

# Council Meeting Minutes

**3 February 2025**

## **Our Vision**

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

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

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

Telephone 8366 4555  
Email [townhall@npsp.sa.gov.au](mailto:townhall@npsp.sa.gov.au)  
Website [www.npsp.sa.gov.au](http://www.npsp.sa.gov.au)  
Socials  /cityofnpsp  @cityofnpsp



City of  
Norwood  
Payneham  
& St Peters

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**VENUE** Council Chambers, Norwood Town Hall

**HOUR** 7.00pm

**PRESENT**

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

**Staff** Mario Barone (Chief Executive Officer)  
Carlos Buzzetti (General Manager, Urban Planning & Environment)  
Jared Barnes (Acting General Manager, Infrastructure & Major Projects)  
Andrew Hamilton (General Manager, Community Development)  
Lisa Mara (General Manager, Governance & Civic Affairs)  
Natalia Axenova (Chief Financial Officer)  
Allison Kane (Manager, Strategic Communications & Advocacy)  
Emily McLuskey (Senior Urban Planner)  
Navian Iseut (Manager, Arts, Culture & Community Connections)  
Emma Comley (Arts Officer)  
Marina Fischetti (Governance Officer)

**APOLOGIES** Nil

**ABSENT** Nil

**1. KAURNA ACKNOWLEDGEMENT**

**2. OPENING PRAYER**

The Opening Prayer was read by Cr Kester Moorhouse.

**3. CONFIRMATION OF THE MINUTES OF THE COUNCIL MEETING HELD ON 20 JANUARY 2025**

*Cr Sims moved that the Minutes of the Council meeting held on 20 January 2025 be taken as read and confirmed. Seconded by Cr Granozio and carried unanimously.*

**4. MAYOR'S COMMUNICATION**

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Monday, 20 January	<ul style="list-style-type: none"><li>Presided over a Council meeting, Council Chamber, Norwood Town Hall.</li></ul>
Tuesday, 21 January	<ul style="list-style-type: none"><li>Attended a meeting with and Manager, Arts, Culture &amp; Community Connections and Arts Officer, Norwood Town Hall.</li></ul>

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Wednesday, 22 January	<ul style="list-style-type: none"> <li>• Attended a meeting with the Manager, Strategic Communications &amp; Advocacy, Mayor's Office, Norwood Town Hall.</li> </ul>
Wednesday, 22 January	<ul style="list-style-type: none"> <li>• Attended a meeting with the Chief Executive Officer and The Hon Nick Champion, Minister for Planning, Adelaide.</li> </ul>
Wednesday, 22 January	<ul style="list-style-type: none"> <li>• Radio interview with Nikolai Beilharz, ABC891.</li> </ul>
Thursday, 23 January	<ul style="list-style-type: none"> <li>• Fired the Start gun for Stage 3 of the 2025 Tour Down Under, The Parade.</li> </ul>
Thursday, 23 January	<ul style="list-style-type: none"> <li>• Attended a meeting with General Manager, Governance &amp; Civic Affairs and Manager, Governance, Mayor's Office, Norwood Town Hall.</li> </ul>
Thursday, 23 January	<ul style="list-style-type: none"> <li>• Attended a Chinese New Year Dinner, Adelaide Zoo.</li> </ul>
Friday, 24 January	<ul style="list-style-type: none"> <li>• Participated in interviews for the Audit &amp; Risk Committee, Norwood Town Hall.</li> </ul>
Friday, 24 January	<ul style="list-style-type: none"> <li>• Attended the Legends Night Dinner - SANTOS Tour Down Under 25<sup>th</sup> Anniversary, Adelaide Oval.</li> </ul>
Sunday, 26 January	<ul style="list-style-type: none"> <li>• Presided over the 2025 Australian Day Award and Citizenship ceremony, St Peters Street Civic Plaza, St Peters.</li> </ul>
Tuesday, 28 January	<ul style="list-style-type: none"> <li>• Participated in interviews for Independent Members of the Audit and Risk Committee, Norwood Town Hall</li> </ul>
Wednesday, 29 January	<ul style="list-style-type: none"> <li>• Participated in an interview for Independent Members of the Audit &amp; Risk Committee, Norwood Town Hall.</li> </ul>
Wednesday, 29 January	<ul style="list-style-type: none"> <li>• Attended an Information Session: SA Water Infrastructure, Mayor's Parlour, Norwood Town Hall.</li> </ul>
Thursday, 30 January	<ul style="list-style-type: none"> <li>• Participated in an interview for Independent Members of the Audit &amp; Risk Committee, Norwood Town Hall.</li> </ul>
Thursday, 30 January	<ul style="list-style-type: none"> <li>• Attended a meeting with Ms Verity Cooper, Independent Candidate for the Federal Seat of Sturt, Mayor's Office, Norwood Town Hall.</li> </ul>
Saturday, 1 February	<ul style="list-style-type: none"> <li>• Participated in the Parkrun event, Felixstow.</li> </ul>
Sunday, 2 February	<ul style="list-style-type: none"> <li>• Attended a Kensington Residents Association movie fundraising event, Regal Cinema, Kensington Gardens.</li> </ul>

• **Meeting with the Hon Nick Champion, Minister for Planning – 22 January 2025**

Mayor Bria advised the Council that he and the Chief Executive Officer, met with The Hon Nick Champion MP, Minister for Planning on Wednesday, 22 January 2025. The meeting followed the Mayor and Chief Executive Officer's Meeting with Mr Craig Holden, Chair, Planning Commission on 29 November 2024.

Mayor Bria advised that there were two main topics of discussion at the meeting. The first topic related to the Glynde and Stepney Employment Zones and the strong desire of the Council for the State Government to recognise these zones as important to the Council's food and beverage manufacturing sectors.

The second topic related to the Council's ongoing concern regarding the design outcomes associated with the uplift on The Parade and in Kent Town. The Mayor and Chief Executive Officer impressed on the Minister the importance of the Council 'having a seat at the table' during the preliminary discussions regarding the design of multi-storey buildings on The Parade, so that the scale, bulk and appearance of the built form did not detract from the streetscape of the precinct.

- **2025 Australian Day Awards and Citizenship ceremony – 26 January 2025**

Mayor Bria briefed the Council on the 2025 Australia Day Awards and Citizenship Ceremony held on 26 January 2025. He congratulated the 41 new Australian Citizens who took the pledge at the Citizenship Ceremony and welcomed them to our City.

He also congratulated the following winners of the local Australia Day Awards:

- Ethan Chen – Young Citizen of the Year;
- Thomas Marlin – Active Citizen of the Year; and
- Cheeky Grin Coffee – Community Event of the Year.

Mayor Bria also thanked Uncle Tamaru, Kaurna Elder for delivering the official 'Welcome to Country' and Ms Kaitlin Purcell (Australia Day Ambassador), for attending and speaking at the event. He also thanked Council's Volunteers for cooking the 'sausage sizzle' barbecue, Mr Lou Pisaniello who sang the Australian National Anthem and all Council staff who organised the event.

- **Parkrun - 1 February 2025**

Mayor Bria advised the Council he and Cr Hugh Holfeld participated in the Parkrun initiative. He advised Council had given Parkrun a \$7,500 grant to assist the organisation with its one-off establishment costs. The run commenced at Drage Reserve, Felixstow and was the first held in the City of Norwood Payneham & St Peters.

- **Kensington Residents Association (KRA) Movie Fundraiser - 2 February 2025**

Mayor Bria advised he, Cr John Callisto, Cr Christel Mex and Cr Kester Moorhouse, attended the KRA movie fundraiser event at the Regal Theatre. Mayor Bria congratulated the KRA for organising the event.

**5. DELEGATES COMMUNICATION**

Nil.

**6. ELECTED MEMBER DECLARATION OF INTEREST**

Cr Knoblauch declared an interest in relation to Item 13.1 of the Agenda.

Cr Callisto declared an interest in relation to Item 13.2 of the Agenda.

Cr Mex declared an interest in relation to Item 13.2 of the Agenda.

Cr Holfeld declared an interest in relation to Item 13.2 of the Agenda.

Cr Duke declared an interest in relation to Item 13.1 of the Agenda.

**7. ADJOURNED ITEMS**

Nil

**8. QUESTIONS WITHOUT NOTICE**

Nil

**9. QUESTIONS WITH NOTICE**

**9.1 QUESTIONS WITH NOTICE – THEFT OF COMMUNITY ARTWORK - SUBMITTED BY  
CR SCOTT SIMS**

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**QUESTION WITH NOTICE:** Theft of Community Artwork  
**SUBMITTED BY:** Cr Scott Sims  
**FILE REFERENCE:** qA1040  
**ATTACHMENTS:** Nil

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**BACKGROUND**

Cr Sims has submitted the following Question with Notice:

Could the staff provide information on any further instances of community art theft, including the locations of these thefts and the measure being taken to prevent future occurrences?

**REASONS IN SUPPORT OF QUESTION**

Nil

**RESPONSE TO QUESTION**

**PREPARED BY GENERAL MANAGER, GOVERNANCE & CIVIC AFFAIRS**

Elected Members will recall that at its meeting held on Monday, 20 January 2025, a Question without Notice was asked by Cr Moorhouse in respect to the recent theft of the Council's public artworks.

At that time, the Council was advised that a report will be presented to the Council to inform the Council of the details of the thefts and options in terms of replacement artworks.

The report will be presented to the Council at its meeting to be held on 3 March 2025.

## 9.2 QUESTIONS WITH NOTICE – PROVISION OF LEGAL ADVICE TO ELECTED MEMBERS - SUBMITTED BY CR SCOTT SIMS

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**QUESTION WITH NOTICE:** Provision of Legal Advice to Elected Members  
**SUBMITTED BY:** Cr Scott Sims  
**FILE REFERENCE:** qA1040  
**ATTACHMENTS:** Nil

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### BACKGROUND

Cr Sims has submitted the following Questions with Notice:

1. Could the administration advise what they consider to be an acceptable timeframe for providing Elected Members with legal advice?
2. Does the administration believe it was reasonable to take eight weeks to provide legitimate legal advice to an Elected Member, especially given that the advice ultimately revealed a serious error by the Presiding Member?
3. Can the administration explain why they believe the legal advice needs to remain private when it is clearly advice that should have been presented to the Council?

### REASONS IN SUPPORT OF QUESTION

Nil

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

1. Could the administration advise what they consider to be an acceptable timeframe for providing Elected Members with legal advice?

Response:

The request for legal advice relevant to the role of an Elected Member, will always be considered as a matter of priority.

The timing of the provision of legal advice to an Elected Member will also be considered as a matter of priority. The timing associated with the provision of any legal advice will depend on a number of factors, including the nature and complexity of the matter, the urgency required to address the matter (ie a conflict of interest matter may require an urgent response), etc.

2. Does the administration believe it was reasonable to take eight weeks to provide legitimate legal advice to an Elected Member, especially given that the advice ultimately revealed a serious error by the Presiding Member?

Response:

The legal advice referred to above, relates to a request made by Cr Sims regarding the Notice of Motion which was submitted by Cr McFarlane and considered at the Council Meeting held on 4 November 2024.

Elected Members will recall that following consideration of the matter, the matter was adjourned until the Council Meeting to be held on 20 January 2025, on the basis that the adjournment was to ostensibly allow staff time to complete the Corporate Reporting system and arrange for a presentation to Elected Members. This would allow Elected Members the opportunity to essentially compare the information that was being requested in the Notice of Motion that was submitted by Cr McFarlane with the information that was contained in the new Corporate Reporting System.

A presentation was provided to Elected Members on Wednesday, 15 January 2025.

Cr Sims sought to clarify the Mayor's ruling regarding a component of the Notice of Motion.

As part of the request for the legal advice, Cr Sims advised staff that the advice was required as he was considering submitting a Motion on Notice for consideration at the Council Meeting to be held on 2 December 2024.

Cr Sims was advised by staff that, on the basis of the Council's decision to adjourn the item, this matter could not be considered by the Council until the January 2025 Council Meeting. Staff also advised Cr Sims that the matter related to a procedural error and that the process to correct the error would be addressed by staff, when the matter was presented to the Council for consideration at the January 2025 Council Meeting.

In other words, there was no role for an individual Elected Member to play in terms of addressing the matter.

In terms of process, staff met with the Mayor to discuss the matter and confirm the process to be followed when the matter was presented to the Council for consideration in January 2025.

In response to the question submitted by Cr Sims, the provision of this legal advice to Cr Sims was not time critical in terms of his role as an Elected Member.

Cr Sims was advised on a number of occasions that it was the responsibility of staff to address this matter and that as part of that process, the protocol to be followed included discussing the matter with the Mayor in the first instance, as Presiding Member of the Council.

3. Can the administration explain why they believe the legal advice needs to remain private when it is clearly advice that should have been presented to the Council?

Response:

A summary of the legal advice was included in the report which was presented to the Council at its meeting held on 20 January 2025.

As Members will recall, the Notice of Motion submitted by Cr McFarlane was considered as a public item as part of the Agenda for the Council Meeting held on 4 November 2024.

Regulation 19 – Adjourned Business of the *Local Government (Procedures at Meetings) Regulations 2013* (the Regulations), requires that the debate on an adjourned item will, on resumption, continue from the point at which it was adjourned.

This means that the matter was required to resume at exactly the same point at which the matter was adjourned – in other words as part of the public agenda.

For this reason, the legal advice was not included as part of the report which was presented to the Council at its meeting held on 20 January 2025. In other words, the inclusion of the legal advice as an attachment would have required the item to be considered in confidence in accordance with the *Local Government Act 1999*.

As set out above, a summary of the legal advice was set out in the report which was presented to the Council at its meeting held on 20 January 2025.

The important and indeed only relevant part of the legal advice relates to the ruling which was made by the Mayor. Cr Sims was advised of this during his discussions with staff.



**10. DEPUTATIONS**

## 10.1 DEPUTATION – REQUEST TO UPGRADE PIONEER PARK

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

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### SPEAKER/S

Mr Roger Bryson

### ORGANISATION/GROUP REPRESENTED BY SPEAKER/S

Kensington Residents Association

### COMMENTS

Mr Roger Bryson has written to the Council requesting that he be permitted to address the Council in relation to Item 13.2 of the Agenda relating to the request to upgrade Pioneer Park.

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

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Mr Roger Bryson addressed the Council on this matter.

**11. PETITIONS**  
Nil

**12. WRITTEN NOTICES OF MOTION**

## 12.1 WRITTEN NOTICE OF MOTION – AMENDMENT TO MOTOR VEHICLES ACT 1959 - DISABILITY PARKING PERMIT (DPP) SCHEME – SUBMITTED BY MAYOR ROBERT BRIA

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**NOTICE OF MOTION:** Amendment to Motor Vehicles Act 1959 - Disability Parking Permit (DPP) Scheme  
**SUBMITTED BY:** Mayor Robert Bria  
**FILE REFERENCE:** qA1039  
**ATTACHMENTS:** Nil

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

### NOTICE OF MOTION

That the Council:

1. notes the introduction of the Bill into State Parliament in November 2024 to amend the *Motor Vehicles Act 1959*, for the purpose of expanding the Disability Parking Permit (DPP) scheme to include people with cognitive, behavioural and neurological conditions, such as autism, to be eligible to apply for a DPP;
2. requests that staff, as part of the implementation of *Action 1.8 Develop a map of accessible toilets and carparks; and Action 1.10 Review the provision of accessible car parks as part of upgrade works for infrastructure at the Council's Parks and Facilities, as set out in the Council's Access and Inclusion Strategy 2024-2028*, take into account the proposed changes to the *Motor Vehicles Act 1959*, when identifying locations for additional accessible carparks;
3. the Mayor writes to the State Government advising of the Council's actions regarding part 2 of the Motion.

### REASONS IN SUPPORT OF MOTION

In November 2024, a Bill was introduced into State Parliament to overhaul the *Motor Vehicles Act 1959 (the Act)*, for the purpose of expanding the Disability Parking Permit (DPP) scheme. The Bill seeks to amend the Act to improve accessibility for more South Australians, by including people with cognitive, behavioural and neurological conditions, (such as Autism), to be eligible to apply for a DPP.

If changes to the DPP criteria are passed by State Parliament, it is expected there will be an increase in the number of applications. What is not known is how an increase in DPP's will translate into extra demand for accessible carparking spaces in our City.

The requirements to provide accessible carparking spaces is determined by the *Australian Standards AS 2890* guidelines (the Standards) with ratios varying on factors such:

- land use and zoning requirements;
- building and development size and purpose;
- accessibility considerations; and
- vehicle types and sizes.

This means the number of accessible carparks required for a large shopping centre will differ from the requirements for an office complex or a public facility such as a Council Library.

This motion seeks to put the Council 'ahead of the curve' by anticipating an extra demand for accessible carparking spaces and then providing additional spaces where possible.

The Vision for the Council's *Access and Inclusion Strategy 2024-2028* (the Strategy) is: *An accessible and connected City where people feel welcomed.*

Priority Area 1 of the Strategy – *Accessible environments* includes a number of principles related to this motion:

- *Principle 1 – Have the right to participate in social and economic life and where appropriate be supported to do so; and*
- *Principle 12 – to have the right to freely engage with family, social and friendship activities.*

The Actions for this Priority Area also identify a number of issues relevant to the motion:

- *Action 1.5 – Undertake Access Audits of Council owned facilities;*
- *Action 1.8 – Develop a map of accessible toilets and carparks. Based on the mapping of accessible toilets and carparks review the need and where applicable locations for additional accessible carparks; and*
- *Action 1.10 – Review the provision of accessible car parks as part of the upgrade works for infrastructure at the Council's Parks and Facilities.*

An increase in the number of accessible carparks at Council-owned facilities will be a significant step in the right direction towards our goal of creating a more inclusive community.

#### **STAFF COMMENT**

#### **PREPARED BY GENERAL MANAGER, URBAN PLANNING & ENVIRONMENT**

If the Bill is passed by Parliament, the proposed changes to the *Motor Vehicles Act 1959*, will provide opportunities for people with cognitive, behavioural and neurological conditions to apply for a Disability Parking Permit and this will, over time, increase demand for accessibility parking spaces.

The Australian Standards (AS 2890 guidelines), set out design standards for Off-street car parking to ensure that off-street car parking facilities are 'fit-for-purpose' for all intended users. The Council has regard to this Standard (and other relevant Standards) when assets and facilities are established, renewed, or increase in scale and intensity. The Standards are essentially 'minimum' requirements and there is nothing that precludes the Council from providing additional parking spaces designed to cater for people with a disability at Council facilities. As such, Part 2 of the Notice of Motion can be achieved.

In addition, if there is need identified, the Council can designate additional on-street parking spaces as accessible car parking spaces, to cater for people with a disability adjacent to community facilities such as parks and playgrounds. This approach will be considered as part of the implementation of the Council's *On-Street Parking Policy*.

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*Cr Sims moved:*

*That the Council:*

1. *notes the introduction of the Bill into State Parliament in November 2024 to amend the Motor Vehicles Act 1959, for the purpose of expanding the Disability Parking Permit (DPP) scheme to include people with cognitive, behavioural and neurological conditions, such as autism, to be eligible to apply for a DPP;*
2. *requests that staff, as part of the implementation of Action 1.8 Develop a map of accessible toilets and carparks; and Action 1.10 Review the provision of accessible car parks as part of upgrade works for infrastructure at the Council's Parks and Facilities, as set out in the Council's Access and Inclusion Strategy 2024-2028, take into account the proposed changes to the Motor Vehicles Act 1959, when identifying locations for additional accessible carparks;*
3. *the Mayor writes to the State Government advising of the Council's actions regarding part 2 of the Motion.*

*Seconded by Cr Duke and carried unanimously.*

## 12.2 WRITTEN NOTICE OF MOTION – ARTS & CULTURE PLAN 2024-2027 – SUBMITTED BY MAYOR ROBERT BRIA

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**NOTICE OF MOTION:** Arts & Culture Plan 2024-2027  
**SUBMITTED BY:** Mayor Robert Bria  
**FILE REFERENCE:** qA1039  
**ATTACHMENTS:** Nil

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

### NOTICE OF MOTION

That:

1. staff prepare a progress report on the implementation of the City of Norwood Payneham & St Peters Arts and Culture Plan 2024-2027 (“the Plan”) to be presented to the Ordinary Council meeting scheduled for 7 April 2025, and that the report includes examples of Council’s updates to and communications with the local arts and culture community as part of the implementation of the Plan.
2. Council be presented with additional progress reports on the Plan in October 2025 and April 2026, prior to the review and development of a new Arts and Culture Plan, beginning in 2027.

### REASONS IN SUPPORT OF MOTION

At its January 2024 meeting Council adopted the City of Norwood Payneham & St Peters Arts and Culture Plan 2024-2027 (“the Plan”). The Plan sets out an ambitious and exciting range of art and cultural initiatives in our city, with the aim of identifying the significant opportunities to harness and local artists and cultural assets in our city for the enjoyment and benefit of the community.

As part of the staff report accompanying the draft Plan in January 2024 three keys risks were identified for Council’s consideration.

Accordingly, the staff report included the following statement:

*“The potential risks to the successful delivery of the Plan highlight the need for well executed ongoing updates and communications. It is essential that staff continued to work directly with our citizens and the arts and culture community throughout the implementation stages, to ensure than any concerns and aspirations are understood and taken into consideration.”*

Given 12 months have passed since the Plan was adopted, it is timely Council receives a report on its implementation regarding the 2024 targets, progress on the 2025 targets, and ongoing or longer-term targets e.g. those which started in 2024 but go beyond one year.

Art and Culture are important to our community. Far from being regarded as ‘nice to have’ or discretionary, both help underpin one of the four pillars (Cultural Vitality) of *CityPlan 2030* and play a key role in creating a sense of place for the community and contribute to the local economy.

### STAFF COMMENT

#### PREPARED BY MANAGER, ARTS, CULTURE & COMMUNITY CONNECTIONS

The *Arts & Culture Plan* was endorsed by the Council in January 2024, following first year of the Plan’s implementation in January 2025, it has been set aside to reflect and review the first year implementation program. A report will be provided to the Council in April 2025. The report will outline the progress to date and the 2025 to 2026 financial year priorities.

*Cr Piggott moved:*

*That:*

- 1. staff prepare a progress report on the implementation of the City of Norwood Payneham & St Peters Arts and Culture Plan 2024-2027 ("the Plan") to be presented to the Ordinary Council meeting scheduled for 7 April 2025, and that the report includes examples of Council's updates to and communications with the local arts and culture community as part of the implementation of the Plan.*
- 2. Council be presented with additional progress reports on the Plan in October 2025 and April 2026, prior to the review and development of a new Arts and Culture Plan, beginning in 2027.*

*Seconded by Cr Clutterham and carried unanimously.*

### 12.3 WRITTEN NOTICE OF MOTION – 2025 TREE PLANTING PROGRAM – OG ROAD, MARDEN AND NELSON STREET, STEPNEY - SUBMITTED BY MAYOR ROBERT BRIA

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**NOTICE OF MOTION:** 2025 Tree Planting Program - OG Road, Marden and Nelson Street, Stepney  
**SUBMITTED BY:** Mayor Robert Bria  
**FILE REFERENCE:** qA1039  
**ATTACHMENTS:** Nil

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

#### NOTICE OF MOTION

That:

1. Council supports, in principle, planting trees in the median strip on the following arterial roads as part of its 2025 tree planting program:
  - OG Road (between Pitt Street and Payneham Road, Marden);and
  - Nelson Street (Stepney).
2. Staff engage the Department for Infrastructure and Transport seeking the appropriate approvals to plant trees in the locations referred to in Part 1 of the motion and advise Council of the outcome.

#### REASONS IN SUPPORT OF MOTION

In the early 2000s, the Council sought and was granted approval from the Department for Infrastructure and Transport to plant trees in the median strip on OG Road, which separates the suburbs of Felixstow and Marden.

However, over time most of those trees have gone. While there may be several reasons why these trees were lost, I believe Council should look at re-planting trees in these locations, particularly given the Payneham Memorial Swimming Centre is currently being redeveloped.

In 2022, Council adopted a Tree Strategy (2022-2027), which identified the varying levels of tree canopy coverage across the 21 suburbs which comprise our City. Stepney (20.1%), Felixstow (22.5%) and Marden (26.2%) were identified as having low levels of canopy coverage. While Council's tree planting program since the adoption of the Tree Strategy has seen a significant concentration of trees planted in the local streets of these suburbs, few if any have been planted in the median strip of arterial roads.

Page 47 of the Tree Strategy, which refers to locations where trees will be planted, includes the following statement:

*"Streets and roads are some of the hottest surfaces in the City but are significantly cooler if covered in shade from trees. The Council will identify opportunities for increasing tree planting on main roads, in consultation with the Department of Infrastructure and Transport, to plant large trees in existing medians and roundabouts subject to road clearance and safety requirements being satisfied."*

Given Council is currently planting in excess of 500 trees annually, I believe there is room in the upcoming tree planting season for a portion to be planted in median strips of arterial roads where capacity exists.

#### STAFF COMMENT

##### PREPARED BY ACTING GENERAL MANAGER, INFRASTRUCTURE & MAJOR PROJECTS

OG Road (between Pitt Street and Payneham Road, Marden) and Nelson Street (Stepney) are both high profile arterial roads within the City where new and replacement tree planting is desired by the community and needed to improve the overall liveability and attractiveness of the City. On this basis, Council staff support the Notice of Motion. Additionally, the following information should also be noted.



OG Road and Nelson Street are roads under the care and control of the Commissioner of Highways (i.e. the Chief Executive of the Department for Infrastructure and Transport). Councils are required to seek approval from the Department prior to planting trees along and within the Department's road corridors. This applies to both new planting and replacement planting.

The Department will not bear any costs associated with the planting and maintenance of any trees or other vegetation proposed and installed by the Council. Delivery of landscaping work and maintenance on the Department's arterial roads will require workzone traffic management, and be subject to time restrictions, thereby impacting costs. The following are images of the OG Road median.



OG Road  
(between Turner St and Payneham Rd looking south)



OG Road  
(between Turner St and Pitt St looking north)



OG Road  
(between Turner St and Pitt St looking north)

Over the last ten years, the Department has removed several trees that were planted in the OG Road median for safety and maintenance reasons. The OG Road median now has few remaining trees. Newly planted trees will require regular irrigation for the first few years during the summer to become established. Manual watering via a truck may be expensive due to time restrictions for maintenance. Therefore, investment in a drip irrigation system should also be considered for the OG Road median if new trees are approved to be planted. The following is an image of the Nelson Street median.



*Nelson Street, Stepney  
(between Union Street and Magill Road looking south)*

The Nelson Street median was landscaped by the Council in the early 2000s and is due for renewal. Over the past 12 months, Council staff have been corresponding with the Department of Infrastructure and Transport regarding maintenance of the median. In early January 2025, the Council's Acting General Manager, Infrastructure & Major Projects informed the Department, that the Nelson Street median landscaping (i.e. soil, irrigation, tree and shrub planting, mulching) will be renewed in 2025 subject to the Department's approval and available Council funding.

---

*Cr Sims moved:*

*That:*

1. *Council supports, in principle, planting trees in the median strip on the following arterial roads as part of its 2025 tree planting program:*
  - *OG Road (between Pitt Street and Payneham Road, Marden);and*
  - *Nelson Street (Stepney).*
2. *Staff engage the Department for Infrastructure and Transport seeking the appropriate approvals to plant trees in the locations referred to in Part 1 of the motion and advise Council of the outcome.*

*Seconded by Cr Duke.*

#### Amendment

*Cr Moorhouse moved:*

1. *Council supports, in principle, planting trees in the median strip on the following arterial roads as part of its 2025 tree planting program:*
  - *OG Road (between Pitt Street and Payneham Road, Marden);*
  - *Nelson Street (Stepney);*
  - *Payneham Road;*
  - *Portrush Road; and*
  - *Lower Portrush Road.*
2. *Staff engage the Department for Infrastructure and Transport seeking the appropriate approvals to plant trees in the locations referred to in Part 1 of the motion and advise Council of the outcome.*

*Seconded by Cr McFarlane.*

*The amendment was put and carried unanimously and on becoming the motion was again put and carried unanimously.*

**12.4 WRITTEN NOTICE OF MOTION – REVIEW OF LIBRARY SERVICES – SUBMITTED BY  
CR SCOTT SIMS**

---

**NOTICE OF MOTION:** Review of Library Services  
**SUBMITTED BY:** Cr Scott Sims  
**FILE REFERENCE:** qA1039  
**ATTACHMENTS:** Nil

---

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

**NOTICE OF MOTION**

That the following resolution made by the Council at its Special Council meeting held on 25 November 2024 (Item 2.2, page 20 of the Minutes):

1. *That the Final Review Report prepared by BRM Advisory and the recommendations contained therein, be received and noted.*
2. *That in respect to the Final Service Review of the Council's Library Service, the Council resolves to:*
  - a. *maintain its current three (3) Library strategy;*
  - b. *with the exception of Recommendation 5.2 of the Final Service Review Report, endorses "in principle" the recommendations contained in the Report;*
  - c. *authorise staff to progress Recommendations 5.1.2 and 5.1.5 of the Final Service Review Report as a priority; and*
  - d. *request subsequent reports regarding the implementation of the remaining recommendations contained in the Final Service Review Report, as required.*

be revoked.

If the above resolution is revoked, it is the intention of Cr Sims to move the following motion:

1. *That the Final Review Report prepared by BRM Advisory and the recommendations contained therein, be received and noted.*
2. *That in respect to the Final Service Review of the Council's Library Service, the Council resolves to:*
  - a. *maintain its current three (3) Library strategy;*
  - b. *with the exception of Recommendation 5.2 of the Final Service Review Report, which endorses "in principle" the recommendations contained in the Report;*
  - c. *authorise staff to progress Recommendations 5.1.2 and 5.1.5 of the Final Service Review Report as a priority; and*
  - d. *request subsequent reports regarding the implementation of the remaining recommendations contained in the Final Service Review Report, as required.*
3. *That Administration engage an external assessment of the future programming opportunities and advice on a strategic library catalogue that supports the well-being of the NPSP community, to be ready for consideration as part of the 2025-2026 Budget.*
4. *That initial concept designs for all Council libraries, including identifying indicative costs, are to be reported to the Council for consideration as part of the 2026 / 2027 Budget.*

## **REASONS IN SUPPORT OF MOTION**

This Motion aims to advance Council engagement in the implementation of the review, advising on potential budgetary and capital costs, and key areas of focus for the community. It will also enable the Council to bring in additional expertise from external sources.

While acknowledging the tight Council finances, there is a pressing need for a clearer understanding of the costs involved and a more detailed implementation plan. The current report outlines a five-year plan, which is a considerable duration for the community to wait for improved library services.

We risk falling behind community expectations.

Therefore, this Motion seeks to sharpen the Council's focus on modernising our Library Services for the betterment of our community.

## **STAFF COMMENT**

### **PREPARED BY GENERAL MANAGER, COMMUNITY DEVELOPMENT**

As Elected Members will recall, the Library Services Review identified a broad range of recommendations, many of which inter-relate. For example, improving community access to the Library Service's catalogue is predicated on a reduction to the size of the catalogue and by providing greater visibility through significantly improved shelving solutions.

The first step in achieving this, involves a strategic analysis of the existing catalogue to inform the composition of a future smaller and high-quality catalogue that attracts improved levels of community use and engagement. In turn, this will provide a basis for informing a shelving solution as part of the library design process along with providing direction to staff on the implementation of a revised catalogue (e.g. identifying books for disposal).

Similarly, achieving improved participation and impact through the Council's Library Services programs, first requires analysis of which community priorities the Library Services is best positioned to respond to and how. In turn, this will assist to inform how the future library design can best support program delivery and provide direction to staff on the development and delivery of a strategic suite of programs.

As a priority, a new Library Services staffing structure is being developed. Initial planning on implementation of the Library Services Review prioritised the new staffing structure which would, once implemented, lead the design and management of catalogue and program reform. As such, the scope of these works is yet to be determined as the staffing structure has yet to be implemented.

A budget allocation as part of the 2025-2026 Budget, as proposed through the Motion on Notice, would provide funding, if required, to undertake the work during 2025-2026.

Gaining a strategic understanding of future Program needs is a critical pre-cursor to informing future library design needs. Determining the size of the catalogue will evolve according to the availability of space. This will, in part, be informed by library design. The development of concept designs for all Council libraries, including identifying indicative costs, as part of the 2026-2027 Budget, would be a logical next step following the aforementioned consultancies.

The cost of the consultancies are estimated at:

- Catalogue review - \$25,000
- Program review - \$25,000
- Concept designs - \$60,000

*Cr Sims moved:*

*That the following resolution made by the Council at its Special Council meeting held on 25 November 2024 (Item 2.2, page 20 of the Minutes):*

- 1. That the Final Review Report prepared by BRM Advisory and the recommendations contained therein, be received and noted.*
- 2. That in respect to the Final Service Review of the Council's Library Service, the Council resolves to:*
  - a. maintain its current three (3) Library strategy;*
  - b. with the exception of Recommendation 5.2 of the Final Service Review Report, endorses "in principle" the recommendations contained in the Report;*
  - c. authorise staff to progress Recommendations 5.1.2 and 5.1.5 of the Final Service Review Report as a priority; and*
  - d. request subsequent reports regarding the implementation of the remaining recommendations contained in the Final Service Review Report, as required.*

*be revoked.*

*Seconded by Cr McFarlane and carried.*

*If the above resolution is revoked, it is the intention of Cr Sims to move the following motion:*

*Cr Sims moved:*

- 1. That the Final Review Report prepared by BRM Advisory and the recommendations contained therein, be received and noted.*
- 2. That in respect to the Final Service Review of the Council's Library Service, the Council resolves to:*
  - a. maintain its current three (3) Library strategy;*
  - b. with the exception of Recommendation 5.2 of the Final Service Review Report, which endorses "in principle" the recommendations contained in the Report;*
  - c. authorise staff to progress Recommendations 5.1.2 and 5.1.5 of the Final Service Review Report as a priority; and*
  - d. request subsequent reports regarding the implementation of the remaining recommendations contained in the Final Service Review Report, as required.*
- 3. That Administration engage an external assessment of the future programming opportunities and advice on a strategic library catalogue that supports the well-being of the NPSP community, to be ready for consideration as part of the 2025-2026 Budget.*
- 4. That initial concept designs for all Council libraries, including identifying indicative costs, are to be reported to the Council for consideration as part of the 2026 / 2027 Budget.*

*Seconded by Cr McFarlane and carried.*

Division

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

*Those in favour:*

*Cr Piggott, Cr Whittington, Cr Holfeld, Cr Robinson, Cr Sims, Cr Granozio, Cr McFarlane, Cr Mex and Cr Moorhouse.*

*Those against:*

*Cr Knoblauch, Cr Duke, Cr Callisto and Cr Clutterham.*

*The Mayor declared the motion carried.*

**12.5 WRITTEN NOTICE OF MOTION – LEASED PROPERTIES – CITY OF NORWOOD PAYNEHAM & ST PETERS – SUBMITTED BY CR GRANT PIGGOTT**

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**NOTICE OF MOTION:** Leased Properties – City of Norwood Payneham & St Peters  
**SUBMITTED BY:** Cr Grant Piggott  
**FILE REFERENCE:** qA1039  
**ATTACHMENTS:** Nil

---

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

**NOTICE OF MOTION**

That Administration provide a report to Council detailing all leased properties of the City of Norwood Payneham & St Peters to include intended use, expiry date of lease and any automatic extensions, annual rental, any terms & conditions considered relevant and in the case of leases being "held over", reasons and planned resolution.

**REASONS IN SUPPORT OF MOTION**

Given the City's financial position, it is important to understand its position in respect to Council property being used by third parties. This report will give Council an overview of our current position and may trigger opportunities to be progressed.

Two leases were approved by Council in late 2024 after they had been held over (no actual lease in place) for over 12 months. Council needs to identify whether there are further properties owned by the City of Norwood Payneham & St Peters being used by third parties without current leases.

**STAFF COMMENT**

**PREPARED BY GENERAL MANAGER, GOVERNANCE & CIVIC AFFAIRS**

As Elected Members are aware, the preparation of a Building Facilities Strategy is about to commence and the information, as set out in the Motion, will be included as part of this project which is scheduled to be completed by June 2025.

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*Cr Piggott moved:*

*That Administration provide a report to Council detailing all leased properties of the City of Norwood Payneham & St Peters to include intended use, expiry date of lease and any automatic extensions, annual rental, any terms & conditions considered relevant and in the case of leases being "held over", reasons and planned resolution.*

*Seconded by Cr McFarlane and carried.*



**12.6 WRITTEN NOTICE OF MOTION – IMPLEMENTATION OF 40 KM/H SPEED LIMIT – FELIXSTOW AND KENSINGTON – SUBMITTED BY CR HUGH HOLFELD**

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**NOTICE OF MOTION:** Implementation of 40 km/h Speed Limit – Felixstow and Kensington  
**SUBMITTED BY:** Cr Hugh Holfeld  
**FILE REFERENCE:** qA1039  
**ATTACHMENTS:** A

---

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

**NOTICE OF MOTION**

That the Council endorses staff to begin the implementation of 40 km/h speed limit for the Felixstow and Kensington area.

**REASONS IN SUPPORT OF MOTION**

There are three remaining suburbs that have not been had community consultation for a 40km/h speed limit. Given the other suburbs have been approved by council, these few remaining suburbs should be brought up to the same standard to reduce driver confusion and produce better traffic management outcomes. This can be achieved in a timely manner by proceeding straight to implementation, subject to state government approval and funding.

Felixstow and Kensington both contain schools, narrow streets, and peak hour traffic thoroughfares. The speed limit change would help elevate traffic issues and eliminate any potential driver confusion between suburbs within our Council.

The community consultation completed in sections across the rest of the council area has led to 40km/h speed limit endorsement. Since these areas have comparable traffic issues to those before, there is a reasonable assumption these remaining suburbs would demonstrate a similar response. There is no state government requirement for community consultation for speed limit changes, as stated in Section 4.3 from Speed Limit Guideline for South Australia. Likewise, the council Community Consultation Policy does not require consultation for traffic management.

Heathpool and Marryatville's location necessitates coordination with the City of Burnside for the completion at a later time.

Included as **Attachment A** is the map of current 40 km/h area wide speed limits across metropolitan Adelaide.

**STAFF COMMENT**

**PREPARED BY GENERAL MANAGER, URBAN PLANNING & ENVIRONMENT**

The Council has progressively endorsed the investigation and implementation of a 40kp/h speed limit across the Council area, on a precinct-by-precinct basis. Following approval from the Department for Infrastructure and Transport and support from the local community and local Members of Parliament, a 40kp/h speed limit has been implemented in the residential streets of Evandale, Stepney, Maylands, Norwood and Kent Town to date. A 40kp/h speed limit has also recently been approved and will be implemented by July 2025 in the suburbs of Hackney, College Park, St Peters, Joslin, Royston Park, Marden, Glynde, Firle, Payneham, Payneham South, St Morris and Trinity Gardens.

The remaining areas that require investigation for a 40kp/h speed limit, include the suburbs of Kensington, Heathpool, Marryatville and Felixstow.

There is no resource capacity to commence the implementation of 40kp/h speed limit investigations for the suburbs of Felixstow and Kensington in the 2024-2025 financial year. However, if the Council determines that no community consultation is required, then there is sufficient capacity and resources available to investigate and implement a 40kp/h speed limit for Kensington and Felixstow in the 2025-2026 financial year, subject to the necessary State Government approvals being obtained and the Council allocating funding for the investigations in the 2025-2026 Budget. Approximately \$10,000 is estimated to be required.

If the Council determines that the investigations should commence immediately, then it should be noted that other traffic management projects will need to be held in abeyance.

With respect to the issue of community consultation, whilst there is no specific requirement to undertake community consultation as part of the investigation process to implement a speed limit reduction within a defined precinct or suburb, it is considered appropriate, equitable and indeed good practice to gauge the local community's appetite for a speed limit reduction as each suburb has its own unique context, land uses, and inputs that influence vehicle speeds, traffic volumes and the location of traffic management 'hotspots'. Consulting the affected citizens provides opportunities for citizens to voice their support or outline specific concerns with the proposal. In addition, some of the previous feedback received as a result of community consultation that has been undertaken for other precincts has influenced the final location of 40kp/h signage, including the need for repeater signs where speeding issues and traffic management 'hotspots' have been specifically identified by local citizens.

The Council may also face criticism and reputational damage if it does not consult the affected local citizens as part of the investigations to reduce speed limits, given that such an opportunity was afforded to local citizens in all other precincts, where the Council has implemented speed limit reductions.

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*Cr Holfeld moved:*

*That the Council endorses staff to begin the implementation of 40km/h speed limit for the Felixstow and Kensington area when resources are available without undertaking community consultation in the 2025-2026 financial year.*

*Seconded by Cr Duke and carried.*

Cr Sims left meeting at 8.01pm.

Cr Sims returned to meeting at 8.02pm.

#### Division

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

*Those in favour:*

*Cr Piggott, Cr Whittington, Cr Holfeld, Cr Knoblauch, Cr Duke, Cr Robinson, Cr Sims, Cr Granozio and Cr Mex.*

*Those against:*

*Cr McFarlane, Cr Callisto, Cr Clutterham and Cr Moorhouse.*

*The Mayor declared the motion carried.*

**13. STAFF REPORTS**

*Cr Callisto moved:*

*That Item 13.2 be brought forward for consideration.*

*Seconded by Cr Sims and carried.*

## 13.2 REQUEST TO UPGRADE PIONEER PARK

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**REPORT AUTHOR:** General Manager, Governance & Civic Affairs  
**GENERAL MANAGER:** Chief Executive Officer  
**CONTACT NUMBER:** 8366 4549  
**FILE REFERENCE:** qA2145  
**ATTACHMENTS:** A - C

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### PURPOSE OF REPORT

The purpose of this report is to present a request from the Kensington Residents Association, to the Council to upgrade Pioneer Park for the Council's consideration.

### BACKGROUND

Pioneer Park is located on Maesbury Street, Kensington. Pioneer Park is the location of a former cemetery and to date, the remains of many people are still buried in the Park. The former Kensington Chapel, which was attached to the park, is now a private residence. Both the former Chapel and the low stone wall located within the park on the Maesbury Street frontage are Local Heritage listed.

In 2023, the Kensington Residents Association considered opportunities to upgrade Pioneer Park to improve access to the park and provide greater enjoyment of the park.

Essentially, the Kensington Residents Association are keen to develop the site based on a "*design approach which is sensitive to this context and carefully manages the impact of development on the site*".

On this basis the Kensington Residents Association has forwarded a proposal to the Council regarding an upgrade of Pioneer Park and are requesting the Council's endorsement of the proposed project.

A copy of the letter dated 3 January 2025 is contained within **Attachment A**.

### RELEVANT STRATEGIC DIRECTIONS & POLICIES

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

#### Outcome 2: Cultural Vitality

- *Objective 2.4 Pleasant, well designed, and sustainable neighbourhoods.*

*Strategy 2.4.4 Deliver neighbourhood improvements in partnership with the community.*

- *Objective 2.5 Dynamic community life in public spaces and precincts.*

*Strategy 2.5.1 Create and provide interesting and vibrant public spaces to encourage interaction and gatherings.*

### FINANCIAL AND BUDGET IMPLICATIONS

The Council's Long Term Financial Plan does not include the redevelopment of Pioneer Park and there are currently no plans for the Council to redevelop the Park and in addition there are other priorities in respect to the redevelopment of reserves (eg Adey Reserve)..

However, the Kensington Residents Association are not requesting that the Council allocates funding for the proposal as presented to the Council.

The Kensington Residents Association are aware of the Council's current commitments in terms of funding major projects and on this basis, are seeking endorsement of the proposed upgrade to Pioneer Park, subject to a successful grant application as part of the Green Adelaide's *Grassroots Grants Program*, for the detailed design stage and implementation of the upgrade works.

The *Grassroots Grants Program* is administered by the State's Landscape Boards to empower the community to take action to look after the environment. The grants support not-for-profit community-based organisations, Volunteer groups and individuals to run local projects that help care for the environment. Grants of up to \$200,000 are available through this program.

Council staff will work with the Kensington Residents Association in respect to identifying and applying for any appropriate funding opportunities.

#### **EXTERNAL ECONOMIC IMPLICATIONS**

Not Applicable.

#### **SOCIAL ISSUES**

Not Applicable.

#### **CULTURAL ISSUES**

Not Applicable.

#### **ENVIRONMENTAL ISSUES**

Not Applicable.

#### **RESOURCE ISSUES**

The endorsement of the Pioneer Park Concept Plan does not have an impact on Council resources. Should the grant application be successful, staff will work with the Kensington Residents Association to implement the next stages of the Concept Plan and manage the future maintenance requirements of the reserve.

#### **RISK MANAGEMENT**

There are no risks associated with the Council providing endorsement of the proposal to upgrade Pioneer Park and support the application for funding to undertake the upgrade works.

However, if the proposed project proceeds, Council staff will be required to assist with the detailed design stage and manage the upgrade works to ensure that all associated risks are managed appropriately.

#### **CONSULTATION**

- **Elected Members**  
Not Applicable.
- **Community**  
Not Applicable.
- **Staff**  
Acting General Manager, Infrastructure & Major Projects
- **Other Agencies**  
Not Applicable.

## DISCUSSION

Wax Designs have worked with the Kensington Residents Association to develop concept plans for the proposed upgrade of Pioneer Park.

The Kensington Residents Association have prepared a Design Statement which sets out the vision for concept plan as follows:

### *Design Vision*

*To create a quiet place of reflection which is open to all users and is sensitive to the historic and natural context of the site.*

### *Design Principles*

- *Recognise and celebrate the historic value of the park;*
- *Protect and preserve built and natural elements; and*
- *Improve accessibility to and through the park to support all users.*

A copy of the Design Statement and Concept Plan is contained in **Attachment B**.

The main elements of the concept design are:

- an additional entry to the park which complies with the *Disability Discrimination Act 1992* requirements for access to public places; and
- a new path around the perimeter of the park to allow access to all sections of the park.

It is proposed to construct the with permeable brick paving to create an accessible, all-weather surface. Permeable paving has been identified as it allows stormwater to permeate through the paving into the soil and support the ongoing health and viability of the mature trees located on site.

The Concept Plan suggests that engraved metal inlays could be included within the paving as an opportunity to integrate and recognise the history of the site, which could also include the names of the individuals buried on the site or relevant historic information or stories.

To increase the biodiversity value of the site the concept plan proposes to reduce the amount of lawned area and provided additional landscaping to the perimeter of the park. The creation of a labyrinth on the southern section of the site would provide a space for reflection and contemplation through movement and landscape.

It is important to note that the Concept Plan includes the removal of the plaque and stone wall to allow for additional plantings beneath the tree (Note 11).

Photographs of the plaque and stone wall are contained in **Attachment C**.

The Concept Plan does not indicate whether it is intended to remove the plaque and stone wall from the park or relocate it to an alternative location within the park.

Staff have discussed this proposal with the Kensington Residents Association who have confirmed that it is not their intention to remove the plaque and stone wall from the park and that on the basis of the costs associated with the relocation of the plaque and stone wall it is unlikely that this will proceed.

The Concept Plan has been reviewed by staff and staff have met with Representatives from the Kensington Residents Association. Staff are supportive of the Design Statement and Concept Plan.

In respect to supporting the Association's proposal to seek grant funding and on the basis that the Association is successful in obtaining grant funding, there are a number of issues that the Council must advise the Association, namely:

1. A first order estimate of the proposed works has not been prepared by Council staff and on this basis, the cost of the proposed work is unknown.
2. Any contribution by the Council will need to take into account other competing priorities and budgetary impacts.
3. All work undertaken in respect to the preparation of design documentation will be managed by the Council.
4. Works will be tendered and on-ground works (eg management of the contract and contractors), will be managed by the Council.

## **OPTIONS**

The Council essentially has two (2) options in respect to this matter.

### **Option 1:**

The Council can resolve not to support the request from the Kensington Residents Association to endorse the proposal to upgrade Pioneer Park.

### **Option 2:**

The Council can agree to the request from the Kensington Residents Association and in doing so, endorse the proposal to upgrade Pioneer Park, subject to a successful grant application for the implementation of the upgrade works.

Option 2 is the recommended option, on the basis that the proposed upgrade works are intended to improve access to Pioneer Park for the benefit of the local community and the detailed design and implementation works would be subject to a successful grant application.

## **CONCLUSION**

The proposed Concept Plan reflects increased accessibility to Pioneer Park for the community whilst maintaining the integrity of the park as a Local Heritage Listed Place.

## **COMMENTS**

Nil.

## **RECOMMENDATION**

1. That the Pioneer Park Concept Plan (Attachment B) be endorsed for the purpose of the Kensington Residents Association seeking grant funding for the detailed design and implementation of the upgrade works.
2. The Council notes that in the event a grant application is successful:
  - the detailed design and implementation of the upgrade works will be managed by the Council's Infrastructure & Major Projects Department, in consultation with the Kensington Residents Association; and
  - any contribution that is required to be made by the Council will need to take into account other competing priorities and budgetary impacts;
  - the Council will manage the tendering process and on-ground works (eg management of the contract and contractors).
3. That the Kensington Residents Association be advised of the Council's decision.

Cr Holfeld declared a general conflict of interest in this matter as he is friends with the owners of Wax Designs. Cr Holfeld advised that he would remain in the meeting and take part in the discussion and voting in respect to this matter.

Cr Callisto declared a general conflict of interest in this matter as he is a Member of the Kensington Residents Association. Cr Callisto advised that he would remain in the meeting and take part in the discussion and voting in respect to this matter.

Cr Mex declared a general conflict of interest in this matter as she is a Member of the Kensington Residents Association. Cr Mex advised that she would remain in the meeting and take part in the discussion and voting in respect to this matter.

*Cr Sims moved:*

1. *That the Pioneer Park Concept Plan (Attachment B) be endorsed for the purpose of the Kensington Residents Association seeking grant funding for the detailed design and implementation of the upgrade works.*
2. *The Council notes that in the event a grant application is successful:*
  - *the detailed design and implementation of the upgrade works will be managed by the Council's Infrastructure & Major Projects Department, in consultation with the Kensington Residents Association; and*
  - *any contribution that is required to be made by the Council will need to take into account other competing priorities and budgetary impacts;*
  - *the Council will manage the tendering process and on-ground works (eg management of the contract and contractors).*
3. *That the Kensington Residents Association be advised of the Council's decision.*

*Seconded by Cr Callisto and carried unanimously.*



## **Section 1 – Strategy & Policy**

### **Reports**

## 13.1 ACCOMMODATION DIVERSITY CODE AMENDMENT

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**REPORT AUTHOR:** Senior Urban Planner  
**GENERAL MANAGER:** Urban Planning & Environment  
**CONTACT NUMBER:** 8366 4561  
**FILE REFERENCE:** fA32256  
**ATTACHMENTS:** A – F

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### PURPOSE OF REPORT

The purpose of this report is to provide information to the Council regarding the State Planning Commission's draft *Accommodation Diversity Code Amendment*, which is currently on consultation and to seek Council endorsement of a draft submission on the Code Amendment.

### BACKGROUND

Since the implementation of the *Planning and Design Code* in 2021, the State Government has initiated several Code Amendments ranging from technical policy changes to significant strategic zoning and land use changes. A number of these Code Amendments seek to improve housing supply and affordability, through changes such as introducing or improving design guidelines for different forms of housing. These Code Amendments have been supported by the State Government's '*Housing Roadmap*', which is a collection of reforms and initiatives aimed at improving the current housing crisis.

As part of this suite of policy reform, in May 2024 the State Government initiated the *Accommodation Diversity Code Amendment*, which proposes a range of changes, including:

- introduction of a '*co-living*' land use definition for residences that rely on shared facilities such as kitchens or bathrooms;
- new and amended policy to improve apartment-style and student accommodation; and
- introduction of a new '*Significant Retirement Facilities and Supported Accommodation Sites Overlay*' that allows retirement and supported accommodation to be developed on large sites in residential zones, with increased building heights and associated commercial land uses.

All three changes listed above are generally considered to be positive improvements which will contribute to housing choice and amenity, however the proposed new Overlay has the potential to create significant impacts on the character and amenity of residential areas and requires more detailed analysis.

The Code Amendment is currently on public consultation and a draft submission has been prepared for the Council's consideration, which is contained in **Attachment A**.

### RELEVANT STRATEGIC DIRECTIONS & POLICIES

#### **Outcome 1: Social Equity**

*An inclusive, connected, accessible and friendly community*

#### **Objective 1.4**

*A strong, healthy, resilient and inclusive community*

#### **Outcome 2: Cultural Vitality**

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

#### **Objective 2.3**

*A City which values and protects built heritage*

#### **Objective 2.4**

*Pleasant, well designed, and sustainable neighbourhoods*

## FINANCIAL AND BUDGET IMPLICATIONS

Not Applicable.

## EXTERNAL ECONOMIC IMPLICATIONS

If approved, the Code Amendment may have economic implications relating to the value of land and economic returns on development. If development opportunities are realised, the impacts on the local economy may include increased employment opportunities.

## SOCIAL ISSUES

The Code Amendment has the potential to result in improved or additional housing options, including options for those in the community requiring additional residential care, however there is also potential for adverse impacts on the amenity of the local area resulting from built form outcomes and increased activity once sites are occupied.

## CULTURAL ISSUES

The Code Amendment has the potential to result in new development in historic and character areas, which may negatively affect the appearance of the streetscape and amenity of the area.

## ENVIRONMENTAL ISSUES

The *Planning and Design Code* contains a range of policies encouraging sustainable development outcomes. However, due to the functionality of the Code there are some limitations on which policies can be applied during the assessment of a Development Application.

## RESOURCE ISSUES

Preparation of a draft response to the Code Amendment has been undertaken with existing resources.

## RISK MANAGEMENT

There is a risk that the proposed policy changes and associated potential development outcomes will not be supported by the local community residing or working adjacent to the affected sites. The Council can provide its views on the proposed policy changes, but ultimately the risk of not achieving full community support is a matter for the State Planning Commission and Minister for Planning and Local Government to consider.

## CONSULTATION

- **Elected Members**  
Not Applicable.
- **Community**  
The State Planning Commission is conducting public consultation on the Code Amendment from 5 December 2024 to 27 February 2025 (a longer period than is typical for State Government Code Amendments due to the Christmas / New Year period). The Engagement Plan indicates that key stakeholders, such as retirement living providers and Councils, have been directly contacted. Although information has been sent out through newsletters and the YourSAy website, no direct notification has been sent to owners or occupiers within the area proposed to be included in the new Overlay.
- **Staff**  
Manager, Urban Planning & Sustainability  
Manager, Development & Regulatory Services  
Development Assessment Planners.
- **Other Agencies**  
A range of agencies and organisations to be consulted are identified in the Engagement Plan prepared by the State Planning Commission

## DISCUSSION

Through the *Accommodation Diversity Code Amendment*, the State Government proposes to amend and introduce policies relating to different accommodation types including apartments, shared accommodation arrangements and retirement and supported accommodation. The proposed changes are each discussed below. Due to the size of the Code Amendment, a copy has not been attached to this report however a fact sheet is contained in **Attachment B** and a Frequently Asked Questions sheet is contained in **Attachment C**. The full Code Amendment document can be accessed via the following PlanSA website link:

[https://plan.sa.gov.au/have\\_your\\_say/code-amendments/view\\_consultation\\_item?queries\\_search\\_query=Accommodation\\_Diversity\\_Code\\_Amendment](https://plan.sa.gov.au/have_your_say/code-amendments/view_consultation_item?queries_search_query=Accommodation_Diversity_Code_Amendment)

### 1. Significant Retirement Facilities and Supported Accommodation

The most significant change being proposed in the Code Amendment, is a range of amendments to facilitate large scale retirement and supported accommodation facilities. These changes include:

- introduction of an administrative definition for '*significant retirement facility and supported accommodation site*' which is a site greater than 10,000m<sup>2</sup> (consisting of one or more allotments), used primarily for a retirement facility or supported accommodation (or both);
- introduction of the Supported Retirement Facilities and Supported Accommodation Overlay which intends to facilitate *significant retirement facility and supported accommodation sites* in residential areas, through policy incentives such as increased building heights and increased commercial floor areas with reduced car parking requirements;
- changes to public notification triggers to exempt *significant retirement facility and supported accommodation sites* from public notification (provided they meet the Overlay policies); and
- changes to Urban Corridor zone policies to facilitate retirement and supported accommodation uses in multi-storey developments.

These amendments are discussed in more detail below.

The Code Amendment and supporting documentation contains conflicting information as to where the proposed policy changes relating to *significant retirement facility and supported accommodation sites* will apply. Specifically, the documentation is inconsistent as to whether the changes will apply to the Established Neighbourhood Zone, which covers a large portion of the residential areas within the City of Norwood Payneham & St Peters including character and historic areas. Staff requested clarification from the Department of Housing and Urban Development on this issue, but no confirmation had been provided at the time of preparing this report. In the absence of this information, the draft submission has been prepared on the basis the policy changes will affect the Established Neighbourhood Zone and important considerations relating to those areas have been highlighted in the submission.

#### • Significant Retirement Facility and Supported Accommodation Sites

The administrative definition for *significant retirement facility and supported accommodation (SRFSA) sites* (as outlined above) refers to the site being 'primarily' for a retirement facility and/or supported accommodation. The reference to 'primarily' allows a site to have secondary supporting land uses, such as an associated café or similar service. However, the attached draft submission requests that clarification be provided as to the extent of the site which could be used for other purposes whilst still being considered 'primarily' for retirement / supported accommodation. Clarification would assist Development Assessment Planners to correctly categorise developments, as well as seek to minimise impacts on neighbours from other uses which might be proposed on the site.

A preliminary review of the residential areas within the City of Norwood Payneham and St Peters which will be affected by the Code Amendment (on the basis the area will include the Established Neighbourhood Zone) has identified that there are at least eleven (11) sites greater than 10,000m<sup>2</sup> which consist of either a single allotment or more than one allotment but under single ownership. Five (5) of these allotments are greater than 20,000m<sup>2</sup>. Under the proposed new Policy, it would be possible for the owners to propose a SRFSA development on any of these sites, however eight (8) of these sites are owned by retirement living corporations and are considered most likely to be developed for this purpose. It is also possible for other sites to be amalgamated and proposed to be developed for this use, but this cursory analysis indicates there is at least potential for the proposed policy changes to facilitate several large scale SRFSA developments within this council area over time. A summary of the sites which have been identified as meeting SRFSA site criteria (greater than 10,000m<sup>2</sup>) and are within the area proposed to be affected by the relevant policy change, is contained in **Attachment D**.

- **Significant Retirement Facility and Supported Accommodation Overlay**

An overlay is a policy tool that applies a set of policies over a particular area, which may apply across one or more zones. Overlays relate to a particular policy issue such as heritage, flooding or affordable housing. In the event of any conflict between overlay and zone policies, the overlay policies take precedence. For example, an overlay can set a different maximum building height compared to the building height that applies across the rest of the zone. Given that overlays each have a specific policy intent, multiple overlays can apply across the same area to address different issues, for example heritage and flooding overlays can both apply to a property. The Code does not prescribe any hierarchy in the overlays, so in the event of any conflicts between the overlay policies, it is up to the assessing planner to carefully consider the competing priorities.

The Code Amendment proposes to apply the Significant Retirement Facility and Supported Accommodation (SRFSA) Overlay across residential neighbourhood type zones. The proposed application of the SRFSA Overlay within this Council (including the Established Neighbourhood Zone) is illustrated in **Attachment E**. An extract of the Code Amendment containing the Overlay policies is contained in **Attachment F**.

The SRFSA Overlay includes policies which facilitate the development of SRFSA sites (i.e. retirement and supported accommodation on sites greater than 10,000m<sup>2</sup>) through increased building heights and increased maximum commercial floor area. With respect to building heights, the policy would allow buildings up to four (4) storeys on sites between 10,000m<sup>2</sup> and 20,000m<sup>2</sup>, and buildings up to six (6) storeys on sites exceeding 20,000m<sup>2</sup>, however the Overlay also includes a 'building envelope' policy which requires the building to be stepped back from site boundaries as the building height increases. Current maximum building heights in the affected areas range from one (1) to three (3) storeys. Even with the building envelope policy and large site size, developments of up to four (4) or six (6) storeys would likely be a stark contrast to the existing surrounding development which is typically low-rise and low-density. If applied to the Established Neighbourhood Zone, the SRFSA Overlay would apply to areas where the Historic Area Overlay or Character Area Overlay already exist. Council staff requested guidance from the Department of Housing and Urban Development on how to resolve likely conflicts in policy intent between the proposed SRFSA Overlay policy and historic, character, or heritage place policy, however the advice was that any conflicts would need to be considered during the assessment of a proposed development.

The intent of the SRFSA Overlay is generally positive in terms of incentivising the development of retirement and supported accommodation, particularly to cater for an ageing population. However, the scale of development envisaged in the policies is considered to be significantly at odds with the existing and desired character across much of the affected area. To address this concern, the draft submission recommends the maximum building height set out in the overlay is reduced to three (3) levels for sites between 10,000m<sup>2</sup> and 20,000m<sup>2</sup>, and four (4) levels for sites exceeding 20,000m<sup>2</sup>, other than where the site is located on a State Maintained Road where building heights could be four (4) levels and six (6) levels respectively as is proposed in the Code Amendment.

The proposed Overlay polices would facilitate SRFSA developments to include shops, offices and consulting rooms of up to 450m<sup>2</sup> gross leasable floor area (individually in a single building) provided they are associated with the primary retirement and supported accommodation. The draft submission raises concerns with this policy, including the need for clarification in the policy wording, the lack of clarity around what level of integration is required between the commercial uses and accommodation and the exemption from car parking requirements for the commercial uses.

- **Public Consultation and Notification**

One of the key principles that underpins the current South Australian Planning System, is that public consultation should primarily occur 'upfront' during the preparation of Code policy, rather than at the later development application stage when a specific development is proposed on a site. This approach assumes that development which complies with Code policy is reasonable and should be expected and therefore, adjoining property owners and occupiers are not required to be notified of the proposed development. The Engagement Plan for this Code Amendment indicates that consultation is being undertaken with targeted stakeholders, community interest groups and those who are already engaged with the planning system (e.g. on the Planning and Land Use Services newsletter mailing list). It is likely, therefore, that most property owners and occupiers in the affected areas will not be aware of the proposed policy changes and therefore will not participate in this 'up front' consultation. The Code Amendment proposes that SRFSA developments which meet the Overlay policies will be exempt from public notification. The draft submission does not include an objection to this exemption on the basis that it would not be a fair process to notify neighbours for a development which complies with Code policy and therefore is likely to be approved, regardless of concerns raised by neighbours. Instead, the submission highlights a concern with the lack of public consultation for this Code Amendment and reiterates the other recommendations made in the submission which seek to reduce the potential impact on adjacent property owners and occupants.

- **Urban Corridor Zone Significant Development Sites Policy**

The SRFSA Overlay is not proposed to apply to the Urban Corridor Zones (which already anticipate medium to high rise development) however the Code Amendment does propose a policy change to incentivise retirement and supported accommodation in multi-storey developments. The Urban Corridor Zones contain 'significant development sites' policies which allow developments on large sites that incorporate positive design or land use features to have building heights up to 30% above the prescribed maximum. The Council has raised fundamental objections to these policies on several occasions on the basis that allowing 'bonus' height above the specified maximum is not strategic nor transparent. The Code Amendment proposes to amend the 'significant development sites' policies such that a development which is primarily for retirement or supported accommodation will be eligible for the 30% 'bonus height'. The draft submission reiterates the Council's longstanding objection to 'significant development sites' policy but acknowledges that including these land uses as one of a number of possible triggers for bonus height is unlikely to result in meaningfully different development outcomes compared to the current policy.

## **2. Co-living land use definition**

The Code Amendment proposes to introduce the 'co-living' land use definition for development that involves six (6) or more residences in a single building which share facilities such as kitchens and/or bathroom and/or laundry. This new definition has been proposed to create an assessment pathway for an alternative living arrangement which is similar, but not the same as, other types of accommodation such as student accommodation, granny flats or share houses. The draft submission includes support for this new land use definition but offers some recommendations for improved policy and procedural clarity.

## **3. Changes to open space and living amenity policies**

The Code Amendment proposes a range of policy changes relating to open space and living amenity for apartment and shared accommodation style developments. These changes include:

- new policy guiding private open space, communal recreation spaces and shared facilities for student accommodation;
- removing criteria which specifies minimum apartment dwelling size and replacing it with other policy such as minimum habitable room dimensions;
- new policy requiring main living areas to provide outlook to open space where possible;
- new policy guiding the quantity and quality of communal open space, including allowing private open space to be substituted for communal open space in some circumstances.

Some of these changes are supported by a draft Practice Guideline, which is a technical document providing guidance to assessing planners on the features of communal recreation and shared facilities which are likely to satisfy Code policies.

The draft submission outlines support for these changes, with a recommendation to clarify in what circumstances private open space can be substituted for communal open space and in relation to the provision of information with development applications.

## OPTIONS

The Council has the following options with respect to how it responds to the proposed Accommodation Diversity Code Amendment.

### Option 1

Following consideration of the Accommodation Diversity Code Amendment, the Council can resolve to endorse the attached draft submission contained in **Attachment A**, with or without minor amendments, as being suitable for submitting to the State Planning Commission.

This option is recommended.

### Option 2

The Council can resolve to make more significant changes to the submission beyond the discussion in this report.

This option is not recommended, due to timing deadlines imposed by the consultation period.

### Option 3

The Council can resolve to not make a submission in response to the consultation.

This option is not recommended as it would result in a missed opportunity to raise important policy issues of concern.

## CONCLUSION

The Accommodation Diversity Code Amendment, if approved, could result in a significant change in development potential for some sites in the Council's residential areas. Although the intent to encourage and facilitate retirement and supported accommodation is positive, particularly with an ageing population and current housing crisis, the scale of development which could be realised through proposed policies could be significantly at odds with the surrounding locality for sites located in the 'heart' of low scale and low-density residential areas. The draft submission prepared in response to the Code Amendment outlines these concerns and recommends amendments to reduce the potential negative impacts which could result from the anticipated development outcomes.

Other aspects of the Code Amendment, such as the introduction of the co-living land use definition and amendments to open space and living amenity policies are considered positive and are generally supported in the draft submission.

## COMMENTS

Nil.

## RECOMMENDATION

1. That the draft submission contained in **Attachment A**, in response to the proposed *Accommodation Diversity Code Amendment*, be endorsed and the submission be forwarded to the State Planning Commission.
2. That the Chief Executive Officer be authorised to make any necessary minor amendments to finalise the submission, providing the changes do not affect the intent of the submission.

Cr Sims left the meeting at 8.28pm.  
Cr Sims returned to the meeting at 8.32pm.

Cr Knoblauch declared a general conflict of interest in this matter as he resides at a retirement facility. Cr Knoblauch advised that he would remain in the meeting and take part in the discussion and voting in respect to this matter.

Cr Duke declared a general conflict of interest in this matter as he has a relative who resides at a retirement facility. Cr Duke advised that he would remain in the meeting and take part in the discussion and voting in respect to this matter.

Cr Sims left the meeting at 8.35pm  
Cr Sims returned to the meeting at 8.36pm

*Cr Mex moved:*

1. *That the draft submission contained in Attachment A, in response to the proposed Accommodation Diversity Code Amendment, be endorsed and the submission be forwarded to the State Planning Commission with the following amendments:*
  - a. *Second paragraph of the cover letter, first sentence, to start with the phrase “The Council acknowledges the intent of the Code Amendment”, instead of, “The Council supports the intent of the Code Amendment”.*
  - b. *Third paragraph of the cover letter, first sentence, to start with the phrase, “The Council recognises the need to provide retirement living” instead of, “The Council supports initiatives to provide retirement living”.*
  - c. *Attachment A2 of the submission, first sentence in the second paragraph, the phrase “maximum building heights for SRFSA sits is supported in principle”, be changed to “maximum building heights for SRFSA sits is noted”.*
  - d. *Attachment A6 of the submission, first sentence in the second paragraph, change the phrase “The Council supports the introduction of the co-living land use” to, “The Council notes the introduction of the co-living land use”.*
2. *That the Chief Executive Officer be authorised to make any necessary minor amendments to finalise the submission, providing the changes do not affect the intent of the submission.*

*Seconded by Cr McFarlane and carried unanimously.*

#### Adjournment of Council Meeting

*At 8.50pm Cr Duke moved:*

*That the Council meeting be adjourned for 5 minutes.*

*Seconded by Cr McFarlane and carried unanimously.*

#### Resumption of Council Meeting

*At 8.54pm the Council meeting resumed.*



*[This Item was dealt with out of sequence – Refer to Page 26 for the Minutes relating to this Item]*

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**13.2 REQUEST TO UPGRADE PIONEER PARK**

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*[This Item was dealt with out of sequence – Refer to Page 26 for the Minutes relating to this Item]*

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

### 13.3 2024-2025 MID-YEAR BUDGET REVIEW

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

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#### PURPOSE OF REPORT

The purpose of this report is to provide the Council with a summary of the forecast Budget position for the year ended 30 June 2025, following the Mid-Year Budget Review. The forecast is based on the year-to-date December 2024 results.

#### BACKGROUND

Pursuant to Section 123 (13) of the *Local Government Act 1999*, the Council must, as required by the Regulations reconsider its Annual Business Plan or its Budget during the course of a financial year and, if necessary or appropriate, make any revisions.

The Budget Reporting Framework set out in Regulation 9 of the *Local Government (Financial Management) Regulations 2011* (“the Regulations”) comprises two (2) types of reports, namely:

1. Budget Update; and
2. Mid-Year Budget Review.

#### 1. Budget Update

The Budget Update Report sets out a revised forecast of the Council’s Operating and Capital investment activities compared with the estimates for those activities which are set out in the Adopted Budget. The Budget Update is required to be presented in a manner which is consistent with the note in the Model Financial Statements titled *Uniform Presentation of Finances*.

The Budget Update Report must be considered by the Council at least twice per year between 30 September and 31 May (both dates inclusive) in the relevant financial year, with at least one (1) Budget Update Report being considered by the Council prior to consideration of the Mid-Year Budget Review Report.

The Regulations require that a Budget Update Report must include a revised forecast of the Council’s Operating and Capital investment activities compared with estimates set out in the Adopted Budget, however the Local Government Association of SA has recommended that the Budget Update Report should also include, at a summary level:

- the year-to-date result;
- any variances sought to the Adopted Budget or the most recent Revised Budget for the financial year; and
- a revised end of year forecast for the financial year.

#### 2. Mid-Year Budget Review

The Mid-Year Budget Review must be considered by the Council between 30 November and 15 March (both dates inclusive) in the relevant financial year. The Mid-Year Budget Review Report sets out a revised forecast of each item shown in its Budgeted Financial Statements compared with estimates set out in the Adopted Budget presented in a manner consistent with the Model Financial Statements. The Mid-Year Budget Review Report must also include revised forecasts for the relevant financial year of the Council’s Operating Surplus Ratio, Net Financial Liabilities Ratio and Asset Sustainability Ratio compared with estimates set out in the budget presented in a manner consistent with the note in the Model Financial Statements entitled *Financial Indicators*.

The Mid-year Budget Review is a comprehensive review of the Council's Budget and includes the four principal financial statements, as required by the Model Financial Statement, detailing:

- the year-to-date result;
- any variances sought to the Adopted Budget; and
- a revised full year forecast of each item in the budgeted financial statements compared with estimates set out in the Adopted budget.

The Mid-year Budget Review Report should also include information detailing the revised forecasts of financial indicators compared with targets established in the Adopted Budget and a summary report of operating and capital activities consistent with the note in the Model Financial Statements entitled *Uniform Presentation of Finances*.

## **RELEVANT STRATEGIC DIRECTIONS & POLICIES**

Not Applicable.

## **FINANCIAL AND BUDGET IMPLICATIONS**

The Mid-Year Budget Review provides the opportunity to reflect any changes in projections based on the actual year-to-date results to December 2024 and forecast the 2024-2025 Operating result.

Details of material movements in the forecast from the Adopted Budget are contained in the Discussion section of this Report.

## **EXTERNAL ECONOMIC IMPLICATIONS**

This report provides information on the planned financial performance of the Council for the year ended 30 June 2025 and has no direct external economic impacts.

## **SOCIAL ISSUES**

Nil.

## **CULTURAL ISSUES**

Nil.

## **ENVIRONMENTAL ISSUES**

Nil.

## **RESOURCE ISSUES**

There are no resource implications arising from this issue.

## **RISK MANAGEMENT**

There are no risk management issues arising from this issue. All documents have been prepared in accordance with the statutory requirements.

## CONSULTATION

- **Elected Members**  
The Council considered the First Budget Update at its meeting held on 8 October 2024.
- **Community**  
Not Applicable.
- **Staff**  
Responsible Officers and General Managers.
- **Other Agencies**  
Not Applicable.

## DISCUSSION

### Budget Review

In determining the Adopted Operating Surplus, the Council considers the financial resources which are required to provide the ongoing services, programs and facilities (Recurrent Operating Budget), which encompass the basic responsibilities, which the Council is required to provide under the *Local Government Act 1999* and other relevant legislation, together with ongoing services and programs as a result of community needs and expectations.

Such on-going services include regulatory services, such as animal management and parking management, street cleaning and rubbish collection, maintenance of basic infrastructure including roads, footpaths, parks, public open space, street lighting and storm-water drainage, development planning and control, library and learning services, community support programs, environmental programs, community events, community recreational facilities and home assistance service.

In addition, the Council considers the funding requirements associated with the introduction of new services or the enhancement to existing services (Operating Projects).

The 2024-2025 Adopted Operating Budget projected an Operating Surplus of \$229,418. At the Council meeting held on 8 October 2024, the Council considered and endorsed the First Budget Update, which reported a forecast Operating Deficit of \$381,329. This included Work in Progress Operational and Capital Projects Carried Forward from the 2023-2024 Financial Year of \$610,747 and \$17,940,485, respectively.

Following an assessment of the Mid-Year Budget, as presented in this report, the Council is forecasting an Operating Surplus of \$1,740,061.

The material movements in the components that make up the Operating Deficit following the Mid-Year Budget Review are detailed below.

#### **A. Recurrent Operating Budget changes to the Adopted Budget – (\$1,992,527)**

The Council adopted a 2024-2025 Recurrent Operating Budget Surplus of \$1.14 million. In the First Budget Update, this budget remained unchanged.

Following the Mid-Year Budget Review, the Recurrent Operating Surplus is forecast to increase by \$1,992,527 to the Adopted Budget. The major reasons for the movement in Recurrent Operating Surplus are detailed in Table 1.

**TABLE 1: MAJOR VARIANCES IN RECURRENT OPERATING BUDGET - MID-YEAR BUDGET REVIEW**

	Adopted Budget \$	Additional Budget Request \$
<b>General Movements</b>		
The additional budget request is for Animal Management contracted services for after-hours dog collections. The service provides a contractor on call during non-business working hours. The previous provider of this service ceased operations on 31 October 2021, therefore requiring engagement of a new contractor at market price. This budget request is for the current year only with permanent solution proposal that will be developed for consideration as part of the budget 2025-2026.	26,000	50,167
Dog & Cat Management (DACO) Board contribution are the dog registration fees that are paid by dog owners to the Council directly, which in turn the Council forwards to DACO. Therefore, this budget represents timing variance between collections and payments and not an actual cost to Council.	28,800	(28,800)
At the Council meeting on 20 January 2025, the Council approved the appointment of an additional position for a Development Officer, Building.	0	120,000
As per report presented to the Council at the meeting on 20 January 2025, the appointment of the Development Officer, Building would reduce the Council's expenditure on consultants who currently provide a building inspection service to supplement building inspections carried out by Council staff.	40,000	(7,000)
At the Council meeting on 8 October 2024, Council approved the provision of traffic management and control at Ninth Avenue, St Peters as part of the Christmas lights event held.	0	40,000
Additional funds are required to cover legal costs for the review of By-laws which is a legislative requirement. This cost required only in 2024-2025. These reviews do not occur on an annual basis.	0	20,000
Additional funds are required to cover Recruitment costs as a result of higher number in vacancies.	60,000	60,000
At the Council meeting held 4 November 2024, the Council approved an additional payment option for ratepayers via Direct Debit. The cost is expected to be offset against reductions in bank fees and postage cost reduction, subject to the number of subscribers.	0	49,900
Reduction in Finance costs as a result of lower than expected levels of borrowing mainly due to the timing of the Trinity Valley Stormwater Upgrade Project and rephasing of the Payneham Memorial Swimming Centre payment plan.	2,375,037	(720,000)
Advancement of the <i>Financial Assistance Grant for 2024-2025</i> which was budgeted in 2023-2024 and due to be received in June 2024 was delayed and therefore received in the current 2025-2026 financial year. The Grant consists of the <i>Local Roads Grant</i> of \$417,714 and the <i>General Purpose Grant</i> of \$849,080.	(1,155,000)	(1,266,794)
External contractors are currently being engaged for the assisted shopping services offered as part of the Commonwealth Home Support Programme. Therefore, a reclassification of costs from Employee costs (as Temporary labour) to Material, Contracts & Other Expenses (as Contractors) is required. Nil impact as a result of this request.		
Employee Costs	61,200	(61,200)
Material, Contracts & Other Expenses	0	61,200

	Adopted Budget \$	Additional Budget Request \$
Reduction in Staff Salary & Wages Budget due to realised cost savings in the first half of the Financial year 2024-2025 as a result of delays in recruitment of some roles (i.e. Strategic Communications & Advocacy Manager, Strategic Planner, Place Activation & Economic Coordinator, Corporate Planner and City Assets Project Manager).	various	(310,000)

**B. Operating Projects Budget to the Adopted Budget – \$481,885**

The Adopted Budget includes an estimate of operating project expenditure for the year and previously approved and carried forward projects from the prior budget years.

The Adopted Budget that was endorsed by the Council for 2024-2025, included a total expenditure on Operating Projects of \$0.911 million. As a result of the First Budget Update, the total forecast expenditure on Operating Projects increased to \$1.522 million, as a result of Carry Forwards totalling \$610,747 from the 2023-2024 Financial Year.

Following the Mid-Year Budget Review, the Operating Project Budget is forecast to decrease by \$128,862. The major reasons for the movement in Recurrent Operating Surplus are detailed in Table 2.

**TABLE 2: MAJOR VARIANCES IN OPERATING PROJECT BUDGET - MID-YEAR BUDGET REVIEW**

	Adopted Budget \$	Additional Budget Request \$
<b>General Movements</b>		
Authority Actus (IT system) is a mobile platform that allows to be viewed tasks, opening new tasks and completing tasks from the CRM and Registers Modules in Authority is not supported on the current version of Authority 7.0 and therefore will be reassessed in the future when Authority is to be upgraded.	43,862	(43,862)
Information Services project support budget is to be reclassified from Material, Contract & Other Expenses (as a contractor) to Employee costs (as a temporary labour hire). Nil impact as a result of this change.		
Material, Contract & Other Expenses	40,000	(40,000)
Employee costs	0	40,000
Taking into consideration the IT strategy and aim to achieve fully integrated systems, purchase of a new Human Resources Information System is to be reevaluated and a new proposal to be reassessed and considered in the future when Authority is to be upgraded.	120,000	(120,000)
Reduction in budget for Dog & Cat Management Plan Education Campaign as work was completed by in-house staff using existing resources.	27,928	(20,000)
Electronic Permits project is to be deferred until Council's On-street Parking Policy is reviewed and is endorsed by the Council.	20,000	(20,000)
Additional funding is required for the implementation of a cloud-based Agendas and Minutes software, DocAssembler, to replace the current manual processes.	0	40,000
Additional funding is requested for the implementation of the City wide Parking Review. An external consultant will now be engaged to assist Council with implementation.	0	35,000

A review of the status of the Operating Projects will be undertaken as part of the Third Budget Update, which will be considered by the Council at the Council Meeting scheduled for 7 April 2025.

Details of the Operating Projects are contained in **Attachment A**.

**C. Capital Projects Budget changes to the Adopted Budget – \$17,420,485**

The Council endorsed the Adopted Budget for Capital Projects (\$59.792 million for 2024-2025). As a result of the First Budget Update, the total forecast expenditure on Capital Projects increased to \$77.733 million, due to inclusion of Carry Forwards from the 2023-2024 Financial Year of \$17.940 million.

Following the Mid-Year Budget Review, the Capital Project expenditure is forecast to be \$77.212 million, which includes the Carried Forward amount of \$17,420,485 on the Adopted Budget. This increase is the net impact of the increase in Capital Expenditure Budget as part of First Budget Update of \$17,940,485 and reduction in the Capital Expenditure Budget requested as part of the Mid-Year Budget Review of \$520,000. The major reasons for the movement in the Capital Budget are detailed in Table 3.

**TABLE 3: MAJOR VARIANCES IN CAPITAL BUDGET - MID-YEAR BUDGET REVIEW**

	Adopted Budget \$	Additional Budget Request \$
<b>General Movements</b>		
Grant funding for works at the Kensington road/ George street/ Giles street intersection received from the Federal Government through the <i>Black spot program</i> . It is required to recognise this grant income, along with the cost for these works.	0	(1,147,459)
Grant Income	0	1,147,459
Material, Contracts & Other Expenses	0	(210,000)
Grant funding for the Burchell Reserve Upgrade which represents the final payment for the completion of the Seventh Avenue Flood Mitigation project under the <i>National Flood Mitigation Infrastructure Program (NFMP) Round 2</i> .	0	(280,000)
Traffic Management Marden and Royston Park has been placed on hold indefinitely as the Concept design for Battams Road was not approved by the Council following the outcome of community consultation	280,000	(30,000)
Staff Bike Parking at Webbe Street is to be deferred due to prioritisation of other projects. The project to be considered at a later date.	30,000	(30,000)

A review of status of the Capital Projects will be undertaken as part of the Third Budget Update, which will be considered by the Council at the Council Meeting scheduled for 7 April 2025.

Details of Capital Projects is contained in **Attachment B**.

Regulation 9 (1) (b) of the Regulations states the Council must consider:

*“between 30 November and 15 March (both dates inclusive) in the relevant financial year—a report showing a revised forecast of each item shown in its budgeted financial statements for the relevant financial year compared with estimates set out in the budget presented in a manner consistent with the Model Financial Statements.”*

Further Regulation 9 (2) of the Regulations states the Council must consider:

*“revised forecasts for the relevant financial year of the council's operating surplus ratio, net financial liabilities ratio and asset sustainability ratio compared with estimates set out in the budget presented in a manner consistent with the note in the Model Financial Statements entitled Financial Indicators.”*



The revised Budgeted Financial Statements and Financial Indicators as a result of the Mid-Year Budget Update are included in **Attachment C**.

## OPTIONS

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

1. Adopt the Mid-Year Budget Review as recommended; or
2. Amend the Mid-Year Budget Review as it sees fit.

The Mid-Year Budget Review is forecasting an Operating Surplus that is in line with the Adopted Budget. Therefore Option 1 is recommended.

## CONCLUSION

As requested by the Council, a detailed status report on all Projects, including those Projects that may require significant carry-over post June 2025, is currently being compiled with comments and will be presented to the Council at its March 2025 meeting.

## COMMENTS

Nil

## RECOMMENDATION

1. That the Mid-Year Budget Update Report be received and noted.
  2. That project progress reports contained in **Attachments A** and **B**, be received and noted.
  3. That Pursuant to Regulation 9 (1) and (2) of the Local Government (Financial Management) Regulations 2011, Budgeted Financial Statements and Financial Indicators as contained within **Attachment C**, be adopted.
- 

Cr Sims left the meeting at 8.56pm.  
Cr Sims returned to the meeting at 8.57pm.  
Cr Sims left the meeting at 8.58pm.  
Cr Sims returned to the meeting at 8.58pm.

*Cr Sims moved:*

1. *That the Mid-Year Budget Update Report be received and noted.*
2. *That project progress reports contained in Attachments A and B, be received and noted.*
3. *That Pursuant to Regulation 9 (1) and (2) of the Local Government (Financial Management) Regulations 2011, Budgeted Financial Statements and Financial Indicators as contained within Attachment C, be adopted.*

*Seconded by Cr McFarlane and carried.*

## 13.4 PROPOSED 2025-2026 FEES AND CHARGES

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**REPORT AUTHOR:** Senior Finance Business Partner  
**GENERAL MANAGER:** Chief Financial Officer  
**CONTACT NUMBER:** 83664548  
**FILE REFERENCE:**  
**ATTACHMENTS:** A

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### PURPOSE OF REPORT

The purpose of this report is to provide the Council with the *Draft 2025-2026 Fees and Charges Schedule*, which, following its adoption “in principle”, the Schedule will be used as a basis for calculating the non-rate revenue components for the draft 2025-2026 Annual Budget.

### BACKGROUND

Section 188 of the *Local Government Act 1999* (the Act), states the following in respect to fees and charges:

- (1) *A council may impose fees and charges—*
- (a) *for the use of any property or facility owned, controlled, managed or maintained by the council;*
  - (b) *for services supplied to a person at his or her request;*
  - (c) *for carrying out work at a person's request;*
  - (d) *for providing information or materials, or copies of, or extracts from, council records;*
  - (e) *in respect of any application to the council;*
  - (f) *in respect of any authorisation, licence or permit granted by the council;*
  - (g) *in respect of any matter for which another Act provides that a fee fixed under this Act is to be payable;*
  - (h) *in relation to any other prescribed matter.*

The majority of fees and charges which are administered by the Council, are levied under various pieces of legislation (ie statutory charges), such as the *Development Act 1993*, the *Dog and Cat Management Act 1995* and the *Local Government Act 1999*. Other fees and charges arise from various policies which have been adopted by the Council. For example, the fees contained in the *Outdoor Dining Policy* and *On-Street Parking Permit Policy*, are based on a “user-pays” principle, with respect to the provision of those particular services or on a commercial basis.

Pursuant to Section 188(6) of the Act, the Council must keep a list of the fees and charges on public display at the Principal Office of the Council. The Council publishes the schedule of fees and charges on the Council's website.

As part of the annual budget preparation process, a review is undertaken of the fees and charges which are levied by the Council for the use of facilities and the provision of services. Any increases (or decrease) in fees and charges which are set by legislation are determined by the State Government and will be incorporated upon gazetting.

### RELEVANT POLICIES & STRATEGIC DIRECTIONS

In line with the Council's *Fees & Charges Policy*, the Council adopts a *Fees and Charges Schedule* on an annual basis and they are separated into Statutory and User Charges. Where the Council's Fees and Charges are not of a statutory fees nature (i.e. fees that are set at the Council's discretion), the Council applies the principle of “user-pays” where possible, in order to recover the full cost of operating or providing the service or goods to ensure that there is reasonable level of “user pays”, which in turn reduces the charge on ratepayers for the cost of providing these facilities and services. Where it can be demonstrated that citizens are unable to meet the full cost, concessions may apply.

The Outcomes and Objectives of *City Plan 2030: Shaping our Future* do not specifically address fees and charges; however, the general principles of Community Well-Being are taken into account in setting the discretionary fees and charges.

## FINANCIAL IMPLICATIONS

Where the Council has the power to set the fees and charges (discretionary fees and charges), as endorsed by the Council at its meeting held on 20 January 2025 (as part of setting the Budget parameters for the 2025-2026 Budget), the Council has resolved that discretionary fees and charges will be increased by 3% at a minimum, or at market value.

Generally, the recommended increases are in line with the Budget Parameters which have been set by the Council at its meeting held on 20 January 2025. In the cases where the minimum increase has not been met, the reasons for the lower increase are:

- rounding-off, for ease of cash handling;
- the fee in question is rarely charged but required to be set pursuant to the *Local Government Act 1999*;
- the proposed increase would result in a minor increase and in these instances, the fee is increased on a cyclical basis of every three (3) to five (5) years; and
- determination has been made that the market could not sustain an increase.

## EXTERNAL ECONOMIC IMPLICATIONS

This report provides information on the fees and charges of the Council for the year ended 30 June 2026 and are not expected to have any significant external economic impact.

## SOCIAL ISSUES

Nil

## CULTURAL ISSUES

Nil

## ENVIRONMENTAL ISSUES

Nil

## RESOURCE ISSUES

Nil

## RISK MANAGEMENT

Nil

## CONSULTATION

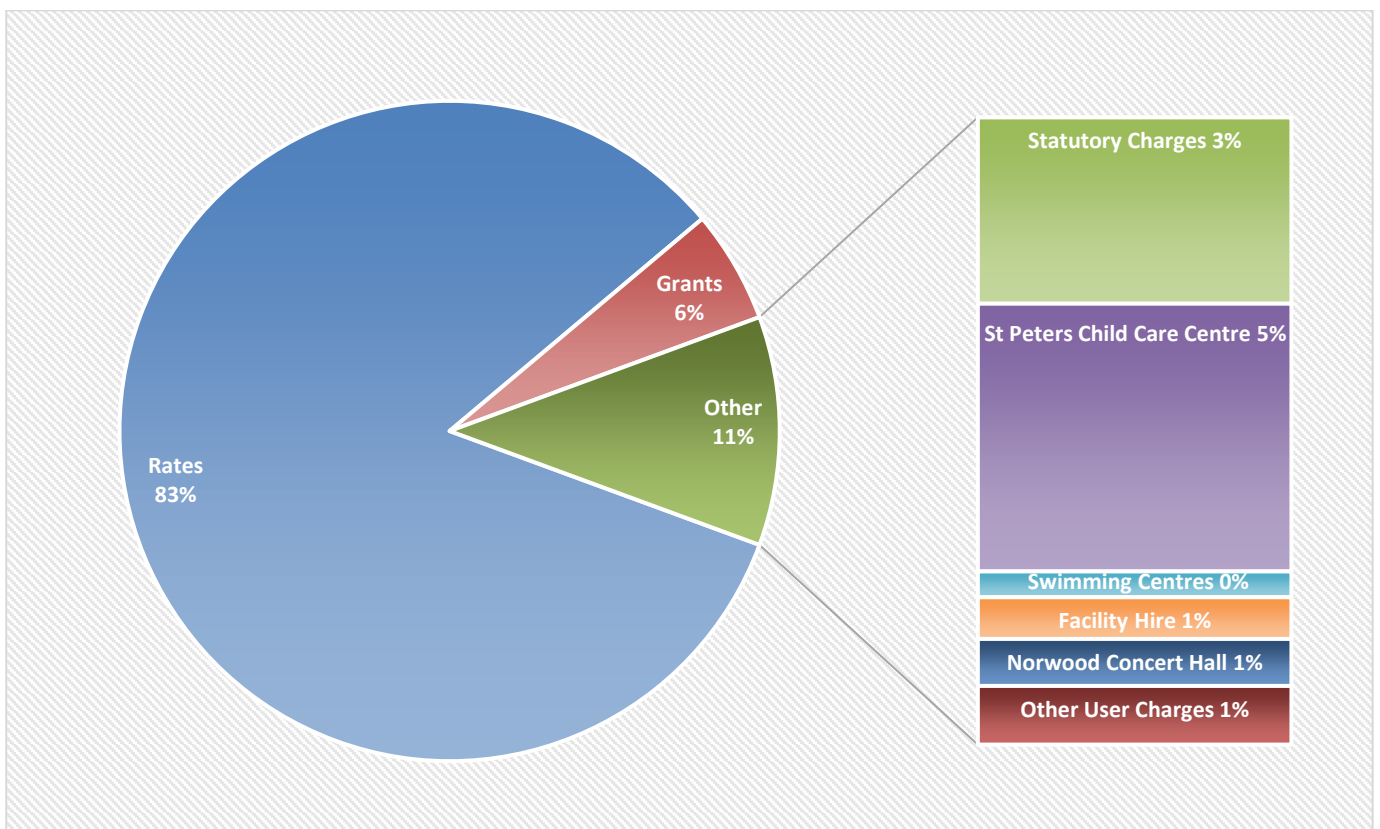
- **Elected Members**  
The Council set the parameters for the *Fees and Charges Schedule* at its meeting held on 20 January 2025.
- **Community**  
Not applicable. However, the fees and charges will be incorporated into the draft 2025-2026 Budget that will be released for consultation.
- **Staff**  
Responsible Officers and General Managers.
- **Other Agencies**  
Not Applicable.

## DISCUSSION

In general, user fees and charges are reviewed taking into consideration the anticipated inflation rate and the cost which is incurred by the Council to provide the service or the facility, market rates for similar services and ease of cash handling, through rounding (up or down) of any proposed increases or deferring increases. At its meeting held on 20 January 2025, the Council adopted the general guideline that user fees and charges be increased by 3% at a minimum, or at market value. The proposed general increase of 3% was determined with reference to the anticipated combined impact of the inflation rate associated with goods and services and salaries & wages increase for the 2025-2026 Financial Year.

Fees and Charges incorporate statutory charges which are set by legislation or by Policies which are adopted by the Council and discretionary user fees and charges which are based on user pay principles. As detailed in Figure 1 below, for the 2024-2025 financial year, discretionary user charges represent 12% of total revenue, with the major portion of this revenue from the fees and charges set by the Council. User Fee income is mostly derived from user fees which are charged at the St Peters Child Care Centre & Pre-school. Given that income from the Council's Business Service units (i.e. St Peters Child Care Centre & Pre-school, Norwood Concert Hall and the Swimming Centres) represents 6% of the total, any increase or decrease in User Charges from other services or programs, will not have a significant impact on the Council's income which are associated with user fees and charges.

**FIGURE 1 – USER CHARGES AS A PERCENTAGE OF REVENUE**



As set out above, for the most part, the recommended increases are in line with the endorsed Budget Parameters for 2025-2026 which were endorsed by the Council at its meeting held on 20 January 2025. The proposed changes which are not in line with the Budget parameter of increasing fees and charges by 3% (excluding rounding) and the reasons for not applying the Budget parameter are detailed below.

**1. Council Licences, Permits and Authorisations**

***Authorisations – Temporary Public Space Occupancy***

The Public Space occupancy (urgent or after-hours processing fees), currently set at \$66 per application, is proposed to be removed, as this service is currently not available. This fee is proposed to be removed as it is not possible to meet the service standard. Hoarding Applications to occupy public space typically require input from traffic management, events, urban planning, city assets and arboriculture services. The collation and co-ordination of all required inputs typically takes more than 24 hours. That said, when the Council does receive urgent requests (which is rare), they are prioritised within existing resource capacity and every endeavour is made to meet the timelines requested by Applicants. Given that that urgent requests are only received once or twice a year, charging an urgent or ‘after-hours’ processing fee is not warranted.

**2. Parking Permits – Resident & Visitor Permit (New/ Renewal)**

***Resident Only Parking Areas and Time Limited Parking Areas***

The Council’s *On-Street Parking Policy* is currently being reviewed. As such, it is recommended that the current fee structure be retained with no increases. If the Council endorses changes to the *On-Street Parking Policy* that impact Permit fees, the Fees and Charges Schedule will be updated accordingly.

<b>Resident Only Parking Areas</b>	
Visitor Parking Permit – First Permit	\$25 per year
Visitor Parking Permit – Second Permit	\$50 per year
<b>Time Limited Parking Areas</b>	
Visitor Parking Permit – First Permit	Free per year
Visitor Parking Permit – Second Permit	\$25 per year

**3. Dog & Cat Management Act 1995**

It is proposed to include a new fee for Puppy Registrations (under 6 months old) at \$42 per year, per dog. This new fee is being proposed following requests from dog owners as dogs under a certain age cannot be desexed therefore dog owners are currently required to pay the higher registration fee of \$82 for a Non-standard Dog.

**4. Statutory Fees**

***Property Searches***

The Property Search (statutory information that is provided by the Council when a property is being sold) fees for information to be provided within 24 hours, is currently shown as not applicable in the Fees and Charges Schedule and is proposed to be removed from the Schedule as provision of this service is currently not offered by the Council. The service cannot be provided because a Search cannot typically be processed within 24 hours. In this respect, it often takes several days for hard copy files to be returned from Council’s off-site storage facility and those files are frequently needed to complete property searches. It is considered inappropriate to specify a fee for a service that cannot be provided.

***Council Documents (Hard Copy)***

Archived Material Retrieval costs are proposed to be increased as detailed below, in line with increase in Council’s offsite archiving contractor Iron Mountain.

<b>Fee Name</b>	<b>2024/2025 (incl. GST)</b>	<b>2025/2026 (incl. GST)</b>	<b>% Increase (incl. GST)</b>	<b>\$ Increase (incl. GST)</b>
Archived Material Retrieval – Urgent 24 hours	\$60.00	\$91.50	52.50%	\$31.50
Archived Material Retrieval – Normal 48 Hours	\$30.00	\$35.00	16.67%	\$ 5.00

## 5. Planning Development & Infrastructure Act 2016

A new fee for Development Application Extension of Time requests under the *Development Act 1993*, is proposed at \$109. This fee is no longer a statutory fee given the transition to the *Planning Development & Infrastructure Act 2016*. However, some Development Applications remain under the now redundant *Development Act 1993*, and it is therefore necessary to set a fee to allow for extensions of time under the previous *Development Act* to be considered.

A fee for the removal of Council Street Trees is proposed to be included at \$500 plus the cost of removal. The fee is currently charged and has been since 2021. The fee is imposed as part of the granting of Planning Consent (imposed as a condition) and it is considered best practice for the fee to be specified in the Fees and Charges Schedule. The fee covers the removal and replacement of Council Street Trees where these are proposed to be removed for development purposes (for example, to accommodate a new driveway crossover location). The fee is based on a \$500 flat fee for the replacement planting, plus the costs of removal (which are calculated by Council's contractor / staff on a case by case basis depending on the size of the tree to be removed).

Document Lodgement Fees associated with the hard copy lodgement of plans for Development Applications is a statutory fee where the maximum limit is set by the State Government. It is proposed to increase this fee \$87 per lodgement to \$89.50 (2.87% increase) in line with the current maximum financial year 2024-2025 maximum limit.

The Public Notice on Land Fee, which represents the costs incurred by the Council to use contractors to carry out the service, plus an administrative fee, is proposed to be increased from \$224 per plan to \$230 (2.68% increase) in line with production and contractor cost increases. This is the fee charged to Applicants who have lodged Development Applications which require public notification. The fee pays for the erection of the sign on the land (in accordance with the requirements of the *Planning Development & Infrastructure Act and Regulations, 2016*) and the signs subsequent removal at the end of the public notification period. The Council engages a contractor to provide the service. The fee covers the costs charged by the contractor plus an administration charge for the coordination of the contractor. The fee is not specified in legislation and each Council can determine the fee to be charged.

## 6. Hall Hire

### ***Payneham Community Centre, Payneham Library Complex, St Peters Library, St Peters Youth Centre, and the Don Pyatt Community Hall***

Hall hire fees at the Council's Community Facilities (excluding the Norwood Concert Hall) is based on 4 Tiers. Tier 1 is based on the full fee offered to Commercial & Business hirers located outside the City of Norwood Payneham & St Peters, non-resident private functions and State Government Departments; Tier 2 is based on an 80% discount on the full fee that is offered to local Commercial & Business hirers and local resident private functions; Tier 3 is a 50% discount on the full fee offered to Non local community groups and Tier 4 is 80% discount on the full fee offered for events and activities open to the community to attend and not affiliated with a business, Not for profits organisations and clubs. While the minimum hire rate per venue is set at \$5.50.

Meeting Room 1 hire fees at the St Peters Library Complex, is proposed to be discontinued and provided free of charge to the public that can be booked in one-hour time slots to encourage the public to utilise the space. Meeting Room 2 hire fees at the St Peters Library is proposed to be removed as the use of this meeting room is exclusive to the Eastern Health Authority (EHA) as part of their lease arrangements with the Council. Meeting Room 3 at the St Peters Library Complex is currently utilised by the library services Justice of Peace and the digital one-to-one program, therefore proposed to be removed.

An additional cleaning fee for the St Peters Youth Centre has been proposed based on a quote that has been received from Council's cleaners per event to recover costs associated with any extra cleaning efforts after an event.

It is proposed to consolidate the deposits (i.e. Booking deposits, key deposits & audio-visual equipment deposits) into a Security Bond that accounts for 50% of the hire fees. This ensures that the Council is able to recover any loss or damage of the property once event is completed and simplifies the process of deposits for venue hires. Bump in charges have been proposed to be removed as it is currently not offered or requested from hirers.

### **Norwood Concert Hall**

As part of simplifying the current pricing structure for the Norwood Concert Hall, it is proposed to itemise the fees and charges as follows, to provide hirers with a greater level of flexibility and transparency.

<b>Norwood Concert Hall   Common Fees and Charges</b>	
Access between 1:00am -7:30am	\$176.00 per hour
Additional Cleaning Fee	\$220.00 per callout
Additional Technical hires	Quote + 15% Admin Fee
Mayor's Parlour Hire	\$165.00 per day
Use of Grand Piano	\$400.00 per event
Use of Hoist Crane / Cage	Quote + 15% Admin Fee
Use of Projector	\$600.00 per event

### **Beulah Road Community Hall**

The Beulah Road Community Hall Management Committee is currently in discussion with Council to transfer the coordination of hiring out this venue to the Council. In the event that agreement is reached between the Council and the Committee and the Council assumes responsibility of the hire of the Hall, it is proposed to charge the following fees.

<b>Tier 1: Full Fee - Commercial &amp; Business Hirers Located Outside of NPSP; Non-resident Private Functions (includes State Government Departments)</b>	
Daily Rate	\$320.00
Hourly Rate	\$ 80.00
<b>Tier 2: NPSP Based Commercial and Business Hires and Local Resident Private Functions</b>	
Daily Rate	\$256.00
Hourly Rate	\$ 64.00
<b>Tier 3: Not-for-profit organisations, schools, sport &amp; recreation clubs</b>	
Daily Rate	\$160.00
Hourly Rate	\$ 40.00
<b>Tier 4: Community Rate - Activities Open To The Community To Attend &amp; Not Affiliated With A Business, Not For Profit Organisation Or Club</b>	
Daily Rate	\$ 64.00
Hourly Rate	\$ 16.00

## **7. Park & Reserve Hire**

### **Common Fees and Charges**

It is proposed that Key Bond (refundable) fee be removed as keys are currently not provided to Park & Reserve hirers.

## **8. Swimming Centres**

The Payneham Memorial Swimming Centre fees are proposed to be removed until the Payneham Memorial Swimming Centre is operational at which time the Council will have an opportunity to set the required fees.

## **9. Child Care**

### **St Peters Child Care Centre & Preschool**

It is proposed to increase the daily charges from \$125 to \$131, in line with the market industry fees and costs of operation.

**10. Community Services**

***Donne E Benessere***

The Coordinating Italian Committee (CIC) in agreement with the Council, have decided to discontinue the Donne E Benessere Program, which is currently offered at \$7 per session and therefore it is recommended that this fee be removed.

***Home Maintenance Commonwealth Home Support Programme***

A cancellation fee for window cleaning and gutter cleaning of \$17 each, is proposed to cover Council's costs of contractor call outs for cancelled services. Specialist Gutter Cleaning fees and Escorted shopping services (Commonwealth Home Support Program) are proposed to be increased from \$22 per hour to \$24 per hour (9% increase) and from \$10 per person to \$13 per person (30% increase), respectively to cover the significant increase in contractor costs for these services.

**11. Library Services**

***Photocopying/ Printing***

Photocopying and Printing charges are proposed to change as follows. These fees have been benchmarked against other South Australian Libraries.

<b>Fee Name</b>	<b>2024/2025 Fee (incl. GST)</b>	<b>2025/2026 Fee (incl. GST)</b>	<b>% Increase (incl. GST)</b>	<b>\$ Increase (incl. GST)</b>
A4 black & white	\$0.10	\$0.20	100.00%	\$0.10
A3 black & white	\$0.25	\$0.40	60.00%	\$0.15
A4 colour	\$1.05	\$1.00	-4.76%	-\$0.05
A3 colour	\$2.10	\$2.00	-4.76%	-\$0.10

***Other Library Fees***

Other Library Service fees such as USB storage devices and earphones, have been proposed to be increase from \$5.30 to \$9 (69% increase) and \$5 to \$6 (20% increase) respectively, to reflect current purchase costs of devises. Library bags are proposed to remain at the same price at \$3 per bag to encourage the public to purchase bags.

**12. Arts & Culture**

***Common Fees and Charges***

Following successful activation of the gallery at the St Peters Town Hall Complex, a new fee for the commission of artwork sale displayed and sold at the venue is proposed at 20% on sale of artwork.

A copy of the recommended 2025-2026 Fees and Charges (including comparative data) is contained in **Attachment A**.

**OPTIONS**

The Council has the option of adopting “in principle” the recommended fees and charges as contained in **Attachment A**, or make amendments as determined by the Council.



## CONCLUSION

The recommended Fees and Charges for 2025-2026, have been set at an appropriate level for users and consumers and are not expected to 'price' the hire of facilities or cost of services, out of the market and beyond the reach of citizens.

## COMMENTS

This report does not cover statutory fees that are imposed by legislation as the Council cannot vary these fees and charges.

In respect to Statutory Fees and Charges, the actual fee increases imposed by legislation will remain unknown until the State Government has set its 2025-2026 Budget, which is expected to be in May 2025.

## RECOMMENDATION

That the *Draft Schedule of Fees and Charges* for the 2025-2026 Financial Year set out in **Attachment A** be adopted "in principle".

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Cr Sims left the meeting at 9.20pm.

Cr Sims returned to the meeting at 9.21pm.

*Cr Mex moved:*

*That the Draft Schedule of Fees and Charges for the 2025-2026 Financial Year set out in Attachment A be adopted "in principle".*

*Seconded by Cr Duke and carried unanimously.*

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

### 13.5 QUADRENNIAL PUBLIC ARTWORK COMMISSION

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**REPORT AUTHORS:** Manager, Arts, Culture & Community Connections & Arts Officer  
**GENERAL MANAGER:** General Manager, Community Development  
**CONTACT NUMBER:** 8366 4550  
**FILE REFERENCE:**  
**ATTACHMENTS:** Nil

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#### PURPOSE OF REPORT

To present a framework for progressing the Council's fifth Quadrennial Public Artwork Commission and to recommend a preferred location for installation of the artwork.

#### BACKGROUND

The Council's *Public Art Policy* (2023) provides for:

*'commission a major public art work in each term of the Council and will also encourage creative expression and arts practice by artists and community members through its annual Public Art Program'.*

This initiative, colloquially known as the *Quadrennial Public Artwork*, has enabled the installation of major pieces of art across the City as detailed in the Table 1 below:

**TABLE 1: LOCATIONS OF PREVIOUS QUADRENNIAL PUBLIC ARTWORK COMMISSIONS**

Location	Artwork	Artist(s)
Osmond Terrace, Norwood	Spectrum	Craige Andrae
St Peters Town Hall Complex, St Peters	Fallow	Gregg Mitchell, Greg Healey & Amy Joy Watson
Corner Magill Road & Nelson Street, Stepney	Perpetual Sun	CHEBart – Christine Cholewa & Deb Jones
Old Mill Reserve, Hackney	Seed Mix	Nicholas Uhlmann

The *Public Art Policy* supports the realisation of this major public artwork, through the allocation of \$300,000 to fund the project, including all costs associated with the artwork (e.g. concept development, fabrication, and installation fees and site improvements e.g. paths, landscaping, lighting, etc.).

The *Public Art Policy* specifies that the \$300,000 budget allocation will be facilitated through:

*'the creation of a reserve fund where the equivalent of \$75,000 is set aside annually for the purpose of funding a commissioned artwork during the term of each Council, subject to annual budget deliberations'*

As part of the 2024-2025 Budget, the Council agreed that, in future, funding for the Quadrennial Public Artwork would be facilitated as part of the Council's normal budget process. The *Public Art Policy* will be amended to reflect this as part of the Policy review process.

The Council has approved the allocation of \$9,000 as part of the 2024-2025 Budget to undertake Stage 1 Concept design.

A total of \$291,000 will be incorporated into the 2025-2026 to delivery the Quadrennial Public Artwork program.

**Role of Public Art**

Often reflecting the identity and values of the local community, public art has the potential to uplift and create a sense of community pride, distinguishing the City as a unique and distinct place to live and visit.

Public art also plays a pivotal role in sharing diverse sentiments, ideas, and concepts with a broad audience, inviting exploration of the spaces that host it, encouraging dialogue and community interaction and deepening community connections.

In addition to enhancing the aesthetic of a place, public artworks often become iconic symbols of their locations, attracting visitors, cultural tourism, new businesses, and residents, generating economic returns through the creation of City identity, pride and placemaking.

The dimension and scale of public art play a pivotal role in how it is perceived, experienced and the emotions in which it evokes. Small artworks can trigger curiosity, inviting the viewer to examine them more closely and are well placed in locations with high levels of pedestrian traffic or places where people meet. Large artworks define and create focal points and destinations, helping to establish landmarks and neighbourhood gateways.

The installation of the Quadrennial Public Artwork is an important initiative that underpins these outcomes, providing high quality works of art by contemporary professional artists for our public places.

**Project Stages**

Planning for the implementation of the 2026 Quadrennial Public Artwork program is underway.

Table 2 below outlines the various project phases:

**TABLE 2: QUADRENNIAL PUBLIC ART PHASES**

<b>Project Phase</b>	<b>Anticipated Completion</b>
Project plan	Complete - September 2024
Research locations and site considerations	Complete- November 2024
Council endorsement of location	February 2025
Confirm Procurement Selection Panel	February 2025
Prepare Artist brief (EOI) – open competition commission	February 2025
EOI released	February to March 2025
Procurement Panel shortlist preferred artists (up to three)	April 2025
*Council approves preferred artists to progress to concept design stage	May 2025
Site visit with shortlisted artists	May 2025
Concept design and draft budget	May to July 2025
*Concept design presentation at Elected Member Workshop	July 2025
*Concept recommendation report to Council	August 2025
*Commissioning artist agreement	August 2025
Detailed design package (includes installation and risk management plan) Timeline negotiated with artist depending on complexity of design.	August to November 2025
*Council approval of detailed design and installation plan	December 2025
Fabrication (may be brought forward if artwork does not require entire fabrication time). Detailed plan for site improvements as required.	December 2025 to May 2026
Installation and site improvements as required.	June 2026
Post handover (maintenance manual, 12-month defect materials warranty and intended lifespan)	June/July 2026
Launch	Early 2026-2027 financial year (prior to Local Government Caretaker period)

In respect to decision making, rather than establish a separate Council Committee, it is proposed to trial a process whereby a Procurement Panel is established, with responsibility to progress all of the actions required to implement the installation of the Artwork, with all Elected Members being involved on key decision making milestones as shown on Table 2 and marked with an (\*) as set out below:

- Council approval of the preferred artists to progress to concept design stage (May 2025);
- presentation of design concepts at an Elected Member Workshop (July 2025);
- final selection of preferred concept by Elected Members (August 2025); and
- approval of final detailed design by the Council (December 2025).

## RELEVANT STRATEGIC DIRECTIONS AND POLICIES

The Quadrennial Public Artwork program contributes to a range of strategic interests, including:

- Arts and Culture Plan 2024-2027
- the Council's Strategic Management Plan *City Plan 2030: Shaping Our Future* through:

### Outcome 2: Cultural Vitality

*Objective 2.1 An artistic, creative, cultural & visually interesting City.*

*Strategy 2.1.1 Use the arts to enliven public spaces and create a 'sense of place.'*

*Strategy 2.1.3 Attract and support cultural and creative organisations, businesses, and individuals.*

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

*Strategy 2.2.4 Reflect our City's culture in the design of Council places.*

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

*Strategy 2.5.3 Provide features or experiences in public spaces, that surprise, encourage reflection or celebrate our community and heritage.*

## FINANCIAL AND BUDGET IMPLICATIONS

\$300,000 has been set as the budget for the installation of the Quadrennial Public Artwork. This budget is used to fund both the artwork and any associated site improvements.

Maintenance requirements and intended lifespan of the artwork will be finalised during the post-handover stage of the project and placed on the Council's Asset Management Register.

## EXTERNAL ECONOMIC IMPLICATIONS

The benefits derived from Australia's creative and cultural industries and institutions can be considered through both an economic and non-economic lens, including but not limited to social, cultural and wellbeing outcomes. Research conducted by the Australian Bureau of Communications, Arts and Regional Research, found that cultural and creative activity contributed \$63.7 billion to Australia's economy in 2022–23.

## SOCIAL ISSUES

The enrichment of the public realm through the installation of public artwork humanises our built environment providing an opportunity for storytelling, a greater sense of identity, reflecting the uniqueness of our community, and has the potential to enhance community wellbeing and community pride by attracting comment, debate, appreciation, and engagement with a place.

## **CULTURAL ISSUES**

The provision of new public artwork by a South Australian artist will continue to build the City's cultural vitality and reputation as a cultural and contemporary City.

It is well established that public art holds a significant place in society, influencing and reflecting the culture and community it emerges from. The bespoke piece of public art delivered as part of the 2026 Quadrennial Art program will further contribute to, celebrate and validate the range of cultural experiences across the City and contribute to the achievement of the *City Plan 2030* aspiration to be 'a culturally rich and diverse City, with a strong identity, history and sense of place.'

## **ENVIRONMENTAL ISSUES**

Sustainable art practices will be encouraged throughout the commission process, including encouraging, where possible, the use of eco-friendly and environmentally sustainable materials and methods and engagement of local supply chains where practical.

Acknowledging recent occurrences of artwork being damaged or stolen within the City, and the State more broadly, the selection of location(s) has considered the risk of theft or damage. Material selection considerations will be incorporated into the artist brief to further minimise the risk of theft and vandalism.

## **RESOURCE ISSUES**

Existing staff resources will be used to manage the project.

A Procurement Panel will be established comprising staff and specialist artist advisors. For non-Council members of the Quadrennial Public Artwork Procurement Panel, the National Association for the Visual Arts payment standards for panel member participation recommend a minimum fee range of \$76.78 to \$107.49 per hour. Payments will be negotiated and agreed to as part of the Panel's considerations.

## **RISK MANAGEMENT**

A Before You Dig (BYDA) report will be conducted on the preferred location to inform site consideration for inclusion in the artist expression of interest (EOI) documentation.

In addition to the terms and conditions of the Council's standard contract for services used for the engagement of an artist, the artist will be responsible for identifying and effectively managing the risks and hazards associated with the commission. A risk management plan, insurance and safe works methods statement will be required by the artist as a component of the detailed design and installation plan stage of the project.

## **CONSULTATION**

- **Elected Members**  
Elected Members will be involved at various decision making 'hold points' as part of the process..
- **Community**  
Not Applicable.
- **Staff**  
Not Applicable.
- **Other Agencies**  
Not Applicable.

## DISCUSSION

At its meeting held on 3 November 2008, the Council endorsed a framework for commissioning of the Quadrennial Public Artwork, as follows:

- Vision** To create iconic public artwork which engages, challenges, and stimulates audiences.
- The artwork will enhance the City's reputation as a place with a deep connection to its heritage and a forward-thinking approach to its future.
- Objectives** To create an artwork that will:
- Be a contemporary expression of the community's multi-dimensional nature and aspirations;
  - Be sympathetic to the City's distinct urban form and streetscape;
  - Celebrate the City's cultural identities;
  - Enhance the experience of living in, working in and visiting the City;
  - Contribute to the identity of the Council area;
  - Reflect the Council's commitment to valuing creative expression; and
  - Provide an opportunity for an established South Australian artist to produce a signature public artwork.
- Outcomes** A high-quality artwork that will:
- Add social and aesthetic value to its location;
  - Have enduring conceptual relevance;
  - Make an entry statement to the City; and
  - Raise the profile of the City of Norwood Payneham & St Peters as a community that values the arts.

## Potential locations

A significant consideration of the Quadrennial Public Artwork program relates to the identification of a preferred and suitable site. In order to progress to the preparation of an Artist's Brief for the Quadrennial Public Artwork commission, it is necessary to determine a suitable location for placement of the artwork. This is the first step in the process.

To be able to fulfil the desired Vision, Objectives and Outcomes of the Framework, the criteria proposed for assessing potential locations for the commission, it is recommended that the chosen site be of a high profile, afford easy viewing from a distance and be accessible to the community.

In addition to the aforementioned framework, the identification of potential sites has considered:

- proximity and spread of existing public artworks in the City of Norwood Payneham & St Peters;
- schedule of capital works projects, identifying opportunities for integration and or complementary outcomes to address a Council and community priority;
- proximity to other attractors;
- 'before you dig' reports to determine suitability of location, artwork footings and site access considerations;
- levels of pedestrian and vehicle traffic;
- visibility and accessibility to the public;
- potential to serve as an anchor and activate its site;
- potential for art to enhance the overall environment and experience of the site;
- ability to create a place to congregate;
- sites where artwork will not be overwhelmed or compete with the scale of existing buildings, infrastructure, or trees.

An assessment of potential sites for the fifth Quadrennial Public Artwork has been undertaken. Three sites have been selected, including:

1. Osmond Terrace (adjacent to the William Street intersection)
2. Hardman Reserve (The Parade, Fullarton Road and Flinders Street Intersection)
3. Mary MacKillop Park, Phillips Street, Kensington

As part of the preliminary location assessment, potential public art typology that are suited to the place have been identified, these typologies include:

- **Iconic:** large scale distinctive sculptures which are placed in a prominent position, allowing them to be synonymous with a particular place or community.
- **Play Friendly/ Interactive:** designed to have a high level of interaction and can include climbable, kinetic, and sensory based artworks.
- **Integrated:** artworks integrated with the built form, streetscape, or landscape, for instance, part of footpaths, walls, pillars, and fencing.
- **Functional:** artworks that serve a functional purpose as well as being a work of art, includes, bespoke public seating, shade structures, water fountains and bike racks.

An overview of the assessment of each location is outlined, in order of preference, is set out below:

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**1. Potential Location**      Hardman Reserve (The Parade, Fullarton Road and Flinders Street Intersection)

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**Image**



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**Typology**

- Iconic
  - Interactive/Play friendly
  - Integrated
  - Functional elements
-



<b>Opportunities</b>	<ul style="list-style-type: none"> <li>• Prominent gateway to the City, major thoroughfare.</li> <li>• Excellent landmark.</li> <li>• Proximity to both The Parade and Kent Town, act as a connector between these areas.</li> <li>• The small Council owned parcel of land on the northern side of the Parade West could also be included as part of the site with some smaller scale artworks to create a connection across the intersection.</li> <li>• Audience are pedestrians, motorists, visitors, residents.</li> <li>• Could work in conjunction with The Parade upgrade.</li> <li>• Artwork could be a stimulus for the upgrade/ features of the artwork could inspire/influence design elements of the upgrade.</li> </ul>
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<b>Artwork outcomes</b>	<ul style="list-style-type: none"> <li>• Interaction and engagement – busy intersection with high levels of pedestrians, cars, visitors, and residents.</li> <li>• Large scale artwork with potential for small scale works along southern pathway/in amongst landscaping to create human scaled artworks to discover.</li> <li>• Regular shaded pedestrian path, connecting Fullarton Road to The Parade West and Flinders Street, therefore, beautifying and encouraging pedestrians to use this safe route option.</li> <li>• A highly visible landmark entry statement, raising the profile of the City as a community that values the arts.</li> </ul>
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<b>Location considerations</b>	<ul style="list-style-type: none"> <li>• Some height limitations under the trees at the Southern end of the site.</li> <li>• Before You Dig (BYDA) report, no obvious limitations to installations.</li> <li>• Flexible site offering various public art typologies.</li> <li>• Will require an additional interface with the Department of Transport and Infrastructure as it has care and control of all roads surrounding the Reserve.</li> </ul>
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<b>Rationale</b>	Site previously identified as part of the Quadrennial Public Artwork 2022. Cited that this location was not pedestrian friendly, however there is a pathway in the southern corner of the reserve which is used regularly by pedestrians.
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<b>Summary</b>	<p>This location is recommended for the fifth Quadrennial Public Artwork Commission.</p> <p>Timing the artwork design prior to implementation of The Parade Masterplan, presents an opportunity for elements, cues, colours, materials, artwork themes of the commissioned piece to be integrated into the streetscape design. Creating a cohesive connection between the gateway location and The Parade streetscape. Expanding the impact of the artwork.</p>
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<b>2. Potential Location</b>	Mary MacKillop Park, Phillips Street, Kensington
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<b>Typology</b>	<ul style="list-style-type: none"> <li>• Interactive/Play friendly</li> <li>• Integrated</li> <li>• Functional elements</li> </ul>
<b>Opportunities</b>	<ul style="list-style-type: none"> <li>• Create an interactive and play friendly artwork for current parents and children that meet at this location to play on the lawn area. The café, High Street Café, currently put out toys and interactive games for groups of parents and children.</li> <li>• Proximity to other attractors, including café, Norwood Swimming Pool, Mary MacKillop college and museum. Creating a great place to visit with multiple things to do and reasons to linger.</li> <li>• Neighbourhood scale, creating an interactive meeting spot for residents.</li> </ul>
<b>Artwork outcomes</b>	<ul style="list-style-type: none"> <li>• Unique play friendly offering in our City, different from anything that currently exists.</li> <li>• Positioning interactive and play friendly artworks where the location has already been tested and embraced by the community through temporary play equipment, therefore well suited for permanent play friendly infrastructure.</li> <li>• Ability to create a place to congregate.</li> </ul>
<b>Location considerations</b>	<ul style="list-style-type: none"> <li>• Safe and age-appropriate play friendly artwork and surrounds, e.g. soft ground cover underneath climbing elements.</li> <li>• Not in prominent location, low street visibility, visible only by pedestrians, students and visitors to the pool, café and school and carparks.</li> </ul>
<b>Rationale</b>	<ul style="list-style-type: none"> <li>• To introduce play friendly and interactive artworks into our public art program.</li> <li>• Add value and support community gathering places.</li> </ul>
<b>Summary</b>	Whilst this site provides a unique opportunity, it is not as strongly aligned with the Councils current strategic priorities and planned projects as the recommended site.

**3. Potential Location** Osmond Terrace (adjacent to the William Street intersection)



<b>Typology</b>	<ul style="list-style-type: none"> <li>• Iconic</li> <li>• Functional elements</li> </ul>
<b>Opportunities</b>	<ul style="list-style-type: none"> <li>• Major boulevard streetscape within the City.</li> </ul>

- Proximity to ‘Spectrum’ by Craige Andrae (the first commissioned Quadrennial Major Public Artwork).
- Close to The Parade.
- Potential to create ‘Sculpture Boulevard’ along Osmond Terrace.
- High visibility, pedestrians, cars, visitors, residents.

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**Artwork outcomes**

- Amenity, provide a high-quality boulevard.
- Provides for interaction with pedestrians given the width of median. Interaction & engagement – pedestrians, cars, visitors, residents etc.
- Large scale.

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**Location considerations**

- No height restrictions.
- Ground can support footings for large scale sculptural works.
- 360° view of artwork.
- Safe access to view work.

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**Rationale**

- Site previously identified as place of potential for the 2022 Quadrennial Art Public Artwork.
- Potential to leverage proximity to local businesses and schools to increase public engagement of visitors and young people.

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**Summary**

To achieve a ‘Sculpture Boulevard’ a commitment to install future large scale sculpture artworks would be required, therefore, reducing the scope to spread artwork across the City.

In this regard, it is recommended that further consideration of the site is only effected where there is a commitment to transform Osmond Terrace into a ‘Sculpture Boulevard’.

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### **Quadrennial Public Artwork Selection**

A Quadrennial Public Artwork Procurement Panel will be established to support the Quadrennial Public Artwork program. The Panel would be responsible for assessing all responses to an Expression of Interest process in accordance with the Council’s procurement guidelines.

Arts South Australia, Public Art Commissioning Guidelines, encourage the involvement of highly regarded sector professionals to participate in the selection of artists/public art. These Guidelines will be considered in the composition of the Procurement Panel membership.

### **OPTIONS**

Consideration has been given to sites for the Quadrennial Public Artwork across the City. In respect to the location of the Artwork, the Council has the following options:

- a) approve Hardman Reserve as the recommended site; or
- b) approve one of the other two assessed sites (i.e. Mary McKillop Reserve or Osmond Terrace); or
- c) identify an alternate site(s) for consideration.

## CONCLUSION

Hardman Reserve, Kent Town has been assessed as the preferred site for the fifth Quadrennial Public Artwork. This location offers a high-level of visibility, exposure and context and will enable the community to access and view the artwork from a distance and in close proximity. It will present as an excellent entrance statement to the City. The small Council owned reserve on the northern side of The Parade West could also be included as part of the site, creating a greater opportunity to extend the artwork, forming a connection across the intersection, and reinforcing the concept of a formidable entrance to the City (budget permitting).

In addition, opportunity exists to align this project with The Parade upgrade and provide opportunities to bring design elements into the upgrade which are inspired/influenced by the artwork.

Subject to the Council's approval, adoption of the preferred site will enable progression of a procurement process to support delivery of the Artwork during 2025-2026.

## COMMENTS

Nil.

## RECOMMENDATION

That the Council:

1. Notes that the Council's *Public Art Policy 2023* will be updated to reflect alternate funding mechanisms as part of the Policy's review process.
  2. Endorses the fifth Quadrennial Public Artwork being installed at Hardman Reserve, Kent Town.
- 

Cr Granozio left the meeting at 9.37pm.

Cr Granozio returned to the meeting at 9.37pm.

Cr Sims left the meeting at 9.47pm.

Cr Sims returned to the meeting at 9.48pm.

Cr Robinson left the meeting at 9.50pm.

Cr Robinson returned to the meeting at 9.52pm.

*Cr Sims moved:*

*That the Council:*

1. *Notes that the Council's Public Art Policy 2023 will be updated to reflect alternate funding mechanisms as part of the Policy's review process.*
2. *Endorses the fifth Quadrennial Public Artwork being installed at Hardman Reserve, Kent Town.*

*Seconded by Cr Moorhouse and lost.*

## Division

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

*Those in favour:*

*Cr Piggott, Cr Robinson, Cr Sims, Cr Clutterham and Cr Moorhouse.*

*Those against:*

*Cr Whittington, Cr Holfeld, Cr Knoblauch, Cr Duke, Cr Granozio, Cr McFarlane, Cr Mex and Cr Callisto.*

*The Mayor declared the motion lost.*

*Cr Duke moved:*

*That the Council:*

- 1. Notes that the Council's Public Art Policy 2023, will be updated to reflect alternate funding mechanisms as part of the Policy's review process.*
- 2. Endorses the fifth Quadrennial Public Artwork being installed at Osmond Terrace Norwood.*

*Seconded by Cr McFarlane.*

Formal Motion

*Cr Robinson moved:*

*That this matter be adjourned to the March 2025 Council meeting, to allow staff to investigate other potential locations for the Council's consideration.*

*Seconded by Cr Sims and lost.*

*The original motion was put and carried.*

## 13.6 APPOINTMENT TO THE BOARD OF THE EASTERN HEALTH AUTHORITY INCORPORATED

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**REPORT AUTHOR:** General Manager, Governance & Civic Affairs  
**GENERAL MANAGER:** Chief Executive Officer  
**CONTACT NUMBER:** 8366 4549  
**FILE REFERENCE:** qA88432  
**ATTACHMENTS:** Nil

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### PURPOSE OF REPORT

The purpose of the report is to seek the Council's appointment to the Board of the Eastern Health Authority (EHA).

### BACKGROUND

The Eastern Health Authority (EHA), provides public and environmental health services on behalf of its Constituent Councils namely, the City of Norwood Payneham & St Peters, City of Burnside, Campbelltown City Council, the City of Prospect and the Corporation of the Town of Walkerville.

EHA ensures that its Constituent Councils are meeting their legislative responsibilities, which relate to Environmental Health and are mandated in a number of pieces of legislation, the most relevant of these being the *SA Public Health Act 2011*, the *Food Act 2001* and the *Supported Residential Facilities Act 1992*.

The EHA Board of Management is responsible for oversight of the Authorities' activities and ensuring that EHA acts in accordance with its Charter.

Clause 2.2 of the Eastern Health Authority Charter, sets out that each Constituent Council must appoint:

- (a) *one elected member; and*
- (b) *one other person who may be an officer, employee or elected member of that Constituent Council or an independent person, to be Board members and may at any time revoke these appointments and appoint other persons on behalf of that Constituent Council.*

The EHA Charter does not require the appointment of Deputies to act in place of the Board Members of the EHA Board of Management.

The Board meets a minimum of six (6) times a year and all meetings are held at EHA which is located at 101 Payneham Road, St Peters, with meetings usually commencing at 6.30pm.

Board Meetings have been scheduled for 2023 as follows:

- 19 February 2025;
- 5 March 2025;
- 14 May 2025;
- 25 June 2025;
- 27 August 2025; and
- 19 November 2025.

In accordance with the Eastern Health Authority's Charter, the term of appointment to the Eastern Health Authority Board of Management is for a period of two (2) years.

At its meeting held in January 2023, the Council appointed Councillors Sue Whittington and Kester Moorhouse as the Council's appointees to the EHA Board.

Cr Whittington has served as this Council's Member of the EHA Board of Management for over 24 years and served as the Chair of the Board for 12 years.

Cr Whittington has advised that she does not wish to be re-appointed to the Board.

Cr Moorhouse has advised that he would like to continue as this Council's representative on the EHA Board of Management.

### **RELEVANT POLICIES & STRATEGIC DIRECTIONS**

Not Applicable.

### **FINANCIAL AND BUDGET IMPLICATIONS**

As no sitting fees are payable to Board Members there are no financial implications associated with this matter.

### **RECOMMENDATION**

That Councillor \_\_\_\_\_ and Councillor \_\_\_\_\_ be appointed to the Board of the Eastern Health Authority Board for a term of two (2) years.

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Cr Mex left the meeting at 10.08pm.

Cr Mex returned the meeting at 10.08pm.

Cr Sims left the meeting at 10.11pm.

Cr Sims returned to the meeting at 10.11pm.

### Call for Nominations

The Mayor called for nominations for the two (2) Councillors to be appointed to the *Board of the Eastern Health Authority Board*. The following three (3) Councillors were nominated.

- Cr Kester Moorhouse;
- Cr Connie Granozio; and
- Cr Scott Sims.

### Voting by Secret Ballot

Voting by secret ballot was conducted with the counting of votes undertaken by the General Manager, Governance & Civic Affairs.

### Completion of Counting of Votes

The votes were counted and the results were declared to the Council as follows:

- Cr Kester Moorhouse (12 votes)
- Cr Connie Granozio (8 votes)
- Cr Scott Sims (6 votes).

*Cr McFarlane moved:*

*That Cr Kester Moorhouse and Cr Connie Granozio be appointed to the Board of the Eastern Health Authority Board for a term of two (2) years.*

*Seconded by Cr Robinson and carried unanimously.*

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## 13.7 APPOINTMENT TO THE BOARD OF ERA WATER

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**REPORT AUTHOR:** General Manager, Governance & Civic Affairs  
**GENERAL MANAGER:** Not Applicable  
**CONTACT NUMBER:** 8366 4549  
**FILE REFERENCE:** qA59949  
**ATTACHMENTS:** Nil

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### PURPOSE OF REPORT

The purpose of this report is to seek the Council's appointments to the Board of ERA Water.

### BACKGROUND

ERA Water is a Regional Subsidiary which has been established pursuant to the provisions of Section 43 of the *Local Government Act 1999*. ERA Water is responsible for the operation of a stormwater reuse scheme on behalf of the Constituent Councils, which involves the harvesting and distribution of recycled stormwater to irrigate Council parks and reserves, ovals and other areas of privately controlled open spaces in the eastern suburbs.

The Constituent Councils of ERA Water are the Cities of Burnside, Norwood Payneham & St Peters and the Town of Walkerville.

Clause 3.4 of the Eastern Regional Alliance (ERA) Water Charter, sets out that the Board shall comprise of four (4) Members appointed as follows:

#### 3.4.1.1 Constituent Council Board Members

*Each Constituent Council must appoint for a maximum period of two (2) years and on such other conditions as the Constituent Council may determine one (1) person (who may be the Chief Executive Officer of that Constituent Council), to be a Board Member and may at any time terminate or revoke that appointment and appoint another person to be a Board Member;*

#### 3.4.1.2 *Independent Chairperson*

*(a) Following the receipt of a recommendation from the Chief Executive Officers of the Constituent Councils in accordance with Clause 3.4.3, the Constituent Councils must appoint a person to be a Board Member and Chairperson (not being an elected member or employee of a Constituent Council) for a maximum period of two (2) years and on such other conditions as the Constituent Councils may determine and the Constituent Councils may at any time terminate or revoke that appointment and appoint another person to be a Board Member and Chairperson.*

In addition, the Charter requires each Constituent Council to appoint a Deputy Board Member.

In accordance with ERA's Charter, the term of appointment to the ERA Board of Management is for a period of two (2) years.

At its meeting held in January 2023, the Council appointed Cr Grant Piggott as the Board Member and the Council's Chief Executive Officer as the Deputy Board Member.

Cr Piggott has advised that he would like to continue as this Council's representative on the ERA Water Board.

The Chief Executive Officer has advised that he is prepared to continue in his role as the Deputy Board Member.

ERA Water Board meetings are held bi-monthly, commencing at 8.30am at the Town of Walkerville.



## RELEVANT POLICIES & STRATEGIC DIRECTIONS

Not Applicable.

## FINANCIAL AND BUDGET IMPLICATIONS

As no sitting fees are payable to Board Members (other than the Independent Chairperson of the Board), there are no financial implications associated with this matter.

## RECOMMENDATION

1. That \_\_\_\_\_ be appointed as this Council's Board Member to the Board of ERA Water for a term of two (2) years.
  2. That \_\_\_\_\_ be appointed as this Council's Deputy Board Member to the Board of ERA Water for a term of two (2) years.
- 

Cr Whittington left the meeting at 10.17pm and did not return.

*Cr Moorhouse moved:*

*That Cr Grant Piggott be appointed as this Council's Board Member to the Board of ERA Water for a term of two (2) years.*

*Seconded Cr Knoblauch and carried unanimously.*

*Cr Duke moved:*

*That the Chief Executive Officer be appointed as this Council's Deputy Board Member to the Board of ERA Water for a term of two (2) years.*

*Seconded by Cr Knoblauch and carried unanimously.*

**14. ADOPTION OF COMMITTEE RECOMMENDATIONS**  
Nil

**15. OTHER BUSINESS**  
Nil

**16. CONFIDENTIAL REPORTS**

**16.1 TENDER SELECTION REPORT – TRINITY VALLEY STORMWATER DRAINAGE UPGRADE  
STAGE 4, INCLUDING THE ST MORRIS RESERVE UPGRADE**

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**RECOMMENDATION 1**

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

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

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

**RECOMMENDATION 2**

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

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

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*Cr Holfeld moved:*

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

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

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

*Seconded by Cr Callisto and carried unanimously.*

*Cr Duke moved:*

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

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

*Seconded by Cr Robinson and carried unanimously.*

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## 16.2 STAFF RELATED MATTER

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### RECOMMENDATION 1

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

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

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

### RECOMMENDATION 2

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

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*Cr Knoblauch moved:*

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

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

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

*Seconded by Cr Duke and carried unanimously.*

*Cr Knoblauch moved:*

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

*Seconded by Cr Robinson and carried unanimously.*

**17. CLOSURE**

There being no further business, the Mayor declared the meeting closed at 10.24pm.

\_\_\_\_\_  
**Mayor Robert Bria**

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