham Road to tap into, the drain would need to extend north along Sydenham Road to connect into the Council's existing infrastructure in William Street (approximately 170 metres).

This option provides the most direct drainage solution to get stormwater out of the Laneway, however, there is very limited space around the house at 112 Sydenham Road which would make construction difficult. An easement would also need to be negotiated with the property owner for the new drainage infrastructure.

The estimated cost of this option is **\$234,500** (GST exclusive).

- **Drainage option 2**

Under Option 2, new stormwater drainage infrastructure would be constructed within Rosemont Lane and a new underground pipe would run north through the common property of 58 William Street, likely on the eastern side of the units, to connect into the Council's existing side entry pits in William Street. Although this option requires a much longer easement through the adjoining property, it enables the new infrastructure to directly connect into the Council's existing drainage infrastructure in William Street.

The estimated cost of this option is **\$178,600** (GST exclusive).

- **Drainage option 3**

Under Option 3, new stormwater drainage infrastructure would be constructed within Rosemont Lane to pump water back along the Laneway to Rosemont Street and then down to Sydenham Road. From there, as with Option 1, the drain would need to extend north along Sydenham Road to connect into the Council's existing infrastructure in William Street. This is the longest route identified, although it avoids interfering with private property.

The estimated cost of this option is **\$260,000** (GST exclusive) together with the ongoing operating and maintenance costs of the pump.

In response to the significant costs associated with new stormwater drainage infrastructure options for Rosemont Lane, the Council engaged Dryside Engineering in November 2020, to undertake an assessment of alternative options for stormwater management in the Laneway. Alternatives to 'hard' drainage solutions were explored on the basis of the Laneway's low-use residential character and to take into account protection of the mature Red Gum trees located on the northern boundary of the Laneway.

Following completion of their investigations, Dryside Engineering recommended the construction of an infiltration basin at the western end of the Laneway, behind the property at 5B Rosemont Street. A spoon drain, drainage pits and underground drainage trench would be constructed along the length of the Laneway to collect water from down pipes from adjoining properties and surface runoff, which would then drain towards the basin at the end of the Laneway. From there, the water would be stored underground in the basin and would slowly infiltrate into the surrounding earth. The basin itself would be approximately 12.5 square metres in surface area and around 1 metre deep, and would be lined with a geotextile to enable infiltration and backfilled with crushed rock. The property at 5B Rosemont Street, behind which the infiltration basin would be located, does not have rear property access from the Laneway.

The estimated cost of this stormwater drainage solution is **\$15,000** (GST exclusive).

The benefits of this drainage approach are its low capital cost, simple construction and the fact that it avoids the need to negotiate easements or interfere with private property. However, the capacity of such a system is limited, in that it can only deal with storm events up to 20% AEP (equivalent to a 1-in-5 year storm event) and short period storm events above that level. Where significant storm events occur above that level, some flooding of the Laneway would occur. Nevertheless, this still presents an improvement on the current situation for the Laneway and would reduce the frequency and magnitude of flooding.

It should be noted that the infiltration basin drainage solution relies upon acquisition of the separate parcel of land at the western end of the Laneway. If this is not possible, one of the earlier drainage options identified by Tonkin would need to be considered.

## Construction

In connection with the proposed infiltration basin, Dryside Engineering considered several different pavement types for the Laneway, including traditional crushed rock / gravel, permeable interlocking pavers, asphalt and retaining the existing gravel pavement. Permeable interlocking pavers or retaining the existing gravel pavement were identified as preferred options on the basis that they allow water infiltration to assist with stormwater management and do not seal off oxygen from the roots of the mature Red Gum trees located on the boundary of the Laneway. An additional consideration in selecting a pavement option for the Laneway is the risk of excavation within the structural root zone and tree protection zone of these trees. **As such, further exploratory work will be undertaken to identify the location of the tree roots in order to determine the best surface treatment for the Laneway.**

The cost estimates for each of the pavement types, together with the required civil works to upgrade the Laneway to Public Road standard (including the re-laying of asphalt and sub-base where required, line-marking and signage), is set out below:

- Crushed rock / gravel - \$85,000
- Permeable pavers - \$155,000
- Asphalt - \$125,000
- Grading of existing gravel pavement - \$18,000

As such, if the infiltration basin option is adopted and dependent upon the pavement treatment selected, the total construction costs to upgrade Rosemont Lane could range from **\$33,000** (GST exclusive) to **\$170,000** (GST exclusive).

## **OPTIONS**

The Council's *Private Laneways Policy & Procedure* provides that the Council will select up to two (2) Private Laneways for conversion to Public Road each year. This is not a legislative requirement and it is at the Council's discretion whether it determines to convert a Laneway to Public Road under Section 210 of the Act.

The Council's Policy provides flexibility for the Council where the estimated costs of converting a Laneway to Public Road are significant, such that the Council may determine to convert only one Laneway to Public Road in a given financial year. Where the costs are significant, the Council should weigh up the benefit to be obtained by the adjoining residents and businesses if the Laneway is converted to Public Road against the expenditure required – noting that there are a significant number of Laneways throughout the City that would benefit from an upgrade to Public Road that may achieve a more appropriate balance between these factors.

In addition, as experienced in the two (2) preceding years, there is always a chance that one or both Laneways selected will not proceed to Stage 2 of the conversion process if the required level of agreement from the adjoining property owners cannot be obtained. This is particularly a risk where privately owned land and Rights of Way comprise part of the land that the Council requires for conversion to Public Road. This is another factor to be taken into consideration when selecting a Laneway for conversion to Public Road.

### **Option 1**

Given the estimated cost of converting Salisbury Lane, Royston Park to Public Road is significant and exceeds the cost of converting two (2) Private Laneways to Public Road (at \$465,850 GST exclusive), the Council could determine to only proceed with the proposed conversion of Salisbury Lane in 2020-2021.

The conversion process for Rosemont Lane, Norwood and another Private Laneway could then be commenced in the following financial year.

It is noted, however, that the successful conversion of Salisbury Lane to Public Road is reliant upon reaching agreement with each of the four (4) adjoining property owners who each own sections of the Laneway. Their agreement to a boundary realignment and vesting of the relevant section of their land in the Council is required, in addition to obtaining the two-thirds (2/3<sup>rd</sup>s) agreement from all adjoining owners to the proposed conversion of the remainder of the Laneway to Public Road. If one of the owners does not agree to the proposed boundary realignment and vesting, the conversion of the Laneway will not be able to proceed. There has been some indication in the Council's interactions with the adjoining property owners to-date that this agreement in respect to the privately-owned land may not be obtained.



If this occurs, there is a risk that no Private Laneway will be converted to Public Road in the 2020-2021 financial year.

### **Option 2**

Alternatively, due to the significant estimated costs of converting Salisbury Lane to Public Road, the extensive drainage works required and the potential difficulties in obtaining the required level of agreement from adjoining owners, the Council could determine not to proceed with Salisbury Lane and instead proceed only with the proposed conversion of Rosemont Lane, Norwood in this financial year. If the required two-thirds (2/3<sup>rds</sup>) agreement is obtained from the adjoining owners of Rosemont Lane, the design and construction of the Laneway could proceed in 2021-2022.

This would result in the Council's expenditure coming in under-budget, as Rosemont Lane falls within the normal range of estimated costs for conversion of a single Private Laneway to Public Road (at \$59,850-\$196,850 GST exclusive, depending upon the civil works required). As such, Council staff could select a second straightforward Private Laneway from the priority list for conversion to Public Road in the 2020-2021 financial year.

With respect to Salisbury Lane, the Council could determine to move this Laneway to the bottom of the Council's priority list for Public Road conversion due to the difficulties outlined above. The Council could revisit the upgrade of the drainage infrastructure in Salisbury Lane and the surrounding streets in the future as part of the investigations into the upgrade of the Council's infrastructure in Payneham Road and surrounds under the Long-Term Drainage Program for the period 2020 to 2030.

### **Option 3**

Alternatively, the Council could determine to proceed with the proposed conversion of Rosemont Lane, Norwood in 2020-2021 and, in the interests of finalising the matter for the adjoining property owners of Salisbury Lane, the Council could commence negotiations with the four (4) adjoining property owners of Salisbury Lane, Royston Park with respect to the proposed boundary realignment and vesting of land in the Council as Public Road. There is available budget in the 2020-2021 financial year for the legal costs associated with this.

If agreement can be obtained from these property owners, and if the two-thirds (2/3<sup>rds</sup>) agreement with respect to the conversion of the remainder of the Laneway is also obtained, design and construction for the upgrade of Salisbury Lane could be progressed in the 2022-2023 financial year (noting that the design and construction of Rosemont Lane would occur in 2021-2022). Due to the costs associated with the drainage works required for Salisbury Lane, only Salisbury Lane would be constructed in that financial year.

If negotiations with the four (4) adjoining property owners of Salisbury Lane are successful, a report would be presented to the Council in relation to preparation of a Plan of Division and Contracts of Sale with each of the owners to effect the boundary realignment and transfer of land. If agreement cannot be reached with the adjoining owners, the Public Road conversion process for the Laneway could be formally ended.

Whilst Option 2 would be suitable in light of the costs and difficulties associated with the proposed conversion of Salisbury Lane to Public Road, in the interests of responding to the concerns of the adjoining property owners of Salisbury Lane and bringing this matter to a final resolution, Option 3 is recommended.

### **CONCLUSION**

The Council's *Private Laneways Policy & Procedure* provides that the Council will select up to two (2) Private Laneways for conversion to Public Road each year pursuant to Section 210 of the *Local Government Act 1999* and in accordance with the Council's *Private Laneways Policy & Procedure*. Salisbury Lane, Royston Park and Rosemont Lane, Norwood have been identified as Laneways that are suitable for conversion to Public Road. Both Laneways are predominantly unsealed, with poor surface condition and have a history of experiencing flooding issues which impact upon adjoining property owners. Initial investigations have indicated that the upgrade of both Laneways to Public Road, and particularly Salisbury Lane, could attract significant costs due to the extensive drainage works required and the complexities regarding private ownership of sections of Salisbury Lane. As such, the Council should determine whether to proceed with the proposed conversion of one or both Laneways in the 2020-2021 financial year.

## COMMENTS

Nil.

## RECOMMENDATION

1. That the proposed conversion of the Private Laneway known as 'Rosemont Lane', Norwood to Public Road proceed pursuant to Section 210 of the *Local Government Act 1999* and in accordance with the Council's *Private Laneways Policy & Procedure* in the 2020-2021 financial year, with design and construction to occur in 2021-2022.
  2. That the Chief Executive Officer be authorised to negotiate a transfer of the parcel of land comprised in Certificate of Title Volume 5209 Folio 850 and located at the end of Rosemont Lane, Norwood to the Council and a vesting of this land in the Council as Public Road, in connection with the proposed conversion of Rosemont Lane to Public Road.
  3. That the Chief Executive Officer be authorised to enter into negotiations with the property owners of 165 First Avenue, 161 First Avenue, 301 Payneham Road and 155 First Avenue, Royston Park with respect to a proposed boundary realignment and vesting of the land comprised within the Private Laneway known as 'Salisbury Lane', Royston Park in the Council as Public Road, and that the Chief Executive Officer be authorised to prepare the required legal and conveyancing documentation to effect the boundary realignment and vesting of land for approval by the Council, in connection with the proposed conversion of Salisbury Lane to Public Road under the Council's *Private Laneways Policy & Procedure*.
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Cr Moorhouse left the meeting at 8.55pm.

Cr Moorhouse returned to the meeting at 8.56pm.

*Cr Patterson moved:*

1. *That the proposed conversion of the Private Laneway known as 'Rosemont Lane', Norwood to Public Road proceed pursuant to Section 210 of the Local Government Act 1999 and in accordance with the Council's Private Laneways Policy & Procedure in the 2020-2021 financial year, with design and construction to occur in 2021-2022.*
2. *That the Chief Executive Officer be authorised to negotiate a transfer of the parcel of land comprised in Certificate of Title Volume 5209 Folio 850 and located at the end of Rosemont Lane, Norwood to the Council and a vesting of this land in the Council as Public Road, in connection with the proposed conversion of Rosemont Lane to Public Road.*
3. *That the Chief Executive Officer be authorised to enter into negotiations with the property owners of 165 First Avenue, 161 First Avenue, 301 Payneham Road and 155 First Avenue, Royston Park with respect to a proposed boundary realignment and vesting of the land comprised within the Private Laneway known as 'Salisbury Lane', Royston Park in the Council as Public Road, and that the Chief Executive Officer be authorised to prepare the required legal and conveyancing documentation to effect the boundary realignment and vesting of land for approval by the Council, in connection with the proposed conversion of Salisbury Lane to Public Road under the Council's Private Laneways Policy & Procedure.*

*Seconded by Cr Knoblauch and carried unanimously.*

## 11.8 VARIATION TO A LAND MANAGEMENT AGREEMENT – WILLOW BEND ESTATE

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**REPORT AUTHOR:** Senior Urban Planner  
**GENERAL MANAGER:** General Manager, Urban Planning & Environment  
**CONTACT NUMBER:** 8366 4537  
**FILE REFERENCE:** DA: 155/1/2021  
**ATTACHMENTS:** A – B

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### PURPOSE OF REPORT

The purpose of this report is to advise the Council of a request that has been received seeking approval to grant a Waiver to Section 2.1.1.1 of the Land Management Agreement (LMA) for the Willow Bend Estate, to allow the removal of a regulated Manna Gum tree (*Eucalyptus viminalis*) at 27 Broad Street, Marden.

### BACKGROUND

During the assessment of the Development Application for the Willow Bend Estate (the former SA Water Depot Site) in 1999, the Council requested that an LMA be entered into between the Council and the Developer, to ensure that a range of urban design and amenity issues, including landscaping and the retention of mature trees, which were not regulated by legislation at that time, could be dealt with effectively because of the contribution that the trees made to the character and amenity of the area.

Forty (40) mature trees were sought to be retained as part of the Tree Retention Plan for the Willow Bend Estate Land Division.

A total of fourteen (14) allotments within the Estate have trees located on them, which are protected through the LMA. Other trees protected by the LMA are located within the road verge and publicly accessible reserve areas within the Estate.

Section 2 of the LMA requires property owner's within the Estate to ensure that the trees identified on the Tree Retention Plan are:-

- 2.1.1.1. *Retained and not cleared;*
- 2.1.1.2. *Maintained and cared for in a manner which will best ensure the Tree's ongoing good health and vitality; and*
- 2.1.2. *The owner will ensure that the Tree Management Plan is adhered to.*

A copy of the LMA, including the Tree Retention Map is contained in **Attachment A**. For brevity, only a modified version of the LMA appendices and the Design Guidelines, which includes references to trees and landscaping, has been included in the attachment. A plan highlighting the location of the trees is contained in **Attachment A7**.

On 5 January 2021, the Council received a Development Application (Development Application Number 155/1/2021) from the owners of 27 Willow Bend, seeking Development Approval to remove the Regulated Manna Gum tree, which is identified on the Tree Retention Plan. A copy of the Development Application from the owners of 27 Willow Bend is contained in **Attachment B**.

Section 4.4 of the LMA provides that the Council may waive compliance by a property owner with the whole or any part of the obligations set out in the LMA, provided that no such waiver will be effective unless it is approved in writing by the Council.

In the event that the Development Application to remove the Regulated Tree is approved, the owners of 27 Willow Bend, Marden, are seeking approval to waive Section 2.1.1.1 of the LMA, in accordance with Section 4.4 of the LMA, to allow the removal of the tree, which is included in Tree Retention Plan for the Willow Bend Estate.

## RELEVANT STRATEGIC DIRECTIONS & POLICIES

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

### Outcome 4: Environmental Sustainability

*"A leader in environmental sustainability."*

- Objective 1. Sustainable and efficient management of water, energy and other resources.
- Objective 3. Sustainable and attractive streetscapes and open spaces.
- Objective 4. Thriving and healthy habitats for native flora and fauna.

It is clear from the content of the LMA that the protection of trees located within the former SA Water Depot Site, was an important consideration in the assessment of the Willow Bend Estate development. The Estate is characterised by large mature, mainly native trees which are located on private property as well as within the public realm areas within the Estate. The retention and maintenance of these natural assets is considered to be consistent with *CityPlan 2030* Objectives 3 and 4 of Outcome 4, Environmental Sustainability.

## FINANCIAL AND BUDGET IMPLICATIONS

Nil

## EXTERNAL ECONOMIC IMPLICATIONS

Nil

## SOCIAL ISSUES

The removal of the subject tree may have an impact on the character and amenity of the local area. Some residents within the locality, particularly those within the Willow Bend Estate, can reasonably expect the area to retain its well tree-lined character, due to the tree retention provisions under the LMA. That expectation must, however, be balanced against the need to maintain an appropriate level of protection for dwellings and an acceptable level of safety for occupiers of dwellings in the Estate, where large mature trees are located within close proximity to dwellings.

## CULTURAL ISSUES

Nil

## ENVIRONMENTAL ISSUES

Willow Bend Estate is a residential area within Marden, which has a large number of mature trees, a number of which are considered to be regulated, as defined in the *Development Act 1993*. The trees are considered to make a significant contribution to the residential amenity of the local area.

Manna Gums (*Eucalyptus viminalis*), whilst being native trees, are widespread across south-eastern Australia from parts of southern South Australia through Victoria, Tasmania and eastern New South Wales. Like most large well-established trees, Manna Gums can be considered an important habitat feature and food source for native fauna.

## RESOURCE ISSUES

Nil

## CONSULTATION

- **Elected Members**  
Not Applicable
- **Community**  
Not Applicable

- **Staff**  
General Manager, Urban Planning & Environment  
Manager, Development Assessment  
Senior Urban Planner
- **Other Agencies**  
Nil

## DISCUSSION

The tree is located within the front yard area of 27 Willow Bend, Marden. The tree has a circumference in the order of 2.5 metres and is therefore identified as a Regulated Tree, as defined in the *Development Act 1993*. The tree is considered to make a relatively significant aesthetic contribution to the character and amenity of the local area, given its prominent location and size and given that it is highly visible from the public realm including Willow Bend and the adjacent public reserve.

From a planning assessment perspective and specifically, the Council's Development Plan, City Wide Principle of Development Control 410 states:

*"A regulated tree should not be removed or damaged other than where it can be demonstrated that one or more of the following apply:*

- (a) the tree is diseased and its life expectancy is short;*
- (b) the tree represents a material risk to public or private safety;*
- (c) the tree is causing damage to a building;*
- (d) development that is reasonable and expected would not otherwise be possible;*
- (e) the work is required for the removal of dead wood, treatment of disease, or is in the general interests of the health of the tree."*

As part of the recently lodged Development Application, the owners of 27 Willow Bend have set out their reason why they would like to remove the tree, namely that the tree's roots are causing damage to the dwelling's sewer pipes located on the property.

Principle 410 is intended as a guide to assist in determining when damage to a building, which is caused by a tree, is considered to outweigh the benefits of retaining the tree.

Applying part (c) of Principle 410, the sewer pipes could be reasonably considered and argued to be a part of the building (ie. the detached dwelling) on the land. In terms of determining whether the tree warrants removal when assessed against this criteria, a range of combined factors including the contribution of the tree to the character and amenity of the local area, the damage sustained to the sewer pipes and the feasibility of reasonable remedial measures need to be considered contextually in terms of the merits of the Application as a whole. In particular, the question of whether the merits of the Manna Gum's retention is considered to outweigh the merits of the tree's removal need to be considered, given the damage that has been sustained to the sewer pipes at 27 Willow Bend. At the time of writing this report, the Applicant had not submitted any supporting information to verify the extent of damage to the sewer pipes. As such, the Development Application is yet to be determined.

Nevertheless, it is considered prudent to ascertain the Council's position with respect to the requested waiver of Section 2.1.1.1 of the LMA, as expeditiously as possible as this will inform the assessment of the Development Application for the removal of the regulated tree.

## OPTIONS

The Council can resolve to authorise the Chief Executive Officer to execute on behalf of the Council, a waiver to Section 2.1.1.1, pursuant to Section 4.4 of the LMA, so that in the event that Development Application Number 155/1/2021 is granted Development Approval, the LMA can be subsequently waived, allowing the tree can be removed.

Alternatively, if the Council is not supportive of the removal of the tree, it could determine not to waive Section 2.1.1.1 of the LMA, nor authorise the Chief Executive Officer the ability to do the same.

It is recommended that the Council authorises the Chief Executive Officer, the ability to execute a waiver to the LMA, for the reasons set out in this report.

## **CONCLUSION**

The Council's Planning staff will undertake a planning assessment of Development Application Number 155/1/2021 in order to determine the merits (or otherwise) for the removal of the Regulated Tree. If it is determined that the Development Application is sufficiently in accordance with the Development Plan and approval is given, there will be a separate need for a waiver to be issued to Section 2.1.1.1 of the LMA.

Conversely, if it is determined that the tree's removal is not warranted and the Development Application is refused, then a waiver to the LMA is not required.

In this context, it is recommended that the Council authorises the Chief Executive Officer to execute on behalf of the Council, a waiver to Section 2.1.1.1 of the LMA, for the removal of the regulated Manna Gum tree at 27 Willow Bend, Marden.

## **COMMENTS**

Nil

## **RECOMMENDATION**

That in respect to the Manna Gum located at 27 Willow Bend, Marden, as depicted on the plan contained in Attachment A7 of this report, the Council hereby authorises the Chief Executive Officer to execute on behalf of the Council, a waiver to Section 2.1.1.1, pursuant to Section 4.4 of the LMA Land Management Agreement between McLaren Vale Properties Pty Ltd and the City of Norwood Payneham & St Peters.

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*Cr Knoblauch moved:*

*That in respect to the Manna Gum located at 27 Willow Bend, Marden, as depicted on the plan contained in Attachment A7 of this report, the Council hereby authorises the Chief Executive Officer to execute on behalf of the Council, a waiver to Section 2.1.1.1, pursuant to Section 4.4 of the LMA Land Management Agreement between McLaren Vale Properties Pty Ltd and the City of Norwood Payneham & St Peters.*

*Seconded by Cr Duke and carried.*

## 11.9 YOUTHFM

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**REPORT AUTHOR:** Manager, Community Care Services  
**GENERAL MANAGER:** General Manager, Governance & Community Affairs  
**CONTACT NUMBER:** 8366 4600  
**FILE REFERENCE:** qA2069  
**ATTACHMENTS:** Nil

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### PURPOSE OF REPORT

The purpose of this report is to present information for the Council's consideration regarding the Council's *YouthFM* Program.

### BACKGROUND

*YouthFM* is a Youth Radio program which was developed by the City of Norwood Payneham & St Peters in 2005. Since that time, *YouthFM* has operated as a collaborative project between the Council, Three D Radio and the following Eastern Region Councils:

- City of Burnside;
- Campbelltown City Council;
- City of Prospect; and
- Town of Walkerville.

The opportunity to participate in *YouthFM* is provided to young people aged 15 to 25 years of age who live, study or work in the abovementioned local government areas. The program offers a combination of formal training sessions and hands on experience, through the production of a live to air weekly radio show. The weekly radio show is broadcast under Three D Radio's license on 93.7 at their studios every Thursday afternoon.

Since the commencement of the program the Local Government Partners, (the Partners) as set out above, have contributed funds annually for the operation of the program.

Since 2017, there has been a gradual withdrawal of contributions by the Partners. In 2017, the Campbelltown City Council and the Town of Walkerville withdrew their annual funding of the Program. In April 2020, the City of Prospect advised that whilst they would like to continue to support the Program, they intended to cease their annual contribution to the Program. In addition the City of Prospect has requested an arrangement whereby payment is a pre-determined fee based upon a participant fee structure.

In March 2020, *YouthFM* was suspended as a result of the COVID-19 pandemic. In April 2020, the City of Burnside advised that they too would be withdrawing their funding as they were intending to use the funds for other youth development activities. The withdrawal of this funding has significant implications for the ongoing viability of *YouthFM*. A review of *YouthFM* has therefore been undertaken and alternative options for the delivery of the program have been considered. The various options regarding *YouthFM* are set out within this report for the Council's consideration.

### RELEVANT STRATEGIC DIRECTIONS & POLICIES

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

*Outcome 1 Social Equity*

*Objective 4 A strong and resilient communities*

*Strategy – An Engaged Community*

As a youth development program, *YouthFM* provides an opportunity for youth engagement and participation through the delivery of a radio broadcast show. The radio broadcast show engages and encourages young citizens to participate in the community in the following ways:

- providing local young people with a voice;
- providing young people with training and development opportunities in radio production and communication;
- providing a weekly forum for the promotion of youth participation opportunities;
- showcasing the talents of local young people;
- providing airtime to young musicians; and
- promoting Council initiatives relevant to young people.

### FINANCIAL AND BUDGET IMPLICATIONS

The YouthFM Local Government partners have contributed funding and “in kind” support to the Program on an annual basis. In kind support has been provided by all *YouthFM* partners and has included the use of facilities (free of charge) for training and assistance from Council staff to assist with marketing of the program and recruitment of participants. Three D Radio provides the training facilities and broadcasting studio for the program.

The combined funding pays for staff wages (i.e. YouthFM Technician), equipment and \$6,000 per year to Three D to broadcast YouthFM under its radio license.

A comparison of the funding provided by each Council to the Program is provided in Table 1 below.

**TABLE 1: COMPARISON OF FUNDING FROM YOUTHF M LOCAL GOVERNMENT PARTNERS FOR THE PERIODS 1 JULY 2017 - 30 JUNE 2018, 1 JULY 2018 - 30 JUNE 2019 AND 1 JULY 2019 - 30 JUNE 2020**

Council	2017-2018	2018-2019	2019-2020
City of Norwood Payneham & St Peters	\$4,900	\$9,800	\$9,800
City of Burnside	\$4,900	\$4,900	\$4,900
Campbelltown City Council	\$4,900	\$0.00	\$0.00
Town Of Walkerville	\$2,450	\$0.00	\$0.00
City of Prospect	\$2,450	\$2,500	\$2,500
<b>Total Contributions</b>	<b>\$19,600</b>	<b>\$17,200</b>	<b>\$17,200</b>

As mentioned above in addition to the Campbelltown City Council and Town of Walkerville the Cities of Burnside and Prospect have also confirmed that they do not wish to fund *YouthFM* on an annual basis.

The current model of *YouthFM* will cost between \$17,000 to \$18,000 to implement. As outlined in Table.1, based on what the Council contributes (i.e. \$9,800), with the withdrawal of the Local Government Partners this will leave a shortfall of \$8,200 in funds to run the program.

### EXTERNAL ECONOMIC IMPLICATIONS

Not Applicable.

### SOCIAL ISSUES

YouthFM engages young people through providing skill development opportunities and a medium for young citizens to communicate their views.

The program attracts young citizens whose key interest is to pursue a career in media. In some cases the program has inspired some young people to pursue media studies. *YouthFM* provides skill development opportunities for young people particularly in the area of communication, public speaking, team work, program planning and research. Comments which have been provided by previous *YouthFM* participants indicate that the benefits experienced from the program include an overall improvement in self-confidence and acquisition of new skills.



## CULTURAL ISSUES

Not Applicable.

## ENVIRONMENTAL ISSUES

Not Applicable.

## RESOURCE ISSUES

The *YouthFM* program is currently managed by the Manager, Community Service and co-ordinated by the Co-ordinator, Youth Programs.

## RISK MANAGEMENT

The program engages young people (ie participants aged 15-17 years of age) who under the South Australian *Children and Young People (Safety) Act (2017)* are considered “vulnerable to abuse”. In line with the Council’s Safe Environment Policy this risk is mitigated through ensuring that participants are protected and supported through the provision of skilled staff that are of good character and have a current National Criminal History clearance.

As part of the induction process and training all participants are provided with the relevant Work Health and Safety information.

## CONSULTATION

- **Elected Members**  
Not Applicable
- **Community**  
Not Applicable
- **Staff**  
Not Applicable
- **Other Agencies**  
Three D Radio  
City of Prospect - Youth Development Officer  
City of Burnside - Community Development Officer  
City of Unley - Manager, Community Services  
City of Tea Tree Gully - Youth Development Officer

## DISCUSSION

### *YouthFM Program*

As stated above *YouthFM*, was a collaborative project between the Cities of Norwood Payneham & St Peters, Burnside, Prospect, Campbelltown and the Town of Walkerville and Three D Radio.

To be eligible to participate in the Program, participants must be aged between 15 to 25 years of age and either live, study or work in the Cities of Norwood Payneham & St Peters, Burnside, Campbelltown, Prospect and the Town of Walkerville.

The *YouthFM* program consists of both formal and practical training for participants. A three (3) day induction program is conducted with participants covering the relevant policies, technical and legal aspects of producing a radio show. Participants are supported by a YouthFM Technician and learn how to prepare and broadcast a live to air radio show. Participants are required to commit to the Program for twelve (12) months.

The Program has the capacity to cater for twenty five (25) participants at any one time. There are two (2) intakes of participants per year. Table 2 below provides a summary of the number of participants who commenced the program per year and the number of graduates who completed the program. The Program has not operated at capacity since 2017.

**TABLE 2: SUMMARY OF NUMBER OF PARTICIPANTS WHO COMMENCED YOUTHFM AND THE NUMBER OF GRADUATES FOR THE PERIOD 2017-2019**

Year	Number of Participants	Number of Graduates
2019	20	13
2018	18	8
2017	12	8

As summarised in Table 2 above, whilst the number of participants who have commenced the Program has increased slightly since 2017, only 55% of these participants completed the Program.

The reasons provided by participants for leaving are varied and include the following:

- the program is not suitable for them;
- school workload;
- work commitments; or
- they succeeded in finding employment.

It has been suggested that the Program should be reduced as most participants “drop out” around the November – December point of the Program, particularly those participants who have exams at this time of the year.

#### Funding

Prior to 2017, the *YouthFM* Local Government Partners contributed funding and “in kind” support to the program on an annual basis. However in 2017, both the Campbelltown City Council and the Town of Walkerville withdrew their funding to the program. At the time, Campbelltown City Council advised that this was due to budget cuts. The Town of Walkerville made the decision to withdraw funding on the basis that they did not have many young people who are or would be interested in the program. Both Councils have since expressed interest in participating in the program via a user pay arrangement (i.e. paying a pre – determined amount per participant).

In April 2020, the Cities of Prospect and Burnside, advised that they no longer wanted to continue to contribute annually to the program. The City of Prospect advised that they do not have sufficient referrals from young people to make the expenditure worthwhile. The City of Burnside advised that they would prefer to spend the funds on other youth programs. Both Councils have since expressed a similar interest to the City of Prospect (i.e. in paying a pre – determined amount per participant).

With the withdrawal of funding from the Cities of Burnside, Campbelltown, Prospect and the Town of Walkerville the future of *YouthFM* needs to be considered and determined.

A range of options therefore have been investigated to determine the ongoing viability of YouthFM. The options which have been considered are as follows:

1. seek funding from new partnerships with other eastern Councils;
2. the Council funds *YouthFM* in its entirety and implements a user pay arrangement (ie pre-determined payments) with the participant’s respective local Council;
3. a provider such as Three D Radio is contracted to run the Program; and
4. to discontinue the program.

### **Option 1 - Seek Funding from Partnerships with New Councils**

This option involves the establishment of a partnership with other Councils whereby they would pay annual funding to the program in exchange for young people from their area to participate in YouthFM. In this regard, discussions have been undertaken with the City of Unley and City of Tea Tree Gully.

Whilst both Councils were interested in *YouthFM* as an activity for their young people, they are not willing to pay an annual fee. Their respective budgets were already committed to other projects and activities. Both Councils did however indicate a willingness to pay a predetermined fee per participant.

This option is not viable as the Council is likely to experience difficulty in finding other partners to contribute financially on an annual basis.

### **Option 2 - YouthFM is funded in its entirety by the Council and a user pay system is implemented**

The Council would fund the entire program and would enter into a user pay arrangement with other Councils such as the Cities of Burnside, Campbelltown, Prospect and the Town of Walkerville. Participants wanting to participate in YouthFM would be supported by their local Council through payment of a pre - determined fee. The City of Norwood Payneham & St Peters participants would be exempt from the pre-determined payment given the Council would be funding the program.

As set out above, *YouthFM* requires funding in the order of between \$17,000 to \$18,000 per year to run the program. The maximum number of participants is twenty five (25), which means that the income received as part of this option will be dependent on the number of participants from other Councils.

For example at an average cost of \$300 per participants, this being the amount that partner Councils are willing to pay as part of a user pay system, the annual income for *YouthFM* based on twenty (20) paying participants would be \$6,000. This would mean that the City of Norwood Payneham & St Peters would be contributing the difference (i.e. \$12,000).

This is not the preferred option as there is a significant cost to the Council for the Program.

### **Option - 3 Outsourced Provider Model**

Discussions have been held with representatives from Three D Radio with respect to the future of *YouthFM* and the potential for the program to be delivered by Three D Radio Volunteers. Three D Radio is very interested in maintaining *YouthFM* and its partnership with the Council, as the program has helped them fulfil one of their commitments as a community Radio Station to engage youth within the community.

Three D Radio has submitted a proposal to the Council which includes the following elements to setting out how Three D Radio will assist the *YouthFM* Program and has proposed the following:

- Three D Radio would conduct the training, support mentoring and teaching to a target audience of youth aged 18 to 25 year olds;
- the Council will support Three D Radio with the promotion of the program;
- Three D Radio will be responsible for the recruitment of new participants;
- the training and mentoring will be carried out by a team of Three D Radio Volunteers who were previously YouthFM participants; and
- participants would be required to pay a membership fee to Three D Radio of \$45 to be part of the program.

Three D Radio's proposal contains a number of changes to the current model. The first change involves Three D Radio taking over the co-ordination, training mentoring of *YouthFM* participants. Given the depth of experience that Three D Volunteers have, they are well positioned to deliver training and mentoring.

However, Three D Radio have advised that they would have to reduce the number of participants from twenty five (25) to twenty (20) per year. The reason for this is that Three D Radio will run the "live to air program" with four (4) participants at a time instead of five (5). This slight reduction in the number of participants will still meet and cater to the demand for the Program and is not considered to be an impediment.

Three D Radio have suggested that the name of the program be changed to better reflect the current broadcasting landscape which is more than just an FM signal. The new name for the program has yet to be decided.

The age demographic for participants would change, from young people aged 15 to 25 years of age to young people who are 18 to 25 years of age, meaning that young people aged 15 to 17 years of age would no longer be able to participate as presenters for *YouthFM*.

The reason Three D Radio have recommended the 18 to 25 age demographic, is that the organisation lacks the procedural framework for working with and including minors as part of the Three D Radio membership. In this regard, Three D Radio advised that they are best positioned to work with 18 to 25 year old persons instead of the 15 to 25 year range. Three D Radio have advised that the content of the show would still be youth related and include content and promotion of activities suitable for young people aged 15 to 25.

Three D Radio have proposed they are willing to deliver the *YouthFM* program for a fee of \$5940 per annum. The fee includes the following:

- Three d Radio delivering the *YouthFM* program with their Volunteers;
- access to the Three D Radio facilities for participants;
- access to on air promotion channels ( 4x 30 second broadcast per day for a week 4 times a year; and
- administration costs.

This proposed cost of \$5940 is significantly less that the cost of the current model (\$17,000-\$18,000). This is because Volunteers will be conducting the training and mentoring as opposed to a paid staff member and a License Fee will not be required, given Three D Radio will be delivering *YouthFM* there is no need for the Council to operate under their license.

In addition there is the opportunity to offset a small proportion of the cost of Three D Radio's proposal, by charging other Councils a participant fee on a user pay. There are some Councils such as the City of Prospect, Campbelltown City Council, City of Burnside and City of Unley who are willing to participate on a user pay system. In this regard it is suggested that a fee of \$300 would be charged to other Councils who wish to support young people from their areas to participate in the program.

The Council's Youth Development Strategy focuses on young people aged 10 to 18 years of age. *YouthFM* is aimed at young people aged 15 to 25 years of age. Notwithstanding this *YouthFM* was identified by the Council as a unique and valued program for young people and therefore retained as part of the Council's Youth Development Program. Three D Radio's proposal is aimed at providing an opportunity for young people aged 18 to 25 years old which may not align with the age range of the Youth Development Program.

However, the Program not only provides value to participants it also provides a "voice" for young people and is an important mechanism for consulting with young people within the community, notwithstanding the fact that this cannot be quantified. The restriction on the age of participants therefore will not impact on the listener demographic. The Program therefore will still be a valuable communication tool for young people. As the listener demographic for the program will still be aimed at the age group of 15 to 25 years of age it will meets the age requirements of the Council's Youth Development Program.

Over the past three (3) years, approximately 50% of participants have been over 18 years of age. It should also be noted that there was a higher proportion of participants aged 18 to 25 years of age who graduated than those aged 15 to 17 years of age. During the period January 2018 to June 2020, approximately 66% of graduates were 18 years of age or older. Participants in this age group have benefitted from the program with respect to improved career prospects (through work experience) improved communication and public speaking skills.

Three D Radio's proposal has merit in comparison to the other options which have been discussed. Three D Radio are keen to retain *YouthFM* as it targets a younger demographic of listeners. The overall benefit of this proposal and the reason it is the preferred option, is that it will allow *YouthFM* as a program to continue to provide content and information for young people whilst also providing opportunities for young people aged 18 to 25 to learn new skills and participate as presenters on Three D Radio.

On the basis that Three D Radio's proposal will involve a number of changes it would however be beneficial to endorse this proposal for a 12 month trial period in the first instance.

#### **Option 4 Discontinue YouthFM**

The final option is to discontinue the *YouthFM* Program as part of the Council's Youth Development Program.

*YouthFM* has been part of the Council's Youth Development Program for over 15 years. The program is highly valued by Three D Radio and participants. As stated above, participants have reported benefits received from the program such as improved communication skills, group work and public speaking. *YouthFM* provides an opportunity for young people to not only become engaged but socially connected in the community through the program.

Notwithstanding the value that graduates of the program receive, the financial commitment by the Council is significant in terms of the cost per participant. However, as with any program, learning opportunity or employment, there will always only be a limited number of young people that are interested in such programs. To this end, costs should not necessarily be the only determining factor when considering the future of the program.

#### **OPTIONS**

The Council has various options in respect to this matter.

##### Option 1

The Council can fund *YouthFM* in its entirety and implement a user pay arrangement with other Councils. Whilst this option will ensure the continuation of *YouthFM*, it is not the preferred option as it not only requires additional funding from the Council, but it also relies on fee paying participants from other Councils.

##### Option 2

The Council can endorse the continuation of the program through an external provider such as Three D Radio's. Although the program will only be available to participants aged 18 to 25 years of age, this is the preferred option as the cost will be significantly less than *Option 1* and will allow *YouthFM* to continue as a partnership model between the Council and Three D Radio.

##### Option 3

The Council can discontinue YouthFM.

#### **CONCLUSION**

The *YouthFM* program is based on an inclusive youth engagement model which aims to foster participation of young citizens in the general community whilst promoting well-being and skill development. The model of youth engagement through a live to air radio show is a unique program experience for young people.

#### **COMMENTS**

Nil

#### **RECOMMENDATION**

1. That the Three D Radio proposal as set within this report be endorsed as contained in the proposal submitted by Three D Radio dated 29 September 2020 for a trial period of twelve (12) months.
  2. The Council Notes that a report on the evaluation of the trial period will be prepared for the Council's consideration, at the conclusion of the twelve (12) trial period.
-

Cr Callisto left the meeting at 9.12pm.  
Cr Callisto returned to the meeting at 9.14pm.

*Cr Whittington moved:*

- 1. That the Three D Radio proposal as set within this report be endorsed as contained in the proposal submitted by Three D Radio dated 29 September 2020 for a trial period of twelve (12) months.*
- 2. The Council Notes that a report on the evaluation of the trial period will be prepared for the Council's consideration, at the conclusion of the twelve (12) month trial period.*

*Seconded by Cr Duke and carried unanimously.*

**12. ADOPTION OF COMMITTEE MINUTES**  
Nil

**13. OTHER BUSINESS**  
Nil

**14. CONFIDENTIAL REPORTS**

## 14.1 TENDER SELECTION REPORT - MARIAN ROAD ROUNDABOUT & STORMWATER DRAINAGE UPGRADE PROJECT

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### RECOMMENDATION 1

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

(b) information the disclosure of which –

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

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

### RECOMMENDATION 2

Under Section 91(7) and (9) of the *Local Government Act 1999*, the Council orders that the report and discussion be kept confidential for a period not exceeding five (5) years and that this order be reviewed every twelve (12) months.

Under Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the minutes be kept confidential until the contract has been entered into by all parties to the contract.

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*Cr Stock moved:*

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

*(b) information the disclosure of which –*

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

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

*Seconded by Cr Sims and carried.*

*Cr Dottore moved:*

*Under Section 91(7) and (9) of the Local Government Act 1999, the Council orders that the report and discussion be kept confidential for a period not exceeding five (5) years and that this order be reviewed every twelve (12) months.*

*Under Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the minutes be kept confidential until the contract has been entered into by all parties to the contract.*

*Seconded by Cr Patterson and carried.*

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## 14.2 TENDER SELECTION REPORT – SECOND CREEK OUTLET GPT & RIVER TORRENS LINEAR PARK SHARED PATH UPGRADE

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### RECOMMENDATION 1

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

(k) tenders for the supply of goods, the provision of services or the carrying out of works;

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

### RECOMMENDATION 2

Under Section 91(7) and (9) of the *Local Government Act 1999*, the Council orders that the report and discussion be kept confidential for a period not exceeding five (5) years and that this order be reviewed every twelve (12) months.

Under Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the minutes be kept confidential until the contract has been entered into by all parties to the contract.

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*Cr Stock moved:*

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

*(k) tenders for the supply of goods, the provision of services or the carrying out of works;*

*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 Patterson and carried.*

*Cr Patterson moved:*

*Under Section 91(7) and (9) of the Local Government Act 1999, the Council orders that the report and discussion be kept confidential for a period not exceeding five (5) years and that this order be reviewed every twelve (12) months.*

*Under Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the minutes be kept confidential until the contract has been entered into by all parties to the contract.*

*Seconded by Cr Duke and carried.*

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**15. CLOSURE**

There being no further business, the Acting Mayor declared the meeting closed at 9.26pm.

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**Mayor Robert Bria**

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