

Council Meeting Minutes

5 July 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

1.	KAURNA ACKNOWLEDGEMENT	1
2.	OPENING PRAYER	1
3.	CONFIRMATION OF THE MINUTES OF THE SPECIAL COUNCIL MEETING HELD ON 16 JUNE 2021.....	1
4.	MAYOR'S COMMUNICATION.....	2
5.	DELEGATES COMMUNICATION	3
6.	QUESTIONS WITHOUT NOTICE.....	3
7.	QUESTIONS WITH NOTICE	3
7.1	QUESTIONS WITH NOTICE – LEAD LEVELS IN SOIL – ST PETERS AREA - SUBMITTED BY CR EVONNE MOORE	4
7.2	QUESTIONS WITH NOTICE – RIVER TORRENS LINEAR PARK SHARED PATH ENHANCEMENT PROJECT (STAGE 2) - SUBMITTED BY CR SCOTT SIMS	5
7.3	QUESTIONS WITH NOTICE – ZONING CHANGE IN GLYNDE AREA - SUBMITTED BY CR KEVIN DUKE.....	7
7.4	QUESTIONS WITH NOTICE - CONFIDENTIAL ITEM – COUNCIL RELATED MATTER (Refer to Confidential Item 14.4 of these Minutes)	9
8.	DEPUTATIONS	10
9.	PETITIONS.....	10
10.	WRITTEN NOTICES OF MOTION	10
10.1	2022-2023 ANNUAL BUSINESS PLAN AND BUDGET OBJECTIVES AND PARAMETERS – SUBMITTED BY MAYOR ROBERT BRIA	11
11.	STAFF REPORTS	12
	Section 1 – Strategy & Policy.....	13
11.1	VOLUNTEER SERVICES POLICY.....	14
	Section 2 – Corporate & Finance.....	18
11.2	MONTHLY FINANCIAL REPORT – MAY 2021	19
11.3	ADOPTION OF ANNUAL BUSINESS PLAN, BUDGET AND DECLARATION OF RATES FOR 2021-2022	22
	Section 3 – Governance & General.....	38
11.4	FELIXSTOW NEIGHBOURHOOD HOUSING RENEWAL PROJECT – STORMWATER MANAGEMENT & OPEN SPACE AGREEMENT.....	39
12.	ADOPTION OF COMMITTEE MINUTES.....	47
13.	OTHER BUSINESS	48
14.	CONFIDENTIAL REPORTS	48
14.1	TENDER SELECTION REPORT – CONSTRUCTION OF BRICK PAVED FOOTPATHS 2021-2022	49
14.2	LEASE OF PREMISES.....	50
14.3	EASTERN REGION ALLIANCE (ERA) WATER BOARD – APPOINTMENT OF INDEPENDENT CHAIRPERSON	51
14.4	QUESTIONS WITH NOTICE – COUNCIL RELATED MATTER.....	52
14.5	EASTERN REGION ALLIANCE (ERA) WATER.....	53
14.6	EAST WASTE – GREEN WASTE CONTRACT	54
14.7	COUNCIL RELATED MATTER	55
15.	CLOSURE.....	56

VENUE Council Chambers, Norwood Town Hall

HOUR 7.00pm

PRESENT

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

Staff Mario Barone (Chief Executive Officer)
Peter Perilli (General Manager, Urban Services)
Carlos Buzzetti (General Manager, Urban Planning & Environment)
Lisa Mara (General Manager, Governance & Community Affairs)
Sharon Perkins (General Manager, Corporate Services)
Isabella Dunning Manager, Governance, Legal & Property)
Andrew Alderson (Financial Services Manager)
Nicole Newton (Manager, Organisational Development)
Paul Mercorella (Acting Manager, City Assets)
Michael Moshos (Project Officer, Civil)
Josef Casilla (Project Officer, Assets)
Marina Fischetti (Executive Assistant, Urban Services)

APOLOGIES Nil

ABSENT Nil

1. KAURNA ACKNOWLEDGEMENT

2. OPENING PRAYER

The Opening Prayer was read by Cr Connie Granozio.

**3. CONFIRMATION OF THE MINUTES OF THE SPECIAL COUNCIL MEETING HELD ON
16 JUNE 2021**

Cr Sims moved that the minutes of the Special Council meeting held on 16 June 2021 be taken as read and confirmed. Seconded by Cr Dottore and carried unanimously.

4. MAYOR'S COMMUNICATION

Monday, 7 June	<ul style="list-style-type: none">• Presided over a Council meeting, Council Chamber, Norwood Town Hall.
Tuesday, 8 June	<ul style="list-style-type: none">• Attended a Confidential Briefing: The Parade & George Street 'Scramble Crossing', Mayor's Parlour, Norwood Town Hall.
Wednesday, 9 June	<ul style="list-style-type: none">• Radio Interview with Ali Carle, ABC 891.
Friday, 11 June	<ul style="list-style-type: none">• Attended an on-site meeting with resident, William Street, Norwood.
Sunday, 13 June	<ul style="list-style-type: none">• Attended the Mass to celebrate the 50th Anniversary of the Feast of Saint Anthony, Our Lady Queen of Peace Church, Payneham.
Tuesday, 15 June	<ul style="list-style-type: none">• Presided over a meeting of the Business & Economic Development Committee, Mayor's Parlour, Norwood Town Hall.
Wednesday, 16 June	<ul style="list-style-type: none">• Presided over a Special Council meeting: Consideration of Public Submissions for 2021-22 draft Annual Business Plan, Council Chamber, Norwood Town Hall.
Wednesday, 16 June	<ul style="list-style-type: none">• Attended a Briefing Session: City-Wide Parking Review, Mayor's Parlour, Norwood Town Hall.
Monday, 21 June	<ul style="list-style-type: none">• Attended a meeting with General Manager, Governance & Community Affairs, Volunteer Services Co-ordinator and Events Officers, Mayor's Office, Norwood Town Hall.
Tuesday, 22 June	<ul style="list-style-type: none">• Attended a meeting with Mr Frank Zito, President of the <i>Grazie Maria de Panduri Associazione</i>, Mayor's Office, Norwood Town Hall.
Friday, 25 June	<ul style="list-style-type: none">• Attended the court case regarding The Parade & George Street 'Scramble Crossing,' Supreme Court of South Australia, Adelaide.
Saturday, 26 June	<ul style="list-style-type: none">• Attended the pre-match function followed by the Norwood versus Central Districts football match, Norwood Oval.
Monday, 28 June	<ul style="list-style-type: none">• Attended a meeting with the Chief Executive Officer, Mr Bob Malone, President, Mr David Paradiso, Secretary and Mr Gino Dottore from the Norwood Payneham & St Peters Residents Association, Mayor's Office, Norwood Town Hall.
Monday, 28 June	<ul style="list-style-type: none">• Attended an Information Session: Youth Development Program, Mayor's Parlour, Norwood Town Hall.
Monday, 28 June	<ul style="list-style-type: none">• Attended a Confidential Briefing: St Peters Billabong, Mayor's Parlour, Norwood Town Hall.
Tuesday, 29 June	<ul style="list-style-type: none">• Attended a meeting with the Chief Executive Officer, SAPOL representatives, Mr Mario Boscaini (Parade Central) and AMS Security, Meeting Room 1, Norwood Town Hall.
Friday, 2 July	<ul style="list-style-type: none">• Attended the Eastern Region Alliance (ERA) Mayor's Monthly Breakfast, Luigi Delicatessen, Adelaide.
Friday, 2 July	<ul style="list-style-type: none">• Attended the pre-match function followed by the Norwood versus Sturt football match, Norwood Oval.

5. DELEGATES COMMUNICATION

- Cr Stock advised that on Wednesday 16 June 2021, he attended a meeting of the East Waste Audit & Risk Management Committee.

Cr Stock advised that on Thursday 24 June 2021, he attended a meeting of the East Waste Board of Management.

Cr Stock advised that on Thursday 1 July 2021, he attended via electronic communication, a Special Meeting of the East Waste Board of Management.

- Cr Whittington advised that on Thursday 24 June 2021, she and Cr Knoblauch attended a meeting of the Eastern Health Authority Board.

Cr Whittington advised that on Sunday 4 July 2021, she attended the Kensington Residents Association Working Bee in Flinders Street, Kent Town.

- Cr Knoblauch advised that on Monday 21 June 2021, he attended the Marden Senior College Governing Council's monthly meeting.

- Cr Minney advised that from 20-23 June 2021, he attended the 2021 Australian Local Government Association (ALGA) National General Assembly in Canberra.

Cr Minney advised that on Thursday 1 July 2021, he attended a meeting of the ERA Water Board.

6. QUESTIONS WITHOUT NOTICE

Nil

7. QUESTIONS WITH NOTICE

7.1 QUESTIONS WITH NOTICE – LEAD LEVELS IN SOIL – ST PETERS AREA - SUBMITTED BY CR EVONNE MOORE

REPORT AUTHOR: General Manager, Urban Planning & Environment
CONTACT NUMBER: 8366 4501
FILE REFERENCE: qA1040
ATTACHMENTS: A

BACKGROUND

Cr Moore has submitted the following Question with Notice:

What does Council know about possible causes of high lead levels found in some soil samples in St Peters?

REASONS IN SUPPORT OF QUESTION

Reference: C. Peddie “Toxic lead found in vegetable gardens.” The Advertiser 6 May 2021 page 5.

This article stated that high lead soil readings have been found in properties in St Peters (401.5 mg/kg), Dulwich (415mg /kg), Black Forest (431mg/kg) and Port Pirie (310.5 mg/kg).

A copy of this article is contained in **Attachment A**.

RESPONSE TO QUESTION

PREPARED BY GENERAL MANAGER, URBAN PLANNING & ENVIRONMENT

An article by Clare Peddie, entitled: *‘Home gardens across Adelaide, SA’s Mid North record dangerously high lead levels in national soil contamination study by Macquarie University’* was published in ‘The Advertiser’ on 6 May 2021.

The article highlighted that some soil samples taken from home gardens in suburban Adelaide and in the State’s Mid North, recorded “*dangerously high lead levels*”. The article also stated that “*in SA, almost five percent of soil samples submitted were above recommended limits*”.

An analysis of the study results revealed that in the greater Adelaide metropolitan area, soil samples were analysed from 153 residential properties of which only four (4) included high or ‘dangerous’ lead level readings. When the study results are put into perspective, the results indicate that soil samples taken from 149 of the 153 properties across the greater Adelaide metropolitan area included lead levels that are below the recommended 270mg/kg limit. Within the City of Norwood Payneham & St Peters, soil samples were taken from four (4) properties located at Stepney, Maylands, College Park and St Peters and only the sample taken from the residential property at St Peters indicated ‘*dangerous*’ levels of lead in the soil. The other three properties returned lead in soil readings of 0.25mg/kg, 154mg/kg and 193mg/kg respectively, which are all well below the recommended limit of 270mg/kg.

The research study highlights that the aged, painted and traffic congested inner-city homes had the highest concentrations of lead within the soil samples that were analysed. This is not surprising as many older houses (ie. those more than 50 years old) may have been painted with lead based paints. In addition, some historic traffic-induced emissions from the combustion of leaded fuels before the mid-1980s, may have also contributed to the level of lead contamination in the soil readings, particularly in inner-metropolitan suburbs, where traffic congestion is relatively commonplace, given that the density of urban populations tends to be higher in inner suburban areas of major cities. Some industrial practices can also contribute to lead contamination in soils. All that said, it is also worth noting that lead occurs naturally in soils, typically at concentrations that range from 10 to 50 mg/kg, according to an article published in September 2010 by Professor Richard Stehouwer PH.D of Pennsylvania State University.

The aim of the Macquarie University research study is to assist the public better understand the risks in their gardens and to promote knowledge about environmental health risks and the article published in ‘The Advertiser’, enabled the results of the study to be widely promoted more broadly to the community. Ultimately it is up to individuals to ensure they suitably prepared their gardens, should they wish to grow food for consumption.

7.2 QUESTIONS WITH NOTICE – RIVER TORRENS LINEAR PARK SHARED PATH ENHANCEMENT PROJECT (STAGE 2) - SUBMITTED BY CR SCOTT SIMS

REPORT AUTHOR: Manager, Traffic & Integrated Transport
CONTACT NUMBER: 8366 4542
FILE REFERENCE: qA1040
ATTACHMENTS: Nil

BACKGROUND

Cr Sims has submitted the following Question with Notice:

Could staff please advise Council what measures and design improvements will be implemented to improve safety for pedestrians and cyclists, in Stage 2 of the River Torrens Linear Park Shared Path Enhancement Project, noting this will include the replacing of the bridge near St Peters?

REASONS IN SUPPORT OF QUESTION

Nil

RESPONSE TO QUESTION PREPARED BY MANAGER, TRAFFIC & INTEGRATED TRANSPORT

Background to the current design of the Linear Park Shared Path

The River Torrens Linear Park Project was a flood mitigation project developed in the 1970's and constructed in stages between 1982 and 1997. The shared path component was an 'add-on' to make use of the available space and the designers were unaware of the evolving popularity of the path for both recreational and commuter pedestrians and cyclists.

Given this history, it is understandable that the original path construction does not meet the current and anticipated future levels of demand. The nine (9) metropolitan councils that border the River Torrens, in conjunction with the Department for Infrastructure & Transport (DIT), are progressively upgrading the path to meet relevant Standards and Guidelines, and cater for the diverse user needs with regard to environmental, recreation, sustainable transport and financial considerations.

Why is there conflict between users?

The Linear Park provides a dedicated space for walking and cycling away from busy roads. It is used by people on foot and a variety of wheeled devices for diverse purposes that include; walking for enjoyment, experiencing the natural environment, getting physical exercise, walking the dog, commuting to work, and accessing the community facilities (playgrounds, picnic areas, etc).

These path users have a variety of desired outcomes that range from seeking a slow meandering recreational experience to simply commuting from A to B. It is a challenge to provide one facility that offers the appropriate level of service for all potential users within the physical constraints of the River Torrens corridor such as steep slopes, a winding alignment and high water levels that restrict design options.

Ideally, all path users would be mindful of each other's needs and understand the path etiquette of sharing, however, it is recognised that users contribute to conflict in a variety of ways, some of which are listed below:

Bike Riders

- Excessive speed;
- Failure to give way to pedestrians;
- Failure to keep left;
- Inattentiveness / wearing headphones;
- Failure to ring their bell before passing a pedestrian; and
- Unaware that pedestrians can feel intimidated when being passed by a fast cyclist.

Pedestrians

- Meandering across the path;
- Failure to keep left;
- Lack of control of children or dogs;
- Inattentiveness / wearing headphones;
- Not looking behind before changing direction; and
- Lack of knowledge of cyclist limitations.

It is not possible to install a speed limit for cyclists or barriers that 'prevent' access by one particular user type and it is very difficult to enforce good behaviour on shared paths. Therefore, conflict can only be minimised by good path design (geometry, width, grade) to enable safe sharing, and supplementary signage (warning, regulatory and information) that makes path users aware of their responsibilities.

Design Improvements for Stage 2 of the River Torrens Linear Park Shared Path Enhancement Project

The design of all new works along the River Torrens Linear Park includes consideration of the high volume of diverse path users and aims to maximise safety and minimise conflict as much as possible.

The existing shared path is approximately 2.4 metres wide. The new path will be 4.0 metres wide at St Peters River Park where there is a high level of pedestrian and cyclist activity, and 3.5 metres wide elsewhere (including the bridge and boardwalk). The absolute minimum width will be 3.0 metres wide where there are significant constraints such as steep slopes or trees. The increased width will provide more space for path users to share the space, and the realigned geometry will improve sight distance, reduce hazards and remove squeeze points. Barrier fencing will be installed where necessary to improve safety at potentially hazardous locations.

All paths, signs and pavement marking have been designed in accordance with the relevant Australian Standards and Guidelines and the path will be illuminated at night to create safer conditions. The need for additional information signage and/or line marking will be assessed and installed where necessary during and after construction.

7.3 QUESTIONS WITH NOTICE – ZONING CHANGE IN GLYNDE AREA - SUBMITTED BY CR KEVIN DUKE

REPORT AUTHOR: General Manager, Urban Planning & Environment
CONTACT NUMBER: 8366 4501
FILE REFERENCE: qA1040
ATTACHMENTS: Nil

BACKGROUND

Cr Duke has submitted the following Questions with Notice:

1. Why were the owners of property in the Glynde area previously zoned as Light Industrial NOT advised of the zoning change to that of Employment Zone?
2. Who had the responsibility to inform the property owners of the change in Zoning?

REASONS IN SUPPORT OF QUESTIONS

Nil

RESPONSE TO QUESTIONS

PREPARED BY GENERAL MANAGER, URBAN PLANNING & ENVIRONMENT

The South Australian Government has implemented a range of planning reforms over the past five (5) years, concluding with the implementation of Phase 3 of the *Planning & Design Code* (the Code) in metropolitan Adelaide, which came into effect on 19 March 2021.

The Code is a key element of the planning reform program as it has replaced all existing Council Development Plans in South Australia. The Code includes a substantially different planning policy framework and structure to that of the former Council Development Plans. The majority of properties within the City of Norwood Payneham & St Peters have been rezoned and the number of Zones and Sub Zones that apply across metropolitan Adelaide has been significantly reduced in an attempt to provide homogenous zoning provisions and simplify the assessment of development applications, irrespective of which council area a property is located within.

The introduction of the *Planning and Design Code* was a State Government initiative and as such, responsibility for informing, engaging and consulting with the community on any zone changes rests with the State Government and more specifically, the State Planning Commission.

The draft Phase 3 Code was originally released for community consultation from 1 October 2019 to 28 February 2020 and attracted a total of 1790 formal submissions. The Commission conducted an assortment of engagement activities including 129 local government events, 49 community events (two (2) of which were conducted at the Payneham Library Complex), online engagement, print advertisements and an enquiries phone line. However, the Commission did not directly inform individual property owners of proposed zoning changes, other than in respect to owners of properties located within a proposed Historic Area Overlay, which was a requirement stipulated in the State Government's *Community Engagement Charter*.

Following the first round of consultation, parts of the draft Phase 3 Code were amended significantly, resulting in calls from Local Government and the community for a further round of consultation. In response, the Commission released the revised draft Phase 3 Code for a further round of consultation between 4 November 2020 and 18 December 2020. Akin to the first round of consultation, the Commission did not directly inform individual property owners of proposed zoning changes.

The State Planning Commission is responsible for undertaking consultation on the Code in accordance with the *Community Engagement Charter*, however this document does not specify minimum consultation requirements as was prescribed for the Development Plan Amendment process as set out in the *Development Act 1993*. Instead the *Community Engagement Charter* anticipates a flexible approach allowing the consultation to be tailored to meet the needs of the community and the nature of the document on consultation.

The former Development Plan Amendment process typically required direct notification to affected property owners and occupiers when zoning changes were being proposed. Although the *Community Engagement Charter* does not prescribe a similar requirement, prior to consultation on the draft Code, Council staff requested that the Commission advise of the intended policy changes to each property owner within the City of Norwood Payneham & St Peters in writing. This request was declined by the Commission.

The Employment Zone at Glynde includes the area bounded by Glynburn Road, Davis Road, part of Barnes Road and the southern (rear) boundary of properties facing Lewis Road. All properties within the Employment Zone were previously located with the Light Industry Zone.

The former Light Industry Zone policies encouraged predominately light industrial related activities. Various land uses were discouraged including residential development and shops greater than 250m². These land uses were listed as non-complying, requiring a lengthier assessment process. In addition, Applicants were not afforded the right to appeal a refusal decision with the Environment, Resources & Development Court.

Under the Code, the Employment Zone policies encourage a broader range of land uses including consulting rooms, offices and shops (in certain circumstances) in addition to light industrial uses. One of the most notable differences between the zones is that in the Employment Zone, there is no specified floor area limit for bulky goods outlets; bulky goods of any size will be assessed on their merits and Applicants will be able to appeal the Council's decision if their application is refused.

7.4 QUESTIONS WITH NOTICE - CONFIDENTIAL ITEM – COUNCIL RELATED MATTER

Refer to Confidential Item 14.4 of these Minutes.

8. **DEPUTATIONS**
Nil

9. **PETITIONS**
Nil

10. **WRITTEN NOTICES OF MOTION**

**10.1 2022-2023 ANNUAL BUSINESS PLAN AND BUDGET OBJECTIVES AND PARAMETERS –
SUBMITTED BY MAYOR ROBERT BRIA**

NOTICE OF MOTION: 2022-2023 Annual Business Plan and Budget Objectives and Parameters
SUBMITTED BY: Mayor Robert Bria
FILE REFERENCE: qA1039 qA67879
ATTACHMENTS: Nil

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

NOTICE OF MOTION

That the 2022-2023 Annual Business Plan and Budget Objectives and Parameters includes a Special meeting of the Audit Committee to be held in April 2022 before the Council considers the draft 2022-2023 Annual Business Plan to be released for community consultation.

REASONS IN SUPPORT OF MOTION

As Elected Members are aware, each January the Council is presented with a report detailing the Annual Business Plan and Budget Objectives and Parameters for the forthcoming financial year. This includes milestone dates for the preparation of the budget, such as workshops and Council meetings to consider Fees, Operating and Capital Projects.

Although the Independent Members of the Council's Audit Committee ("the Committee") are invited to attend the budget workshops, there are no meetings of the Audit Committee held between late February and late May. As such, the Committee does not have the opportunity to consider, comment and make recommendations to the Council on the draft Annual Business Plan ("the Plan") before it is endorsed 'in principle' for release for community consultation.

This situation was noted by the Independent Members of the Committee at its most recent meeting held on Monday, 24 May 2021, at which the Committee made recommendations to the Council in the middle of the community consultation process.

This motion proposes that a Special Meeting of the Audit Committee be held in April 2022, to give it an opportunity to consider the draft 2022-2023 Annual Business Plan and make recommendations to Council. The Council can then consider these recommendations and, if it chooses, make the appropriate adjustments to the Plan before it is endorsed 'in principle' by the Council to be released for community consultation.

If supported, this new arrangement will mean the Council can make changes to the draft Plan early in the budget process, rather than after the community consultation process.

**STAFF COMMENT
PREPARED BY GENERAL MANAGER, CORPORATE SERVICES**

A Special Meeting of the Audit Committee, as proposed in the Motion, can be scheduled as part of the 2022-2023 Budget Timetable.

Cr Minney moved:

That the 2022-2023 Annual Business Plan and Budget Objectives and Parameters includes a Special meeting of the Audit Committee to be held in April 2022 before the Council considers the draft 2022-2023 Annual Business Plan to be released for community consultation.

Seconded by Cr Stock and carried unanimously.

11. STAFF REPORTS

Section 1 – Strategy & Policy

Reports

11.1 VOLUNTEER SERVICES POLICY

REPORT AUTHOR: Volunteer Services Coordinator
GENERAL MANAGER: Chief Executive Officer
CONTACT NUMBER: 8366 4631
FILE REFERENCE: qA3315 qA64324
ATTACHMENTS: A

PURPOSE OF REPORT

The purpose of this report is to present the *Volunteer Services Policy* to the Council for approval.

BACKGROUND

The City of Norwood Payneham & St Peters has been collaborating and hosting citizens in Volunteer roles since 1997.

The Council currently hosts approximately two hundred and forty (240) Volunteers across a diverse range of Council programs and services.

The *Volunteer Services Policy* is an existing Policy and together with the *Volunteer Services Program*, sets out the arrangements and requirements to deliver the Council's Volunteer Program over the next three (3) years. The Council's *Volunteer Services Policy* has been reviewed and has been amended to reflect changes to current legislative requirements.

The *Volunteer Services Policy* is presented to the Council for endorsement (refer to **Attachment A**).

RELEVANT STRATEGIC DIRECTIONS & POLICIES

The *CityPlan 2030: Shaping Our Future* sets out the Council's Vision and strategies which have been translated into the following four key Outcomes:

- 1 Social Equity
- 2 Cultural Vitality
- 3 Economic Prosperity
- 4 Environmental Sustainability

The Council's *Volunteer Services Program* aligns with *CityPlan 2030* and in particular:

'Outcome 1: Social Equity, A connected, accessible and pedestrian-friendly community'.

The Council's *Volunteer Services Program* delivers directly on and/or indirectly on, the following *Strategies* under this Outcome:

- maximise access to services facilities, information and activities;
- strengthen community leadership and capacity;
- promote volunteering opportunities in the community and within the Council;
- provide opportunities for community input in decision making and Program development;
- recognise and use the skills, knowledge and resources of the community;
- encourage physical activity and support mental health to achieve healthier lifestyles and well-being;
- encourage and provide opportunities for lifelong learning;
- provide spaces and facilities for people to meet, learn and connect with each other; and
- facilitate community support networks and partnerships for the sharing of resources and skills in order to build community capacity.

FINANCIAL AND BUDGET IMPLICATIONS

A recurrent budget of \$152,000 is allocated for the provision of Volunteer Services which covers all operating costs for the following:

- wages and salaries for the Volunteer Services Coordinator;
- marketing, advertising and promotion;
- membership fees for Volunteering SA NT;
- reimbursement of expenses incurred by Volunteers;
- Volunteer training;
- Volunteer gifts and recognition;
- payment for mandatory pre-screening checks; and
- Volunteer events.

EXTERNAL ECONOMIC IMPLICATIONS

Not Applicable.

SOCIAL ISSUES

The Council is committed to providing opportunities for citizens who wish to contribute through volunteering to the community.

Through the Policy the Council demonstrates its commitment to the various Volunteer Services Programs.

In addition, the Council makes adjustments to the Programs which are delivered by the Volunteer Services Unit and Volunteer roles to suit individual needs of existing and potential Volunteers, such as individual mobility and accessibility issues, to maximise opportunity for citizens to become Volunteers, which, in turn provides social inclusion to the Volunteers and their clients.

CULTURAL ISSUES

The Council is committed to providing volunteering opportunities for citizens of all backgrounds, races, religion and ethnicities and has established a variety of Programs that meet Equal Opportunity requirements to provide a range of options for people wishing to volunteer.

ENVIRONMENTAL ISSUES

Not Applicable.

RESOURCE ISSUES

Not Applicable.

RISK MANAGEMENT

Not Applicable.

COVID-19 IMPLICATIONS

As Elected Members are aware, in 2020, during the COVID-19 Pandemic, all Volunteer Programs were suspended with the exception of Justice of the Peace and the Community Bus Shopping Program.

As restrictions eased, each Program was re-activated with a Risk Assessment and in some cases, a COVID Safe Plan.

All Programs, with the exception of Cultural Heritage, were fully operational by the beginning of August 2020.

Before the COVID-19 Pandemic, the Council had 244 active Volunteers. During the Pandemic, 42 Volunteers resigned from their positions.

Since August 2020, Volunteer numbers have been built back to 240 and the full range of programs and services is now operational.

CONSULTATION

- **Elected Members**
Not Applicable.
- **Community**
Not Applicable.
- **Staff**
Chief Executive Officer
General Managers
Volunteer Services Coordinator
- **Other Agencies**
Not Applicable.

DISCUSSION

Management of the Council's *Volunteer Services Program* is administered through the *Volunteer Services Policy*, together with other relevant workplace policies and legislation. The *Volunteer Services Policy* has been reviewed and a number of changes are recommended to be made to the Policy.

Specifically, as a result of the review of the Policy, the following amendments have been made to the Policy:

- the number of active Volunteers has risen to 240, not 200 as stated in the current Policy;
- the title of Council documents have been updated, including:
 - *Work Health & Safety 2021 Policy Statement*;
 - *Social Media & Electronic Communications Policy*;
- information in respect to insurance cover has been updated to accurately reflect the insurance cover that is accessible for Volunteers at the age of 90 and over;
- in respect to Pre-Placement clearances, the new *Working with Children Check* is valid for five (5) years instead of three (3) years;
- information has been added to the *Conflict of Interest* section of the Policy to include guidelines for *Recruitment, Selection, Induction* purposes.

The *Volunteer Services Policy* sets out the principles, roles and responsibilities of the Council, staff and Volunteers to ensure that the management of the Volunteer Services Program is fair and equitable and complies with relevant legislative and best practice principles.

OPTIONS

The Council can resolve to endorse the Volunteer Services Policy.

Alternatively, the Council can make further amendments to the *Volunteer Services Policy*.

It is recommended that the Council endorses the *Volunteer Services Policy* as presented.

CONCLUSION

A review of the *Volunteer Services Policy* in order to reflect the required updates and changes to the Program, has now been undertaken.

COMMENTS

Nil.

RECOMMENDATION

That the Volunteer Services Policy, as contained in Attachment A, be approved.

Cr Sims left the meeting at 7.12pm.
Cr Sims returned to the meeting at 7.15pm.

Cr Moore declared a perceived conflict of interest as she is a member of Friends of the Billabong (FOB). Cr Moore advised that she 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 Friends of the Billabong (FOB). Cr Moorhouse advised that he would remain in the meeting and take part in the discussion regarding this matter.

Cr Whittington moved:

That the Volunteer Services Policy in Attachment A and as amended to reflect the change in name of the 'Department of Communities and Social Inclusion' to the 'Department of Human Services', be approved.

Seconded by Cr Mex and unanimously.

Section 2 – Corporate & Finance
Reports

11.2 MONTHLY FINANCIAL REPORT – MAY 2021

REPORT AUTHOR: Financial Services Manager
GENERAL MANAGER: General Manager, Corporate Services
CONTACT NUMBER: 8366 4585
FILE REFERENCE: qA64633/A166834
ATTACHMENTS: A

PURPOSE OF REPORT

The purpose of this report is to provide the Council with information regarding its financial performance for the period ended May 2021.

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 Third Budget update reports an Operating Deficit of \$168,575 for the 2020-2021 Financial Year an improvement of \$629,880.

For the period ended May 2021, the Council's Operating Surplus is \$2,364,000 against a budgeted Operating Surplus of \$1,755,000, resulting in a favourable variance of \$609,000.

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 April 2021, in addition to the financial support package provided within the Adopted budget, the Council has spent in the order of \$200,000 on its response to the COVID-19 pandemic. This covers additional cleaning services across all Council facilities and the purchase of materials to ensure that appropriate physical distancing and other protective measures are in place to assure both staff and users of Council Services.

CONSULTATION

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

DISCUSSION

For the period ended May 2021, the Council's Operating Surplus is \$2,364,000 against a budgeted Operating Surplus of \$1,755,000, resulting in a favourable variance of \$609,000.

Statutory Charges are \$108,000 (8%) favourable to budget as at the end of May 2021. The variance is being driven by development and property sales, in particular development fees (\$74,000) which are highly variable given the size and nature of the works, Hoardings Permits (\$17,000) and Rates Searches (\$16,000).

Employee Expenses are \$293,000 (2%) favourable to budget as at the end of May 2021. The variance represents a timing difference of Annual Leave which has been taken as compared to budget expectations. Annual Leave when taken is costed to against the Annual Leave provision on the Balance Sheet.

Whilst Contracted Services (\$192,000, 2%) Materials (\$99,000, 22%), Consumables (\$69,000, 8%) and Sundry Expenses (\$96,000, 3%) are favourable to budget, there are no individually significant variances however, there are a number of smaller timing variances. These variances include items such as turf renovations, line marking, planned building maintenance services, staff uniforms, seasonal street sweeping, catering and other similar Council event related expenditure and tree services. Whilst there is an expectation that some of these variances will be resolved during June, there will be some residual favourable permanent variances present at 30 June 2021.

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

OPTIONS

Nil

CONCLUSION

Nil

COMMENTS

Nil

RECOMMENDATION

That the May 2021 Monthly Financial Report be received and noted.

Cr Minney moved:

That the May 2021 Monthly Financial Report be received and noted.

Seconded by Cr Sims and carried unanimously.

11.3 ADOPTION OF ANNUAL BUSINESS PLAN, BUDGET AND DECLARATION OF RATES FOR 2021-2022

REPORT AUTHOR: Financial Services Manager
GENERAL MANAGER: General Manager, Corporate Services
CONTACT NUMBER: 83664585
FILE REFERENCE: qA71314/A182875
ATTACHMENTS: A - G

PURPOSE OF REPORT

The purpose of this report is to present to the Council, the Draft 2021-2022 Annual Business Plan, Annual Budget and Rates Policy for consideration and adoption.

BACKGROUND

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

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

The Draft 2020-2021 Annual Business Plan and Budget have been considered by the Council at meetings held on 14 April 2021, 3 May 2021 and 16 June 2021.

Public submissions have also been sought in respect to the Draft 2021-2022 Annual Business Plan, and six (6) written submissions have been received and considered by the Council at a Special Council Meeting held on 16 June 2021. Following the Council’s consideration of the submissions, the Council resolved to not to amend the Draft Annual Business Plan and Budget.

This report presents the Draft 2021-2022 Annual Business Plan and Budget, based on rates modelling undertaken for the week ended 18 June 2021.

RELEVANT STRATEGIC DIRECTIONS & POLICIES

The Council’s Long Term Strategic directions are outlined in the Councils Strategic Management Plan, *City Plan 2030 – Shaping our Future*. The Draft 2021-2022 Annual Business Plan (Draft Plan) and supporting Draft 2021-2022 Budget (Draft Budget), sets out the proposed services and programs and initiatives for the 2021-2022 Financial Year and explains how the Council intends to finance its continuing services, programs and initiatives which are to be undertaken during the year.

The Council’s Long Term Financial Plan (LTFP), is a key document in the Councils Planning Framework. It is the primary financial management tool which links the Councils Strategic Plan, *City Plan 2030 – Shaping our Future*, Whole-of-Life Assets Management Plans and the Annual Business Plan and Budget.

The adoption of the Draft 2021-2022 Annual Business Plan and Budget will contribute to the Council achieving its goals and objectives as set out in the suite of Strategic Planning documents set out above.

FINANCIAL AND BUDGET IMPLICATIONS

The Draft Budget has been prepared in line within the Council’s Budget Guidelines that were endorsed by the Council on 18 January 2021 and incorporates the “*in principle*” decisions which have been made by the Council at its meetings held on 14 April 2021, 3 May 2021 and 16 June 2021.

The Draft Budget, as presented for consideration in this report, is based on a Rate Revenue increase of 4.35%. With valuation growth, the proposed increase in the Rate-in-the-Dollar is 1.98%. Revenue attributed to new development growth is 0.95%.

EXTERNAL ECONOMIC IMPLICATIONS

Nil

SOCIAL ISSUES

The *Local Government Act 1999*, provides a number of measures which the Council can provide rate relief to eligible ratepayers. Relief options includes, automatic rate capping, postponements of rates, remissions and payment plans.

CULTURAL ISSUES

Nil.

ENVIRONMENTAL ISSUES

Nil.

RESOURCE ISSUES

Nil.

RISK MANAGEMENT

To date, the Draft Budget has been prepared in in absence of the 2021-2022 State Budget, which was released on 22 June 2021.

A number of components of the Councils Draft Budget are impacted upon by decisions which are made by the State Government. A number of assumptions have been made with respect to those components of the Councils Draft Budget which are influenced by the decisions of the State Government.

Following consideration of the 2021-2022 State Budget, the assumptions and other decisions upon which the Draft Budget is based has not been materially impacted by the release of the State Budget.

It should be noted that the draft 2021-2022 Budget has been developed based on the assumption that the Federal Government will continue, as per previous year, to advance two (2) quarter of the Financial Assistance Grants. Should the grant funding not be advance, Grant Income will be reduced by \$550,000.

COVID-19 IMPLICATIONS

As part of the economic recovery from the COVID-19 pandemic, the Federal and State Government released a number of funding programs aimed at stimulating the economy through infrastructure spend.

The Council has been successful in receiving grant funding which will assist the Council in delivering a number of projects which are included within the Draft 2021-2022 Plan and Budget.

Projects where grant funding have been received under the various grant programs are detailed in Table 1 below:

TABLE 1: PROJECT GRANT FUNDING

Project Name	Project Description	2021-2022 Budget Allocation	2021-2022 Grant Funding
St Peters Street Streetscape Upgrade	<p>This project builds on the upgrades to the St Peters Precinct, which included the redevelopment of Linde Reserve-Dunstone Grove, the refurbishment of the St Peters Town Hall Complex and the St Peters Street upgrade and the Avenue of Honour from Payneham Road to Second Avenue. Once completed, St Peters Street will provide improved amenity and connection between the River Torrens Linear Park and other major focal points within the Precinct.</p> <p>The estimated project cost is \$4.5 million, which includes civil infrastructure renewal works and storm water drainage works to the value of \$1.5 million. These elements have been accounted for in the recently adopted <i>Infrastructure & Asset Management Plans</i></p> <p>The Project is scheduled to be delivered over two (2) financial years, with the estimated spend being incurred as follows:•</p> <p>2021-2022 - \$2.470 million</p> <p>2022-2023 - \$2.030 million</p> <p>The Council secured \$1.270 million as part of the Federal Governments <i>Local Government and Community Infrastructure Program Extension</i>.</p>	2,470,000	1,270,347
Dunstan Adventure Playground Redevelopment	<p>The Dunstan Adventure Playground is identified in a number of the Council's strategic documents as one of four Regional Level Playgrounds within the City of Norwood Payneham & St Peters.</p> <p>The objective of the Project is to design and construct a new Playground, whilst maintaining some of the key elements that are well loved by the users of this unique facility.</p> <p>The Project is scheduled to be delivered over two (2) financial years, with the detailed design to be undertaken during 2021-2022. The estimated spend being incurred as follows:</p> <p>2021-2022 - \$100,000</p> <p>2022-2023 - \$900,000</p> <p>The Council has secured \$450,000 in grant funds from the State Governments <i>Open Space & Places for People Program</i>.</p>	\$100,000	\$-

Project Name	Project Description	2021-2022 Budget Allocation	2021-2022 Grant Funding
Payneham Swimming Centre Redevelopment	<p>This project involves the full redevelopment of the Payneham Memorial Swimming Centre, as per the Council's <i>Swimming Centres Strategy</i> and endorsed Concept Plans.</p> <p>The complete redevelopment is estimated to cost \$24 million, with the project being delivered over two (2) financial years, with the estimated spend being incurred as follows:</p> <p>2021-2022 - \$ 3.0 million</p> <p>2022-2023 - \$21.0 million</p> <p>The Council has secured \$5.6 million in grant funds from the State Governments <i>Local Government Infrastructure Partnership Program</i> to assist in funding the water elements of the project.</p>	3,000,000	2,800,000
River Torrens Linear Park Shared Path Enhancement – Stage 2	<p>This project involves the reconstruction of the shared path along the River Torrens Linear Park, between the intersection of Battams Road/Ninth Avenue Royston Park and Twelftree Reserve, Collage Park, encompassing a section of the path that passes through Dunstan Adventure Playground. The project will deliver a 2.6 km, 3.0-3.5 metre wide shared path with compliant LED lighting. This project is the continuation of Stage 1 of the River Torrens Shared Path enhancement Project which was completed in 2019.</p> <p>The estimated project cost is \$3.0 million, which includes endorsed civil infrastructure renewal works to the value of \$ 798,000. These elements have been accounted for in the recently adopted <i>Infrastructure & Asset Management Plans</i></p> <p>The Project is scheduled to be delivered over two (2) financial years, with the detailed design to be undertaken during 2021-2022. The estimated spend being incurred as follows:</p> <p>2021-2022 - \$2.148 million</p> <p>2022-2023 - \$0.852 million</p> <p>The Council has secured \$1,350,000 in grant funds from the State Governments <i>Open Space & Places for People Program</i>.</p>	\$2,148,000	\$1,350,000
Total		9,775,000	4,700,000

CONSULTATION

- **Elected Members**
Elected Members have been involved throughout the preparation of the Draft 2021-2022 Annual Business Plan and Budget process and have considered the various components of the Draft 2021-2022 Annual Business Plan and Budget at meetings held on 14 April 2021, 3 May 2021 and 16 June 2021 and made “*in principle*” decisions as appropriate to arrive at a draft Annual Business Plan and draft Budget.
- **Audit Committee**
The Audit Committee considered the Draft Budget at its meeting held on 24 May 2021. Mayor Bria, Councillor Minney and Councillor Stock are members of the Audit Committee
- **Community**
In line with the requirements of the Act, public submissions on the Draft 2021-2022 Annual Business Plan were sought. Six (6) written submissions were received and considered by Council at its meeting held on 16 June 2021.
- **Staff**
The review of Operating Expenditure and Special Projects and the Draft Annual Business Plan process, has been completed with the involvement of the Chief Executive Officer, General Managers and the various Responsible Officers.
- **Other Agencies**
Not Applicable.

DISCUSSION

The Draft 2021-2022 Plan and Budget has been developed during a period in which the State is recovering from the economic and social impacts of the COVID-19 pandemic. As a level of Government, the Council has a role in the economic recovery from the COVID-19 pandemic, so while the focus has remained on ensuring that the Council not only maintains the service standards for its existing range of services to support the delivery of the strategic objectives, the Draft 2021-2022 Plan commits to a number of large scale infrastructure projects.

As detailed in Table 2 below, based on 4.35% increase in Rate Revenue, the Draft Operating Surplus is \$471,000, which is based on a Recurrent Operating Surplus of \$861,000 and an Operating Deficit relating to Operating Projects of \$593,000. It should be noted that the Draft Operating Surplus includes \$363,000 from the *Roads-to-Recovery Grant Program*, the Council's share of the Net loss from its Regional Subsidiaries (\$201,000) and carry forward expenditure (\$203,000) relating to projects approved in prior financial years which have yet to be completed. Adjusting for the Carry Forward expenditure and the Net Loss from Regional Subsidiaries, the underlying Draft Operating Surplus for the provision of continuing services and programs and new initiatives, is projected to be \$875,500.

The Draft Budget will deliver a Cash Deficit of \$1.621 million, after principal loan repayments of \$931,000. The Cash Deficit is the result of an increase in the Capital works program, the funding of carry forward Operating and Capital projects from cash reserves and the flow on effect of the zero rate revenue (excluding new development) increase, which was set by the Council as part of the 2020-2021 Budget. The closing cash balance at the 30 June 2022 is projected to be \$1.359 million.

TABLE 2: 2020-2021 PROPOSE BUDGETED STATEMENT OF COMPREHENSIVE INCOME

	Recurrent Operating 2021-2022 \$	Operating Projects 2021-2022 \$	Capital 2021-2022 \$	Proposed 2021-2022 \$
INCOME				
Rates	37,810,867	-	-	37,810,867
Statutory charges	1,865,875	-	-	1,865,875
User charges	3,910,411	-	-	3,910,411
Grants, subsidies and contributions	2,520,869	362,298	-	2,883,167
Investment income	110,500	-	-	110,500
Other income	498,126	-	-	498,126
Net Gain- Joint Ventures & Associates	2,288	-	-	2,288
Total Income	46,718,936	362,298	-	47,081,234
EXPENSES				
Employee costs	16,115,712	-	-	16,115,712
Materials, contracts & other expenses	17,965,721	955,272	-	18,920,993
Finance costs	670,000	-	60,000	730,000
Depreciation, amortisation & impairment	10,640,005	-	-	10,640,005
Net Loss- Joint Ventures & Associates	203,305	-	-	203,305
Total Expenses	45,594,743	955,272	60,000	46,610,015
OPERATING SURPLUS / (DEFICIT)	1,124,193	(592,974)	(60,000)	471,219
Net gain (loss) on disposal or revaluation of assets	-	-	25,000	25,000
Amounts specifically for new or upgraded assets	-	-	5,540,707	5,540,707
NET SURPLUS (DEFICIT)	1,124,193	(592,974)	5,505,707	6,036,926

The Budget Papers, which are set out in the prescribed format, are contained in **Attachment B**.

BUDGETED CAPITAL PROJECTS INCLUDING CAPITAL WORKS

At its meeting held on 7 June 2021, the Council endorsed “*in principle*” the Draft Capital Works Program with a combined value of \$26.972 million inclusive of the expenditure required to finalise the 2020- 2021 Capital Projects which are not anticipated to be completed by 30 June 2021. The Draft Capital Budget expenditure is offset by Capital Funding which incorporates Grant and Other Revenues to the value of \$5.566 million, which will result in a net cost to the Council of \$21.406 million (inclusive of capitalised salaries of \$1.035 million).

The funding allocation includes \$13.208 million for the Council’s *Whole-of-Life Capital Works Program* as detailed in Table 3 below:

TABLE 3: WHOLE-OF-LIFE CAPITAL WORKS PROGRAM

	Expenditure \$'000
Road Resealing	4,571
Footpath Reconstruction	958
Kerbing Reconstruction	1,686
Stormwater Drainage Program	3,846
Recreation and Open Space Program	1,113
Building Works Program	1,033
TOTAL Whole-of Life	13,208

It should be noted, that \$2.694 million of renewal works associated with the Civil Infrastructure Works Program (\$813,125), Stormwater Drainage Program (\$1.2 million) and the Recreation and Open Space Program (\$681,000) will be undertaken as part of the St Peters Street Streetscape Upgrade Project (\$719,858 million), the Burchell Reserve Upgrade Project (\$1.176 million) and the River Torrens Linear Park Shared Path Upgrade Project(\$798,000).

In addition to the current years proposed Capital Projects, the Draft 2021-2022 Budget includes a funding allocation for Capital Projects which were adopted as part of the 2020-2021 Annual Business Plan and Budget and which are not anticipated to be completed by 30 June 2021. The actual value of projects yet to be completed will not be determined until after 30 June 2021, however an estimate of the projects to be carried forward to the 2021-2022 Financial year has been determined based on the 2020-2021 Third Quarter Budget Update. The value of carried forward Capital Projects included in the Draft 2021-2022 Budget is \$4.761 million, with the following major projects being carried forward:

- Second Creek Outlet Upgrade (\$950,000)
- Trinity Valley Drainage Design (\$419,000);
- Parade West Drainage (\$300,000)
- Third Creek – Stage 2 (\$700,000)
- George Street Upgrade (\$800,000);
- Detailed Design for Burchell Reserve and the Parade Master Plan (\$300,000); and
- Stephen Street (Norwood) Improvements (\$250,000).

On a full accrual basis, the Capital Expenditure will not affect the operating result before Capital Revenues, except through future years' depreciation and financing costs on any associated loan borrowings. Grant income which is received and relates to Capital Projects will, however, be included as Capital Income within the Budgeted Income Statement after the Operating Surplus/(Deficit) as required by the Model Financial Statements prescribed by the Local Government Act 1999.

The following attachments are provided for the Council's information:

- **Attachment C** – Endorsed Capital and Operating Projects.
- **Attachment D** – Capital Works Program.

Borrowings

Proposed capital expenditure of \$26.972 million (inclusive of 2020-2021 carry forward projects) is proposed to be funded as follows:

- | | |
|--|-------------------|
| • Use of depreciation recovered through rate revenue | \$10.525 million. |
| • Grant Funding | \$ 5.566 million. |
| • Long Term Borrowings | \$ 8.120 million |
| • Roads-to Recovery Grant Funding | \$ 0.362 million. |
| • Cash reserves | \$ 2.399 million |

In determining the timing and the level of borrowings required to fund the capital program, consideration has been given to the cash flow requirements and to intergenerational equity between current and future users (that is, an asset is funded from loan borrowings which is paid off over the life of the asset rather than raising rate revenue from current rate payers to pay for the asset). Whilst these considerations have formed part of the budget model, they will be reviewed and reconsidered before the decision to take out any borrowings.

Given the nature of the major projects to be undertaken over the next two financial years, to minimise the interest costs and debt servicing needs, it is recommended that the Council utilise the Cash Advance Facilities in place to fund the cashflow required during the construction phases as opposed to the utilisation of the standard fixed period debenture loans.

As detailed in the Budgeted Cash Flow Statement (**Attachment B**), the closing cash balance is projected to be \$1.359 million at the end of the financial year, after the loan principal repayments of \$931,000.

Fees and Charges

At the Council Meeting held on 1 March 2021, the Council adopted “in-principle” the Fees and Charges to be applied for 2021-2022. There are no proposed changes to the Fees and Charges, which were endorsed “in-principle”.

The 2021-2022 Schedule of Fees and Charges is contained in **Attachment E**.

Rates Modelling

The rate modelling information which formed part of the Draft Annual Business Plan and Budget for public consultation was based on valuations at 3 May 2021. Valuations at 18 June 2021, are now available and it is proposed that these valuations now be used. The Rating Strategy, as detailed in Table 4, is based on a Rate Revenue increase of 4.35%. Rates modelling based on alternative Rate Revenue Increases is contained in **Attachment F**.

TABLE 4: RATING STRATEGY

	2020-2021	2021-2022
Proposed Rate Revenue Increases	0.64%	4.35%
	<i>Rate Rev Increase = Growth</i>	
	\$'000	\$'000
Gross General Rate Revenue	\$35,773	\$37,239
Net Increase on Previous Year	\$193	\$1,566
Operating Surplus/(Deficit) after rate revenue increases	(798)	471
Residential Rate		
Average Rate	\$1,505	\$1,563
Average Rate Difference	\$3	\$54
Increase from previous year	0.23%	3.57%
Rate-in-the-Dollar	0.0022336	0.0022778
Increase from previous year	(0.2%)	1.98%
Commercial Rate		
Average Rate (inclusive of new development)	\$2,597	\$2,649
Average Rate Difference	\$19	\$53
Increase from previous year	0.74%	2.02%
Rate-in-the-Dollar	0.0026802	0.0027332
Increase from previous year	(0.2%)	1.98%
Minimum Rate	\$1,023	\$1,068
Percentage of Assessment on Minimum Rate	29.9%	29.8%

For the 2021-2022 financial year, the “average residential property” is valued at \$686,000, compared to the 2020-2021 “average residential property” value of \$675,000. The average residential rate increase takes into account the impact of the change in capital value of the “average residential property” plus the increase in the rate-in-the-dollar. For the 2021-2022 financial year, the increase in the rate-in-the-dollar is 1.98%, which for the “average residential property” is \$30.32 per annum, with the increase in rates payable from the change in capital value is 1.6%, which translates to a \$24.05 per annum increase.

REGIONAL LANDSCAPES LEVY (formally known as the NRM Levy)

In 2021-2022, the Council will be required to collect \$1.386 million (a 1.5% increase on the amount collected in 2020-2021) on behalf of *Green Adelaide* for the payment of the State Government Regional Landscape Levy. In this respect, Local Government acts as the revenue collector for the Green Adelaide Board (the Board) and the eight (8) Regional Landscape Boards and as such, the Council does not retain this revenue. The property owners within the City of Norwood Payneham & St Peters will contribute 4.8% of the total of the Levy which is collected on behalf of the Board for 2021-2022 Financial year.

Councils may also collect a fee from the Regional Landscape Boards for the administrative cost of collecting the Regional Landscape Levy. For 2021-2022, the fee has been calculated using a fixed fee of \$2,557 plus \$0.25 per rateable assessment. The proposed collection fee, which has been incorporated within the draft Budget, for this Council is \$7,686.

Draft 2020-2021 Rating Policy

As part of its Annual Business Plan, the Council is required to adopt a Rating Policy, which formally documents the Councils Rating Strategy. The Draft 2021-2022 Rating Policy (based on a rate revenue increase of 4.35), which has been updated for the proposed rate-in-the-dollar is contained in **Attachment G**.

For 2021-2022, the Capital Value has increased (as advised by the Valuer-General) across the City of Norwood, Payneham & St Peters by 3.01%. Table 5 details the Capital Value movements by land use for all property classes within the City of Norwood Payneham & St Peters.

TABLE 5: VALUATION INCREASE FROM 2021-2022 BY LAND USE

Land Use	2021-2022 Capital Value \$	2020-2021 Capital Value \$	% Increase/ (Decrease)
Residential	12,115,189,003	11,749,908,268	3.1%
Commercial	2,161,640,731	2,125,761,015	1.7%
Industrial	123,244,654	122,861,673	0.3%
Vacant Land	166,992,500	193,128,000	(13.5%)
Other	335,925,111	363,872,583	(7.7%)
Primary Production	643,501	689,001	(6.6%)
Non-Rateable	318,082,160	293,620,000	6.2%
Total	14,903,635,500	14,849,840,540	2.46%

The *General Valuation* reflects the property market as at 1 January each year, with the new valuations coming into effect from 1 July, as such the impact of recent buoyancy in the property market is not be reflected in the *2021-2022 General Valuation*.

As part of the *2021-2022 General Valuation*, the City has seen a valuation increase of 2.46%, which is below the Metropolitan Council increase of 3.76%. The extent of valuation movements on properties within the City of Norwood Payneham & St Peters is detailed in Table 6 below.

TABLE 6: SPREAD OF VALUATION INCREASES

Property Type	No of Assessments*	Decrease	No Movement	0%-1%	1%-2%	2%-3%	3%-4%	4%-5%	>5%
Residential	17,148	1,533	10,179	49	664	932	817	307	2,667
Non-residential	2,478	897	375	14	109	71	73	62	877
Total	19,626	2,430	10,554	63	773	1,003	890	369	3,544

*excludes new assessments

As detailed in Table 6 above, 59.4% of residential properties have had no change in their property value, as such, the rate increase for this year will be 1.98%, which for the “*average residential property*” is \$30.32.

OPTIONS

The Council has a number of options in respect to the Draft 2021-2022 Budget. For the purposes of simplicity, the following options are put forward for the Council's consideration:

1. Adopt the Draft 2021-2022 Annual Business Plan and Budget, which plans to deliver an Operating Surplus of \$471,000 and an overall Net Surplus (including Capital Income) of \$6.037 million, as contained in **Attachment A**, which:
 - is in line with the components which have been adopted "in principle" by the Council at its Meetings held on 14 April 2021, 3 May 2021 and 16 June 2021;
 - incorporates the adjustments approved "in principle" at those meetings;
 - is based on a rate revenue increase of 4.35%, which translates to an Rate-in-the-dollar increase of 1.98%. For the "average residential" property owner, the property value has increased to \$686,000, up from \$673,000, resulting in an increase in the rates payable of \$54 per annum (or 3.57%). The "average commercial" property value has been maintained at \$969,000, as such the increase in the rates payable of \$53 (2.02%) is driven by the increase in the Rate-in-the-Dollar.
2. Amend the Draft 2021-2022 Annual Business Plan and Budget by either:
 - increasing rate revenue; or
 - amending the Capital works or Operating Projects expenditure; and/or
 - amending the Recurrent Expenditure Budget.

The Council is required to adopt a budget which it believes is fair and reasonable, while also positioning the Council to achieve and maintain on-going financial sustainability. For the purposes of the recommendation, Option 1 has been proposed, as this option maintains existing, services, programs and activities and best positions the Council to ensure that it can continue to deliver on its financial goal now and into the future.

CONCLUSION

Through the adoption of the Long Term Financial Plan, the Council has a clear strategy of achieving financial sustainability. Financial sustainability means having a financial position capable of meeting long term service and infrastructure levels and standards, which are acceptable to the community plus having the financial capacity to meet its financial obligations from cash generated from operations or cash reserves.

As the State recovers from the economic impact of the COVID-19 pandemic, the Council is conscious of the role it plays in the economic recovery. As such, the Draft 2021-2022 Annual Business Plan and Budget includes a number of large scale infrastructure projects, which will not only increase the level of Community Well-being but will also assist in creating jobs for the State and the local community. The Council has also confirmed its commitment to ensuring the maintenance and renewal of its significant asset base is maintained, as well as providing the services, programs and facilities which the community expects the Council to fund from the revenues which is raised.

The Draft Annual Business Plan and Budget, as contained in **Attachment A**, also takes into account the on-going cost of living pressures and the community concern about the affordability of Council services, with appropriate increase of 1.98% in the Rate-in-the Dollar, with an Average Residential Rate increase of \$53 (3.57%), which takes into account the change in the value of the "average residential property".

The Draft Annual Business Plan and Budget as contained in **Attachment A** aims to ensure that the Council's emerging and continuing priorities are appropriately funded.

COMMENTS

Nil

RECOMMENDATION

That in exercise of the powers contained in Chapters 8, 9 and 10 of the *Local Government Act 1999* and in respect to the Financial Year ending 30 June 2022, the following recommendations be adopted by the Council.

1. Adoption of 2021-2022 Annual Business Plan

- (a) Pursuant to and in accordance with the provisions of Section 123 of the *Local Government Act 1999* and Regulation 6 of the *Local Government (Financial Management) Regulations 2011*, and having considered all submissions received in accordance with Section 123 (6) of the *Local Government Act, 1999*, the Annual Business Plan for the 2021-2022 Financial Year, as contained within **Attachment A** and the Council's Rating Policy as contained in **Attachment G**, be adopted.
- (b) That the Chief Executive Officer be authorised to make any required editorial changes to the 2021-2022 Annual Business Plan as contained within **Attachment A** prior to the final publication.

2. Adoption of 2021-2022 Annual Budget

That having adopted the 2021-2022 Annual Business Plan and having considered the Budget for the 2020-2021 Financial Year in conjunction with, and determined it to be consistent with, the 2021-2022 Annual Business Plan:

Pursuant to and in accordance with Section 123 of the *Local Government Act 1999* and Regulation 7 of the *Local Government (Financial Management) Regulations 2011*:

- (a) the Budgeted Income Statement, Budgeted Balance Sheet, Budgeted Cash Flow Statement, the Budgeted Statement of Changes in Equity as contained within **Attachment B**, be adopted;
- (b) the statement regarding the Operating Surplus Position contained within **Attachment B**, be adopted;
- (c) the Uniform Presentation of Finances as contained within **Attachment B**, be adopted; and
- (d) the Financial Indicators as contained within **Attachment B**, be adopted.

3. Adoption of Valuation

Pursuant to the provisions of Section 167(2) (a) of the *Local Government Act 1999*, the Council adopts, for rating purposes, the Valuer-General's Valuation of Capital Values applicable to land within the area of the Council for the 2021-2022 Financial Year totalling \$15,221,717,660 - (an increase of 2.46%).and that 1 July 2021, is specified as the date on which such valuations are adopted.

4. Rate Capping

That pursuant to Section 153(3) of the *Local Government Act 1999*, the Council determines to fix a maximum increase on rateable land within its area that constitutes the principal place of residence of a principal rate payer for the Financial Year ended 30 June 2022. For the purpose of the 2021-2022 the maximum increase will be set at 8.7%.

5. Declaration of Rates

Having taken into account the general principles of rating contained in Section 150 of the *Local Government Act, 1999* and the requirements of Section 153 (2) of the *Local Government Act, 1999*, in exercise of the powers in Section 153(1)(b) and pursuant to Section 156(1)(a) of the *Local Government Act 1999*, the Council declares differential general rates, based on the Capital Value of rateable land, such differential rates varying according to the use of the land as designated in Regulation 14(1) of the *Local Government (General) Regulations 2013*, for the Financial Year ending 30 June 2022, as follows:

Residential	0.22778 cents-in-the-dollar
Commercial – Shop	0.27332 cents-in-the-dollar
Commercial – Office	0.27332 cents-in-the-dollar
Commercial – Other	0.27332 cents-in-the-dollar
Industry – Light	0.27332 cents-in-the-dollar
Industry – Other	0.27332 cents-in-the-dollar
Primary Production	0.27332 cents-in-the-dollar
Vacant Land	0.27332 cents-in-the-dollar
Other	0.27332 cents-in-the-dollar

6. Minimum Rate

Pursuant to the provisions of Section 158(1) (a) of the *Local Government Act 1999* and in accordance with the provisions of Section 158 (2) of the *Local Government Act 1999*, the Council fixes \$1,068 as the minimum amount payable by way of general rates for the Financial Year ending 30 June 2022.

7. Separate Rate

Pursuant to the provisions of Section 154(1) of the *Local Government Act 1999* and Section 69 of the *Landscape South Australia Act 2019*, in order to reimburse to the Council the amount contributed to The Green Adelaide Board, the Council declares a separate rate based on the value of the land the subject of the rate of 0.0093 cents-in-the-dollar on the Capital Value of rateable property within the area of the Council and of the Board for the Financial Year ending 30 June 2022.

8. The Parade Precinct Development Separate Rate

For the Financial Year ending 30 June 2022, pursuant to the provisions of Section 154 of the *Local Government Act 1999* and Regulation 14 of the *Local Government (General) Regulations 2013*, in order to support and improve business viability, profitability, trade and commerce, being an activity that is intended to be of particular benefit to the land in that part of the Council's area comprising the following geographical boundary:

- Urban Corridor (Main Street) Zone surrounding The Parade, Norwood between Portrush Road to the east and Osmond Terrace to the west;
- Suburban Main Street surrounding The Parade, Norwood between Osmond Terrace to the east and Eastry Street to the west;
- Suburban Business on The Parade, Norwood between Elizabeth Street to the east;
- Business Neighbourhood Zone between Harris Street, Norwood and Webbe Street, Norwood; and
- Business Neighbourhood Zone on The Parade Norwood between Eastry Street to the east and Fullarton Road to the west;

where such zones are identified in the SA Property and Planning Atlas:

- the Council declares pursuant to sections 154(7) and 156(1)(a) of the Act a differential separate rate of 0.054 cents-in-the-dollar on the Capital Value of all land classified as Category (b) – Commercial Shop, Category (c) – Commercial Office Category (d) – Commercial Other and Category (e) - Industrial Light.
- the Council grants a discretionary rebate of 50% of The Parade Precinct Development Separate Rate under Section 166(1) (a) of the *Local Government Act 1999*, to all properties that fall within the geographical boundary described above and which have a land use of Category (c) – Commercial Office.

9. Private Laneways Separate Rate

Pursuant to the provisions of Section 154 (1) of the *Local Government Act 1999* and the Councils *Private Laneways Policy*, in order to recover the costs of the public road conversion of Charlotte Lane, the Council declares a Separate Rate of a fixed charge of \$98.91 against the properties adjoining Charlotte Lane for the Financial Year ending 30 June 2022.

10. Payment of Rates

Pursuant to Section 181 of the *Local Government Act 1999*, all rates, for the Financial Year ending 30 June 2022, shall be payable in four (4) equal or approximately equal instalments, falling due on 7 September 2021, 1 December 2021, 1 March 2022 and 1 June 2022 provided that in cases where the account requiring payment of rates is not sent out at least 30 days prior to the due date for payment, the authority to fix the date by which rates must be paid in respect to those assessments, be determined by the Chief Executive Officer.

11. Loan Borrowings

- (a) The Council of the City of Norwood Payneham & St Peters approves Loan Borrowings for the 2020-2021 Financial Year up to a maximum of \$8,100,000 for the purposes of capital expenditure funding, to be drawn from prior year borrowings.
- (b) The Chief Executive Officer is authorised to negotiate the most beneficial financial terms for the Council with a lending authority after obtaining competitive written quotes at a time considered appropriate by management and arrange the drawdown of the loan.
- (c) The Chief Executive Officer is authorised to sign all documentation associated with the Loan Borrowings referred to in (a) and (b) above. Further, where any such documentation is executed under seal that in accordance with the *Local Government Act 1999* the Mayor and Chief Executive Officer will attend to the affixation of the common seal.

12. Fees & Charges

Pursuant to Section 188 (1) of the *Local Government Act 1999*, the Schedule of Fees and Charges for the 2021-2022 Financial Year detailed in **Attachment E** be adopted.

Cr Sims moved:

That in exercise of the powers contained in Chapters 8, 9 and 10 of the Local Government Act 1999 and in respect to the Financial Year ending 30 June 2022, the following recommendation be adopted by the Council.

Adoption of 2021-2022 Annual Business Plan

- (a) *Pursuant to and in accordance with the provisions of Section 123 of the Local Government Act 1999 and Regulation 6 of the Local Government (Financial Management) Regulations 2011, and having considered all submissions received in accordance with Section 123 (6) of the Local Government Act, 1999, the Annual Business Plan for the 2021-2022 Financial Year, as contained within **Attachment A** and the Council's Rating Policy as amended in **Attachment G**, be adopted.*
- (b) *That the Chief Executive Officer be authorised to make any required editorial changes to the 2021-2022 Annual Business Plan as contained within **Attachment A** prior to the final publication.*

Seconded by Cr Duke and carried unanimously.

Cr Moorhouse moved:

That in exercise of the powers contained in Chapters 8, 9 and 10 of the Local Government Act 1999 and in respect to the Financial Year ending 30 June 2022, the following recommendations be adopted by the Council.

1. Adoption of 2021-2022 Annual Budget

That having adopted the 2021-2022 Annual Business Plan and having considered the Budget for the 2020-2021 Financial Year in conjunction with, and determined it to be consistent with, the 2021-2022 Annual Business Plan:

Pursuant to and in accordance with Section 123 of the Local Government Act 1999 and Regulation 7 of the Local Government (Financial Management) Regulations 2011:

- (a) the Budgeted Income Statement, Budgeted Balance Sheet, Budgeted Cash Flow Statement, the Budgeted Statement of Changes in Equity as contained within **Attachment B**, be adopted;
- (b) the statement regarding the Operating Surplus Position contained within **Attachment B**, be adopted;
- (c) the Uniform Presentation of Finances as contained within **Attachment B**, be adopted; and
- (d) the Financial Indicators as contained within **Attachment B**, be adopted.

2. Adoption of Valuation

Pursuant to the provisions of Section 167(2) (a) of the Local Government Act 1999, the Council adopts, for rating purposes, the Valuer-General's Valuation of Capital Values applicable to land within the area of the Council for the 2021-2022 Financial Year totalling \$15,221,717,660 - (an increase of 2.46%).and that 1 July 2021, is specified as the date on which such valuations are adopted.

3. Rate Capping

That pursuant to Section 153(3) of the Local Government Act 1999, the Council determines to fix a maximum increase on rateable land within its area that constitutes the principal place of residence of a principal rate payer for the Financial Year ended 30 June 2022. For the purpose of the 2021-2022 the maximum increase will be set at 8.7%.

4. Declaration of Rates

Having taken into account the general principles of rating contained in Section 150 of the Local Government Act, 1999 and the requirements of Section 153 (2) of the Local Government Act, 1999, in exercise of the powers in Section 153(1)(b) and pursuant to Section 156(1)(a) of the Local Government Act 1999, the Council declares differential general rates, based on the Capital Value of rateable land, such differential rates varying according to the use of the land as designated in Regulation 14(1) of the Local Government (General) Regulations 2013, for the Financial Year ending 30 June 2022, as follows:

Residential	0.22778 cents-in-the-dollar
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Other	0.27332 cents-in-the-dollar

5. Minimum Rate

Pursuant to the provisions of Section 158(1) (a) of the Local Government Act 1999 and in accordance with the provisions of Section 158 (2) of the Local Government Act 1999, the Council fixes \$1,068 as the minimum amount payable by way of general rates for the Financial Year ending 30 June 2022.

6. Separate Rate

Pursuant to the provisions of Section 154(1) of the Local Government Act 1999 and Section 69 of the Landscape South Australia Act 2019, in order to reimburse to the Council the amount contributed to The Green Adelaide Board, the Council declares a separate rate based on the value of the land the subject of the rate of 0.0093 cents-in-the-dollar on the Capital Value of rateable property within the area of the Council and of the Board for the Financial Year ending 30 June 2022.

7. The Parade Precinct Development Separate Rate

For the Financial Year ending 30 June 2022, pursuant to the provisions of Section 154 of the Local Government Act 1999 and Regulation 14 of the Local Government (General) Regulations 2013, in order to support and improve business viability, profitability, trade and commerce, being an activity that is intended to be of particular benefit to the land in that part of the Council's area comprising the following geographical boundary:

- *Urban Corridor (Main Street) Zone surrounding The Parade, Norwood between Portrush Road to the east and Osmond Terrace to the west;*
- *Suburban Main Street surrounding The Parade, Norwood between Osmond Terrace to the east and Eastry Street to the west;*
- *Suburban Business on The Parade, Norwood between Elizabeth Street to the east;*
- *Business Neighbourhood Zone between Harris Street, Norwood and Webbe Street, Norwood; and*
- *Business Neighbourhood Zone on The Parade Norwood between Eastry Street to the east and Fullarton Road to the west;*

where such zones are identified in the SA Property and Planning Atlas:

- *the Council declares pursuant to sections 154(7) and 156(1)(a) of the Act a differential separate rate of 0.054 cents-in-the-dollar on the Capital Value of all land classified as Category (b) – Commercial Shop, Category (c) – Commercial Office Category (d) – Commercial Other and Category (e) - Industrial Light.*
- *the Council grants a discretionary rebate of 50% of The Parade Precinct Development Separate Rate under Section 166(1) (a) of the Local Government Act 1999, to all properties that fall within the geographical boundary described above and which have a land use of Category (c) – Commercial Office.*

8. Private Laneways Separate Rate

Pursuant to the provisions of Section 154 (1) of the Local Government Act 1999 and the Councils Private Laneways Policy, in order to recover the costs of the public road conversion of Charlotte Lane, the Council declares a Separate Rate of a fixed charge of \$98.91 against the properties adjoining Charlotte Lane for the Financial Year ending 30 June 2022.

9. Payment of Rates

Pursuant to Section 181 of the Local Government Act 1999, all rates, for the Financial Year ending 30 June 2022, shall be payable in four (4) equal or approximately equal instalments, falling due on 7 September 2021, 1 December 2021, 1 March 2022 and 1 June 2022 provided that in cases where the account requiring payment of rates is not sent out at least 30 days prior to the due date for payment, the authority to fix the date by which rates must be paid in respect to those assessments, be determined by the Chief Executive Officer.

10. Loan Borrowings

- (a) *The Council of the City of Norwood Payneham & St Peters approves Loan Borrowings for the 2020-2021 Financial Year up to a maximum of \$8,100,000 for the purposes of capital expenditure funding, to be drawn from prior year borrowings.*
- (b) *The Chief Executive Officer is authorised to negotiate the most beneficial financial terms for the Council with a lending authority after obtaining competitive written quotes at a time considered appropriate by management and arrange the drawdown of the loan.*
- (c) *The Chief Executive Officer is authorised to sign all documentation associated with the Loan Borrowings referred to in (a) and (b) above. Further, where any such documentation is executed under seal that in accordance with the Local Government Act 1999 the Mayor and Chief Executive Officer will attend to the affixation of the common seal.*

11. Fees & Charges

*Pursuant to Section 188 (1) of the Local Government Act 1999, the Schedule of Fees and Charges for the 2021-2022 Financial Year detailed in **Attachment E** be adopted.*

Seconded by Cr Minney and carried unanimously.

**Section 3 – Governance & General
Reports**

11.4 FELIXSTOW NEIGHBOURHOOD HOUSING RENEWAL PROJECT – STORMWATER MANAGEMENT & OPEN SPACE AGREEMENT

REPORT AUTHOR: General Manager, Urban Planning & Environment
GENERAL MANAGER: Chief Executive Officer
CONTACT NUMBER: 8366 4501
FILE REFERENCE: qA74841
ATTACHMENTS: A - C

PURPOSE OF REPORT

The purpose of this report is to seek the Council's approval to enter into an *Open Space Agreement* with the SA Housing Authority (formerly part of Renewal SA) to address stormwater management issues associated with the *Felixstow Neighbourhood Housing Renewal Project*, via the provision of a stormwater detention basin, which is proposed to be vested with the Council.

BACKGROUND

The Felixstow Neighbourhood Housing Renewal Project was launched by the SA Housing Authority in 2016 and consists of 4.5 hectares of land comprising largely aged, post-war public housing that is being replaced with contemporary, medium density housing, comprising of single and two-storey dwellings.

The SA Housing Authority has advised that sixty nine (69) South Australian Housing Trust (SAHT) properties were demolished to deliver a new mix of modern, affordable public and private housing. The Project will create 115 allotments dwellings, of which around fifty (50) properties will include South Australian Housing Trust (SAHT) homes. The remaining allotments are to be sold to the open market, targeting families wanting to expand, professionals and down-sizers (eg. grandparents wanting to down scale to smaller dwellings but with sufficient room for grandchildren).

The Project area is a new development bounded by Briar Road, Langman Grove and Shirley, Redden, Fraser, Reid and Thrower Avenues, that will be integrated into an established community with existing surrounds located adjacent the River Torrens Linear Park. The redevelopment forms part of the State Government's *Our Housing Futures 2020-2030 Strategy* to deliver new social, affordable and open market homes through a \$54 million Neighbourhood Renewal Program over five years, which includes the Felixstow Neighbourhood Housing Renewal Project. Stage 1 of the development, comprising twenty eight (28) new allotments with single and two storey dwellings on and adjacent Langman Grove, is nearing completion.

The Project area comprises 'low-lying' land that is periodically subject to flooding. Due to the manner in which the original SAHT housing stock was constructed, when the area experienced flooding in the past, flood water inundated the local street network and private yard areas of some of the SAHT properties were also inundated. The Council has no records of previous flood waters causing any internal damage to dwellings in the subject area. This is because the floor levels of the dwellings were raised, while surrounding yards were left at or close to natural ground levels.

The renewal of the housing stock within the Project area has been designed to ensure that all new dwellings achieve a finished floor level that will remain unaffected in a 100 year ARI (Average Recurrence Interval) rain event, consistent with current day design standards for the construction of any new dwelling in the Council area. As is typically the case with new dwellings, the yard areas surrounding the new dwellings will be constructed at a similar level through the introduction of fill, to provide convenient access between indoor and outdoor areas and to allow stormwater falling on to the allotments to be readily drained to the street. However, meeting this design standard will have a consequential impact on water displacement insofar as the 'build up' or raising of allotments within the Project area with fill, will consequently result in the flood waters that previously pooled on SAHT land being displaced, thereby increasing the level and volume of flood waters further downstream. In addition, the amount of roofed area will be increased significantly, as the density of new housing is much greater than that of the previous housing within the Project area. Both this increased density and the filling of the land to achieve the new design standard, will increase the risk of downstream flooding of properties.

The SA Housing Authority, in collaboration with Council staff, have investigated several options to manage stormwater associated with the housing renewal project to cater for increased runoff from the proposed higher density development and ensure sufficient capacity is provided within the project area, to ensure there is no increase in stormwater volumes in the existing stormwater pipe network beyond the pre-development levels. Two key options are discussed later in the discussion section of this report.

Following an assessment of the various practical options, the preferred stormwater management option is the provision of a detention basin through the vesting of several parcels of land in the Council as reserve. Namely, the land comprised in Allotments 80 and 81 in Deposited Plan D6085. Council staff have agreed to this stormwater management solution and vesting of land 'in principle'. To progress this proposal, the Council's endorsement of the proposal is now sought.

A site plan depicting the location of the proposed detention basin and the areas contained in the respective project stages is contained in **Attachment A**.

A letter outlining the SA Housing Authority's offer and a draft Open Space Agreement, including landscaping plans for the detention basin are contained in **Attachments B and C**.

RELEVANT STRATEGIC DIRECTIONS & POLICIES

The relevant Strategic Outcomes and Objectives related to this report, as set out in the Council's **City Plan 2030 – Shaping Our Future** are summarised as follows;

Outcome 2: Cultural Vitality

A culturally rich and diverse City, with a strong identity, history and sense of place.
Objective 2.4. Pleasant, well designed, and sustainable urban environments.

Outcome 4: Environmental Sustainability

A leader in environmental sustainability.
Objective 4.1. Sustainable and efficient management of resources.
Objective 4.4: Mitigating and adapting to the impact of climate change.

FINANCIAL AND BUDGET IMPLICATIONS

The estimated cost of developing the stormwater detention basin is \$1,030,600 (excl. GST). This includes the cost of preparing the land, undertaking earthworks, installing drainage infrastructure such as a gross pollution trap, pits, pipes and headwalls to direct stormwater into the basin and landscaping including gabion walls, compacted rubble paths, turf, rock features, shade trees, shrubs and ground covers. The SA Housing Authority has agreed to fund \$830,600 of the total cost of the detention basin.

Whenever land is divided, the developer is required to pay \$7,761 per new allotment to either the State Government *Planning and Development Fund* or the relevant Council's *Open Space Fund*. For all Community Title or Strata Title land divisions and Torrens Title land divisions, which result in less than twenty (20) new allotments being created, the contribution is made to the *State Planning and Development Fund*. In circumstances where twenty (20) or more new Torrens Titled allotments are created, the contribution is made to the Council's *Open Space Fund*. However, the Council can require that in lieu of making the financial contribution, that up to 12.5% of the development area be provided as open space.

A combination of open space and financial contribution is also an option. In instances where the Council requires that open space be included in a development, it is typically the case that the developer is expected to landscape the open space so that it is 'fit for purpose' when it is handed over to the Council.

When Langman Grove was subdivided for the first part of Stage 1 of the Project, payment of \$130,554 was made by the SAHT to the Council's *Open Space Fund*. Subsequent land divisions within Stage 1, have been for less than twenty (20) allotments and as such, the contribution has been made to the *State Planning and Development Fund*.

SAHA propose to provide 13.16% of the remaining developable area (3,189m² valued at \$3.03M) as open space to be vested with the Council as a reserve at the topographic low point of the Project area, comprising land bounded by Fraser Avenue, Reid Avenue and Shirley Avenue, in lieu of SAHT having to make a cash contribution of \$419,094 in Open Space funding either to the Council's *Open Space Fund* or the *State Planning and Development Fund*, depending on how many new allotments are created at each stage of the development.

The SA Housing Authority is seeking a financial contribution of \$200,000 from the Council towards the landscaping of the stormwater detention basin and that the Council bear the cost of planting new street trees for Stages 2-5 of the development, with the SA Housing Authority retaining responsibility for planting new street trees for Stage 1 of the Project.

With respect to the planting of new street trees that will supplement the aesthetics of the housing renewal project, it is estimated that around 70-80 new street trees would be required to be planted along Shelley Avenue, Fraser Avenue, Reid Avenue, Thrower Avenue and Wilson Avenue. The cost of planting new street trees, in accordance with the Council's current planting technique, which allows for greater oxygenation of the soil surrounding the new trees to maximise their chance of survival, is in the order of \$500 per tree. As such, the cost of planting the new street trees for Stages 2-5 of the Project is estimated at \$40,000.

In summary, the proposal includes the SA Housing Authority providing the Council with land for the detention basin valued at \$3.03M and a fully functional 'fit-for-purpose' landscaped stormwater detention basin, that can "double up" as a new neighbourhood park for the local community, with an estimated construction cost of \$1,030,600, in lieu of SAHT having to make a cash contribution of \$419,094 in Open Space funding. Overall, this represents a total value of \$3.56M. This investment by the SA Housing Authority, would come at a total cost to the Council of \$240,000, comprising the contribution of \$200,000 towards the landscaping of the stormwater detention basin and \$40,000 to cover the cost of planting new street trees in Stages 2-5 of the development.

In respect to the proposed financial contributions from the Council, it is proposed that the street trees will be planted as part of the Council's annual tree planting program, commencing from July 2022. The \$200,000 contribution towards the landscaping of the stormwater detention basin, will be allocated from the Council's existing *Open Space Fund*, which comprises of historic financial contributions from developments in the City, for which money was paid into the Council's *Open Space Fund* in lieu of providing 12.5% of the developable area of a development site as private open space. The Council's *Open Space Fund* currently contains \$255,000, which can be used towards the implementation of new open space across the Council area. In this context, it is worth noting that if the Council agrees to the SA Housing Authority proposal, no new budget allocation towards this project will be required as the requested financial contribution will be sourced from the existing street tree planting program and the Council's existing *Open Space Fund*.

Whilst there will be some initial maintenance costs incurred by the Council associated with the watering of eighty (80) new street trees and the on-going maintenance of the detention basin once vested in the Council as reserve, the proposal is considered to represent excellent value for money for the Council and the local community. In addition to the financial benefits, the proposal will provide a new usable park for local residents and a green, innovative solution to stormwater management for a large-scale development.

EXTERNAL ECONOMIC IMPLICATIONS

Nil.

SOCIAL ISSUES

Not Applicable.

CULTURAL ISSUES

Not Applicable.

ENVIRONMENTAL ISSUES

The provision of “green” infrastructure rather than a traditional piped stormwater solution is an important consideration for the housing renewal project. Aside from its function as a detention basin, the water entering the site will have gross pollutants filtered out, thereby reducing the amount of contamination released into the River Torrens. The basin also provides approximately 3,200m² of landscaped green space within the project area and this will provide valuable shade, cooling benefits and habitats for flora and fauna.

RESOURCE ISSUES

Nil.

RISK MANAGEMENT

The key risk associated with the housing renewal project relates to the management of stormwater to ensure the development doesn't add additional stormwater volume to the existing network during storm events nor exacerbate the risk of downstream flooding.

Given the constraints and limited capacity of the existing stormwater network, the above mentioned risks can be managed by ensuring any additional stormwater generated by the development is detained within the development site and gradually released into the existing stormwater network. This approach has been reflected in the responsible proposed approach taken by the SA Housing Authority to managing stormwater for the remaining stages of this project.

COVID-19 IMPLICATIONS

Nil.

CONSULTATION

- **Elected Members**
Councillors John Minney and Garry Knoblauch have been consulted regarding the removal of several street trees as part of Stage 1 of the housing renewal project.
- **Community**
The SA Housing Authority has undertaken extensive consultation with the local community regarding this project since 2016.
- **Staff**
Chief Executive Officer;
Manager, Development Assessment;
Manager, Governance, Legal & Property;
Project Manager, Assets;
Project Manager, Urban Design & Special Projects; and
City Arborist.
- **Other Agencies**
Not Applicable

DISCUSSION

With regard to management of flood risk arising from new developments, the Council's essential requirements to ensure stormwater is managed appropriately are summarised below:

- new development should be protected from inundation in 1 in 100 year ARI event;
- runoff from the new development should not adversely affect the capacity of downstream systems; and
- street drainage in new subdivisions should be designed to cater for a minimum 1 in 5 year ARI event.

The proposed raising of new allotments within the Project area to accommodate the 200 new dwellings, will ensure that these structures are protected from inundation in a 1:100 year ARI event. However, this will also displace 4,300 cubic metres of stormwater, which needs to be managed in order to ensure that there is no increase to the pre-development stormwater volumes leaving the subject area and no commensurate increase to the risk of flooding downstream.

Flood mapping prepared for Council by Tonkin (Consultants) and modelling by the SA Housing Authority's consulting engineering firm KBR, indicates that there is a deficiency in the capacity of the existing stormwater network upstream of the Felixstow project area.

KBR has advised that 'the majority of the network was constructed in the 1950's at a similar time to the SAHT stock, and subsequent upstream development, particularly south of Payneham Road, has increased flows to the point that they now exceed the capacity of Council's stormwater network. This is evident even on Tonkin's 20% AEP Existing Development flood map where breakout / ponding over land at the intersection of Payneham Rd and Karpoola Avenue, and between Shirley Avenue and Reid Avenue is shown even in the 1 in 5 year event. The volume of ponding over residential land increases in larger storm events.'

Within the project area, the key constraints with the existing stormwater network include that the pit and pipe capacities are limited to approximately a 1 in 2 year ARI capacity, which is less than the standard requirement of a 1 in 5 year ARI minor storm event capacity. Secondly, there is no overland flow path to convey stormwater flows in a major storm event due to a trapped low point near the corner of Fraser and Wilson Avenue, to which a large external catchment drains.'

The Felixstow region is currently not included in the Council's long term drainage program. This is due to the risk of existing dwellings being inundated by flood waters being low.

This low risk is due to the existing dwellings being situated on large allotments with the dwellings having raised floor levels above the 1 in 100 year flood level, allowing the allotments to flood and not the dwellings. The change in land use proposed by the development changes the flood characteristics of the trapped low point in the Felixstow region and increases the flood risk of the location, should no flood mitigation be installed.

Due to constraints with the capacity of the existing stormwater network within the Project area, the SA Housing Authority proposed two options to manage stormwater associated with the housing renewal project. The first stormwater management option which was considered included the provision of a 1,000 cubic metre basin contained within an approximate land area of 1,200 square metres and a combination of a 2100mm x600mm reinforced concrete box culvert and a 1200mm diameter reinforced concrete pipe from Thrower Avenue to a new outlet to the River Torrens. This option included an estimated "upfront" cost towards the development of approximately \$2.1M. In addition, this option would require approvals to be obtained to create an additional stormwater outlet to the River Torrens from the relevant authorities. This option also would also result in a detention basin that would be subject to frequent inundation, essentially requiring it to be fenced off to public access and use, due to the safety risk it would pose.

The second stormwater management option which has been considered, removes the need for any additional pipework by increasing the detention basin capacity to a total of 4,300 cubic metres, contained within an approximate land area of 3,200m². This larger detention basin is proposed at the topographic low point of the Project area adjacent Fraser Avenue and Shirley Avenue, which caters for increased runoff from the proposed higher density development and sufficient capacity to ensure there is no increase in stormwater volumes in the existing stormwater pipe network beyond the pre-development levels.

The construction of a large capacity detention basin would intercept external flows from upstream and while it would not assist with breakout / ponding between Payneham Road and Fraser Avenue, modelling indicates that it would significantly reduce the risk and impact for up to fifty two (52) existing properties in Thrower Avenue, Quinzi Lane, Wilson Avenue, Reid Avenue and Shirley Avenue as well as protecting thirty three (33) new dwellings constructed as part of the Housing Renewal Project.

The relative level of flood risk addressed for downstream properties by the provision of the proposed 4300 cubic metre stormwater detention basin is summarised in Table 1 below.

TABLE 1: ESTIMATED AFFECTED DOWNSTREAM PROPERTIES WHERE FLOOD RISK IS REDUCED OR REMOVED AFTER CONSTRUCTION OF DETENTION BASIN

Storm Event	NUMBER OF DOWNSTREAM PROPERTIES WITH REDUCED OR REMOVED FLOOD RISK DUE TO RETENTION BASIN CONSTRUCTION
20% AEP (~ 1 in 5 year)	2 (2 existing, 0 proposed)
10% AEP (~ 1 in 10 year)	9 (9 existing, 0 proposed)
5% AEP (~ 1 in 20 year)	13 (13 existing, 0 proposed)
2% AEP (~ 1 in 50 year)	33 (31 existing, 2 proposed)
1% AEP (~ 1 in 100 year)	85 (52 existing, 33 proposed) Approximately 190 residents

The proposed detention basin has been designed to function as a small neighbourhood park for the local community to enjoy, aside from when the basin is temporarily inundated during major flood events. As depicted on the landscaping plans contained in the draft Open Space Agreement in **Attachment C**, the basin will be lined by native trees, include a large lawn area designated as ‘open kick about space’, which will drain towards the planted section of the basin. A two (2) metre wide compacted rubble path with a gentle 1 in 20 (or 5%) gradient will provide access to the lawn area. The sloped banks of the detention basin are retained in some parts using 900mm tall gabion walls and include both garden bed and turf areas and informal stone steps. The garden areas proposed will have a minimum slope of 1 in 3 (33%) and will be retained with jute matting and planted with native trees, shrubs and ground covers. Jute matting is an organic geotextile which aids in weed and erosion control.

The lawned banks will have a maximum slope of 1 in 4 (or 25%) and will connect to the ‘open kick about space’, which will enable the space to be mowed with the Council’s existing mowers. The gross pollutant trap will filter out rubbish from the water entering the basin and its location will allow easy access for a truck to regularly vacuum the rubbish from a pit located adjacent to Fraser Avenue. It is also proposed to provide an education sign, advising of the benefits of the stormwater detention basis as well as a warning sign advising that the basin is prone to periodic flooding.

In terms of the legal arrangements to implement this proposal, SAHA has provided the key terms of agreement in a letter to the Council dated 28 June 2021 and an Open Space Agreement, as contained in **Attachment C** to this report. Namely, that SAHA will provide the agreed land to the Council and will undertake the required excavation and installation of stormwater infrastructure and landscaping of the detention basin at its cost and that the Council will accept handover of the reserve upon practical completion of the landscaping works as part of Stage 5 of the development, subject to the twelve (12) month defects liability period. The letter from SAHA and the Open Space Agreement, also specify that the Council will provide a cash contribution of \$200,000. The Council’s obligations in relation to street tree replacement, planting and maintenance as part of Stages 2-5 of the development are also included.

A Draft Landscaping Plan is attached to the Open Space Agreement.

If the Council determines to proceed with this proposal, a more detailed Infrastructure Deed will be prepared and entered into by the parties in due course, which will outline the obligations on each of the parties in relation to undertaking the works, timing of the works, defects liability and provision of security and payment of the Council's financial contribution. More detailed landscaping design plans and specifications will also be prepared, prior to implementation.

The Infrastructure Deed will be entered into with SAHA prior to the Council accepting the vesting of the reserve land in order to ensure that SAHA agrees up-front to the Council's required standards, specifications and timeframes for development of the reserve and to ensure appropriate security is provided for this purpose.

OPTIONS

The Council can either approve the proposal and enter into an agreement with the SA Housing Authority or decline the offer. The former is recommended given the financial, environmental, aesthetic and functional benefits as discussed in this report. If the Council declines the offer, the financial viability of the Housing Renewal Project would be compromised and other alternatives, including more traditional piped stormwater management solutions will need to be further investigated.

CONCLUSION

Developments of the scale involved in the Felixstow Neighbourhood Housing Renewal Project are rare within the City of Norwood Payneham & St Peters. The proposed regeneration of outdated post-war Housing Trust housing stock, provides an opportunity to not only renew the housing stock and increase urban densities, whilst retaining a low-rise urban form, but also presents an opportunity to address stormwater management in an innovative, green and environmentally sustainable manner as well as providing a substantial opportunity to renew the stock of existing street trees within the project area and create a functional multi-purpose detention basin and small neighbourhood park for the benefit of the local community.

The project is a good example of State and Local Government collaboration in environmental leadership and highlights the importance of addressing design issues and constraints on both private land and within the affected public realm to achieve a sustainable development outcome.

COMMENTS

Ordinarily, when land is developed, the developer is expected to landscape any open space to be vested with the Council, including the construction of reserves and the planting of street trees. In this instance, the SA Housing Authority is seeking a contribution from the Council because the proposed detention basin not only provides open space for recreation, it also improves the level of flood protection for existing dwellings nearby the development site. In this context, the contribution of \$240,000 is considered reasonable.

RECOMMENDATION

1. That the Council agrees to enter into an agreement with the SA Housing Authority to address stormwater management issues associated with the Felixstow Neighbourhood Housing Renewal Project, via the provision of a stormwater detention basin, to be vested in the Council as reserve, in accordance with the details contained in the letter from the SA Housing Authority dated 28 June 2021 and the Open Space Agreement contained in **Attachment C** to this report.
 2. That the Mayor and Chief Executive Officer be authorised to execute the Open Space Agreement contained in Attachment C, on behalf of the Council.
 3. That the Mayor and Chief Executive Officer be authorised to negotiate and to sign and seal such further documentation as required to give effect to Part 1 above, including an Infrastructure Deed, on behalf of the Council.
-

Cr Sims left the meeting at 7.25pm.
Cr Sims returned to the meeting at 7.27pm.

Cr Duke moved:

- 1. That the Council agrees to enter into an agreement with the SA Housing Authority to address stormwater management issues associated with the Felixstow Neighbourhood Housing Renewal Project, via the provision of a stormwater detention basin, to be vested in the Council as reserve, in accordance with the details contained in the letter from the SA Housing Authority dated 28 June 2021 and the Open Space Agreement contained in **Attachment C** to this report.*
- 2. That the Mayor and Chief Executive Officer be authorised to execute the Open Space Agreement contained in Attachment C, on behalf of the Council.*
- 3. That the Mayor and Chief Executive Officer be authorised to negotiate and to sign and seal such further documentation as required to give effect to Part 1 above, including an Infrastructure Deed, on behalf of the Council.*

Seconded by Cr Dottore.

Cr Sims left the meeting at 7.33pm.
Cr Sims returned to the meeting at 7.34pm.

The motion was put and was carried.

12. ADOPTION OF COMMITTEE MINUTES

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

PURPOSE OF REPORT

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

- **Traffic Management & Road Safety Committee – (15 June 2021)**
(A copy of the Minutes of the Traffic Management & Road Safety Committee meeting is contained within **Attachment A**)
- **Business & Economic Development Committee – (15 June 2021)**
(A copy of the Minutes of the Business & Economic Development Committee meeting is contained within **Attachment B**)

ADOPTION OF COMMITTEE MINUTES

- **Traffic Management & Road Safety Committee**

Cr Duke moved that the minutes of the meeting of the Traffic Management & Road Safety Committee held on 15 June 2021, be received and noted. Seconded by Cr Patterson and carried unanimously.

- **Business & Economic Development Committee**

Cr Dottore moved that the minutes of the meeting of the Norwood Parade Precinct Committee held on 15 June 2021, be received and that the resolutions set out therein as recommendations to the Council are adopted as decisions of the Council. Seconded by Cr Knoblauch and carried unanimously.

13. OTHER BUSINESS
Nil

14. CONFIDENTIAL REPORTS

14.1 TENDER SELECTION REPORT – CONSTRUCTION OF BRICK PAVED FOOTPATHS 2021-2022

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.

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, Manager, Governance, Legal & Property, Financial Services Manager, Acting Manager, City Assets, Project Officer, Civil, Project Officer, Assets and Executive Assistant, Urban Services] and Natasha Jones from KelliedyJones Lawyers and Stuart Henry QC, 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 Minney and carried unanimously.

Cr Minney 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 unanimously.

14.2 LEASE OF PREMISES

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:

- (d) commercial information of a confidential nature (not being a trade secret) the disclosure of which –
 - (i) could reasonably be expected to prejudice the commercial position of the person who supplied the information; and
 - (ii) would, on balance, be contrary to the public interest;

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

RECOMMENDATION 2

Under Section 91(7) and (9) of the *Local Government Act 1999*, the Council orders that the report and discussion be kept confidential for a period not exceeding 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.

Cr Patterson 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, Manager, Governance, Legal & Property, Financial Services Manager, Acting Manager, City Assets, Project Officer, Civil, Project Officer, Assets and Executive Assistant, Urban Services] and Natasha Jones from KelladyJones Lawyers and Stuart Henry QC, be excluded from the meeting on the basis that the Council will receive, discuss and consider:

- (d) commercial information of a confidential nature (not being a trade secret) the disclosure of which –
 - (i) could reasonably be expected to prejudice the commercial position of the person who supplied the information; and*
 - (ii) would, on balance, be contrary to the public interest;**

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

Seconded by Cr Sims and carried unanimously.

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 Minney and carried unanimously.

14.3 EASTERN REGION ALLIANCE (ERA) WATER BOARD – APPOINTMENT OF INDEPENDENT CHAIRPERSON

RECOMMENDATION 1

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

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

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

RECOMMENDATION 2

Under Section 91(7) and (9) of the Local Government Act 1999, the Council orders that the report 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 announcement in respect to the position of Independent Chairperson of the Eastern Region Alliance (ERA) Water Board is made.

Cr Sims 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, Manager, Governance, Legal & Property, Financial Services Manager, Acting Manager, City Assets, Project Officer, Civil, Project Officer, Assets and Executive Assistant, Urban Services] and Natasha Jones from KelledyJones Lawyers and Stuart Henry QC, be excluded from the meeting on the basis that the Council will receive, discuss and consider:

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

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

Seconded by Cr Dottore and carried unanimously.

Cr Minney 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 announcement in respect to the position of Independent Chairperson of the Eastern Region Alliance (ERA) Water Board is made.

Seconded by Cr Duke and carried unanimously.

14.4 QUESTIONS WITH NOTICE – COUNCIL RELATED MATTER

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 General Manager, Governance & Community Affairs, be excluded from the meeting on the basis that the Council will receive, discuss and consider:

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

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

RECOMMENDATION 2

Under Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the question and the response be kept confidential for a period not exceeding five (5) years, after which time the order will be reviewed.

Cr Dottore 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, Manager, Governance, Legal & Property, Financial Services Manager, Acting Manager, City Assets, Project Officer, Civil, Project Officer, Assets and Executive Assistant, Urban Services] and Natasha Jones from KelledyJones Lawyers and Stuart Henry QC, be excluded from the meeting on the basis that the Council will receive, discuss and consider:

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

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

Seconded by Cr Patterson and carried.

Cr Minney moved:

Under Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the question and the response be kept confidential for a period not exceeding five (5) years, after which time the order will be reviewed.

Seconded by Cr Dottore and carried unanimously.

14.5 EASTERN REGION ALLIANCE (ERA) WATER

Cr Duke 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, Manager, Governance, Legal & Property, Financial Services Manager, Acting Manager, City Assets, Project Officer, Civil, Project Officer, Assets and Executive Assistant, Urban Services] and Natasha Jones from KelledyJones Lawyers and Stuart Henry QC, be excluded from the meeting on the basis that the Council will receive, discuss and consider:

(b) information the disclosure of which –

- (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is or proposing to conduct business; and*
- (ii) would, on balance, be contrary to the public interest;*

by the disclosure of sensitive commercial 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 Dottore and carried.

Cr Dottore moved:

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

Seconded by Cr Knoblauch and carried.

14.6 EAST WASTE – GREEN WASTE CONTRACT

Cr Duke 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, Manager, Governance, Legal & Property, Financial Services Manager, Acting Manager, City Assets, Project Officer, Civil, Project Officer, Assets and Executive Assistant, Urban Services] and Natasha Jones from KelledyJones Lawyers and Stuart Henry QC, be excluded from the meeting on the basis that the Council will receive, discuss and consider:

- (d) commercial information of a confidential nature (not being a trade secret) the disclosure of which –*
 - (i) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and*
 - (ii) would, on balance, be contrary to the public interest;*

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

Seconded by Cr Dottore and carried.

Cr Sims left the meeting at 8.12pm.

Cr Minney moved:

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

Seconded by Cr Callisto and carried.

14.7 COUNCIL RELATED MATTER

Cr Minney 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, Manager, Governance, Legal & Property, Financial Services Manager, Acting Manager, City Assets, Project Officer, Civil, Project Officer, Assets and Executive Assistant, Urban Services] and Natasha Jones from KelledyJones Lawyers and Stuart Henry QC, be excluded from the meeting on the basis that the Council will receive, discuss and consider:

(h) legal advice

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 Callisto and carried.

Cr Sims returned to the meeting at 8.14pm.

Cr Sims moved:

Under Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the discussion and minutes be kept confidential until this matter is finalised.

Seconded by Cr Whittington and carried unanimously.

15. CLOSURE

There being no further business, the Mayor declared the meeting closed at 9.04pm.

Mayor Robert Bria

Minutes Confirmed on _____
(date)