

Council Meeting Minutes

17 January 2022

Our Vision

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

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

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City of
Norwood
Payneham
& St Peters

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VENUE Council Chambers, Norwood Town Hall

HOUR 7.00pm

PRESENT

Council Members

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

Staff

Lisa Mara (Acting Chief Executive Officer)
Carlos Buzzetti (General Manager, Urban Planning & Environment)
Sharon Perkins (General Manager, Corporate Services)
Keke Michalos (Manager, Economic Development & Strategic Projects) (*via electronic communication*)
Paul Mercorella (Acting General Manager, Urban Services) (*via electronic communication*)
Marina Fischetti (Executive Assistant, Urban Services)

APOLOGIES Nil

ABSENT Nil

1. KAURNA ACKNOWLEDGEMENT

2. OPENING PRAYER

The Opening Prayer was read by Cr Scott Sims.

3. CONFIRMATION OF THE MINUTES OF THE COUNCIL MEETING HELD ON 6 DECEMBER 2021

Cr Callisto moved that the minutes of the Council meeting held on 6 December 2021 be taken as read and confirmed. Seconded by Cr Knoblauch and carried unanimously.

4. MAYOR'S COMMUNICATION

Friday, 24 December	<ul style="list-style-type: none">• Drew winning entries for The Parade 'Shop and Win' competition, Norwood Town Hall
Thursday, 30 December	<ul style="list-style-type: none">• Visited various hospitality and retail businesses across the Council area
Friday, 7 January	<ul style="list-style-type: none">• Visited various hospitality and retail businesses across the Council area
Monday, 17 January	<ul style="list-style-type: none">• Attended a meeting with the General Manager, Governance and Community Affairs and Events Officers, Mayor's Office, Norwood Town Hall

Mayor Bria thanked Elected Members and staff for the flowers and messages of sympathy on the passing of his mother.

5. DELEGATES COMMUNICATION

Nil

6. QUESTIONS WITHOUT NOTICE

Nil

7. QUESTIONS WITH NOTICE

Nil

8. DEPUTATIONS

Nil

9. PETITIONS

9.1 PETITION – JOHN STREET, ASHBROOK AVENUE AND SURROUNDING AREAS, PAYNEHAM - TRAFFIC MANAGEMENT

REPORT AUTHOR: Acting Chief Executive Officer
GENERAL MANAGER: Not Applicable
CONTACT NUMBER: 8366 4549
FILE REFERENCE: qA85645
ATTACHMENTS: A

PURPOSE OF REPORT

The purpose of this report is to table a petition which has been received regarding traffic management issues associated with John Street, Ashbrook Avenue and surrounding areas in Payneham.

BACKGROUND

The petitioners are requesting that the Council consider the following matters in relation to John Street, Ashbrook Avenue and surrounding areas in Payneham:

- *reduce the speed limit from 50kph to 40kph and regular monitoring of the streets;*
- *a tonnage limit for vehicles that can use the local streets;*
- *installation of traffic management measures to deter rat running on one way streets; and*
- *Installation of a chicane on John Street to reduce speed in the approach to the roundabout.*

A copy of the petition is contained in **Attachment A**.

The petition has been signed by a total of 66 people, including the convenor of the petition.

In accordance with the Council's *Privacy Policy*, the personal information of the petitioners, (ie the street addresses) have been redacted from the petition. The names of the signatories and the suburb which have been included on the petition have not been redacted from the petition.

Notwithstanding the above, a number of signatories did not include their suburb as part of their address when completing the petition. Of the 66 signatories, (with the exception of one (1) signatory who indicated they lived in the suburb of Glenside), 65 reside in the local area (ie, Ashbrook Avenue, Arthur Street, Coorara Avenue, John Street, Leonard Street, Marian Road).

RELEVANT STRATEGIC DIRECTIONS & POLICIES

The relevant Goals contained in *CityPlan 2030* are:

Outcome 1: Social Equity

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

Strategy:

1.2.4 Provide appropriate traffic management to enhance residential amenity.

DISCUSSION

The petitioners are requesting that the Council considers options to address the issues associated with the speed of traffic in John Street, Ashbrook Avenue and surrounding areas in Payneham.

The Council's *Local Area Traffic Management Policy* sets out the following process in respect to petitions which are received regarding traffic management issues:

Petitions

Petitions regarding traffic management issues which are received by the Council, will be referred to the Committee for consideration.

The Committee shall acknowledge the petition and note that Council staff will then investigate the issues which are raised through the petition. The process which will be used by Council staff in addressing the matter shall be the same as that which is set out in the Traffic Management Investigations Section of this Policy.

RECOMMENDATION

That the petition which has been received regarding the traffic management issues associated with John Street, Ashbrook Avenue and surrounding areas, Payneham be referred to the Council's Traffic Management & Road Safety Committee, in accordance with the Council's *Local Area Traffic Management Policy*.

Cr Minney moved:

That the petition which has been received regarding the traffic management issues associated with John Street, Ashbrook Avenue and surrounding areas, Payneham be referred to the Council's Traffic Management & Road Safety Committee, in accordance with the Council's Local Area Traffic Management Policy.

Seconded by Cr Knoblauch and carried unanimously.

9.2 PETITION – REQUEST TO INSTALL A SWING AT MANNING RESERVE, NORWOOD

REPORT AUTHOR: General Manager, Governance & Community Affairs
GENERAL MANAGER: Chief Executive Officer
CONTACT NUMBER: 8366 4549
FILE REFERENCE: qA84894
ATTACHMENTS: A - D

PURPOSE OF REPORT

The purpose of this report is to table a petition which has been received requesting the installation of a swing at Manning Reserve, Norwood.

BACKGROUND

The petitioners are requesting that the Council install a swing set at Manning Reserve, Norwood.

A copy of the petition is contained in **Attachment A**.

The petition was provided as an electronic online petition which has been “signed” by 103 people (including one anonymous person).

In accordance with the *Local Government (Procedures at Meetings) Regulations 2013*, a petition to the Council must:

- be legibly written, typed or printed;
- clearly set out the request or submission of the petitioners;
- include the name, address and signature of each person who signed or endorsed the petition; and
- be addressed to the Council and delivered to the Principal Office of the Council.

On this basis, the on-line petition is not a valid petition.

The Council’s website clearly sets out the process associated with petitions and includes a template which citizens can use when wanting to present a petition to the Council.

This is not the first time an on-line petition has been presented to the Council and, as highlighted in the petition, a number of people who have “signed” the petition have indicated that they are from interstate, including Brisbane, Hobart, Perth, Sydney, etc.

The presentation of a petition in this manner (ie on-line) means that any person can “sign” the petition which does not give a true indication of how many local citizens are truly supporting the convenor of the petition.

Notwithstanding this, the convenor of the petition forwarded an email to the Council on 11 December 2021, requesting the installation of a swing set at this local reserve.

A copy of the email dated 11 December 2021, is contained within **Attachment B**.

On 30 December 2021, the convenor of the petition forwarded an updated copy of the petition which contains an additional 25 signatories.

A copy of the updated petition is contained in **Attachment C**.

RELEVANT STRATEGIC DIRECTIONS & POLICIES

The relevant Goals contained in *CityPlan 2030* are:

Outcome 2: Cultural Vitality

Objective 2.5: Dynamic community life in public spaces and precincts.

Strategy:

2.5.2 Create and provide interesting and vibrant public spaces to encourage interaction and gatherings.

DISCUSSION

Manning Reserve, a small local reserve, approximately 8 metres wide, is located in Fisher Street, Norwood. A slide, spring rocker and spinning pole are located within the reserve. The expected life of the existing play equipment is approximately five (5) to ten (10) years.

A photograph of the reserve and an aerial photograph indicating the location of the reserve is contained within **Attachment D**.

As highlighted in Attachment D, the extent of playground equipment which can be installed is limited due to the size of the reserve and the “impact area” requirements for play equipment which are set out in the Australian Standard: AS 4685.1:2021 *Playground equipment and surfacing – Part 1: General Safety Requirements and Test Methods*.

Whilst a swing set can be installed within the reserve, due to the impact area requirements which must be met, and taking into account that the impact area for each piece of equipment must not encroach into another impact area, the installation of a swing set would require the removal of either the slide or the spring rocker and spinning pole.

In other words, relocation of the existing play equipment within the reserve to accommodate the installation of a swing set is not possible due to the impact area requirements as set out in the Australian Standard.

The Council’s *Playground Strategy Report* (2006) states the following in respect to Manning Reserve:

Level 4 Playground (Local) Good quality but generally a small playground that may only cater for one age group. Will include standard rather than unique equipment and surrounds and cater for the surrounding local area.

In the future, investigate acquiring land for a small park in the area and relocating the playground to this park.

Whilst there may be an opportunity to relocate this playground in the future, in reality it is unlikely that this will be a possibility for some time given the lack of available open space in this section of Norwood.

On this basis, and taking into account the request, it is recommended that the Council endorses in principle the installation of a swing set at Manning Reserve, and conducts consultation with the local community to determine the views of the community in respect to the play equipment which should be retained to accommodate the swing set (ie the slide or the spring rocker and spinning pole).

The costs associated with the installation of the swing set, new rubber pad for the swing set and associated works, including the reconfiguration and removal of the other equipment, are approximately \$15,000.

It would therefore be beneficial to undertake community consultation, which will also enable the Council to determine the level of support for this request from the local community, prior to allocating funds for this purpose.

Whilst not expressly stated as part of the petition, the convenor of the petition has suggested in the email dated 11 December 2021, (Attachment B), the installation of a shade structure over the play equipment would also be supported by a number of the petitioners.

At its meeting held on 4 October 2011, the Council considered a report regarding the *Whole-of-Life Implementation Plan Framework*, for the renewal of the Council's playgrounds and resolved the following in respect to shade structures:

That shade structures, to playgrounds which are categorised as Level 3 and Level 4 in the Council's Playground Strategy (2006), which do not currently have a shade structure installed, be considered for installation at the time these playgrounds are renewed, subject to a review of the level of existing natural shade at these playgrounds.

The costs associated with the installation of a new shade structure are approximately \$25,000 to \$30,000 (including GST). When combined with ongoing maintenance requirements, this is a significant cost for a small playground.

However, there is sufficient room within the reserve for strategic planting of trees to provide natural shade for the play equipment. This is preferable to a new shade structure as it is more cost-effective and increases the green cover in the area.

It is however recommended, that the planting of trees be undertaken once the decision has been made regarding the proposed installation of the swing set and removal of other play equipment, to ensure that the new trees are not planted within the impact area of the play equipment.

RECOMMENDATION

1. That the Council endorses in principle the installation of a swing set at Manning Reserve for the purpose of conducting consultation with the local community regarding the options to accommodate the installation of the swing set, prior to final consideration of this matter.
 2. That the convenor of the petition be advised of the Council's decision regarding this matter.
-

Cr Patterson moved:

1. *That the Council endorses in principle the installation of a swing set at Manning Reserve for the purpose of conducting consultation with the local community regarding the options to accommodate the installation of the swing set, prior to final consideration of this matter.*
2. *That the convenor of the petition be advised of the Council's decision regarding this matter.*

Seconded by Cr Whittington and carried unanimously.

10. WRITTEN NOTICES OF MOTION

10.1 BUSINESS SUPPORT RESPONSE TO COVID-19 SUBMITTED BY MAYOR ROBERT BRIA

NOTICE OF MOTION: Business Support Response to COVID-19
SUBMITTED BY: Mayor Robert Bria
FILE REFERENCE: qA1039
ATTACHMENTS: A

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

NOTICE OF MOTION

1. *That a Discretionary Rebate of the Differential Rate (20%) be provided to all non-residential property owners impacted by the density restrictions introduced by the State Government following the borders opening on 23 November 2021 (i.e. gyms, cinemas, hospitality venues) for the Third Quarter and Final Quarter of 2021-2022.*
2. *That the fee for Outdoor Dining Licenses for the period 1 December 2021 to 30 June 2022, be waived.*
3. *That all fines and interest charged on the late payment of the 2021-2022 Third and Fourth Quarter Council Rate payments for all non-residential property owners, be waived.*
4. *That The Parade Separate Rate for all property owners and businesses impacted by the density restrictions introduced by the State Government following the borders opening on 23 November 2021 (i.e. gyms, cinemas, hospitality venues) be waived for the period commencing 1 December 2021 to 30 June 2022.*
5. *That the cost of the Financial Support Package as outlined above be included as a budget adjustment in the Mid-Year Budget Review.*

REASONS IN SUPPORT OF MOTION

Background

During the early months of the COVID-19 pandemic in 2020, the Council approved a comprehensive Financial Assistance Package, which included a number of measures designed to assist the local business community. At the time, the Council took the leadership position that it had a role to play to provide some financial relief to local businesses, in particular hospitality, personal services and entertainment businesses, which were severely impacted by the pandemic, the consequent restrictions and the impact of the restrictions. The Council's package was in addition to the extensive support which was provided by the Federal and State Governments, which offered Job Keeper payments, cash grants, tax concessions, deferment of Land Tax payments and waiving specific fees and charges.

By late December 2021, the combination of the decision by the State Government to open South Australia's borders (on 23 November 2021) and the emergence of the Omicron variant, has led to a sharp rise in the number of COVID-19 cases and subsequently a new suite of restrictions on businesses. In fact, the impacts and consequences of this decision has been devastating on local businesses and their employees.

Once again, hospitality, tourism and personal services (e.g. gyms) are continuing to experience the most significant impact with severely reduced capacity limits and patrons simply "staying away". This includes a 25% (one person per four square metres) indoor and a 50% (one person per two square metres) outdoor capacity rule for cafes, hotels and restaurants and a one person per seven square metres rule for gymnasiums. There has been significant media coverage of mass cancellations of bookings over the Christmas and New Year period and beyond. Given the current number of COVID-19 positive cases in South Australia, it is unlikely that these capacity restrictions will be eased any time soon.

In late December 2021 and early January 2022, I visited a number of hospitality and retail venues in different parts of the City, to talk to traders about the impact of the restrictions and the impact on their businesses. While there were a handful of business (e.g. 'hole in the wall cafes') who said the restrictions were only having a minimal impact (as at late December 2021), the overwhelming majority said that the current restrictions had created uncertainty, made it difficult to plan ahead (even for the week ahead), led to reduced hours for staff and was impacting on cash flows.

Whilst business owners acknowledged that the Council cannot provide the level of support that the Federal and State Governments can, they said that any assistance from the Council would be appreciated. As such, this Notice of Motion seeks to ask Council to consider adopting another Financial Assistance Package, to support the business community, bearing in mind that the State Government has announced a support package and the Honourable Josh Teague MP, Minister for Local Government, has recently written to all Mayors, asking that their respective Councils consider ways in which they can support local traders.

A copy of the letter dated 29 December 2021, from the Honourable Josh Teague MP, Minister for Local Government is contained in **Attachment A**.

Finally, it should be noted that there are 1,859 people who work in the food and beverage industry in our City and another 859 people who live in our City but travel to other Local Government Areas to work in the food and beverage industry⁽¹⁾. In addition, the Council's *Business and Economic Development Strategy (2021-2026)* makes provision for the Council to "assist businesses recover and rebuild from the COVID-19 Pandemic in the first year of the strategy."

These are indeed difficult and challenging times and whilst the current strategy to deal with the pandemic may have seemed reasonable in November 2021, the consequent impacts of the Omicron variant were unknown and it would appear that the concept of the business community being advantaged through the "opening of the borders", the exact opposite is happening. Whilst the Council has a limited capacity to assist from a financial perspective, adoption of this Motion could signify to our citizens that the Council will do what it can and what is within its remit to assist.

I am confident that the Financial Assistance Package as set out in the Motion, if approved by the Council, will be well received.

STAFF COMMENT

PREPARED BY GENERAL MANAGER, CORPORATE SERVICES

The Financial Support Package as proposed in this Notice of Motion includes elements of the Financial Support Package which was provided in 2020 and as part of the 2020-2021 Budget.

The estimated cost of the Financial Support Package proposed, excluding the waiving of the fines and interest on late payment of the Third and Fourth Quarter rate payments is \$138,000, which is made up of the following:

- 20% Discretionary Rebate \$ 51,000
- Outdoor Dining Permit Rebate \$ 64,000
- Rebate of The Parade Rate \$ 23,000

It should be noted that the Third Quarter notices have been forwarded to the printers for distribution, therefore if endorsed, credits for the Third Quarter will be processed against the affected assessments.

⁽¹⁾REMPPLAN Consulting – 2020 data

Cr Whittington moved:

- 1. That a Discretionary Rebate of the Differential Rate (20%) be provided to all non-residential property owners impacted by the density restrictions introduced by the State Government following the borders opening on 23 November 2021 (i.e. gyms, cinemas, hospitality venues) for the Third Quarter and Final Quarter of 2021-2022.*
- 2. That the fee for Outdoor Dining Licenses for the period 1 December 2021 to 30 June 2022, be waived.*
- 3. That all fines and interest charged on the late payment of the 2021-2022 Third and Fourth Quarter Council Rate payments for all non-residential property owners, be waived.*
- 4. That The Parade Separate Rate for all property owners and businesses impacted by the density restrictions introduced by the State Government following the borders opening on 23 November 2021 (i.e. gyms, cinemas, hospitality venues) be waived for the period commencing 1 December 2021 to 30 June 2022.*
- 5. That the cost of the Financial Support Package as outlined above be included as a budget adjustment in the Mid-Year Budget Review.*

Seconded by Cr Callisto and carried.

10.2 SPEEDING ENFORCEMENT – SUBMITTED BY CR SCOTT SIMS

NOTICE OF MOTION: Speeding Enforcement
SUBMITTED BY: Cr Scott Sims
FILE REFERENCE: qA1039
ATTACHMENTS: Nil

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

NOTICE OF MOTION

That Council write to Vincent Tarzia, MP, Minister for Road Safety, the Honourable Corey Wingard MP, Minister for Transport and the Honourable Steven Marshall MP, Premier and Member for Dunstan, to request that more resources be provided so that SAPOL can deploy speed cameras and enforce speed limits in Council-owned streets, where regular speeding has been identified by the Council, noting that:

1. residents are reporting an increase in traffic volume, rat-running, speeding and hoon behaviour along residential streets;
2. more motorists are taking short-cuts through the local street network to avoid the delays and congestion on the State Government arterial road network;
3. the Council undertakes various traffic management strategies, including implementing 40km/h speed limit areas, but it can only do so much without the Road Rules being enforced; and
4. that evidence-based data is required to identify the streets that require enforcement.

REASONS IN SUPPORT OF MOTION

Speeding through residential streets reduces community well-being by impacting on the safety, amenity, vibrancy and liveability of our neighbourhoods.

There has been an increase of residents requesting that Council reduce traffic speed in their street. However, this is a complex behavioural issue and should not be the sole responsibility of the Council, particularly when it is a result of a poor-performing arterial road network.

The Hoon Behaviour Legislation can only be administered by SAPOL, however SAPOL focuses on the arterial and rural road network and does not have the capacity to monitor local streets sufficiently.

Speed cameras are proven to encourage safe driver behaviour and should not be limited to major roads. Speed cameras should be rolled out across the entire street network, where data collection identifies that speed negatively impacts on safety and community well-being.

This motion seeks the State Government to allocate more resources so that SAPOL can enforce speeding in local streets, improve driver behaviour and improve community well-being.

STAFF COMMENT

PREPARED BY MANAGER, TRAFFIC & INTEGRATED TRANSPORT

An analysis of traffic data undertaken by Council staff has identified that there are a number of streets in the City where traffic speed is regularly above the legal speed limit.

The Council responds to this where possible by installing minor traffic management interventions such as signs and pavement marking at localised sites, while concurrently prioritising precinct-wide strategic projects which, from time to time, include the provision of larger scale traffic management interventions.

Current strategic projects include:

- design and consultation of traffic management devices in Marden and Royston Park;
- traffic study in Glynde, Payneham and Firlie;
- 40km/h speed limit in residential streets of Norwood & Kent Town and parts of The Parade;
- 40km/h speed limits in residential streets of Marden, Royston Park, Joslin, St Peters, College Park and Hackney; and
- traffic calming devices in Langman Grove, Felixstow.

These are long-term and high-cost projects, yet they do not address poor driver behaviour. Research has proven that the presence of speed cameras improves road safety by acting as a general deterrent to speeding and enforcing speed limits, and therefore, Council staff regularly request that SAPOL monitor streets where high speed is identified. Recent liaison with SAPOL identified that Osmond Terrace, Norwood is targeted monthly, and other Council-owned streets in the City are targeted when possible, but SAPOL resources are limited.

Fixed speed cameras are installed at traffic signals and mobile cameras used elsewhere. The locations for mobile cameras are determined by SAPOL using intelligence and other factors to calculate a road safety risk rating, and approximately 25 mobile speed cameras are deployed each day on State and Local roads throughout metropolitan Adelaide.

SAPOL use a scoring system to ascertain locations for mobile cameras and also respond to the Council's request when possible.

The scoring system is based on four (4), weighted criteria as listed below (in order of their weighting):

1. casualty (fatality or injury) crash locations;
2. reports by the public identifying locations of concern;
3. expiations exceeding the speed limit by 30km/h or more; and
4. all other offences relating to road safety.

A formal letter can be prepared by Council staff, (as per the Notice of Motion), that discusses the need for more regular speed enforcement on Council-owned roads. Council staff can also provide a list of roads and traffic data that aligns with the SAPOL scoring system to expedite the process.

This approach would align with the draft *South Australian Road Safety Strategy to 2031*, which states that Road User Behaviour is one of the 'Strategic Focus Areas' of the Strategy, and with the Local Government Association of South Australia's 2019 *Road Safety Action Plan* that advocates for increased traffic enforcement by SAPOL.

Cr Sims moved:

That Council write to Vincent Tarzia, MP, Minister for Road Safety, the Honourable Corey Wingard MP, Minister for Transport and the Honourable Steven Marshall MP, Premier and Member for Dunstan, to request that more resources be provided so that SAPOL can deploy speed cameras and enforce speed limits in Council-owned streets, where regular speeding has been identified by the Council, noting that:

1. *residents are reporting an increase in traffic volume, rat-running, speeding and hoon behaviour along residential streets;*
2. *more motorists are taking short-cuts through the local street network to avoid the delays and congestion on the State Government arterial road network;*
3. *the Council undertakes various traffic management strategies, including implementing 40km/h speed limit areas, but it can only do so much without the Road Rules being enforced; and*
4. *that evidence-based data is required to identify the streets that require enforcement.*

Seconded by Cr Granozio and carried unanimously.

11. STAFF REPORTS

Section 1 – Strategy & Policy

Reports

11.1 MARRYATVILLE PRECINCT MASTER PLAN

REPORT AUTHOR: Manager, Economic Development & Strategic Projects
GENERAL MANAGER: Chief Executive Officer
CONTACT NUMBER: 8366 4509
FILE REFERENCE: qA86881
ATTACHMENTS: A

PURPOSE OF REPORT

The purpose of this report is to present to the Council a proposal from the City of Burnside to collaborate with them to develop a Masterplan for the Marryatville Precinct.

BACKGROUND

In July 2021, the Chief Executive Officer received a letter from Mr Chris Cowley, Chief Executive Officer, City of Burnside, seeking the City of Norwood Payneham & St Peters' interest and support in partnering in the development of a masterplan for the Marryatville Precinct. A copy of the letter dated 22 July 2021, from Mr Chris Cowley, is contained in **Attachment A**.

The concept of developing a masterplan for the Marryatville Precinct was considered by the City of Burnside at its meeting held on 22 June 2021, as part of the *Regal Theatre Precinct Master Plan*. At that meeting the City of Burnside resolved amongst other things, to undertake formal discussions with the City of Norwood Payneham & St Peters regarding the opportunity to develop a joint masterplan for the Marryatville Precinct.

Since receiving the letter, discussions between staff from both Councils have taken place, mainly to understand the scope and intent of the project. It is noted that despite these discussions occurring, the City of Norwood Payneham & St Peters does not have any funding allocated for the development of a masterplan for the Marryatville Precinct or more broadly Kensington Road, nor does it have this project listed in its *Long Term Financial Plan 2021-2031*. Notwithstanding this, an opportunity has now presented itself which should be considered by the Council.

As way of background, the City of Burnside is currently developing the *Regal Theatre Master Plan* and as part of that process is considering adopting a more strategic and integrated approach to the master planning of the wider precinct surrounding the Regal Theatre.

The intent of the *Marryatville Precinct Master Plan* is to provide a vision and design framework for the future development and activation of the area to complement the *Regal Theatre Precinct Master Plan*, based on a vibrant mix of land uses. Whilst the City of Burnside has identified that there are opportunities and advantages in integrating the development of the two (2) masterplans (ie Regal Theatre and Marryatville Precinct Master Plans), one is not dependent on the other and the recommendations of the *Regal Theatre Master Plan* can be adopted in the *Marryatville Precinct Master Plan*, if it were to be developed at a later stage.

The exact boundary for the *Marryatville Precinct Master Plan* is yet to be determined and will be dependent on whether or not the City of Norwood Payneham & St Peters resolves to participate in the project. As a guide, the City of Burnside has proposed that the General Neighbourhood Zone and the Suburban Activity Centre Zone boundaries be used as the basis for the Masterplan, which include the existing shopping strip (predominantly within the City of Norwood Payneham & St Peters), the Regal Theatre and Constable Hyde Memorial Garden on Kensington Road. The proposed extent of the proposed Masterplan together with the location of the two (2) Council boundaries is illustrated in **Figure 1**.

In respect to the City of Norwood Payneham & St Peters more specifically, it is proposed that the Masterplan will encompass a portion of Kensington Road, a small grouping of shops, the Marryatville Hotel and a small number of residential properties. Included in this section is the Caltex petrol station, Jarvis Subaru and The Physio Clinic.

The portion within the City of Norwood Payneham & St Peters proposed to be included as part of the *Marryatville Precinct Master Plan* contains a small number of Local Heritage Places and one (1) State Heritage Place. The State Heritage Place is located at 202 Kensington Road and is the 'Former Marryatville Police Station & Dwelling'.

Whilst these heritage listed places are unlikely to undergo any change, any changes to

the streetscape and the urban fabric within proximity to them will need to be respectful in terms of scale and design.

It is noted that the boundaries depicted in **Figure 1** are the boundaries proposed by the City of Burnside and have not been modified by staff from the City of Norwood Payneham & St Peters, at this stage. In the event that the Council endorses the collaboration between the two (2) Councils, staff will review the boundaries in detail and make any modifications, if required.

FIGURE 1: PROPOSED LOCATION SCOPE FOR THE MARRYATVILLE PRECINCT MASTER PLAN



As Kensington Road is under the care and control of the Department for Infrastructure and Transport (DIT), any changes proposed for Kensington Road will need to be endorsed by DIT.

RELEVANT STRATEGIC DIRECTIONS & POLICIES

The relevant Objectives and Strategies contained in *CityPlan 2030* are outlined below:

Outcome 1: Social Equity

- **Objective 1.1 – Convenient and accessible services, information and facilities.**
 - Strategy 1.1.3 – Design and provide safe, high quality facilities and spaces for all people.
- **Objective 1.2 – A people-friendly, integrated and sustainable transport network.**
 - Strategy 1.2.2 – Provide safe and accessible movement for all people.
 - Strategy 1.2.4 – Provide appropriate traffic management to enhance residential amenity.

Outcome 2: Cultural Vitality

- **Objective 2.4 – Pleasant, well designed, and sustainable urban environments.**
 - Strategy 2.4.2 – Encourage sustainable and quality urban design outcomes.
- **Objective 2.5 – Dynamic community life in public spaces and precincts.**
 - Strategy 2.5.1 – Facilitate a mix of land uses and activities in appropriate locations in balance with amenity and character.
 - Strategy 2.5.2 – Create and provide interesting and vibrant public spaces to encourage interaction and gatherings.

Outcome 3: Economic Prosperity

- **Objective 3.2 – Cosmopolitan business precincts contributing to the prosperity of the City.**
 - Strategy 3.2.1 – Retain, enhance and promote the unique character of all our City's business precincts

- **Objective 3.5 – A local economy supporting and supported by its community.**
 - Strategy 3.5.1 – Support opportunities for people to collaborate and interact in business precincts.
 - Strategy 3.5.2 – Retain accessible local shopping and services.

Outcome 4: Environmental Sustainability

- **Objective 4.2 – Sustainable streets and open spaces.**
 - Strategy 4.2.1 – Improve the amenity and safety of streets for all users including reducing the impact of urban heat island effect.
 - Strategy 4.2.5 – Integrate green infrastructure into streetscapes and public spaces.

FINANCIAL AND BUDGET IMPLICATIONS

The City of Burnside has estimated that the development of the *Marryatville Precinct Master Plan* will cost between \$70,000 and \$120,000, depending on the spatial scope and level of detail included in the Masterplan and the extent of community consultation and engagement undertaken. It is the view of City of Norwood Payneham & St Peters staff that the cost will more than likely range between \$70,000 and \$80,000, based on the cost of previous projects undertaken.

If the Council resolves to proceed with developing the *Marryatville Precinct Master Plan* in partnership with the City of Burnside, all costs will be shared on a 50/50 basis between the two (2) Councils.

The Council does not currently have a budget allocated for this project as part of its *2021-2022 Annual Business Plan*. If the Council were to resolve to collaborate with the City of Burnside to develop the *Marryatville Precinct Master Plan*, a budget submission would be presented to the Council for its consideration as part of the *2022-2023 Budget and Annual Business Plan*.

EXTERNAL ECONOMIC IMPLICATIONS

Upgrading the streetscape and improving the pedestrian, traffic and parking conditions along Kensington Road will help to increase the vibrancy and popularity of the precinct, therefore attracting more people to come visit and spend within the Marryatville Precinct. Also by improving the attractiveness of the precinct it will encourage more investment, which will ultimately benefit the local economy.

SOCIAL ISSUES

The recent changes to the planning policies (through the *Planning, Design & Infrastructure Code*) that encourage increased residential density and mixed-use development have highlighted the need to revitalise activity centres such as the Marryatville Precinct. Whilst at a much smaller scale than The Parade, there is potential to create a sustainable and vibrant mixed-use precinct which offers greater diversity of housing, shopping, recreation and entertainment. This would provide a more pleasant physical environment and improve traffic and people movement, ultimately attracting more people to the precinct and enhancing the social fabric of Marryatville and the community more generally.

CULTURAL ISSUES

One of the objectives of the *Marryatville Precinct Master Plan* will be to give the area a 'sense of place'. Many sections of the Marryatville Precinct's public domain are no longer contemporary and upgrading the streetscape will provide a more contemporary and inviting space that will contribute to the vibrancy and popularity of the precinct as a destination for shopping, entertainment and cultural experiences.

ENVIRONMENTAL ISSUES

Environmental sustainability will be a key driver of the *Marryatville Precinct Master Plan*, should it proceed, with emphasis to be placed on investigating opportunities for improved greening and landscaping as well as safer pedestrian environments and mixed-use developments that are environmentally friendly.

RESOURCE ISSUES

The development of the *Marryatville Precinct Master Plan* will be resourced by staff from the Economic Development & Strategic Projects Unit, in conjunction with Council staff from the City of Burnside.

RISK MANAGEMENT

There are no significant risks associated with this project.

COVID-19 IMPLICATIONS

There are no COVID-19 Pandemic concerns impacting upon the delivery of this project. However, as a result of the COVID-19 Pandemic there is a growing trend towards accessing local services, facilities and entertainment, which makes it even more critical that the Council's activity precincts are designed to better meet the needs of the community.

CONSULTATION

- **Elected Members**
If the Council endorses the request to participate in the development of the *Marryatville Precinct Master Plan* in collaboration with the City of Burnside, Elected Members will receive regular briefings on the progress of the Masterplan.
- **Community**
The City of Burnside has undertaken community consultation on the *Regal Theatre Precinct Master Plan*. Any relevant comments received through that process will be used to inform the *Marryatville Precinct Master Plan*. Should the Council resolve to participate in the project, community consultation and engagement with the community, in particular the residents, businesses, property owners, high schools and other organisations located in the surrounding area, will form an integral part of the development of the *Marryatville Precinct Master Plan*.
- **Staff**
Project Manager, Urban Design & Special Projects
Project Manager, City Projects
Acting Manager, City Assets.
- **Other Agencies**
Kensington Road is an arterial road under the care and control of the Department for Infrastructure and Transport (DIT), therefore engagement with the Department for Infrastructure and Transport, as well as other key service and infrastructure providers will be crucial in the delivery of the Masterplan.

DISCUSSION

The intent of the *Marryatville Precinct Master Plan* is to provide a vision and design framework for the future development and activation of the precinct, as well as set out opportunities for improved greening, landscaping, streetscape work, traffic management, and people movement to support the diverse social, business and cultural heritage of the area.

It is the view of the City of Burnside that the *Marryatville Precinct Master Plan* will help to give the precinct a 'sense of place' and complement the *Regal Theatre Master Plan*, which is currently being developed. Given the iconic nature of the Regal Theatre, it is their view that an integrated approach to the two (2) Masterplans has the potential to transform the Marryatville Precinct into the cultural heart of the City of Burnside.

The City of Burnside would also like to see the *Marryatville Precinct Master Plan* provide guidance on future development as opportunities present themselves. While this is an option and could form part of the scope, City of Norwood Payneham & St Peters staff do not recommend that it be incorporated into the Project Brief. Any recommendations in relation to future development should simply be in relation to its integration with the public realm.

As outlined in the Background Section of this report, the proposed portion of the *Marryatville Precinct Master Plan* that will fall within the City of Norwood Payneham & St Peters traverses both the 'General Neighbourhood Zone' and 'Suburban Activity Centre' planning zones specified in the new *Planning, Design & Infrastructure Code*. These new zones have the ability to drive change to the urban form of the Marryatville Precinct, including mixed-use multi-storey developments, improved greening, landscaping, pedestrian movement patterns and traffic management enhancements. The master planning of a new design and layout for the public realm located within the Marryatville Precinct will help to attract business investment into the area and encourage greater visitation and spending.

Whilst the City of Burnside was initially eager to progress the *Marryatville Precinct Master Plan*, so that it could align with the delivery of the *Regal Theatre Precinct Master Plan*, it has since acknowledged that the City of Norwood Payneham & St Peters does have other priorities which it is either currently progressing or has highlighted in its *Long Term Financial Plan 2021-2031* for the future. On this basis the City of Burnside has advised that its timeframe is flexible if it means that the two (2) Councils will collaborate to deliver the *Marryatville Precinct Master Plan*.

Table 1 below outlines the proposed methodology and timetable provided to the Council in the letter dated 22 July 2021 addressed to the Chief Executive Officer. Whilst indicative dates were included, the City of Burnside has acknowledged that the indicative timeframe is outdated and that if the collaboration between the two (2) Councils is endorsed, there is flexibility in its timetable and that the timeframes can be negotiated. Similarly to the proposed boundaries, the methodology and timetable will need to be clearly reviewed and agreed upon by both Councils prior to the project commencing.

TABLE 1: CITY OF BURNSIDE INDICATIVE TIMEFRAMES FOR MARRYATVILLE PRECINCT MASTER PLAN

Marryatville Precinct Master Plan	
1. Formally approach the City of Norwood Payneham & St Peters to request participation in developing a Marryatville Precinct Master Plan.	June 2021
Hold Point: Proceeding to the following steps is dependent on the City of Norwood Payneham & St Peters formally agreeing to participate in developing a Marryatville Precinct Master Plan. The following timeframes would also be subject to negotiation with NPSP. An alternative approach to developing a Marryatville Precinct Master Plan can be presented to Council should NPSP decline to participate.	
2. Councils Reports: endorse development of Marryatville Precinct Master Plan, including budget / funding options.	August 2021
3. Stage 1 community consultation: seek ideas and suggestion for draft Marryatville Precinct Master Plan. Includes consultation with DIT and key stakeholder groups.	August 2021 to mid September 2021
4. Prepare draft master plan, including consideration of the draft Regal Theatre Precinct Master Plan.	December 2021 to January 2022
5. Present draft master plan to Council for consideration and to seek endorsement to proceed to consultation.	February 2022
6. Pending Council resolution, Stage 2 community consultation: seek feedback on draft master plan (including DIT and key groups).	March 2022 to April 2022
7. Present final master plan to Councils for endorsement.	June 2022
Commencement of Council Caretaker Period	
	September 2022

OPTIONS

The Council has three (3) options available to it:

Option 1 – Endorse the request to collaborate with the City of Burnside to deliver the *Marryatville Precinct Master Plan*. Under this option Council staff would prepare a budget submission for the Council's endorsement as part of the 2022-2023 annual budget process. Council staff would also commence discussions with City of Burnside staff to refine the scope and determine a project timeframe for the delivery of this project.

Option 2 - Decline the invitation from the City of Burnside to collaborate on the *Marryatville Precinct Master Plan*, allowing the City of Burnside to progress with determining if it will simply proceed with delivering the *Regal Theatre Precinct Master Plan* or continue with a *Marryatville Precinct Master Plan* that excludes any portion that falls with the City of Norwood Payneham & St Peters.

Option 3 – Refine the scope of the project and present the revised scope to the City of Burnside for its consideration.

The purpose of the *Marryatville Precinct Master Plan* is to develop a high-level strategic document that describes the vision, objectives and opportunities for the ongoing evolution of the Marryatville Precinct and in particular its public realm.

Given the number of projects currently identified in the Council's *Long Term Financial Plan 2021-2031*, it is extremely unlikely that the Council would have considered undertaking a masterplan for the Marryatville Precinct over the next 10 years if the opportunity had not been presented to the Council.

However, given that this opportunity has now been presented to the Council and a collaborative approach will deliver a more holistic and positive outcome, it is recommended that the Council accept the proposal presented by the City of Burnside - recognising that funding to implement the recommendations of the Masterplan will be limited and that the Council will need to apply and receive significant amounts of grant funding to enable the Council to deliver the recommendations in the shorter term.

On this basis Option 1 is the recommended option.

CONCLUSION

If endorsed by the Council, staff from the City of Norwood Payneham & St Peters will collaborate with the staff from the City of Burnside to develop a Project Brief that delivers a positive outcome for the Marryatville Precinct and the community, which is reflective of the Precinct's role and classification and the expectations of both Councils. All decision making and input will be shared between the two (2) Councils.

COMMENTS

Whilst Council boundaries do exist for governance purposes, the community does not see these boundaries, which highlights the importance of undertaking an integrated approach to strategic planning. Notwithstanding that this project has been initiated by the City of Burnside, and is far more a priority for the City of Burnside than it is for the City of Norwood Payneham & St Peters at this point in time, undertaking a more strategic approach to the master planning of the public realm within activity precincts will deliver far greater benefits to the communities in both council areas than what two (2) standalone masterplans would ever achieve.

RECOMMENDATION

1. That the Council endorses the request to collaborate with the City of Burnside to deliver the *Marryatville Precinct Master Plan*.
2. That the Chief Executive Officer be authorised to write to the Chief Executive Officer of the City of Burnside advising that the City of Norwood Payneham & St Peters agrees to partner with the City of Burnside to deliver the *Marryatville Precinct Master Plan*.
3. That the Council notes that staff will prepare a budget submission for the *Marryatville Precinct Master Plan* for the Council's consideration as part of the 2022-2023 Budget and *Annual Business Plan*.

Cr Callisto moved:

- 1. That the Council endorses the request to collaborate with the City of Burnside to deliver the Marryatville Precinct Master Plan.*
- 2. That the Chief Executive Officer be authorised to write to the Chief Executive Officer of the City of Burnside advising that the City of Norwood Payneham & St Peters agrees to partner with the City of Burnside to deliver the Marryatville Precinct Master Plan.*
- 3. That the Council notes that staff will prepare a budget submission for the Marryatville Precinct Master Plan for the Council's consideration as part of the 2022-2023 Budget and Annual Business Plan.*

Seconded by Cr Mex and carried.

Division

Cr Mex called for a division and the decision was set aside.

Those in favour:

Cr Whittington, Cr Patterson, Cr Knoblauch, Cr Moorhouse, Cr Moore, Cr Callisto, Cr Mex, Cr Granozio, Cr Sims and Cr Dottore.

Those against:

Cr Minney, Cr Duke and Cr Stock.

The Mayor declared the motion carried.

Section 2 – Corporate & Finance
Reports

11.2 MONTHLY FINANCIAL REPORT – NOVEMBER 2021

REPORT AUTHOR: Financial Services Manager
GENERAL MANAGER: General Manager, Corporate Services
CONTACT NUMBER: 8366 4585
FILE REFERENCE: qA78171
ATTACHMENTS: A

PURPOSE OF REPORT

The purpose of this report is to provide the Council with information regarding its financial performance for the year ended November 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. The Council adopted a Budget which forecasts an Operating Surplus of \$471,000 for the 2021-2022 Financial Year. The First Budget update reduced the Operating Surplus by \$341,000 to \$130,000 for the 2021-2022 Financial Year.

For the period ended November 2021, the Council's Operating Surplus is \$414,000 against a budgeted Operating Deficit of \$392,000 resulting in a favourable variance of \$807,000.

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

CONSULTATION

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

DISCUSSION

For the period ended November 2021, the Council's Operating Surplus is \$414,000 against a budgeted Operating Deficit of \$392,000 resulting in a favourable variance of \$807,000.

The primary drivers for this result are:

- Employee expenses are \$520,000 favourable to the adopted budget which is the result of the following:
 - vacancies at the commencement of the financial year which were anticipated in the Adopted Budget to be filled (\$340,000). The recruitment of the a number of these positions has been finalised and therefore it is expected that this variance will reduce and stabilise;
 - variances resulting from resignations during the first quarter of the financial year, where the position was not backfilled during the recruitment process (\$50,000); and
 - cancellation of events at the Norwood Concert Hall as a result of COVID-19 restrictions resulted in the reduction of casual staff hours (\$31,000).

It should be noted that the COVID-19 Pandemic has had a significant impact on the number and quality of the candidates in the market for permanent and temporary staff, across all positions and as such it is anticipated that the timeframes to replace staff may in some cases be longer than normal

- Statutory Charges are \$59,000 favourable to budget, primarily due to high than anticipated revenue being received from development applications (\$34,000) combined with a higher than anticipated number of property information searches associated with property sales being undertaken (\$13,600) than allowed for in the budget.
- User Charges are \$56,000 unfavourable to the Adopted budget, which is due primarily as a result of the cancelation and deferral of events at the Norwood Concert Hall as a result of COVID-19 restrictions.
- Other income is \$65,000 favourable to budget, primarily due to the one-off receipt of a special distribution from the Local Government Financing Authority (\$33,500) combined with income received as part of insurance claims lodged by the Council (\$13,500), the income associated with insurance claims is offset by an increase in repair costs.
- The timing of actual expenditure on Operating Projects compared to budget expectations has resulted in a \$130,000 favourable variance.

The residual budget variances are due to the accumulation of a number of small timing variances across all areas of the Budget with no individually significant variances.

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

OPTIONS

Nil

CONCLUSION

Nil

COMMENTS

Nil

RECOMMENDATION

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

Cr Minney moved:

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

Seconded by Cr Knoblauch and carried unanimously.

11.3 2022-2023 ANNUAL BUSINESS PLAN AND BUDGET OBJECTIVES & PARAMETERS

REPORT AUTHOR: General Manager, Corporate Services
GENERAL MANAGER: Chief Executive Officer
CONTACT NUMBER: 8366 4585
FILE REFERENCE: qA83737/A302447
ATTACHMENTS: A

PURPOSE OF REPORT

The purpose of this report is to seek endorsement of the objectives and parameters which will apply in the development of the draft 2022-2023 Annual Business Plan and Annual Budget.

BACKGROUND

Legislative Requirements

Pursuant to Section 123 of the *Local Government Act 1999* (the Act), each financial year the Council is required to prepare an Annual Business Plan and Annual Budget. The Annual Business Plan and Annual Budget are to be adopted by the Council after 31 May for the ensuing financial year and except in a case involving extraordinary administrative difficulty, before 31 August for the financial year.

Pursuant to Section 123(2) of the Act and in Regulation 6 of the *Local Government (Financial Management) Regulations 2011* (the Regulations), each Annual Business Plan of a Council must—

- (a) *include a summary of the Council's long-term objectives (as set out in its strategic management plans); and*
- (b) *include an outline of—*
 - (i) *the Council's objectives for the financial year; and*
 - (ii) *the activities that the Council intends to undertake to achieve those objectives; and*
 - (iii) *the measures (financial and non-financial) that the Council intends to use to assess the performance of the Council against its objectives over the financial year; and*
- (c) *assess the financial requirements of the Council for the financial year and, taking those requirements into account, set out a summary of its proposed operating expenditure, capital expenditure and sources of revenue; and*
- (d) *set out the rates structure and policies for the financial year; and*
- (e) *assess the impact of the rates structure and policies on the community based on modelling that has been undertaken or obtained by the Council; and*
- (f) *take into account the Council's long-term financial plan and relevant issues relating to the management and development of infrastructure and major assets by the Council; and*
- (g) *address or include any other matter prescribed by the Regulations.*

Pursuant to Section 123 (3) of the Act, prior to the adoption of the Annual Business Plan, the Council must undertake public consultation for a minimum period of twenty-one (21) days. At the conclusion of the public consultation period, a public meeting is to be held where members of the community can ask questions and make submissions regarding the draft Annual Business Plan. During the public consultation period, the Council must make available copies of the draft Annual Business Plan at its Principle place of business.

RELEVANT STRATEGIC DIRECTIONS & POLICIES

The Council's Strategic Management Plan, *CityPlan 2030: Shaping Our Future*, the Long-term Financial Plan and Whole-of-Life Asset and Infrastructure Management Plans, provide the basis and framework upon which the Council's Annual Business Plan and Budget is based.

FINANCIAL AND BUDGET IMPLICATIONS

The Council's Long-Term Financial Plan (LTFP), sets out the Councils' financial goal as, "A City which delivers on our Strategic Outcomes by managing our financial resources in a sustainable and equitable manner", in short to be financially sustainable.

The Local Government Association of South Australia defines financial sustainability as;

- "A Council's long-term financial performance and position is sustainable where planned long-term service and infrastructure levels and standards are met without unplanned increases in rates or disruptive cuts to services."
- The key elements to the definition are:
 - ensuring the maintenance of a Council's high priority expenditure programs, both operating and capital;
 - ensuring a reasonable degree of stability and predictability in the overall rate burden; and,
 - promoting a fair sharing in the distribution of Council resources and the attendant taxation between current and future ratepayers.

In simple terms, financial sustainability means positioning the Council so that it can continue to provide quality services, programs and facilities and maintain the Council's infrastructure to a defined service standard, with stable rate increases (removal of sudden increases) and ensuring inter-generational equity.

The Council will need to ensure that its Annual Business Plan and Budget, contains objectives and financial parameters which will deliver a responsible budget and meet the reasonable needs of the community on an equitable and "value for money" basis. For the 2022-2023 Financial year, the Council's LTFP projects an Operating Surplus of \$306,000, based on a Rate Revenue increase of 4.45%. The target Rate Revenue increase as set in the draft LTFP, is based on the following:

- rate revenue indexation of 2.45% which is equivalent to the ten (10) year average of the Local Government Price Index (as a 30 June 2019);
- 0.5% revenue increase derived from new assessments; and
- 1.5% to cover for the financial impacts of investment in new and upgraded infrastructure.

The Local Government Price Index for the year ended 30 June 2020 has been published, with the ten (10) year average reducing to 2.05%. The ten (10) year average in growth from new assessments is 0.9%. Adopting the principle of rate revenue increases comprising of the elements set out above, the base rate revenue increase for the 2021-2022 financial year, would be between 4.05% and 4.55%, depending on the extent of the financial impact of revenue growth from new development which is passed on to existing ratepayers. As such, based on a rate revenue increase of between 4.05% and 4.55%, the target Operating Surplus for the 2022-2023 Budget, should be set between \$120,000 and \$350,000.

It should be noted that the target Operating Surplus includes Grant Income of \$362,000 which is expected to be received in the 2022-2023 Financial Year under the Roads-to-Recovery Program and is included in the Capital Projects budget to be spent on a Capital Road Project(s).

EXTERNAL ECONOMIC IMPLICATIONS

The Annual Business Plan and Budget will have an economic impact on property owners and suppliers of goods and services to the Council, the level of which will be dependent on the final decisions taken in respect to the level of income, and subsequently the Rate increase required to meet proposed expenditure.

SOCIAL ISSUES

Nil.

CULTURAL ISSUES

Nil.

ENVIRONMENTAL ISSUES

Nil.

RESOURCE ISSUES

Nil.

RISK MANAGEMENT

Financial Management and Annual Business Plan preparation processes are governed by the *Local Government Act 1999* and Regulation 6 of the *Local Government (Financial Management) Regulations 2011*. All budget documentation will need to be prepared in accordance with the relevant statutory requirements.

CONSULTATION

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

DISCUSSION

2022-2023 Annual Business Plan

The Annual Business Plan is the Council's statement of the intended services, programs, facilities and objectives set by the Council for a given financial year. It is based upon the objectives and strategies set out in the Council's Strategic Plan *CityPlan 2030: Shaping Our Future*, the Long-term Financial Plan and the Whole-of-Life Infrastructure and Asset Management Plans.

The Council's Strategic Management Plan, *CityPlan 2030: Shaping Our Future*, sets out the Council's Outcomes in respect to Social Equity, Cultural Vitality, Economic Prosperity and Environmental Sustainability, together with objectives and strategies for each Outcome.

Pursuant to Section 123(2) (b) (i), the Annual Business Plan must contain a series of objectives for the financial year. To be effective the annual objectives should be in line with the outcomes contained in the *City Plan 2030: Shaping Our Future* and assist the Council in delivering on the financial outcomes set out in the LTFFP.

The following objectives are proposed to be incorporated into the 2022-2023 Annual Business Plan.

Social Equity

An inclusive, connected, accessible and friendly community

- Our cost effective services are welcoming, inclusive, and socially connected all ages and abilities.
- Our infrastructure assets are maintained and renewed in line with Council's Whole of Life Infrastructure framework.
- Deliver programs and activities which result in an engaged and participating community.
- Engage disabled, aged, youth and varied cultures in the life of the City through a variety of events and programs.
- Rates are fair and equitable for our residents and ratepayers.

Cultural Vitality

A culturally rich and diverse City, with a strong identity, history and ‘sense of place’.

- Promote a healthy cultural life and creative expression through the use of public art and events that complement the City’s cultural heritage.
- Provide opportunities for the community to contribute to the social and creative life of the City through events, activities, arts and cultural initiatives

Economic Prosperity

A dynamic and thriving centre for business and services

- Support the development of a prosperous local economy.

Environmental Sustainability

A leader in environmental sustainability.

- Ensure urban development undertaken enhances the environmental, social and cultural character of our City.
- Maximise the use of the City’s open space by providing a range of active and passive open space recreation opportunities.
- Promote recycling and environmental sustainable practices throughout the City.
- Consider innovative infrastructure solutions which minimise the impact on the environment.

Organisational Excellence

- Ensure best use of Council resources by innovative, efficient and effective service provision.
- Demonstrate Business Excellence Principles.
- Financially sound organisation

The assessment of new projects, services, programs and activities will be assessed against both the Annual Business Plan objectives and *City Plan 2030* objectives and strategies.

The 2022-2023 Annual Budget

To ensure that the Council delivers its financial objectives and in accordance with the Council’s standard practice, the draft 2022-2023 Annual Budget should be developed with reference to and within the framework of the LTFP, which, based on the components of the rate revenue increase set out in the Budget and Financial Implications above, sets out a target Operating Surplus between \$120,000 and \$350,000.

To ensure the Councils financial targets are achieved, the Annual Budget must be set with reference to similar key influences and assumptions. The influences and assumptions relating to external economic conditions and internal policy decisions are set out below.

Key Influences

- maintenance and renewal program for existing infrastructure assets, including roads, footpaths, Council owned properties and open spaces, are consistent with the *Whole-of Life Infrastructure and Asset Management Plans*;
- commitment to major projects which span more than one (1) financial year;
- initiatives and major projects which are undertaken need to contribute to the Vision, strategic direction and the wellbeing of our City as set out in the *CityPlan 2030: Shaping Our Future*;
- previously recognised ongoing operational savings are to be maintained;

- to continue to implement the principles and practices of the Business Excellence Framework (i.e. Continuous Improvement of the organisations procedures and process to ensure the “best value “ is achieved);
- prudent financial management to ensure ongoing financial sustainability; and
- decisions will be informed and based on the best available evidence and information at the time

Key Assumptions

The Annual Budget incorporates three (3) components of the Council Operations, these being

- Recurrent Income and Expenditure (Recurrent Budget)
- Operating Projects (Operating Projects Budget); and
- Capital Projects (Capital Budget).

As in previous years, the preparation of the Annual Budget will be broken down into two (2) stages. The first stage will be the preparation on the Recurrent Budget, which incorporates the revenues and expenditure required to provide the “Business as Usual” services. The second stage will focus on the Capital and Operating Project budget.

Rate revenue increases

As in previous years, for the initial review of the draft Recurrent Budget, no increase in rate revenue will be taken into account in the analysis. Notwithstanding this, it should be noted, that the financial projections set out in the Long-Term Financial Plan is based on a Rate Revenue increase of 4.45%, which comprises of:

- rate revenue indexation of 2.45% which is equivalent to the ten (10) year average of the Local Government Price Index (as a 30 June 2020);
- 0.5% revenue increase derived from new assessments; and
- 1.5% to cover for the financial impacts of investment in new and upgraded infrastructure.

Maintaining existing services at current service standards

The draft Recurrent Budget is proposed to be based on a “business as usual” assumption, which means that the Council will continue to provide the existing services, programs and facilities at the current service levels, unless otherwise determined by the Council. This is not to say that the existing services, programs and facilities will be continued to be delivered in the same way. It should be noted that service levels, and associated budget will be adjusted to reflect ongoing operating cost adjustments resulting from projects completed during the 2021-2022 Financial year.

The “business as usual” assumption does not take into account any change in direction or service levels in response to community expectations, legislative requirements, changing economic conditions or any changes which the Council may wish to make. Such changes will be accounted for in the Council’s Operating & Capital Projects Budget.

Cost Escalation

Materials, Contracts and Other Expenses

The Adelaide CPI for the June 2021 quarter and September 2021 Quarter was 2.5 % and 2.7% respectively. An alternative measure for cost escalation is the Local Government Price Index (LGPI). As the nature of the price movement associated with goods and services consumed by Local Government is different to the goods and services consumed by the ‘average household’, the LGPI is a reliable and independent measure of the inflationary effect on price changes in the South Australian Local Government sector. The LGPI is similar in nature to the CPI, however it represents the movements of prices associated with the goods and services used by Local Government in South Australia (to deliver services to its community) as opposed to the goods and services consumed by the ‘average metropolitan household’. The LGPI considers both recurrent and capital expenditure. The recurrent component of the LGPI for South Australia to June 2021 is 1.2% and as at September 2021 is 2.0%.

The State Government recently released the 2021-2022 Mid-year Budget Review, which forecast the Adelaide CPI at 2.75% for the remainder of 2021-2022, reducing to 2.25% for the 2022-2023 financial year. The Federal Government as part of the Mid-year Economic and Fiscal Outlook is forecasting CPI at 2.5% for the 2022-2023 financial year.

After considering both the LGPI and the community's expectation that increases should only move by the CPI forecast, it is recommended that the **maximum** expenditure increase for 2021-2022 across the Materials, Contracts and Other Expenses component of the budget, be set at 2.25% which has been determined with reference to the current movements in the Adelaide CPI and the LGPI Index for recurrent expenditure and the general fiscal policy of maintain CPI between 2% and 3%.

It should be noted that in some circumstances, there will be cost increases in excess of the 2.25% target (i.e. Solid Waste Levy and fuel charges) and in other circumstances, there will be no or minimal cost increases, therefore the expectation is that across the organisation, the Materials, Contracts and Other Expenses components of the budget, will be limited to a maximum increase of 2.25%.

Wages and Salaries

Wages and Salaries and other associated employee on-costs will be indexed in line with the current Enterprise Agreements, which is currently set at 2.0% for both the *Municipal Officers Enterprise Agreement* (indoor staff) and *The Local Government Workers Enterprise Agreement* (outdoor staff). It should be noted that the *Municipal Officers Enterprise Agreement* expires in November 2022. As negotiations will not have commenced until after the adoption of the 2022-2023 Budget, for the purpose of developing the Wages and Salaries budget, it is proposed that the indexation factor be maintained at 2.0% as this covers agreements which have already negotiated. It should be noted that in-line with the *Superannuation Guarantee (Administration) Act 1992*, superannuation guarantee payments will increase to 10.5% of eligible earnings.

Fees and Charges

Fees and Charges which are not set by legislation, are proposed to be increased by 2.0% or market levels as determined by the review of the Fees and Charges, which will be considered at the Council meeting scheduled for 7 March 2022. The proposed increase is the weighted average of the recommended increase in Material & Contracts and the Wages and Salaries Indexation.

Capital Expenditure

Capital Expenditure relates to the purchasing, building, upgrading and renewing of the Council's assets. Capital Expenditure is funded from depreciation, borrowings and grant funding (where available). For asset renewals the main funding source is depreciation. For new assets and upgrades, the main funding source is borrowings and grant funding. The draft Annual Budget will assume that the Council will borrow to fund new assets and the upgrading of existing assets, with the renewal of assets being funded via depreciation.

Assuming that the Reserve Bank of Australia maintains cash rates at the current level of 0.10%, the interest rates on new borrowings are forecast to be between 1.5% per annum and 3.0% per annum, depending on the term of the borrowings. The interest rate on investment income is forecast at 0.30% per annum.

New Operating and Capital Projects

New projects, both Operating and Capital, which are put forward for consideration, will be assessed based on the objectives contained in *CityPlan 2030: Shaping Our Future*, the Councils LTFP and the Infrastructure and Asset Management Plans and the annual objectives set out above.

All new Projects proposed are to be considered and approved within the constraints of the LTFP. New services and "one-off" operating projects are funded through Rate Revenue increases, grant funding or by expenditure savings. New Capital Projects will be funded via Grant Funding, borrowings or cash reserves.

For the 2022-2023 Financial Year, the following strategic Projects, which commenced during the 2021-2022 financial year are contained within the LTFP and have been scheduled to be completed during 2022-2023 are:

- The Payneham Memorial Swimming Centre redevelopment Project;
- Burchell Reserve Redevelopment Project;
- St Peters Street Streetscape Upgrade Project;
- River Torrens Linear Park Shared Path Upgrade Project Stage 2; and
- Dunstan Adventure Playground Project.

It should be noted that, with the exception of the Burchell Reserve Redevelopment Project, the above mentioned projects are subject to Grant funding agreements and conditions with respect to the timing and completion of the works.

Carry Forward Projects

Where Operating Projects are not completed within budgeted scheduled timeframes, future deficits can eventuate, as the Rate Revenue is raised in the year the project is initially approved. As part of the draft 2022-2023 Budget, the cost to complete the Operating Projects from prior financial years will be carried forward to the 2022-2023 Financial year, however the estimate of carried forward projects will be excluded for rate modelling purposes. Estimates will be based on the 2021-2022 Third Quarter Budget Update, with the associated operational impacts being built into the determination of the 2022-2023 Operating Result.

The draft Recurrent Budget (prior to any increase in Rate Revenue being determined) will be presented to the Elected Members at a workshop which is scheduled for 2 March 2022, with the Operating and Capital Projects being presented to the Elected Members at a workshop which is scheduled for 16 March 2022. The draft Recurrent Budget and the Capital and Operating Projects are proposed to be considered by the Council at a Special Budget Meeting which is scheduled for 13 April 2022.

In line with the resolution which was endorsed by the Council at its meeting held on 5 July 2021, a Special Meeting of the Audit Committee has been scheduled for 28 March 2022 to allow for the Audit Committee to provide comment on the Draft Budget prior to it being considered by the Council.

Budget Management Principles

As in previous years, the Council needs to exercise “budget discipline” if it is to achieve its financial outcomes that are set out in the Annual Business Plan and Budget and continue to achieve and maintain financial sustainability. To date, the approach which has been taken by this Council once the Annual Business Plan and Budget has been adopted, includes:

- no new recurrent operating expenditure or projects approved without being matched by an increase in operating revenue (i.e. Grants/ Fee for Service) or a reduction in expenditure, elsewhere within the Council’s operations;
- expenditure over-runs are offset by deferral of discretionary spend or expenditure savings elsewhere within the Council’s operations;
- income shortfalls to be matched by operating expenditure savings; and
- no new capital expenditure that requires additional borrowings.

Noting that there may be some urgent issues that require urgent attention however once the budget is adopted, these should be the exception rather than the rule.

Budget Timetable

Pursuant to Section 123 of the Act and in Regulation 6 of the Regulations, the Council is required to adopt the Annual Business Plan and Annual Budget after 31 May for the ensuing financial year and, except in a case involving extraordinary administrative difficulty, before 31 August for the financial year.

As set out in Table 1 below, a proposed budget timetable has been developed to ensure that the Council is in a position to adopt the 2022-2023 Annual Business Plan and Annual Budget at the Council meeting to be held on 4 July 2022.

TABLE 1 – KEY BUDGET PROCESS ACTIVITIES 2022-2023

<i>KEY STEPS</i>	<i>DATES</i>
Budget process, parameters and objectives adopted	Monday 17 January 2022 (Council Meeting)
Fees and charges adopted in principle by the Council	Monday 7 March 2022 (Council Meeting)
Budget Workshop with Elected Members	Wednesday 2 March 2022
Budget Workshop with Elected Members	Wednesday 16 March 2022
Special Audit Committee Meeting	Monday 28 March 2022
Budget Council Meeting <ul style="list-style-type: none"> • <i>Recurrent Budget considered</i> • <i>Operating and Capital Projects considered</i> 	Wednesday 13 April 2022 (Special Meeting)
Draft Annual Business Plan, rating model and projects carried forward and Infrastructure Whole of Life endorsed	Monday 2 May 2022 (Council Meeting)
Draft Annual Business Plan available for viewing by the public	Monday 9 May 2022
Meeting to receive Public submissions on the Annual Business Plan	Wednesday 1 June 2022
Consideration of public submissions	Wednesday 15 June 2022 (Special Council Meeting)
Adoption of Annual Business Plan and Budget	Monday 4 July 2022 (Council Meeting)

In respect to the community consultation on the Annual Business Plan, a Public Meeting is proposed to be held on Wednesday 1 June 2022, to allow members of the community to present their comments and feedback to the Council, on the content of the Annual Business Plan and Budget.

OPTIONS

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

1. adopt the Annual Business Plan objectives, Annual Budget parameters and assumptions as recommended; or
2. amend any or all of the recommended Annual Business Plan objectives, Annual Budget parameters and assumptions.

The Annual Business Plan objectives, Annual Budget parameters and assumptions set out in this report, are consistent with the Council's previous years approach to the development of the Annual Business Plan and Budget. In addition, the proposed approach and timetable presented will ensure that the Council meets its legislative requirements as set out in the *Local Government Act 1999* and Regulation 6 of the *Local Government (Financial Management) Regulations 2011* therefore Option 1 is recommended.

CONCLUSION

The development of the 2022-2023 Annual Business Plan and Budget should form the platform to position the Council to achieve future and ongoing Financial Sustainability. Financial Sustainability is not a number on the Income Statement, it is a strategy. Therefore, strategies need to be developed that integrate into the Councils planning and are supported by longer term planning, with any future decisions made being consistent with and supporting the strategy.

COMMENTS

If Elected Members have any questions or require clarification in relation to specific budget items, and/or any issues raised in this report, do not hesitate to contact the General Manager, Corporate Services, Sharon Perkins on 8366 4585 or email sperkins@npsp.sa.gov.au prior to the meeting.

RECOMMENDATION

1. That the Annual Business Plan objectives contained in **Attachment A**, be adopted “in principle” for the purpose of preparing the draft 2022-2023 Annual Business Plan and Budget.
2. That the following budget parameters and assumptions be adopted in principle for the purpose of preparing the draft 2022-2023 Annual Business Plan and Budget:
 - the Recurrent Operating Budget be prepared on a “business as usual” basis;
 - the continuation of previously recognised ongoing operational savings;
 - maximum Material, Contracts and Other Expenses cost escalation be set at 2.25%;
 - wages and salaries increases be set in line with the Council’s Enterprise Bargaining Agreements;
 - maximum combined increase in overall budget be based on salary increase and 2.25% non-salary increase;
 - fees and charges not set by Legislation be increased by 2.0% at a minimum;
 - new Capital Projects to be considered and approved within the context of the Annual Business Plan objectives contained in Attachment A, *CityPlan 2030: Shaping Our Future*, I& and the LTFP;
 - new services and one off projects to be considered and approved within the context of the Annual Business Plan objectives contained in Attachment A, *CityPlan 2030: Shaping Our Future*, I& and the LTFP and be funded through Rate Revenue increases or by expenditure savings; and
 - new capital projects are funded via grant funding and or long term borrowings.

Cr Minney moved:

1. *That the Annual Business Plan objectives contained in **Attachment A**, be adopted “in principle” for the purpose of preparing the draft 2022-2023 Annual Business Plan and Budget.*
2. *That the following budget parameters and assumptions be adopted in principle for the purpose of preparing the draft 2022-2023 Annual Business Plan and Budget:*
 - *the Recurrent Operating Budget be prepared on a “business as usual” basis;*
 - *the continuation of previously recognised ongoing operational savings;*
 - *maximum Material, Contracts and Other Expenses cost escalation be set at 2.25%;*
 - *wages and salaries increases be set in line with the Council’s Enterprise Bargaining Agreements;*
 - *maximum combined increase in overall budget be based on salary increase and 2.25% non-salary increase;*
 - *fees and charges not set by Legislation be increased by 2.0% at a minimum;*
 - *new Capital Projects to be considered and approved within the context of the Annual Business Plan objectives contained in Attachment A, *CityPlan 2030: Shaping Our Future*, I& and the LTFP;*
 - *new services and one off projects to be considered and approved within the context of the Annual Business Plan objectives contained in Attachment A, *CityPlan 2030: Shaping Our Future*, I& and the LTFP and be funded through Rate Revenue increases or by expenditure savings; and*
 - *new capital projects are funded via grant funding and or long term borrowings.*

Seconded by Cr Sims and carried unanimously.

11.4 EXTERNAL AUDITORS REPORT 2020-2021

REPORT AUTHOR: Financial Services Manager
GENERAL MANAGER: General Manager, Corporate Service
CONTACT NUMBER: 8366 4585
FILE REFERENCE: qA82175
ATTACHMENTS: A - C

PURPOSE OF REPORT

The purpose of this report is to provide the Council with the Audit Opinion and Auditors report regarding the 2020-2021 Financial Statements.

BACKGROUND

Pursuant to Section 129 (3) of the *Local Government Act 1999* (the Act), the Council's Auditor must provide to the Council, an audit opinion with respect to:

- the Financial Statements; and
- whether the internal controls of the Council are sufficient to provide reasonable assurance that the financial transactions of the Council have been conducted properly and are in accordance with law.

Pursuant to Section 129 (4) of Act, the Council's Auditor must provide written advice on any particular items that have arisen from the audit.

Pursuant to Section 129 (5b) (a) of the Act, the opinion and the advice must be presented to the Council at the next ordinary meeting of the Council.

RELEVANT STRATEGIC DIRECTIONS AND POLICIES

Nil

FINANCIAL AND BUDGET IMPLICATIONS

Nil

EXTERNAL ECONOMIC IMPLICATIONS

Not Applicable.

SOCIAL ISSUES

Not Applicable.

CULTURAL ISSUES

Not Applicable.

ENVIRONMENTAL ISSUES

Not Applicable.

RESOURCE ISSUES

Not Applicable.

RISK MANAGEMENT

There are no risk management issues arising from this report which has been prepared in accordance with the statutory requirements.

CONSULTATION

- **Elected Members**
As Elected Members may recall, a report on the draft Annual Financial Statements and draft Audit Report was presented and considered by the Council at its meeting held on 1 November 2021.
- **Community**
Not Applicable.
- **Staff**
Not Applicable.
- **Other Agencies**
Not Applicable.

DISCUSSION

The Council's External Auditors, BDO Advisory (SA) Pty Ltd, have completed the statutory audit of the City of Norwood Payneham & St Peters for the 2020-2021 Financial Year.

As advised at the Council meeting held on 1 November 2021, the External Auditors have issued an unqualified Audit Report on the Annual Financial Statements for the financial year ended 30 June 2021. A copy of the Audit Opinion is contained in **Attachment A**.

In addition to the Audit Report on the Annual Financial Statements, the External Auditors are required to undertake an audit of the internal controls exercised by the Council during the respective financial year in relation to the receipt, expenditure and investment of money, the acquisition and disposal of property and the incurring of liabilities, so that they can form an opinion as to whether the internal controls established by the Council are sufficient to provide reasonable assurance that the financial transactions undertaken by the Council, have been conducted properly and are in accordance with the legislative requirements. A copy of the Internal Controls Audit Opinion is contained in **Attachment B**.

In summary, in the Auditors opinion the Council has complied, in all material aspects, with Section 129(1)(b) of the Act in relation to the internal controls which have been established by the Council relating to the receipt, expenditure and investment of money, the acquisition and disposal of property and the incurring of liabilities.

Pursuant to Section 129 (4) of the Act, the Auditors are required to provide to the Council, in writing, details of any issues that arose from the statutory audit. A copy of the correspondence from the Auditors is contained in **Attachment C**.

OPTIONS

Not Applicable.

CONCLUSION

Nil.

COMMENTS

Nil.

RECOMMENDATION

1. That the Audit Opinion regarding to the 2020-2021 Financial Statements, as contained in **Attachment A**, be received and noted.
 2. That the Audit Opinion on the Council's Internal Controls, as contained in **Attachment B**, be received and noted.
 3. That the Auditor's report to the Council regarding to the 2020-2021 Financial Statements, as contained in **Attachment C**, be received and noted.
-

Cr Duke moved:

1. *That the Audit Opinion regarding to the 2020-2021 Financial Statements, as contained in **Attachment A**, be received and noted.*
2. *That the Audit Opinion on the Council's Internal Controls, as contained in **Attachment B**, be received and noted.*
3. *That the Auditor's report to the Council regarding to the 2020-2021 Financial Statements, as contained in **Attachment C**, be received and noted.*

Seconded by Cr Patterson and carried unanimously.

Section 3 – Governance & General Reports

11.5 LOCAL GOVERNMENT ASSOCIATION (LGA) 2022 ORDINARY GENERAL MEETING – APPOINTMENT OF COUNCIL DELEGATE

REPORT AUTHOR: Acting Chief Executive Officer
GENERAL MANAGER: Not Applicable
CONTACT NUMBER: 8366 4549
FILE REFERENCE: qA2219
ATTACHMENTS: Nil

PURPOSE OF REPORT

The purpose of the report is to advise the Council of the Local Government Association of South Australia's (LGA) 2022 Ordinary General Meeting and the requirement, in accordance with the LGA Constitution, to appoint a Council Delegate to represent the Council and vote at the General Meeting.

BACKGROUND

The Local Government Association (LGA) 2022 Ordinary General Meeting, will be held on Friday 8 April 2022, at the Adelaide Entertainment Centre. The agenda will be issued to all Councils in the near future.

Pursuant to the LGA Constitution, councils are required to appoint a Council Delegate to represent the Council and vote at the LGA General Meeting, if the Council wishes to be represented and have voting rights at the Local Government Association 2022 Ordinary General Meeting. The Council may also appoint a Proxy Delegate in the event the Delegate is unable to attend the Ordinary General Meeting.

A Council Officer cannot be a Delegate, however, they can attend the LGA Ordinary General Meeting.

Traditionally, the Mayor has been appointed as the Delegate for the LGA Ordinary General Meeting.

It is considered appropriate that the Council also appoints a Deputy Council Delegate in the event that the appointed Delegate is unable to attend the Ordinary General Meeting.

RELEVANT POLICIES & STRATEGIC DIRECTIONS

Not Applicable.

RECOMMENDATION

1. That Mayor Robert Bria be appointed as the Council Delegate for the Local Government Association 2022 Ordinary General Meeting.
 2. That Councillor _____ be appointed as the Deputy Council Delegate for the Local Government Association 2022 Ordinary General Meeting.
-

Cr Minney moved:

1. *That Mayor Robert Bria be appointed as the Council Delegate for the Local Government Association 2022 Ordinary General Meeting.*

Seconded by Cr Dottore and carried unanimously.

Cr Patterson moved:

2. *That Councillor Evonne Moore be appointed as the Deputy Council Delegate for the Local Government Association 2022 Ordinary General Meeting.*

Seconded by Cr Duke and carried unanimously.

11.6 LOCAL GOVERNMENT ASSOCIATION (LGA) 2022 ORDINARY GENERAL MEETING – ITEMS OF BUSINESS

REPORT AUTHOR: Acting Chief Executive Officer
GENERAL MANAGER: Not Applicable
CONTACT NUMBER: 8366 4549
FILE REFERENCE: qA2219
ATTACHMENTS: A

PURPOSE OF REPORT

The purpose of the report is to advise the Council of the Local Government Association of South Australia's (LGA) 2022 Ordinary General Meeting and the invitation from the LGA to submit *Items of Business* for consideration at the Ordinary General Meeting.

BACKGROUND

The Local Government Association (LGA) 2022 Ordinary General Meeting, will be held on Friday, 8 April 2022, at the Adelaide Entertainment Centre.

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

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

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

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

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

Pursuant to the LGA Constitution, Councils are invited to submit Items of Business for consideration at the Ordinary General Meeting. Items of Business must be received by Friday, 4 February 2022, if they are to be considered at the 2022 Ordinary General Meeting.

RELEVANT POLICIES & STRATEGIC DIRECTIONS

Not Applicable.

DISCUSSION

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

A copy of the LGA 2021-2025 Strategic Plan is contained within **Attachment A**.

A memorandum, dated 4 December 2021, was forwarded to Elected Members, inviting Members wishing to submit an Item of Business for consideration at the LGA Ordinary General Meeting, to contact the Council's General Manager, Governance & Community Affairs, prior to this Council meeting, for advice and assistance in the formulation of an appropriate Notice of Motion.

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

RECOMMENDATION

That the report be received and noted.

Cr Minney moved:

That the report be received and noted.

Seconded by Cr Sims and carried unanimously.

12. ADOPTION OF COMMITTEE MINUTES

REPORT AUTHOR: Acting Chief Executive Officer
GENERAL MANAGER: Not Applicable
CONTACT NUMBER: 8366 4549
FILE REFERENCE: Not Applicable
ATTACHMENTS: A

PURPOSE OF REPORT

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

- Traffic Management & Road Safety Committee – (21 December 2021)
(A copy of the Minutes of the Traffic Management & Road Safety Committee meeting is contained within **Attachment A**)

ADOPTION OF COMMITTEE MINUTES

- **Traffic Management & Road Safety Committee**

That the minutes of the meeting of the Traffic Management & Road Safety Committee held on 21 December 2021, be received and noted.

Cr Duke moved:

That the minutes of the meeting of the Traffic Management & Road Safety Committee held on 21 December 2021, be received and noted and amended as follows:

Item 3.1 Petition – Felixstow Traffic Management Issues

Cr Dottore moved:

1. *That the Committee endorses the following approach to address the concerns outlined in the Petition:*
 - a. *Staff will undertake detailed design investigations to confirm that the series of T-junction rearrangements in Langman Grove, as depicted on the plans contained in Attachment D, are feasible. If feasibility is confirmed, the funding required to install the devices will be sought as part of the Council's third quarter budget review for 2021-2022 so as to enable the devices to be installed in conjunction with the finalisation of roadworks in Langman Grove, as soon as possible.*
 - b. *Investigate the feasibility of implementing a 40km/h area-wide speed limit in the residential streets of Felixstow and Marden, bound by the River Torrens, Wicks Avenue, Payneham Road and Lower Portrush Road, as depicted in Attachment E, following the Council's final consideration of an area-wide speed limit of 40km/h for Kent Town and Norwood and the area bound by the River Torrens, Hackney Road, Payneham Road and Lower Portrush Road.*
2. *That the Committee notes that the need for additional traffic management in Briar Road and Turner Street will be assessed after an evaluation of the works set-out in part 2, above, has been undertaken.*
3. *That the petitioners be informed of the Committee's decision, noting that community consultation with the petitioners and other residents and other stakeholders affected by the implementation of Part 1 (a), will be undertaken when further design feasibility is confirmed.*

Seconded by Mr Nick Meredith and carried.

Seconded by Cr Patterson and carried unanimously.

13. OTHER BUSINESS
(Of an urgent nature only)

13.1 Personal Explanation – Mayor Robert Bria – Article Written by Cr Fay Patterson

Mayor Bria sought leave of the meeting to make a Personal Explanation in relation to an article written by Cr Fay Patterson.

The meeting granted leave for Mayor Bria to make a Personal Explanation.

Cr Duke moved:

That Mayor Bria's Personal Explanation be recorded in the minutes in its entirety.

Seconded by Cr Sims and carried unanimously.

Mayor Robert Bria's Personal Explanation

I wish to make clear some key points in relation to an article which was written by Cr Fay Patterson and published in the Adelaide East Herald newspaper on 23 December 2021.

In the article, Cr Patterson refers to her Christmas Message which appeared in the December 2021 edition of 'Look East.'

Unfortunately, in my opinion, there has been a serious misrepresentation of events and interactions between Cr Patterson, myself and the Council administration and I would like to correct the record.

Cr Patterson submitted to Look East a Christmas Message that contained very personal details about suicide and depression.

The Message was brought to my attention and I rang Cr Patterson on 5 November 2021 to check – most importantly – if she was ok and to also offer my support.

I also impressed on Cr Patterson that she had not breached any guidelines and offered her the opportunity to reflect on the contents of her Message before 'Look East' went to print.'

However, at no stage during our conversation did I make any reference to how her Message would present her publicly.

My recollection of our conversation is that I asked Cr Patterson if she was ok and she thanked me for my concern.

Regrettably, there is no mention of this exchange in Cr Patterson's article.

In my considered opinion, this omission portrayed me as lacking sympathy sensitivity in regards to her personal circumstances, and the issues of depression and mental health more generally.

I understand that mental health and depression are issues that should be discussed widely and publicly.

To that end, I can confirm to the Council that Cr Patterson's Message appeared in the December 2021 edition of 'Look East' exactly as she presented it to staff without any edits.

In conclusion, I am saddened that my actions, which were undertaken in good faith and only with Cr Patterson's health, safety and well-being in mind, have been misrepresented by her in the media.

The fact this article appeared in the East Adelaide Herald only seven days after mother was laid to rest is particularly hurtful.

In this regard, I am deeply disappointed that I feel the need to defend myself against this serious misrepresentation by way of a Personal Explanation.

I request that the Council accepts my Personal Explanation in full.

14. CONFIDENTIAL REPORTS

14.1 RE-APPOINTMENT OF MEMBERS TO THE EASTERN REGION ALLIANCE (ERA) WATER AUDIT COMMITTEE

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 re-appointment of members to the Eastern Region Alliance (ERA) Water Audit Committee is made.

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, 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 Sims and carried.

Cr Knoblauch 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 re-appointment of members to the Eastern Region Alliance (ERA) Water Audit Committee is made.

Seconded by Cr Stock and carried.

14.2 RE-APPOINTMENT OF INDEPENDENT CHAIRPERSON – EAST WASTE

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 re-appointment of Independent Chairperson of the Board of the Eastern Waste Management Authority Inc. is made.

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, 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 Stock and carried.

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 re-appointment of Independent Chairperson of the Board of the Eastern Waste Management Authority Inc. is made.

Seconded by Cr Dottore and carried unanimously.

14.3 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 Council staff present, be excluded from the meeting on the basis that the Council will receive, discuss and consider:

- (g) matters that must be considered in confidence in order to ensure that the Council does not breach any duty of confidence;

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, discussion and minutes be kept confidential until the announcements have been made.

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, be excluded from the meeting on the basis that the Council will receive, discuss and consider:

- (g) matters that must be considered in confidence in order to ensure that the Council does not breach any duty of confidence;*

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 Paterson moved:

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

Seconded by Cr Callisto and carried unanimously.

14.4 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 Council staff present, 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.

RECOMMENDATION 2

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

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, 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 Duke and carried unanimously.

Cr Minney moved:

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

Seconded by Cr Sims and carried unanimously.

15. CLOSURE

There being no further business, the Mayor declared the meeting closed at 8.46pm.

Mayor Robert Bria

Minutes Confirmed on _____
(date)