

Council Meeting Agenda & Reports

5 September 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.*

City of Norwood Payneham & St Peters
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City of
Norwood
Payneham
& St Peters

1 September 2022

To all Members of the Council

NOTICE OF MEETING

I wish to advise that pursuant to Sections 83 and 87 of the *Local Government Act 1999*, the next Ordinary Meeting of the Norwood Payneham & St Peters Council, will be held in the Council Chambers, Norwood Town Hall, 175 The Parade, Norwood, on:

Monday 5 September 2022, commencing at 7.00pm.

Please advise Tina Zullo on 8366 4545 or email tzullo@npsp.sa.gov.au, if you are unable to attend this meeting or will be late.

Yours faithfully



Mario Barone
CHIEF EXECUTIVE OFFICER

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City of
**Norwood
Payneham
& St Peters**

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VENUE Council Chambers, Norwood Town Hall

HOUR

PRESENT

Council Members

Staff

APOLOGIES

ABSENT

1. **KAURNA ACKNOWLEDGEMENT**
2. **OPENING PRAYER**
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4. **MAYOR'S COMMUNICATION**
5. **DELEGATES COMMUNICATION**
6. **QUESTIONS WITHOUT NOTICE**
7. **QUESTIONS WITH NOTICE**
Nil
8. **DEPUTATIONS**
Nil
9. **PETITIONS**
Nil
10. **WRITTEN NOTICES OF MOTION**

10.1 BUILT HERITAGE STRATEGY – SUBMITTED BY CR CHRISTEL MEX

NOTICE OF MOTION: Built Heritage Strategy
SUBMITTED BY: Cr Christel Mex
FILE REFERENCE: qA1039 qA88791
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 Christel Mex.

NOTICE OF MOTION

1. That staff prepare a report on the feasibility of the Council preparing a Planning & Design Code Amendment that would better protect the historic character of The Parade, and
2. That the report investigates the setting of lower building heights, larger setbacks and other policy instruments that would ensure that the human scale and High Street appearance of The Parade can be maintained, while at the same time allowing for appropriate commercial and residential development to occur.

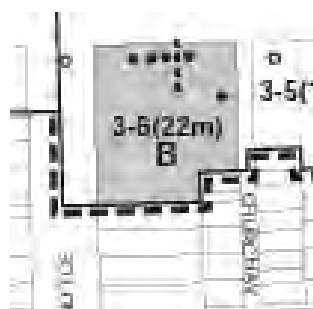
REASONS IN SUPPORT OF MOTION

In light of the Council's adoption of a draft Built Heritage Strategy, and the recent approval by the State Commission Assessment Panel (SCAP) of a very large and controversial development at 120 The Parade Norwood, it is timely that Council requests a Code Amendment to ensure that the historic character of The Parade is maintained.

The new development at 120 The Parade may comply with new height limits set out in the State Government's Planning & Design Code, but it has raised significant community concerns about its excessive bulk and scale and adverse impacts on residential amenity. The current Planning Code required only a minimal two-metre setback above the street podium, which is manifestly inadequate to minimise the apparent bulk and scale of the multi-storey apartment development behind the shops. A Code Amendment may be able to enforce larger setbacks and the six-storey limit contained in Council's former Development Plan.

Building heights

The eight-storey limit for the development at 120 The Parade was enabled by policy changes introduced in 2021 by the State Government via the introduction of the Planning & Design Code, which represents a departure from a far more nuanced design approach and policy framework contained in Council's former Development Plan that required that any new development on the consolidated site include a maximum building height in the range of 3-6 storeys (see extract below). Accompanying policy stated that to maintain the integrity of Heritage Places, this may reduce the ability to achieve the maximum height limit.



The Planning and Design Code has translated this to a six-storey height maximum and then added the Significant Development Sites (large sites over 1500m²) provision which allows a 30% height "bonus" if you meet certain criteria including retaining a Local Heritage Place, which applies in this instance and was a policy requirement anyway. This bonus height policy applies at Zone level – meaning it's the same everywhere for all Urban Corridor (Main Street) Zones and several other zones. Our Council strongly opposed this in our lead up to the Code's implementation but were overruled by the State Government.

Setbacks

The Code (and Council's previous Development Plan) sought a zero-minimal front setback at street level to maintain traditional main street pattern.

Our Development Plan required an upper-level setback of six metres behind the lower building levels. Arguably, however, a developer would have also applied the Development Plan policies around siting above a Local Heritage Place, which may have resulted in a greater setback. The Planning and Design Code reduced this to a minimal and ineffective two-metre upper-level setback above the defined podium or street wall.

A Code Amendment would be the mechanism to achieve enforcement of these design parameters and to revert to the heights and setback requirements contained in the Council's former Development Plan (eg. a six-storey maximum with no height "bonus" and six-metre upper level building setback). This would be proposed through a Sub-Zone to alter these policy settings that otherwise apply state-wide at the Zone level.

Summary

The Council made representations to the SCAP to oppose the eight-storey application at 120 The Parade on the grounds of excessive bulk and scale. Council's planning staff and heritage architect stated the following in our submission to SCAP:

"The bulk and scale of the proposed building completely ignores its context. The Parade is a fine-grained street developed over time with small to moderate sized buildings. There is nothing of this scale in a single building anywhere near this site in Norwood. The attempt at articulating the façade with different balconies, materials and finishes partially assists with breaking down the form visually at close inspection, but the building is over 60m long making it the longest single building facing the Parade. With that size structure sitting over the small-scale Local Heritage items, the scale imbalance is considerable and has a significant impact on the setting of the Local Heritage Places. The shop buildings are reduced to virtually facades only with minimal side wall returns, which is only highlighted by the minimal setback of the building above. The minor façade articulations that appear on the plan do nothing to break down the scale of the proposed structure."

"Buildings sensitively frame the main street and public spaces, provide overall visual relief from building height and mass, and maintain a human scale for pedestrians."

"There is nothing human scale about this development. Further developments of this scale, height and bulk threaten the human scale of this important historic shopping street."

The undermining of height limits for The Parade after community consultation is a grave concern. We are in a race against time to protect the character of The Parade. Without a Code Amendment in place, we risk more imposing towers taking over The Parade, our precious High Street.

STAFF COMMENT PREPARED BY SENIOR URBAN PLANNER

A report, as requested, can be provided to the Council.

11. STAFF REPORTS

Section 1 – Strategy & Policy

Reports

11.1 BUILT HERITAGE STRATEGY

REPORT AUTHOR: Senior Urban Planner
GENERAL MANAGER: Urban Planning & Environment
CONTACT NUMBER: 8366 4561
FILE REFERENCE: qA88791
ATTACHMENTS: A - C

PURPOSE OF REPORT

The purpose of this report is to advise the Council of the results of the community consultation and engagement on the *Draft Built Heritage Strategy* and to present the final *Built Heritage Strategy* for consideration and endorsement. The final version of the *Built Heritage Strategy* is contained in **Attachment A**.

BACKGROUND

At its meeting held on 4 July 2022, the Council resolved to release the *Draft Built Heritage Strategy* for community consultation. The consultation was undertaken for a period of three (3) weeks, commencing on Monday 11 July 2022 and concluding on Friday 29 July 2022.

In response to the consultation, a total of ten (10) submissions have been received. These submissions have been reviewed, summarised and a recommended response provided for the Council's consideration. The summary of submissions is contained in **Attachment B** and a full copy of the submissions is contained in **Attachment C**.

Amendments have been made to the draft Strategy to address the relevant issues which have been raised in the submissions and to provide clarification or expansion on the proposed actions and initiatives, with an additional section included to provide additional detail on how outcomes resulting from the Strategy will be measured and reported. Other amendments have been made which are generally editorial in nature. The revised version of the Strategy is contained in **Attachment A**.

RELEVANT STRATEGIC DIRECTIONS & POLICIES

Outcome 2: Cultural Vitality

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

Objective

2.2 A community embracing and celebrating its social and cultural diversity

2.3 A City which values and promotes its rich cultural and built heritage

2.4 Pleasant, well designed, and sustainable urban environments

FINANCIAL AND BUDGET IMPLICATIONS

The Council has allocated a budget of \$70,000 for work associated with *Heritage Protection Opportunities*, which includes the preparation of a *Built Heritage Strategy* to provide the overarching direction and framework for these activities. The costs associated to date with the *Built Heritage Strategy* include the production of consultation material and partial outsourcing of graphic production, totalling in the order of \$3000.

EXTERNAL ECONOMIC IMPLICATIONS

Although some of the proposed actions in the Strategy may have external economic implications when implemented, the development of the Strategy itself is not expected to result in direct external economic impacts as the Strategy does not propose changes to any specific property or area.

SOCIAL ISSUES

Heritage conservation is and perhaps will always be, a sensitive and at times controversial issue. By its nature, it evokes differences of opinion of conservation versus development and the rights of property owners. Whilst there is no doubt that heritage listed places generate benefits to the community in the way in which they are utilised and maintained, there is also a potential for heritage places to generate intrinsic and cultural value to individuals as well as communities.

CULTURAL ISSUES

The Council's role in supporting the retention of buildings and places of heritage value strongly aligns with one of the key objectives of the Council and the community, which is to protect and enhance the City's valued built form and character.

As discussed in this report, the Strategy focuses on Built Heritage as recognised in the planning system. There are many opinions and views regarding built heritage – ranging from the total removal of built heritage from the planning system through to listing every building built prior to 1940 irrespective of whether the buildings meet the required criteria for heritage listing. As such, the Council has taken the logical position of focusing on built heritage as recognised in the planning system. The scope does not extend to other forms of heritage, such as intangible cultural heritage, indigenous heritage, or natural heritage.

ENVIRONMENTAL ISSUES

Not Applicable.

RESOURCE ISSUES

The Strategy has been prepared, released for consultation, and revised using existing staff resources, with the exception of graphic production which has been partially outsourced.

RISK MANAGEMENT

There are no legislative risks associated with this matter. However, the risks of not proceeding with a sound framework to address heritage protection initiatives, may include the demolition of currently un-listed buildings which have historic value, lack of support for owners of heritage properties and an associated sense of dissatisfaction with the Council and lack of awareness of the value of heritage protection amongst the community. The endorsement of a *Built Heritage Strategy* is a useful tool for the purposes of setting out the Council's priorities for heritage protection initiatives and communicating these priorities to the community.

Notwithstanding the strong support for heritage conservation amongst many members of the community, it remains a sensitive and often divisive issue, particularly where property owners feel their rights may be, or are being, compromised or where there is disagreement as to what buildings warrant heritage protection. The risk associated with producing a *Built Heritage Strategy* is that not all members of the community will agree or support the actions proposed. The undertaking of community consultation which sought feedback from the community on all aspects of the draft Strategy has sought to mitigate this risk by providing the community with the opportunity to make a submission. This risk will be further mitigated through undertaking community consultation on any proposed changes through the planning system.

COVID-19 IMPLICATIONS

COVID-19 implications have not affected the development of the Strategy or associated community consultation.

CONSULTATION

- **Elected Members**

The *Built Heritage Strategy* has been prepared in accordance with the resolutions made by the Council on 7 February 2022, 7 March 2022 and 4 July 2022 and some of the actions in the Strategy have been informed by other previous Council resolutions relating to built heritage.

- **Community**

Community consultation was conducted over a period of three (3) weeks from Monday 11 July 2022 to Friday 29 July 2022.

The Draft Strategy was promoted via:

- the Council's online platforms (website, social media, and Your NPSP Newsletter);
- promotional material and copies of the Draft Strategy at the libraries and Norwood Town Hall;
- public notice and feature article in the Adelaide East Herald;
- notification sent to relevant community groups including residents' associations and the National Trust
- promotional poster on Osmond Terrace

- **Staff**

General Manager, Urban Planning & Environment
General Manager, Governance and Community Affairs
Manager, Urban Planning & Sustainability

- **Other Agencies**

Nil

DISCUSSION

Purpose and Scope of the Strategy

The Strategy is an overarching strategic document which outlines the Council's approach to protecting, managing and promoting built heritage over a five (5) year period. The document provides a strategic framework for undertaking heritage protection projects in the future, particularly in prioritising *Planning and Design Code* Amendments. In addition to providing a strategic framework for the Council, the document communicates and promotes to the community what the Council values about built heritage, its past achievements, opportunities and challenges, and future goals. This level of communication is particularly valuable for the community given the current community and media interest in preserving built heritage due to the pace of redevelopment which is occurring.

As set out above, the scope of the Strategy is limited to built heritage as recognised in the planning framework under the *Planning, Development and Infrastructure Act 2016* and the *Heritage Places Act 1993* including:

- State Heritage Places
- Local Heritage Places
- Representative Buildings (formerly referred to as Contributory Items)
- Buildings and Streetscapes within the Historic Area Overlay
- Buildings, places and areas which are being considered for inclusion in one of the above categories

It is acknowledged that Built Heritage is only one element of the broader cultural heritage of the City. Other elements include (but are not limited to) cultural heritage, indigenous heritage and natural heritage, however these are not built heritage so are outside the scope of this Strategy.

The key feature of the Strategy is the proposed initiatives and actions, which are categorised under the following four themes:

- *Celebrate, Promote and Support* - celebrating and promoting the value of built heritage and supporting owners of heritage properties
- *Protect* - maintaining and strengthening heritage protections

- *Advise, Influence and Advocate* - advocating and influencing good heritage outcomes in legislation and policy, and providing information and advice to the community
- *Lead by Example* - protecting and promoting heritage buildings and historic public realm features which are under the care and control of the Council

The initiatives and actions are varied and include a range of activities such as undertaking and advocating for amendments to the *Planning and Design Code* which seek to introduce or strengthen protection of heritage buildings, the provision of heritage and development advice to owners and the integration of heritage buildings as part of The Parade Masterplan. Some of these actions reflect existing services or initiatives which are already offered by the Council or endorsed through decisions which are made by the Council from time to time. The purpose of including these current actions is to demonstrate the full suite of heritage initiatives (both existing and proposed) undertaken by the Council.

The Strategy also provides supporting and contextual information such as a brief history of urban development in the City, the strategic context of the Strategy within the planning system and an explanation of different types of heritage protection. The Strategy has been developed as a relatively succinct document to ensure it is accessible to the broader community. The Strategy does not spatially identify locations and areas which are likely to be the subject of future Code Amendments (e.g. new heritage listings) as the priority locations and areas will need to be scoped and investigated as part of the Code Amendment process, noting that future Code Amendments may initially be considered by Council in confidence until the information is ready for public release.

Consultation Responses

In response to the community consultation, ten (10) submissions have been received including eight (8) submissions from individuals and two (2) submissions from organisations. The submissions are included as **Attachment C** and are summarised below:

Support for heritage protection and the development of a Strategy

All submissions indicated general support for heritage protection. The majority of submissions supported the retention of heritage buildings and historic areas, particularly in light of current development pressures and outcomes. Two (2) submissions recognised the environmental benefits of the retention of heritage buildings as part of sustainable urban development. Several also supported the promotion and protection of heritage being formalised through a Strategy.

Identified gaps or recommendations for additional actions in the Strategy

Various submissions suggested additional actions or initiatives be included in the Strategy including:

- the Strategy should be amended to support additional heritage protection or planning controls for specific eras, areas or sites – (eg. mid-century architecture, un-listed pre-World War 1 buildings outside of historic areas, historic area protections for Norwood and Maylands, heritage protection for Dr Kent's Paddock, planning controls for all pre-World War 2 buildings);
- additional direct assistance for property owners, particularly a grant scheme or other financial assistance;
- identification of Representative Buildings (formerly known as Contributory Items) in Kent Town;
- increased community involvement in heritage initiatives including educating students, sourcing photographs and documenting verbal histories;
- additional plaques should be installed as part of the Heritage Plaques Program or alternative methods of identifying heritage buildings in the streetscape;
- the Strategy should reference existing loss of valuable buildings, not just the risk of losing buildings;
- additional material should be produced providing information on the history of particular streets;
- the Strategy should include more new actions and initiatives (ie. in addition to existing initiatives undertaken by the Council); and
- include reference to *the Twentieth-Century Historic Framework (2021)* in lieu of Burra Charter as guiding principle.

Additional text has been included in the revised Strategy in response to some of the above suggestions. Some suggestions were considered too detailed for a high-level Strategy and have not resulted in specific changes. In these instances, a response or explanation statement has been provided in the summary of submissions contained in **Attachment B**. Some suggestions were outside the scope of the Strategy as they do not relate to built heritage as recognised in the planning system.

Some submissions raised concerns about the limited scope, lack of specificity in actions / initiatives, or lack of clarity in the Strategy. Suggestions include additional specification for project priorities, resource allocation, defined timelines and reportable measurables. In response to this feedback, an additional section titled '*What does success look like*' has been included in the Strategy which articulates that the actual measurables and way of reporting on initiatives may vary, but details that reports will be provided to Council on an annual basis, documenting the progress and outcomes of the actions and initiatives.

Additional text has also been added to the section relating to the scope and aim of the Strategy to provide greater clarity on the purpose and intended effect of the Strategy. Responses in the summary of submissions further articulate that as the Strategy is intended to be used a strategic framework over a five (5) year period, it is not possible to provide more specific details on some projects at this stage.

Amendments Post-Consultation

A summary of the specific amendments made to the *Built Heritage Strategy* is outlined below:

- *Mayor's Message* has been amended to acknowledge that some un-listed buildings of value have been demolished, to articulate that it is not just a perceived threat that un-listed buildings could be lost;
- additional text has been added to the *Scope and Aim of this Strategy* to clarify the intended purpose, effect and scope of the Strategy;
- addition of relevant State Planning Policies under *Strategic Context*;
- addition of reference to community survey response regarding the value of preserving heritage in the *Timeline of the Council's Heritage Initiatives*;
- numbering of actions and initiatives for easier reference;
- recognition of environmental benefits of retention and re-use of buildings in *Initiative 1.1.4*;
- recognition in *Initiative 1.3.1* that the Council's Cultural Heritage program provides educational opportunities relating to heritage for students;

- slight re-wording of *Initiative 2.2.1* to indicate that in addition to seeking an amendment to the application of Historic Area Overlay, the future *Planning and Design Code* Amendment could also seek to apply the Local Heritage Place Overlay to any buildings which may be identified in the process as being worthy of listing as Local Heritage Places (subject to approval from the Minister for Planning);
- addition of *What Does Success Look Like* section under *Building on Strong Foundations*; and
- various minor editorial amendments and changes to photographs and graphics.

OPTIONS

The Council has the following options in respect to considering the responses to consultation and the revised *Built Heritage Strategy*.

Option 1 – endorse the Strategy for publication

The Council could determine to endorse the Strategy, incorporating the suggested amendments made in response to community consultation, as outlined in this report, ready for publication and implementation.

This option is recommended.

Option 2 – endorse the Strategy with further, more substantial, amendments prior to publication.

This option is not recommended as there was general community support for the Strategy and its associated actions and initiatives.

CONCLUSION

The development of a *Built Heritage Strategy* provides an opportunity for the Council to identify the value that built heritage makes to the City and to prioritise resources and expenditure as part of its program of actions over the coming five-year period. The Strategy also allows for a greater level of transparency for the community to understand the Council's priorities and current and proposed actions and initiatives which the Council is already, and proposes to, undertake. Community consultation has enabled the community to review and provide feedback on the draft Strategy, and this feedback has been considered in the subsequent revisions to the document.

COMMENTS

Nil

RECOMMENDATION

1. That the *Built Heritage Strategy*, as contained in **Attachment A**, be endorsed as being suitable for publication and operation.
2. That the Chief Executive Officer be authorised to make any necessary minor amendments to finalise the Strategy prior to publication.

Attachments – Item 11.1

Attachment A

Built Heritage Strategy

City of Norwood Payneham & St Peters
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City of
**Norwood
Payneham
& St Peters**



Built Heritage Strategy

2022–2027



City of
Norwood
Payneham
& St Peters

Kurna Acknowledgement

The City of Norwood Payneham & St Peters acknowledges that this land is the traditional land of the Kurna people and that we respect their spiritual connection with their country.

We also acknowledge the Kurna people as the custodians of the greater Adelaide region and that their cultural and heritage beliefs are still important to the living Kurna people today.



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Mayor's Message



The City of Norwood Payneham & St Peters is home to some of the most stunning heritage buildings in South Australia.

People who live and visit our City universally acknowledge the high quality of our built heritage and the contribution it makes to the history of our State, as well as the value it provides to local streetscapes and how it defines our City.

From the majestic Norwood Town Hall on The Parade, to the bluestone villas in the tree-lined avenues of St Peters, to single-fronted workers' cottages in Stepney and iconic shops such as the former Mario's Store at the Glynde Corner, our City's history, culture and community has been shaped and influenced by its built heritage.

Over the past three decades, the Council, in partnership with the community, has been committed to recognising this heritage and increasing the level of protection of historic buildings that are important to our City which began with three separate entities in the mid-to-late 19th century.

This effort has resulted in 73 State Heritage Listed properties, 661 Local Heritage Listed properties and more

than 1464 Representative Buildings (formerly known as Contributory Items) in our City, representing approximately 10 percent of the local housing stock.

In recent times, changes to planning laws in South Australia, combined with increased development pressures within inner urban suburbs has increased the urgency for the Council to reduce the risk of seeing the character of its suburbs potentially changing forever, particularly in areas where a number of valuable buildings have been demolished in recent years.

This dynamic environment has led the Council to review and renew its efforts to protect its local built heritage.

This is particularly important where there is a real risk of losing historical homes and buildings — the very structures that define our City.

With this in mind, the Council has developed its first ever Built Heritage Strategy for the City of Norwood Payneham & St Peters.

The Strategy is designed to ensure the community can look to the future with greater confidence, certainty and clarity about the Council's work in this area, based on a clear framework with short, long-term and ongoing actions.

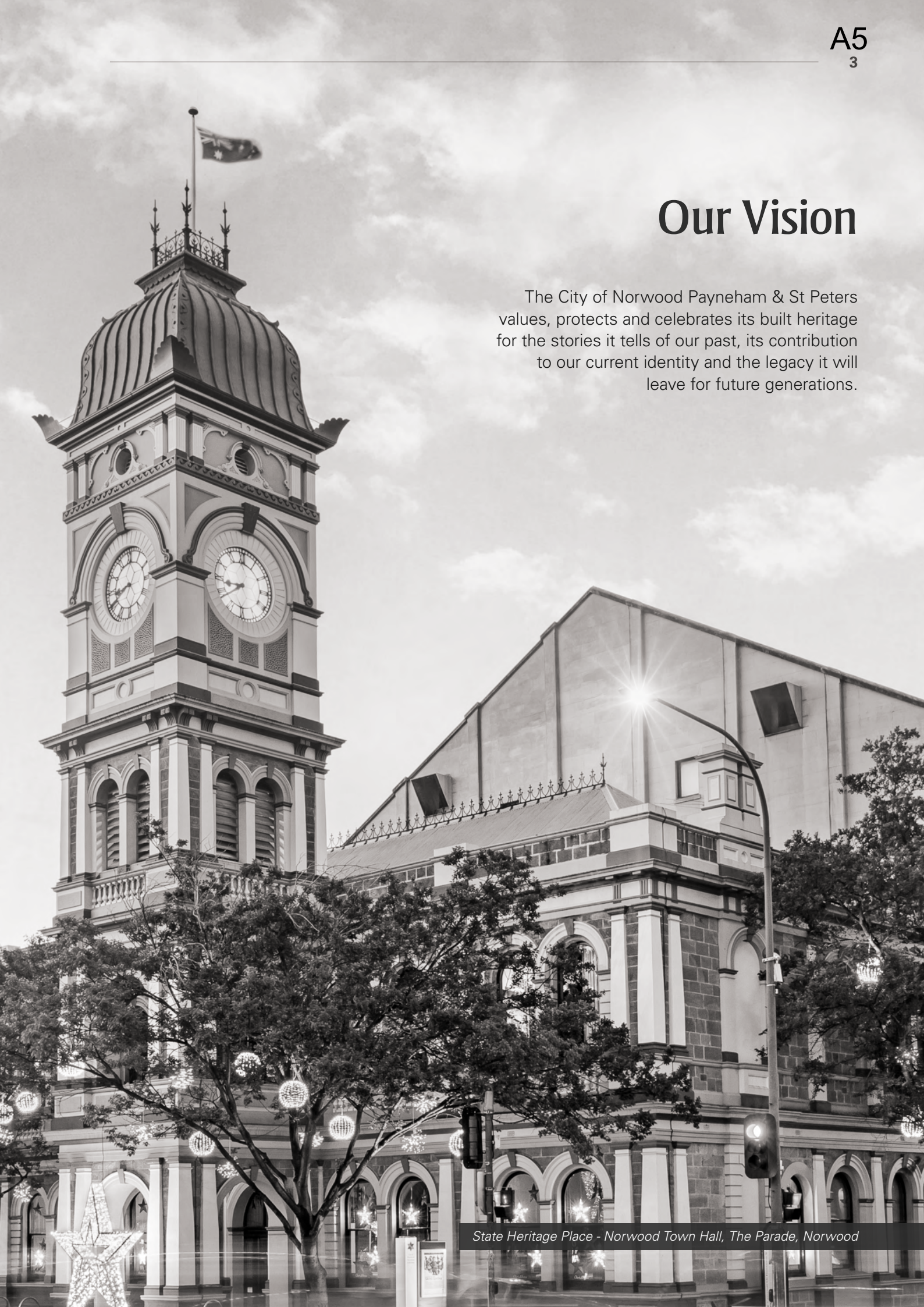
The City of Norwood Payneham & St Peters is committed to conserving its built heritage for current and future generations and invites the local community and other key stakeholders to join us in that important agenda.

Robert Bria
Mayor



Our Vision

The City of Norwood Payneham & St Peters values, protects and celebrates its built heritage for the stories it tells of our past, its contribution to our current identity and the legacy it will leave for future generations.



State Heritage Place - Norwood Town Hall, The Parade, Norwood

Scope and Aim of this Strategy

This Strategy is applicable to all elements of built heritage as recognised in the *Planning Development & Infrastructure Act 2016, Heritage Places Act 1993* and the *Planning & Design Code*, including:

- State Heritage Places
- Local Heritage Places
- Representative Buildings (formerly known as Contributory Items)
- Buildings and streetscapes within the Historic Area Overlay
- Buildings, places and areas which are being considered for inclusion in one of the above categories

This Strategy builds upon the strong legacy of a Council that values its rich built heritage and sets out the Council's desired outcomes and intended actions for the next five years, to ensure that the City's built heritage continues to be valued and protected. Some of the proposed actions will be ongoing and extend beyond the timeframe of this Strategy (i.e. 2027). Progress of the actions will be reported annually and the Strategy will be reviewed after five years, to reassess the priorities, particularly as the State's legislative or policy frameworks change.

In addition to setting out the strategic direction of the Council's heritage actions and initiatives, the Strategy intends to publicly express what the Council values and recognises with respect to built heritage and provide information to the community regarding heritage and historic area protection in the context of the State's planning framework.

The aim of this Strategy is to provide a clear framework for guiding the Council's actions, resources and budget to achieve the following outcomes:

Celebrate, Promote and Support Built Heritage

Celebrate and promote the City's built heritage and the contribution which it makes to the cultural identity, community sense of place, amenity and economy of the City of Norwood Payneham & St Peters.

Protect Built Heritage

Ensure the retention and conservation of heritage buildings and historic areas, while allowing these buildings to meet modern needs through ongoing and adaptive reuse and sensitive and appropriate new developments.

Advise, Influence and Advocate for Built Heritage

Collaborate, inform and build positive relationships with all stakeholders involved in managing built heritage.

Advocate for, contribute to and participate in a strong and transparent planning system which supports clear and comprehensive policies for built heritage protection.

Lead by Example on Built Heritage

Lead by example through protecting and honouring buildings, streetscapes and assets under the care and control of the Council.

What we value

Built heritage comes in various forms, all of which are valued by the Council, including:



Landmark Buildings

Buildings which are a key feature of the local area that are easily seen and recognised. Many of these buildings have played a significant role in the development of the community, such as the St Peters Town Hall.



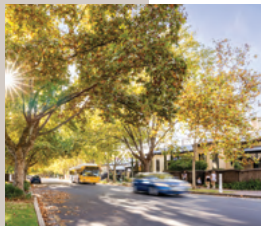
Everyday Life Buildings

Buildings which represent everyday life of members of the community throughout history, such as humble workers' cottages, grand villas and local corner shops.



Notable Buildings

Buildings which represent notable architectural styles and eras, people or events. Protecting these buildings assists in conserving the stories of the past.



Historic Streetscapes and Areas

Historic streetscapes are a highly valued feature of the Council area. Historic area planning policy allows for the protection of buildings which, although individually may not meet heritage place criteria, collectively contribute to the historic character of the area.



Unique Structures and Places

Heritage is not limited to cottages, churches and town halls. It is also important to protect unique structures and places, such as the Koster Park Kiln.

Strategic Context

A key challenge for the Council is balancing the protection of heritage buildings and historic areas from demolition, with projected population growth, changing community needs and the associated development pressures resulting from these factors.

This requires careful consideration of the buildings and areas that warrant protection, the areas where sensitive infill development can occur and how this can be achieved through planning policy and zoning. In managing and assessing development, which could affect heritage and historic areas, the Council is guided by five key strategic documents.

City Plan 2030: Shaping Our Future

The Council's priorities are outlined in its Strategic Management Plan, *CityPlan 2030: Shaping Our Future*, and includes strategies specifically relevant to the protection of built heritage.

Objective 2.2 A community embracing and celebrating its social and cultural diversity

2.2.3 Promote understanding of, and respect for, our cultures and heritage.

Objective 2.3 A City which values and promotes its rich cultural and built heritage

2.3.1 Protect and enhance places, streetscapes, precincts and landmarks which reflect the built and cultural history of our City.

2.3.2 Reflect our City's history through cultural heritage programs and initiatives.

2.3.3 Promote the value of heritage protection.

Objective 2.4 Pleasant, well designed, and sustainable urban environments

2.4.1 Encourage development that complements our City's built heritage and character areas.

The conservation of heritage buildings is also guided by:

The Burra Charter

A document published by the Australian International Council on Monuments and Sites which outlines theory and leading practices associated with heritage management.

State Planning Policies

The highest level of policy in the South Australian planning system, outlining the economic, environmental and social planning priorities for South Australia. The two State planning policies most relevant to this Strategy are:

- **State Planning Policy 3: Adaptive Reuse**
The adaptive reuse of existing buildings that enhance areas of cultural or heritage value, capitalise on existing investment and/or contribute to vibrant and livable places.
- **State Planning Policy 7: Cultural Heritage**
To protect and conserve heritage places and areas for the benefit of our present and future generations.

30 Year Plan for Greater Adelaide

The Regional Plan for Greater Adelaide which sets out the plan for how Adelaide should grow to become more liveable, competitive and sustainable.

State Planning and Design Code

The Code provides the planning policy used in the assessment of development applications under the *Planning, Development and Infrastructure Act 2016*. It has replaced the 72 former Council Development Plans.

Preserving our Historic Legacy



The management of built heritage has long been of importance to the City of Norwood Payneham & St Peters.

The City of Norwood Payneham & St Peters was formed in November 1997, unifying the three former local government areas of City of Kensington and Norwood, the City of Payneham and the Town of St Peters. Each of these original jurisdictions evolved from land first purchased in early colonial settlement during the 1830s,

represented in building styles from simple workers' cottages to grand mansions. In areas close to the City (in parts of former St Peters and Kensington and Norwood local government areas) land was subdivided for residential settlement while large land holdings around Payneham were used mainly for agricultural purposes and market gardening, with residential subdivision not occurring until much later in the 1880s. A common theme, reflected in the buildings of the time,

was the construction of important places of community gathering (be it churches or community buildings), along with produce growing, flour mills and other factories.

The influence of the horse drawn tram, established in the 1870s, can be seen in all three councils, but particularly in Payneham and St Peters where settlement patterns intensified around these important transit routes.

The legacy of the East Adelaide Investment Company remains today



St Peters Town Hall, St Peters, State Heritage Place

with the layout of St Peters' 'Avenues' and the construction of stone villas in the 1880s, often in groups of similar style buildings, resulting in a strong architectural consistency.

At the turn of the century, infill development occurred in existing suburbs and included new buildings styles such as Arts and Crafts. Development after World War 1 expanded the pattern of settlement into Stepney, Joslin, Maylands and Evandale. The subsequent period of post-World War 2 migration resulted in a population boom in Kensington and Norwood with the arrival of migrants

from southern Europe. This era also saw substantial development of previously vacant or agricultural land in Payneham.

These communities share a rich common history and today come together as the City of Norwood Payneham & St Peters, with its main administration centre of the Norwood Town Hall, a State Heritage listed building, constructed in 1883.

As a result of this development over time, the Council contains a rich and varied heritage character and

in recognition of this, the City of Norwood Payneham & St Peters is the only Local Government Authority in South Australia, and one of only three in Australia, which has been admitted as a member of the International League of Historical Cities; an organisation which aims to strengthen affiliations between historic cities to exchange knowledge and experience. This heritage character has been preserved through conscious efforts in identifying and protecting buildings and places through planning controls.

Regulatory Framework for Buildings of Heritage Value in South Australia

The planning framework in South Australia contains different types of heritage places, historic area protections and different governance and assessment pathways.

The City of Norwood Payneham & St Peters area proudly contains:

- 73 State Heritage Places
- 661 Local Heritage Places
- 1464 Representative Buildings (formerly referred to as Contributory Items)
- Historic Area Overlay (formerly Historic (Conservation) Zone) applying to 25 areas

The identification of these places and areas has evolved over time under various planning legislation and policy frameworks. As such, there is some variation in the nature and number of heritage properties which have been identified in different areas across the City of Norwood Payneham & St Peters.



Norwood Town Hall

State Heritage Place

Governance

State Government
Heritage SA
South Australian Heritage Council

Regulatory Tool

Heritage Places Act 1993
Planning, Development and Infrastructure Act 2016

What is a State Heritage Place?

A place entered in the South Australian Heritage Register which reflects important aspects of South Australia's history and culture.

Places recommended for State Heritage listing must satisfy one or more of the criteria set out under Section 16 of the *Heritage Places Act 1993*.

State Heritage Places are given statutory protection under both the *Heritage Place Act 1993* and the *Planning, Development and Infrastructure Act 2016*. Development controls extend to anything which may materially affect a State Heritage Place.



St Peters Soldiers Memorial



Norwood Historic Area Overlay

Local Heritage Place

Governance

Local Government
City of Norwood Payneham & St Peters

Regulatory Tool

Planning and Design Code operating under the
Planning, Development and Infrastructure Act 2016

What is a Local Heritage Place?

A place that is designated in the Planning and Design Code (and formerly the Development Plan), which is considered to have heritage value to the local area or region because it plays an important role in identifying and preserving the community's collective identity.

Places recommended for Local Heritage listing must satisfy one or more criteria set out under Section 67 of the *Planning, Development and Infrastructure Act 2016*.

Local Heritage Places are given statutory protection under the *Planning, Development and Infrastructure Act 2016*. Development controls extend to anything specified by the Planning and Design Code which may materially affect a Local Heritage Place, however some specific types of work (such as installation of solar panels in certain circumstances) are exempt from requiring a development approval.

Historic Area Overlay and Representative Buildings

Governance

Local Government
City of Norwood Payneham & St Peters

Regulatory Tool

Planning and Design Code operating under the
Planning, Development and Infrastructure Act 2016

What is the Historic Area Overlay?

An overlay in the Planning and Design Code which applies to areas with distinct historic character contributed by the buildings, spaces, topography or general street pattern. The application of the Historic Area Overlay can be altered through a Planning and Design Code Amendment.

The establishment of the Historic Area Overlay applies additional policies to ensure the integrity and character of the area is not compromised through uncontrolled demolition and unsympathetic development.

What is a Representative Building?

Buildings which display characteristics of importance in a particular area, typically (but not exclusively) in the Historic Area Overlay. Buildings which were formerly identified as Contributory Items in Council Development Plans were transitioned to the new planning system as Representative Buildings.

Timeline of the Council's Heritage Initiatives

1997

Local Heritage Places (Built Heritage) Plan Amendment Reports in progress (Approved in 2000 & 2001)

2001

Historic Signs Trail initiated

2004

Heritage (Payneham) and Heritage (St Peters, Kensington & Norwood) Plan Amendment Reports initiated (Approved 2006)

2010

Urban Design Award recognising: Best Heritage Development

2013

Urban Design Award recognising: Best Heritage Development

2014

Heritage Information Sessions initiated
Heritage Advisory Service expanded

2021

Renewed Local Heritage Place Plaques program

The Community identified 'Preserving heritage buildings and character areas' as a key issue for the Council to focus on in the next three years

2022

Built Heritage Strategy adopted by the Council

2005

Heritage Advisory Service initiated

2006

Heritage Grant Scheme initiated (2006–2014)

2007

Urban Design Award recognising: Best Heritage Development

Council admitted as a member of The League of Historical Cities

2016

Submission in response to State Government Local Heritage Reform Paper

2018

Advocacy for strong heritage protections during the Parliamentary Inquiry into Heritage Reform (2018–2020)

Advocacy to the State Government for inclusion of Contributory Items in new planning system (2018–2020)

2019

Influencing heritage policies in the Planning and Design Code

Community Survey - Owners of Contributory Items (82% of respondents felt the demolition controls for Contributory Items were satisfactory or should be strengthened)

Heritage Challenges and Responses

The City of Norwood Payneham & St Peters' approach to addressing key heritage challenges is outlined below:

The Challenge	Our Response
<p>Balancing development opportunities with conserving heritage buildings and historic areas.</p>	<p>The Council will work to enhance state-wide planning policies and facilitate appropriate development opportunities in historic areas to cater for the demographic make up of the City's future population and employment growth, whilst ensuring development opportunities affecting historic buildings are mainly restricted to sensitive alterations and additions and adaptive re-use of buildings.</p>
<p>Reaching community consensus on how much, and what type of built heritage to protect.</p>	<p>Undertake periodic reviews of development opportunities across the City, seeking input from the community and keeping the community informed about the value of protecting heritage listed buildings.</p>
<p>Budgeting for the cost of conservation and maintenance work on Council owned buildings of historic significance.</p>	<p>The Council will keep up-to-date Asset Management Plans to ensure expenditure is available when required, to conserve and maintain Council owned buildings of heritage significance. The Council will also proactively seek grants and other funding opportunities to assist with heritage conservation.</p>
<p>Community desire for immediate heritage protection of un-listed buildings which are at imminent risk of demolition.</p>	<p>The Council will work to maintain a comprehensive and proactive approach to identifying heritage places. However, where there is an imminent risk to an un-listed building, the Council will provide clear and consistent advice about the extent of development control which applies to buildings and what heritage protection pathways are available, as well as liaising with the property owner to seek alternative design outcomes, where practical and without prejudice.</p>



Maid and Magpie, Stepney, State Heritage Place

Building on Strong Foundations

Actions and Initiatives

The Council is seeking to continue strengthening and supporting a consistent and comprehensive heritage policy framework through the following actions and initiatives to further identify, conserve and promote the City's built heritage.

1. CELEBRATE, PROMOTE, SUPPORT			
Objective	Initiative	How will we do this?	Timeframe
1.1 Support owners of heritage places and buildings in historic areas	1.1.1 Heritage Advisory Service	Provide owners of Local Heritage Place buildings, buildings in an Historic Area Overlay and applicants proposing new dwellings in an Historic Area Overlay, access to free specialist in-house heritage architectural services and advice.	Ongoing
	1.1.2 Heritage information sessions	Host heritage information sessions for owners of heritage and historic buildings on specialist conservation topics such as roofing, stonework, fencing and verandahs.	Ongoing
	1.1.3 Historical information available through the Council's Cultural Heritage Centre	Provide information and archival records through the Council's Cultural Heritage Staff to property owners and community members seeking information on the history of a property.	Ongoing
	1.1.4 Facilitate appropriate and sensitive building improvements and adaptive reuse	Planning staff collaborating and engaging with applicants to achieve good design and flexible land use outcomes that complement the heritage or historic value of the building or the broader locality, within the confines of South Australia's development assessment system. Also recognising and encouraging the environmental benefits of the retention and re-use of buildings, where appropriate.	Ongoing
1.2 Celebrate and promote the value of heritage conservation	1.2.1 SA History Festival	Run activities to increase public awareness and appreciation of built heritage such as: <ul style="list-style-type: none"> • Information sessions/talks; • Practical workshops; and • Guided tours. 	Annually in May
	1.2.2 Heritage Plaques	Through the Heritage Plaques Program the Council will progressively install recognition plaques to Local Heritage Places to provide information and historical context of the Place (Minimum of 6 plaques to be installed in each financial year).	Commenced 2022
	1.2.3 Council membership in the International League of Historical Cities	Maintain membership of the League of Historic Cities. (member since 2007).	Ongoing
1.3 Educate and raise awareness of heritage within the planning framework	1.3.1 Provide educational opportunities to the community	Council staff to take up opportunities for presentations, information sessions and provide educational material for community groups and students.	Ongoing
		Information articles in the Council's quarterly publication, Look East and other publications such as website and digital media platforms, where practicable.	Ongoing

The following outcomes and actions have been developed under four key themes:

■ Celebrate, Promote, Support

■ Advise, Influence and Advocate

■ Protect

■ Lead by Example

2. PROTECT			
Objective	Initiative	How will we do this?	Timeframe
2.1 Protect key examples of Interwar heritage	2.1.1 Expand the protection of buildings constructed between WW1 and WW2	Identify additional Interwar era buildings that may be worthy of heritage listing or additional protection. Engage and work collaboratively with the State Government to explore amendments to the Planning and Design Code to facilitate policy change that will enhance the protection of Interwar heritage buildings.	Ongoing
2.2 Protect Historic Areas	2.2.1 Expand application of Planning and Design Code Overlays	Investigate areas containing vulnerable, at-risk buildings that have historic value but do not currently have any demolition protection that may warrant additional protections under the Planning and Design Code. Work collaboratively with the State Government to explore amendments to the Planning and Design Code to facilitate policy change to further protect historic areas.	Ongoing
2.3 Clarify extent of Local Heritage Place listings	2.3.1 Progressively review descriptions of Local Heritage Places contained in the Planning and Design Code	Work collaboratively with PlanSA to amend current descriptions and mapping for Local Heritage Places contained in the Planning and Design Code to provide clarity on the extent of the listings and what aspects are considered to be of heritage value, in turn, providing greater clarity for planners, owners, and applicants.	Following State Government Heritage Reform implementation
2.4 Appropriate and sensitive development outcomes	2.4.1 Development assessment decisions and policy development which seek to conserve heritage places and areas	Working within the Planning and Design Code policy framework, Council's Planning Staff collaborate with the Council's Heritage Advisor to ensure original historic building fabric is retained where possible and demolition is pursued as a last resort, and to ensure new development does not detrimentally affect surrounding heritage places and historic streetscapes. The Council will also, where practicable, ensure that planning policies reflect the importance of maintaining a substantial curtilage and sense of open space around heritage buildings, so as to preserve the visual amenity and context of the protected building.	Ongoing
2.5 Recognise new State Heritage Places	2.5.1 Nominate, or support nominations for buildings worthy of State Heritage protection	Where buildings are identified (by the Council or by others) as being worthy of State Heritage Place status due to meeting State Heritage Place criteria, prepare or support nominations of these buildings to the South Australian Heritage Council.	Ongoing

Building on Strong Foundations

Continued

3. ADVISE, INFLUENCE AND ADVOCATE			
Objective	Initiative	How will we do this?	Timeframe
3.1 Inform owners and prospective owners of heritage listed or historic properties	3.1.1 Provide advice on impacts of heritage and planning policy and legislation	Provide advice to property owners, prospective purchasers and applicants on the potential implications of heritage and historic area policy and legislation.	Ongoing
3.2 Advocate and influence good legislation and planning policy	3.2.1 Advocate to the State Government, for a strong, consistent and transparent legislative framework for State and Local Heritage Places	As part of State Government Heritage Reform program, identify opportunities for improvement in heritage protection legislation, advocate in writing and present information.	Ongoing
		Participate in consultation on draft changes to legislation and advocate for appropriate changes when legislation is being amended.	Ongoing
	3.2.2 Advocate to the State Government, Members of Parliament and the Local Government Association (SA) for good policy outcomes with respect to heritage places and historic areas	Proactively identify opportunities for improvement in the planning framework, advocate and present information to the State Government.	Ongoing
		Participate in consultation on strategic documents, policy amendments and discussion papers.	Ongoing
3.3 Collaboration with special interest groups	3.3.1 Work with interest groups and other organisations to support, encourage and advocate for heritage protection	Liaise and work with groups such as community organisations where the Council's strategic outcomes align with the advocacy aims of these groups.	Ongoing

4. LEAD BY EXAMPLE			
Objective	Initiative	How will we do this?	Timeframe
4.1 Retain and enhance historic features of the public realm	4.1.1 The Council proactively conserves and enhances historic features of the public realm under its care and control	The Council will ensure that any public works seek to conserve and restore historic features such as bluestone kerbing, bridges and parapets (when old bluestone kerbing is removed, the Council retains the bluestone for future use wherever possible). Historic areas are enhanced, where possible, by appropriately designed features such as street lighting.	Ongoing
4.2 Council owned heritage buildings are conserved and celebrated	4.2.1 The Council proactively conserves and celebrates its heritage buildings	The Council will ensure the heritage buildings under its care and control are appropriately conserved through ongoing maintenance and restoration and adaptive reuse of buildings is supported wherever possible.	Ongoing
		Feature lighting to highlight heritage buildings installed as part of The Parade Masterplan.	Long term
4.3 Council owned heritage buildings are accessible to the community	4.3.1 Council owned buildings are open and accessible to the community wherever possible	Where appropriate, the Council's heritage buildings will be available for hire and to visit to ensure heritage buildings are accessible and enjoyed by all.	Ongoing

What does success look like?

This Strategy contains a range of actions and initiatives which vary in timeframe and deliverables. The indicators of success for these initiatives will therefore also vary. Some initiatives will have clear indicators, such as the number of heritage plaques installed, while the success of other initiatives will be harder to quantify, such as planning staff collaborating and engaging with applicants to achieve good design outcomes. With respect to timeframes, many initiatives are ongoing services to the community delivered on a regular or as-needs basis, while others are specific projects which are dependent on other bodies such as the State Government.

For example, amendments to the Planning and Design Code require State Government approval at various stages in the process.

The progress and outcomes of the initiatives will be reported annually to the Council to allow an analysis of success commensurate to each initiative and could include a range of reporting methods such as percentage of project completion or project outcomes when completed, levels of community satisfaction as indicated by the community survey, or take up rates of the Council's services.



Felixstow Reserve - Cultural Marker - WITU (Common Reed)

Looking Forward

The scope of this Strategy is limited to built heritage in the context of the planning framework. However, built heritage is only one element of the broader cultural heritage of the community.

Opportunities exist in the future for the Council to explore and produce similar aims and strategies encompassing other elements of cultural heritage, including:

Natural heritage;

Indigenous heritage;

Intangible cultural heritage; and

Buildings and streetscapes in character areas.

Further information

For information on the Built Heritage Strategy 2022–2027, please visit www.npsp.sa.gov.au or phone 8366 4555.

You can also visit the Council's Citizen Service Centre at the Norwood Town Hall, 175 The Parade, Norwood.

Additional copies

The Built Heritage Strategy 2022–2027 can be viewed online at www.npsp.sa.gov.au

Copies may also be obtained by:

- visiting any of the Council's Libraries
- emailing townhall@npsp.sa.gov.au
- contacting the Council on 8366 4555
- writing to the Council at PO Box 204, Kent Town SA 5074

Published September 2022.

Thinking of the environment

This document is printed on certified carbon neutral recycled stock, manufactured in Australia.





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City of
**Norwood
Payneham
& St Peters**

Attachment B

Built Heritage Strategy

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City of
**Norwood
Payneham
& St Peters**

External Feedback				
Sub No.	Organisation	Address	Comment	Staff Response
1	N/A	Bridge St Kensington	Comprehensive, clear, vital initiative in light of over development and loss of character	Noted
			Elevate environmental costs of demolition and subsequent new builds (waste of good quality traditional materials, new builds have greater environmental costs).	Noted. While the focus of the Strategy is on preserving buildings for heritage value and contribution, environmental benefits of retention and adaptive reuse of buildings is now acknowledged in initiative 1.1.4
			Encourages increased focus on adaptive reuse of older buildings due to environmental and economic benefits; heritage preservation has little sway over development motivations.	
			Poor environmental outcomes of infill (removes green areas, habitats, urban heat).	
			Climate change should be a critical focus in planning	Noted, however this specific issue is outside the scope of this Strategy
			Current State planning are a major danger to heritage and character preservation.	Advocacy to, and working with the State Government for improved planning outcomes is included in initiatives 3.2.1 and 3.2.2
			Mid-century architecture is especially vulnerable	There are some mid-century buildings already listed as Local Heritage Places in NPSP, which were identified through previous heritage surveys. The Interwar era heritage investigations outlined in initiative 2.1.1 may incorporate some early mid-century architecture, but further heritage listings for later mid-century buildings would require a new project initiative which is not anticipated in the current Strategy.
More needs to be done to encourage State Heritage listing. Councils should have proactive role in identifying more places for State listing not just local listing	Initiative 2.5.1 outlines an intent for the Council to support the nominations of buildings which are worthy of State Heritage Place status			
2	N/A	Clarke St Norwood	Support establishment of Built Heritage Strategy. Happy to contribute to the process	Noted
3	N/A	Not given	Supports heritage being given consideration	Noted
			Does not support 'ugly' new buildings (e.g. in Norwood)	Noted

4	N/A	Dequetteville Tce Kent Town	Well written Strategy	Noted
			Suggests improving community involvement in appreciating history e.g. work with primary schools and provide resources such as art competition, treasure hunt of historical places, understanding why it is important	The Council's Cultural Heritage program includes school-based educational activities and events with a heritage focus, so initiative 1.3.1 has been amended to reflect that the target audience of Council educational opportunities extends to students.
			Supports a history section in the newsletters e.g. KTRA include this in their newsletters	Initiative 1.3.1 indicates that heritage information articles will be included in a variety of Council media forums and publications.
			Would like to see more plaques	Initiative 1.2.2 outlines the Council's Heritage Plaques Program which has a Council commitment to provide a minimum of 6 plaques each financial year.
			Is enough being done on recognition of first nation people?	Indigenous heritage is recognised as an important aspect of the Council's broader cultural heritage, however it is not within the scope of this Strategy, which is limited to built heritage as recognised under the PDI Act.
			Suggested asking locals to provide photographic evidence of early NPSP area to be digitised	Noted. Can be considered by the new Arts, Culture & Community Connections Manager as part of future Cultural Heritage programs.
			Consider looking at history of streets e.g. providing information on how streets got their names	
			Collect verbal history and memories of senior citizens (as important as physical heritage).	
Recommends acknowledgement of old trees – e.g. plaques with name of tree, approximate age, whether it's native, interesting facts etc	This is outside the scope of this Strategy. Details such as species of trees and age can be captured as part of the Council's Tree Inventory and new Tree Management software.			
5	N/A	Northern Kent Town	Should set priorities, specify responsibilities and resource allocation, define timelines, include reportable measurables	Noted, however many projects will work in parallel or may be influenced by external factors so it is challenging to set priorities, timelines and resource allocation over the course of a 5 year strategy. Annual reporting of progress will provide opportunities for a more detailed analysis in the context of current policy frameworks and budgets. A new section, <i>What does success look like</i> , has been added to provide information on proposed success measures and reporting.

			Limited scope – what about buildings which are not existing heritage / historic area properties?	The draft Strategy applies to both existing heritage places / historic areas as well as places and areas which may be considered for heritage protection in the future. The ‘Scope and Aim’ section has been amended to clarify this. In particular, three specific actions under the theme of ‘Protect’ seek to extend heritage place / historic area protection to currently unprotected buildings and areas (2.1.1, 2.2.1, 2.5.1).
			ICOMOS more recent publication <i>The Twentieth-Century Historic Thematic Framework</i> is now best practice and should be incorporated into the Strategy	Noted. This 2021 publication has not been used by the Council and has not yet been integrated with other associated guidelines and practices. However, it forms a useful resource and could be considered as part of future heritage identification processes. It is noted that several historic buildings in the Council pre-date the Twentieth Century, and therefore guidance from other strategic documents such as the Burra Charter will remain relevant for the Council.
			Strategy does not provide confidence in Council’s commitment to heritage	Noted
6	N/A	High St Kensington	Strategy recognises respect for built heritage is the centre of sustainable urban development	Noted
			Where is the detailed design guidance that used to apply to Kensington?	The Council’s former Development Plan contained Design Guidelines for heritage places and development in Historic (Conservation) Zones. When the Development Plan was replaced by the <i>Planning and Design Code</i> the framework of the Code did not allow for the transition of these guidelines into the new system. The State Government has developed non-mandatory Design Advisory Guidelines for Historic and Character Areas, as well as a Style Identification Advisory Guidelines. Unfortunately these Guidelines are not embedded in the Code and hold no statutory or policy status.
7	Norwood Residents Assoc	N/A	Predominately focuses on background information rather than discussing strategies – useful for new staff / Councillors	Noted

		Generally happy with the initiatives proposed, particularly public education and protecting curtilage of heritage buildings in addition to the building itself. However would like some initiatives taken further.	Noted
		Initiative to protect Interwar heritage does not allow for additional protections to pre-WW1 buildings and would not protect neighbourhood character.	Code Amendments should have a limited focus and clear intended outcomes. The Interwar period was identified as an era which is under-represented in the Council's current suite of heritage buildings / historic areas as it had not been the focus of previous heritage amendments. It is intended that initiative 2.1.1 will provide protection of neighbourhood character in area(s) containing a high proportion of Interwar era buildings.
		Initiative to expand application of Historic Area Overlay would not protect buildings which are 'key examples' outside of an overlay area	Initiative 2.2.1 may provide scope to nominate outstanding buildings as Local Heritage Places, within the areas being investigated for additional historic protection. It is noted that past heritage surveys and policy amendments have been reasonably comprehensive in identifying Local Heritage Places, as compared to the protection of historic areas, as the latter has been more limited by the varying policy positions of State Governments overtime.
		Recommend demolition of all buildings before WW2 be subject to planning approval	In the current South Australian planning framework, demolition can be controlled if the building is a State or Local Heritage Place or located in a Historic Area Overlay. To extend protection to all pre WW2 buildings would require significant legislative and/or policy reform led by the State Government. When assessing buildings for demolition control which are not specifically heritage listed, it is necessary to have clear policies regarding which buildings should be retained (i.e. a Historic Area Statement) which is unlikely to be feasible for all areas across the Council.
		Council should have a grants program to help owners of Local Heritage Places with building repairs	Noted.
		Greater loss of buildings in Norwood than in adjacent suburbs, in part due to smaller allotment sizes which	Noted. Areas which are considered to warrant additional historic protection (potentially including areas

			encourages demolition for subdivision. There should be a more fine-grained approach to block size	in Norwood) can be considered as part of initiative 2.2.1 , and appropriate subdivision parameters could be considered as part of the scope of this amendment.
			Language in the Strategy is generic and doesn't acknowledge lost built heritage (e.g. referring to risk of demolition rather than actual incidents of demolition of valuable buildings)	The Strategy has been updated to acknowledge that some un-listed buildings of historic value have been demolished.
			Document is designed to be read as a printed document rather than a working document to be viewed on screen. Suggest a version be produced which is intended to be read on screen in landscape mode	Noted. Intent to provide the Strategy on the website as both a downloadable pdf as well as an online viewable 'flip book'.
			Note that some work requires involvement of State Planning Commission and on a confidential basis.	Noted
8	N/A	Marchant St Kensington	No comments specifically on the document, but supports retention of building heritage and trees	Noted
9	Rundle Street Community Kent Town	Rundle St Kent Town	Kent Town Residents' Association publication <i>A Liveable Kent Town: Our Plan</i> references community interest and support for heritage protection and highlights the heritage places and features in Kent Town	Noted
			Kent Town has no Contributory Items, despite it being an area with a high concentration of heritage places and historic buildings. This is indicative of a lost opportunity. How will Council deal with threats to historic buildings in Kent Town?	The proposed demolition of a building in the Historic Area Overlay is assessed on its merits, which provides an opportunity for the Council to prevent demolition of historic buildings, even in those areas where there are no Representative Buildings (former Contributory Items). There may be a future opportunity to identify additional Representative Buildings to provide greater policy clarity as to which buildings should be retained, however it is currently unclear as to whether the State Government would support additional Representative Buildings.
			Dr Kent's Paddock is a valued area in Kent Town and has been acknowledged in architectural publications and received an award. KTRA nominated Dr Kent's Paddock as a State Heritage Place however KTRA have been advised this property is not a priority. Council identified the property as a Key Development site in the former Development Plan with potential for up to 10	Noted. There is currently no proposed Council initiative to extend heritage protection to Dr Kent's Paddock.

			storeys. If redeveloped, Dr Kent's paddock could be a lost opportunity.	
			Rundle St Kent Town has a high proportion of heritage buildings. These buildings should be celebrated and preserved, in balance with increasing densities. A Kent Town Strategic Plan should be considered by Council.	Noted
			6 Heritage plaques per year is a limitation to celebrating heritage places. Could cheaper and/or temporary options be explored? A heritage trail is one option, developed using information on the KTRA website and images on stobie poles.	Noted. The current Heritage Plaques Program has been endorsed and is underway. Changes to the program may be considered in subsequent years.
10	N/A	Frederick St Maylands	Supports expanding heritage overlay across Maylands as currently overlay application is inconsistent	Initiative 2.2.1 may provide the opportunity to investigate the application of the Historic Area Overlay to Maylands
			Supports formalising desire to protect local heritage	Noted
			Very limited proposed (new) actions. Strategy should have more specific and defined intent, actions and changes. No timelines cited for next steps or actions apart from one action.	Noted. The purpose of the Strategy is to outline the heritage actions and initiatives to be undertaken over the next 5 years. Given the extensive number of existing heritage initiatives currently undertaken by the Council and the likely resources required to undertake the proposed new initiatives, the Strategy has sought to propose an achievable number and nature of initiatives and actions.
			Effect of the Strategy is unclear What change does this enact for property owners already in historic areas / places?	The Council offers a range of initiatives and services to existing heritage / historic area property owners, such as the heritage advisory service (1.1.1), heritage information sessions (1.1.2), information available through the Cultural Heritage Centre (1.1.3), planning advice (1.1.4 and 3.1.1) and heritage plaques for Local Heritage Places (1.2.2). Initiative 2.3.1 to review descriptions of Local Heritage Places will also provide greater clarity for property owners.
			Should be greater assistance for local residents for restoration / property upkeep – e.g. grant scheme.	
			Poor consultation – Facebook post didn't contain a link to the document and the document was not uploaded on to the website in time for consultation	Facebook post and YourNPSP posts both contained links to the relevant consultation page on Council's website. The consultation page was available from the first day of consultation (11/7/22) and was searchable on the website

Attachment C

Built Heritage Strategy

City of Norwood Payneham & St Peters
175 The Parade, Norwood SA 5067

Telephone 8366 4555
Facsimile 8332 6338
Email townhall@npsp.sa.gov.au
Website www.npsp.sa.gov.au



City of
**Norwood
Payneham
& St Peters**

From: City of Norwood Payneham & St Peters <website@vps.npsp.sa.gov.au>
Sent: Friday, 15 July 2022 6:48 AM
To: Townhall
Subject: City of Norwood Payneham & St Peters - Form submission: Draft Built Heritage Strategy Feedback

Draft Built Heritage Strategy Feedback form submission

What you like It is comprehensive. It is clear. It is a vital initiative in these times of unbridled control over development and loss of character in our oldest suburbs.

Are there any gaps We need to elevate the environmental costs of demolition. Infill removes green areas, affects long standing habitats, and increases urban heat. Demolition creates major waste and most of the materials used in new builds have nothing like the lifespan of freestone , bluestone and brick - the traditional and long lasting materials. They are carbon disasters compared to the carbon heroes that our heritage buildings represent. There needs to be a stronger argument around these impacts and the value of adaptive Re use for environmental reasons. It needs to be expressed in economic and climate change terms . Heritage itself has little sway against development in our times . We are damaging our environment daily with infill policy and that needs to be elevated as a community concern. Climate change is already causing havoc and all policies should have this as a critical focus including state planning.

Other comments The current state planning arrangements are a major danger to heritage and character preservation as we are witnessing in our communities. Mid century architecture is especially vulnerable. More needs to be done to encourage state heritage listing of the best of these as well as our older buildings as the ultimate protection route. SA Councils including NPSP should have a pro active role in identifying more places for state listing not just local listing.

How heard about

Other Local residents newsletter.

First and last

Address

Suburb Kensington

Post code 5068

Email

From:
Sent:
To: Emily McLuskey
Subject: Built Heritage Strategy

Hello Emily, we write to express our support for the establishment by the NPSP Council of a Built Heritage Strategy (BHS). As residents and occupants of an historical dwelling (built circa 1880) in Norwood we would like to keep up with any developments as they occur in the BHS and to contribute in any way that we usefully can. We look forward to hearing from you. Best regards,

--

This email has been checked for viruses by AVG.
<https://www.avg.com>

Submission 3

C3

Sent: Thursday, 21 July 2022 5:29 PM
To: Townhall
Subject: Heritage

Dear Committee

I am so glad that heritage is being given some consideration and I am appalled by some of the ugly new builds that are going up. Eg Beulah Road houses which look like Stalag 13. Buildings like these spoil the character of Norwood which seems to be heading in the direction of a soulless highrise suburb which is completely characterless.

I appreciate the opportunity to vent,

Yours sincerely

Submission 4

From: City of Norwood Payneham & St Peters <website@vps.npsp.sa.gov.au>
Sent: Friday, 22 July 2022 9:26 AM
To: Townhall
Subject: City of Norwood Payneham & St Peters - Form submission: Draft Built Heritage Strategy Feedback

Draft Built Heritage Strategy Feedback form submission

What you like

I think it is very well written - congratulations to all involved. I like it very much.

Associated with this is getting the community involved in appreciating history. Perhaps a way of doing this is to work with Primary Schools to provide them with resources so that the students can gain an appreciation of the local history.. For example an art competition, "treasure hunt" of historical places, understanding why it is important etc

I like the idea of a history section in the newsletters. KTRA has just started doing this and it has raised a lot of interest among the residents.

There are a lot of plaques already in the council area - can there be more. These are long term reminders of our history.

Are there any gaps

Recognition of first nation people - is enough being done on this?

What about a call out to locals to try to get more photographic evidence of early NPSP area. The photos can be digitised and put on a server so they are not lost forever.

Think about the history of our streets as well - having some information on how the streets got their names is part of this process.

There are some very old trees in the area. I would like to see some sort of history of those trees on a plaque. e.g. name of tree, approximate age, native, any interesting facts about it etc

Collecting verbal history and memories of our senior citizens is as important as the physical items. These will be lost forever if no action is taken.

Other comments

Well done on this. History is so important. My comments tend to be a little more inclusive on what was written.

How heard about

Council's website

Other

First and last

Address

Suburb Kent Town

Post code 5067

Email

View the full submission
https://www.npsp.sa.gov.au/admin/edit/form_record_140/3

Best Wishes

City of Norwood Payneham & St Peters

Community Well-being is...
Social Equity
Economic Prosperity
Cultural Vitality
Environmental Sustainability



City of
Norwood
Payneham
& St Peters



Submission 5

From:
Sent: Thursday, 28 July 2022 10:39 AM
To: Townhall
Subject: Draft Built Heritage Strategy Consultation response -

Dear NPSP Council,

Thank you for the opportunity to respond to the NSPP *Draft Built Heritage Strategy*.

While understanding that the document was intended as a 'strategy', it has no value except as a public relations exercise unless it sets priorities, specifies responsibilities, allocates resources, defines timelines ("on-going" is meaningless) and includes real and reportable measurables. Without these, statements such as "progress of the actions will be reported annually and the Strategy will be reviewed after five years, to reassess the priorities..." are simply not credible. I am surprised that Council endorsed this document.

The scope of the *Draft Built Heritage Strategy* appears to be limited, directly or indirectly, to State and Local Heritage Places, Representative Buildings and places within the Historic Area Overlay (whatever that might be). It is unclear how, if at all, the document applies to historic and/or heritage buildings that are not included...except perhaps a vague 'action' to "prepare or support nominations of [identified] buildings to the State Heritage Council". For those of us who live outside of this scope but in arguably one of the most historic areas in NPSP (northern Kent Town), the *Draft...Strategy* is at best all but irrelevant and sends the message that, in matters related to heritage and history, the Council is happy to ignore us.

Finally, and again related to what a *Built Heritage Strategy* (or *Strategic Plan*) could be, the *Draft...Strategy* refers to guidance from the Australia ICOMOS' Burra Charter (now almost a decade since the last update). ICOMOS' much more recent publication, Sue Marsden & Peter Spearritt's *The Twentieth-Century Historic Thematic Framework: a tool for assessing heritage places* (2022) and *the thinking behind it*, I believe, now represents best practise in the preservation of heritage places and might be usefully incorporated into a *Draft...Strategy*. Or, better still, engage Dr Marsden to redraft the document as a *Built Heritage Strategic Plan*.

Overall, this document does not give me confidence in this Council's commitment to the heritage, built or otherwise, of the area.

Best regards,

Submission 6

From: City of Norwood Payneham & St Peters <website@vps.npsp.sa.gov.au>
Sent: Friday, 29 July 2022 3:57 AM
To: Townhall
Subject: City of Norwood Payneham & St Peters - Form submission: Draft Built Heritage Strategy Feedback

Draft Built Heritage Strategy Feedback form submission

What you like It recognises that respect for built heritage is at the centre of sustainable urban development

Are there any gaps Yes, where is the detailed design guidance that used to apply to Kensington?

Other comments

How heard about

Other A neighbour alerted me

First and last

Address

Suburb Kensington

Post code 5068

Email

View the full submission
https://www.npsp.sa.gov.au/admin/edit/form_record_140/4

Best Wishes

City of Norwood Payneham & St Peters



Email: norwoodresassoc@gmail.com
Website: www.norwoodresidentsassociation.com
Facebook: www.facebook.com/NRAsso

29 July 2021

Draft Built Heritage Strategy Consultation
City of Norwood Payneham & St Peters
PO Box 204
Kent Town SA 5071

The Norwood Residents Association recognises this as a strategy document to guide all the Council's roles regarding built heritage: promoting and incentivising, and leading by example, as well as regulating what can happen with our built heritage. Also the bulk of the document is devoted to background information rather than discussing strategies. Hopefully it will be useful to new staff and councillors.

The Strategy does have a section at the end that is more action-oriented. We are happy all of the "initiatives" that are laid out here.

We are pleased to see Council's recognition of the need to educate the public in many different ways about the value of heritage. We commend council for noting the importance of protecting the curtilage of heritage listed buildings, as well as the buildings themselves.

Our only desire is that in some cases the objectives and initiatives are taken further:

In particular, there is a stated objective to "protect key examples of interwar heritage". By itself, this is dismayingly limited: "key examples" suggest state and local heritage listed items only; "interwar" ignores pre-World War 1 buildings, at least two of which have been bulldozed this year. This would not protect neighbourhood character. We welcome that the Strategy would also expand the application of the Heritage Protection Overlay, though that would not protect buildings are not "key examples" and are outside any overlay area.

We want to see the demolition of all buildings constructed before World War 2 subject to planning approval. This would not of course mean that they could not be bulldozed. But surely their heritage character and contribution to the neighbourhood should at least be considered and subject to comment before doing so. It has been argued that it would be too difficult to identify all buildings built before World War 2. We do not accept this. Changes in style after 1945 are quite apparent and easy to identify by any competent heritage consultant.

We support the idea of providing incentives to protect our built heritage, but think that Council should have grants program to help owners of local heritage listed houses with repairs.

Norwood has suffered far more than neighbouring suburbs such as Rose Park, College Park and St Peters in terms of loss of heritage, in part because we allow smaller block sizes, encouraging developers to bulldoze houses as part of a "two for one" development.

Norwood obviously has a different character to Rose Park etc., and we are not calling for a uniform larger minimum block size. There are parts of the suburb where even 80 square metre block sizes might be appropriate. However we would like the Strategy to recognize the impact of minimum block sizes on developer incentives, and for Council to work with the State government to adopt a much more fine-grained approach to block sizes.

Finally, a note on the style and layout. The Norwood Residents Association is very concerned about the loss of built heritage that has occurred in recent years. This loss has not abated, with at two and

possibly three 100 year plus houses being bulldozed this year. We feel a sense of grief about this and alarm about the future. The tone of the document, referring only to the “risk” – not the reality – of loss, suggests to us that the Council does not share our concern.

We have our biases and accept that others will think differently. We also accept that there are very real dilemmas involved in expecting people in 2022 to live in houses designed for a lifestyle of a hundred years ago.

But the glossing over of real circumstances reflects what we regard as an unfortunate trend in government communications over recent decade, cloaking real dilemmas and bad events under public relations spin and pretty pictures. We stress that this is not confined to the NPSP Council; it is a feature of most if not all public authorities.

We make these comments in the hope that you will reflect on these trends and try to resist them.

Similarly the layout seems to be that of a coffee table booklet and not a working document. The document is designed to be read as hard copy. We read this in a digital format, with one A4 page scrolling on the previous on screen. (We assume that most people will read the document in this way.) This creates some confusion, e.g. a caption purporting to show the St Peters Town Hall below a photo of some trees and cars, and timelines that are not in chronological order. We suggest that there be a second version that assumes it will be read on screen. Ideally it would be in landscape mode, to fit the screen.

Thank you for the work done so far on protecting our build heritage. We understand that much of the critical, detailed work will have to be done with the State Planning Commission and on a confidential basis. We wish you the best of luck with that.

Yours Sincerely

A handwritten signature in black ink that reads "Ian Radbone". The signature is written in a cursive, slightly slanted style.

Dr Ian Radbone,
President

Submission 8

From: City of Norwood Payneham & St Peters <website@vps.npsp.sa.gov.au>
Sent: Friday, 29 July 2022 4:59 PM
To: Townhall
Subject: City of Norwood Payneham & St Peters - Form submission: Draft Built Heritage Strategy Feedback

Draft Built Heritage Strategy Feedback form submission

What you like Sorry I didn't read it.

Are there any gaps Sorry I can't add anything.

Other comments Whatever you can do to save and retain our built heritage and trees would be fantastic.

How heard about

Other Kensington Resident Association.

First and last

Address

Suburb Kensington

Post code 5068

Email

View the full submission
https://www.npsp.sa.gov.au/admin/edit/form_record_140/5

Best Wishes
 City of Norwood Payneham & St Peters

Submission 9

RUNDLE STREET COMMUNITY KENT TOWN
www.rundlestreetkenttown.com

SUBMISSION TO THE NPSP COUNCIL'S *DRAFT BUILT HERITAGE STRATEGY 2022-2027*

SUMMARY

- Kent Town community interest and support for heritage protection is expressed in the KTRA's *A Liveable Kent Town: Our Plan*.
- Lost opportunities to protect Heritage should be avoided.
- Heritage places and places of historical significance should be celebrated.
- Rundle Street Kent Town is an important street to be addressed.

INTRODUCTION

This submission is not on behalf of the Kent Town Residents Association (KTRA) or its Committee. While previously its President and still an active member, and my comments refer to some KTRA Kent Town-wide achievements, I wish to focus particularly on Rundle Street Kent Town where I live. (Refer to <https://rundlestreetkenttown.space>)

KENT TOWN COMMUNITY INTERESTS

To its credit, the KTRA published the *A Liveable Kent Town: Our Plan* (<https://ktra.net.au/wp-content/uploads/2020/08/KT-Plan-Update-6-8.pdf>) in July 2020 after community consultation.

In the Plan it expressed sentiments (p.2) about participating, "in a coordinated partnership approach to urban renewal with the City of Norwood Payneham and St Peters, the SA Government and other development participants."

In considering Heritage, and discussing 'Built Form', it states (p.9) that residents want, "A place that protects its past: Heritage Conservation Areas and buildings are to be retained and celebrated as an important connection to the past, including Dr Kent's Paddocks."

The *Liveable Kent Town* plan addressed heritage and historic places (pp 9 & 10) stating:

- New developments close to Heritage Conservation Areas and items should be designed to maintain the feeling of connection to the area's history.
- A village atmosphere in and around Kent Town can be enhanced by protecting character and heritage buildings including Dr Kent's Paddock.
- State or local heritage listing of significant sites is important, including but not limited to Dr Kent's Paddock.
- A Heritage and historic places survey of Kent Town (with community consultation) is needed.

A state and local heritage interactive map on the KTRA website indicates the location of historic and heritage buildings in Kent Town, but no contributory items, at <https://ktra.net.au/sub-committees/greening-of-kent-town/developments-and-heritage-preservation/heritage-buildings-in-kent-town/>. This is a very useful facility.

The lack of Contributory Items are lost opportunities.

Lost Opportunities to Protect Heritage

Presuming that heritage listing contributes to protecting buildings, then a lack of listing means that there are lost opportunities for protection. This was the case in Kent Town.

In NPSP there are 73 State Heritage Places, 661 Local Heritage Places and 1,464 Contributory Items/Buildings of interest.

Within this, in Kent Town there are 16 State Heritage Places, 32 Local Heritage Places and zero Contributory Items/Buildings of interest.

So, Kent Town has 21.9% of NPSP's State Heritage Places, only 4.8% of NPSP's State Heritage Places but zero % of the Contributory Items/Buildings of interest.

Zero Contributory Items

The KTRA explains that the lack of Contributory Items was because at the time that the NPSP Council wanted to specifically identify Contributory Items in Kent Town, the State Government were not listing additional Contributory Items. Some of the buildings that might have been considered Contributory Items have been included on the map as Buildings of Interest.

Accordingly, there were lost opportunities due to a failure to act early enough.

Might this be the case in the future? How will Council deal with threats to Contributory Items/Buildings of interest, or historic buildings and/or Historic Streetscape and areas which are not 'registered'?

Dr Kent's Paddock: an example of a possible future lost opportunity?

For example, in Rundle Street the area known as Dr Kent's Paddock is very important to the streetscape and area but is not registered as a Heritage place.

Regarding Dr Kent's Paddock the *Liveable Kent Town* says it is valued, (p.9):

"The continued existence of the Housing Trust at Dr Kent's Paddocks is valued for many reasons, such as:

- the importance of low-cost social housing close to the city and associated services;
- its existence contributes to the physical and social 'mix' that we and others value as an intrinsic aspect of the Kent Town culture;

- the disruption to people’s lives and their established social and infrastructure networks if they had to move;
- as a treed area it provides a valuable contribution to the Kent Town environment, in fact it is the area with the densest tree environment in Kent Town. The trees were established since about 1979, that is 40 years ago, and the architectural and historical merit”



A Heritage application was made: <https://ktra.net.au/wp-content/uploads/2019/08/Dr-Kents-Paddock-heritage-register-nomination-form-.pdf> but has not yet been considered by the SA Heritage Council.

Advice was received that State Government advised the Department for Environment and Water (the administrator of the SA Heritage Register) that it is not a priority and so it has not been proceeded with (why seek Government’s advice considering its competing interests).

Further, the State Government and the NPSP Council have both identified the space as a potential Major Development Site: The site has been identified as a potential development site in the City of Norwood Payneham & St Peters Development Plan (2019) - “allowing for high-density mixed-use developments along Dequetteville Terrace and for Dr Kent’s Paddock (up to 10 storeys).”

Dr Kent’s Paddock Housing was listed in the publication; “*Nationally significant 20th century buildings in South Australia*” by the Australian Institute of Architects. The project received a 25-year Award from the SA Chapter of the Australian Institute of Architects, on October 24, 2007. It is included in the recent publication “*Dickson and Platten Architects 1950-2000*”. The accompanying exhibition was recently displayed at The Office for Design and Architecture, South Australia.

The NPSP Draft Built Heritage Strategy discusses what NPSP “values” in relation to heritage. Will this site for example, be another lost opportunity and given over to private residential development, or can a healthy compromise be achieved that retains the best features for social housing while more and well-designed residential places are achieved?

Rundle Street is an important part of Kent Town and is the street in which the Rundle Street community logically is most interested.

Council has described Rundle Street Kent Town as the 'Gateway to the East'.

In Rundle Street there are 15 heritage places, that is 4 State Heritage Places, 11 Local Heritage Places and of course zero Contributory Items/Buildings of interest.

In other words, Rundle Street has 25% of Kent Town's State Heritage Places and 34% of Kent Town's Local Heritage Places .

Like Council, the Rundle Street community also wishes to celebrate and protect Heritage places and places of historical significance, especially in Rundle Street, (see <https://rundlestreetkenttown.space/our-goals/>) while revitalising the street.

The historic and heritage buildings and places in Rundle Street should be celebrated to preserve their features and contribute to a changing streetscape. The increasing density and building changes in Rundle Street needs NPSP Council support to ensure a desirable community. In fact, a Kent Town Strategic Plan would be extremely useful to the revitalisation of Rundle Street.

The Council's restriction to a minimum of only 6 Heritage Plaques per year is a severe limitation to the celebration of the heritage and historic places. While these are desirable means to denote the local places, perhaps a cheaper and temporary alternative would be useful.

Perhaps a temporary Heritage 'trail' could be developed using information about the heritage/historic places on the KTRA website, linked to images placed on stobie poles near the sites. This also avoids attaching signs to buildings themselves. Perhaps Rundle Street could be a trial place. We do have some experience in developing such a trail. Perhaps such a trial could be linked to the SA History Festival.

CONCLUSION

Thank you for the opportunity to make a submission to this consultation.

The draft is a valuable step forward to developing policies to guide decision-making, planning and actions. The intention to develop similar policies about other elements of cultural heritage is important.

However, the proof of the benefits will be in the actions taken.

Dr David Baker (Ph.D)

www.rundlestreetkenttown.com

Submission 10

From: City of Norwood Payneham & St Peters <website@vps.npsp.sa.gov.au>
Sent: Sunday, 31 July 2022 11:22 AM
To: Townhall
Subject: City of Norwood Payneham & St Peters - Form submission: Draft Built Heritage Strategy Feedback

Draft Built Heritage Strategy Feedback form submission

What you like

Expanding the heritage overlay to be more consistent across Maylands. The current overlay was very inconsistent and did not match what you see from the street.

Formalising the desire to protect the local heritage is a good thing.

The strategy is very short on any actual proposed changes, apart from proposal to expand overlays.

It is a lot of wishy washy motherhood statements. This all fine and I support all the sentiments but it needs more defined changes and actions.

What is the precise effect that this strategy versus what was already in place ? e.g for residents already in the overlay that are looking to demolish or restore what does this change for them ?

Are there any gaps

There are no timelines cited for next steps or action items apart from one. All others are listed as "ongoing" and as far as I can tell just about all of them were existing things and nothing new in there.

Support for home owners who have heritage buildings is mostly missing. There is the item about the council going to look after its own buildings but that should be extended to all buildings in the area. Some help with advisory services but to ensure local residents can restore and upkeep their heritage places successfully there should be some form of grant or financial assistance. After-all the benefit of residents keeping their places properly up-kept is to all the community , so the cost should be shared.

Other comments

This seems more like a strategy to come up with a strategy ..

How heard about

Council's Facebook or Instagram
Your NPSP eNewsletter

Other

Very poorly communicated. Post on FB had no links to the actual document and searching yielded no results. Same with article in newsletter. Had to request multiple times for link and then doc was uploaded many days after the announcement.

First and last

Address

Suburb Maylands

Post code 5069

Email

View the full submission
https://www.npsp.sa.gov.au/admin/edit/form_record_140/6

Best Wishes

City of Norwood Payneham & St Peters

Community Well-being is...
Social Equity
Economic Prosperity
Cultural Vitality
Environmental Sustainability



City of
Norwood
Payneham
& St Peters



11.2 INSTALLATION OF LIGHTING – OTTO PARK, ST PETERS

REPORT AUTHOR: Manager, Communications & Community Engagement
GENERAL MANAGER: General Manager, Governance & Civic Affairs
CONTACT NUMBER: 8366 4528
FILE REFERENCE: qA96047
ATTACHMENT: A - B

PURPOSE OF REPORT

The purpose of this report is to present to the Council the outcome of the community consultation which has been undertaken regarding the proposal to install lighting in Otto Park, at Second Avenue, St Peters.

BACKGROUND

Otto Park is located on the corner of St Peters Street and Second Avenue, St Peters. Otto Park provides a small open space area for local residents and recognition of the history in terms of the former St Peters RSL building and those members of the St Peters community who made the ultimate sacrifice for their community.

Otto Park is also designated as an off-leash area at all times for dogs. Otto Park is not a designated Dog Park.

As part of the review of the Council's *2019-2024 Dog & Cat Management Plan* and in accordance with one of the objectives set out in the Plan, at its meeting held in May 2020, the Council considered the potential establishment of a dedicated dog park within the City, which included Hannaford Reserve and Otto Park.

Whilst the Council determined that Otto Park would not be a dedicated dog park, it was acknowledged that a lack of lighting at the park meant that the use of the park in the evening, particularly during the winter months was limited.

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

1. *That the Council resolves to establish a dedicated dog park at Hannaford Reserve and that the Council proceeds to prepare a concept plan for the dog park as part of the master plan for Hannaford Reserve.*
2. *That the Council undertake community consultation with regards to the installation of timed lighting at Otto Park. In other respects, current arrangements in place for Otto Park be retained.*

Consultation regarding the proposal to install lighting at Otto Park has now been undertaken and this report presents the outcome of community consultation to the Council.

RELEVANT STRATEGIC DIRECTIONS & POLICIES

The relevant Outcomes and Objectives of the Council's *City Plan 2030, Shaping Our Future Mid Term Review 2020* are provided below.

Outcome 1:4 Social Equity

A strong, healthy, resilient and inclusive community.

1.4.1 Encourage physical activity and support mental health to achieve healthier lifestyle and well-being.

FINANCIAL AND BUDGET IMPLICATIONS

The Council has not allocated funding for the installation of lighting at Otto Park as part of the 2022- 2023 Annual Business Plan and Budget.

In order to determine the potential cost of the proposed lighting, an estimate was obtained from Enerven Energy Infrastructure. Enerven Energy Infrastructure specialises in the development of infrastructure, energy and telecommunication solutions.

The estimated costs for the proposed lighting from Enerven Energy Infrastructure is \$36,000 (exc GST)

The estimated costs for the supply and installation of lighting infrastructure from SA Power Networks is \$650 (exc GST).

EXTERNAL ECONOMIC IMPLICATIONS

Not Applicable.

SOCIAL ISSUES

The community values the City's open space and recreation assets, particularly parks and reserves, which provide a social space for residents, dog owners and other members of the community who enjoy open spaces.

CULTURAL ISSUES

Not Applicable.

ENVIRONMENTAL ISSUES

Not Applicable

RESOURCE ISSUES

Not Applicable

RISK MANAGEMENT

Not Applicable.

COVID-19 IMPLICATIONS

Not Applicable.

CONSULTATION

- **Elected Members**
Elected Members previously considered this matter at its meeting held in May 2020.
- **Staff**
General Manager, Governance and Civic Affairs
Manager, Special Projects
- **Community**
On 6 May 2022, a letter was delivered to fifty-seven (57) residents and property owners located in the immediate and near vicinity of Otto Park, St Peters, to seek their comments regarding the proposal to install.
- **Other Agencies**
Not Applicable

DISCUSSION

The installation of lighting in Otto Park would extend the time that residents and dog owners can use the park in the evening, particularly during winter months.

However, lighting of any open space needs to ensure the impact of the lighting has minimal impact on the adjacent residential properties. A lighting design therefore was prepared to ensure any lighting to the Park did not impact on the neighbouring properties.

A copy of the proposed lighting plan is contained within **Attachment A**.

The technology proposed for Otto Park includes a photoelectric cell to turn off the lights in daylight as well as a timer to turn off the lights at a designated time (e.g. 9:00pm in winter and 10:00pm in summer).

The improved energy efficiency of LEDs means that coupled with modern luminaire design, these lights allow for lower illumination levels without compromising safety. LEDs also help lower carbon emissions by reducing the demand for electricity, which is still largely generated by burning fossil fuels.

As stated previously, a letter was forwarded to fifty-seven (57) local residents seeking their comments in respect to this matter. Residents were invited to answer “yes” or “no” in relation to their preferred option based on image of the proposed installation of lighting in Otto Park.

A copy of the letter is contained in **Attachment B**.

Residents and property owners were directed to the Council’s online consultation webform and asked to provide their comments.

Residents and property owners were also invited to the proposal with the Council’s Manager, Communications & Community Engagement.

The Council received a total of forty-one (40) responses as part of the consultation process.

A summary of the responses which have been received is set out in Table 1 below.

TABLE 1: SUMMARY OF THE RESPONSES

Option 1: Do Not Support the Proposal to Install Lighting	Option 2: Support the Proposal to Install Lighting
Eleven (11) responses	Twenty- nine (29) responses

In addition, seven (7) emails were received from residents in response to the consultation:

- one (1) resident supported the installation of lighting in Otto Park because he finds it hard to exercise his dog at Otto Park in winter when it gets dark after 5.30pm;
- one (1) resident supported the installation of lights but wanted the lights to stay on after 9:00pm in winter as the park gets quite muddy;
- one (1) resident supported the installation of lights but wanted the lights to be turned off at 8:00pm, rather than 9:00pm which was outlined in the Council’s letter. This resident (in a separate email) also suggested that the Council could consider installing user-activated lighting in Otto Park; and.
- one (1) resident supported the installation of lights and also suggested putting Christmas lights in the large pine tree in Otto Park.

Two (2) residents strongly opposed to the installation of additional lighting for the following reasons:

- the park is already used by dogs and their owners and having lighting will encourage further use and more “uncollected faeces”;
- the lighting would cause “inevitable” light spillage into residences which have bedrooms facing the park and;
- car parking out the front of one of the residents’ homes is already impacted by people attending Otto Park.

As stated above, the proposed design for the lighting, as contained in Attachment A, ensures the light is directed into the park to avoid spillage into the adjoining properties.

To ensure local residents are not impacted by users of the park in terms of noise, etc it is also recommended that the lighting be turned off at 9.00pm in winter and 10.00pm in summer.

OPTIONS

In respect to the installation of lighting at Otto Reserve, St Peters, the Council has two (2) options.

Option 1

The Council can determine not to install lighting and retain Otto Park as it currently is.

Option 2

The Council can determine to install lighting in Otto Park to increase the useage of the reserve during the evening.

This is the recommended option on the basis that this option is supported by the majority of residents and property owners who provided their comments as part of the consultation process.

CONCLUSION

The installation of lighting at Otto Park, St Peters will allow citizens more time to use the park. At the same time however, the unintended consequence of installing lights, could mean that an increase in the number of dog owners who use the park may increase the perception that Otto Park is a designated Dog Park.

The Council has not designated Otto Park as a Dog Park.

COMMENTS

Nil.

RECOMMENDATION

1. That the Council endorses the installation of lighting in Otto Park, St Peters.
2. The Council considers the allocation of funding for the installation of lighting in Otto Park as part of the 2023-2024 Budget.

Attachments – Item 11.2

Attachment A

Installation of Lighting Otto Park, St Peters

City of Norwood Payneham & St Peters
175 The Parade, Norwood SA 5067

Telephone 8366 4555
Facsimile 8332 6338
Email townhall@npsp.sa.gov.au
Website www.npsp.sa.gov.au



City of
Norwood
Payneham
& St Peters



● StreetLED light on 6.5m tall pole

Background Information

On 4 May 2020, the Council resolved to retain Otto Park as an off-leash area for dogs at all times, and to undertake community consultation with regards to the installation of timed lighting.

The proposed lighting of Otto Park is designed to Australian Standards and complies with requirements to minimise light spillage into adjacent properties. The lighting design proposes:

- 5 LED luminaires along the north and south perimeters of the park, 1 of which replaces the existing light at the bottom of the ramp near the southeast corner of the reserve;
- a photoelectric cell to turn off lights when there is daylight; and
- a timer to turn off lights at a designated curfew time (e.g. 9pm in winter, 10pm in summer).



Proposed Lighting Plan for Otto Park

March 2022



City of
Norwood
Payneham
& St Peters

Attachment B

Installation of Lighting Otto Park, St Peters

City of Norwood Payneham & St Peters
175 The Parade, Norwood SA 5067

Telephone 8366 4555
Facsimile 8332 6338
Email townhall@npsp.sa.gov.au
Website www.npsp.sa.gov.au



City of
Norwood
Payneham
& St Peters

File Number: qA96047
 Enquiries To: Simonne Whitlock
 Direct Telephone: (08) 8366 4528



City of
**Norwood
 Payneham
 & St Peters**

3 June 2022

Dear Resident

OTTO PARK LIGHT INSTALLATION

You have received this letter because the Council is seeking your input in relation to the installation of lights in Otto Park, in St Peters.

As Otto Park is designated as an off-leash area for dogs, lighting can extend the time that residents and dogs can safely use the park in the evening, particularly in winter.

The proposed lighting is designed to Australian Standards and complies with requirements to minimise light spillage into adjacent properties.

The lighting design proposes five LED luminaries along the north and south perimeters of the park.

The technology includes a photoelectric cell to turn off the lights in daylight as well as a timer to turn off the lights at a designated time (e.g. 9:00pm in winter and 10:00pm in summer).

To assist in the consultation process, the Council wants to know if you would prefer the lighting in Otto Park to remain as is or would you prefer the additional lighting.

An image of Otto Park and the proposed lighting plan is on the back of this letter.

Please let the Council know your preferred option via the website www.npsp.sa.gov.au/op by **5pm on Friday, 24 June 2022**.

For further information or to discuss these options in more detail please contact the Council's Communication's Officer Simonne Whitlock on 8366 4528 or swhitlock@npsp.sa.gov.au

Thank you for taking the time to provide your input.

Yours sincerely

Simonne Whitlock
COMMUNICATIONS OFFICER

175 The Parade
 Norwood SA 5067

PO Box 204
 Kent Town SA 5071

Telephone
 8366 4555

Email
townhall@npsp.sa.gov.au

Website
www.npsp.sa.gov.au



Community
 Well-being is...
 Social Equity
 Cultural Vitality
 Economic Prosperity
 Environmental
 Sustainability

Proposed lighting plan for Otto Park



Red dots indicate the proposed lighting locations.

Section 2 – Corporate & Finance
Reports

11.3 MONTHLY FINANCIAL REPORT – JULY 2022

REPORT AUTHOR: Financial Services Manager
GENERAL MANAGER: General Manager, Corporate & Community 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 July 2022.

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 \$861,695 for the 2022-2023 Financial Year.

For the period ended July 2022, the Council's Operating Surplus is \$1,080,000 against a budgeted Operating Surplus of \$1,012,000, resulting in a favourable variance of \$68,000.

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 July 2022, the Council's Operating Surplus is \$1,080,000 against a budgeted Operating Surplus of \$1,012,000, resulting in a favourable variance of \$68,000.

Employee expenses are \$142,000 unfavourable to the adopted budget. This timing variance is related to the leave being actually taken as compared to the budget expectations combined with additional staffing hours worked to cover staff who have taken sick leave due to illness or COVID-19.

There are no individually significant variances to budget and are primarily due to expenditure timings compared to actual expenditure which is not uncommon for the beginning of the Financial Year.

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

OPTIONS

Nil

CONCLUSION

Nil

COMMENTS

Nil

RECOMMENDATION

That the July 2022 Monthly Financial Report be received and noted.

Attachments – Item 11.3

Attachment A

Monthly Financial Report July 2022

City of Norwood Payneham & St Peters
175 The Parade, Norwood SA 5067

Telephone 8366 4555
Facsimile 8332 6338
Email townhall@npsp.sa.gov.au
Website www.npsp.sa.gov.au

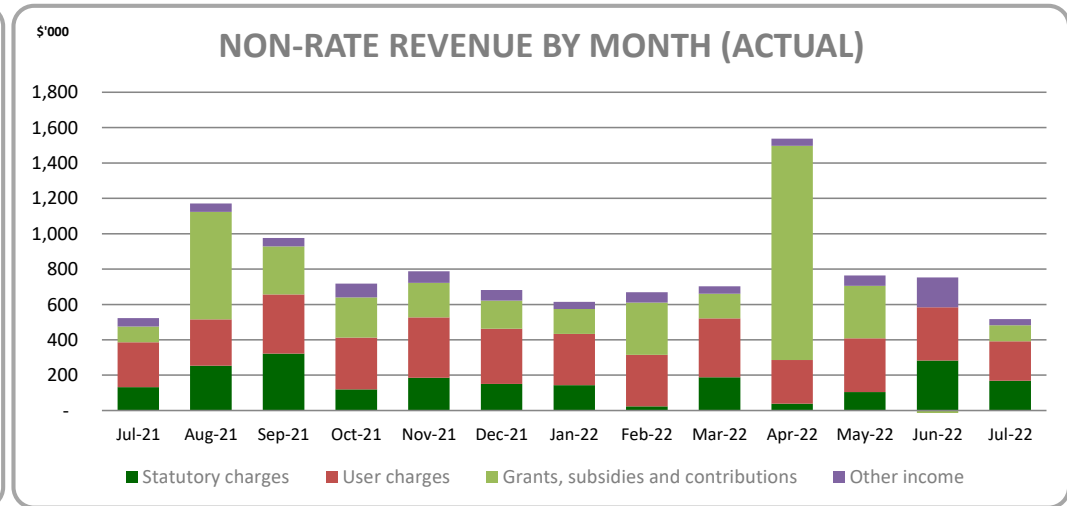
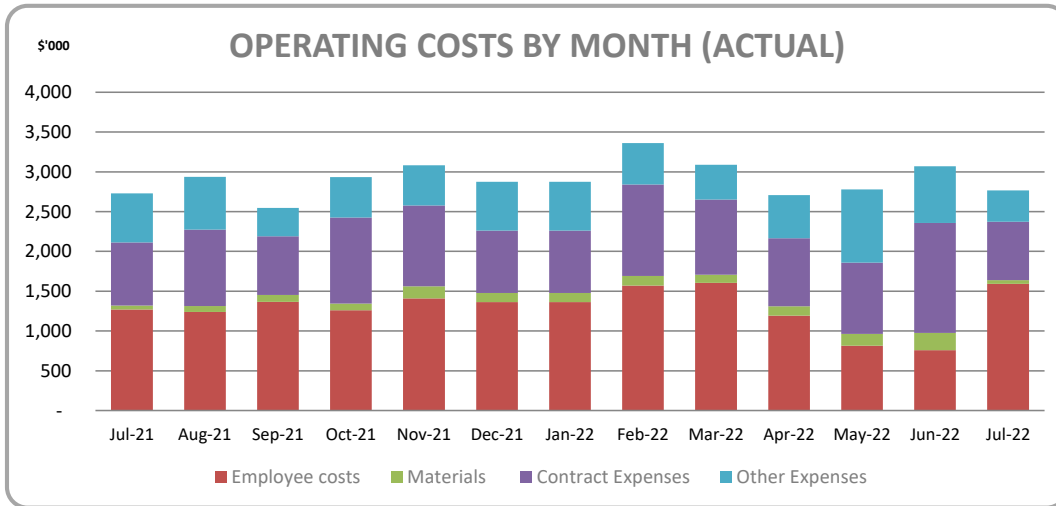


City of
**Norwood
Payneham
& St Peters**

CITY OF NORWOOD PAYNEHAM & ST PETERS

Financial Performance for the period ended 31 July 2022					
LYTD Actual		YTD Actual	YTD Revised	Var	Var %
\$'000		\$'000	Budget \$'000	\$'000	
	Revenue				
3,156	Rates Revenue	3,326	3,327	(0)	(0%)
132	Statutory Charges	168	157	11	7%
254	User Charges	224	247	(23)	(9%)
90	Grants, Subsidies and Contributions	91	88	3	3%
1	Investment Income	7	4	3	80%
47	Other	28	36	(8)	(21%)
1	Reimbursements	3	1	2	136%
3,680	Total Revenue	3,847	3,860	(12)	(0%)
	Expenses				
1,264	Employee Expenses	1,591	1,449	(142)	(10%)
775	Contracted Services	732	852	120	14%
14	Energy	46	36	(10)	(27%)
67	Insurance	81	71	(10)	(13%)
108	Legal expense	4	13	10	73%
15	Materials	14	43	29	67%
34	Parts, Accessories and Consumables	34	75	41	55%
19	Water	37	56	19	34%
344	Sundry	194	209	15	7%
-	Depreciation, Amortisation and Impairment	-	-	-	-
11	Finance Costs	36	43	7	17%
105	Net Loss - Joint Ventures & Associates	-	-	-	-
2,756	Total Expenses	2,767	2,848	81	3%
925	Operating Surplus/(Deficit)	1,080	1,012	68	7%

Summary of Net Cost of Divisions for the period				
Division	YTD Actual	YTD Budget	Var	Var %
	\$'000	\$'000	\$'000	
Chief Executive Office	(416)	(346)	(71)	-20%
Corporate Services	(661)	(603)	(58)	-10%
Governance and Community Affairs	(93)	(161)	68	42%
Urban Planning and Environment	(302)	(245)	(57)	-23%
Urban Services	(1,036)	(1,205)	169	14%
Operating Surplus/(Deficit) (before Rate Revenue)	(2,508)	(2,560)	52	2%
Rate Revenue	3,326	3,327	(0)	0%
Operating Surplus/(Deficit)	818	767	51	7%



CITY OF NORWOOD PAYNEHAM & ST PETERS

Project Summary for period ended 31 July 2022

	YTD Actual	YTD Budget	Remaining Budget
	\$'000	\$'000	\$'000
Operating Projects			
Income			
Social Equity	-	-	725
Environmental Sustainability	4	-	56
Cultural Vitality	-	-	-
Economic Prosperity	-	-	-
Corporate Management	-	-	-
Total Income	4	-	780
Expenses			
Social Equity	72	733	661
Environmental Sustainability	5	384	379
Cultural Vitality	-	72	72
Economic Prosperity	-	179	179
Corporate Management	5	78	73
Total Expenses	82	1,447	1,365

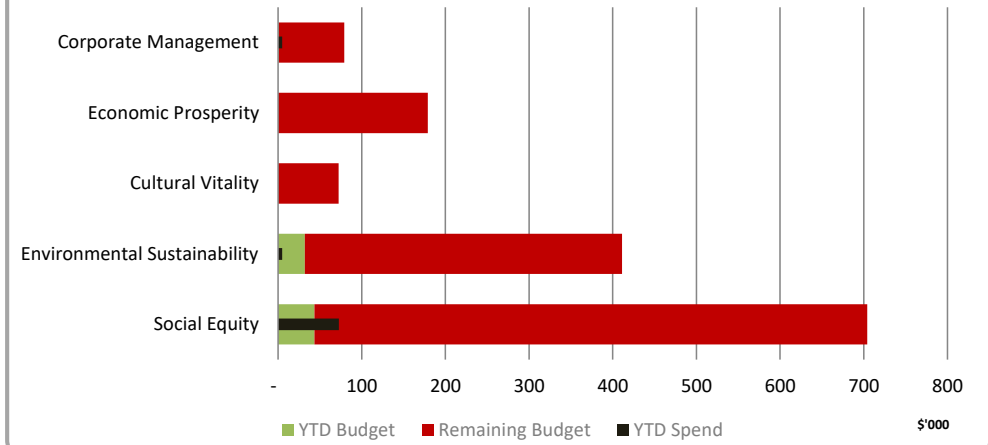
Net Cost of Operating Projects	(78)	(1,447)	(585)
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Capital Projects			
Income			
Social Equity	-	11	(5,428)
Environmental Sustainability	-	-	(6,676)
Cultural Vitality	-	-	-
Economic Prosperity	-	-	-
Corporate Management	-	-	-
Total Income	-	11	(12,104)
Expenses			
Social Equity	82	1,583	45,084
Environmental Sustainability	-	48	18,936
Cultural Vitality	18	23	363
Economic Prosperity	41	-	-
Corporate Management	8	23	262
Total Expenses	149	1,676	64,645

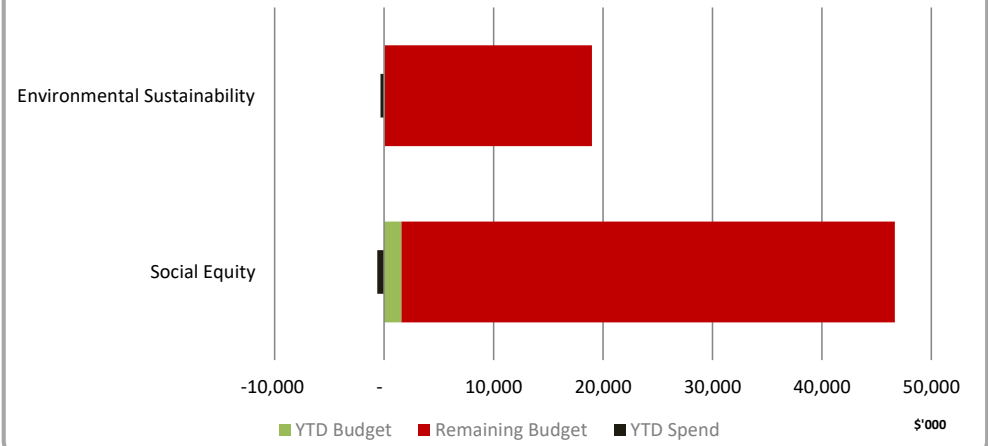
Net Cost of Capital Projects	(149)	(1,665)	(76,749)
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Key areas to highlight:

SERVICE INITIATIVES (inc. Carry Forwards)



NEW ASSETS & RENEWALS (inc. Carry Forwards)

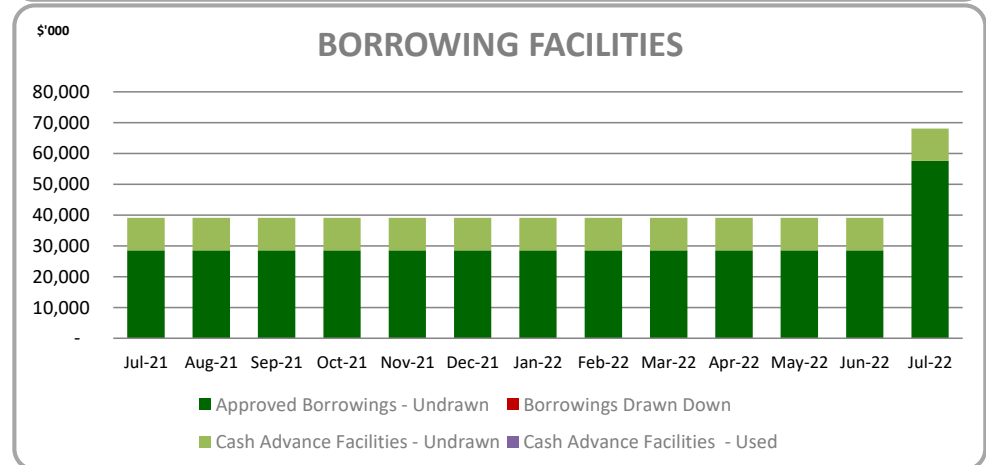
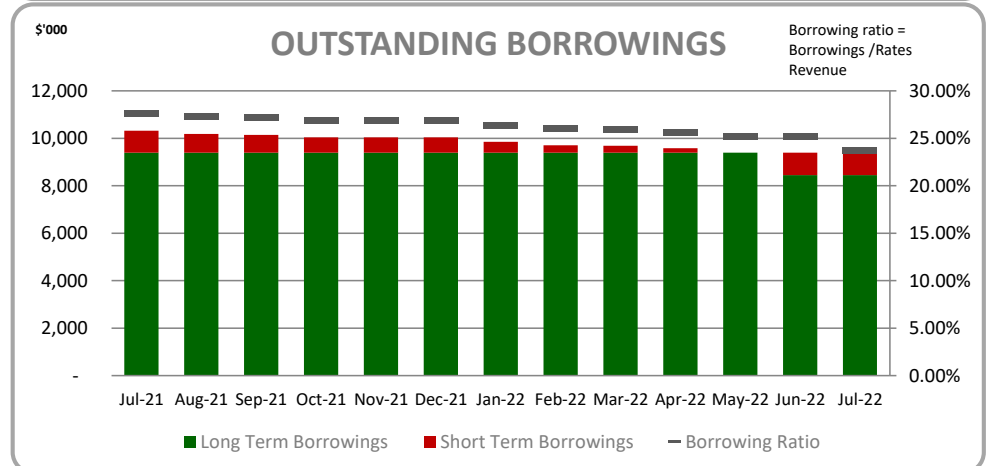
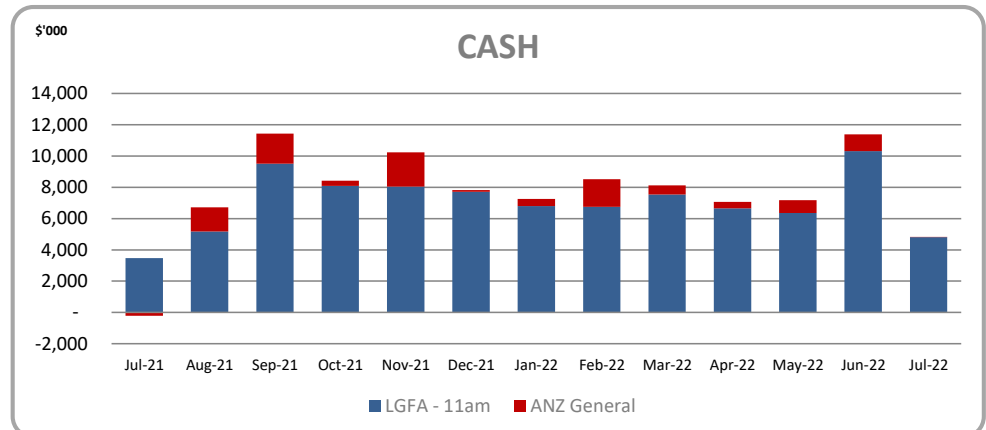


CITY OF NORWOOD PAYNEHAM & ST PETERS

Statement of Financial position as at 31 July 2022

	Jul-22	Jun-22	Movement	June 2022
	Actual	Actual		
	\$'000	\$'000	\$'000	\$'000
ASSETS				
Current Assets				
Bank and Cash	4,829	11,391	(6,562)	11,391
Accounts receivables	42,179	3,136	39,043	3,136
Less : Provision for Bad Debts	(349)	(349)	-	(349)
Total Current Assets	46,660	14,179	32,481	14,179
Non-current Assets				
Financial Assets	-	-	-	-
Investments in Joint Ventures	2,017	1,817	200	1,817
Infrastructure, Property, Plant and Equipment	512,288	512,489	(202)	512,489
Total Non-current Assets	514,304	514,306	(2)	514,306
Total Assets	560,964	528,485	32,480	528,485
LIABILITIES				
Current Liabilities				
Trade and Other Payables	43,475	11,884	31,591	11,884
Borrowings	945	945	-	945
Provisions	1,713	1,713	-	1,713
Total Current Liabilities	46,132	14,542	31,591	14,542
Non-current Liabilities				
Borrowings	8,447	8,447	-	8,447
Provisions	2,678	2,869	(191)	2,869
Investments in Joint Ventures	866	866	-	866
Total Non-current Liabilities	11,990	12,181	(191)	12,181
Total Liabilities	58,123	26,723	31,399	26,723
NET ASSETS	502,841	501,761	1,080	501,761
EQUITY				
Accumulated Surplus	63,634	62,554	1,080	62,554
Asset Revaluation Reserves	439,208	439,208	-	439,208
TOTAL EQUITY	502,841	501,761	1,080	501,761

Key areas to highlight YTD :



11.4 AUDIT COMMITTEE ANNUAL REPORT TO COUNCIL

REPORT AUTHOR: General Manager, Corporate Services
GENERAL MANAGER: Chief Executive Officer
CONTACT NUMBER: 8366 4585
FILE REFERENCE: qA98586/A450050
ATTACHMENTS: A

PURPOSE OF REPORT

The purpose of the report is to present the Audit Committee's Annual Report for the year ended 30 June 2022.

BACKGROUND

The Audit Committee's 2021-2022 Work Program, requires an Annual Report to be provided to the Council which addresses the following:

- *outlining outputs relative to the audit committee's work program and the results of a self-assessment of performance for the preceding period including whether it believes any changes to its Terms of Reference are appropriate;*
- *outlining any identified training needs;*
- *advising future work program proposals; and*
- *invite comment from the Council on all of the above.*

At its meeting held on 25 July 2022, the Audit Committee considered and approved the Annual Report for the year ended 30 June 2022 and the 2022-2023 Work Program.

RELEVANT POLICIES & STRATEGIC DIRECTIONS

Not Applicable.

FINANCIAL IMPLICATIONS

Nil.

SOCIAL ISSUES

Nil.

CULTURAL ISSUES

Nil.

ENVIRONMENTAL ISSUES

Nil.

RESOURCE ISSUES

Nil.

RISK MANAGEMENT

Nil.

CONSULTATION

- **Elected Members**
Mayor Bria, Cr Minney (Presiding Member) and Cr Stock are Members of the Council's Audit Committee.
- **Community**
Not Applicable.
- **Staff**
Not Applicable.
- **Other Agencies**
Not Applicable.

DISCUSSION

The Audit Committee's 2021-2022 Annual Report which details the activities that have been undertaken by the Committee during the year and the proposed 2022-2023 Audit Committee Work Program, is contained in **Attachment A**.

The Annual Report to the Council also requires the Audit Committee to determine whether its Terms of Reference remain appropriate.

The *Statutes Amendment (Local Government Review) Act 2021* (the Act), includes a number of changes to the operations of Audit Committees and as a consequence, the Committees *Terms of Reference*. The new provisions, are due to come into effect by November 2023. Given that the relevant provisions of the Act are yet to come into effect and that the term of the current Audit Committee expires on 31 October 2022, there are no changes recommended to the *Terms of Reference*. A copy of the Terms of Reference is contained in **Attachment B**.

While no changes have been recommended for the remainder of the current term of the Audit Committee, at its meeting held on 25 July 2022, the Audit Committee resolved that a draft *Terms of Reference*, incorporating the new provisions of the Act, be prepared for consideration when the Council re-establishes the Audit Committee, following the 2022 Local Government Election.

OPTIONS

Not Applicable.

CONCLUSION

Nil.

COMMENTS

If Elected Members have any questions or require clarification in relation to specific items, and/or any issues arising from this report, do not hesitate to contact the General Manager, Corporate Services, Sharon Perkins on 8366 4585, prior to the meeting.

RECOMMENDATION

That the report be received and noted and that the Audit Committee be thanked for its oversight of the Councils Financial Governance Framework.

Attachments – Item 11.4

Attachment A

Audit Committee Annual Report to Council

City of Norwood Payneham & St Peters
175 The Parade, Norwood SA 5067

Telephone 8366 4555
Facsimile 8332 6338
Email townhall@npsp.sa.gov.au
Website www.npsp.sa.gov.au



City of
**Norwood
Payneham
& St Peters**



2021-2022

Audit Committee Annual Report



City of
Norwood
Payneham
& St Peters

2021-2022 Annual Report to Council

Introduction

This report outlines the activities undertaken by the City of Norwood Payneham & St Peters Audit Committee during the 2021-2022 financial year, against the Committee's Annual Work Plan and the Committee's Terms of Reference.

Conduct of Meetings

In relation to the 2021-2022 Audit Work Program, the Committee met on five (5) occasions, with the following Members in attendance:

Date	Number of Members Attending
25 October 2021	3
28 February 2022	4
28 March 2022 (Special Meeting)	5
23 May 2022	4
25 July 2022	3

Committee Member	Number of Meetings Attended
Mayor Robert Bria	3
Cr John Minney (Presiding Member)	4
Cr Mike Stock	5
Ms Sandra DiBlasio	3
Ms Brigid O'Neill	4

Committee Activities

The following table sets out the principal issues addressed by the Committee during 2021-2022:

Principal Issues Examined	Comment/Status	Recommendations made to the Council
2020-2021 Annual Financial Statements	Completed	Adoption of Financial Statements recommended to the Council
Financial Performance against the Adopted Budget	Completed	Report be received and noted
External Auditors Correspondence <ul style="list-style-type: none"> • 2020-2021 Audit Completion Report • 2020-2021 Audit Opinion & Auditors report to Council 	Completed	Report be received and noted

Principal Issues Examined	Comment/Status	Recommendations made to the Council
Strategic Management Plans <ul style="list-style-type: none"> Long Term Financial Plan 	Completed	Adoption of the revised Long-Term Financial Plan financial projections, as revised in line with the decisions made by the Council when adopting the 2021-2022 Annual Business Plan and Budget recommended to the Council
Policies <ul style="list-style-type: none"> Elected Members Communication Policy & Guidelines; Fees & Charges Policy; Financial Hardship Policy; Fraud and Corruption Prevention Policy; Asset Capitalisation & Depreciation Policy & Guidelines; Rate Rebate Policy; Rate Rebate on Council Land Leased or Licenced; Payments Policy; Expenditure Policy; Bank Accounts Policy; Fringe Benefits Tax Policy; Petty Cash Policy; Rating Policy; Treasury Management Policy; Internal Control Policy; Procurement Policy & Guidelines; and Prudential Management Policy. 	Completed	<p>The following Policies were reviewed by the Committee and no changes were recommended to the Council.</p> <ul style="list-style-type: none"> Elected Members Communication Policy & Guidelines; Fees & Charges Policy; Financial Hardship Policy; Fraud and Corruption Prevention Policy; Asset Capitalisation & Depreciation Policy & Guidelines; Rate Rebate Policy; and Rate Rebate on Council Land Leased or Licenced. <p>The following Policies were reviewed by the Committee and subject to minor administrative amendments, were recommended to Council for adoption;</p> <ul style="list-style-type: none"> Payments Policy; Expenditure Policy; Bank Accounts Policy; Fringe Benefits Tax Policy; and Petty Cash Policy. <p>The following Policies underwent a major review or were developed and were recommended to Council for adoption;</p> <ul style="list-style-type: none"> Rating Policy; Treasury Management Policy; Internal Control Policy; Procurement Policy & Guidelines; and Prudential Management Policy.
Internal Controls & Risk Management Assessment (Regular Agenda Item)	Completed	Report be received and noted
Borrowing & Investment Performance	Completed	Report be received and noted
Local Government Finance Authority – Change in Lending Policy	Completed	Report be received and noted

Principal Issues Examined	Comment/Status	Recommendations made to the Council
Internal Audit Reviews	<p>The contract with the Council's Internal Audit Service Provider expired in August 2021. In consideration of Best Practice, the Council re-tested the market to ensure that the Council was receiving the best value for money for its Internal Audit Function.</p> <p>Bentley (SA) Pty Ltd were appointed, with the contract term commencing on 1 May 2022, as such not internal audits were undertaken during the year.</p>	
Governance Arrangements – Council's Regional Subsidiaries (Regular Agenda Item)	Completed	<p>The following issues were considered</p> <ul style="list-style-type: none"> • Regional Subsidiaries – Annual Financial Statements for the year ended 30 June 2021 • Budget Reviews • 2022-2023 Annual Business Plans and Budgets
Insurance Coverage and Claims	Completed	Report be received and noted
Budget Review <ul style="list-style-type: none"> • Mid-Year Review • Third Quarter Review 	Completed	Report be received and noted
2021-2022 Budgeted Vacant Positions	Completed	Report be received and noted
<i>Statutes Amendment (Local Government Review) Act 2021</i>	Completed	Report be received and noted
2021 Risk Evaluation Report	Completed	Report be received and noted
<i>Planning, Development & Infrastructure Act 2016 – Transition Audit</i>	Completed	Report be received and noted
Selection of Internal Auditor	Completed	Recommended the appointment of Bentleys (SA) Pty Ltd.
Service Review Project	Completed	Report be received and noted

Principal Issues Examined	Comment/Status	Recommendations made to the Council										
Borrowing & Investment Performance Forecast For Year Ended 30 June 2022	Completed	Recommended the Borrowing and Investment Report be endorsed by the Council.										
Annual Business Plan and Budget	Completed	<ol style="list-style-type: none"> <li data-bbox="967 383 1449 533">1. That the Audit Committee notes the Draft 2022-2023 Budget is ambitious, with minimal buffer for delays in project delivery or cost over-runs. <li data-bbox="967 568 1449 1368">2. That the Audit Committee recommends that the Council determines by resolution that once the 2022-2023 Budget is adopted, no further projects be approved by the Council unless fully funded (i.e. Grants/ Fee for Service) and that the Council adhere to the budget management principles considered by the Council at its meeting held on 17 January 2022, namely: <ul style="list-style-type: none"> <li data-bbox="967 904 1449 1115">• 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; <li data-bbox="967 1122 1449 1240">• expenditure over-runs are offset by deferral of discretionary expenditure or savings elsewhere within the Council's operations; <li data-bbox="967 1247 1449 1305">• income shortfalls to be matched by operating expenditure savings; and <li data-bbox="967 1312 1449 1368">• no new capital expenditure that requires additional borrowings. <li data-bbox="967 1391 1449 1503">3. That the Audit Committee recommends that the Rate Revenue increase for 2022-2023 be set between 5% and 6% <li data-bbox="967 1509 1449 1599">4. That the following Operating Projects not be funded as part of the Draft 2022-2023 Budget: <table data-bbox="1034 1615 1401 1787" style="margin-left: 40px;"> <tr> <td data-bbox="1034 1615 1166 1673">Investment Prospectus</td> <td data-bbox="1299 1630 1401 1659">\$20,000</td> </tr> <tr> <td data-bbox="1034 1680 1235 1738">Smart City Technology Plan</td> <td data-bbox="1299 1695 1401 1724">\$80,000</td> </tr> <tr> <td data-bbox="1034 1744 1251 1774">25 Years of NPSP</td> <td data-bbox="1299 1760 1401 1789">\$25,000</td> </tr> </table> <li data-bbox="967 1823 1449 1912">5. That the funding allocation for the following Operating Projects be reduced by the following amounts: <table data-bbox="1034 1928 1401 2011" style="margin-left: 40px;"> <tr> <td data-bbox="1034 1928 1235 1957">Tour Down Under</td> <td data-bbox="1299 1928 1401 1957">\$50,000</td> </tr> <tr> <td data-bbox="1034 1964 1251 1993">Review of Access & Inclusion Plan</td> <td data-bbox="1299 1964 1401 1993">\$10,000</td> </tr> </table> 	Investment Prospectus	\$20,000	Smart City Technology Plan	\$80,000	25 Years of NPSP	\$25,000	Tour Down Under	\$50,000	Review of Access & Inclusion Plan	\$10,000
Investment Prospectus	\$20,000											
Smart City Technology Plan	\$80,000											
25 Years of NPSP	\$25,000											
Tour Down Under	\$50,000											
Review of Access & Inclusion Plan	\$10,000											

During 2021-2022, Committee Members attended the following training courses/sessions:

Training Course/Session	Date(s)	Provider	Members Attending
Nil			

Audit Committee Evaluation

During July 2022, the Committee undertook a self-assessment of its Terms of Reference and its own performance for the year ended 30 June 2022. This self-assessment has taken into account, factors such as:

- the Committee's Work Program;
- the Committee's operating environment;
- the stage of maturity of the Committee;
- Council's strategic directions;
- Council's risk and control environment;
- current and emerging trends and factors;
- the outcomes of previous self-assessments.

The Committee's comments and recommendations resulting from the self-assessment of its Terms of Reference are set out in the table below:

Terms of Reference Item	Comment(s)	Recommendation(s)
Nil		

A summary of the conclusions of the Committee's self-assessment of its own performance are summarised below.

Issues	Comment(s)	Recommendation(s)
• the clarity of its role and purpose;	Considered appropriate.	Nil
• its capacity to operate independently;	Considered adequate.	Nil
• the expertise and experience of its members including training available;	Considered appropriate.	Nil
• the Committee Members' understanding of the Council, Local Government sector and external issues such as economic and environment impacts;	Considered appropriate.	Nil
• meeting operation – frequency, length, agenda papers, follow-up of outstanding issues etc.;	Considered appropriate.	Nil
• resources available to the Committee;	Considered satisfactory.	Nil
• the Committee's working relationship with Council and the senior management team;	No difficulties have been experienced since the formation of the Committee.	Nil
• the Committee Members' understanding of financial indicators (and targets for these) being used to assess the Council's performance;	The latest financial indicators submitted to the Council e.g. following Budget revisions.	Nil
• the appropriateness of its Work Program;	Considered to be adequate for 2021-2022	

Issues	Comment(s)	Recommendation(s)
<ul style="list-style-type: none"> National Competition Policy compliance; 	Content of report provided to the Council on 21 January 2008 previously discussed by the Committee.	Nil
<ul style="list-style-type: none"> the Committee's access to appropriate Council information; 	External Members comfortable with access to Elected Members, Council staff and information.	Nil
<ul style="list-style-type: none"> the extent to which the Committee's advice is contributing to the effective operation of the Council; 	No adverse reports have been received by Committee Members on the performance of the Committee.	Nil
<ul style="list-style-type: none"> matters for investigation. 	There are no matters before the Committee requiring investigation.	Nil

Following from its self-assessment process the Committee recommends training/professional development for its members:

Training/Professional Development Need	Committee Member
Opportunities for training through the Local Government Association to be provided by the General Manager, Governance & Community Affairs as they become available.	All Members.

The 2022-2023 Work Program is contained in Attachment A

Attachment A

2022-2023 Work Program



2022-2023 Audit Committee Work Program

Activity	Meeting for Consideration	Current Status / Outcomes	Follow-up Action	Date Completed
1 Financial Reporting (LGA – Section 126(4)(a))				
1.1 Ensure that financial information included in publications for external audiences accurately reflects key accrual based financial information and where appropriate sector-endorsed financial indicators:				
• Annual Business Plan;	March 2023 May 2023			
• Annual Financial Statements;	October 2022			
1.2 Review financial performance indicators provided to Council as part of Budget Reviews.	February 2023 May 2023			
2 Strategic Management and Annual Business Plans (LGA – Section 126(4)(ab))				
2.1 The Audit Committee should satisfy itself regarding the:				
• consistency of the Council's strategic plan with its long-term financial plan (LTFP) and annual business plan;	October 2022 (LTFP) May 2023 (ABP)			
• soundness of the I& e.g. Is it supported by engineering and other professional assessments regarding the condition of Council's infrastructure assets;	February 2023			
• likely impact on Council's ongoing financial sustainability of implementation of its suite of strategic management plans; and	October 2022			
• appropriateness of the indicators (financial and other) to measure achievements of the strategic plan and annual business plan.	March 2023 May 2023			
2 Exercise of Powers under Section 130A (LGA – Section 126(4)(ac))				
3.1 Determine whether a recommendation to the Council is required to request its auditor or some other person to:				
• examine and report on any matter considered significant relating to financial management or the efficiency and economy of the management of Council's resources that would not be addressed or included as part of the annual audit.	As required			

2022-2023 Audit Committee Work Program

Activity	Meeting for Consideration	Current Status / Outcomes	Follow-up Action	Date Completed
4 Liaising with External Auditor (LGA – Section 126(4)(b))				
4.1 Meet with the Council's external auditor to: <ul style="list-style-type: none"> discuss any points of concern raised by the External Auditor in their interim audit; assess the appropriateness of the Council's response to matters raised in the interim audit; discuss any qualifications raised in the most recent audit or comments made in the accompanying management letter; and assess the appropriateness of the Council's response to matters so raised. 	October 2022			
4.2 Ensure compliance with regulation 22 (1) of the <i>Local Government (Financial Management) Regulations 2011</i> , which prevent a Council from engaging its auditor to provide any services to the Council outside the scope of the auditor's functions under the <i>Local Government Act 1999</i> .	July 2023			
5 Internal Controls and Risk Management Systems (LGA – Section 126(4)(c))				
5.1 Identify whether weaknesses in internal controls have been previously identified, (e.g. by management or Council's external auditor,) and if so whether action has been taken to have them addressed: <ul style="list-style-type: none"> consider the range of documented internal control policies and procedures; and whether they are being followed. 	October 2022			
5.2 Develop and monitor the delivery of the Council's Strategic Internal Audit Plan by; <ul style="list-style-type: none"> meeting with the Council's Internal Auditors to discuss any points of concern raised by the Internal Auditor, as part of the delivery of the Strategic Audit Plan; assessing the appropriateness of the Council's response to matters raised in the Internal Audit Reports; and annually review the appropriateness of the Council's three (3) year Strategic Internal Audit Plan. 	As required			

2022-2023 Audit Committee Work Program

Activity	Meeting for Consideration	Current Status / Outcomes	Follow-up Action	Date Completed
5.3 Review Management's assessment of the Council's major risks.	October 2022 May 2023			
5.4 Establish whether locally appropriate strategies exist to minimise the likelihood of occurrence and adverse consequence for obvious and major risks. Consider: <ul style="list-style-type: none"> whether an assessment has been undertaken to identify foreseeable events with potentially catastrophic consequences and actions established to minimise their likelihood and effect whether a business continuity plan has been developed in case of major damage to key Council properties or other, (e.g. computer, assets); whether there are significant risks that have been identified by Council's insurers that have not been reasonably addressed and therefore could jeopardise insurance cover in this regard; and adequacy of insurance coverage. Annual Review of Insurance Claims 	February 2023 October 2022 July 2023 July 2023 July 2023	Risk Workshop to be held following the Local Government Elections (November 2022) and the re-establishment of the Audit Committee		
5.5 Review the appropriateness of the range and content of Council's financial policies and practices: <ul style="list-style-type: none"> as per Policy Development Timetable. 		Standing Agenda Item		
5.5 Review the Council's financial governance arrangements and the effectiveness of those arrangements including: <ul style="list-style-type: none"> Management/reporting of Council's regional subsidiaries. the processes in place to ensure: <ul style="list-style-type: none"> all Council Members and the executive team have appropriate knowledge of key financial governance principles, issues and reporting tools in the context of Local Government financial sustainability; and, where warranted, existing knowledge and skills are augmented with locally appropriate training and support 		Standing Agenda Item		

2022-2023 Audit Committee Work Program

Activity	Meeting for Consideration	Current Status / Outcomes	Follow-up Action	Date Completed
6 Reporting				
6.1 Ensure that significant, urgent matters identified through the work program are formally and promptly reported to Council:	As required			
6.2 Report annually to the Council; <ul style="list-style-type: none"> • outlining outputs relative to the audit committee's work program and the results of a self-assessment of performance for the preceding period including whether it believes any changes to its Terms of Reference are appropriate; • outlining any identified training needs; • advising future work program proposals; and • invite comment from the Council on all of the above. 	July 2023			

11.5 EAST WASTE REVISED 2022-2023 ANNUAL PLAN

REPORT AUTHOR: General Manager, Corporate & Community Services
GENERAL MANAGER: Chief Executive Officer
CONTACT NUMBER: 8366 4585
FILE REFERENCE: qA87860/A470708
ATTACHMENTS: A

PURPOSE OF REPORT

The purpose of this report is to present to the Council the East Waste Revised 2022-2023 Annual Plan (the Plan) for consideration and endorsement.

BACKGROUND

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

Pursuant to Clause 51 of the East Waste Charter (the Charter), East Waste must prepare an Annual Plan which informs and supports the Authority's Annual Budget. The Annual Plan must also set out proposals for the recovery of overheads over the financial year from the Constituent Councils.

Upon completion of the draft Annual Plan and Budget, pursuant to Clause 52.3 of the Charter, the Authority must provide the draft Plan to Constituent Councils for the purposes of obtaining approval from the Constituent Council's on or before 31 May. The Annual Plan can only be adopted by the East Waste Board, with absolute majority approval of the Constituent Councils.

The Council considered and endorsed the Draft 2022-2023 East Waste Annual Plan at its meeting held on 5 May 2022. The East Waste Board adopted the 2022-2023 East Waste Annual Plan at its meeting held on 23 June 2022.

The Authority's Budget is based on a Common Fleet Costing methodology, with Common Fleet Costs, which predominately relate to collection costs, which are charged to Constituent Councils based on the cost to undertake the collection of each Council's waste streams. The allocation of the Common Fleet Costs is based on the Authority's GPS System. It should be noted that as per the Authority's Budget Policy, the Common Fleet Cost includes an additional charge to incorporate a return on revenue, which is currently set at 1% of the Common Fleet Costing Charge.

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

RELEVANT STRATEGIC DIRECTIONS & POLICIES

Not Applicable.

FINANCIAL AND BUDGET IMPLICATIONS

As part of the 2022-2023 Annual Business Plan and Budget, the Council's adopted Budget includes funding for Waste Management Services to the value of \$4.7 million, which includes collection costs of \$2.282 million.

At the Special Council Meeting held on 21 June 2021, the Council considered and endorsed a proposed amendment the East Waste Charter, which allowed for the City of Unley to be admitted as a Constituent Council of East Waste.

The financial impact for this Council as result of the admission of the City of Unley as a new member Council is as follows:

- a reduction in ownership share from 14.3% to 12.5%; and
- a reduction in the common fleet cost allocation from 16.5% to 14.5%.

The combined impact for this Council is a reduction in Administration and Collection costs of \$102,000. The savings are derived from the re-allocation of fixed costs across the eight (8) Member Councils, with saving predominately in the Collection Costs.

The City of Unley was formally admitted as a Constituent Council of East Waste on 25 July 2022.

Given that the consideration of the City of Unley as a Constituent Council of East Waste was in the late stages of the 2022-2023 Budget process, the Council's Waste Management Budget and Collection costs did not include the potential \$102,000 reduction the annual Administration and Collection Costs charged from East Waste.

Following admission of the City of Unley as a Constituent Council, East Waste has undertaken a review of its Budget. Pursuant to the Schedule 2, Clause 25 (3) of the *Local Government Act 1999*, East Waste, may subject to the approval of the Constituent Council's, amend its adopted budget for the financial year at any-time prior to the end of the financial year.

In undertaking the review of its Budget, East Waste is proposing budget amendments which take into account the financial impact of undertaking Waste Management services to the City of Unley plus the financial impact of fuel prices, inflation and the disposal costs associated with the negotiated kerbside recyclables contract. It should be noted that the impact of the kerbside recyclables contract is a direct "pass through" to the respective Council based on tonnages.

The major cost increase proposed in the amended Budget is fuel and while East Waste has identified savings, based on the assumption which has been used for the fuel price, the identified savings have not completely offset the increase in fuel cost. To offset the remaining impact of the proposed fuel cost increase, East Waste has re-set the Collection fees to be recovered from the Constituent Councils.

To meet the cost increases, the East Waste is proposing not to pass through the savings derived from the admission of the City of Unley as a Constituent Council, with any shortfall being recovered through increased Collection Fees. The revised Collection Fee, for this Council are \$2.286 million (an increase of \$4,000).

EXTERNAL ECONOMIC IMPLICATIONS

Nil

SOCIAL ISSUES

Nil

CULTURAL ISSUES

Nil

ENVIRONMENTAL ISSUES

Nil

RESOURCE ISSUES

Nil

RISK MANAGEMENT

Nil

CONSULTATION

- **Elected Members**
Cr Stock is the Council's appointee on the East Waste Board.
- **Community**
Not Applicable.
- **Staff**
Nil
- **Other Agencies**
Not Applicable.

DISCUSSION

The main objectives of the East Waste Annual Plan remain unchanged, however as a result of the inclusion of the City of Unley as a Constituent Council and the associated work to bring the City of Unley on board, the number of proposed projects has been reduced.

The main amendment to the Annual Plan is the revised Budget, which reflects the financial impact of the admission of the City of Unley as a new Constituent Council coupled with a review of the assumptions upon which the original budget was prepared. A copy of the Revised 2022-2023 Annual Plan & Budget is contained in **Attachment A**.

While it acknowledged that the proposed increase in the collection fees will have a minor impact on the Councils operating costs (given it did not budget for the savings to be delivered from the increase in the number of Constituent Councils through the admission of the City of Unley), the immediate response by East Waste to pass on operating cost increases within the first month of a 12-month budget, is not considered normal business practice and within the spirit of the relationship and the intent in which Regional Subsidiaries are established.

As is the case when the Council commenced its budget process in January 2022, the Council adopted a number of parameters which set the assumptions that would apply to determine the projected operating costs for the 2022-2023 Financial year. As with many organisations, the Council did not foresee record high inflation, rising fuel prices and record low unemployment, which is adding to employment costs and input prices throughout the supply chain when delivering the Budget. The Council, as with all businesses, is feeling these cost pressures, however the Council is not in the position to pass on these cost pressures to its ratepayers once the Budget is set.

The major cost pressure for East Waste is fuel, which is assumed in the revised Budget to increase by 50% to \$3 million. While it is acknowledged that fuel prices have been volatile, given that the external influences on the world oil market, retail fuel price have yet to get to the predicted \$2.50 -\$2.70 cents per litre and given that East Waste would purchase fuel at a discounted rate compared to the retail rate, the proposed increase in fuel costs is not considered a reasonable assumption to apply at this early stage of the financial year.

Based on the information which has been provided it does not appear that the Authority is partnering with its Constituent Councils to share the cost pressures that are being felt by the wider Community. As such it is recommended that the Council not endorse the proposed increase in collection fees beyond the additional collection fees to be derived from the additional services provided to the City of Unley.

OPTIONS

In considering this issue the Council have the following options;

Option1

The Council endorse the revised 2022-2023 Annual Plan and Budget, however, in doing so, it acknowledges that there is an increase in the Waste Collection charge.

Option 2

The Council endorse the revised 2022-2023 Annual Plan and Budget, with the exception of the proposed increase in collection fees beyond the additional collection fees to be derived from the additional services provided to the City of Unley.

Option 3

That the Council not endorse the revised 2022-2023 Annual Plan and Budget.

Option 2 is recommended.

CONCLUSION

Pursuant to the *Local Government Act 1999*, East Waste may amend its budget at any time before the end of the financial year, however the proposed changes must be endorsed by the Constituent Councils.

Prior to the Council endorsing the revised budget, the Council needs to reassure itself that it is making an informed decision.

The information provided by East Waste is considered high level public information, and lacks sufficient detail for the Council to have a comprehensive understanding of the financial impact of the admission of the City of Unley and the additional cost pressures which it is facing due to external factors on its projected operating costs and hence make an informed decision.

East Waste, through the proposed increase in Collection Fees (over and above the fees collect from the City of Unley) is requesting, Constituent Council to provide upfront cashflow for cost increases which have yet to be incurred.

While its is acknowledged that East Waste, like the Constituent Councils, is facing external costs pressures that were unknown and therefore not necessarily taken into account at the time of developing its 2022-2023 budgets, without the detailed information for the Council to make an informed assessment to determine if the increase in operating costs and hence the increase in Collection fees, is fair and reasonable, it is recommended that the Council not endorse the proposed increase Collection fees.

COMMENTS

Nil

RECOMMENDATION

That the Eastern Waste Management Authority Incorporated be advised that pursuant to Schedule 2 Clause 25 (3) of the *Local Government Act 1999*, the Council has considered and hereby approves the Authority's revised 2022-2023 Annual Plan and Budget, with the exception of the proposed increase in collection fees beyond the additional collection fees to be derived from the additional services which will be provided to the City of Unley.

Attachments – Item 11.5

Attachment A

East Waste Revised 2022-2023 Annual Plan

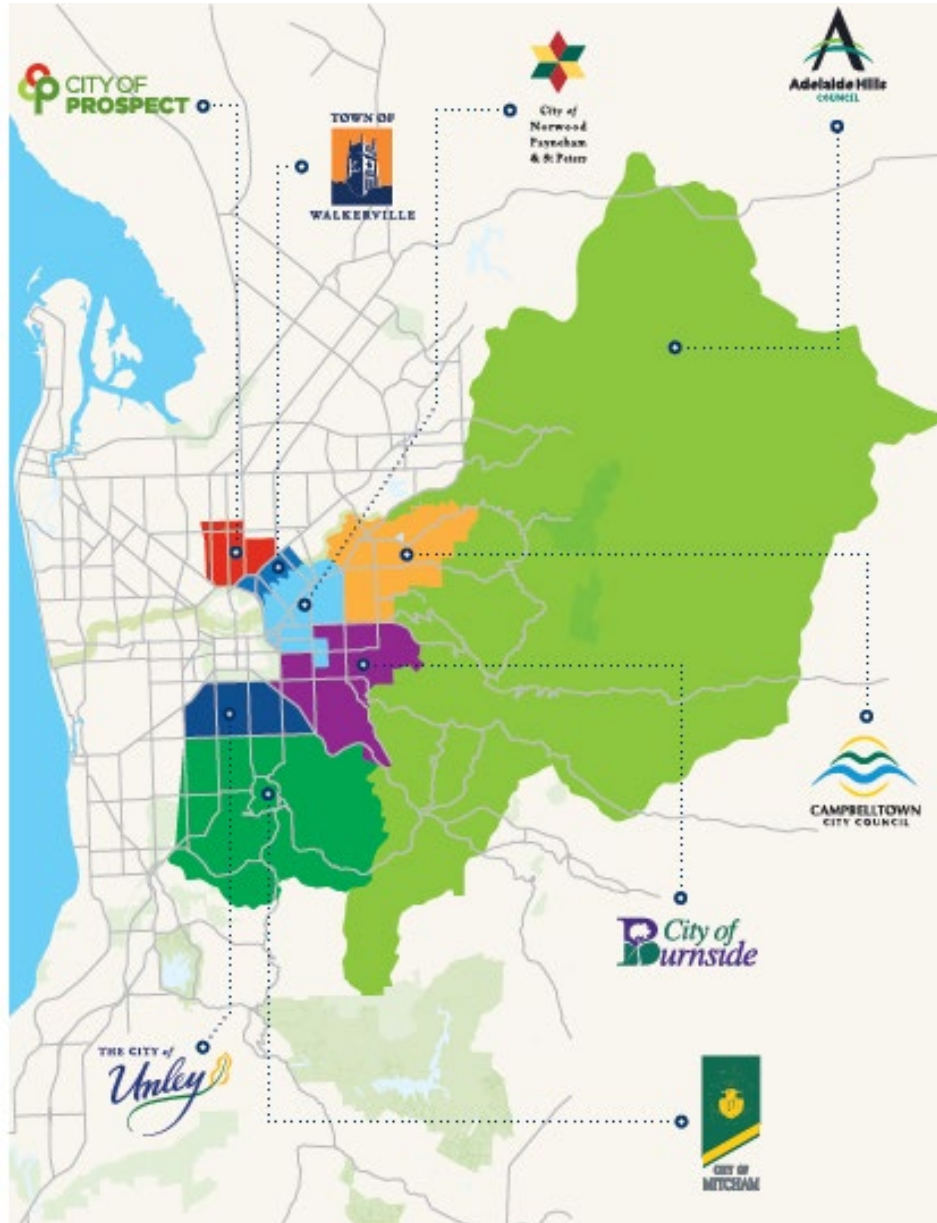
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Website www.npsp.sa.gov.au



City of
**Norwood
Payneham
& St Peters**

EastWaste



2022/23 Annual Plan (Revised)

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VISION

The Destination

To be the leading waste logistics company in Australia through the delivery of innovative collection and resource management services.

MISSION

The Vehicle

Delivering leading-edge solutions and services for a cleaner and sustainable future.

Executive Summary

Following a thorough and rigorous process, it is with great excitement that as of July 2022, East Waste welcomes the City of Unley as a Member Council of the Eastern Waste Management Authority (East Waste). East Waste has for many years noted the positive work the City of Unley has undertaken in the waste management space and the symbiotic value that could be derived through having them as Member.

With the inclusion of Unley, East Waste now services over 40% of Adelaide Metropolitan Councils, and each week will collect the bins from approximately 25% of Adelaide's population each week. In operational terms, this will see East Waste complete over 10,000,000 bin lifts and 50,000 hard waste and mattress collections over the coming year.

The City of Unley joining provides an immediate and ongoing financial benefit for existing Member Councils, along with longer term benefits, which include:

- Strengthening the collective advocacy voice of East Waste;
- Improved logistics with Unley bordering two existing Member Councils;
- Increases the reach of East Waste's already successful education and behaviour change program;
- Increasing the fleet size, providing greater flexibility and adaptability of service;
- Increased attractiveness of East Waste as a partner for grants and pilot programs; and
- Increasing the size of the East Waste Board to improve the already strong governance and rigour of decision making.

Having the City of Unley join East Waste is the most significant decision and change for East Waste for almost 20 years.

Given the timing of the Unley's admission, commencement of service (1 August 2022) and the material changes required to the previously endorsed East Waste FY23 Annual Plan, East Waste is undertaking a full amendment to the Annual Plan and Budget, which includes Member Council consultation. The Annual Plan and budget will take effect from 1 August 2022.

Since the drafting of the Annual Plan and budget in January 2022, a number of significant external developments have occurred which impact the East Waste budget. These include volatile fuel prices, revision of the recycling tender and increased CPI pricing. Revising the Annual Plan and budget has provided an opportunity to update these as well, which will provide a more realistic cost of service for Member Councils.

The majority of projects remain the same as the previous Annual Plan, albeit with some minor amendments.

Background

East Waste is the trading name of Eastern Waste Management Authority, which was established in 1928. The Authority is a regional subsidiary of the Adelaide Hills Council, City of Burnside, Campbelltown City Council, City of Norwood Payneham & St Peters, City of Mitcham, City of Prospect the City of Unley and Town of Walkerville.

East Waste is governed by a Charter (the Charter) pursuant to *Section 43* of the *Local Government Act 1999* and administered by a Board, which includes a director appointed by each Council and an Independent Chair. Through the admission of the City of Unley as a Member Council, East Waste undertook the required periodic review of the Charter which has now been endorsed by all Member Councils.

Clause 51 of the Charter requires the Authority each year to have an Annual Plan which supports and informs the budget. Specifically, it is to include an outline of East Waste's objectives, the activities intended to be pursued, and the measurement tools defined to assess performance. It must also assess and summarise the financial requirements of East Waste and set out the proposals to recover overheads and costs from the Member Councils.

Sitting above the Annual Plan is the *East Waste 2030 Strategic Plan* which sets out a series of bold and ambitious targets (Key Performance Indicators) which we aspire to meet through five Key Objectives and a series of Strategies. The *2030 Strategic Plan* is summarised on the following page.

For full context this Plan should be read in conjunction with East Waste's broader strategic planning framework including the *Strategic Plan 2030*, Long-Term Financial Plan, and Risk Management Planning Framework.

As a regional subsidiary, East Waste recognises that success from this Annual Plan is not possible without the continued support, integration and active working partnership of all our Member Councils and key Strategic Partners. East Waste is committed to developing and continuing partnerships which ultimately drive value back to the communities we serve. The value East Waste offers is unique, in that we are continually working with our Member Councils to drive down costs. East Waste have established a model where we are nimble and respond swiftly to external impacts and Member Council requests, in a far more timely manner than industry counterparts. East Waste takes much of the worry and pressures associated with waste away from the Member Councils, allowing them to focus on other key matters of importance to them and their communities.

East Waste Strategic Plan Vision, Objectives & Strategies

VISION

To be the leading waste logistics company in Australia through the delivery of innovative collection and resource management services to our Member Councils & their Communities.

OBJECTIVES

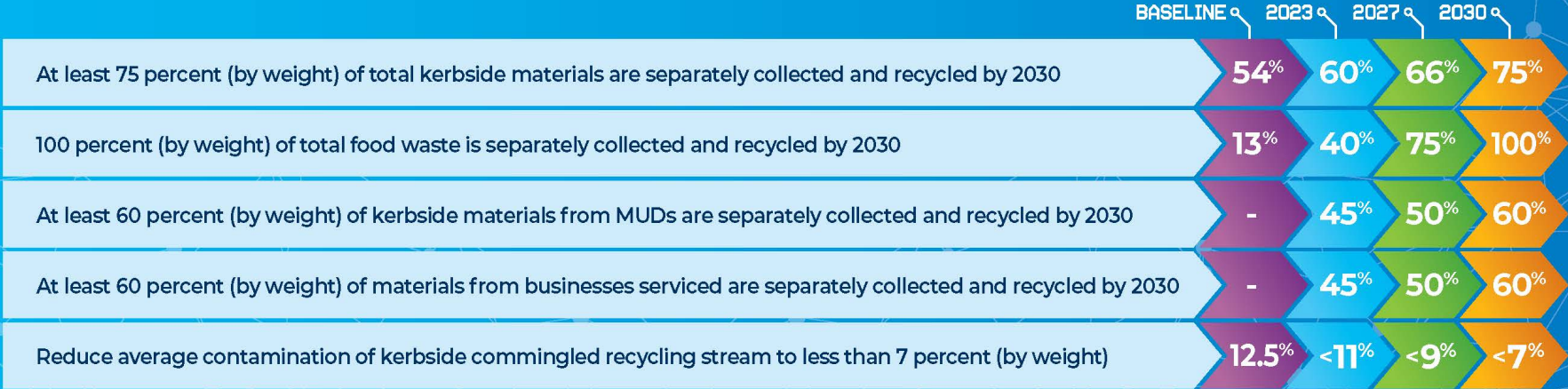
- 
1. Deliver cost-effective and efficient services facilities
- 
2. Maximise source separation and recycling
- 
3. Provide leading and innovative behaviour change and education
- 
4. Help develop a local circular economy
- 
5. Provide leadership

STRATEGIES

- | | | | | |
|--|---|--|--|--|
| <ul style="list-style-type: none"> 1.1 Attract additional services and/or new councils where further economies of-scale can be achieved 1.2 Offer a single contract for the management of the residual waste to all member councils 1.3 Partner with other councils and organisations to achieve greater synergies and economies of scale in service delivery 1.4 Investigate and implement collection technologies and innovation 1.5 Provide a consistently high standard of Customer Service | <ul style="list-style-type: none"> 2.1 Provide more service choice and flexibility to residents on kerbside services to support them to increase their recycling levels 2.2 Provide a tailored 3-stream service to Multi-Unit Dwellings (MUDs) to support waste reduction and increased recycling 2.3 Pilot a tailored service delivery model across a business precinct(s) to support waste reduction and increased recycling | <ul style="list-style-type: none"> 3.1 Engage in research and projects delivering evidence-based data which increases behaviour change decision making 3.2 Develop an integrated and tailored long-term community behaviour change and education program 3.3 Identify and trial behaviour change programs aimed at reducing contamination 3.4 Encourage and support councils to introduce an incentive(s) to households to reduce their landfill volumes 3.5 Engage schools in behaviour change & waste education | <ul style="list-style-type: none"> 4.1 Support local reprocessing and procurement of recycled content products 4.2 Encourage and support councils to procure and use recycled content products 4.3 Support councils to implement sharing economy and reuse initiatives 4.4 Investigate options to process and extract the highest value from collected resources | <ul style="list-style-type: none"> 5.1 Implement best practice safety standards 5.2 Advocate on behalf of our Member Councils 5.3 Invest in our people 5.4 Quality and transparent Corporate (Governance & Financial) Activities |
|--|---|--|--|--|

KPIs

We will measure our success in reaching our objectives through the following KPIs...



2022/23 Objectives & Activities

At a high level, progression towards the Vision and 2030 Key Performance Indicators (KPI's) will be the key Objective and sit behind all the activities that East Waste undertake.

With services in Unley commencing 1 August 2022, this has been and will continue to be, the key focus of our activities over the first and second quarter of the year. Understandably it consumes a significant amount of time which has delayed (and will continue to do so) the planned implementation and progression of a number of activities. As a result of this and increased financial pressures fuel costs have placed on the budget, the projects list for completion in FY23 has been condensed.

The KPIs set in the Strategic Plan were deliberately designed to be stretch targets and with the current legislative impediments reaching these goals will be challenging. The programs listed below will drive towards achieving these, however are by no means a silver bullet to addressing the required community-wide behaviour change and perceptions that is required. Achieving these will require a long-concerted effort. While challenging, from a waste industry perspective, no one is better placed than East Waste to partner with and drive these changes.

Each of the projects listed under *Objective 1: Deliver cost-effective and efficient services & facilities* and *Objective 5: Provide Leadership*, ensure East Waste continues to seek efficiencies for Member Councils in our service delivery and improve the quality of the service delivered. East Waste knows it must continue to respond to Member Council and community needs in providing tailored services to ensure Satisfaction levels remain high.

The remaining projects listed under Objectives 2, 3 & 4, are specially targeted at increasing landfill diversion and improving contamination rates. Broadscale education and behaviour change across the community we serve, remains a challenge and the projects implemented are likely to only have incremental change in the first instance and combined with other projects and education in the longer term, will their benefit be realised.

The following is not a prescriptive list, rather the key projects East Waste intends to undertake over the 2022/23 year and are detailed below. While these will be the key focus, East Waste will remain as a fluent and adaptable Organisation that is able to pivot and respond as required to maximise funding, partnerships, opportunities and projects that will fast-track the pursuit of our KPIs.

This Annual Plan is to be effective from 1 August 2022.

NO.	ACTIVITY/PROJECT	OVERVIEW	OBJECTIVE	STRATEGY	MAIN KPI TARGET
DELIVER COST EFFECTIVE AND EFFICIENT SERVICES AND FACILITIES					
1.	Continue & Expand Core services	East Waste optimisation will come from providing a full suite of services to Member Councils. Where this doesn't occur, East Waste will work with the respective Councils in a bid to secure these services.	Deliver Cost Effective and efficient services and facilities	1.1	Vision Target
2.	Investigate opportunities outside of existing Member Councils.	East Waste will actively pursue service provision to non-member Councils where value to existing Members can be realised.	Deliver Cost Effective and efficient services and facilities	1.3	Vision Target
3.	Communication System Upgrade	East Waste is a service-based organisation who recognise the importance of providing a great customer experience. Therefore, it is important that our communication systems are designed in a manner that enhances callers experiences whilst also being able to provide accurate data that helps to inform current & future business decisions.	Deliver Cost Effective and efficient services and facilities	1.5	Vision Target

MAXIMISE SOURCE SEPARATION & RECYCLING

4.	Continue to advance a broadscale 'Choice & Flexibility model.'	Some small positive steps have been taken across metropolitan Adelaide in recent times to investigate alternate collection options. This program will draw together the latest research and findings to develop an "off-the-shelf" framework which will drive reduced material to landfill, particularly food waste.	Maximise Source separation and recycling	2.1	<ul style="list-style-type: none"> • At least 75% of kerbside material separately collected & recycled • 100% of food waste separately collected and recycled.
5.	Multi-Unit Dwelling Research and Source Separation Trial.	<p>Across East Waste approximately 8% of total unit dwellings are Multi-unit. These are typically, challenging to manage, low performing sites which hinder diversion targets.</p> <p>This project will explore the latest international evidence-based guidance to identify ways to increase convenience and effectiveness of source separation for MUD residents and identify or exclude ways to improve performance and help to understand the operational, environmental and community benefits or impacts.</p>	Provide leading and innovative behaviour change and education	2.2	<ul style="list-style-type: none"> • 60% by weight of kerbside materials from MUDs is separately collected and recycled

PROVIDE LEADING AND INNOVATIVE BEHAVIOUR CHANGE AND EDUCATION

6.	Delivery of the “Why Waste It?” behaviour change program and associated social media.	Utilising the results of the reviews and audits undertaken over the past 12 months, refine and deliver the ongoing successful “Why Waste It?” program.	Provide leading and innovative behaviour change and education	3.2	• Vision Target
7.	Roll out the East Waste ‘education & behaviour change program’ to Unley.	As a new member council, there is a large body of work to be undertaken to creating consistency of messaging and information with the City of Unley. This will ensure by year’s end consistency, where required, is achieved across the board.	Provide leading and innovative behaviour change and education	3.2	Vision Target

HELP DRIVE A LOCAL CIRCULAR ECONOMY

8.	Investigate current and future opportunities for East Waste and Member Council in a carbon market.	The collection and processing of materials generates a significant amount of harmful greenhouse gases. This can be minimised through alternative treatment processes, which in turn may provide opportunities within the carbon market. This project will investigate any such opportunities or additional work required.	Investigate options to process and extract the highest value from collected resources.	4.4	Vision Target
----	--	--	--	-----	---------------

PROVIDE LEADERSHIP					
9.	Fleet Replacement	In line with the Long Term Financial Plan, undertake the replacement of five (5) collection vehicles.	Provide Leadership	5.4	Vision Target
10.	WHS Systems Audit.	East Waste will focus on both internal and external auditing. The purpose and objective of the auditing is to test the validity and the effectiveness of the implementation of the systems within our organisation. East Waste will seek evidence of the implementation process that haven taken place. A strong focus on the auditing process will be focusing on the hierarchy of control (HOC). The decision to focus on the HOC is based on the organisational risk factors and previous audit results.	Provide Leadership	5.1	Implement best practice safety standards



Budget Management

East Waste operates almost entirely on a Common Fleet Costing methodology, whereby Member Councils are charged directly against the time it takes to undertake their collection services. This is achieved through the utilisation of a specialised, highly accurate and powerful cloud-based, real-time GPS based system, supported by detailed reporting capabilities. As a result of this minor variations in the common fleet percentages (and therefore apportioning of Common Fleet costs) occur from year to year in response to efficiencies and increased collection costs (e.g. increase in developments, Fire Ban days and events). Specific costs (and rebates where applicable) such as waste disposal and resource processing are directly on-charged, to Member Councils.

The introduction of the City of Unley provides the remaining Member Councils a collective saving in the order of \$600,000-\$700,000 annually through increased efficiencies and a broader distribution of overhead costs. This ongoing saving is a significant benefit to Member Councils and while external influences (such as fuel) have cancelled out the direct savings, without Unley joining the Common Fleet costs experienced by our Member Councils would increased by at least a further \$600,000.

With the exception of Unley (due to being new) all Member Councils will see a notable reduction in their Common Fleet Percentages, on previous years.

The budget to deliver this Annual Plan, along with all East Waste's Services and legislative requirements is detailed in the following proposed 2022/23 Financial Papers (refer Attachment 1 – 5).

Financial Statements

EAST WASTE

Projected Statement of Comprehensive Income (Budgeted)
for the Financial Year Ending 30 June 2023

FY2021 Audited Actuals		FY2023 Original Budget	FY2023 Proposed Original Budget w/ Unley Member Council	FY2023 Proposed Amended Budget	FY2023 Variance: Proposed Amended Budget v Proposed Original Budget w/ Unley Member Council	
					\$	%
\$'000		\$'000	\$'000	\$'000		
	Income					
16,707	User Charges	17,949	20,040	21,955	1,915	10%
12	Investment income	2	2	13	11	550%
-	Grants, subsidies and contributions	75	75	75	-	0%
917	Other	1,234	1,065	1,069	4	0%
17,636	Total	19,260	21,182	23,112	1,930	9%
	Expenses					
6,089	Employee Costs	6,504	7,185	7,164	(21)	0%
9,149	Materials, contracts & other expenses	10,171	11,089	13,241	2,152	19%
1,986	Depreciation, amortisation & impairment	2,209	2,504	2,346	(150)	-6%
262	Finance costs	268	355	406	51	14%
17,486	Total	19,152	21,133	23,157	2,024	10%
150	Operating Surplus / (Deficit)	108	49	(45)	(94)	0%
105	Asset disposals & fair value adjustments	100	100	200	100	100%
255	Net Surplus / (Deficit)	208	149	155	6	4%
-	Other Comprehensive Income	-	-	-	-	0%
255	Total Comprehensive Income	208	149	155	6	4%

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EAST WASTE
 Projected Balance Sheet (Budgeted)
 for the Financial Year Ending 30 June 2023

FY2021		FY2023			FY2023	
		Original Budget	Proposed Original Budget w/ Unley Member Council	Proposed Amended Budget	Variance: Proposed Amended Budget v Proposed Original Budget w/ Unley Member Council	
Audited Actuals		\$'000	\$'000	\$'000	\$	%
	Assets					
	Current					
3,168	Cash & Cash Equivalents	2,420	2,367	2,056	(311)	-13%
661	Trade & Other Receivables	661	661	661	-	0%
3,829	Total	3,081	3,028	2,717	(311)	-10%
	Non-Current					
8,098	Infrastructure, Property, Plant & Equipment	8,631	10,833	11,022	189	2%
8,098	Total	8,631	10,833	11,022	189	2%
<u>11,927</u>	Total Assets	<u>11,712</u>	<u>13,861</u>	<u>13,739</u>	<u>(122)</u>	<u>-1%</u>
	Liabilities					
	Current					
1,609	Trade & Other Payables	1,145	1,145	1,145	-	0%
1,925	Borrowings	1,870	2,300	2,355	55	2%
654	Provisions	734	787	787	-	0%
4,188	Total	3,749	4,232	4,287	55	1%
	Non-Current					
6,423	Borrowings	6,634	8,534	8,351	(183)	-2%
97	Provisions	177	137	137	-	0%
6,520	Total	6,811	8,671	8,488	(183)	-2%
<u>10,708</u>	Total Liabilities	<u>10,560</u>	<u>12,903</u>	<u>12,775</u>	<u>(128)</u>	<u>-1%</u>
<u>1,219</u>	Net Assets	<u>1,152</u>	<u>958</u>	<u>964</u>	<u>6</u>	<u>1%</u>
	Equity					
1,219	Accumulated Surplus	1,152	958	964	6	1%
<u>1,219</u>	Total Equity	<u>1,152</u>	<u>958</u>	<u>964</u>	<u>6</u>	<u>1%</u>

EAST WASTE
PROJECTED STATEMENT OF CASH FLOWS (BUDGET)
for the Financial Year Ending 30 June 2023

FY2021		FY2023	FY2023	FY2023	FY2023	
Audited Actuals		Original Budget	Proposed Original Budget w/ Unley Member Council	Proposed Amended Budget	Variance: Proposed Amended Budget v Proposed Original Budget w/ Unley Member Council	
\$'000		\$'000	\$'000	\$'000	\$	%
	Cash Flows from Operating Activities					
	Receipts					
18,457	Operating Receipts	19,183	21,105	23,024	1,919	9%
7	Investment Receipts	2	2	13	11	550%
	Payments					
(6,012)	Employee costs	(6,424)	(7,092)	(7,071)	21	0%
(9,243)	Materials, contracts & other expenses	(10,171)	(11,089)	(13,241)	(2,152)	19%
(233)	Interest Payments	(268)	(355)	(406)	(51)	14%
2,976	Net Cash Flows from Operating Activities	2,322	2,571	2,319	(252)	-10%
	Cash Flows from Investing Activities					
	Receipts					
124	Sale of Replaced Assets	100	100	200	100	100%
	Payments					
(2,452)	Expenditure on Renewal/Replaced Assets	(2,327)	(2,265)	(2,223)	42	-2%
-	Expenditure of New/Upgraded Assets	-	(2,524)	(2,597)	(73)	3%
(2,328)	Net Cash Flows from Investing Activities	(2,227)	(4,689)	(4,620)	69	-1%
	Cash Flow from Financing Activities					
	Receipts					
2,284	Proceeds from Borrowings	2,205	4,689	4,525	(164)	-3%
	Payments					
(260)	Repayment of Lease Liabilities	(263)	(263)	(263)	-	0%
(1,826)	Repayment of Borrowings	(1,798)	(1,932)	(1,896)	36	-2%
198	Net Cash Flow from Financing Activities	164	2,494	2,366	(128)	-5%
846	Net Increase (Decrease) in cash held	259	376	65	(311)	-83%
2,322	Cash & cash equivalents at beginning of period	2,161	1,991	1,991	-	0%
3,168	Cash & cash equivalents at end of period	2,420	2,367	2,056	(311)	-13%

EAST WASTE
 Projected Statement of Changes in Equity (Budgeted)
 for the Financial Year Ending 30 June 2023

FY2021		FY2023	FY2023	FY2023	FY2023	
Audited Actuals		Original Budget	Proposed Original Budget w/ Unley Member Council	Proposed Amended Budget	Variance: Proposed Amended Budget v Proposed Original Budget w/ Unley Member Council	
\$		\$'000	\$'000	\$'000	\$	%
964	Opening Balance	944	809	809	-	0%
255	Net Surplus / (Deficit) for Year	208	149	155	6	4%
1,219	Closing Balance	1,152	958	964	6	1%

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EAST WASTE
 Projected Uniform Presentation of Finances (Budgeted)
 for the Financial Year Ending 30 June 2023

FY2021		FY2023	FY2023	FY2023
Audited Actuals		Original Budget	Proposed Original Budget w/ Unley Member Council	Proposed Amended Budget
\$'000		\$'000	\$'000	\$'000
17,636	Income	19,260	21,182	23,112
(17,486)	Expenses	(19,152)	(21,133)	(23,157)
<u>150</u>	Operating Surplus / (Deficit)	<u>108</u>	<u>49</u>	<u>(45)</u>
Net Outlays on Existing Assets				
(2,452)	Capital Expenditure on Renewal and Replacement of Existing Assets	(2,327)	(2,265)	(2,223)
1,986	Depreciation, Amortisation and Impairment	2,209	2,504	2,346
124	Proceeds from Sale of Replaced Assets	100	100	200
<u>(342)</u>		<u>(18)</u>	<u>339</u>	<u>323</u>
Net Outlays on New and Upgraded Assets				
-	Capital Expenditure on New and Upgraded Assets	-	(2,524)	(2,597)
-	Amounts Specifically for New and Upgraded Assets	-	-	-
-	Proceeds from Sale of Surplus Assets	-	-	-
<u>-</u>		<u>-</u>	<u>(2,524)</u>	<u>(2,597)</u>
<u>(192)</u>	Net Lending / (Borrowing) for Financial Year	<u>90</u>	<u>(2,136)</u>	<u>(2,319)</u>

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**Section 3 – Governance & General
Reports**

11.6 IMPLEMENTATION OF THE PARADE MASTERPLAN AND GEORGE STREET UPGRADE PROJECTS

REPORT AUTHOR: Project Manager, City Projects
GENERAL MANAGER: Chief Executive Officer
CONTACT NUMBER: 8366 4524
FILE REFERENCE: qA15170
ATTACHMENTS: A - D

PURPOSE OF REPORT

The purpose of this report is to update the Council on the progress of the implementation of The Parade Masterplan and the George Street Upgrade Project.

BACKGROUND

As Elected Members will recall, at a Special Meeting held on 15 May 2019, the Council considered and endorsed The Parade Masterplan as the basis for the detail design for the streetscape upgrade to The Parade.

As part of the 2020-2021 Budget, the Council allocated funds for both the design and construction of the George Street Upgrade Project. Due to the legal proceeding initiated by Parkade Pty Ltd and Australasian Property Developments, regarding The Parade and George Street intersection, the commencement of this work was delayed until the conclusion of the legal proceedings.

In April 2021, the Council commenced a two (2) stage procurement process to appoint consultants to prepare the detail design and construction documentation associated with the implementation of The Parade Masterplan and the George Street Upgrade Project.

At its special meeting held on 22 November 2021, the Council appointed a multi-disciplinary team, led by Landskap (landscape architecture and urban design consultants) to undertake design development for The Parade between Fullarton Road and Portrush Road and detail design and construction documentation for George Street between the intersection of The Parade and Webbe Street.

Since their appointment, the consultants have been undertaking multiple design and pre-construction due diligence activities in order to eliminate as many risks as possible before the commencement of construction. The findings of these due diligence activities and the status of the design development for The Parade and the detail design and construction documentation for the George Street Upgrade Project are the subject of this report.

RELEVANT STRATEGIC DIRECTIONS & POLICIES

CityPlan 2030: Shaping Our Future

The Parade Masterplan seeks to implement the Council's strategic vision set out in *CityPlan 2030: Shaping Our Future* and its commitment to its primary objective of community well-being. The holistic approach reflects the strategic importance of the Masterplan in achieving meaningful change. The relevant Outcomes, Objectives and Strategies of the Plan are outlined below:

Outcome 1 Social Equity

A connected, accessible and pedestrian-friendly community

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.

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

Strategy 1.2.2 Provide safe and accessible movement for all people.

Objective 1.3: An engaged and participating community.

Strategy 1.3.2 Provide opportunities for community input in decision-making and program development.

Outcome 2 Cultural Vitality

A culturally rich and diverse City, with a strong identity, history and 'sense of place'

Objective 2.1 An artistic, creative, cultural and visually interesting City

Objective 2.2 A community embracing and celebrating its social and cultural diversity.

Objective 2.3 A City which values and promotes its rich cultural and built heritage.

Strategy 2.3.1 Protect and enhance places, streetscapes, precincts and landmarks which reflect the built and cultural history of our City.

Objective 2.4 Pleasant, well designed and sustainable urban environments.

Strategy 2.4.2 Encourage sustainable and quality urban design outcomes.

Strategy 2.4.3 Maximise the extent of green landscaping provided in new development and in the public realm.

Objective 2.5 Dynamic community life in public spaces and precincts.

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

Outcome 3 Economic Prosperity

A dynamic and thriving centre for business and services.

Objective 3.2 Cosmopolitan business precincts contributing to the prosperity of the City.

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.

Outcome 4 Environmental Sustainability

A leader in 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 4.2.2 Protect, enhance and expand public open space

Smart City Plan

The *Smart City Plan* sets out the long-term vision, direction and objectives for the Council's future as a smart city. It is based on the foundation that a smart city leverages new technology, data and innovation to improve liveability, productivity and sustainability outcomes. The *Smart City Plan* is guided by the following five (5) core principles of innovation, sustainability, education and training, collaboration and security and transparency, these principles will be used to shape the smart city thinking and the actions that are adopted through the implementation of The Parade Masterplan.

FINANCIAL AND BUDGET IMPLICATIONS

Long-Term Financial Management Plan 2021 - 2031

As part of the Council's 2021-2031 Long-Term Financial Management Plan, the Council has allocated a total of \$30,000,000 to implement The Parade Masterplan. Due to the extent and the complexities associated with the implementation of The Parade Masterplan, the works are proposed to be delivered incrementally over a number of financial years commencing in 2024-2025 and concluding in 2027-2028. The four (4) proposed stages comprise Fullarton Road to Sydenham Road, Sydenham Road to Osmond Terrace, Osmond Terrace to George Street and George Street to Portrush Road. The budget allocation for the implementation of The Parade Masterplan is based upon a cost estimate which was prepared by Rider Levett Bucknall (RLB) in July 2020.

Cost Estimate

The cost to upgrade The Parade between Fullarton Road and Portrush Road and including George Street was estimated at \$26,450,000. The cost for George Street Upgrade Project was estimated at \$1,143,000. It should be noted that the following items were excluded from RLB’s July 2020 cost estimate including:

- any works associated with the George Street roadway and Webbe Street intersection;
- any augmentation or replacement of the existing stormwater drainage system;
- any augmentation or relocation of third-party services;
- soil contamination removal or remediation;
- maintaining access and operations to Norwood Place, The Parade Central, The Norwood Concert Hall and Webbe Street Carpark during construction; and
- cost escalation post July 2020.

RLB have since been appointed as the Cost Consultants for the George Street Upgrade Project and are in the process of preparing cost estimates based on the construction documentation. Based on the current market conditions, it is anticipated that the construction costs for the George Street Upgrade will exceed the allocated budget, however the actual cost will not be known until the tenders have been received.

Current Budget

To date, the Council has budgeted \$2,037,000 towards developing The Parade Masterplan and undertaking further design and documentation for the implementation of The Parade Masterplan and George Street Upgrade. Additionally, the George Street Upgrade Project has an \$800,000 construction budget. The George Street Upgrade Project was initially funded by the Council as part of its 2020-2021 Budget, prior to RLB preparing a cost estimate in the July 2020.

The Council’s current budget for The Parade Masterplan and George Street Upgrade Project is shown in Table 1.

TABLE 1: CURRENT APPROVED BUDGET FOR THE PARADE AND GEORGE STREET

	Council Funding	Grant Funding	Expenditure	Remaining
The Parade Masterplan	\$100,000	\$100,000	\$200,000	\$0
Design Development, Detail Design and Documentation for The Parade Redevelopment and George Street Upgrade	\$1,837,000	\$0	\$443,432	\$1,293,568
George Street Upgrade	\$800,000	\$0	\$0	\$800,000
TOTAL	\$2,737,000	\$100,000	\$643,432	\$2,193,568

Market Conditions, Escalations & Volatility

Unfortunately, the trend of cost escalation, caused by a number of factors including subcontractor capacity and the availability of local and imported materials, is predicted to continue. During 2021, as a result of the Federal and State Government's COVID-19 stimulus funding, together with the significant volume of stimulus works in the market and the rising cost of materials have impacted significantly on construction costs.

Some of the key factors that are likely to impact on the cost of the George Street Upgrade Project include:

- commercial construction tenders in the second half of 2021, showing an escalation close to 15% for the year; and
- tender returns in 2022, maintaining the inflated cost levels with no sign of decreasing at this stage.

In addition, the construction industry is experiencing significant supply chain delays, due to increases in shipping costs. Recent variants of COVID 19, have also resulted in labour shortages, which is predicted to continue to be a significant variance within the trade contractor market. In addition, fuel price increases and the war in the Ukraine, is now also contributing to an over inflated market.

EXTERNAL ECONOMIC IMPLICATIONS

There are a number of external market factors that could potentially impact delivery timeframes and costs such as resource shortages and supplier or contractor availability.

SOCIAL ISSUES

From a community development and equity perspective, it is important that the City has an accessible and well-maintained public realm. The redevelopment of The Parade and George Street will benefit the public by providing a public space which is accessible to people of all abilities and is safe and comfortable to use.

CULTURAL ISSUES

The Parade Masterplan articulates a unique main street identity for The Parade and George Street, distinct from other main streets, which builds on the qualities that people value about The Parade, including its well-recognised cosmopolitan culture, its heritage and social and cultural history.

The upgrade of The Parade and George Street will build on the existing identity of The Parade, and will ensure that its 'sense of place' is managed appropriately and sensitively enhanced through the design process.

ENVIRONMENTAL ISSUES

The Parade Masterplan incorporates environmental sustainability as an integral component to the future of The Parade. Climate change adaptation and resilience has been integrated into the streetscape design. It is envisaged that these strategies and actions will provide The Parade with a long-term competitive advantage, ensuring a greener identity, improved pedestrian comfort and greater protection of local businesses, buildings and infrastructure.

RESOURCE ISSUES

The Council's Project Manager, City Projects is responsible for the management of the design development, detail design and construction documentation for The Parade and George Street Upgrade Projects. It is anticipated that the construction of the George Street Upgrade and subsequent incremental delivery of The Parade, will also be managed by the Project Manager, City Projects.

RISK MANAGEMENT

The key risks associated with the Detail Design Stage and the controls used to mitigate these risks are set out below in Table 2.

TABLE 2: PROJECT RISKS AND CONTROLS

Risk Description	Impacts	Risk Controls
Design does not meet expectations	Community and stakeholders	<ul style="list-style-type: none"> • Undertake a briefing workshop with the Council on the design development. • Undertake engagement activities during the design process to understand the needs of the Precinct. • Ensure amenity priority is built into detailed Project Specification.
Business interruption	Community and stakeholders	<ul style="list-style-type: none"> • Undertake engagement activities during the design process to understand the needs of the Precinct. • Develop construction approach / standards of access to minimise disruption as part of the design process.
Impacts on traffic movements	Vehicles and Pedestrians	<ul style="list-style-type: none"> • Undertake investigative and engagement activities during the design process to understand current usage and needs. • Develop standards of access to minimise disruption. • Ensure that Project staging is organised to allow access.
Business sales reduction	Community and stakeholders	<ul style="list-style-type: none"> • Develop construction approach / standards of access to minimise disruption as part of the design process. • Maintain ongoing communication with businesses to understand needs.
Design integration (design not aligning with “other Projects”)	Design	<ul style="list-style-type: none"> • Establish Project Working Group. • Include representative from the Department for Infrastructure and Transport on Project Working Group.
Lack of design integration (conflicts onsite causing delays)	Design / Construction	<ul style="list-style-type: none"> • Undertake due diligence activities during detailed design stage. • Undertake potholing during the detailed design stage.
Damage to heritage buildings	Construction	<ul style="list-style-type: none"> • Develop appropriate construction methodology and use agreed building practices which will be specifically developed. (Construction and Vibration Noise Management Plan)
Third Party Utility Upgrades	Design / Construction	<ul style="list-style-type: none"> • Engage with all service authorities during the design stages. • Develop future proofing options through the design detail process.
Is the design safe (safety in design)	Design	<ul style="list-style-type: none"> • Undertake independent Road Safety Audits. • Include Safety in Design audits of the detail design • Undertake materials testing where required to ensure compliance with standards.
Non – compliant design	Design	<ul style="list-style-type: none"> • Establish Hold Points through the design process to review the design. • Establish internal review and sign-off process. • Undertake additional investigations to ensure there is sufficient information to design to the relevant standards. • Undertake materials testing where required to ensure compliance with standards.

Sudden design changes	Design / Construction	<ul style="list-style-type: none"> Develop design options in the detailed design stage. Undertake potholing of services
Late design delivery	Design / Construction	<ul style="list-style-type: none"> Provided completed package of design options so that contractor will not be delayed.
Project Budget	Financial	<ul style="list-style-type: none"> Reporting to the Council. Engage Cost Estimator to capture costs associated with the design. Establish Hold Points through the design process to review costs. Develop sufficient risk contingency. Qualify risks through due diligence activities e.g. potholing of services, staging requirements through stakeholder engagement.

COVID-19 IMPLICATIONS

Consultants and contractors have their own COVID-Safe Plans which they will need to implement and follow. At this time in South Australia, project disruptions due to COVID restrictions are not foreseen. However, it is possible that there could be minor delays for supply of materials or other disruptions (i.e. ability to undertake onsite inspections) if COVID restrictions tighten in the future.

CONSULTATION

- ### Elected Members

An Information Session was held on 3 August 2022, where Elected Members were provided with an update on the progress of the implementation of The Parade Masterplan and the George Street Upgrade, including an overview of the stormwater modelling undertaken and the design measures that have been identified to mitigate the risks associated with flooding.

- ### Community

The Community was consulted and engaged through the Phase 1, Phase 2 and Phase 3 Community Consultation and Engagement process for The Parade Masterplan. Further consultation with key stakeholders has commenced and will continue to be undertaken through the detail design and construction documentation process as required.

- ### Staff

Manager, Economic Development & Strategic Projects;
 Manager, Integrated Transport & Access;
 Manager, Finance;
 Project Manager, Urban Design & Special Projects; and
 Project Manager, Assets

- ### Other Agencies

Council staff are liaising with the Department for Infrastructure and Transport (DIT) on the scope and timing of road reseal work for The Parade as well as the operation of the traffic signals. In addition, Council staff and the consultants are liaising with all relevant third-party utility providers (e.g. SA Water) to understand the extent and condition of utility services located along The Parade and George Street and to determine whether or not there are planned upgrades to their utilities. This information is being used to inform the detail design stages.

DISCUSSION

The Parade Redevelopment

In respect to the implementation of The Parade Masterplan, the consultants have so far completed a site inventory and analysis, which will be used to inform the detailed design. This work includes completing a detailed engineering survey, undertaking traffic counts and reviewing other South Australian main street upgrades to identify what has and has not worked. The design development for The Parade Redevelopment is temporarily on hold until the George Street Upgrade Project detailed design and documentation is completed. Design development for The Parade Redevelopment will resume in October 2022 and is scheduled to be completed by June 2023, with detailed design and documentation completed by December 2023 for the first stages of the Project. A summary sheet providing further details regarding The Parade Redevelopment is contained in **Attachment A**.

Once the detail design and construction documentation for The Parade is completed, the construction will be delivered in four (4) stages commencing with the sections between Osmond Terrace and Fullarton Road as Stage 1 and 2, followed by Portrush Road to George Street as Stage 3 and George Street to Osmond Terrace as the final stage. In accordance with the Council's *Long Term Financial Plan*, construction is scheduled to commence in 2024-2025, with one stage delivered every financial year through to 2027-2028. The proposed scheduling of Stage 1 and 2 (the western end of The Parade) aligns with DIT's current schedule for road reseal work between Osmond Terrace and Fullarton Road.

George Street Upgrade Project

As the Council has allocated \$800,000 for implementing the George Street Upgrade Project, the detail design and documentation for the George Street Upgrade Project has been prioritised ahead of The Parade. Due to the complexities associated with due diligence investigations and stormwater modelling, the detail design and documentation for the George Street Upgrade Project is running two (2) months behind schedule. It is anticipated that the construction documentation will be completed in mid-October 2022, the tender will be undertaken in November 2022 and the recommendation to award the construction contract will be presented to the Council for consideration and endorsement soon thereafter. In accordance with this timeframe, it is expected that construction will commence in early 2023 and take approximately six (6) months to complete. A project summary sheet providing further details in relation to the George Street Upgrade Project is contained in **Attachment B**.

George Street Upgrade Project Due Diligence Investigations

Throughout the detail design stage of the Project due diligence activities and processes are being undertaken to ensure that potential project risks are investigated and addressed and that any necessary approvals can be obtained from stakeholders and service authorities prior to construction. The due diligence activities have identified some elements, which were not costed at the Masterplan stage. These items are discussed in more detail below.

- **Stormwater Modelling and Flood Management**

As part of the detail design stage of the George Street Upgrade Project, stormwater and flood modelling was undertaken for the section of George Street between The Parade and Webbe Street. The purpose of the modelling was to set a base line on which to compare impacts of the proposed street modifications. A separate report specifically addressing the drainage and stormwater issues in and around George Street, and the proposed solutions to address the deficiencies, has been prepared and is included as part of this Agenda for the Council's consideration.

Given that the Council will shortly commence works to upgrade George Street, it would be prudent to undertake any necessary stormwater drainage upgrade works prior to the commencement of the George Street Upgrade Project.

- **Geotechnical Conditions**

Soil core samples were taken at various road and footpath locations within George Street between The Parade intersection and Webbe Street, to determine the underlying soil conditions on site and to assist with the design of pavements and structures associated with the George Street Upgrade.

These geotechnical investigations have identified a mixture of underlying soil conditions including old macadam and modern compacted rubble base materials under the asphalt road pavement. The strength of the soils underlying the existing road and footpaths varies over the extent of the proposed works.

It should be noted that George Street and Webbe Street are subject to frequent and heavy loadings associated with large delivery vehicles connected with Norwood Place. In order to maintain the integrity of the underlying pavement structure and hence avoid the requirement to undertake a full rebuild of the road pavement, a 'deep lift' asphalt pavement design is being proposed.

The costs associated with works to the existing George Street roadway were excluded from the July 2020 cost estimate.

- **Soil Contamination**

As part of the detail design process, soil contamination testing has been undertaken at various locations within the road and footpath areas, where it is known that there will be the requirement for soil to be excavated and removed, to enable tree planting, garden beds and trenching for service infrastructure, such as lighting and drainage.

The locations for the soil contamination investigations were also informed by the geotechnical investigations that were undertaken for the Project. These investigations identified areas where tar-bound macadam pavements had been discovered and identified as being likely to have a high level of contamination.

The costs associated with the disposal and treatment of contaminated material on the site were not included in the July 2020 cost estimate. However, these will now be included in any future cost estimates.

- **Service Authority Clearance Requirements for Tree Planting**

Upon commencement of the detailed design for George Street, contact was established with all of the third-party service authorities who had assets within George Street. A thorough process was undertaken to obtain as much 'as-built' information and construction drawings from the third parties, in order to understand where services exist, how they may be impacted and where design solutions could be developed to avoid the requirement for costly adjustments or relocations of third-party services.

As part of these investigations, the Council has undertaken physical service investigations (potholing) to accurately determine the locations and depths of existing underground services in George Street, which would be impacted by the proposed design and associated construction works, to enable all of the relevant approvals to be obtained prior to the installation of new infrastructure and the proposed tree planting.

Through the investigations it has been identified that there are two (2) critical services which require detailed consideration and planning to ensure that they are not impacted by any infrastructure or tree planting. These include:

- a steel high pressure gas main, which runs down the full length of the western side of George Street; and
- a water main, which runs down the full length of the eastern side of George Street.

Meetings have been held with representatives from each of the third-party authorities to identify and develop solutions to facilitate the planting of trees adjacent to these services. The focus of these discussions has been around the age and condition of the asset and any plans for renewal, the types of protection that could be used in relation to the tree planting (e.g. root barriers), tree species and the options for the full relocation of the impacted service. An acceptable solution for the high-pressure gas main has been identified, with a number of options currently being considered for the water main.

- **Other Service Authority Costs**

The are several SA Power Networks (SAPN) assets located on George Street, which will require removal to facilitate the realisation of the endorsed Masterplan. These include:

- the disconnection and removal of four (4) existing SAPN owned light poles; and
- the decommissioning of the existing stobie pole on the corner of George Street and Webbe Street. This will also involve the relocation of the existing road light on the stobie pole that is being removed to ensure that there is still adequate road lighting at the intersection.

These works are deemed as being 'non-contestable' works, which means that they can only be performed by SAPN and hence the costs are non-negotiable. The Council has requested a 'fee offer' from SAPN to undertake the works.

Maintaining Access During Construction

During the construction of George Street there will be a requirement to ensure that vehicle and pedestrian access for the Norwood Concert Hall, Parade Central, Norwood Place and the Webbe Street Carpark, are maintained. In addition, the Council will need to ensure that the emergency access to SAPN transformers and switching cabinets located on both the eastern and western sides of George Street and the emergency access to the Metropolitan Fire Service fire hydrants and booster pumps on the western side of George Street, are accessible at all times.

The requirement to maintain access during construction will require a high level of traffic management and some night works.

Traffic

The Parade Masterplan as endorsed by the Council, included a "scramble crossing" at the intersection of The Parade and George Street. The Council's reason for proposing a scramble crossing at The Parade and George intersection, was to improve pedestrian safety and introduce a more efficient signal cycle for vehicular movements, which ultimately would address a number of the safety and access concerns that were raised during the consultation phases of The Parade Masterplan Project. In The Parade Masterplan, the "scramble crossing" is complemented with a number of other modifications to the intersection, including the separation and formalisation, through line marking, of the right turn, left turn and straight through traffic movements on both sides of George Street.

As Elected Members are aware, the State Government part funded the "scramble crossing", which was subsequently implemented by Parkade Pty Ltd and Australasian Property Developments. As a result, the Council's recommended traffic management changes proposed for George Street, which would result in improved traffic flow and safety for George Street, have not been implemented.

The George Street line marking improvements, which are shown in The Parade Masterplan, were included in the Council's original scope of work for the "scramble crossing". However, due to the legal proceedings, DIT removed the George Street line marking improvements from the scope of the "scramble crossing" project.

The proposed George Street line marking improvements proposed in The Parade Masterplan include making the existing single unmarked lane into two (2) separate lanes on both approaches to The Parade as follows:

- 18-metre-long right turn lane; and
- 18-metre-long left turn and through lane.

The Council's intent following the conclusion of the legal proceedings was to incorporate these changes as part of the George Street Upgrade Project. However, given the change in circumstances and the pressure currently being experienced on George Street as a result of a number of factors (e.g. the closure of the Coles carpark, which has diverted more traffic to the Norwood Place and the Webbe Street carparks), the proposed George Street line marking improvements as illustrated in **Attachment C** will be implemented in the next couple of months. These line marking improvements, which include 27-metre-long dual lanes on both approaches to the Parade, are expected to help improve traffic flow and driver safety on George Street, and will alleviate some traffic stress during the upcoming busy holiday shopping period.

In order to implement the line marking improvements, three (3) on-street car parking spaces will be removed from the east side of George Street adjacent The Parade Central and replaced with footpath paving. One (1) on-street car park space will be converted to a loading zone.

It should also be noted that the interim line marking improvements are the same as what is proposed for the George Street Upgrade Project. The current design for the George Street Upgrade Project, as illustrated in **Attachment D**, includes:

- a 27-metre right turn lane;
- a 27-metre-long left turn and through lane; and
- removal of on-street car parking spaces between The Parade and Webbe Street.

George Street is not proposed to be closed to vehicle traffic or transformed into a pedestrian only space. Once upgraded, the George Street carriageway width will essentially remain the same as currently exists (i.e. no narrowing to the effective roadway for vehicle traffic).

OPTIONS

The Council can choose to adopt the recommendation as set out in this report or alternatively, the Council can resolve to amend the recommendation. Given that the Council has invested significant costs to undertake the required design and due diligence activities to enable project risks associated with the implementation of The Parade Masterplan and George Street Upgrade Project to be identified and addressed and to be able to obtain an accurate estimate of the cost to deliver the projects, any amendments to the Projects at this stage are not recommended.

CONCLUSION

The primary objective for the Council is to continue to implement The Parade Masterplan and George Street Upgrade, in a timely manner and ensure that all risks are identified and resolved as much as possible during the detail design phase of the Projects in order to avoid delays and additional works during the construction of the Projects.

COMMENTS

Nil.

RECOMMENDATION

1. That the Council notes the status of the Implementation of The Parade Masterplan and the George Street Upgrade Projects as set out in this report and in the attachments to this report contained in Attachments A and B.
2. That the Council notes that the proposed George Street line marking improvements as illustrated in Attachment C will be implemented over the next couple of months.
3. That the Council notes that a report on the tenders for the George Street Upgrade Project will be presented to the Council for its consideration in early 2023.

Attachments – Item 11.6

Attachment A

Implementation of The Parade Masterplan and George Street Upgrade Projects

City of Norwood Payneham & St Peters
175 The Parade, Norwood SA 5067

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City of
**Norwood
Payneham
& St Peters**

PROJECT: THE PARADE REDEVELOPMENT
UNIT LEAD: Economic Development & Strategic Projects

PROJECT DESCRIPTION

The Parade Redevelopment encompasses the detailed design and documentation for The Parade between Fullarton Road and Portrush Road in accordance with The Parade Masterplan.

PROJECT OVERVIEW

MILESTONE	STATUS	PROJECTED COMPLETION	COMMENTS
Masterplan	Completed	-	Endorsed by Council in May 2019.
Design Development	In Progress	June 2023	Preliminary due diligence activities commenced in January 2022. Design development is on hold until George Street documentation is completed, and will recommence in mid October 2022.
Detail Design & Documentation	Not Started	December 2023	Landskap have only been awarded the design development stage to date. Their contract is proposed to be extended for detailed design and documentation upon successful completion of design development.
Tender	Not Started	June 2024	Stage 1 (Fullarton Road to Sydenham Road) and/or Stage 2 (Sydenham Road to Osmond Terrace) are proposed to be built in 2024-2025 financial year.
Contract Award	Not Started	August 2024	Report to Council following tender.
Mobilisation & Construction	Not Started	TBD	Anticipated to commence in late winter or Spring 2024. Program to be determined based on approved tender.

2022-2023 PROJECT TIMELINE

Jul 2022	Aug 2022	Sep 2022	Oct 2022	Nov 2022	Dec 2022	Jan 2023	Feb 2023	Mar 2023	Apr 2023	May 2023	Jun 2023
						Design Development					

FUNDING & EXPENDITURE (includes design and documentation for The George Street Upgrade)

TOTAL BUDGET	COUNCIL	GRANT FUNDING	EXPENDITURE TO DATE	% - EXPENDITURE
\$2,037,000	\$1,937,000	\$100,000	\$443,432	22%

KEY RISKS AND ISSUES

RISK / ISSUE	LIKELIHOOD	CONSEQUENCE	RATING	DESCRIPTION
Financial	Almost Certain	Major	Extreme (4)	Costs over budget by 10-20% due to price escalation or non-competitive tenders
Construction Timeframe	Almost Certain	Moderate	High (8)	Potential for weather delays in winter and long lead times for products could extend construction timeframe
Reputation	Almost Certain	Major	Extreme (4)	Local community interest and complaints

COMMENTS

The Council secured \$1,000,000 from the State Government to assist with the development of The Parade Masterplan. The Parade Redevelopment is currently planned to be undertaken over four financial years commencing in 2024-2025.

Attachment B

Implementation of The Parade Masterplan and George Street Upgrade Projects

City of Norwood Payneham & St Peters
175 The Parade, Norwood SA 5067

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City of
**Norwood
Payneham
& St Peters**

PROJECT: GEORGE STREET UPGRADE
UNIT LEAD: Economic Development & Strategic Projects

PROJECT DESCRIPTION

The George Street Upgrade encompasses design and construction works for George Street between the intersection of The Parade and Webbe Street.

PROJECT OVERVIEW

MILESTONE	STATUS	PROJECTED COMPLETION	COMMENTS
Masterplan	Completed	-	Endorsed by Council in May 2019
Detail Design & Documentation	In Progress	October 2022	Due diligence activities commenced in January 2022.
Tender	Not Started	December 2022	A minimum 4 week open tender period is anticipated
Contract Award	Not Started	early 2023	Report to Council's January or February 2023 meeting
Mobilisation & Construction	Not Started	mid 2023	Anticipated to commence in early 2023, subject to stormwater drainage improvements in George Street and Harris Street.

2022-2023 PROJECT TIMELINE

Jul 2022	Aug 2022	Sep 2022	Oct 2022	Nov 2022	Dec 2022	Jan 2023	Feb 2023	Mar 2023	Apr 2023	May 2023	Jun 2023
Detail Design & Documentation						Holiday	Period				
				Tender							
					Contract Award						
								Mobilisation & Construction			

*Holiday Period refers to the traditional construction industry shutdown period that occurs annually from late December to early January.

FUNDING & EXPENDITURE (construction only, excludes design and documentation)

TOTAL BUDGET	COUNCIL	GRANT FUNDING	EXPENDITURE TO DATE	% - EXPENDITURE
\$800,000	\$800,000	\$0	\$0	0%

KEY RISKS AND ISSUES

RISK / ISSUE	LIKELIHOOD	CONSEQUENCE	RATING	DESCRIPTION
Financial	Almost Certain	Critical	Extreme (4)	Costs over budget by 25-35% due to price escalation or non-competitive tenders
Construction Timeframe	Almost Certain	Moderate	High (8)	Potential for weather delays in winter and long lead times for products could extend construction timeframe
Reputation	Almost Certain	Major	Extreme (4)	Local community interest and complaints

COMMENTS

The detail design and documentation were originally due to be completed in August 2022. This work is running 2 months behind schedule due to stormwater modeling and project complexity.

Due to flooding risk, stormwater drainage system improvements in George Street and Harris Street are required prior to building the George Street Upgrade Project.

Attachment C

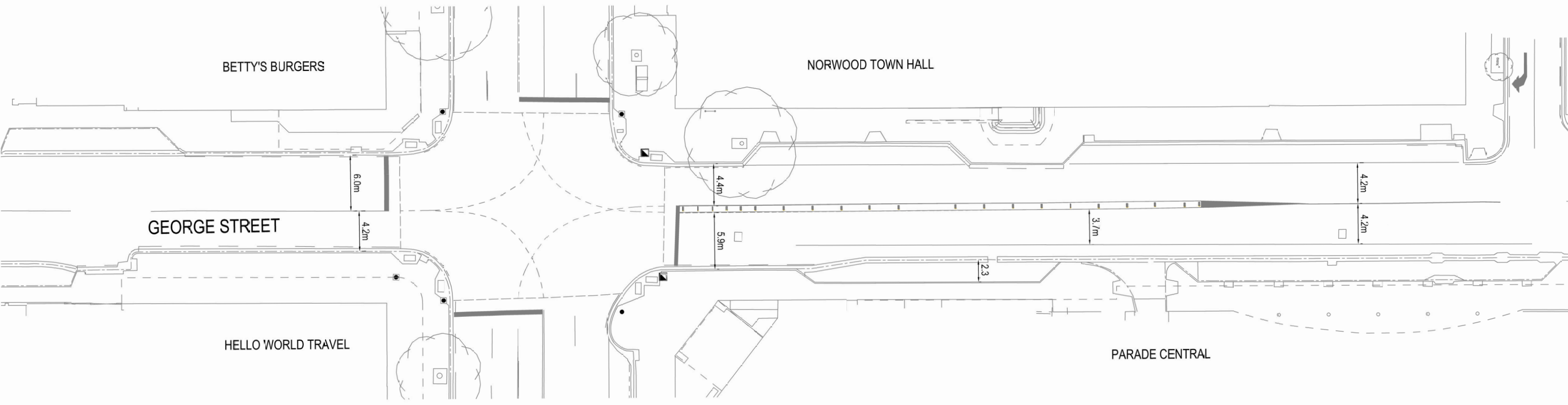
Implementation of The Parade Masterplan and George Street Upgrade Projects

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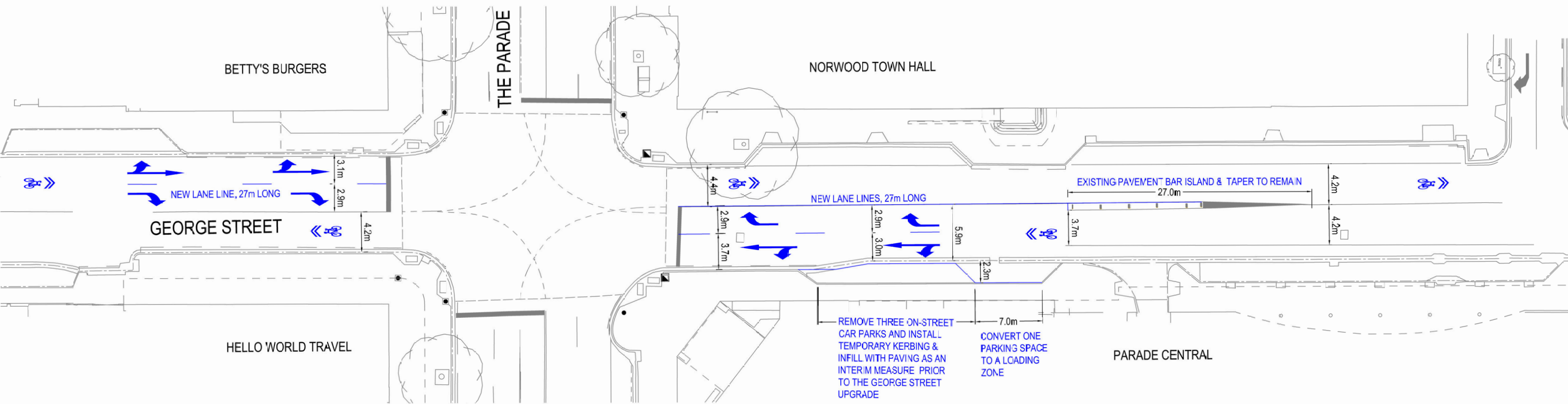
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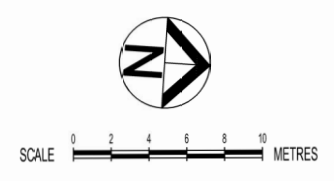


EXISTING TRAFFIC ARRANGEMENT - GEORGE STREET



PROPOSED TRAFFIC ARRANGEMENT - GEORGE STREET

ATTACHMENT C - EXISTING AND PROPOSED TRAFFIC ARRANGEMENTS - GEORGE STREET



Attachment D

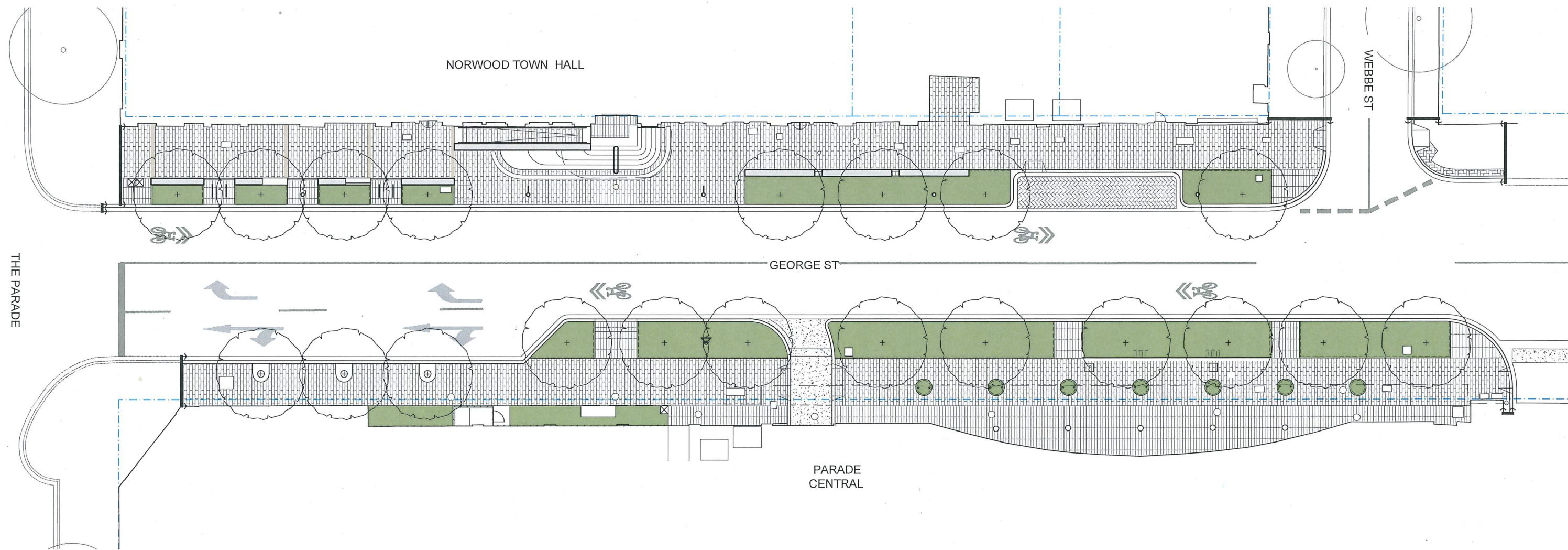
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11.7 GEORGE STREET AND HARRIS STREET STORMWATER DRAINAGE IMPROVEMENTS

REPORT AUTHOR: Project Manager, City Projects
GENERAL MANAGER: Chief Executive Officer
CONTACT NUMBER: 8366 4524
FILE REFERENCE: qA15170
ATTACHMENTS: A

PURPOSE OF REPORT

The purpose of this report is to present to the Council the findings of stormwater modelling and detail design undertaken for local streets surrounding The Parade and George Street, Norwood.

BACKGROUND

As Elected Members may recall, in late 2016, parts of the City were inundated with flash flooding on four (4) occasions, as a result of major storm events. The number of flooding reports associated with each of the storm event are outlined below:

- **8 September 2016** - thunderstorm induced flash flooding in the Second Creek catchment (with 23 reports of flooding including 5 within dwellings);
- **14 September 2016** - winter rain long duration flooding in the First Creek catchment (with 16 reports of flooding including 4 within dwellings);
- **3 October 2016** - thunderstorm induced flash flooding in the Second Creek catchment (with 7 reports of flooding including 2 within dwellings); and
- **28 December 2016** - thunderstorm induced flash flooding in the Third Creek catchment (with 4 reports of flooding including 3 within dwellings and the “sink hole”, which appeared at the intersection of Ashbrook Avenue and Lewis Road).

At its meeting held on 5 December 2016, the Council considered a report which provided details of the properties and areas which experienced flooding, based upon the information which was gathered and provided to Council staff. Included also as part of that report, were the results of the investigation undertaken by Tonkin Consulting on the rainfall and flood events, which occurred on 8 September, 14 September and 3 October 2016 and background information in relation to the following:

- stormwater drainage works constructed by the Council following flood events which occurred in 2005 and 2009;
- the Council's immediate response to the flooding issues;
- emergency resources in the future; and
- the preparation of updated Floodplain Maps.

Following consideration of the matter, the Council resolved to appoint Tonkin Consulting to undertake Flood Mapping for the entire City and submit a report detailing the findings, including a recommended strategy for addressing flooding in the Joslin Valley and Trinity / Stepney Valley. The Council also requested that a strategy be developed to improve the standard of lateral drainage and flow paths in the Joslin Valley and Trinity / Stepney Valley.

As a result of this work, the Council developed a Stormwater Drainage Program which includes the Harris Street and Wall Street drainage upgrade, which was initially identified in 2003.

Subsequently, at its meeting held on 3 October 2017, the Council considered a report which provided the results of the investigations which were initiated as part of the 5 December 2016 report. A stormwater drainage program was proposed for the 2017-2018 financial year, based on the results of the investigations. The projects were selected on a priority basis, based on the following criteria:

1. projects that would require no further investigation or be altered by the results of the Floodplain Mapping Project and subsequent strategy;
2. projects that were considered a priority where flooding of dwellings occurred (that is water entering the house and not just the building surrounds), inclusive of design and construction works;
3. projects that were considered high priority to maintain structural capacity and condition;
4. projects which were able to commence construction by December 2017, as required by the State Local Government Infrastructure Partnership (SLGIP); and
5. projects where designs were in place or design and construction can occur in one year.

George Street Drainage Upgrade 2018

In 2018, additional drainage inlets were installed by the Council on the eastern side of George Street opposite Webbe Street and connected into the Second Creek culvert to address the localised ponding of water in this location. These works were part of the endorsed 2017-2018 Stormwater Drainage Program, with grant funding being received from the State Local Government Infrastructure Partnership Program.

It should be noted that these works were only designed to address a 1 in 20 (5% AEP) event at this location. **Figure 1** illustrates the localised ponding at the George Street depression taken during a thunderstorm on 11 November 2016, which was approximately a 5% AEP event.

FIGURE 1: GEORGE STREET LOCALISED PONDING – NOVEMBER 2016



Subsequently, at its meeting held on 4 March 2019, the Council considered a report which presented the City-Wide Floodplain Maps and sought the Council's endorsement to release the information and the proposed Long Term Stormwater Drainage Program.

Following consideration of the report, the Council resolved that the level of service for stormwater drainage and design parameters, be based, where feasible and practical, on the service levels set out in **Table 1**.

TABLE 1: CITY-WIDE STORMWATER DRAINAGE SERVICE LEVELS

Stormwater Drainage Catchment / Location	Service Level
First Creek	100 year standard
Second Creek (Linde Reserve/Dunstone Grove to outlet)	100 year standard
Second Creek (upstream of Linde Reserve/Dunstone Grove)	20-50 year standard (existing)
Third Creek	100 year standard
Stonyfell Creek (upstream of Magill Road / Nelson Street)	20-50 year standard (existing)
Trinity / Stepney Valley	100 year standard
Joslin Valley	100 year standard

In addition, the Council resolved that the implementation of the Stormwater Drainage Program be undertaken as follows:

- *implementation be staged over a minimum time frame of fifteen (15) years, with the high priority projects, as identified in the report, being undertaken first; and*
- *the Program be reviewed each year as part of the annual budget process, with major reviews being conducted every five (5) years and as part of the review of the Council's Stormwater Drainage and Asset Management Plan and scheduled reviews of the Council's Long Term Financial Plan.*

The Citywide Floodplain Mapping, which was endorsed by the Council in March 2019, identified that should the current stormwater drainage network be maintained at the current standard and the impacts of increased development and climate change occur as modelled, the current stormwater drainage network will provide half the level of protection in 2050 as it does today, essentially meaning a doubling in the frequency of flooding.

As outlined in the Risk Management Section of this report, best practice is for sites to have the stormwater trunk drainage designed for a 1 in 100 year standard, however, the City of Norwood Payneham & St Peters is constrained by topography, the existing stormwater drainage network and existing development.

Therefore, drainage standards for stormwater catchments and options to offer a higher level of protection, including service standard and extent of expenditure, will be required to be assessed on a case-by-case basis and should be co-ordinated with other works, when possible.

The Parade Masterplan

As Elected Members will recall, at a Special Meeting held on 15 May 2019, the Council considered and endorsed The Parade Masterplan.

At its special meeting held on 22 November 2021, the Council resolved to award the contract for the Design Consultancy (detail design and construction documentation) associated with the Implementation of The Parade Masterplan and the George Street Upgrade Project to a multi -disciplinary consultant team led by Landskap (Architecture and Urban Design).

As part of the Project Brief for the implementation of The Parade Masterplan, the consultants are required to undertake the necessary due diligence associated with the detail design stages to ensure that the design elements which are identified in The Parade Masterplan, are resolved to a level of detail suitable to obtain an accurate indication of the cost required to deliver these elements and to address and resolve any other risks to the Council.

These due diligence works have included undertaking updated stormwater modelling of the Project scope and surrounding areas to incorporate the endorsed design elements with the objective being:

- to understand the impacts and measures required to address flood management;
- to obtain a more accurate indication of the amount of stormwater infrastructure required and the associated costs; and
- to identify and address the associated risks with implementing the infrastructure.

In short, when undertaking projects such as this, it is important to ensure that issues such as stormwater are identified and resolved before commencing the project. To do otherwise would mean that works would need to be removed at a later date to install the required stormwater drainage.

George Street Site Context

As endorsed by the Council, the George Street Upgrade Project is the first stage in the implementation of The Parade Masterplan. The segment of George Street which will be subject to redevelopment is located in line with the historical Second Creek alignment. Second Creek generally flows in a north westerly direction bisecting The Parade between Queen Street and George Street where it then flows across George Street to the rear of the Town Hall until turning north at Webbe Street.

This highlights that the section of George Street subject to redevelopment is located within a valley which is subject to riverine flow fluctuations and prone to flooding. **Figure 1** shows the location of the George Street Upgrade Project and the historical Second Creek alignment.

FIGURE 1: GEORGE STREET UPGRADE PROJECT SITE AND HISTORICAL SECOND CREEK ALIGNMENT



In order to address flooding associated with the low point in George Street adjacent to Webbe Street, drainage works to Harris Street and Wall Street were proposed. The works remained an unconstructed drainage project from the previous Stormwater Drainage Program, of which the costs were reviewed and adjusted for inflation for inclusion into the updated *Long Term Drainage Program* (2019). These works are currently identified for implementation in the 2032-2033 financial year at an estimated cost of \$500,000.

RELEVANT STRATEGIC DIRECTIONS & POLICIES

CityPlan 2030: Mid Term Review 2020

All stormwater drainage works which are undertaken by the Council seek to implement the Council's strategic vision set out in *CityPlan 2030: Shaping Our Future* and its commitment to its primary objective of community well-being. The relevant Outcomes, Objectives and Strategies of the Plan are outlined below:

Outcome 1 Social Equity

A connected, accessible and pedestrian-friendly community.

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.

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

Strategy 1.2.2 Provide safe and accessible movement for all people.

Outcome 2 Cultural Vitality

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

Objective 2.4 Pleasant, well designed and sustainable urban environments.

Strategy 2.4.2 Encourage sustainable and quality urban design outcomes.

Strategy 2.4.3 Maximise the extent of green landscaping provided in new development and in the public realm.

Objective 2.5 Dynamic community life in public spaces and precincts.

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

Outcome 3 Economic Prosperity

A dynamic and thriving centre for business and services.

Objective 3.2 Cosmopolitan business precincts contributing to the prosperity of the City.

Outcome 4 Environmental Sustainability

A leader in environmental sustainability

Objective 4.1 Sustainable and efficient management of resources.

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 4.2.2 Protect, enhance and expand public open space

Objective 4.5 Mitigating and adapting to the impacts of a changing climate.

FINANCIAL AND BUDGET IMPLICATIONS

Long-Term Financial Management Plan 2021 – 2031

The Council endorsed its current *Stormwater Management Infrastructure Asset Management Plan (2020)*, at its meeting held on 18 January 2021. The *Stormwater Management Infrastructure Asset Management Plan*, allows for long term planning of the renewal and upgrade of the Council's stormwater drainage infrastructure and assets on an ongoing basis, which in turn provides for the integration of projects across the drainage asset class, and hence, more effective and prudent use of the Council's financial resources, resulting in better outcomes for the community.

As part of the Council endorsed *2021-2031 Long-Term Financial Management Plan*, the Council has allocated a total of \$30,000,000 to implement The Parade Masterplan. The works are proposed to be delivered incrementally over several financial years commencing in 2024-2025 and concluding in 2027-2028. The four (4) proposed stages comprise Sydenham Road to Osmond Terrace, Fullarton Road to Sydenham Road, Portrush Road to George Street and George Street to Osmond Terrace.

Long-Term Stormwater Drainage Program (2019)

The Long-Term Stormwater Drainage Program, which was endorsed by the Council in March 2019, included a number of stormwater drainage projects which were in the previous Stormwater Drainage Program, however had not yet been implemented. Stormwater drainage works in Harris Street and Wall Street in Norwood, is one of those projects, where the original cost estimates were reviewed and adjusted to account for inflation.

The scope of works for Harris Street and Wall Street identified in the Long-Term Stormwater Drainage Program included the installation of pipework to run from Queen Street to Second Creek via Wall Street and Harris Street to reduce gutter flows on Beulah Road between Edward Street and Queen Street, as well as reducing flows arriving at the low point on George Street adjacent to Parade Central.

Currently, these works are identified in the Long-Term Stormwater Drainage Program to be undertaken in the 2032-2033 financial year at an estimated cost of \$500,000.

It should be noted that the works proposed in the 2003 study undertaken by Tonkin Consulting were based on stormwater modelling undertaken almost 20 years ago utilising a different stormwater modelling program. Therefore, regardless of whether or not the Council was undertaking the George Street Upgrade Project or not, verification of the proposed project utilising the updated software would be a necessary part of the due diligence process to verify the proposed works.

It is recognised that there will be financial and budgetary impacts associated with the implementation of works associated with the Long-Term Stormwater Drainage Program. The scale of the impacts will be dependent on the level of protection provided by the stormwater drainage network and the timeframe over which it is implemented.

Cost Estimate for George Street, Harris Street Drainage Works

The proposed stormwater drainage works in Harris Street and Wall Street in Norwood were originally identified in the Kensington and Norwood, Stormwater Drainage Study undertaken by Tonkin Consulting in 2003 and were subsequently included in the Long-Term Stormwater Drainage Program (2019).

As part of the George Street Upgrade Project, the consultants have identified an 'alternate' drainage design to address flooding issues in and around George Street. Subsequently, the preliminary detail design of the stormwater drainage for George Street and Harris Street was utilised to obtain a preliminary cost estimate from Rider Levett Bucknall (cost planning consultant). The preliminary cost estimate indicated a cost of approximately \$600,000 to implement the alternate drainage design to George Street and Harris Street, which is 15% more than the estimated cost of \$500,000 to undertake the Harris Street and Wall Street stormwater drainage works. However, the difference is that it delivers an overall better outcome, with a great level of protection.

EXTERNAL ECONOMIC IMPLICATIONS

Market Conditions, Escalations & Volatility

Unfortunately, the trend of escalation, caused by a number of factors including the degree of saturation of subcontractor capacity and the availability of local and imported materials, is predicted to continue. During 2021 and 2022, as a result of the Federal and State Government's COVID-19 stimulus funding, together with the significant volume of stimulus works in the market and the rising cost of materials, the market has seen a significant increase in construction costs.

Some of the key factors that are likely to impact on the cost of the stormwater drainage works include:

- commercial construction tenders in the second half of 2021, showing an escalation close to 15% for the year; and
- tender returns in 2022, maintaining the inflated cost levels with no sign of decreasing at this stage.

In addition, the construction industry is experiencing significant supply chain delays, due to increases in shipping costs. Recent variants of COVID 19, have also resulted in labour shortages, which is predicted to continue to be a significant variance within the trade contractor market. In addition, rising fuel costs and the war in the Ukraine, are now also contributing to an over inflated market.

SOCIAL ISSUES

There is no question that flooding of properties is of concern and inconvenience to the respective property owners and the community in general. In addition, there is the financial burden of undertaking repairs and replacing damaged belongings, even if flood insurance is in place. The burden and impact are exacerbated if appropriate measures are not put in place by the Council to address known issues.

It is important that the implications of each project identified by the flood plain maps are assessed and a program is structured around the priority of each project, to ensure the highest priority and deferred projects are completed in an acceptable timeframe. It is also important that the level of protection across the Council is considered to ensure equity for all residents.

From a community development and equity perspective, it is important that the City has an accessible and well-maintained public realm. The redevelopment of The Parade and George Street will benefit the public by providing a streetscape which is accessible to people of all abilities and is safe and comfortable to use.

CULTURAL ISSUES

Nil.

ENVIRONMENTAL ISSUES

Flooding is an expected occurrence which can result from storm events. Flooding will naturally deposit silt and topsoil from upstream parts up the catchment onto the floodplains, which surround the creeks. However, it should be noted that the Adelaide flood plains are now heavily developed and the silt, etc. is now deposited on roads, footpaths and residential properties. The imperative to be more environmentally responsible and for example lay back banks of creeks, etc. will at times clash with the flood mitigation / drainage imperatives which often rely on the construction of pipes and culverts of high capacity to carry away high flows.

The Parade Masterplan incorporates environmental sustainability as an integral component to the future of The Parade. Climate change adaptation and resilience has been integrated into the streetscape design. It is envisaged that these strategies and actions will provide The Parade with a long-term competitive advantage, ensuring a greener identity, improved pedestrian comfort and greater protection of local businesses, buildings and infrastructure.

RESOURCE ISSUES

It is anticipated that the George Street and Harris Street Stormwater Drainage Improvements will be managed by the Project Manager, City Projects and the Project Manager, Assets.

RISK MANAGEMENT

The Council will need to determine what level of protection it wishes to provide to its community in respect to flooding. These service levels must be based on a practical and pragmatic assessment, which takes into account the flooding occurrence intervals (i.e. 1 in 20, 1 in 50, 1 in 100 etc.) including costs and achieving best practice outcomes, wherever possible.

Best practice is to ensure that stormwater trunk drainage is designed for the probability or likelihood of a 1 in 100 year event occurring or being exceeded within any given year. However, the City of Norwood Payneham & St Peters is constrained by topography, the existing stormwater drainage network and existing development.

The key performance criteria to assess the flood risk is to maintain a freeboard of 300mm to private properties, where freeboard is defined as the height difference between the flood level (1% AEP) and the floor level of a private property.

When development occurs within overland flow paths subject to high flows or in depressions subject to ponding there is an inherent risk in augmenting the existing conditions. This is particularly relevant when freeboard levels between 1% AEP flood profiles and finished floor levels are less than 300mm. The risks identified include:

- altering flow paths and exacerbating flooding either locally or by pushing flows (increasing flood depths) to other areas;
- higher levels of maintenance required by the Council over the life of the new assets;
- exposing the Council to legal proceedings when flooding has occurred in areas recently upgraded; and
- exposing the Council to reputational damage when flooding has occurred in areas recently upgraded.

Details regarding the Council's current trunk drainage standards for its catchments and options to offer a higher level of protection, including standard achievable and extent of expenditure, is assessed on a case-by-case basis and where possible staff attempt to identify opportunities to co-ordinate drainage works with other works to reduce costs and rework.

CONSULTATION

- **Elected Members**
An Information Session was held on 3 August 2022, where Elected Members were provided with an overview of the updated stormwater modelling for The Parade and George Street Projects which has been undertaken by Dryside Engineering (consultant). The presentation outlined the design measures that have been undertaken to mitigate the risks associated with flooding for the Implementation of the George Street Upgrade Project.
- **Community**
The Community was consulted and engaged through the Phase 1, Phase 2 and Phase 3 Community Consultation and Engagement process for The Parade Masterplan. Consultation with relevant stakeholders has commenced and will continue throughout the design and construction stages of the project.
- **Staff**
General Manager, Corporate Services;
Manager, Economic Development & Strategic Projects;
Manager, Integrated Transport & Access;
Project Manager, Urban Design & Special Projects; and
Project Manager, Assets
- **Other Agencies**
Not Applicable.

DISCUSSION

As part of the detailed design for implementation of The Parade Masterplan and George Street Upgrade Projects, the Project consultants have undertaken stormwater modelling for The Parade and George Street, for the purposes of informing the development of the detail design for The Parade and George Street with the objective of identifying and addressing any risks associated with stormwater management.

The modelling was undertaken using the flood modelling software TUFLOW. The flood modelling was based on the existing flood maps developed for the Council by Tonkin Consulting in 2017.

The stormwater modelling was used to produce maps for the existing conditions for the following annual exceedance probability rainfall (% AEP) in a given year:

- 20% AEP – 20% chance (~1 in 5 year)
- 5% AEP – 5% chance (~1 in 20 year)
- 2% AEP – 2% chance (~1 in 50 year)
- 1% AEP – 1% chance (~1 in 100 year)

Once the existing conditions are understood, site specific design solutions can be iteratively developed, based on further flood modelling of the proposed design to ensure that flood management is addressed through detail design and due consideration is given to maintaining the desired outcomes which the Council has endorsed in The Parade Masterplan.

The Parade and George Street are located within the First Creek and Second Creek stormwater catchments, where the current stormwater drainage standard and the potential to increase the standard in these catchments is outlined below:

- First Creek has large sections of the creek at a 1% AEP standard, due to works that the Council undertook following flooding which occurred in 2005. There are several locations that remain with a standard less than a 5% AEP protection. It is possible to increase the general standard of the creek to a 1% AEP standard by undertaking additional works in key locations.
- Second Creek has a consistent capacity along the length of the Creek, which is approximately a 2-5% AEP standard with the alignment of the creek primarily within easements on private property and is therefore much more restricted in regards to the ability to upgrade capacity.

Second Creek

Historical records indicate that Second Creek was intercepted and converted to an underground box culvert in 1950. The majority of Second Creek within The Parade's zone of influence, is an enclosed box culvert which is 3.0 metres wide x 1.5 metres high. The one segment where the creek is open is within the St Ignatius School on Queen Street. The box culvert travels north down Queen Street, runs west along The Parade and turns north onto George Street. The culvert then bends west again into Webbe Street ultimately heading in a north west direction through the Webbe Street carpark.

Once the capacity of the culvert is exceeded, overland flow is triggered and is subject to site gradings and overland flow paths, which are generally serviced by minor drainage kerb-side stormwater drainage pits. Controlling or limiting breakout flows can greatly assist in flood mitigation during 1% AEP events, as once these flows become overland flow paths, it becomes difficult to drain them during the 1% AEP event. **Figure 2** shows the alignment of the Second Creek culvert in relation to The Parade and George Street.

FIGURE 2: GEORGE STREET LOCATION AND SECOND CREEK CULVERT ALIGNMENT



The Parade and George Street Overland Flow Mechanisms

There are three (3) potential causes of flooding along The Parade and George Street namely:

1. Second Creek culvert capacity being breached;
2. Second Creek culvert surcharging; and
3. localised stormwater catchments – (i.e. local street and property run-off.)

The overland flow derived from Second Creek culvert breach and surcharge are identified as the critical storm events. These larger critical events, which occur over a 90 minute event duration, is flooding that is driven by creek flows from a much larger catchment and associated volume of water moving through the stormwater system

The overland flow derived from localised stormwater catchments is identified as shorter-term events equated to shorter, more intense storm events which occur over a 15-20 minute event duration and are: typically contained to roads where buildings drain to from an elevated height, (i.e. roof to kerb.)

George Street Flood Mechanisms and Existing Conditions Flood Maps

To understand the flood mechanisms of George Street it is important to understand the upstream flood mechanisms of Second Creek, which is the source of major flooding in the area.

Flooding which occurs along The Parade, down George Street and beyond along the Second Creek alignment, are all governed by the 90-minute critical event.

This flooding is associated with the breaching of the open or 'daylighted' section of the Second Creek culvert located within St Ignatius School on Queen Street. Surcharges from the open culvert occur at approximately one cubic metre per second (1m³/s) during the 1% AEP event. The resulting overland flow is characterised by:

- breaching of the road reserve in Queen Street with overland flow heading north-west inundating the rear of properties on the southern side of The Parade;
- overland flows re-enter the southern side of The Parade, where ponding occurs at the George Street / The Parade intersection;
- flood extents increase with water flow breaching the crown of the Parade and heading north down George Street.
- stormwater flows breach the northern kerb outstand, located at The Parade and George Street intersection;
- stormwater flows combine and flow north to the depression located on the east side of George Street opposite the Webbe Street intersection;
- surcharging occurs in this location through the drainage pits which were installed in 2018 as part of the 2017-2018 Drainage Program;
- flooding is contained within the eastern side of George Street and gets to a maximum depth of approximately 350mm during a 1% AEP event at the depression in George Street opposite Webbe Street. The freeboard at this location between the Parade Central's lowest shop front doorway and the flood profile is approximately 80-85mm; and
- overland flows head down Webbe Street and at the Harris Street intersection.

Figures 3 and 4 illustrate the existing condition flood maps for portions of The Parade, Queen Street, George Street, Edward Street, Webbe Street, Harris Street and Austral Place for the 1% AEP event. The entire set of five (5) Existing Conditions Flood Maps for these streets is provided in **Attachment A**.

FIGURE 3: EXISTING CONDITIONS – 1% AEP FLOOD EVENT – THE PARADE TO QUEEN AND GEORGE STREET, NORWOOD

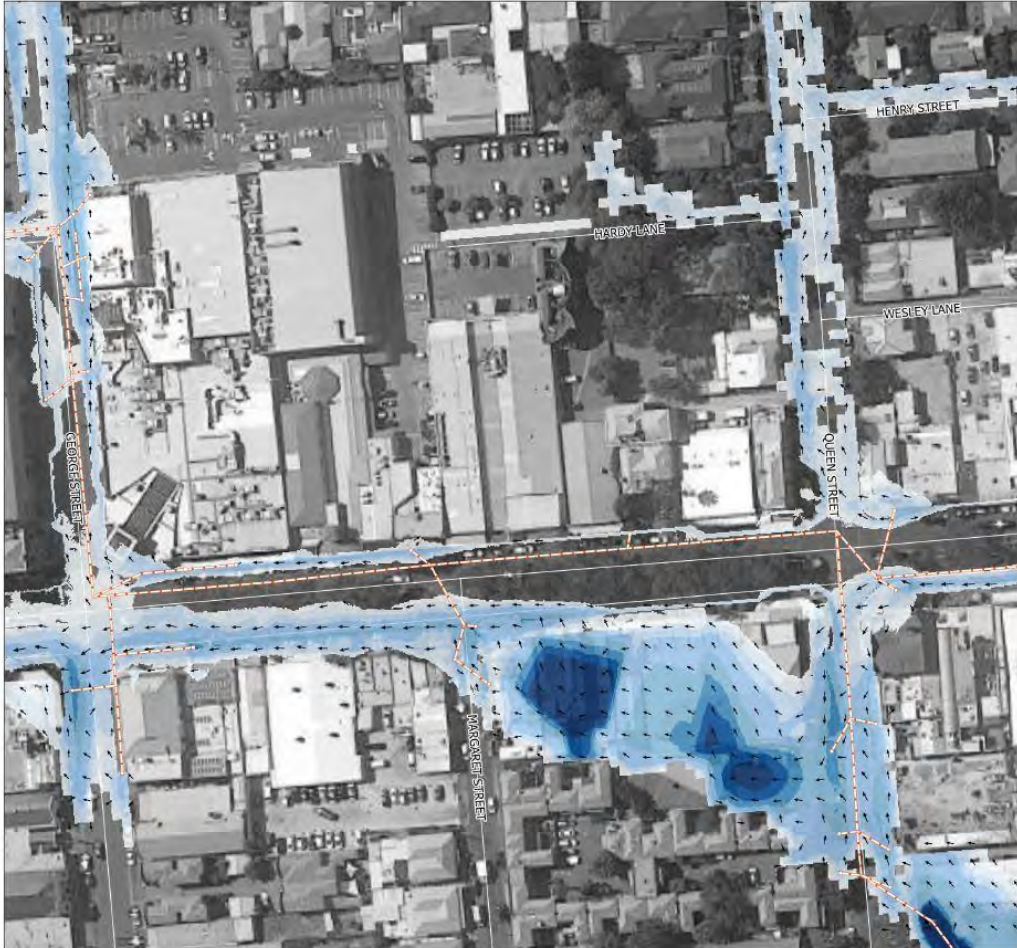


FIGURE 4: EXISTING CONDITIONS – 1% AEP FLOOD EVENT – THE PARADE TO GEORGE, EDWARD AND HARRIS STREET, NORWOOD



Design Constraints and Risks

The following constraints have been identified as part of the existing conditions flood mapping of The Parade and George Street and in particular, will need to be addressed through the detail design for George Street, which include:

- loss of flood conveyance capacity within kerbing and overland flow paths, where footpaths are widened;
- preventing loss of flood storage in topographic depressions; and
- preventing additional flow through upstream diversion or additional surcharge via new connections into pressurised segments of the Second Creek culvert.

Development of George Street Design

Following detailed analysis of the existing conditions flood mapping and the design constraints and risks associated with the George Street Upgrade Project, the consultants progressed with developing the detail design for George Street based on the Concept Design which has been endorsed by the Council. A key requirement as part of the Project brief for the detail design for The Parade and including George Street, was for the consultants to develop cost effective design solutions wherever possible.

An iterative design process has been undertaken, with additional flood modelling being undertaken to test the design options associated with flood management within George Street. The Concept Design was further developed by the consultants and tested to identify the requirements to manage stormwater, which included the following design options:

- the removal of carparking spaces and converting footpaths and garden beds with new tree planting adjusted to the footpath levels;
- strategically installing new drainage inlets to capture overland flow which ‘tops over’ The Parade into George Street and connect into the Second Creek Culvert in George Street to address overland flows;
- converting the existing junction pits in the George Street roadway which are connected to the Second Creek culvert into additional drainage inlet pits where possible, to minimise the need for additional new infrastructure;
- creating a depressed channel through the garden bed on the eastern side of George Street;
- widening the garden beds on the eastern side of George Street; and
- introducing one-way valves on the drainage connections into the Second Creek culvert

The key findings of the flood modelling undertaken for the Concept Design for George Street for a 1% AEP event included:

- the Second Creek culvert is pressurised on George Street closer to the Webbe Street intersection and additional connection points into the culvert at this location will need to manage surcharge;
- there is a significant loss of flood storage and flood conveyance at the location of the eastern George Street depression, which has forced water elsewhere increasing flood depths;
- flood water has been directed into the Parade Central underground carpark due to loss of flood conveyance;
- additional pits are ineffective in capturing inflows upstream on George Street near The Parade section as the culvert is at capacity and therefore cannot accept the flows;
- no additional stormwater flow is entering the area as the difference between the Concept Design and Existing Conditions Flood Maps equalise downstream at Harris Street; and
- there was no change to the freeboard of 80-85mm which was identified in the existing conditions Flood Maps at the lowest shopfront to the Parade Central development.

As was previously outlined in the Risk Management Section of this report, there are inherent risks in augmenting the existing conditions within overland flow paths subject to high flows or in depressions subject to ponding. This is particularly relevant when freeboard levels between 1% AEP flood profiles and finished floor levels are less than 300mm.

Following the findings of the detail design iterations and the flood modelling, the consultants and Council staff met to identify and assess further amendments to the design to provide an improvement to the existing conditions with respect to stormwater management in George Street. This included lowering the road level in George Street to increase storage capacity.

Lowering of the George Street roadway was not pursued further due to the following reasons:

- SA Power Networks, SA Water, APA Gas and Telstra assets are located within the George Street roadway which would require relocation at a significant cost to the Council;
- lowering the road would require a full rebuild of the road pavement at a significant cost to the council;
- soil contamination testing undertaken on George Street has identified contaminated soil; and
- lowering the road levels in George Street could impact the structural performance of the Second Creek culvert.

Based on the results of the flood modelling and further assessment and review of the design, it was determined that there were a number of risks associated with the current design and that an alternate option should be developed to address flood management in George Street. It was determined that due to the level of investment that the Council has committed to the George Street Upgrade Project, the alternate option should look to provide an improvement on the existing conditions with respect to flood performance.

Alternate Option Development

It was subsequently determined that a more holistic approach, focussing on flood sources and flood management should be investigated to address the flood risk associated with the upgrade of George Street. A number of alternate options were subsequently considered to address stormwater management. These options included:

- the installation of a detention structure to capture and hold overland flows which enter into George Street;
- capping the open section of the Second Creek culvert at St Ignatius School in Queen Street which is a significant cause of the overland flow on The Parade and George Street; and
- de-coupling the Second Creek culvert from George Street and installing a separate stormwater system in George Street to service the stormwater associated with properties in George Street and overland flow.

Preliminary investigations were undertaken for each of these options which determined the following:

- there would be insufficient space within the immediate area of George Street to install a detention structure to capture the volume of stormwater required to address flooding and there would be significant costs associated with the construction of this type of structure in an urbanised location and therefore this option should not be further investigated;
- flood modelling of the capping of the Second Creek culvert at St Ignatius School Norwood, has identified an increase in surcharge at key locations further downstream in the system that are already occurring. Capping the Second Creek culvert could not be undertaken as a standalone project and would require additional works to be undertaken to the stormwater system downstream to address surcharge. This would require a significant amount of work to occur on private properties and there would be significant costs to construct the works required and, on this basis, it was determined that this option should not be further investigated; and
- to review the proposed Harris Street and Wall Street stormwater drainage works identified in the *Long-Term Stormwater Drainage Program* (2019) and to investigate the suitability of the drainage works to act as a separate system on George Street. The endorsed Parade Masterplan was used as the basis for further stormwater modelling.

A desktop review of the Harris Street and Wall Street stormwater drainage works was undertaken by the consultants and it was determined that an alternate configuration incorporating a trunk stormwater drain along George Street and Harris Street, which would connect into the Second Creek culvert in Harris Street at Austral Lane, would be able to address the flooding associated with the depression in George Street, opposite Webbe Street, whilst also addressing stormwater management within the greater area. The original Harris Street and Wall Street stormwater drainage alignment and alternate alignment of George Street and Harris Street, are illustrated in **Figure 5** and **Figure 6**.

The objective of the George Street and Harris Street parallel stormwater drain option is to intercept previously surcharging drains and discharge stormwater north down George Street, into Harris Street then connecting into the Second Creek culvert where the culvert is approximately two (2) metres deeper than the previous connection points. This provides in-pipe storage and additional driving head to discharge flows into the culvert.

The George Street and Harris Street stormwater drainage option comprises of the following:

- a parallel stormwater drain running parallel along the eastern side of the culvert on George Street intercepting and replacing existing inlet pits along the eastern side of the street. and
- inlet pits between Webbe Street and Harris Street, where previously there were none.

FIGURE 5: LONG TERM DRAINAGE PROGRAM – PROPOSED HARRIS STREET AND WALL STREET STORMWATER DRAINAGE WORKS 2003



FIGURE 6: ALTERNATE DESIGN – GEORGE STREET AND HARRIS STREET STORMWATER DRAINAGE WORKS 2022



Flood modelling was subsequently undertaken on the George Street and Harris Street stormwater option to determine the effectiveness of the proposed stormwater configuration.

The results of the flood modelling have identified the following:

- a large reduction of flooding at the George Street depression;
- removal all flooding associated with the 1% AEP event along George Street between Webbe Street and Harris Street; and
- within the wider catchment, a reduced flooding through private property between Harris Street and Beulah Road and a large reduction of flooding at the Edward Street and Clara Street depression.

Figure 7 shows the 1% AEP existing conditions flood map for George Street and Harris Street and **Figure 8** shows the 1% AEP Afflux flood map for George Street and Harris Street.

The 1% AEP Afflux flood map shows the change in flood levels between the existing conditions and the proposed drainage scenario.

The 1% AEP Afflux flood map illustrates areas in black where there was previously surface water in the 1% AEP event are now dry, which include the localised depression in George Street opposite Webbe Street.

Upon reviewing the results of the flood mapping for the alternate stormwater drainage option for George Street, it was determined that the risks associated with the flooding of private properties associated with the George Street Upgrade Project has been adequately addressed, as well as providing an overall improvement to the Norwood area in terms of stormwater management. On this basis of these results, it was recommended that this stormwater configuration be adopted to facilitate the implementation of the endorsed George Street Upgrade.

FIGURE 7: FLOOD MAP 1% AEP – GEORGE STREET AND HARRIS STREET EXISTING CONDITIONS

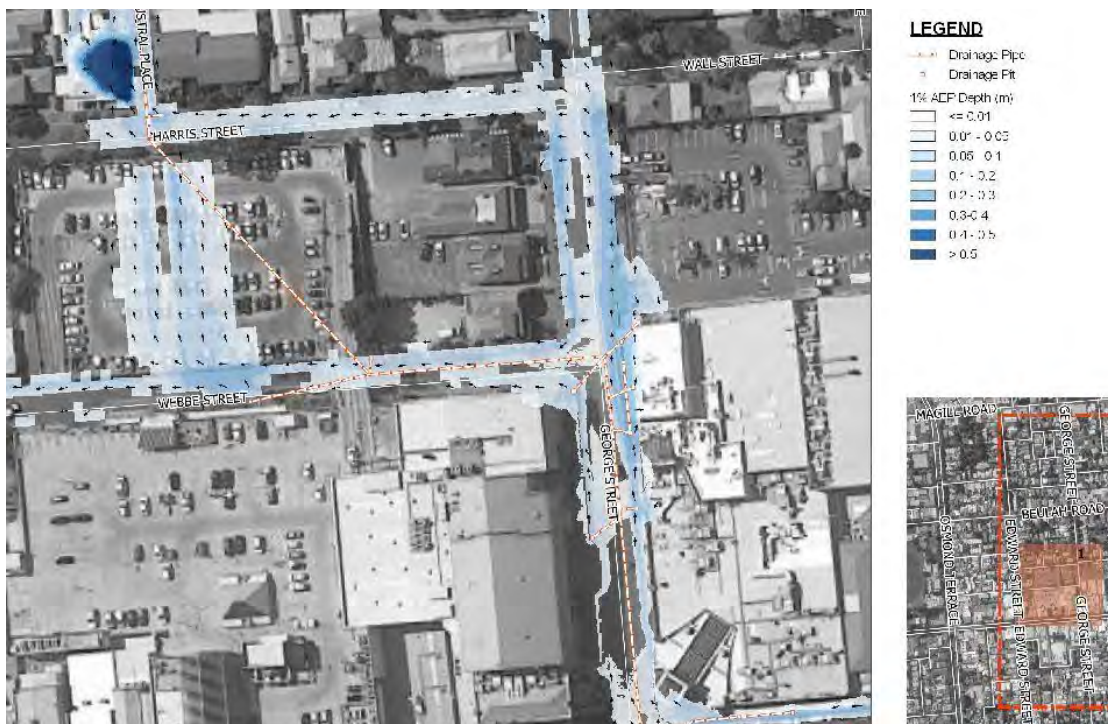
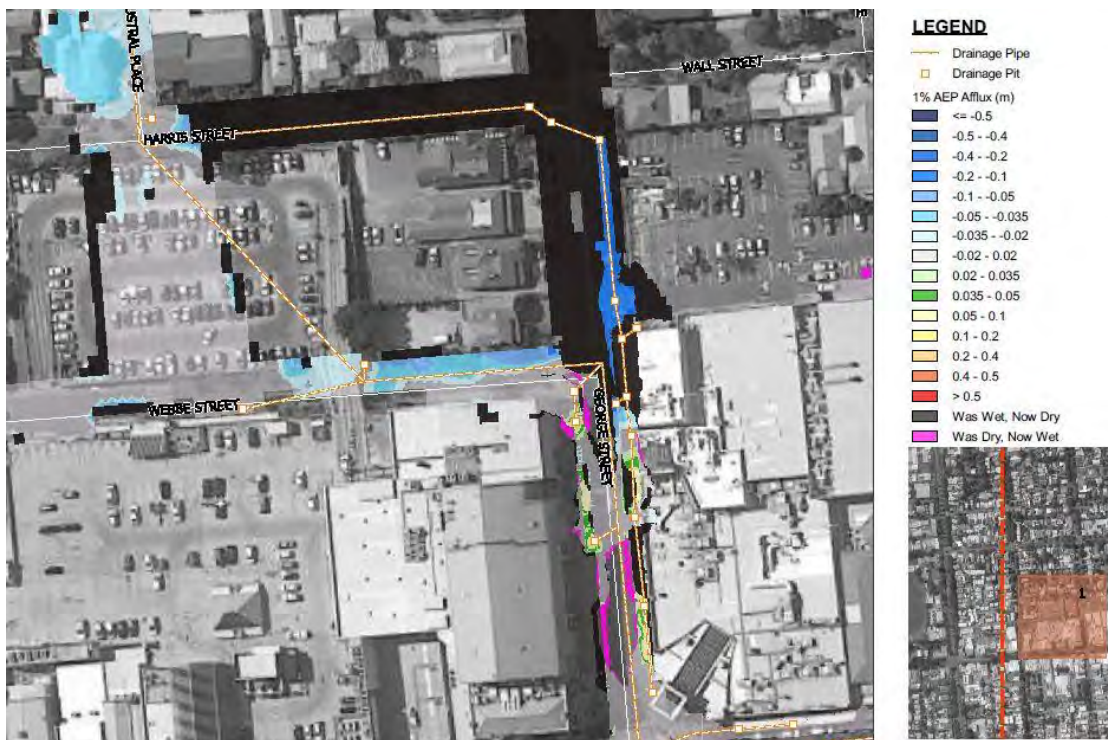


FIGURE 8: FLOOD MAP 1% AEP AFFLUX – GEORGE STREET AND HARRIS STREET ALTERNATE DESIGN



Implementation of the George Street and Harris Street Stormwater Drainage Improvement Works

Prior to undertaking any construction works associated with the George Street Upgrade Project it will be critical to ensure that the stormwater drainage improvement works in George Street and Harris Street, are installed prior to any construction works being undertaken on the eastern side of George Street to ensure that the private properties stormwater and any potential overland flow from a flood event, can be managed through the de-coupled stormwater system and hence, prevent any flooding. Coordinating this drainage works with the George Street Upgrade works will eliminate the need to undertake the work at a later date as was previous scheduled

OPTIONS

The Council has several options available in respect to the drainage improvement works in George Street and Harris Street which are required.

Option 1

The Council can resolve to proceed with the works as proposed in this report. To facilitate these works, it is proposed that approximately \$600,000 from the existing Stormwater Drainage Program, which has been allocated to the Trinity Valley Project be redirected to the George Street and Harris Street Stormwater Drainage Improvement Project. The amended schedule for the Trinity Valley Drainage Project will result in a portion of allocated budget not being spent this financial year.

This will allow the Council to bring forward the funding for the stormwater works identified in the Long-Term Stormwater Drainage Plan which were originally allocated for Harris Street and Wall Street stormwater drainage works in 2032-2033 and undertake the George Street and Harris Street ‘alternate’ stormwater drainage works in 2022-2023 prior to undertaking the George Street Upgrade Project.

This option is **recommended** as it will ensure that the drainage works in the Long-Term Stormwater Drainage Plan and George Street Upgrade Project are integrated and co-ordinated. This will ensure that the risks associated with flooding in and around George Street are addressed now. This will also ensure that the Council delivers its assets to the community in efficient and cost-effective manner. This will also ensure that the stormwater drainage improvement works can commence in early 2023 and prior to the George Street Upgrade commencing.

Option 2

Alternatively, the Council can seek to obtain the funding to undertake the stormwater drainage improvement works from the Federal Government's *Local Roads and Community Infrastructure Program (LRCI) Phase 3 Extension*. Under the Phase 3 Extension, if successful, the Council would receive a funding allocation of \$444,393, equal to the previous Phase 1 funding allocation which it has received.

It should be noted that the *LRCI Stage 3 Extension* funding will only be available from 1 July 2023, with construction required to be completed by 30 June 2024. This would mean that the construction of the George Street Upgrade Project could not commence until this work is completed, as it will be essential to install the stormwater drainage prior to undertaking the construction of the street upgrade works.

This option is **not recommended** as it will delay the commencement of the drainage improvement works until July 2023 at the earliest. The delay will mean that there will be construction activity in and around George Street through the busy 2023 Christmas trading period causing disruption.

Option 3

The Council can resolve to undertake the implementation of the George Street Upgrade Project in several stages. This would entail undertaking the construction of the western side of George Street in 2022-2023 only as the works proposed will not impact the stormwater management on the eastern side of George Street which is subject to flooding. Under this option it is proposed to undertake the drainage improvement works and remainder of the George Street Upgrade to the eastern side of George Street in 2023-2024.

This Option is **not recommended** on the basis that there would be significant additional costs to the Project associated with the requirement to undertake multiple mobilisations of contractor plant and resources to undertake the works. There would also be impacts to traffic management in the local area as a result of the works being undertaken over a long duration (i.e. several financial years).

CONCLUSION

Based on the Citywide Floodplain Mapping which was undertaken in 2019, it has been identified that there are currently flood risks present in George Street, which are associated with the localised depression in the eastern side of the George Street roadway opposite Webbe Street. This known flood risk has been identified and incorporated in the *Long-Term Drainage Plan (2019)* scheduled for 2032-2033.

Whilst minor drainage works were installed at this location in 2018, to address smaller flood events (5% AEP or 1 in 20), these modifications have not sufficiently mitigated the risk of flooding. Given that the Council is investing in the George Street Upgrade Project, it is only sensible and prudent to implement stormwater drainage improvements at the same time.

A thorough and iterative due diligence and design process (as set out in this report) has investigated a wide range of localised measures to address flood management in this location to minimise the cost of installing additional infrastructure wherever possible. These measures have not been able to sufficiently address a range of risks associated with flooding in this location. Following a significant number of investigations and reviews, it has been determined that a more holistic approach, focussing on flood sources and a more robust means of flood management should be adopted.

The recommended stormwater drainage solution has been able to address the flood risks associated with the George Street Upgrade Project and also at the same time address the flood risks in the greater Norwood area, which were identified as part of the Harris Street and Wall Street drainage works in the Long-Term Stormwater Drainage Program. The alternate design has also been checked and verified by undertaking updated stormwater modelling.

By integrating the designs and co-ordinating the delivery of these projects, the Council will be able to realise cost efficiencies in the delivery of its assets to the community and avoid the need for any abortive works and reputational risk if these projects were to occur separately.

COMMENTS

As Elected Members are aware, the George Street Upgrade Project has been endorsed and funded by the Council as part of the 2020-2021 Budget. Therefore the Detail Design and Construction Documentation is being completed as a matter of priority to deliver the Project as approved by the Council. Due to potential flood risks which have been identified, the stormwater drainage improvements for George Street and Harris Street should be undertaken prior to constructing the George Street Upgrade Project rather than completing the George Street Upgrade Project now and undertaking the stormwater drainage works in 2032-2033.

At its meeting held on 1 August 2022, the Council adopted the *Local Government Elections Caretaker Policy* (the Policy), which applies to the Local Government Election, which will be held in November 2022. The Policy stipulates that the Caretaker Period will commence at the close of nominations on Tuesday, 6 September 2022 and will expire at the conclusion of the election, when the results have been officially declared by the Electoral Commissioner.

The Policy aims to ensure that the Council conducts its business throughout the Election Period in a responsible and transparent manner and in accordance with the relevant statutory requirements and that the Council avoids actions and decisions which could be perceived as intended to affect the results of an election or have a significant impact on the incoming Council.

During the Caretaker Period the Council is prohibited from making a Designated Decision, which includes entering into a contract, the total value of which exceeds \$100,000 or 1% of the Council's revenue from rates in the preceding financial year, except where it is:

- in response to an emergency or disaster;
- for the purposes of road construction, road maintenance or drainage works (i.e. Prescribed Contracts); or
- an expenditure or other decision required to be taken in association with grant funding, which the Council has received from either the State or Commonwealth Governments.

Prescribed Contracts are expressly excluded from the types of contracts which are able to be the subject of a Designated Decision. A 'Prescribed Contract' is defined in Section 91A of the *Local Government (Elections) Act 1999* to mean a Contract entered into by a Council for the purpose of undertaking road construction, road maintenance or drainage works. Prescribed Contracts are designed to allow the Council to continue with its core road and drainage infrastructure work unaffected by the Caretaker Period.

RECOMMENDATION

1. That the George Street and Harris Street Stormwater Drainage Improvement Project, as outlined in this report, be endorsed.
2. That \$600,000 be redirected from the Trinity Valley Stormwater Upgrade Project to the delivery of the George Street and Harris Street Stormwater Drainage Improvement Project, to enable the Project to be constructed in 2022-2023.
3. That the Council notes that the George Street and Harris Street Stormwater Drainage Improvement Project will be delivered prior to the commencement of the George Street Upgrade Project.
4. That the Council delegates to the Chief Executive Officer the authority to award the tender for the George Street Harris Street Drainage Improvement Project during the Council's Caretaker Period, on the condition that the tender which is received does not exceed \$600,000.
5. That the Mayor and Chief Executive Officer be authorised to sign and seal the documents associated with the awarding of the contract for the construction of the George Street and Harris Street Stormwater Drainage Improvement Project.
6. That the Council notes that should the tender for the George Street and Harris Street Stormwater Drainage Improvement Project exceed \$600,000, the matter will be deferred for consideration by the Council, following the conclusion of the 2022 Local Government Election.

Attachments – Item 11.7

Attachment A

George Street and Harris Street Stormwater Drainage Improvements

City of Norwood Payneham & St Peters
175 The Parade, Norwood SA 5067

Telephone 8366 4555
Facsimile 8332 6338
Email townhall@npsp.sa.gov.au
Website www.npsp.sa.gov.au



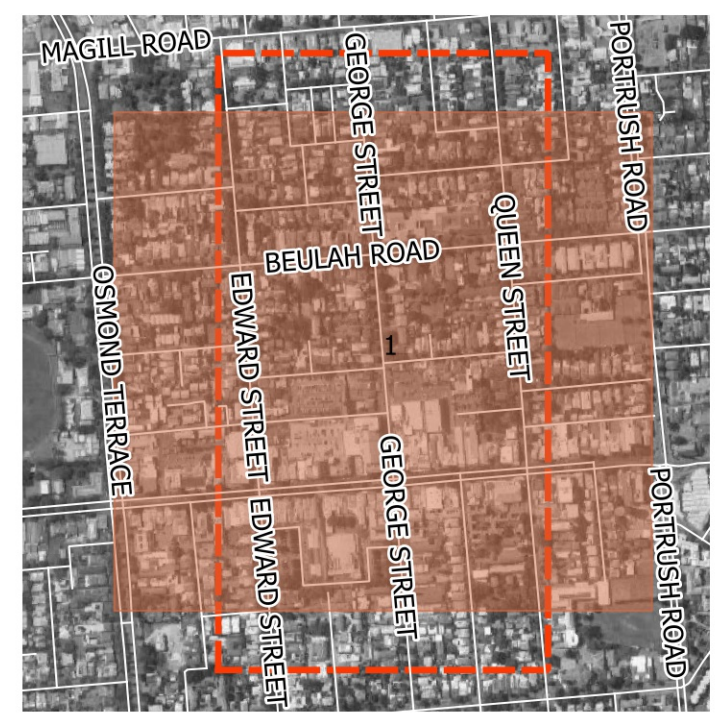
City of
**Norwood
Payneham
& St Peters**



CIVIL | WATER | ENVIRONMENT

LEGEND

- Drainage Pipe
- Drainage Pit
- 1% AEP Depth (m)
- <= 0.01
- 0.01 - 0.05
- 0.05 - 0.1
- 0.1 - 0.2
- 0.2 - 0.3
- 0.3 - 0.4
- 0.4 - 0.5
- > 0.5



**Parade Streetscape
- George Street Upgrade**



1:2656 @ A3
GDA 1994 / MGA Zone 54

Job No: 30150
Date: 17/05/2022



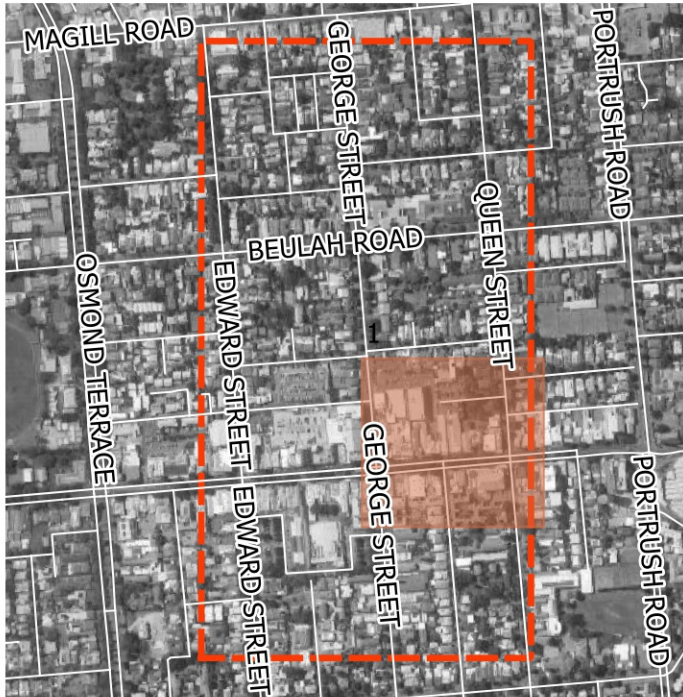
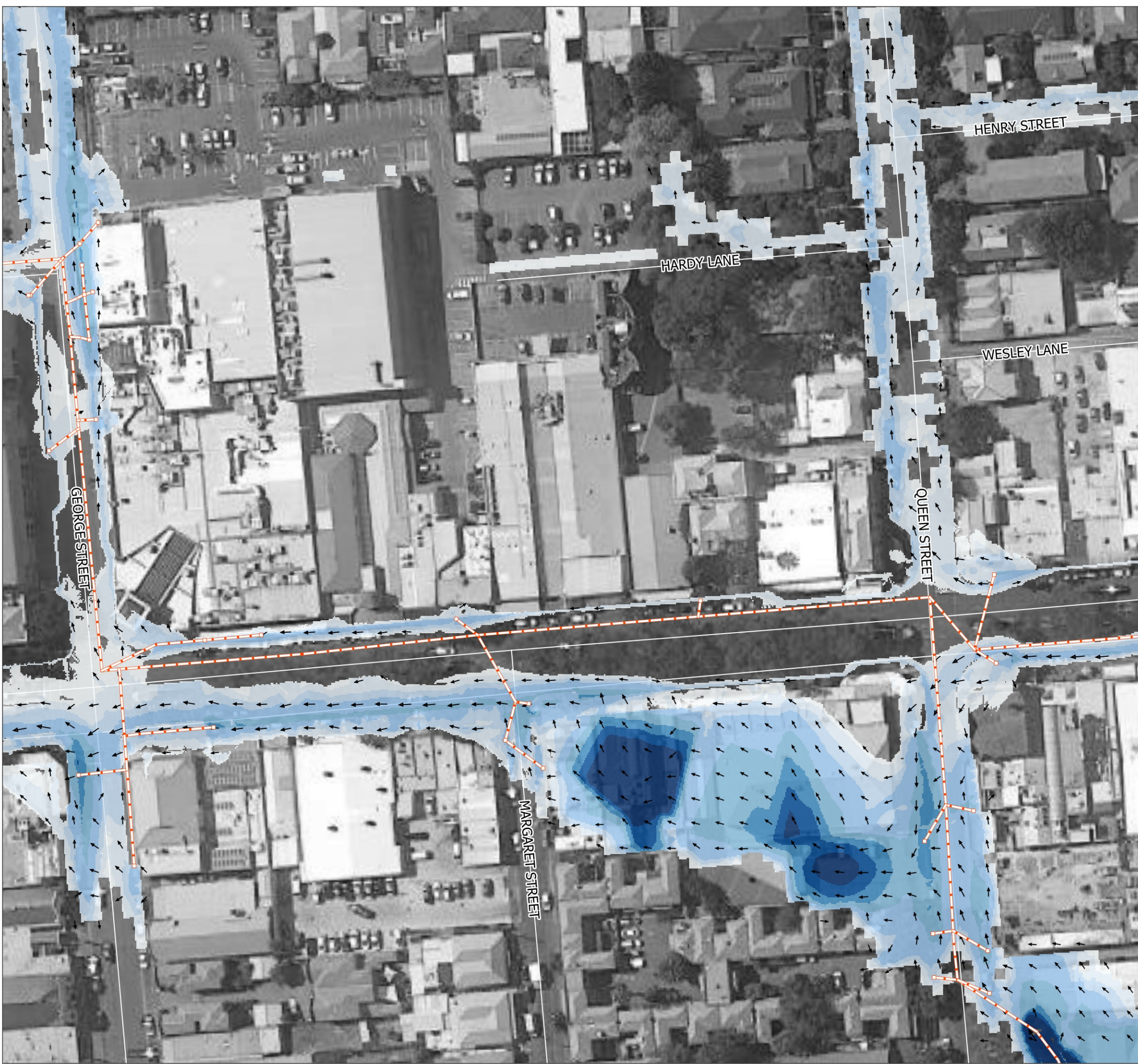


CIVIL | WATER | ENVIRONMENT

Peak Depth - Existing
1% AEP Event
Map 2 of 5

LEGEND

- Drainage Pipe
- Drainage Pit
- 1% AEP Depth (m)
 - <= 0.01
 - 0.01 - 0.05
 - 0.05 - 0.1
 - 0.1 - 0.2
 - 0.2 - 0.3
 - 0.3 - 0.4
 - 0.4 - 0.5
 - > 0.5



**Parade Streetscape
- George Street Upgrade**



1:899 @ A3
GDA 1994 / MGA Zone 54

Job No: 30150
Date: 17/05/2022



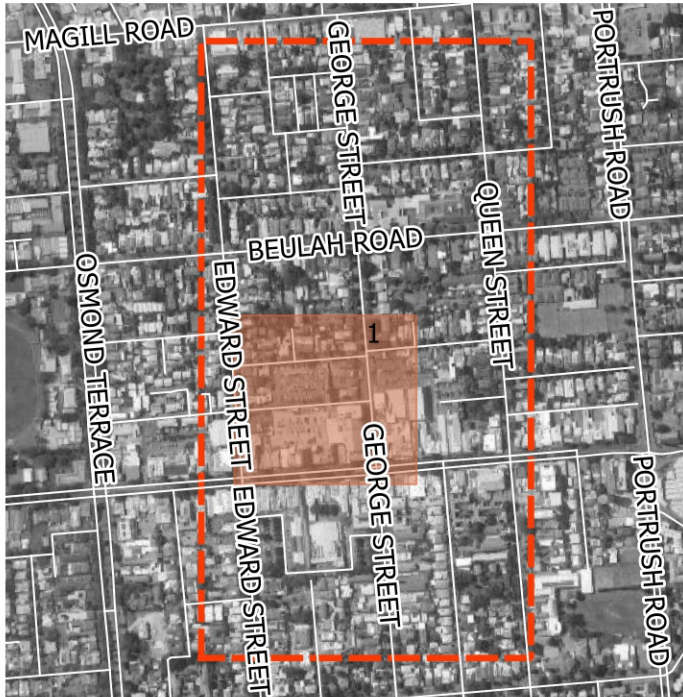


CIVIL | WATER | ENVIRONMENT

Peak Depth - Existing
1% AEP Event
Map 3 of 5

LEGEND

- Drainage Pipe
 - Drainage Pit
- 1% AEP Depth (m)
- <= 0.01
 - 0.01 - 0.05
 - 0.05 - 0.1
 - 0.1 - 0.2
 - 0.2 - 0.3
 - 0.3 - 0.4
 - 0.4 - 0.5
 - > 0.5



**Parade Streetscape
- George Street Upgrade**

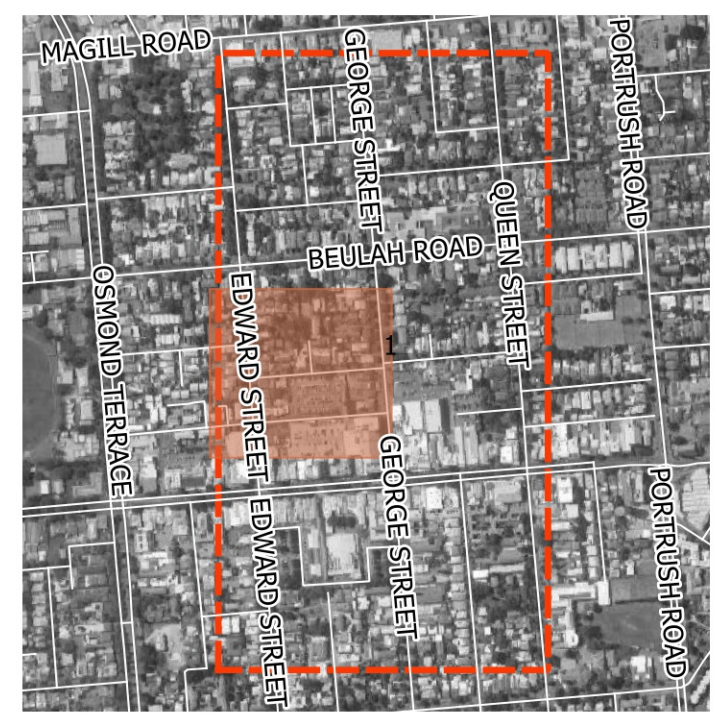


CIVIL | WATER | ENVIRONMENT

Peak Depth - Existing
1% AEP Event
Map 4 of 5

LEGEND

- Drainage Pipe
- Drainage Pit
- 1% AEP Depth (m)
- <= 0.01
- 0.01 - 0.05
- 0.05 - 0.1
- 0.1 - 0.2
- 0.2 - 0.3
- 0.3 - 0.4
- 0.4 - 0.5
- > 0.5



**Parade Streetscape
- George Street Upgrade**



1:899 @ A3
GDA 1994 / MGA Zone 54

Job No: 30150
Date: 17/05/2022





CIVIL | WATER | ENVIRONMENT

Peak Depth - Existing
1% AEP Event
Map 5 of 5

LEGEND

- Drainage Pipe
- Drainage Pit
- 1% AEP Depth (m)
- <= 0.01
- 0.01 - 0.05
- 0.05 - 0.1
- 0.1 - 0.2
- 0.2 - 0.3
- 0.3 - 0.4
- 0.4 - 0.5
- > 0.5



**Parade Streetscape
- George Street Upgrade**



1:899 @ A3
GDA 1994 / MGA Zone 54

Job No: 30150
Date: 17/05/2022



11.8 UPDATED DELEGATIONS UNDER THE PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016

REPORT AUTHOR: Manager, Governance & Legal
GENERAL MANAGER: General Manager, Governance & Civic Affairs
CONTACT NUMBER: 8366 4626
FILE REFERENCE: qA58805
ATTACHMENTS: A

PURPOSE OF REPORT

The purpose of the report is to present the updated delegations to the Council under the *Planning, Development and Infrastructure Act 2016*, for delegation to the Chief Executive Officer.

BACKGROUND

As Elected Members may be aware, there are various functions and powers under the *Planning, Development and Infrastructure Act 2016* (PDI Act), which are vested in the Council as a Council, a Designated Authority and a Designated Entity.

At its meeting held on 7 June 2021, the Council considered a number of delegations under the PDI Act which were subsequently delegated to the Chief Executive Officer.

Delegations under the PDI Act are reviewed on a quarterly basis to ensure the planning system is being implemented in accordance with the legislative scheme. As a result of the quarterly review, and Ministerial Portfolios changes, there have been additional changes to the delegations under the PDI Act, the *Planning, Development and Infrastructure (Transitional Provisions) Regulations 2017* (the Regulations), and the *Practice Directions of Powers of a Council as a Council and the Council as a Relevant Authority* (Practice Directions).

The new provisions of the PDI Act, the Regulations and the Practice Directions to be delegated have been added to the Instrument of Delegation. A copy of the updated Instrument of Delegation A, with all the changes highlighted, is contained within **Attachment A**.

RELEVANT STRATEGIC DIRECTIONS & POLICIES

Not Applicable.

FINANCIAL AND BUDGET IMPLICATIONS

Not Applicable.

EXTERNAL ECONOMIC IMPLICATIONS

Not Applicable.

SOCIAL ISSUES

Not Applicable.

CULTURAL ISSUES

Not Applicable.

ENVIRONMENTAL ISSUES

Not Applicable.

RESOURCE ISSUES

Not Applicable.

RISK MANAGEMENT

The process of updating delegations ensures that the powers or functions have been lawfully delegated in accordance with the PDI Act, the Regulations and the Practice Directions.

COVID-19 IMPLICATIONS

Not Applicable.

CONSULTATION

- **Elected Members**
Not Applicable.
- **Community**
Not Applicable.
- **Staff**
General Manager, Urban Planning and Environment.
- **Other Agencies**
Norman Waterhouse Lawyers.

DISCUSSION

The delegations under the PDI Act were updated for the period of 1 February 2022 to 31 May 2022. This included changes to the PDI Act, the Regulations and the Practice Directions.

The updates have come about due to changes to Ministerial Portfolios. Previously, the Minister was responsible for Planning was also responsible for Local Government as these were under the same portfolio. However, these portfolios have now changed which means the functions and powers were previously not delegable because the option to delegate was not available to the Minister for Planning and Local Government in that capacity.

All of the updates relate to Instrument of Delegation A, which is the delegation of powers of the Council as a Council, a Designated Authority and Designated Entity to the Chief Executive Officer.

The proposed changes to the PID Act, the Regulations and the Practice Directions have been reviewed to determine the relevance of the Council delegating these functions and powers to the Chief Executive Officer. The updates to the delegations are necessary to facilitate the Objects and Purpose of the PDI Act.

As the updates to the PDI Act, the Regulations and the Practice Directions have previously not been delegated, the Council is now required to approve the addition of these provisions to the Instrument of Delegation A.

OPTIONS

The Council can choose not to accept the updates to the delegations under the PDI Act, however, it is recommended that the Council delegates these powers and functions to the Chief Executive Officer to ensure that decisions under the PDI Act are lawful.

The respective powers and functions may be further delegated by the Chief Executive Officer under Sections 44 and 101 of the *Local Government Act 1999* or under Section 100(2)(c) of the PDI Act.

CONCLUSION

The Council's endorsement of the updates to the delegations under the PDI Act, the Regulations and the Practice Directions is sought to further the Objects and Functions of the PDI Act.

COMMENTS

Nil

RECOMMENDATION

1. That under Section 44 of the *Local Government Act 1999*, the Council delegates the powers and functions vested in the Council, as contained in Instrument of Delegation A, under the *Planning, Development and Infrastructure 2016*, the *Planning, Development and Infrastructure (Transitional Provisions) Regulations 2017*, and the *Practice Directions of Powers of a Council as a Council*, to the Chief Executive Officer.
2. That under Section 100 of the *Planning, Development and Infrastructure 2016*, the Council delegates the powers and functions contained in Instrument of Delegation A, which are vested in the Council as a Designated Entity and Designated Authority under the *Planning, Development and Infrastructure 2016*, the *Planning, Development and Infrastructure (Transitional Provisions) Regulations 2017*, and the *Practice Directions of Powers of a Council as a Relevant Authority*, to the Chief Executive Officer.

Attachments – Item 11.8

Attachment A

Updated Delegations under the Planning, Development and Infrastructure Act 2016

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City of
**Norwood
Payneham
& St Peters**

INSTRUMENT A

**INSTRUMENT OF DELEGATION UNDER THE
PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016, REGULATIONS,
PLANNING & DESIGN CODE AND PRACTICE DIRECTIONS OF POWERS OF A
COUNCIL AS:**

- **A COUNCIL;**
- **A DESIGNATED AUTHORITY;**
- **A DESIGNATED ENTITY**

NOTES

1. Conditions or Limitations: conditions or limitations may apply to the delegations contained in this Instrument. Refer to the Schedule of Conditions at the back of this document.
2. Refer to the relevant Council resolution(s) to identify when these delegations were made, reviewed and or amended.

POWERS AND FUNCTIONS DELEGATED IN THIS INSTRUMENT

1.	Planning Regions and Greater Adelaide
1.1	The power pursuant to Section 5(5)(b) of the Planning, Development and Infrastructure Act 2016 (the PDI Act) to make submissions to the Minister on a proposed proclamation under Section 5 of the PDI Act.
2.	Subregions
2.1	The power pursuant to Section 6(3)(b) of the PDI Act to make submissions to the Minister on the Minister's proposed course of action.
3.	Environment and Food Production Areas – Greater Adelaide
3.1	The power pursuant to Section 7(5)(b) of the the PDI Act, in relation to a proposed development in an environment and food production area that involves a division of land that would create 1 or more additional allotments to concur in the granting of the development authorisation to the development.
4.	Functions
4.1	The power pursuant to Section 22(4)(a)(i) of the PDI Act to, if an inquiry is conducted by the Commission under Section 22(1)(e) of the PDI Act make submissions or representations.
5.	Planning Agreements
5.1	The power pursuant to Section 35(1)(a) of the PDI Act and subject to Section 35 of the PDI Act to enter into an agreement (a planning agreement) with

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	the Minister relating to a specified area of the State subject to Section 35 of the PDI Act.
5.2	The power pursuant to Section 35(3) of the PDI Act to, in a planning agreement, include provisions that outline the purposes of the agreement and the outcomes that the agreement is intended to achieve and to provide for:
5.2.1	the setting of objectives, priorities and targets for the area covered by the agreement; and
5.2.2	the constitution of a joint planning board including, in relation to such a board:
5.2.2.1	the membership of the board, being between 3 and 7 members (inclusive); and
5.2.2.2	subject to Section 35(4) of the PDI Act, the criteria for membership; and
5.2.2.3	the procedures to be followed with respect to the appointment of members; and
5.2.2.4	the terms of office of members; and
5.2.2.5	conditions of appointment of members, or the method by which those conditions will be determined, and the grounds on which, and the procedures by which, a member may be removed from office; and
5.2.2.6	the appointment of deputy members; and
5.2.2.7	the procedures of the board; and
5.2.3	the delegation of functions and powers to the joint planning board (including, if appropriate, functions or powers under another Act); and
5.2.4	the staffing and other support issues associated with the operations of the joint planning board; and
5.2.5	financial and resource issues associated with the operations of the joint planning board, including:
5.2.5.1	the formulation and implementation of budgets; and
5.2.5.2	the proportions in which the parties to the agreement will

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	be responsible for costs and other liabilities associated with the activities of the board; and
5.2.6	such other matters as the delegate thinks fit.
5.3	The power pursuant to Section 35(5)(a) of the PDI Act, at the expiry of a planning agreement, to replace it with a new agreement (in the same or different terms).
5.4	The power pursuant to Section 35(5)(b) of the PDI Act, to vary or terminate a planning agreement by agreement between the parties to the agreement.
6.	Appointment of Administrator
6.1	The power pursuant to Section 41(2)(a) of the PDI Act to make submissions to the Minister on the Minister appointing an administrator under Section 41 of the PDI Act.
7.	Community Engagement Charter
7.1	The power pursuant to Section 44(6)(a) of the PDI Act, to make submissions in relation to any proposal to prepare or amend a designated instrument under Part 5 Division 2 Subdivision 5 of the PDI Act that is relevant to the Council (unless the proposal has been initiated by the Council).
7.2	The power pursuant to Section 44(9)(b) of the PDI Act to the extent that Section 44(9)(a) of the PDI Act does not apply, have regard to, and seek to achieve, any principles or performance outcomes that apply in a relevant case.
7.3	The power pursuant to Section 44(10) of the PDI Act to:
7.3.1	seek the approval of the Commission to adopt an alternative way to achieving compliance with a requirement of the charter; and
7.3.2	with the approval of the Commission, adopt an alternative way to achieving compliance with a requirement of the charter.

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8.	Preparation and Amendment of Charter
8.1	The power pursuant to Section 45(2)(c) of the PDI Act to make representations (including in writing or via the SA planning portal) on a proposal to prepare or amend the charter.
9.	Preparation and Amendment
9.1	The power pursuant to Section 73(2)(b)(iv) of the PDI Act to:
9.1.1	seek the approval of the Minister to initiate a proposal to amend a designated instrument; and
9.1.2	initiate a proposal to amend a designated instrument with the approval of the Minister acting on the advice of the Commission.
9.2	The power pursuant to Section 73(6) of the PDI Act where the Council is authorised or approved under Section 73 of the PDI Act, after all of the requirements of Section 73 of the PDI Act have been satisfied:
9.2.1	to prepare a draft of the relevant proposal; and
9.2.2	to comply with the Community Engagement Charter for the purposes of consultation in relation to the proposal; and
9.2.3	to the extent that paragraph (b) of Section 73(6) of the PDI Act does not apply, in the case of a proposed amendment to a regional plan that has been prepared by a joint planning board where the amendment is not being proposed by the joint planning board – consult with the joint planning board; and
9.2.4	to the extent that paragraph (b) of Section 73(6) of the PDI Act does not apply, in the case of a proposed amendment to the Planning and Design Code that will have a specific impact on 1 or more particular pieces of land in a particular zone or subzone (rather than more generally) – to take reasonable steps to give:
9.2.4.1	an owner or occupier of the land; and
9.2.4.2	an owner or occupier of each piece of adjacent land,
	a notice in accordance with the regulations; and
9.2.5	to consult with any person or body specified by the Commission and any other person or body as the delegate thinks fit; and

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9.2.6	to carry out such investigations and obtain such information specified by the Commission; and
9.2.7	to comply with any requirement prescribed by the regulations.
9.3	The power pursuant to Section 73(7) of the PDI Act, after complying with Section 73(6) of the PDI Act, to prepare a report in accordance with any practice direction that applies for the purposes of Section 73 of the PDI Act (including information about any change to the original proposal that the delegate considers should be made) and furnish a copy of the report to the Minister.
9.4	The power pursuant to Section 73(8) of the PDI Act, after the Council has furnished a report to the Minister under Section 73(7) of the PDI Act, to ensure that a copy of the report is published on the SA planning portal in accordance with a practice direction that applies for the purposes of Section 73 of the PDI Act.
9.5	The power pursuant to Section 73(9) of the PDI Act to enter into an agreement with a person for the recovery of costs incurred by the Council in relation to an amendment of the Planning and Design Code or a design standard under Section 73 of the PDI Act (subject to the requirement to charge costs under Section 73(4)(b) of the PDI Act (if relevant)).
10.	Parliamentary Scrutiny
10.1	The power pursuant to Section 74(8)(c) of the PDI Act if the ERD Committee is proposing to suggest an amendment under Section 74(4) of the PDI Act and the amendment is specifically relevant to the Council, to provide a comment and response within the period of 2 weeks.
11.	Complying Changes – Planning and Design Code
11.1	The power pursuant to Section 75(1) of the PDI Act to submit to the Minister a proposal to agree to an amendment to the Planning and Design Code under Section 75 of the PDI Act if:
11.1.1	the amendment comprises a change to:
11.1.1.1	the boundary of a zone or subzone; or
11.1.1.2	the application of an overlay; and
11.1.2	the amendment is consistent with a recommendation in the relevant regional plan that, through the use of:

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11.1.2.1	specific maps or other spatial information; and
11.1.2.2	specific information about the changes that are being proposed,
	clearly and specifically identifies (in the opinion of the Minister) the changes that are considered to be appropriate.
11.2	The power pursuant to Section 75(3) of the PDI Act to effect an amendment under Section 75 of the PDI Act by an instrument deposited on the SA Planning database (in accordance with requirements established by the Chief Executive).
12.	Entities Constituting Relevant Authorities
12.1	The power pursuant to Section 82(d) of the PDI Act, subject to the PDI Act, to appoint an assessment panel.
13.	Panels Established by Joint Planning Boards or Councils
13.1	The power pursuant to Section 83(1) of the PDI Act in relation to an assessment panel appointed by the Council under Division 1 of Part 6 of the PDI Act, to:
13.1.1	appoint more than 1 assessment panel and if the delegate does so, to clearly specify which class of development each assessment panel is to assess;
13.1.2	determine:
13.1.2.1	the membership of the assessment panel, being no more than 5 members, only 1 of which may be a member of a Council, and, if the delegate thinks fit, on the basis that the assessment panel will be constituted by a different number of members depending on the particular class of development that is being assessed by the assessment panel; and
13.1.2.2	the procedures to be followed with respect to the appointment of members; and
13.1.2.3	the terms of office of members; and
13.1.2.4	conditions of appointment of members, or the method by which those conditions will be determined, (including as to their remuneration) and the grounds on which, and the

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	procedures by which, a member may be removed from office; and
13.1.2.5	the appointment of deputy members; and
13.1.2.6	who will act as the presiding member of the panel and the process for appointing an acting presiding member.
13.2	The power pursuant to Section 83(1)(h) of the PDI Act to arrange the staffing and support required for the purposes of the operations of the panel.
13.3	The power pursuant to Section 83(1)(i) of the PDI Act to substitute the existing members of the panel with new members if directed to do so by the Minister acting on recommendation of the Commission under Section 86 of the PDI Act.
13.4	The power pursuant to Section 83(2) of the PDI Act to form the opinion and be satisfied that a person to be appointed as a member of an assessment panel who is a member, or former member, of a Council is appropriately qualified to act as a member of the assessment panel on account of the person's experience in local government.
14.	Panels Established by Minister
14.1	The power pursuant to Section 84(1)(c)(ii)(A) of the PDI Act to request the Minister to constitute a regional assessment panel in relation to the combined areas of the Council and one or more other Councils.
14.2	The power pursuant to Section 84(1)(c)(ii)(B) of the PDI Act to make submissions to the Minister about the constitution of a regional assessment panel in relation to the area of the Council and one or more other Councils (or parts of such areas).
15.	Substitution of Local Panels
15.1	The power pursuant to Section 86(2)(a) of the PDI Act to make submissions to the Commission in relation to an inquiry.
16.	Notification of Acting
16.1	The power pursuant to Section 89(b) of the PDI Act to require an accredited professional to provide such information or documentation as the delegate may require.

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17. Relevant Authority - Commission	
17.1	The power pursuant to Section 94(1)(g) of the PDI Act to make a request to the Minister that the Minister declare, by notice served on the proponent, that the Minister desires the Commission to act as the relevant authority in relation to the proposed development.
18. Matters Against which Development Must be Assessed	
18.1	The power pursuant to Section 102(1)(c)(iv) of the PDI Act in relation to a proposed division of land (otherwise than under the Community Titles Act 1996 or the Strata Titles Act 1988) where land is to be vested in the Council, to consent to the vesting.
18.2	The power pursuant to Section 102(1)(d)(iv) of the PDI Act in relation to a proposed division of land under the Community Titles Act 1996 or the Strata Titles Act 1988 where land is to be vested in the Council, to consent to the vesting.
18.3	The power pursuant to Section 102(11)(b) of the PDI Act to impose a reasonable charge on account of an encroachment over land under the care, control and management of the Council when the relevant development is undertaken.
19. Restricted Development	
19.1	The power pursuant to Section 110(2)(b) of the PDI Act to, in accordance with the regulations and within a period prescribed by the regulations, make representations to the Commission in relation to the granting or refusal of planning consent.
19.2	The power pursuant to Section 110(c)(ii) of the PDI Act to appear personally or by representative before the Commission to be heard in support of the Council's representation.
19.3	The power pursuant to Section 110(7) of the PDI Act to appeal against a decision on a development classified as restricted development.
20. Level of Detail	
20.1	The power pursuant to Section 112(b) of the PDI Act to express views in relation to the level of detail required in relation to an EIS.
21. EIS Process	
21.1	The power pursuant to Section 113(5)(a)(iii) of the PDI Act to comment and

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	report within the time prescribed by the regulations on an EIS referred to the Council by the Minister.
22. Amendment of EIS	
22.1	The power pursuant to Section 114(2)(b) of the PDI Act to make written submissions on the amendment to the Minister.
23. Essential Infrastructure – Alternative Assessment Process	
23.1	The power pursuant to Section 130(6) of the PDI Act to report to the Commission on any matters contained in a notice under Section 130(5) of the PDI Act.
23.2	The power pursuant to Section 130(14) of the PDI Act to, if the Council has, in relation to any matters referred to the Council under Section 130(5) of the PDI Act, expressed opposition to the proposed development in its report under Section 130(6) of the PDI Act, withdraw the Council's opposition.
24. Development Assessment – Crown Development	
24.1	The power pursuant to Section 131(7) of the PDI Act to report to the Commission on any matters contained in a notice under Section 131(6) of the PDI Act.
24.2	The power pursuant to Section 131(15) of the PDI Act to, if the Council has, in relation to any matters referred to the Council under Section 131(6) of the PDI Act expressed opposition to the proposed development in its report under Section 131(7) of the PDI Act, withdraw the Council's opposition.
25. Land Division Certificate	
25.1	The power pursuant to Section 138(1) of the PDI Act to enter into a binding agreement supported by adequate security and if the regulations so require in a form prescribed by the regulations.
25.2	The power pursuant to Section 138(2) of the PDI Act to furnish the Commission with appropriate information as to compliance with a particular condition and to comply with any requirement prescribed by the regulations.
26. Action if Development Not Completed	
26.1	The power pursuant to Section 141(1) of the PDI Act, if:
26.1.1	an approval is granted under the PDI Act; but

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26.1.2	-
26.1.2.1	the development to which the approval relates has been commenced but not substantially completed within the period prescribed by the regulations for the lapse of the approval; or
26.1.2.2	in the case of a development that is envisaged to be undertaken in stages - the development is not undertaken or substantially completed in the manner or within the period contemplated by the approval,
to apply to the Court for an order under Section 141 of the PDI Act.	
26.1.3	The power pursuant to Section 141(5) of the PDI Act, if the Court makes an order under Section 141(3)(a), (b) or (d) of the PDI Act and a person fails to comply with the order within the period specified by the Court, to cause any work contemplated by the order to be carried out, and to recover the costs of that work, as a debt from the person.
26.1.4	The power pursuant to Section 141(6) of the PDI Act, if an amount is recoverable from a person by the Council under Section 141(5) of the PDI Act:
26.1.4.1	to, by notice in writing to the person, fix a period, being not less than 28 days from the date of the notice, within which the amount must be paid by the person.
27. Completion of Work	
27.1	The power pursuant to Section 142(1) of the PDI Act, if:
27.1.1	an approval is granted under the PDI Act; but
27.1.2	the development to which the approval relates has been substantially but not fully completed within the period prescribed by the regulations for the lapse of the approval,
to, by notice in writing, require the owner of the relevant land to complete the development within a period specified in the notice.	
27.2	The power pursuant to Section 142(2) of the PDI Act, if an owner fails to carry out work as required by a notice under Section 142(1) of the PDI Act, to cause the necessary work to be carried out.

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27.3	The power pursuant to Section 142(3) of the PDI Act to recover as a debt due from the owner, the reasonable costs and expenses incurred by the Council (or any person acting on behalf of the Council) under Section 142 of the PDI Act.
27.4	The power pursuant to Section 142(4) of the PDI Act, if an amount is recoverable from a person by the Council under Section 142 of the PDI Act:
27.4.1	to, by notice in writing to the person, fix a period, being not less than 28 days from the date of the notice, within which the amount must be paid by the person.
28.	Notification During Building
28.1	The power pursuant to Section 146(3) of the PDI Act to, subject to Section 146(4) of the PDI Act, direct a person who is carrying out building work to stop building work when a mandatory notification stage has been reached pending an inspection by an authorised officer who holds prescribed qualifications.
29.	Classification of Buildings
29.1	The power pursuant to Section 151(2) of the PDI Act to assign to a building erected in the Council's area a classification that conforms with the regulations.
29.2	The power pursuant to Section 151(3) of the PDI Act, if the Council assigns a classification under Section 151 of the PDI Act, to give notice in writing to the owner of the building to which the classification has been assigned, of the classification assigned to the building.
30.	Certificates of Occupancy
30.1	The power pursuant to Section 152(2) of the PDI Act to issue a certificate of occupancy.
30.2	The power pursuant to Section 152(3)(a) of the PDI Act to require an application for a certificate of occupancy to include any information required by the delegate.
30.3	The power pursuant to Section 152(5) of the PDI Act to consider any report supplied under Section 152(4) of the PDI Act before deciding the application.
30.4	The power pursuant to Section 152(6) of the PDI Act to issue the certificate if the delegate is satisfied (in accordance with procedures set out in the regulations and on the basis of information provided or obtained under

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	Section 152 of the PDI Act) that the relevant building is suitable for occupation and complies with such requirements as may be prescribed by the regulations for the purposes of Section 152(6) of the PDI Act.
30.5	The power pursuant to Section 152(10) of the PDI Act, if the Council refuses an application to notify the applicant in writing of:
30.5.1	the refusal; and
30.5.2	the reasons for the refusal; and
30.5.3	the applicant's right of appeal under the PDI Act.
30.6	The power pursuant to Section 152(12) of the PDI Act to issue a certificate of occupancy that applies to the whole or part of a building.
30.7	The power pursuant to Section 152(13) of the PDI Act to, in accordance with the regulations, revoke a certificate of occupancy in prescribed circumstances.
31.	Temporary Occupation
31.1	The power pursuant to Section 153(1) of the PDI Act to grant an approval to a person to occupy a building on a temporary basis without a certificate of occupancy.
31.2	The power pursuant to Section 153(2) of the PDI Act to grant an approval under Section 153(1) of the PDI Act on such conditions (if any) as the delegate thinks fit to impose.
31.3	The power pursuant to Section 153(3) of the PDI Act if the Council refuses an application to notify the applicant in writing of:
31.3.1	the refusal; and
31.3.2	the reasons for the refusal; and
31.3.3	the applicant's right of appeal under the PDI Act.
32.	Emergency Orders
32.1	The power pursuant to Section 155(5) of the PDI Act, if an owner fails to carry out work as required by an emergency order, to cause the necessary work to be carried out.
32.2	The power pursuant to Section 155(6) of the PDI Act to recover as a debt due

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	from the owner the reasonable costs and expenses incurred by the Council (or any person acting on behalf of the Council) under Section 155 of the PDI Act.
32.3	The power pursuant to Section 155(7) of the PDI Act, if an amount is recoverable from a person by the Council under Section 155 of the PDI Act to, by notice in writing to the person, fix a period, being not less than 28 days from the date of the notice, within which the amount must be paid by the person.
33. Fire Safety	
33.1	The power pursuant to Section 157(16) of the PDI Act to establish a body and designate it as an appropriate authority under Section 157 of the PDI Act.
33.2	The power pursuant to Section 157(17) of the PDI Act to:
33.2.1	appoint to the appropriate authority:
33.2.1.1	a person who holds prescribed qualifications in building surveying; and
33.2.1.2	an authorised officer under Part 3 Division 5 or Section 86 of the Fire and Emergency Services Act 2005 who has been approved by the Chief Officer of the relevant fire authority to participate as a member of the appropriate authority; and
33.2.1.3	a person with expertise in the area of fire safety; and
33.2.1.4	if so determined by the delegate, a person selected by the delegate;
33.2.2	specify a term of office of a member of the appropriate authority (other than a member under Section 157(17)(a)(ii) of the PDI Act;
33.2.3	remove a member of the appropriate authority from office for any reasonable cause;
33.2.4	appoint deputy members;
33.2.5	determine the appropriate authority's procedures (including as to quorum).

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34. Initiation of Scheme	
34.1	The power pursuant to Section 163(3)(b) of the PDI Act to request the Minister initiate a proposal to proceed under Section 163 of the PDI Act.
34.2	The power pursuant to Section 163(10) of the PDI Act to make submissions to the Minister in relation to the draft outline.
35. Initiation of Scheme	
35.1	The power pursuant to Section 164(3) of the PDI Act to request the Minister initiate a proposal to proceed under Section 164 of the PDI Act.
35.2	The power pursuant to Section 164(12) of the PDI Act to make submissions to the Minister in relation to the draft outline.
36. Consideration of Proposed Scheme	
36.1	The power pursuant to Section 166(1)(c) of the PDI Act to consult with a scheme coordinator in relation to a scheme in accordance with the Community Engagement Charter.
37. Adoption of Scheme	
37.1	The power pursuant to Section 167(7) of the PDI Act to make submissions to the Minister in relation to a variation to an outline of a scheme.
38. Funding Arrangements	
38.1	The power pursuant to Section 169(2)(b) of the PDI Act in relation to a scheme that provides for the collection of contributions under Subdivision 8 of the PDI Act to apply for any matter to be considered or determined by ESCOSA or some other prescribed person or body as part of a periodic review of the levels and amounts of those contributions.
38.2	The power pursuant to Section 169(9) of the PDI Act to make submissions to the Commission in relation to a funding arrangement that is specifically relevant to the Council.
39. Contributions by Constituent Councils	
39.1	The power pursuant to Section 177(4) of the PDI Act to make submissions to the Minister in relation to the Council's share.
39.2	The power pursuant to Section 177(5) of the PDI Act to, at the request of the Minister, supply the Minister with information in the possession of the Council

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	to enable the Minister to determine shares under Sections 177(2) and (3) of the PDI Act.
40. Imposition of Charge by Councils	
40.1	The power pursuant to Section 180(7) of the PDI Act, if the Council incurs costs in recovering a charge as a debt, to claim the reimbursement of those costs (insofar as they are reasonable) from the relevant fund established under subdivision 9, Division 1, Part 13 of the PDI Act.
41. Authorised Works	
41.1	The power pursuant to Section 187(1) of the PDI Act, subject to Section 187(3) of the PDI Act, to carry out any infrastructure works if the Council is authorised to so do by or under the PDI Act or any other Act.
41.2	The power pursuant to Section 187(5) of the PDI Act, subject to Section 187(6) of the PDI Act, to in relation to a proposal that involves disturbing the surface of a road, or that otherwise relates to a road to:
41.2.1	inform the relevant road maintenance authority of the proposal at least 28 days before the proposed commencement of any work; and
41.2.2	give the relevant road maintenance authority a reasonable opportunity to consult with the Council in relation to the matter; and
41.2.3	ensure that proper consideration is given to the views of the road maintenance authority.
41.3	The power pursuant to Section 187(5)(b) of the PDI Act to make submissions to the designated entity in relation to the matter.
41.4	The power pursuant to Section 187(6) of the PDI Act, in a case of emergency, to only comply with Section 187(5) of the PDI Act to such extent as is practicable in the circumstances.
42. Entry onto Land	
42.1	The power pursuant to Section 188(1) of the PDI Act to authorise a person for the purpose of undertaking any work or activity in connection with the exercise of a power under Division 2 of Part 13 of the PDI Act to:
42.1.1	enter and pass over any land; and
42.1.2	bring onto any land any vehicles, plant or equipment; and

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42.1.3	temporarily occupy land; and
42.1.4	do anything else reasonably required in connection with the exercise of the power.
42.2	The power pursuant to Section 188(4) of the PDI Act to pay reasonable compensation on account of any loss or damage caused by the exercise of a power under Section 188(1) of the PDI Act.
43. Acquisition of Land	
43.1	The power pursuant to Section 189(1) of the PDI Act, to:
43.1.1	seek the consent of the Minister to acquire land for a purpose associated with infrastructure works under and in accordance with the <i>Land Acquisition Act 1969</i> ; and
43.1.2	with the consent of the Minister, acquire land for a purpose associated with infrastructure works under and in accordance with the <i>Land Acquisition Act 1969</i> .
44. Land Management Agreements	
44.1	The power pursuant to Section 192(1) of the PDI Act to enter into an agreement relating to the development, management, preservation or conservation of land with the owner of the land or a designated entity.
44.2	The power pursuant to Section 192(2) of the PDI Act to enter into an agreement relating to the management, preservation or conservation of the land with a greenway authority.
44.3	The power pursuant to Section 192(4) of the PDI Act in considering whether to enter into an agreement under Section 192 of the PDI Act which relates to the development of land and, if such an agreement is to be entered into, in considering the terms of the agreement, to have regard to:
44.3.1	the provisions of the Planning and Design Code and to any relevant development authorisation under the PDI Act; and
44.3.2	the principle that the entering into of an agreement under Section 192 of the PDI Act by the Council should not be used as a substitute to proceeding with an amendment to the Planning and Design Code under the PDI Act.
44.4	The power pursuant to Section 192(5) of the PDI Act to register agreements entered into under Section 192 of the PDI Act in accordance with the

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	regulations.
44.5	The power pursuant to Section 192(8) of the PDI Act to carry out on private land any work for which provision is made by agreement under Section 192 of the PDI Act.
44.6	The power pursuant to Section 192(9) of the PDI Act to include in an agreement under Section 192 of the PDI Act an indemnity from a specified form of liability or right of action, a waiver or exclusion of a specified form of liability or right of action, an acknowledgment of liability, or a disclaimer, on the part of a party to the agreement.
44.7	The power pursuant to Section 192(10) of the PDI Act to express a provision under Section 192(9) of the PDI Act as extending to, or being for the benefit of, a person or body who or which is not a party to the agreement.
44.8	The power pursuant to Section 192(11) of the PDI Act to consent to the owner of land entering into an agreement under Section 192 of the PDI Act where the Council has a legal interest in the land.
44.9	The power pursuant to Section 192(12) of the PDI Act to apply to the Registrar-General, to note the agreement against the relevant instrument of title or, in the case of land not under the provisions of the Real Property Act 1886, against the land.
44.10	The power pursuant to Section 192(15) of the PDI Act to apply to the Registrar-General in relation to an agreement to which a note has been made under Section 192 of the PDI Act that has been rescinded or amended, to enter a note of the rescission or amendment against the instrument of title, or against the land.
44.11	The power pursuant to Section 192(16) of the PDI Act to provide in an agreement under Section 192 of the PDI Act for remission of rates or taxes on the land.
44.12	The power pursuant to Section 192(17) of the PDI Act to seek the Minister's consent to providing in an agreement under Section 192 of the PDI Act entered into by the Council for the remission of rates or taxes payable to the Crown.
44.13	The power pursuant to Section 192(17) of the PDI Act to consent to an agreement entered into by the Minister under Section 192 of the PDI Act, providing for the remission of rates or taxes payable to the Council.
44.14	The power pursuant to Section 192(18) of the PDI Act to take into account the existence of an agreement under Section 192 of the PDI Act when

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	assessing an application for a development authorisation under the PDI Act.
45.	Land Management Agreements – Development Applications
45.1	The power pursuant to Section 193(1) of the PDI Act to, subject to Section 193 of the PDI Act, enter into an agreement under Section 193 of the PDI Act with a person who is applying for a development authorisation under the PDI Act that will, in the event that the relevant development is approved, bind:
45.1.1	the person; and
45.1.2	any other person who has the benefit of the development authorisation; and
45.1.3	the owner of the relevant land (if he or she is not within the ambit of Sections 193(a) or (b) of the PDI Act and if the other requirements of Section 193 of the PDI Act are satisfied).
45.2	The power pursuant to Section 193(2) of the PDI Act to enter into an agreement under Section 193 of the PDI Act in relation to any matter that the delegate agrees is relevant to the proposed development (including a matter that is not necessarily relevant to the assessment of the development under the PDI Act).
45.3	The power pursuant to Section 193(3) of the PDI Act to have regard to:
45.3.1	the provisions of the Planning and Design Code; and
45.3.2	the principle that the entering into of an agreement under Section 193 of the PDI Act by the Council should not be used as a substitute to proceeding with an amendment to the Planning and Design Code under the PDI Act.
45.4	The power pursuant to Section 193(5) of the PDI Act to register agreements entered into under Section 193 of the PDI Act in accordance with the regulations.
45.5	The power pursuant to Section 193(10) of the PDI Act to consent to an application to note the agreement against the relevant instrument of title or the land.
45.6	The power pursuant to Section 193(11) of the PDI Act to consent to an owner of land entering into an agreement or giving a consent under Section 192(10) of the PDI Act where the Council has a legal interest in the land.
45.7	The power pursuant to Section 193(13) of the PDI Act to apply to the

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	Registrar-General to note the agreement against the relevant instrument of title or, in the case of land not under the provisions of the Real Property Act 1886, against the land.
45.8	The power pursuant to Section 193(15) of the PDI Act to apply to the Registrar-General in relation to an agreement under Section 193 that has been rescinded or amended, to enter a note of the rescission or amendment against the instrument of title, or against the land.
45.9	The power pursuant to Section 193(16) of the PDI Act, if an agreement under Section 193 of the PDI Act does not have effect under Section 193 of the PDI Act within the period prescribed by the regulations, to by notice given in accordance with the regulations, lapse the relevant development approval.
46.	Off-setting Contributions
46.1	The power pursuant to Section 197(1)(b) of the PDI Act to seek the approval of the Minister to act under Section 197 of the PDI Act.
46.2	The power pursuant to Section 197(2) of the PDI Act to establish a scheme under Section 197 of the PDI Act that is designed to support or facilitate:
46.2.1	development that may be in the public interest or otherwise considered by the delegate as being appropriate in particular circumstances (including by the provision of facilities at a different site); or
46.2.2	planning or development initiatives that will further the objects of the PDI Act or support the principles that relate to the planning system established by the PDI Act; or
46.2.3	any other initiative or policy:
	46.2.3.1 designated by the Planning and Design Code for the purposes of Section 197(2)(c)(i) of the PDI Act;
	46.2.3.2 prescribed by the regulations for the purposes of Section 197(2)(c)(ii) of the PDI Act.
46.3	The power pursuant to Section 197(3) of the PDI Act to include in a scheme established under Section 197 of the PDI Act:
46.3.1	an ability or requirement for a person who is proposing to undertake development (or who has the benefit of an approval under the PDI Act):

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46.3.1.1	to make a contribution to a fund established as part of the scheme; or
46.3.1.2	to undertake work or to achieve some other goal or outcome (on an 'in kind' basis); or
46.3.1.3	to proceed under a combination of Sections 197(3)(a)(i) and (ii) of the PDI Act,
	in order to provide for or address a particular matter identified by the scheme; and
46.3.2	an ability for a provision of the Planning and Design Code to apply with a specified variation under the terms of the scheme; and
46.3.3	an ability for any relevant authority to act under or in connection with Sections 197(3)(a) or (b) of the PDI Act.
46.4	The power pursuant to Section 197(4)(b) of the PDI Act to apply the fund towards the purposes of the scheme in accordance with any directions or approvals of the Treasurer made or given after consultation with the Minister.
46.5	The power pursuant to Section 197(4)(c) of the PDI Act to invest money that is not immediately required for the purposes of the fund in accordance with provisions included in the scheme.
46.6	The power pursuant to Section 197(7) of the PDI Act to:
46.6.1	seek the approval of the Minister to vary or wind up a scheme under Section 197 of the PDI Act; and
46.6.2	to vary or wind up a scheme under Section 197 of the PDI Act with the approval of the Minister.
47.	Open Space Contribution Scheme
47.1	The power pursuant to Section 198(1) of the PDI Act, where an application for a development authorisation provides for the division of land in the Council's area into more than 20 allotments, and 1 or more allotments is less than 1 hectare in area to require:
47.1.1	that up to 12.5% in area of the relevant area be vested in the Council to be held as open space; or
47.1.2	that the applicant make the contribution prescribed by the regulations in accordance with the requirements of Section 198 of

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	the PDI Act; or
47.1.3	that land be vested in the Council under Section 198(1)(c) of the PDI Act and that the applicant make a contribution determined in accordance with Section 198(8) of the PDI Act,
	according to the determination and specification of the delegate, and to have regard to any relevant provision of the Planning and Design Code that designates land as open space and to seek the concurrence of the Commission to taking any action that is at variance with the Planning and Design Code.
47.2	The power pursuant to Section 198(3) of the PDI Act to enter into an agreement referred to in Section 198(2)(d) of the PDI Act.
47.3	The power pursuant to Section 198(4)(a) of the PDI Act to concur with an area being vested in the Council.
47.4	The power pursuant to Section 198(11) of the PDI Act in relation to money received under Section 198 of the PDI Act to immediately pay it into a fund established for the purposes of Section 198 of the PDI Act and apply it for the purpose of acquiring or developing land as open space.
47.5	The power pursuant to Section 198(12) of the PDI Act to form the opinion that the division of land is being undertaken in stages.
48.	Urban Trees Fund
48.1	The power pursuant to Section 200(1) of the PDI Act to,
48.1.1	seek the approval of the Minister to establish a fund (an urban trees fund) for an area designated by the delegate; and
48.1.2	to, with the approval of the Minister establish a fund (an urban trees fund) for an area designed by the delegate (a designated area).
48.2	The power pursuant to Section 200(2) of the PDI Act to effect the establishing of the fund by notice published in the Gazette.
48.3	The power pursuant to Section 200(3) of the PDI Act to define a designated area by reference to an area established by the Planning and Design Code.
48.4	The power pursuant to Section 200(5) of the PDI Act to invest any money in an urban trees fund that is not immediately required for the purpose of the fund and to pay any resultant income into the fund.

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48.5	The power pursuant to Section 200(6) of the PDI Act to apply money standing to the credit of an urban trees fund:
48.5.1	to maintain or plant trees in the designated area which are or will (when fully grown) constitute significant trees under the PDI Act; or
48.5.2	to purchase land within the designated area in order to maintain or plant trees which are or will (when fully grown) constitute significant trees under the PDI Act.
48.6	The power pursuant to Section 200(7) of the PDI Act if, the Council subsequently sells land purchased under Section 200(6)(b) of the PDI Act, to pay the proceeds of sale into an urban trees fund maintained by the Council under Section 200 of the PDI Act, subject to the qualifications in Sections 200(7)(a) and (b).
49. Appointment of Authorised Officers	
49.1	The power pursuant to Section 210(1) of the PDI Act to:
49.1.1	appoint a person to be an authorised officer for the purposes of the PDI Act; and
49.1.2	appoint a person who holds the qualifications prescribed by the regulations to be an authorised officer for the purposes of the PDI Act if the Council is required to do so by the regulations.
49.2	The power pursuant to Section 210(2) of the PDI Act to make an appointment of an authorised officer subject to conditions.
49.3	The power pursuant to Section 210(3) of the PDI Act to issue each authorised officer an identity card:
49.3.1	containing a photograph of the authorised officer; and
49.3.2	stating any conditions of appointment limiting the authorised officer's appointment.
49.4	The power pursuant to Section 210(5) of the PDI Act to, at any time, revoke an appointment which the Council has made, or vary or revoke a condition of such an appointment or impose a further such condition.
50. Enforcement Notices	
50.1	The power pursuant to Section 213(1) of the PDI Act, if the delegate has reason to believe on reasonable grounds that a person has breached the PDI

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	Act or the repealed Act, to do such of the following as the delegate considers necessary or appropriate in the circumstances:
50.1.1	direct a person to refrain, either for a specified period or until further notice, from the PDI Act, or course of action, that constitutes the breach;
50.1.2	direct a person to make good any breach in a manner, and within a period, specified by the delegate;
50.1.3	take such urgent action as is required because of any situation resulting from the breach.
50.2	The power pursuant to Section 213(2) of the PDI Act to give a direction under Section 213(1) of the PDI Act by notice in writing unless the delegate considers that the direction is urgently required.
50.3	The power pursuant to Section 213(5) of the PDI Act, if a person fails to comply with a direction under Section 213(1)(b) of the PDI Act within the time specified in the notice, to cause the necessary action to be taken.
50.4	The power pursuant to Section 213(6) of the PDI Act to recover the reasonable costs and expenses incurred by the Council (or any person acting on behalf of the Council) under Section 213 of the PDI Act, as a debt due from the person whose failure gave rise to the PDI Action
50.5	The power pursuant to Section 213(7) of the PDI Act, if an amount is recoverable from a person by the Council under Section 213 of the PDI Act to, by notice in writing to the person, fix a period, being not less than 28 days from the date of the notice, within which the amount must be paid by the person.
51.	Applications to Court
51.1	The power pursuant to Section 214(1) of the PDI Act to apply to the Court for an order to remedy or restrain a breach of the PDI Act or the repealed Act.
51.2	The power pursuant to Section 214(2) of the PDI Act to consent to proceedings under Section 214 of the PDI Act being brought in a representative capacity on behalf of the Council.
51.3	The power pursuant to Section 214(4) of the PDI Act to make an application without notice to any person and to make an application to the Court to serve a summons requiring the respondent to appear before the Court to show cause why an order should not be made under Section 214 of the PDI Act.

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51.4	The power pursuant to Section 214(6) of the PDI Act to make submissions to the Court on the subject matter of the proceedings.
51.5	The power pursuant to Section 214(9) of the PDI Act to appear before a final order is made and be heard in proceedings based on the application.
51.6	The power pursuant to Section 214(10) of the PDI Act to make an application to the Court to make an interim order under Section 214 of the PDI Act.
51.7	The power pursuant to Section 214(11) of the PDI Act to make an application for an interim order without notice to any person.
51.8	The power pursuant to Section 214(12) of the PDI Act, if the Court makes an order under Section 214(6)(d) of the PDI Act and the respondent fails to comply with the order within the period specified by the Court, to cause any work contemplated by the order to be carried out, and recover the costs of that work, as a debt, from the respondent
51.9	The power pursuant to Section 214(13) of the PDI Act, if an amount is recoverable from a person by the Council under Section 214(12) of the PDI Act to, by notice in writing to the person, fix a period, being not less than 28 days from the date of the notice, within which the amount must be paid by the person.
51.10	The power pursuant to Section 214(17) of the PDI Act to apply to the Court to vary or revoke an order previously made under Section 214 of the PDI Act.
52.	Proceedings for Offences
52.1	The power pursuant to Section 219(1) of the PDI Act to commence proceedings for an offence against the PDI Act.
53.	Adverse Publicity Orders
53.1	The power pursuant to Section 223(2) of the PDI Act to make an application to the Court for an adverse publicity order.
53.2	The power pursuant to Section 223(4) of the PDI Act, if the offender fails to give evidence to the Council in accordance with Section 224(1)(b) of the PDI Act to:
53.2.1	take the PDI Action or actions specified in the order; and
53.2.2	authorise a person in writing to take the PDI Action or actions specified in the order.

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53.3	The power pursuant to Section 223(5) of the PDI Act, if:
53.3.1	the offender gives evidence to the Council in accordance with Section 223(1)(b) of the PDI Act; and
53.3.2	despite the evidence, the delegate is not satisfied that the offender has taken the PDI Action or actions specified in the order in accordance with the order,
	to apply to the court for an order authorising the Council, or a person authorised in writing by the Council, to take the PDI Action or actions and to authorise a person in writing to take the PDI Action or actions.
53.4	The power pursuant to Section 223(6) of the PDI Act, if the Council, or a person authorised in writing by the Council, takes an action or actions in accordance with Section 223(4) of the PDI Act or an order under Section 223(5) of the PDI Act, to recover from the offender an amount in relation to the reasonable expenses of taking the PDI Action or actions, as a debt, due to the Council.
54. Civil Penalties	
54.1	The power pursuant to Section 225(1) of the PDI Act, subject to Section 225 of the PDI Act, if the delegate is satisfied that a person has committed an offence by contravening a provision of the PDI Act, to, as an alternative to criminal proceedings, recover, by negotiation or by application to the Court, an amount as a civil penalty in respect of the contravention.
54.2	The power pursuant to Section 225(2) of the PDI Act, in respect of a contravention where the relevant offence does not require proof of intention or some other state of mind, to determine whether to initiate proceedings for an offence or take action under Section 225 of the PDI Act, having regard to the seriousness of the contravention, the previous record of the offender and any other relevant factors.
54.3	The power pursuant to Section 225(3) of the PDI Act to serve on the person a notice in the prescribed form advising the person that the person may, by written notice to the Council, elect to be prosecuted for the contravention.
54.4	The power pursuant to Section 225(13) of the PDI Act to seek the authorisation of the Attorney-General to the commencement of proceedings for an order under Section 225 of the PDI Act.
54.5	The power pursuant to Section 225(17) of the PDI Act to seek an authorisation from the Commission for the Council to act under Section 225

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of the PDI Act.	
55.	Make Good Order
55.1	The power pursuant to Section 228(7) of the PDI Act to apply to the Court to vary or revoke an order under Section 228 of the PDI Act.
56.	Recovery of Economic Benefit
56.1	The power pursuant to Section 229(5) of the PDI Act to apply an amount paid to the Council in accordance with an order under Section 229(1) of the PDI Act for the purpose of acquiring or developing land as open space and to hold it in a fund established for the purposes of Section 198 of the PDI Act.
57.	Enforceable Voluntary Undertakings
57.1	The power pursuant to Section 230(1) of the PDI Act to accept (by written notice) a written undertaking given by a person in connection with a matter relating to a contravention or alleged contravention by the person of the PDI Act.
57.2	The power pursuant to Section 230(4) of the PDI Act if the delegate considers that a person has contravened an undertaking accepted by the Council, to apply to the Court for enforcement of the undertaking.
57.3	The power pursuant to Section 230(7) of the PDI Act to agree in writing with a person who has made an undertaking to:
57.3.1	vary the undertaking; or
57.3.2	withdraw the undertaking.
57.4	The power pursuant to Section 230(11) of the PDI Act to accept an undertaking in respect of a contravention or alleged contravention before proceedings in respect of that contravention have been finalised.
57.5	The power pursuant to Section 230(12) of the PDI Act if the delegate accepts an undertaking before the proceedings are finalised, to take all reasonable steps to have the proceedings discontinued as soon as possible.
57.6	The power pursuant to Section 230(14) of the PDI Act to seek an authorisation from the Commission for the Council to act under Section 230 of the PDI Act.

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58. Advertisements
58.1 The power pursuant to Section 231(1) of the PDI Act, if, in the opinion of the delegate, an advertisement or advertising hoarding:
58.1.1 disfigures the natural beauty of a locality or otherwise detracts from the amenity of a locality; or
58.1.2 is contrary to the character desired for a locality under the Planning and Design Code,
to, by notice served in accordance with the regulations on the advertiser or the owner or occupier of the land on which the advertisement or advertising hoarding is situated, whether or not a development authorisation has been granted in respect of the advertisement or advertising hoarding, order that person to remove or obliterate the advertisement or to remove the advertising hoarding (or both) within a period specified in the notice (of at least 28 days from the date of service of the notice).
58.2 The power pursuant to Section 231(3) of the PDI Act if a person on whom a notice is served under Section 231(1) of the PDI Act fails to comply with a notice within the time allowed in the notice to enter on the land and take the necessary steps for carrying out the requirements of the notice and to recover the costs of so doing, as a debt, from the person on whom the notice was served.
59. Professional Advice to be Obtained in Relation to Certain Matters
59.1 The power pursuant to Section 235(1) of the PDI Act, to, in the exercise of a prescribed function, rely on a certificate of a person with prescribed qualifications.
59.2 The power pursuant to Section 235(2) of the PDI Act to seek and consider the advice of a person with prescribed qualifications, or a person approved by the Minister for that purpose, in relation to a matter arising under the PDI Act that is declared by regulation to be a matter on which such advice should be sought.
60. Charges on Land
60.1 The power pursuant to Section 239(1) of the PDI Act if a charge on land is created under a provision of the PDI Act in favour of the Council, to deliver to the Registrar-General a notice in a form determined by the Registrar-General, setting out the amount of the charge and the land over which the charge is claimed.

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60.2	The power pursuant to Section 239(6) of the PDI Act if a charge in the Council's favour exists and the amount to which the charge relates is paid, to by notice to the appropriate authority in a form determined by the Registrar-General, apply for the discharge of the charge.
61. Registering Authorities to Note Transfer	
61.1	The power pursuant to Section 240(1) of the PDI Act to apply to the Registrar-General or another authority required or authorised under a law of the State to register or record transactions affecting assets, rights or liabilities, or documents relating to such transactions, to register or record in an appropriate manner the transfer to the Council of an asset, right or liability by regulation, proclamation or notice under the PDI Act.
62. Reporting	
62.1	The power pursuant to Clause 13(3)(b) of Schedule 2 of the PDI Act to require a report under Clause 13(2) of Schedule 2 of the PDI Act to contain any other information or report required by the delegate.
63. Review of Performance	
63.1	The power pursuant to Clause 3(3) of Schedule 4 of the PDI Act to explain the Council's actions, and to make submissions (including, if relevant, an indication of undertakings that the Council is willing to give in order to take remedial action), to the Minister.
63.2	The power pursuant to Clause 3(14) of Schedule 4 of the PDI Act to make submissions to the Minister on the report on which the PDI Action to be taken by the Minister under Clause 3(13) of Schedule 4 of the PDI Act is based.
63.3	The power pursuant to Clause 3(15) of Schedule 4 of the PDI Act, if the Minister makes a recommendation to the Council under Clause 3(13)(a) of Schedule 4 of the PDI Act and the Minister subsequently considers that the Council has not, within a reasonable period, taken appropriate action in view of the recommendation, to make submissions to the Minister in relation to the directions of the Minister.
63.4	The power pursuant to Clause 3(16) of Schedule 4 of the PDI Act to comply with a direction under Clauses 3(13) or (15) of Schedule 4 of the PDI Act.
64. Planning and Design Code	
64.1	The power pursuant to Clause 9(6)(a) of Schedule 8 of the PDI Act to apply to the Minister for approval to commence the process under Section 25 of the

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	repealed Act.
65. General Schemes	
65.1	The power pursuant to Clause 30(3) of Schedule 8 of the PDI Act to request the Minister make a declaration under Clause 30(2) of Schedule 8 of the PDI Act in relation to a scheme.

**PLANNING, DEVELOPMENT AND INFRASTRUCTURE (TRANSITIONAL
PROVISIONS) REGULATIONS 2017**

66. Adoption of DPAs	
66.1	The power pursuant to Regulation 8(1)(c) of the Planning, Development and Infrastructure (Transitional Provisions) Regulations 2017 (the Transitional Provisions Regulations) to apply to the Minister under Regulation 8 of the Transitional Provisions Regulations in accordance with any requirement determined by the Minister.

**PLANNING, DEVELOPMENT AND INFRASTRUCTURE (GENERAL)
REGULATIONS 2017**

67. Mutual Liability Scheme – Rights of Indemnity	
67.1	The power pursuant to Regulation 11B(1) of the Planning, Development and Infrastructure (General) Regulations 2019 (the General Regulations) to:
67.1.1	in being responsible under Section 83(1)(h)(ii) of the PDI Act for the costs and other liabilities associated with the activities of an assessment panel appointed by the Council; and
67.1.2	in being responsible for the costs associated with the activities of a regional assessment panel in accordance with a scheme set out in a notice under Section 84(1)(a) and (i) of the PDI Act,
	have arrangements in place to indemnify the members of any such panel in respect of a claim against a member of the panel arising out of the performance, exercise or discharge (or purported performance, exercise or discharge) in good faith of their functions, powers or duties under the PDI Act in their role as a member of the panel.

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67.2	The power pursuant to Regulation 11B(5) of the General Regulations to:
67.2.1	in being responsible under Section 87(f) of the PDI Act for the costs and other liabilities associated with the activities of an assessment manager for an assessment panel appointed by the Council; and
67.2.2	in being responsible for the costs associated with the activities of a regional assessment panel in accordance with a scheme set out in a notice under Section 87(1)(a) and (i) of the PDI Act,
	have arrangements in place to indemnify an assessment manager for any such panel in respect of a claim against the assessment manager arising out of the performance, exercise or discharge (or purported performance, exercise or discharge) in good faith of their functions, powers or duties under the PDI Act in their role as an assessment manager.
68.	Performance Assessed Development and Restricted Development
68.1	The power pursuant to Regulation 47(4)(d) of the General Regulations to determine the fee payable by the applicant as being appropriate to cover the reasonable costs of placing the notice on the land.
69.	Underground Main Areas
69.1	The power pursuant to Regulation 78(1) of the General Regulations if the delegate considers an area should be declared an underground mains area to seek a report from the relevant electricity authority in relation to the matter.
69.2	The power pursuant to Regulation 78(2) of the General Regulations after having received and considered a report from the electricity authority to declare the area to be an underground mains area.
70.	Width of Roads and Thoroughfares
70.1	The power pursuant to Regulation 81(4) of the General Regulations to dispense with a width prescribed by Regulations 81(1) or (3) of the General Regulations (and specify a different width) if the delegate is of the opinion that the width so prescribed is not necessary for the safe and convenient movement of vehicles or pedestrians, or for underground services.
70.2	The power pursuant to Regulation 81(5) of the General Regulations to subject to Regulation 81(6) of the General Regulations specify the width of the road at the head of every cul-de-sac in such dimensions as may be acceptable to the delegate.
70.3	The power pursuant to Regulation 81(6) of the General Regulations to

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	dispense with a requirement under Regulation 81(5) of the General Regulations if it appears to the delegate that the cul-de-sac is likely to become a through road.
71. Road Widening	
71.1	The power pursuant to Regulation 82(1) of the PDI Act, subject to Regulation 82(2) of the General Regulations, if an existing road abuts land which is proposed to be divided, to form the view that the road should be widened in order to provide a road of adequate width having regard to existing and future requirements of the area.
72. Requirement as to Forming of Roads	
72.1	The power pursuant to Regulation 83(1) of the General Regulations, subject to Regulation 83(2) of the General Regulations, to specify the width and manner of the formation of the roadway of every proposed road on a plan of division.
72.2	The power pursuant to Regulation 83(2) of the General Regulations to form the opinion that it is necessary to specify a width for a roadway to be formed under Regulation 83(1) in excess of 7.4m, in view of the volume or type of traffic that is likely to traverse that road.
72.3	The power pursuant to Regulation 83(4) of the General Regulations, to dispense with the requirements under Regulation 83(3) of the General Regulations, if the delegate is of the opinion that the cul-de-sac is likely to become a through road.
72.4	The power pursuant to Regulation 83(5) of the General Regulations, subject to Regulation 83(6) of the General Regulations to require every footpath, water-table, kerbing, culvert and drain of every proposed road to be formed in a manner satisfactory to the delegate.
72.5	The power pursuant to Regulation 83(6) of the General Regulations, to dispense with a requirement under Regulation 83(5) of the General Regulations.
73. Construction of Roads, Bridges, Drains and Services	
73.1	The power pursuant to Regulation 84(1) of the General Regulations to require the roadway of every proposed road within the relevant division to be constructed and paved and sealed with bitumen, tar or asphalt or other material approved by the delegate.

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74. Supplementary Provisions
74.1 The power pursuant to Regulation 85(1) of the General Regulations to approve the road location and grading plan for the manner of forming any proposed road, footpath, water-table, kerbing, culvert or drain required under Division 6 of the General Regulations.
74.2 The power pursuant to Regulation 85(2) of the General Regulations, subject to Regulation 85(4) of the General Regulations, to require all work referred to in Regulations 83 and 84 of the General Regulations to be carried out in a manner satisfactory to the delegate and in conformity with detailed construction plans and specifications signed by a professional engineer or, at the discretion of the delegate, a licensed surveyor, and approved by the delegate before the commencement of the work.
74.3 The power pursuant to Regulation 85(4) of the General Regulations to form the opinion that all connections for water supply and sewerage services to any allotment delineated on the plan which, in the opinion of the Chief Executive of the South Australian Water Corporation are necessary and need to be laid under the surface of the proposed road, have been made.
75. General Provisions
75.1 The power pursuant to Regulation 89(1) of the General Regulations to form the opinion that another form of arrangement is satisfactory for the purposes of Section 138(1) of the PDI Act.
75.2 The power pursuant to Regulation 89(3) of the General Regulations to provide a certificate which:
75.2.1 evidences the consent of the Council to an encroachment by a building over other land; and
75.2.2 sets out:
75.2.2.1 the date on which any relevant building was erected (if known); and
75.2.2.2 the postal address of the site.
75.3 The power pursuant to Regulation 89(6)(b) of the General Regulations to request a written copy of the certificate and plan (or certificates and plans) referred to in Regulation 89(3) of the General Regulations.
75.4 The power pursuant to Regulation 89(8) of the General Regulations to make submissions to the Commission before the Commission grants an extension

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of the period prescribed by Regulation 89(7).	
76. Notifications During Building Work	
76.1	The power pursuant to Regulation 93(1)(b) of the General Regulations to specify by notice to the building owner and to the licensed building work contractor responsible for carrying out the relevant building work (if any), when development approval is granted in respect of the work, any stage of the building work to which the periods and stages prescribed for the purposes of Section 146(1) of the PDI Act relate.
76.2	The power pursuant to Regulation 93(1)(c) of the General Regulations to specify by notice in writing to the building owner on the granting of development approval in respect of the work any stage of the building work to which the periods and stages prescribed for the purposes of Section 146(1) of the PDI Act relate.
77. Essential Safety Provisions	
77.1	The power pursuant to Regulation 94(13) of the General Regulations to require compliance with Regulation 94(10) of the General Regulations if:
77.1.1	the essential safety provisions were installed
77.1.1.1	under a condition attached to a consent or approval that is expressed to apply by virtue of a variance with the performance requirements of the Building Code; or
77.1.1.2	as part of a performance solution under the Building Code; or
77.1.2	the building has been the subject of a notice under Section 157 of the PDI Act.
78. Classification of Buildings	
78.1	The power pursuant to Regulation 102(3) of the General Regulations to require an application under Regulation 102(1) or (2) of the General Regulations to be accompanied by:
78.1.1	such details, particulars, plans, drawings, specifications, certificates and other documents as the delegate may reasonably require to determine the building's classification.
78.2	The power pursuant to Regulation 102(4) of the General Regulations, to subject to Regulation 102(5) of the General Regulations, assign the

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	appropriate classification under the Building Code to a building if the delegate is satisfied, on the basis of the owner's application, and accompanying documentation, that the building, in respect of the classification applied for, possesses the attributes appropriate to its present or intended use.
78.3	The power pursuant to Regulation 102(5) of the General Regulations, if an application under Regulation 102 of the General Regulations is made in respect of an existing Class 2 to Class 9 building, to require the applicant to satisfy the delegate that the provisions of any relevant Ministerial building standard relating to upgrading health and safety in existing buildings has been complied with (to the extent reasonably applicable to the building and its present or intended use).
78.4	The power pursuant to Regulation 102(6) of the General Regulations, on assigning a classification to a building (or part of a building) to, if relevant, determine and specify in the notice to the owner under Section 151(3) of the PDI Act:
78.4.1	the maximum number of persons who may occupy the building (or part of the building); and
78.4.2	if the building has more than 1 classification—the part or parts of the building to which each classification relates and the classifications currently assigned to the other parts of the building.
79.	Required Documentation
79.1	The power pursuant to Regulation 103A(1) of the General Regulations to, in relation to an application for the issuing of a certificate of occupancy relating to a Class 1b to 9 (inclusive) building under the Building Code, require the following documentation:
79.1.1	if the development has been approved subject to conditions, such evidence as the delegate may reasonably require to show that the conditions have been satisfied;
79.1.2	if the application relates to the construction or alteration of part of a building and further building work is envisaged in respect of the remainder of the building, such further evidence as the delegate may reasonably require to show –
79.1.2.1	in the case of a building more than 1 storey – that the requirements of any relevant Ministerial building standard have been complied with; or
79.1.2.2	in any other case – that the building is suitable for

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occupation.	
79.2	The power pursuant to Regulation 103A(2) of the General Regulations to, in relation to an application for the issuing on or after 1 July 2022 of a certificate of occupancy relating to a Class 1a building under the Building Code, to require the following documentation:
79.2.1	if the development has been approved subject to conditions, such evidence as the delegate may reasonably require to show that any conditions relevant to the suitability of the building for occupation have been satisfied,
79.3	The power pursuant to Regulation 103A(3) of the General Regulations to, other than in relation to a designated building on which building work involving the use of a designated building product is carried out after 12 March 2018, dispense with the requirement to provide a Statement of Compliance under subregulation (1)(a) or (2)(a) if –
79.3.1	the delegate is satisfied that a person required to complete 1 or both parts of the statement has refused or failed to complete that part and that the person seeking the issuing of the certificate of occupancy has taken reasonable steps to obtain the relevant certification or certifications; and
79.3.2	it appears to the delegate, after undertaking an inspection, that the relevant building is suitable for occupation.
80. Statement of Site Suitability	
80.1	The power pursuant to Regulation 103C(1)(c) of the General Regulations, in relation to a building on a site to which Schedule 8 clause 2A of the General Regulations applies and upon which remediation on the site is necessary, to not grant a certificate of occupancy until a statement of site suitability is issued certifying that the required remediation has been undertaken and the land is suitable for the proposed use.
81. Report from Fire Authority	
81.1	The power pursuant to Regulation 103D(1) of the General Regulations, if –
81.1.1	a building is –
81.1.1.1	to be equipped with a booster assembly for use by a fire authority; or
81.1.1.2	to have installed a fire alarm that transmits a signal to a

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	fire station or to a monitoring service approved by the relevant authority; and
81.1.2	facilities for fire detection, fire fighting or the control of smoke must be installed in the building pursuant to an approval under the Act,
	to not grant a certificate of occupancy unless or until the delegate has sought a report from the fire authority as to whether those facilities have been installed and operate satisfactorily.
81.2	The power pursuant to Regulation 103D(2) of the General Regulations, if a report from the fire authority is not received within 15 business days, to presume that the fire authority does not desire to make a report.
81.3	The power pursuant to Regulation 103D(3) of the General Regulations to have regard to any report received from a fire authority under subregulation (1) before it issues a certificate of occupancy.
82.	Issue of Certificate of Occupancy
82.1	The power pursuant to Regulation 103E(1)(b) of the General Regulations to, on receipt of notification of intended completion of building work under Regulation 93(1)(f) of the General Regulations, determine that the building work will be inspected by an authorised officer.
82.2	The power pursuant to Regulation 103E(3)(c) of the General Regulations, in respect of a Class 1a building, to determine not to inspect the building work.
83.	Revocation
83.1	The power pursuant to Regulation 103F of the General Regulations to revoke a certificate of occupancy –
83.1.1	if –
83.1.1.1	there is a change in the use of the building; or
83.1.1.2	the classification of the building changes; or
83.1.1.3	building work involving an alteration or extension to the building that will increase the floor area of the building by more than 300m ² is about to commence, or is being or has been carried out; or
83.1.1.4	the building is about to undergo, or is undergoing or has

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	undergone, major refurbishment,
	and the delegate considers that in the circumstances the certificate should be revoked and a new certificate sought; or
83.1.2	if the delegate considers that the building is no longer suitable for occupation because of building work undertaken, or being undertaken, on the building, or because of some other circumstance; or
83.1.3	if the schedule of essential safety provisions has been issued in relation to the building and the owner of the building has failed to comply with the requirements of Regulation 94(10); or
83.1.4	if the delegate considers –
83.1.4.1	that a condition attached to a relevant development authorisation has not been met, or has been contravened, and that, in the circumstances, the certificate should be revoked; or
83.1.4.2	that a condition attached to the certificate of occupancy has not been met, or has been contravened, or is no longer appropriate.
84.	Mining Production Tenements
84.1	The power pursuant to Regulation 109(1)(b) of the General Regulations to make submissions to the appropriate Authority and object to the granting of the tenement.
85.	Register of Land Management Agreements (Section 193)
85.1	The power pursuant to Regulation 111(2) of the General Regulations to establish a register of agreements entered into by the Council under Section 193 of the PDI Act.
85.2	The power pursuant to Regulation 111(3) of the General Regulations to include in a register, or provide access to a copy of each agreement entered into by the Council under Section 193 of the PDI Act and such other information the delegate considers appropriate.
86.	Authorised Officers and Inspections
86.1	The power pursuant to Regulation 112(1) of the General Regulations to

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	appoint at least 1 authorised officer under Section 210(1)(b) of the PDI Act:
86.1.1	who is an accredited professional who is:
86.1.1.1	an Accredited professional - building level 1; or
86.1.1.2	an Accredited professional - building level 2; or
86.1.1.3	an Accredited professional - building level 3; or
86.1.1.4	an Accredited professional - building level 4; or
86.1.2	who holds a current accreditation recognised by the Chief Executive for the purposes of this Regulation; or
86.1.3	who holds an approval from the Chief Executive.

**PLANNING, DEVELOPMENT AND INFRASTRUCTURE (FEES, CHARGES AND
CONTRIBUTIONS) REGULATIONS 2019**

87.	Calculation of Assessment of Fees
87.1	The power pursuant to Regulation 5(1) of the Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019 (the Fees Regulations) in relation to an application which is duly lodged under a related set of regulations (including via the SA planning portal):
87.1.1	to require the applicant to provide such information as the delegate may reasonably require to calculate any fee payable under the Fees Regulations or a related set of regulations; and
87.1.2	to make any other determination for the purposes of the Fees Regulations or a related set of regulations (even if the Council is not a relevant authority).
87.2	The power pursuant to Regulation 5(2) of the Fees Regulations, if the delegate acting under Regulation 5(1) of the Fees Regulations, believes that any information provided by an applicant is incomplete or inaccurate, to calculate any fee on the basis of estimates made by the delegate.
87.3	The power pursuant to Regulation 5(3) of the Fees Regulations to at any time, and despite an earlier calculation or acceptance of an amount in respect of the fee, reassess a fee payable under the Fees Regulations or a related

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set of Regulations.
88. Waiver or Refund of Fee
88.1 The power pursuant to Regulation 7 of the Fees Regulations to, as the delegate considers appropriate to do so:
88.1.1 waive the payment of the fee, or the payment of part of the fee; or
88.1.2 refund the whole or a part of the fee.

**STATE PLANNING COMMISSION PRACTICE DIRECTION – 2 PREPARATION AND
AMENDMENT OF DESIGNATED INSTRUMENTS**

89. Requirements in Relation to Preparing an Engagement Plan
89.1 The power pursuant to clause 5(1) of the State Planning Commission Practice Direction – 2 Preparation and Amendment of Designated Instruments (PD2), to prepare an engagement plan that:
89.1.1 meets the principles and performance outcomes of the Charter;
89.1.2 describes the persons or bodies to be consulted on the proposed amendment of the Designated Instrument, which must include any persons or bodies:
89.1.2.1 require to be consulted with under a condition imposed by the Minister under Section 73(5) of the PDI Act;
89.1.2.2 specified by the Commission under Section 73(6)(e) of the PDI Act;
89.1.2.3 who must be consulted with under the Charter;
89.1.3 outlines any relevant previous engagement undertaken to inform the proposal;
89.1.4 describes the evaluation framework for the engagement.
89.2 The power pursuant to clause 5(2) of PD2 to submit all engagement plans which relate to proposed preparation of or amendment to a State Planning Policy or a Regional Plan to the Commission for approval prior to commencement of formal engagement on the proposal

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90. Preparation of an Engagement Report (Following Consultation)	
90.1	The power pursuant to clause 6(1) of PD2, at the completion of engagement on a draft of a proposal to prepare or amend a designated instrument to provide an engagement report to the Minister.
90.2	The power pursuant to clause 6(2) of PD2 to set out in an engagement report:
90.2.1	details of the engagement undertaken and how that engagement met the engagement plan, and reasons for variations, if any to the engagement plan;
90.2.2	the outcome of the engagement including a summary of the written submission or feedback received;
90.2.3	any proposed changes to the proposal to prepare or amend a Designated Instrument (when compared with the proposal that was engaged on) and the reasons for those proposed changes which specifically indicates:
90.2.3.1	where changes are proposed to the Designated Instrument based on or as a result of the engagement; and
90.2.3.2	any other changes which are proposed based on or as a result of additional investigations or information which was not available when the proposal was released for engagement.
90.3	The power pursuant to clause 6(3) of PD2 to, in the engagement report also include an evaluation of the effectiveness of the engagement that considers whether:
90.3.1	the principles of the Charter have been achieved; and
90.3.2	all mandatory requirements identified in the Charter have been met (where the consultation category is applicable).
91. Initiating a Code Amendment	
91.1	The power pursuant to clauses 7(1) and (2) of PD2 to lodge a Proposal to Initiate with the Department via the SA Planning Portal that sets out:
91.1.1	<i>Code Policy</i> – an outline of:
91.1.1.1	any overlay, general policy, zone, subzone or technical or numeric variation in the Code being proposed for

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	amendment; and/or
91.1.1.2	the intended spatial application of an overlay, general policy, zone, subzone or technical or numeric variation in the Code over an identified area;
91.1.2	<i>Affected Area</i>
91.1.2.1	a map or description of the Affected Area;
91.1.3	<i>State Planning Policies</i>
91.1.3.1	identification of the relevant principles or objectives of the State Planning Policies and an assessment of the proposed Code Amendment's alignment with those State Planning Policies;
91.1.4	<i>Regional Plan</i>
91.1.4.1	identification of relevant regional plans and assessment of how the matters or issues proposed to be addressed by the proposed Code Amendment will relate to the relevant regional plan;
91.1.5	<i>Consultation</i>
91.1.5.1	information regarding any consultation that has already occurred with respect to the proposed Code Amendment;
91.1.5.2	details of further consultation proposed to be undertaken with respect to the proposed code Amendment;
91.1.6	<i>Investigations</i>
91.1.6.1	information regarding any investigations which have already been undertaken with respect to the proposed Code Amendment;
91.1.6.2	an outline of the further investigations that will be undertaken to support the proposed Code Amendment;
91.1.6.3	details of any infrastructure required to support development arising through proposed Code Amendment and how the infrastructure will be provided;
91.1.6.4	details of any infrastructure agreement (or agreements) or

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	infrastructure scheme which will need to be established or entered into in connection with the proposed Code Amendment;
91.1.7	<i>Timetable</i>
91.1.7.1	identification of a consultation start date;
91.1.7.2	an outline of the proposed timetable for each step of the Code Amendment process (ensuring that the process is completed within reasonable time limits), and a commitment from the Proponent (where it is also the Designated Entity) that it will take steps to update the timetable and seek approval from the Department if it appears that timeframes will not be met.
91.2	The power pursuant to clauses 7(1) and (3) of PD2 to lodge the SA Planning Portal Publication Instructions – for Initiation that sets out:
91.2.1	identification of a consultation start date, consistent with the Proposal to Initiate timetable;
91.2.2	an outline of the consultation approach including period of consultation, key audience and consultation methods (noting the Commission may also recommend specific conditions); and
91.2.3	a summary of the Code Amendment in plain English.
91.3	The power pursuant to clause 7(4) of PD2, in relation to a Code Amendment which is intended to designate a place as a place of local heritage value, to provide a report which:
91.3.1	includes a heritage datasheet for each proposed Local Heritage Place, which includes:
91.3.1.1	all relevant property details and descriptions (including images);
91.3.1.2	historical background and thematic analysis;
91.3.1.3	a statement of heritage value;
91.3.1.4	an assessment against the Local Heritage Criteria; and
91.3.1.5	the extent of listing (including any exclusions);

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91.3.2	includes an analysis of historic themes of importance to the area;
91.3.3	is prepared by a heritage architect, historian or person with similar qualifications, skills or experience; and
91.3.4	is otherwise prepared in accordance with any guidelines prepared and published by the Commission under Section 67(2)(c) of the PDI Act.
91.4	The power pursuant to clause 7(5) of PD2 in relation to a Code Amendment which is intended to designate a tree (or stand of trees) as a significant tree (or trees), to provide a report which:
91.4.1	includes relevant details and descriptions of the tree or stand of trees (including images as necessary);
91.4.2	includes an assessment of the tree (or stand of trees) against the Significant Tree Criteria;
91.4.3	is prepared by an urban planner, arborist or person with qualifications, skills or experience relevant to the assessment in the report.
92.	Preparation of a Draft Code Amendment (Prior to Consultation)
92.1	The power pursuant to clause 8(1) of PD2 to, prior to consultation occurring on a draft Code Amendment, to:
92.1.1	carry out investigations and obtain such information:
92.1.1.1	as provided in the Proposal to Initiate approved by the Minister;
92.1.1.2	as required under any conditions imposed by the Minister under Section 73(5)(b) of the PDI Act; and
92.1.1.3	as specified by the Commission under Sections 73(6)(e) or 73(6)(f) of the PDI Act;
92.1.2	provide the Department with:
92.1.2.1	written instructions (in a form acceptable to the Department) that set out the intent of the proposed Code Amendment for the purposes of the Department writing the draft policy for inclusion in the draft Code Amendment; and

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92.1.2.2	mapping instructions or a description of the Affected Area (in a form acceptable to the Department) in order to enable the Department to prepare and provide to the Designated Entity, mapping which is suitable for inclusion in the draft Code Amendment;
92.1.3	prepare the draft Code Amendment in accordance with the approved Proposal to Initiate and any conditions imposed by the Minister under Section 73(5)(b) of the PDI Act and the requirements of this Practice Direction;
92.1.4	provide the Department with written instructions (in a form acceptable to the Department) to prepare the SA Planning Portal for consultation on the draft Code Amendment; and
92.1.5	provide the Department with the engagement plan prepared (and approved, if required) under these Practice Directions, for the purpose of the Department publishing the engagement plan on the SA Planning Portal.
92.2	The power pursuant to clause 8(2) of PD2, where an engagement plan is amended during any period of consultation or at any time prior to finalisation of the engagement report under the Practice Directions, to provide the Department with the engagement plan (as updated) for the purpose of the Department publishing the updated engagement plan on the SA Planning Portal.
93. Requirements For a Draft Code Amendment	
93.1	The power pursuant to clause 9(1) of PD2 to support a draft Code Amendment by the following information:
93.1.1	an explanation of the current code policy as it applies to the Affected Area (at the time of preparation of the draft Code Amendment);
93.1.2	an explanation of the amendments to the Code policy proposed for the Affected Area;
93.1.3	an assessment of the strategic planning outcomes intended to be achieved through the draft Code Amendment, including an analysis of the consistency of the draft Code Amendment with the relevant provisions of State Planning Policies, the Regional Plan and any other relevant strategic plans;
93.1.4	a summary and explanation of the investigations undertaken and

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	how these support the draft Code Amendment; and
93.1.5	an explanation of any infrastructure or services required to support development facilitated by the proposed Code Amendment, and an explanation of how and when the infrastructure will be provided.
94.	Complying Changes to the Code
94.1	The power pursuant to clause 11(1) of PD2, in relation to a proposal to agree to a complying change to the Code under Section 75 of the PDI Act, to provide the following information to the Department:
94.1.1	description of the relevant recommendations in the Regional Plan which relate to the proposed Code Amendment, including any specific maps or other specific information which clearly and expressly identify the changes relevant to the proposed Code Amendment;
94.1.2	a summary of any consultation which has occurred in accordance with the Charter in relation to the proposed Code Amendment or the relevant Regional Plan, including a copy of the engagement report prepared for the relevant Regional Plan and any additional consultation that has occurred for the proposed Code Amendment;
94.1.3	written instructions (in a form acceptable to the Department) that set out the intent of the proposed Code Amendment for the purposes of the Department writing the draft policy for inclusion in the draft Code Amendment; and
94.1.4	mapping instructions or a description of the Affected Area (in a form acceptable to the Department) in order to enable the Department to prepare and provide to the Designated Entity, mapping which is suitable for inclusion in the draft Code Amendment.
95.	Early Commencement of a Code Amendment
95.1	The power pursuant to clause 12(1) of PD2, in relation to a request for early commencement of a Code Amendment under Section 78 of the PDI Act to provide to the Department:
95.1.1	explanation, justification and evidence as necessary to demonstrate how early commencement of the Code Amendment is:
95.1.1.1	necessary in the interest of the orderly and proper development of an area of the state; and

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95.1.1.2	required in order to counter applications for undesirable development (which should identify possible future development that would detract from or negate the object of the proposed Code Amendment) ahead of the outcome of consideration of the Code Amendment;
95.1.2	written instructions (in a form acceptable to the Department) that set out the intent of the proposed Code Amendment for the purposes of the Department writing the draft policy for inclusion in the draft Code Amendment; and
95.1.3	mapping instructions or a description of the Affected Area (in a form acceptable to the Department) in order to enable the Department to prepare and provide to the Designated Entity, mapping which is suitable for inclusion in the draft Code Amendment.

STATE PLANNING COMMISSION PRACTICE DIRECTION – 3 (NOTIFICATION OF PERFORMANCE ASSESSED DEVELOPMENT APPLICATIONS) 2019

96. Responsibility to Undertake Notification	
96.1	The power pursuant to clause 6(3)(b) of the State Planning Commission Practice Direction – 3 (Notification of Performance Assessed Development Applications) 2019 (PD3) to determine the relevant fee as being appropriate to cover the relevant authority's reasonable costs in giving public notice of the application under Section 107(3)(a)(ii) of the PDI Act.

**STATE PLANNING COMMISSION PRACTICE DIRECTION
(COUNCIL INSPECTIONS) 2020**

97. Mandatory Inspections	
97.1	The power pursuant to clause 2(2) of Part 2 of the State Planning Commission Practice Direction (Council Inspections) 2020 (PD9) to, in carrying out an inspection under PD9, take all reasonable steps to ensure each inspection includes an inspection and assessment of the following elements (elements), as may be present at the time of inspection:
97.1.1	primary structural elements;
97.1.2	structural framing and roof trusses;
97.1.3	wet areas and waterproofing;

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97.1.4	barriers to prevent falls;
97.1.5	cladding;
97.1.6	egress provisions;
97.1.7	bushfire protection systems;
97.1.8	passive and active fire safety elements;
97.1.9	private bushfire shelters; and
97.1.10	performance solutions.
98.	Additional Inspections
98.1	The power pursuant to clause 3(2) of Part 2 of PD9 to consider carrying out an inspection in addition to any specified in clause 2 of Part 2 of PD9 (additional inspections) if the delegate has information to indicate that the circumstances warrant it, having regard to the objects of PD9.
99.	Inspections Generally
99.1	The power pursuant to clause 4(3) of Part 2 of PD9, in relation to building work listed in Schedule 7 of the General Regulations to consider if an additional inspection may be appropriate.
100.	General Requirements
100.1	The power pursuant to clause 1(2) of Part 3 of PD9 to ensure that an inspection under PD9 and subsequent assessment of each of the applicable elements in clause 2(2) of Part 2 of PD9 is carried out by a person who has the appropriate qualifications, skills, knowledge and experience to carry out an inspection assigned to that officer under PD9.

**STATE PLANNING COMMISSION PRACTICE DIRECTION 10 (STAGED
OCCUPATION OF MULTI-STOREY BUILDINGS) 2020**

101.	Conditions that Must be Met for the Staged Occupation of a Partially Completed Building
101.1	The power pursuant to clause 5(2) of the State Planning Commission Practice Direction 10 (Staged Occupation of Multi-Storey Buildings 2020 (PD10)) to, agree to partial occupancy of a partially completed multistorey building.

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SCHEDULE OF CONDITIONS

**CONDITIONS OR LIMITATIONS
APPLICABLE TO DELEGATIONS
CONTAINED IN THIS INSTRUMENT**

[Instructions for use: any conditions or limitations which apply to delegations under this Act should be inserted here – DELETE this note once conditions/limitations are entered. If no conditions apply insert 'NIL']

Paragraph(s) in instrument to which conditions/limitations apply	Conditions / Limitations
Nil	Nil

11.9 BUILDING FIRE SAFETY COMMITTEE REVIEW

REPORT AUTHOR: Senior Development Officer, Building
GENERAL MANAGER: General Manager, Urban Planning & Environment
CONTACT NUMBER: 8366 4526
FILE REFERENCE: qA1795
ATTACHMENTS: Nil

PURPOSE OF REPORT

The purpose of this report is to provide for the Council's information, the outcomes of the operations of the Building Fire Safety Committee, for the period September 2021 to September 2022.

BACKGROUND

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

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

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

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

At its meeting held on 18 January 2021, the Council resolved, amongst other things the following:

1. *That the City of Norwood Payneham & St Peters Building Fire Safety Committee be established pursuant to Section 157(17) of the Planning, Development and Infrastructure Act 2016 effective from the day on which the Council's Development Plan is revoked by the Minister by notice in the Gazette pursuant to Clause 9(7) of Schedule 8 of the Planning, Development and Infrastructure Act 2016.*
2. *That the City of Norwood Payneham & St Peters Building Fire Safety Committee Terms of Reference as contained in Attachment C, be adopted.*
3. *That the following persons be appointed to the City of Norwood Payneham & St Peters Building Fire Safety Committee for a period of three (3) years, from the day on which the Council's Development Plan is revoked by the Minister by notice in the Gazette pursuant to Clause 9(7) of Schedule 8 of the Planning, Development and Infrastructure Act 2016:*
 - *Mr Troy Olds as a Presiding member of the Committee and a person with expertise in fire safety;*
 - *Mr Demetrius Poupoulas as a member of the Committee;*
 - *A primary person nominated by the Chief Officer (CO) of the SAMFS;*
 - *An alternate person (proxy) nominated by the Chief Officer (CO) of SAMFS; and*
 - *Mr Mario Hlavati as a person with qualifications in Building Surveying.*

This report sets out the outcomes of the Committee's operations during the period September 2021 to September 2022, in accordance with the Committee's current Terms of Reference.

RELEVANT POLICIES & STRATEGIC DIRECTIONS

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

Outcome 2: Cultural Vitality

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

Objective 2.4 Pleasant, well designed and sustainable urban environments.

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

FINANCIAL AND BUDGET IMPLICATIONS

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

The approximate annual cost of investigating building fire safety matters, taking into account the professional fees of Mr Olds and Mr Poupoulas, is approximately \$5000.

EXTERNAL ECONOMIC IMPLICATIONS

Not Applicable.

SOCIAL ISSUES

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

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

CULTURAL ISSUES

Not Applicable.

ENVIRONMENTAL ISSUES

Not Applicable.

RESOURCE ISSUES

Presently, the Committee meets four (4) times a year in accordance with the Terms of Reference. It should also be noted that whilst the Committee meets quarterly, the Members have been dealing with matters between meetings, in respect to either inspecting or discussing 'at risk' premises where issues have arisen, or to deal with matters which required immediate response from the Committee.

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

RISK MANAGEMENT

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

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

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

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

CONSULTATION

- **Elected Members**
The Council considered and endorsed the current Terms of Reference at its meeting held 18 January 2021.
- **Community**
Not Applicable.
- **Staff**
General Manager, Urban Planning & Environment
- **Other Agencies**
Not Applicable.

COVID-19 IMPLICATIONS

Restrictions associated with COVID-19 has not adversely impacted the Committee's function during the reporting period.

DISCUSSION

Objects and Role of the Committee

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

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

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

Review of the Committee’s Activities for the period September 2021 to September 2022

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

The Council’s *Building Fire Safety Committee* met on four (4) occasions between September 2021 and September 2022. All Members attended all meetings of the Committee.

During the reporting period, fifteen (15) buildings were subjected to fire safety investigations within the City, some carried over from the previous reporting period and some newly added for investigation. Of these, six (6) fire safety matters were resolved and two (2) buildings are currently subject to an Aluminium Composite Panel Cladding audit. Some of the resolved matters include a building which has been longstanding on the Committee’s agenda (in excess of 6 years) and another building which has been on the agenda for two (2) years and included an application to court to compel compliance via a Court Order with the Committee’s recommendations. In total, five (5) inspections were undertaken by the Committee for the period of September 2021 and September 2022.

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

TABLE 1: TYPES OF BUILDINGS INSPECTED DURING 2021-2022

Building Type	Number of Inspections September 2021 – September 2022
Supported Residential Facilities	0
Accommodation Buildings	2
Office Buildings	2
Hotels	0
Assembly Buildings	0
Other	1
TOTAL	5

A summary of the key statistics of the operation of the building Fire Safety Committee during the period commencing September 2021 to September 2022, is set out below:

- the Committee has met on four (4) occasions;
- currently there are nine (9) outstanding matters on the Committee’s agenda, excluding Aluminium Composite Panel Cladding (ACP) audit matters;
- there have been six (6) matters resolved in this reporting period;
- there were ten (10) outstanding matters in the previous reporting period; and
- there are two (2) buildings currently under investigation as a result of State wide Aluminium Composite Panel Cladding Audit.

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

Currently, the Committee is dealing with fire safety matters associated with six (6) accommodation/residential buildings, three (3) mixed use (office, residential, shop etc) buildings. Five (5) fire safety matters were resolved during the reporting period, without the need to pursue legal action, one (1) matter was resolved with legal assistance. One (1) Fire Safety Defect Notice was issued in this reporting period under Section 157 of *Planning, Development and Infrastructure Act 2016*. One (1) notice which was issued, required a report to be provided to the Committee in respect to the fire safety deficiencies on the subject property. Two (2) buildings containing Aluminium Composite Panel Cladding (ACP) are currently awaiting a report from a fire engineer regarding overall fire safety.

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

- multi-storey mixed-use building that requires upgrades to stair pressurisation, confirmation of building's air handling system for smoke control, upgrade to exit and emergency lighting, upgrade to smoke detection system, clarification of designated fire rated doors;
- two (2) storey accommodation building requiring extensive upgrades to all aspects of fire safety – currently vacant and being closely monitored by the Committee;
- four (4) storey student accommodation building requiring upgrades to fire doors within a stairwell;
- four (4) storey residential unit complex requiring installation of an on-site water hydrant;
- two (2) storey accommodation building requiring alarm monitoring and fire separation in roof space;
- single storey warehouse/retail building requiring installation of extensive fire safety provisions throughout as a result of development approval;
- four (4) storey residential building requiring maintenance of fire safety provisions an evidence of adequate water supply for firefighting purposes;
- a multi-storey apartment complex requiring a report by fire engineer due to presence of ACP cladding;
- two (2) storey entertainment venue requiring review of egress door hardware;
- three (3) storey mixed use building requiring report by fire engineer due to presence of ACP cladding.

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

In accordance with the 'Audit Methodology' contained within the current Terms of Reference, the Council's *Building Fire Safety Committee*, with the assistance and advice of qualified Council Staff, is required to undertake an annual audit of buildings by systematically auditing one (1) suburb per annum. All buildings within that suburb which are identified as warranting investigation due to potential fire safety deficiencies, are required to be listed and investigated by the Committee following the audit. The investigations are required to be prioritised in accordance with risk analysis and identification as determined during the audit. In the reporting period 2021-2022, due to high load of work associated with the closure of existing matters and the workload posed as a result of resignation of associated Council staff, an official audit of a particular suburb was not undertaken. Despite this, Council's Senior Development Officer, Building has randomly investigated a mixed-use building which contains flammable cladding. This building is now under investigation by the Committee due to the risk which the cladding poses.

Other Activities

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

By way of background, buildings of concern within the City of Norwood Payneham & St Peters were audited between June 2018 and June 2019 and in total, seven (7) buildings were flagged and reported to the Committee for actioning. Of those seven (7) buildings, two (2) buildings have returned a High or High-Extreme SALSA rating. Two (2) buildings with High or High-Extreme rating have been dealt with through Council's Building Fire Safety Committee in relation to presence of the flammable cladding, and one (1) building is currently under investigation by the Committee due to the extent and condition of flammable cladding even though this building returned a 'Low' and 'Moderate' SALSA risk, and further one (1) outside of the scope of the ACP cladding audit has also been flagged as fire safety risk and is pending investigation.

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

OPTIONS

This report is to provide information only on the activities of the *Building Fire Safety Committee*.

CONCLUSION

The Committee was very efficient and effective in diligently actioning a range of on-going and complex enforcement matters. The effectiveness of the Committee's activities is reinforced by the results achieved within this reporting period, being the completion of six (6) matters, some of which have been longstanding.

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

RECOMMENDATION

That the report on the activity of the Council's *Building Fire Safety Committee* during the period commencing September 2021 and ending September 2022, be received and noted.

11.10 NOMINATIONS TO EXTERNAL BODIES: STATE RECORDS COUNCIL

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

PURPOSE OF REPORT

The purpose of the report is to advise the Council of the call for nominations by the Local Government Association of South Australia (LGA), for nominations to the State Records Council (the SRC) and to invite the Council to submit a nomination.

State Records Council

The LGA is inviting nominations for a Local Government Member to be appointed to the State Records Council.

The role of the State Records Council is to provide advice to the Minister or the Manager of State Records with respect to policies relating to records management or access to official records.

The appointment to the SRC will be for a period of three (3) years commencing on 28 January 2023. The LGA was previously represented by Cr Helen Donovan, (City of Adelaide), whose term will expire in January 2023. Cr Donovan is eligible for re-appointment.

A sitting fee of \$206 per session (2-4 hours duration), is paid to Members of the SRC.

The State Records Council meets eight (8) times a year on a Tuesday. Meetings are held at State Records, Franklin Street, Adelaide.

Nominations for the State Records Council must be forwarded to the LGA by 14 October 2022, via the Nomination form contained in **Attachment A**. All nominees must address the Selection Criteria and provide an up-to-date Resume.

Cr Mex has expressed an interest in being nominated for appointment to the SRC.

RELEVANT POLICIES & STRATEGIC DIRECTIONS

Not Applicable.

RECOMMENDATION

The Council nominates _____ to the Local Government Association of South Australia for the State Records Council.

or

The Council notes the report and declines the invitation to submit a nomination to the Local Government Association of South Australia for the State Records Council.

Attachments – Item 11.10

Attachment A

Nominations to External Bodies State Records Council

City of Norwood Payneham & St Peters
175 The Parade, Norwood SA 5067

Telephone 8366 4555
Facsimile 8332 6338
Email townhall@npsp.sa.gov.au
Website www.npsp.sa.gov.au



City of
**Norwood
Payneham
& St Peters**

LGA Appointments and Nominations to Outside Bodies — Call for Nominations

State Records Council	
Governing Statute (if applicable)	Section 9(2)(e) State Records Act 1997
Purpose/Objective	<p>Has the functions of:</p> <ul style="list-style-type: none"> a) approving determinations under the Act relating to the disposal of official records and b) providing advice to the Minister or Manager, either on its own initiative or at the request of the Minister or the Manager, with respect to policies relating to record management or access to official records.
Administrative Details	<ul style="list-style-type: none"> • 8 meetings per year (6 normal, 2 strategic) at State Records of South Australia, 10 Franklin Street, Adelaide or via Microsoft Teams. • Meetings held Tuesdays 10am – 2pm (2023 dates TBC) • Sitting fees \$206 per full session
Selection Criteria (to be addressed by applicant)	<ul style="list-style-type: none"> • Relevant knowledge of records management issues as they impact on local government. • Relevant experience serving on high level intergovernmental boards or committees is highly desirable. • Practical knowledge of and experience in local government, including processes, community consultation and the law as it applies to local government. • Experience in the administration of legislation, particularly the State Records Act 1997. • Knowledge of policies as they relate to matters of records management and access to official records.
<p>Liability and indemnity cover</p> <p><i>The LGA requires that persons appointed to Outside Bodies be appropriately insured throughout the period of their appointment and seeks to collect details of the insurances provided by the Outside Body on an annual basis.</i></p>	

For more information contact: LGA Nominations Coordinator at nominationscoordinator@lga.sa.gov.au or 8224 2000

PART B

LGA Appointments and Nominations to Outside Bodies — Nomination Form

Instructions

This form:

- Must be submitted by a council
- Must be emailed in PDF format to nominationscoordinator@lga.sa.gov.au
- Receipt of nomination will be acknowledged by return email
- CV and response to selection criteria (if applicable) may be emailed separately by the nominee and will be treated confidentially

This nomination form fulfils the requirements of the LGAs Appointments and Nominations to Outside Bodies Policy, [available here](#).

SECTION 1 to be completed by Council, SECTION 2 to be completed by Nominee.

Please refer to the **Call for Nominations** information sheet (PART A) for details of the Outside Body and the selection criteria to be met by the nominee.

SECTION 1: COUNCIL to complete

State Records Council		
Council Details		
Name of Council submitting the nomination		
Contact details of council officer submitting this form	Name:	
	Position:	
	Email:	
	Phone:	
Council meeting date and minute reference		
Nominee Full Name		
elected member <input type="checkbox"/> OR employee of council <input type="checkbox"/> OR employee of local government entity <input type="checkbox"/>		
<i>Note: by submitting this nomination council is recommending the nominee is suitable for the role.</i>		

SECTION 2: NOMINEE to complete

State Records Council			
Nominee Details			
* Denotes a Mandatory Field. The information in this form is provided by the LGA to the relevant Minister/State Government Authority for the purposes of actioning an appointment to an outside body. Successful Nominees may be contacted directly by the relevant body using the information provided in this form.			
First Name:*		Gender	
Middle Name:*			
Surname:*			
Home / Personal Postal Address:*			
Phone:		Mobile:	
Personal Email:			
Why are you interested in this role?			
CV	attached <input type="checkbox"/> OR forwarding separately <input type="checkbox"/>		
Response to selection criteria (if applicable) <small>Please refer to the Call for Nominations information sheet for the selection criteria to be addressed.</small>	<i>Nominee to provide response to selection criteria (of no more than 2 pages) for consideration by the LGA Board of Directors.</i> attached <input type="checkbox"/> OR forwarding separately <input type="checkbox"/>		
Do you agree for your details to be retained on the LGA Nominees Database for a period of 12 months in order to be considered for other vacancies on Outside Bodies? Yes <input type="checkbox"/> OR No <input type="checkbox"/> If Yes, please list any fields of interest or Outside Bodies of interest: <ul style="list-style-type: none"> • • • 			
Undertaking: <i>The LGA Board resolved in January 2015 to ensure that appointees to external Boards and Committees remain current local government members or officers. If you leave local government for any reason during the term of your appointment, are you prepared to resign your appointment if requested to do so by the LGA?</i> Yes <input type="checkbox"/> No <input type="checkbox"/> Signature of Nominee: _____			

11.11 2022 LOCAL GOVERNMENT ELECTIONS - ELECTION SIGNS

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

PURPOSE OF REPORT

The purpose of this report is to provide information to the Council regarding the use of election signage as part of the 2022 Local Government Elections to enable the Council to determine its position in respect to election signage within the City of Norwood Payneham & St Peters for the 2022 Local Government Elections.

BACKGROUND

The *Statutes Amendment (Local Government Review) Act 2021* (the Review Act), was assented to on 17 June 2020. The Act has been prepared in response to the former State Government's reform program which focused on amendments to the *Local Government Act 1999* (the Act), and the *Local Government (Elections Act) 1999* (the Elections Act).

The implementation of the reforms is progressing in stages to enable time for Local Government and the relevant statutory authorities, to prepare for the changes, with a number of sections of the Review Act having commenced in September 2021 and in November 2021.

One of the changes to the Act which commenced in November 2021, relate to Section 226 Moveable Signs. Prior to the amendments, Section 226 allowed election signage associated with a Local Government election to be displayed for a period commencing four (4) weeks immediately before Polling Day and ending at the close of voting on Polling Day.

Section 226 of the Act, now **prohibits** electoral advertising posters in relation to Local Government Elections on roads.

Prior to these amendments, SA Power Networks (SAPN) and the Department for Infrastructure & Transport (DIT), provided a *General Approval* for the display of election signs for Federal, State and Local Government elections, on public road infrastructure owned by SAPN and DIT, (subject to certain conditions).

In addition, the previous provisions of Section 226 (3) of the Act, provided an exemption for election signage in relation to a Council By-law for Moveable signs.

Notwithstanding the above, most parties (ie individual candidates or party candidates) (up until the 2022 Federal and State Government Elections), sought the Council's approval for the display of election signage within the City.

However, a "gap" has been identified in the new provisions regarding election signage following the commencement of the amendments to the Act which need to be considered by Councils in the lead up to the 2022 Local Government Elections.

Essentially, it was intended through the Local Government Reform process, to ban all elections signs associated with a Local Government election. The inclusion of a very specific (and limiting) definition for electoral advertising poster within the Act has meant that a "loophole" now exists within the legislation in respect to election signs associated with a Local Government election.

RELEVANT STRATEGIC DIRECTIONS & POLICIES

Not Applicable.

FINANCIAL AND BUDGET IMPLICATIONS

Not Applicable.

EXTERNAL ECONOMIC IMPLICATIONS

Not Applicable.

SOCIAL ISSUES

Not Applicable.

CULTURAL ISSUES

Not Applicable.

ENVIRONMENTAL ISSUES

Not Applicable.

RESOURCE ISSUES

Not Applicable.

RISK MANAGEMENT

Not Applicable.

COVID-19 IMPLICATIONS

Not Applicable.

CONSULTATION

- **Elected Members**

Elected Members have previously considered the proposed reforms at the Council meetings held on 3 June 2019, 8 October 2019, 3 August 2020, 6 April 2021, 1 November 2021, 7 March 2022 and 1 August 2022.

Memorandums, dated 10 September 2021 and 14 January 2022 have been forwarded to Elected Members, to advise of the commencement of various sections of the Review Act as they came into effect.

- **Community**

Not Applicable.

- **Staff**

Not Applicable.

- **Other Agencies**

Not Applicable.

DISCUSSION

An Electoral advertising poster is defined in Section 226 (5) of the *Local Government Act 1999* as follows:

(5) *In this section –*

electoral advertising poster means a poster displaying electoral advertising made of -

- (a) *corflute; or*
- (b) *plastic; or*
- (c) *any other material, or kind of material, prescribed by the regulations.*

It is important to note that regulations prescribing “*any other material*” as set out in Section 226 (5) (c) have not to date been made.

Therefore, in summary, Section 226 (5) means that a poster that promotes a candidate in a Local Government election is an ‘electoral advertising poster’ if the poster is made from corflute or plastic.

If the same poster is made from a material not prohibited under Section 226(5) (ie not corflute or plastic), it will **not** be an ‘*electoral advertising poster*’ – it will be a Local Government election sign.

This means that **Local Government election signs** made from other materials and provided those signs do not unreasonably restrict the use of the road or endanger the safety of members of the public, are **not** prohibited.

In addition, the deleted Section 226(3)(ca) of the Act removes the defined period for the display of Local Government election signs, which was previously set as “*the period commencing 4 weeks immediately before the date that has been set (either by or under either Act) for polling day and ending at the close of voting on polling day*”.

Section 226 of the Act therefore grants a legal right to display **Local Government election signs** without approval from the Council, if the sign complies with the Council’s *Moveable Signs By-law* and if the sign does not unreasonably restrict the use of the road or endanger the safety of members of the public.

As a consequence of these amendments, **Local Government election signs** now fall within the provisions of the Council’s *Moveable Signs By-law*.

Whilst a review of the existing *Moveable Sign By-law* is now required to incorporate specific provisions relating to **Local Government election signs** and address the changes to section 226 of the Act, based on the process associated with a review of By-laws, there is insufficient time for Councils to amend their By-laws prior to the 2022 Local Government election.

In short, the amendments to the Act have created unintended consequences.

What this means

Candidates wishing to display **Local Government election signs** within the City of Norwood Payneham & St Peters **must** comply with section 226(1) of the Act in order to place **Local Government election signs** (not being electoral advertising posters) on a road.

This means that candidates do not need approval from the Council for placement of **Local Government election signs** (not being electoral advertising posters) on Council owned infrastructure on a road, provided the sign complies with the requirements set out in the *Moveable Sign By-Law* and the signs do not unreasonably restrict the use of the road or endanger the safety of members of the public.

If the placement of a **Local Government election sign** (not being an electoral advertising poster) does not comply with the requirements of the *Moveable Signs By-law*, the candidate must seek permission from the Council for the placement of the sign.

This is a new requirement, that was not a requirement previously (albeit as stated previously, most candidates did apply for approval), due to the express permission that existed for the display of signs relating to Local Government elections in Section 226(3)(ca).

However, given the requirements of the Council's *Moveable Signs By-law*, (noting that election signs were previously exempt from the provisions of the By-law), it may not be possible for a candidate to display a **Local Government election sign** in accordance with the Council's *Moveable Signs By-law*.

Managing Local Government election signs

Essentially there are two (2) ways of managing the display of **Local Government election signs** within the City of Norwood Payneham & St Peters.

Providing a General Council Approval

The Council can determine to grant a general Council approval for the display of **Local Government election signs** on Council infrastructure.

A general Council approval will mean that candidates will **not** be required to apply to the Council for approval to place **Local Government election signs** on public roads.

If the Council grants a general approval for the display of **Local Government election signs**, the Local Government Association of South Australia has prepared a *Template Determination* which sets out the conditions relevant to the general approval for the display of **Local Government election signs**. The Template Determination would then need to be adopted by the Council to form part of the Council's general approval.

A copy of the LGA's *Template Determination* is contained within **Attachment A**.

The LGA's *Template Determination* is modelled on the 'General Approval' granted by SA Power Networks and the Department for Infrastructure and Transport (DIT), in relation to State and Federal Government Election signs. The LGA is currently waiting on confirmation from SAPN and DIT that the same conditions will apply to **Local Government election signs**.

In addition to the Council's requirements, candidates will need to comply with the requirements of the SAPN/DIT General Approval, in order to display **Local Government election signs** on infrastructure owned by SAPN and on a road owned by DIT.

Candidates may also obtain permission from a private property owner for the display of **Local Government election signs**, which may also include electoral advertising posters. Candidates will need to consider whether development approval is required for any **Local Government election sign** to be displayed on private property and make the relevant applications to Council for that purpose if necessary.

Not Providing a General Council Approval

If the Council does not provide a General Council Approval for the display of **Local Government election signs**, any candidate who wishes to display **Local Government election signs that do not meet** the requirements of the *Moveable Signs By-Law*, will be required to apply to the Council for approval.

These applications would be processed in accordance with any application which is received for the placement of moveable signs that do not meet the By-law requirements.

A number of Councils have adopted or are intending to adopt the "General Council Approval" approach, on the basis that they will receive an excessive number of applications from candidates which will be difficult to manage from a resource perspective.

However, as stated previously, this Council has for a number of years, received applications for the placement of elections signs. The most beneficial outcome of this approach is that Council staff can maintain a level of control in terms of the size, location, etc, of signs and ensure that contact details are readily at hand should an enforcement issue arise.

To this end, the LGA's *Template Determination* can also be provided to candidates as part of the approval process for the management of **Local Government election signs**. (this is a similar approach taken for the management of elections signs in previous elections with candidates being required to comply with the provisions of the LGA *Election Signs - General Approval Guidelines for Federal, State and Local Government elections*).

Enforcement

Enforcement to ensure compliance with any Council By-law is undertaken by staff. This will continue to be the case in relation to **Local Government election signs** that are displayed on Council roads and infrastructure regardless of whether or not the Council adopts a "General Approval".

In all circumstances, action will be taken by staff where a **Local Government election sign**, including an electoral advertising poster, poses a safety risk or causes a hazard.

Section 227 of the Act sets out the requirements in terms of enforcement in relation to moveable signs that do not comply with the Council's *Moveable Sign By-law* or if signs restrict the use of the road or endanger the safety of members of the public.

OPTIONS

Option One

The Council can resolve to adopt a General Approval for the display of **Local Government election signs** and the LGA's *Template Determination* to manage the display of **Local Government election signs** within the City.

Option Two

The Council can determine that any applicant wishing to display **Local Government election signs** as part of the 2022 Local Government Election be required to comply with the Council's Moveable Signs By-law or, in circumstances where compliance with the *Moveable Signs By-law* is not achievable, apply to the Council for approval.

This is the recommended option as this will ensure that the display of **Local Government election signs** within the City is conducted in a consistent and safe manner.

CONCLUSION

The intent of the amendments to the *Local Government Act 1999*, have not really been achieved through the Local Government Reform process, in terms of banning election signage, other than the benefits from an environmental perspective. This in turn has created a problem which needs to be addressed by each Council, and could result in inconsistency across the State. However, on the basis of the issues which have been identified with the current provisions and as set out in the report, it is suggested that this matter may be considered in more detail over the next few months and in the lead up to the next Local Government Elections to be held in 2026.

COMMENTS

Nil.

RECOMMENDATION

1. The Council notes that all candidates wishing to display **Local Government election signs** within the City of Norwood Payneham & St Peters as part of the 2022 Local Government Elections will be required to apply to the Council for approval unless the **Local Government election signs** comply with the Council's *Moveable Signs By-law*.
2. The Council notes that the LGA's *Template Determination* will be reviewed and amended by Council staff for the purpose of providing relevant conditions in respect to the display of **Local Government election signs** within the City of Norwood Payneham & St Peters as part of the 2022 Local Government Elections.
3. The Council determines that **Local Government election signs** can only displayed within the City of Norwood Payneham & St Peters as part of the 2022 Local Government Elections during the period commencing 4 weeks immediately before the date that has been set for Polling Day and ending at the close of voting on Polling Day, Thursday, 13 October 2022 until 5.00pm on Thursday, 10 November 2022.
4. The Council notes that should any **Local Government election signs** not be removed within two (2) days of the close of voting, these signs will be considered illegal signs and penalties may apply.

Attachments – Item 11.11

Attachment A

2022 Local Government Election Election Signs

City of Norwood Payneham & St Peters
175 The Parade, Norwood SA 5067

Telephone 8366 4555
Facsimile 8332 6338
Email townhall@npsp.sa.gov.au
Website www.npsp.sa.gov.au



City of
**Norwood
Payneham
& St Peters**



Template determination

*The text in this attachment should be transferred to council letterhead or formatted in a manner that clearly identifies the document as being an instrument of the council. Whilst it has been prepared by the LGA to assist councils, it is **not** an LGA determination or instrument and has no authority if not adopted by the council.*

Approval to display local government election signs

This **General Approval** is given by the [insert Council Name] under the provisions of its by-laws for local government election signs (not being electoral advertising posters⁵) to be posted, affixed to, or erected on infrastructure that is installed on a road owned by the Council, subject to compliance with the following conditions:

Local government election signs (not being an electoral advertising poster) must:

1. be no more than 1 square metre in area. A back-to-back sign facing two directions is considered to be one sign for this purpose.
2. only be displayed during the period commencing 4 weeks immediately before the date that has been set for polling day and ending at the close of voting on polling day. Should the local government election sign not be removed within two days (48 hours) of the close of voting they will be considered illegal signs and penalties may apply.
3. comply with all legislative requirements relating to the publication of 'electoral material' as defined in relevant legislation⁶.
4. be securely fixed or posted and maintained in good repair and condition at all times.
5. be designed, made, and presented in a quality manner (the intent is that signs must not tear apart and become a danger to road users and end up as litter).
6. contain clear and legible writing or symbols. An authorised officer will determine whether a sign is clear and legible for these purposes.
7. contain on the face of the sign the name and address of the person authorising the promotional material (the publisher) and the name and prescribed information of the printer of it⁷.
8. be fastened securely so that they cannot become detached in high winds and endanger Council, SAPN or DIT property or equipment or pose a danger to the public.
9. be installed, maintained, and removed in a safe manner without endangering personal and community safety.

⁵ Section 226(5), *Local Government Act 1999*. Electoral advertising posters are prohibited from display on a public road (including any structure, fixture or vegetation on a public road), except in circumstances prescribed by the regulations.

⁶ Part 7, *Local Government (Elections) Act 1999*.

⁷ Section 27(1), *Local Government (Elections) Act 1999*.

Local government election signs (not being an electoral advertising poster) must not:

1. be illuminated (internally or indirectly), move, flash, rotate, or reflect so as to be an undue distraction to drivers.
2. be self-adhesive. All individual promotional material affixed under the terms of this General Approval may only be affixed by non-invasive means that do not cause damage of any type to the structure to which the material is affixed. If a paste is to be used, it must be of a water based/wallpaper type (or similar).
3. be affixed under any circumstances to trees, shrubs, or other plants or at any location that may cause physical damage to Council, SAPN or DIT property.
4. be placed on a carriageway, dividing strip (median), traffic island, roundabout, or within 50 metres of a signalised intersection, level crossing, roundabout or pedestrian activated crossing, or on the South-Eastern Freeway, the Southern Expressway, the Port River Expressway, the North-South Motorway (Superway) or the Northern Expressway.
5. be placed within 6 metres of an intersection or junction, or in any other location that may pose a hazard to pedestrians or road users.
6. be attached to any traffic control device, street name, traffic direction or parking sign or to the associated pole.
7. be placed so as to cover any Council, SAPN or DIT numbering, signs, or other markings.
8. be placed in a location on a pole or fence so as to aid the climbing of the pole or fence.
9. be placed so as to restrict the sight distance for road users and pedestrians crossing the road.
10. compete with or reduce the effectiveness of other signs and traffic control devices.
11. resemble a traffic control device, or reasonably be capable of being mistaken as a traffic control device (e.g., must not be affixed on the diagonal).
12. advertise any organisation other than a candidate in the local government election on foot at the time.
13. Where signs are fixed or posted on poles adjacent to footpaths or roadways such signs:
 - must not be lower than 2 metres; and
 - must be a maximum height of 3 metres from the ground, with nothing above the sign to affix it or anything else to the pole. Signs must have a minimum clearance of 3 metres from any overhead mains.
14. There is a total prohibition on any part of the sign being higher than 3 metres from the ground.

This General Approval **does not** extend to infrastructure that is owned by SAPN or DIT on a road. The ***SA Power Networks and Department for Infrastructure and Transport General Approval for placement or affixation of local government election signs*** sets out the requirements for placement of local government election signs on this infrastructure.



This General Approval also does not extend to any railway or tramline structures such as level or pedestrian crossings, bridges, stations, signalling equipment or fences adjacent to railway and tram lines. In this regard, information on the various rules and if appropriate, permission to enter or erect signs in these areas must be obtained from the relevant rail authority. In metropolitan Adelaide, this is (*in most instances*) either Adelaide Metro or the Australian Rail Track Corporation.

The person(s) responsible for the sign and/or any persons acting on their behalf, including by way of causing the sign to be displayed is entitled to act in accordance with the permissions granted in this General Approval subject to their acceptance of the following. They:

- accept that the display of the local government election sign must be in accordance with this General Approval and by displaying the local government election sign, agree to comply with the terms of this General Approval; and
- accept full responsibility for any personal injury, property damage or other loss in any way arising out of or consequent upon the erection, removal, or display of the local government election sign(s); and
- acknowledge that the Council, SA Power Networks or DIT have no liability or responsibility in relation to such matters whatsoever; and
- agree to indemnify the Council, SAPN and DIT against any such personal injury or property damage or other loss incurred by the Council, SAPN or DIT and against any third-party claims arising out of or consequent upon the erection, removal, or display of local government election signs.

Installation, maintenance, removal and disposal of local government election signs

1. Installing, maintaining, and removing local government election signs (not being an electoral advertising poster) **must not** be carried out between 7.00am and 10.00am or between 3.00pm and 7.00pm Monday to Friday on a peak flow traffic lane.
2. Whilst there are prescriptive rules relating to the permitted materials for electoral advertising posters, there is no prohibition on fixings made of plastic (such as a cable tie). Other material that satisfies the requirements of this General Approval may also be used (i.e., fixings made of metal or other conductive material **are not permitted**, fixings must be non-invasive and not cause damage to the structure to which the material is affixed).
3. The person responsible for the sign and its owner must maintain the sign. The person is also responsible for ensuring that safety is maintained (and the Australian Road Rules complied with) whilst the sign is being installed, maintained, or removed and no traffic disruption is to occur during the installation, maintenance, or removal process.
4. The person responsible for the local government election sign must remove all parts of the sign **and fixtures** from the poster within 48 hours from the close of voting in the relevant election.
5. An authorised person of the Council may remove and dispose of any local government election sign that does not comply with this General Approval, unreasonably restricts the use of the road or endangers the safety of members of the public, or otherwise does not comply with legislative requirements in accordance with section 227 of the *Local Government Act 1999*.
6. A breach of, or non-compliance with, any of the conditions of the General Approval will invalidate the General Approval and may result in the removal of the local government election sign.

For further information contact the Governance Team



Private land

This General Approval does not authorise the placement of local government election signs on private land or infrastructure without the permission of the private landowner.

Illegal signs

Local Government Act 1999 - penalties

Section 226(2a) of the *Local Government Act 1999* provides that it is an offence to exhibit an **electoral advertising poster** on a public road. The maximum penalty is \$5,000.

electoral advertising poster means a poster displaying electoral advertising made of—

- (a) corflute; or
- (b) plastic; or
- (c) any other material, or kind of material, prescribed by the regulations.

Definitions

Moveable sign is defined in section 4 of the *Local Government Act* and means a moveable advertisement or sign;

Local government election sign is not defined in the *Local Government Act*. For the purposes of this document, local government election sign is defined to mean a moveable election advertisement, notice, or election sign (not made of corflute or plastic, i.e. not an electoral advertising poster) which is intended to affect the result of an election or poll, and which can be moved or removed without causing any damage to the infrastructure or land upon which it is placed or to which it is attached, whether free-standing or not. All local government election signs are a type of moveable sign.

Electoral advertising poster, is defined in section 226(5) of the *Local Government Act*, and means a poster displaying electoral advertising made of—

- (a) corflute; or
- (b) plastic; or
- (c) any other material, or kind of material, prescribed by the regulations.

Note: A poster that promotes a candidate in a local government election may be an 'electoral advertising poster' if the poster is made from corflute or plastic. If the same poster is made from a material not prohibited under section 226(5), it will not be an 'electoral advertising poster' but will be a local government election sign.

General Approval, is the approval granted by SA Power Networks (SAPN) and the Department for Infrastructure and Transport (DIT) (the **Relevant Authorities**) which enables the display of local government election signs on public road infrastructure owned by the Relevant Authorities and provides the consent required for the purposes of section 23(1) of the *Local Nuisance and Litter Control Act 2016*.

Relevant Authorities, are SA Power Networks and the Department for Infrastructure and Transport, who own the majority infrastructure on public roads.

12. ADOPTION OF COMMITTEE MINUTES
Nil

13. OTHER BUSINESS
(Of an urgent nature only)

14. CONFIDENTIAL REPORTS

14.1 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

To be considered and determined by the Council at the meeting.

14.2 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:

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

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

RECOMMENDATION 2

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

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

15. CLOSURE