

His Worship the Mayor
Councillors
CITY OF MARION



**NOTICE OF
GENERAL COUNCIL MEETING**

Notice is hereby given pursuant to the provisions under Section 83 of the Local Government Act 1999 that a General Council meeting will be held

Tuesday 11 August 2015

Commencing at 7.00 p.m.

In the Council Chamber

Council Administration Centre

245 Sturt Road, Sturt

A copy of the Agenda for this meeting is attached in accordance with Section 83 of the Act.

Meetings of the Council are open to the public and interested members of this community are welcome to attend. Access to the Council Chamber is via the main entrance to the Administration building on Sturt Road, Sturt.

A handwritten signature in black ink, appearing to read "Geoff Whitbread", is written over a light blue circular stamp.

Geoff Whitbread
ACTING CHIEF EXECUTIVE OFFICER

6 August 2015

**CITY OF MARION
GENERAL COUNCIL AGENDA
FOR MEETING TO BE HELD ON
TUESDAY 11 AUGUST 2015
COMMENCING AT 7.00PM**



1. OPEN MEETING

2. KAURNA ACKNOWLEDGEMENT

We acknowledge the Kaurna people, the traditional custodians of this land and pay our respects to their elders past and present.

3. DISCLOSURE

All persons in attendance are advised that the audio of this General Council meeting will be recorded and will be made available on the City of Marion website.

4. ELECTED MEMBER'S DECLARATION OF INTEREST (if any)

5. CONFIRMATION OF MINUTES

Confirmation of the Minutes for the General Council meeting held on
28 July 2015.....5

6. ADJOURNED ITEMS

Hallett Cove Foreshore Master Plan Staging & Implementation
GC110815R0120

7. YOUTH ADVISORY COMMITTEE (YAC) UPDATE

Nil

8. DEPUTATIONS

Nil

9. PETITIONS

Nil

10. COMMITTEE RECOMMENDATIONS

Nil

11. CORPORATE REPORTS FOR DECISION

Marion Outdoor Pool LED Sign	
GC110815R02	39
LGFA Appointment of Council Rep and Nominations for Board	
GC110815R03	43

12. CORPORATE REPORTS FOR INFORMATION/NOTING

NIL

MATTERS RAISED BY MEMBERS

13. Questions with Notice

Elected Member Expense, Benefits, Support and facilities Policy	
GC110815Q01	48
Compliance Operations	
GC110815Q02	49
City of Marion Volunteer Program Annual Report	
GC110815Q03	51

14. Motions with Notice

Police Clearance	
GC110815M01	53
Cost Sharing with Councils	
GC110815M02	54
LGA Membership	
GC110815M03	58

15. Presentation / Discussion Items

Department of Planning, Transport and Infrastructure (DPTI) Presentation	
GC110815R04	67
Crown Development – Removal and Major Pruning of Regulated and Significant (Regulated) Trees	
GC110815R05	69

15. Questions without Notice

16. Motions without Notice

17. CONFIDENTIAL ITEMS

Investigation	
GC110815F01.....	113

19. LATE ITEMS

20. MEETING CLOSURE

Council shall conclude on or before 10.00pm unless there is a specific motion adopted at the meeting to continue beyond that time.

**MINUTES OF THE GENERAL COUNCIL MEETING
HELD AT ADMINISTRATION CENTRE
245 STURT ROAD, STURT
ON TUESDAY 28 JULY 2015**



PRESENT

His Worship the Mayor Kris Hanna

Councillors

Coastal Ward

Ian Crossland

Mullawirra Ward

Jason Veliskou

Southern Hills

Nick Westwood

Warracowie Ward

Bruce Hull
Nathan Prior

Warriparinga Ward

Luke Hutchinson
Raelene Telfer

Woodlands Ward

Nick Kerry
Tim Pfeiffer

In Attendance

Mr Geoff Whitbread
Ms Kathy Jarrett
Ms Abby Dickson
Ms Kate McKenzie
Ms Jaimie Thwaites

Acting CEO
Director
Acting Director
Manager Governance
Unit Manager Council Support

COMMENCEMENT

The meeting commenced at 7.01pm.

KAURNA ACKNOWLEDGEMENT

We acknowledge the Kaurna people, the traditional custodians of this land and pay our respects to their elders past and present.

DISCLOSURE

All persons in attendance are advised that the audio of this General Council meeting will be recorded and will be made available on the City of Marion website.

MEMBERS DECLARATION OF INTEREST

The Chair asked if any Member wished to disclose an interest in relation to any item being considered at the meeting and the following declaration was made:

- Councillor Pfeiffer declared a conflict of interest in the item *Contamination Lead Agency* (GC280715M01)

CONFIRMATION OF MINUTES

Moved Councillor Telfer, Seconded Councillor Hutchinson that the minutes of the General Council meeting held on 14 July be taken as read and confirmed.

Carried

ADJOURNED ITEMS

Adjourned Item, Dogs By-Law Amendment
Report Reference: GC280715R01

Moved Councillor Prior, Seconded Councillor Telfer that the item be adjourned until following the Grants Commission presentation.

Carried

Contamination Lead Agency
Report Reference: GC280715M01

Councillor Pfeiffer declared a conflict of interest in the matter as he has a professional relationship with one of the presenters and left the meeting.

7.05pm Councillor Pfeiffer left the meeting

Mr Tim Saul (Manager Stakeholder Engagement) and Professor Andrew Pruszinski (Manager Site Contamination) from the EPA gave a presentation to Council on the Environmental Assessment work at Clovelly Park and Mitchell Park.

Moved Councillor Hull, Seconded Councillor Kerry that Council formally lodge an urgent objection in writing to the Premier in relation to the appointment of Renewal SA as the lead agency responsible for investigations, testing and defining the nature/extent of contamination to the north and west of the Tonsley site. That Council advises the Premier that we believe that the EPA is the most appropriate statutory authority to be the lead agency to undertake this important environmental responsibility and NOT the developer of the site being Renewal SA.

Lost

Councillor Hull called for a division
For: Councillors Kerry, Hull and Crossland
Against: Councillors Telfer, Hutchinson, Prior, Westwood and Veliskou

Lost

7.37pm Councillor Veliskou left the meeting
7.38pm Councillor Pfeiffer re-entered the meeting
7.38pm Councillor Veliskou re-entered the meeting

WORKSHOP / PRESENTATION ITEMS

South Australian Grants Commission Report Reference: GC280715R02

Ms Mary Patetsos (Chair), Ms Jane Gascoigne (Commissioner) and Peter Ilee (Executive Officer) from the South Australian Grants Commission gave a presentation to the Council about the Grants Commission.

8.06pm Councillor Hutchinson left the meeting

Moved Councillor Prior, Seconded Councillor Hull that Council:

1. Note the presentation and report.

Carried Unanimously

8.08pm Councillor Hutchinson re-entered this meeting

COMMUNICATION - HIS WORSHIP THE MAYOR

Report on Mayoral Activities for June and July 2015

Date	Event	Comment
2 July 15	City of Marion Youth Forum	Attend and Opened the Event
3 July 15	Australian Refugee Association Exhibition Opening	Attended
4 July 15	Ramadan Dinner (Muslim Women's Association)	Attended
8 July 15	Metropolitan Local Government Group (MLGG) Meeting	Attended
9 July 15	Channel 9 Renovation Rescue Reveal	Attended and Welcomed the Family
10 July 15	Gallery M Exhibition Opening	Attended
10 July 15	Sturt Pistol Club Committee Dinner	Attended after meal
15 July 15	Siemens Tonsley Service Centre Opening	Attended
15 July 15	Marion Historical Society Meeting	Attended
15 July 15	Rajah Street Project Parks & Leisure Award Celebration	Attended and gave speech

15 July 15	Marino Residents Association Public Community Meeting "Meet your Mayors"	Attended, gave a speech and participated in question time
20 July 15	Mayors Multicultural Forum	Attended
21 July 15	Meeting with Joanne Cys Edmonds to discuss EU Centre Funding for "Welcome to Australia" studies	Attended
21 July 15	Meeting with Mondona Rafizadeh re One World LED	Attended
22 July 15	Christmas in July with Active Elders (Lunch)	Attended
22 July 15	Elected Members Tour of Cove Civic Centre	Attended
22 July 15	Glandore Laneways On-site Meeting	Attended
23 July 15	Unsung Heroes Award Presentation Night	Attended
In addition the Mayor has met with residents and also with the CEO and Council staff regarding various issues.		

Moved Councillor Pfeiffer, Seconded Councillor Hutchinson that the report by the Mayor be received.

Carried Unanimously

COMMUNICATION – DEPUTY MAYOR

Report on Deputy Mayoral Activities for June and July 2015

Date	Event	Comment
26 June 15	Community Grants Cheque Presentation Ceremony	Attended

Moved Councillor Pfeiffer, Seconded Councillor Hutchinson that the report by the Deputy Mayor be received.

Carried Unanimously

COMMUNICATION – ELECTED MEMBERS

Councillor Ian Crossland
File No. 9.33.3.30

Nil

Councillor Tim Gard
File No. 9.33.3.31

Nil

Councillor Jerome Appleby
File No. 9.33.3.20

Nil

Councillor Jason Veliskou
File No. 9.33.3.17

Nil

Councillor Janet Byram
File No. 9.33.3.34

Nil

Councillor Nick Westwood
File No. 9.33.3.35
Nil

Councillor Bruce Hull
File No. 9.33.3.27

Nil

Councillor Nathan Prior
File No. 9.33.3.29

Nil

Councillor Luke Hutchinson
File No. 9.33.3.24

Nil

Councillor Raelene Telfer
File No. 9.33.3.33

Date	Event	Comment
29 June 15	Community grants cheque presentation	Awarded winners
7 July 15	Warriparinga Ward briefing	Attended
21 July 15	Customer Event System	Training
22 July 15	Cove Civic Tour	Training
23 July 15	MHV Project Group	Liaison
23 July 15	Darlington Expressway Community Advocacy	
23 July 15	Unsung Heroes Awards	Met recipients
24 July 15	RSL Marion Christmas in July	Participant
25 July 15	Citizenship Ceremony	Attended Session 1 and 3
26 July 15	Friends of Sturt River Landcare	Planted

Councillor Nick Kerry
File No. 9.33.3.32

Nil

Councillor Tim Pfeiffer
File No. 9.33.3.22

Nil

Moved Councillor Pfeiffer, Seconded Councillor Hutchinson that the Elected Member Communication Reports be received.

Carried Unanimously

COMMUNICATION – CEO AND EXECUTIVE REPORTS

Report on CEO and Executive Activities for June and July 2015

Date	Activity	Attended by	Comments
25 June	Meeting with Mark Booth; Chair Southern Region Waste Resource Authority	Geoff Whitbread	
6 July	Community Consultation Marion Outdoor Swim Centre Master Plan	Abby Dickson	
08 July	Meeting with Mark Pears; CEO City of Mitcham	Geoff Whitbread	
15 July	Meeting with Luigi Rossi; DPTI General Manager Project Delivery and Asset Management and George Giannakodakis; Principal InfraPlan	Geoff Whitbread	
17 July	Meeting with David Banks; Director of Building and Properties Flinders University and Matt Pears; CEO City of Mitcham	Geoff Whitbread	

Moved Councillor Pfeiffer, Seconded Councillor Hutchinson that the report by the CEO and Executive be received.

Carried Unanimously

Adjourned Item, Dogs By-Law Amendment
Report Reference: GC280715R01

Adjourned Motion:

Moved Councillor Hutchinson, Seconded Councillor Gard that Council:

1. Acknowledges its commitment to:
 - a. public safety and an environment in which community members can traverse streets and use public places free of canine nuisance;
 - b. alleviating the escalating public concern of canines being a danger to others; and
 - c. responsible animal ownership and its inherent link to living harmoniously in the City of Marion.
2. Requests that administration identify a list of “Dog Exercise Areas” as described through the “Dogs By-Law”, with a list to be approved by council at 28 July 2015 General Council Meeting and subsequently published to the community.
3. Amends section 5 “Dogs on Leash Areas” of the City of Marion “Dogs By-Law” to simply state:
“A person must not allow a dog that is under their control or ownership to be present in any public place unless the dog is secured by a strong leash not exceeding 2 metres in length which is either tethered securely to a fixed object capable of securing the dog or held by a person capable of controlling the dog and preventing it from being a nuisance or a danger to other persons.”
4. Asks administration to take a zero tolerance approach to animal management enforcement, particularly where dogs are found in a public place without a leash. (Wandering at large).
5. Doubles the financial penalty for person’s breaching the “Dog on Leash Areas” and where an owner fails to register a dog.
6. Undertakes an educative campaign, to be included in the next edition of City Limits.
7. Continues its program to educate and encourage owners to microchip canines via discounted registration fees.

The Mover sought and was granted leave of the meeting to vary the motion and the Chair called for a new seconder in the absence of the original Seconder as follows:

Moved Councillor Hutchinson, Seconded Councillor Westwood that Council:

1. Require Administration prepare a report on:
 - a. suitable “Dog Exercise Areas”, where dogs maybe exercised off leash; the report include recommendations on whether time restrictions are appropriate; And
 - b. potential dog free spaces, where if at all, it might be appropriate to prohibit dogs.

The report be presented to council for consideration in 3 months time.

2. Subject to the outcomes of the report provided in October commence the process to amend the Dog By-Law in order to nominate a list of reserves and public spaces that are considered appropriate for “Dog Exercise Areas” (Dog Off Leash Areas)

Carried Unanimously

YOUTH ADVISORY COMMITTEE (YAC) UPDATE

Nil

DEPUTATIONS

Nil

PETITIONS

Nil

COMMITTEE RECOMMENDATIONS

Nil

CORPORATE REPORTS FOR DECISION

Crown Development – Removal and Major Pruning of Regulated and Significant (Regulated) Trees

Report Reference: GC280715R03

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. Council notes the report GC280719R03.
2. To enable Council to appropriately respond to the application, that the applicant (the Department of Planning, Transport and Infrastructure) meets as soon as practicable with the Elected Council at a forum to inform (with all appropriate documentation including maps) and discuss this development application.
3. In order to seek additional information from the applicant, that Council requests an extension of time beyond the closing date of 21 August 2015 to provide a formal response under Section 49(7a) of the Development Act 1993.

Councillor Telfer, with the consent of Councillor Pfeiffer, sought and was granted leave of the meeting to vary the motion as follows:

1. Council notes the report GC280719R03.
2. To enable Council to appropriately respond to the application, that the applicant (the Department of Planning, Transport and Infrastructure) meets as soon as practicable with the Elected Council to inform (with all appropriate documentation including maps) and discuss this development application.
3. In order to seek additional information from the applicant, that Council requests an extension of time beyond the closing date of 21 August 2015 to provide a formal response under Section

49(7a) of the Development Act 1993.

Carried Unanimously

Hallett Cove Foreshore Master Plan Staging & Implementation
Report Reference: GC280715R04

Moved Councillor Crossland, Seconded Councillor Westwood that Council:

1. Provide endorsement to proceed with detailed design and planning of the play space, reserve works and amphitheatre (stages 4 and 5) in 2016/17 utilising \$15,000 from the Asset Sustainability Fund for engineering services.
2. Provide endorsement to proceed with the stormwater civil works related to the Hallett Cove Foreshore Master Plan within the 2016/17 capital works program.
3. Provide endorsement to submit a grant funding application to DPTI Open Space (2015/16 grant application) or similar opportunities leveraging the funding for the programmed 2016/17 storm water civil works of \$398,000 in addition to the allocation for Stage 4 of \$293,000 from the Asset Sustainability Fund.
4. Note that future and remaining master plan stages will remain in the identified unfunded strategic priorities project list for further consideration.

Moved Councillor Hull, Seconded Councillor Kerry that the item be adjourned until the 11 August 2015 General Council meeting.

Carried

Oaklands Inclusive Playspace
Report Reference: GC280715R05

Moved Councillor Veliskou, Seconded Councillor Hull that Council:

1. Endorses the relocation of the Inclusive playspace to Hendrie Street Reserve and authorises Administration to undertake discussions with the project funding partners, Department of Planning Transport & Infrastructure (DPTI) and Touched by Olivia Foundation (TBOF) and negotiate any necessary amendments to the funding agreement (DPTI) and Memorandum of Understanding (TBOF) to reflect the changes in project location and timing.
2. Reallocate the \$250,000 within the Playspace Strategy for Oaklands Estate Reserve to the Hendrie Street Reserve (Swimming Pool Reserve) Playspace for the provision of an Inclusive Playspace, subject to negotiations with the funding partners.
3. Refer the future of the Oaklands Estate Reserve (including Playspace) to the Strategic Prioritisation Process for further consideration.
4. Endorse \$94,000 from the 2015/16 open space capital works program to be utilised for resources required for the Inclusive Playspace project.

8.48pm Councillor Kerry left the meeting

Carried Unanimously

Ceasing Purchase of Green Power
Report Reference: GC280715R06

8.52pm Councillor Kerry re-entered the meeting

Moved Councillor Hull, Seconded Councillor Prior that Council amend the resolution that *"the City of Marion cease purchasing "green" power for street lighting from 1 January 2017 with the savings reinvested into infrastructure that will create renewable energy"* (GC140415M04) to:

1. The City of Marion negotiate with any relevant electricity suppliers to cease purchasing all "green" power as soon as contractually possible;
2. That the achieved savings (estimated at \$39,000) be transferred to the Asset Sustainability Reserve and separately quarantined and accounted for specific reinvestment into infrastructure that will create renewable energy.
3. That the Administration actively research and alert Council to possible Grant Funding and partnership opportunities with respect to investment into infrastructure that will create renewable energy.

Carried Unanimously

Local Government (Elections) (Disclosure of Political Affiliation) Amendment Bill 2015
Report Reference: GC280715R07

Moved Councillor Veliskou, Seconded Councillor that Council:

1. Endorse the feedback to be forwarded to the Local Government Association of South Australia by 31 July 2015 regarding the draft *Local Government (Elections) (Disclosure of Political Affiliation) Amendment Bill 2015* subject to any additional feedback provided in the General Council meeting of the 28 July 2015.

The motion lapsed for want of a seconder

Moved Councillor Hull, Seconded Councillor that Council:

1. Endorse the feedback to be forwarded to the Local Government Association of South Australia by 31 July 2015 regarding the draft *Local Government (Elections) (Disclosure of Political Affiliation) Amendment Bill 2015* subject to the following amendment:

The paragraph *"Unless the political party/affiliate has paid for or provided the printing of additional election material it should not be a requirement to include a statement of the name of each political party as it may incorrectly appear they have actually endorsed it."* be removed.

The motion lapsed for want of a seconder

Elected Members' Expense, Benefit, Support & Facilities Policy

Report Reference: GC280715R08

The Mayor requested and was granted leave of the meeting to give a personal explanation in relation to the item 'Elected Members' Expense, Benefit, Support & Facilities Policy'.

'Elected Members had discussed entitlements at a recent Elected Member Forum. When the discussion regarding the Mayor's car had occurred during that forum meeting he had left the room to avoid any potential conflict of interest.'

The current policy allows for personal and civic use of the car by the Mayor. His personal view was that the Mayor should be entitled to access to a car due to the number of meetings and events the he attends across Marion and elsewhere, like the City, but that the Mayor should also contribute to some of the running costs of the vehicle (fuel, tyres, servicing). An appropriate figure may be 50% of the running costs per annum.

When reviewing the Policy he suggests it would be reasonable to include a provision that details the Mayor could contribute in the order of 50% of the running costs of the vehicle.'

Moved Councillor Hutchinson, Seconded Councillor Westwood that the personal explanation be included in the minutes.

Carried Unanimously

The Mayor declared a conflict of interest in the item as it related to the provision of Mayoral support and left the meeting.

9.17pm Mayor Hanna left the meeting

In the absence of the Mayor, Deputy Mayor Hutchinson took the Chair

Moved Councillor Telfer, Seconded Councillor Pfeiffer that Council:

1. Adopts the Elected Members' Expense, Benefits, Support and Facilities Policy as provided in Appendix 1 with the following inclusions

At Section 2.5:

- Travel related to attendance at a "prescribed meeting" being an "eligible journey" (as defined in Regulation 3), as it is attributable to travel outside the Council area, up to a maximum of \$50 or 20km per return.

At Section 2.9

- Personal use of the vehicle by the Mayor and Mayor's immediate family is permitted if the Mayor reimburses the Council. If there is no evidence to the contrary, payment of 50% of running costs incurred by Council (eg petrol, tyres, servicing) shall be deemed adequate reimbursement for the purpose of this clause.

Carried

9.36pm Mayor Hanna re-entered the meeting and resumed the Chair

CORPORATE REPORTS FOR INFORMATION / NOTING

Nil

MATTERS RAISED BY MEMBERS

Questions with Notice

Telecommunications Tower – Corner of South & Cross Roads
Report Reference: GC280715Q01

QUESTION:

The following question was asked and recorded in the Minutes of the General Council Meeting on 14 July 2015:

When will punitive action be taken in relation to the telecommunications tower located at the corner of South and Cross Roads?

COMMENTS: Steve Hooper, Manager Development Services

The following comments were recorded in the Minutes from the General Council Meeting on 14 July 2015:

Multiple communications have been forwarded to the owner and proponent seeking implementation of the agreed tower obstacle markings. This remains unresolved despite commitments to implement. Advice is now being sought on the next steps Council can take to effect the re-marking. This advice is expected to be provided in the week commencing 20 July. Following the receipt of this advice, the next steps will be considered. Elected Members will be kept informed as to progress.

FURTHER UPDATE:

At the time of preparing the advice, legal advice was yet to be received as further clarification was sought from Council's solicitors.

However, since providing the above comments, Council has received written confirmation from the owner that quotes are being received to implement the revised obstacle marking. Council has been advised that an update on these quotes will be received within 2-3 weeks.

Electricity Consumption at Buildings Owned by Council
Report Reference: GC280715Q02

QUESTION:

The following question was asked and recorded in the Minutes of the General Council Meeting on 14 July 2015:

Could details of electricity consumption at buildings owned by Council be provided including the current rate paid per kilowatt hour?

COMMENTS: Mark Gibson (Team Leader, Land & Property)

The following table provides the electricity consumption for all Council owned/occupied buildings for the 2014-15 financial year. The electricity consumption for Council owned/leased buildings has not been supplied at this point due to the Lessee being responsible for this expense. Should Council require this additional information, a request could be issued to each lessee to supply the required information.

Building	Electricity Consumption - kWh
Administration Building	484,504
Marion Cultural Centre & Library	425,035
Depot - City Services	185,822
Marion Swimming Centre	128,427
Parkholme Library	104,777
Glandore Community Centre - Malwa, Glandore, Clark, Naldera & Slade Buildings	73,874
Hallett Cove Library	70,717
Oaklands Wetlands - Pump House	45,517
Cooinda	41,808
Cove Civic Centre (Based on 3 months, Non operational)	34,405
Trott Park Neighbourhood Centre	23,799
Hallett Cove Youth Service	19,860
LKCC	19,134
Perry Barr Farm, Castrol Shed	18,679
Mitchell Park Neighbourhood Centre	15,443
Southern Depot	13,961
Glandore Community Centre - Rugby Building	5,130
Red House	5,126
Fairford House	2,056
Oaklands Wetlands - Round House	0

Council electricity is purchased under contracts established through LGA Procurement contracting processes. Given the commercial in confidence nature of these contracts, unit rates will be circulated separately to this report.

Motions with Notice

Police Clearance

Report Reference: GC280715M02

This item was deferred.

Questions without Notice

Telecommunications Tower – Corner of South & Cross Roads Report Reference: GC280715Q03

Moved Councillor Hull, Seconded Councillor Telfer that the question without notice and answer be recorded in the minutes.

Carried Unanimously

Question: Councillor Hull

As a supplementary to the Question about the phone tower, the motion that is before the administration about this, when was the deadline set for the legal action to start?

Answer: Kathy Jarrett, Director

Council received legal advice late last week which incorporated the following recommendations:

- a) obstacle marking the tower is contrary to existing development approvals but appears to have been done in good faith to comply with Federal legislation; - therefore it could not reasonably be demonstrated that the parties responsible have been criminally negligent;
- b) therefore does not recommend Council commence punitive action (criminal proceedings against any party);
- c) as an alternative, Council could take Section 85 proceedings, however, the purpose of such proceedings is to "make good" the obstacle markings so that they comply with Council's requirements - this is likely to be achieved imminently without proceeding to the court;

The owner has confirmed that they have now received all quotes in relation to the remarkings and that a contractor will be engaged shortly to undertake the remarkings.

If the revised obstacle marking is not in place within the next 2-3 weeks, Council's Solicitors will write to the owner of the tower as the first step forward in commencing Section 85 proceedings in the ERD Court.

Motions without Notice

Energy Efficiency Audit of the Administration Building Reference No: GC280715M03

Moved Councillor Hull, seconded Councillor Prior that administration prepare a report on the energy efficiency of the Council Administration Building.

Carried Unanimously

Traffic Management Audits Reference No: GC280715M04

Moved Councillor Crossland, Seconded Councillor Westwood that all traffic management audits undertaken be provided to Elected Members on a monthly basis.

9.45pm Councillor Prior left the meeting

Carried

9.47pm Councillor Prior re-entered the meeting

CONFIDENTIAL ITEMS

Nil

LATE ITEMS

Nil

CLOSURE - Meeting Declared Closed at 9.50pm.

CONFIRMED THIS 11 AUGUST 2015

.....
CHAIRPERSON

**CITY OF MARION
GENERAL COUNCIL MEETING
11 AUGUST 2015**

Originating Officer: Brett Grimm, Landscape Architect
Corporate Manager: Peter Patterson, Manager Open Space & Recreation
Director: Abby Dickson (acting)
Subject: Hallett Cove Foreshore Master Plan Staging & Implementation
Report Reference: GC110815R01

This item was adjourned at the 28 July 2015 General Council meeting.

Appendix 1 contains the original report as presented on the 28 July 2015

Appendix 2 contains additional information as requested

In accordance with the *Local Government (Procedures at Meetings) Regulations*, the debate on an adjourned item will resume and continue at the point it was adjourned. Councillors Crossland, Veliskou and Pfeiffer have already spoken to the motion.

The current motion is as follows:

Hallett Cove Foreshore Master Plan Staging & Implementation
Report Reference: GC280715R04

Moved Councillor Crossland, Seconded Councillor Westwood that Council:

1. Provide endorsement to proceed with detailed design and planning of the play space, reserve works and amphitheatre (stages 4 and 5) in 2016/17 utilising \$15,000 from the Asset Sustainability Fund for engineering services.
2. Provide endorsement to proceed with the stormwater civil works related to the Hallett Cove Foreshore Master Plan within the 2016/17 capital works program.
3. Provide endorsement to submit a grant funding application to DPTI Open Space (2015/16 grant application) or similar opportunities leveraging the funding for the programmed 2016/17 storm water civil works of \$398,000 in addition to the allocation for Stage 4 of \$293,000 from the Asset Sustainability Fund.
4. Note that future and remaining master plan stages will remain in the identified unfunded strategic priorities project list for further consideration.

Moved Councillor Hull, Seconded Councillor Kerry that the item be adjourned until the 11 August 2015 General Council meeting.

If the mover wishes to vary the current motion, they can do so with the consent of the seconder and leave of the meeting.

**CITY OF MARION
GENERAL COUNCIL MEETING
28 July 2015**

Originating Officer: Brett Grimm, Landscape Architect
Corporate Manager: Peter Patterson, Manager Open Space & Recreation
Director: Abby Dickson
Subject: Hallett Cove Foreshore Master Plan Staging & Implementation
Report Reference: GC280715R04

REPORT OBJECTIVES:

To provide a report that explores future funding options and staged implementation of the Hallett Cove Foreshore Master Plan which is achievable within existing resource allocation.

EXECUTIVE SUMMARY:

Council endorsed the Hallett Cove Foreshore Master Plan at its 25 March 2014 Council meeting (GC250314M03). In addition Council endorsed the first stage of implementation being commemorative space elements (GC080714R01). The commemorative space elements were completed April 2015.

In order to provide guidance on scope delivery and funding opportunities for the remainder of the master plan, this report outlines a practical approach to implementation and in doing so responds to the following resolutions:

Hallett Cove Foreshore
Report Reference: GC240215M03

4. *Request and work with administration to review the master plan and provide options to scale back the size of the master plan so that the redevelopment can be delivered within the provisions in the Long Term Financial Plan as well as seeking alternative funding options should such funding become available.*

Hallett Cove Foreshore Master Plan
Report Reference: GC250314M03

6. *A report be brought back to Council to explore future funding options and staging of the project.*

This report seeks endorsement to prioritise staging of works for design development which is achievable within existing resource allocation and takes into account future works programs.

RECOMMENDATIONS (4)**That Council:**

- | | |
|--|--------------|
| 1. Provide endorsement to proceed with detailed design and planning of the play space, reserve works and amphitheatre (stages 4 and 5) in 2016/17 utilising \$15,000 from Heron Way Reserve budget for engineering services. | 28 July 2015 |
| 2. Provide endorsement to proceed with the stormwater civil works related to the Hallett Cove Foreshore Master Plan within the 2016/17 capital works program. | 28 July 2015 |
| 3. Provide endorsement to submit a grant funding application to DPTI Open Space (2015/16 grant application) or similar opportunities leveraging the funding for the programmed 2016/17 storm water civil works of \$398,000 in addition to Heron Way budget allocation for Stage 4 of \$293,000. | 28 July 2015 |
| 4. Note that future and remaining master plan stages will remain in the identified unfunded strategic priorities project list for further consideration. | 28 July 2016 |

BACKGROUND:

At the General Council meeting held on 25 March 2014 (GC240314M03), Council endorsed the Hallett Cove Foreshore Master Plan resolving:

1. *Endorse the plans for Hallett Cove Beach / Heron Way Reserve*
2. *Acknowledges the Hallett Cove Coastal Management study initiated and funded by the City of Marion and Coastal Protection Board of South Australia to identify and evaluate management strategies for Marion's coastal environment and the ongoing collaboration with the board*
3. *Noted the financial commitment of the Department of Planning, Transport and Infrastructure towards the Hallett Cove Beach Master Plan*
4. *Thanks the community for their ongoing support, engagement and contribution to the plans for Hallett Cove Beach/ Heron Way Reserve and acknowledges their ownership of the plan*
5. *Investigate how commemorative elements of the plan can be delivered for the 2015 ANZAC Centenary*
6. *A report be brought back to Council to explore future funding options and staging of the project*

At the General Council Meeting on 8 July 2014 (GC080714R01) Council endorsed the development of commemorative space elements within the Hallett Cove Beach Foreshore Master plan. These works were completed in April 2015 prior to the ANZAC Centenary celebrations.

The stages of the master plan identified are;

- Stage 1 Commemorative space (complete)
- Stage 2 Dune protection
- Stage 3 Civil storm water works
- Stage 4 Reserve and play space
- Stage 5 Grand Central amphitheatre
- Stage 6 Revegetation and car park to café and parking alterations

Stages 2, 4, 5 and 6 are not subject to construction programming in numerical order. Stage 3 is required to be implemented prior to stage 4 and 5.

At the General Council meeting on 26 May 2015 (GC260515R09) council endorsed \$62,000 (2014/15 annual budget Heron Way Reserve Development project) to be able to apply for and leverage a further \$248,000 from the Coast Protection Board which seeks to complete the dune protection section of the master plan. Notification on the success or otherwise of this grant application has not been received to date.

A practical construction approach to staging of the master plan has been considered to limit impacts of having to repair new works. This approach considers the delivery of services and stormwater as a priority. The major component of this work is storm water civil works and associated works surrounding these areas impacted by excavation. In addition the existing play space was due for renewal (2011/12) and has become a maintenance issue needing constant attention, in addition to a large number of community enquiries and requests for it to be upgraded.

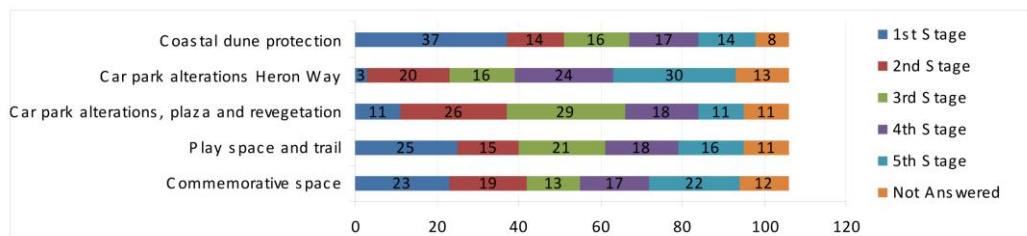
DISCUSSION:

The master plan delivers a vision for the future development of Heron Way Reserve and Grand Central Reserve to enable a staged approach of asset renewal and upgrade to occur with respect to available funding.

The master plan vision was developed in collaboration with the community. The master plan community engagement process fostered some considered outcomes that provide sustainability to the coastal environment. The final master plan report (March 2014) illustrates the findings of community engagement and suggested priorities for staging. The findings of which are outlined below;

Figure 1. Master plan consultation staging priorities.

Q3 THE MASTER PLAN IS INTENDED TO BE STAGED. CAN YOU PRIORITISE THE STAGING OF THE MASTER PLAN FROM 1 TO 5



Summary

Most respondents (37) chose coastal dune protection as the first stage for implementation, followed by the play space (25) and commemorative space (23). The following can be equated as preferences;

1. Coastal dune protection (51)
2. Commemorative space (42)
3. Play space (41)
4. Car park alterations, plaza and revegetation (37)
5. Car park alterations to Heron Way (23)

From the 2014 master plan consultation report summary, the main community priorities were identified as the coastal dune protection, commemorative space and the play space.

A grant funding application has been recently submitted to Coastal Protection Board (CPB) to complete the dune protection component of the master plan. Council is yet to receive notification on the award of any funds. If grant funding is successful works are planned to commence late 2015 subject to planning approvals. If unsuccessful this stage of works will need to be retimed and considered in the strategic prioritisation process and any future grant opportunities. The timing of stage 2 works will have no impact on subsequent proposed stages of work.

Council completed the first component of the commemorative space (April 2015), and will need to complete stormwater works prior to development of the play space due to the close proximity of required earthworks excavations and potential impacts on future works.

Table 1. Suggested staging of works (refer to Appendix 3 for illustration of stages)

Staging priorities	Rationale and development items	Suggested timing
Stage 1 Commemorative space Heron Way Reserve inclusive memorial wall	ANZAC Day celebrations 2015	Complete (2015)
Stage 2 Coastal Dune Protection	Rock revetment to access points, embankment grading stabilisation and revegetation to the dune edge	2015/16 subject to award of Coastal Protection Board grant funding application and planning approvals (GC260515R09)
Stage 3 Civil works storm water GPT and pipe works	Replacement of 1x GPT southern end of site and associated pipe work. Installation of 1x GPT within café car park and realignment of pipe work around café.	2016/17 storm water capital works program
Stage 4 Reserve and play space	The existing play space is in need of replacement with continuous maintenance requirements and overdue for renewal. The proposed stage is inclusive of; <ul style="list-style-type: none"> - Coastal trail pathway connection to the café car park - Play space climbing structures, slides, fitness equipment, water play, adventure trail - Shelter structures and shade over slides - Retaining walls - Picnic furniture and BBQ - Planting - Integrated public art 	Detailed design (2016/17) Opportunity to leverage storm water funding and Heron Way Reserve budget for DPTI Open Space grant 2015/16). Capital works (late 2016/17- 2017/18) subject to grant funding
Stage 5 Grand Central amphitheatre and toilet	Development of Grand Central Reserve and Heron Way Rd pavement. The proposed scope is inclusive of; <ul style="list-style-type: none"> - Road unit paving and new kerbing to section of Heron Way - Amphitheatre retaining walls - Paving - Feature garden beds - Planting - Irrigated turf - Integrated public art - Exeloo toilet proposed to be located adjacent commemorative space 	Detailed design (2016/17) Opportunity to leverage Heron Way Reserve budget for DPTI Open Space grant 2016/17). Capital works (late 2016/17- 2017/18) subject to grant funding
Stage 6 Revegetation and car park to café and parking alterations Heron Way	This proposed scope is inclusive of; <ul style="list-style-type: none"> - Revegetation - Pathways - Alterations to café car park with paved alfresco area - Realignment of parking on Heron Way and minor alterations to traffic medians. 	Subject to; <ul style="list-style-type: none"> -detailed design -strategic prioritisation - grant funding opportunities

Master plan scope and size

It is recommended that the scale and scope of future stages of the master plan will be considered in the detailed design phase. This will provide greater certainty to practical construction issues and opinion of whole of life cost prior to endorsement for funding, tendering and construction. Timing of detailed design phases will be subject to resource capacity and allocation.

Referring to council resolution to review the scope and scale of the master plan (GC240215M03), a recent Coastal and Southern Hills Ward briefing assisted to inform a brief to be referenced in the design development of the remaining stages of the master plan. The following dot points and Appendix 3 outline a revised brief;

- Maintain the integrity and design intent of the final master plan
- Consider increasing the area of turf to the north of the play space to enable large events such as Australia day
- Consider increasing the turf area to the west of the amphitheatre axial path on Grand Central reserve
- Consider minimising the planting areas to the north of the site
- Consider the play area to be in a consolidated space enabling a larger turf area to the north which will enable larger community events such as Australia Day to be facilitated.
- Consider the inclusion of the water sensitive urban design solution as per the master plan
- Consider whether there is a need for a sand pit
- Maintain the intent to include fitness equipment.
- Consider the extent of pathways and whether they are all needed for accessibility
- Retain the amphitheatre space and connection to Heron way Reserve

Program

Works associated to the dune protection are proposed to commence onsite in 2015/16 subject to grant funding. Storm water civil capital works are proposed to be implemented in 2016/17.

Due to current resource capacity it is intended to schedule detailed design for stages 4 and 5 in 2016/17. Upon completion of detail design stage 4 and 5 a council report will be presented outlining whole of life costs and funding availability including any success in attracting grant funding.

A detailed proposed schedule of master plan implementation is attached Appendix 1.

ANALYSIS:

Communication / Consultation

Community engagement has been an integral part of the master plan. A number of community requests have been received since the master plan was endorsed asking when the play space is to be redeveloped. Due to this asset being overdue for renewal, it is recommended that this is prioritised and staged in a practical and efficient implementation.

Internal and external stakeholder engagement will be a component of the detailed design phase and planning approvals. Community engagement is proposed to be conducted with the detailed designs of the future stages once endorsed by Council to be presented as information illustrating scope and timing of works. This information is proposed to be disseminated through local letter box drop and councils web page.

Resource Implications

Should Council endorse proceeding with Stage 4 and 5 detailed design, this project will be considered a 'new' project within Council's Strategic Asset Management Decision Making Matrix within the Asset Management Policy.

There are operating resources required to complete the Stage 4 & 5 detailed design and reporting. Currently other projects have been progressed and current human resources within the team are fully engaged in the 2015/16 program of works, hence the detailed design work is recommended to be scheduled for 2016/17.

Option 1 (Recommended)

Detailed design for stages 4 and 5 to be programmed for internal 2016/17 work area planning. The detailed design for stage 4 and 5 will require 0.8 FTE internal Landscape Architect and 0.4 FTE Recreation Planner. Under current FTE resources this will limit the availability within the team to complete other project based works for the 2016/17 works program, however this can be accommodated with some additional structural engineering services estimated at \$15,000.

Option 2

If this project is to be undertaken in 2015/16 by Council's Landscape Architect and Open Space Recreation Planner this will require 0.8FTE (Landscape Architect- \$84,000) and 0.4FTE (Rec Planner- \$42,000), and \$10,000 overheads in addition to existing capacity, with some additional structural engineering services \$15,000.

Consequently should Council wish to incorporate this project into the 2015/16 works program (\$151,000) in addition to current resource capacity will be required.

Option 3

Alternatively this work could be outsourced to a consultant team (\$109,000) to deliver the detailed design package. This will require project management from internal staff equating to approximately 0.1FTE Landscape Architect- design review (\$10,500) and 0.8FTE Recreation Planner (\$84,000). This would equate to a sum of (\$203,500).

Option 4

The option of reprioritising existing works has also been considered however 6 out of 8 current projects being undertaken with current resources have associated grant funding commitments in the 2015/16 financial year. The current programmed projects requiring planning and landscape design services in 2015/16 (in part or full) include;

- Jervois Street Reserve
- Reserve Street Reserve Dog Park
- Plympton and Edwardstown Oval Playspaces
- Southbank Boulevard Reserve Toilet Block
- Mitchell Park Oval Fitness Trail
- Oaklands Recreation Plaza
- Playspace Strategy Review

Table 2: Resource allocation options

	Resource	Estimate of cost
Option 1	Detail design works to be complete 2016/17 Internal Landscape Architecture and Rec Planning, Project Management, external engineering services	\$15,000 (External engineering) Heron Way budget allocation 2015/16
Option 2	Internal Landscape Architecture and Rec Planning, Project Management, external engineering services	\$151,000
Option 3	External Landscape Architecture and engineering with internal project management	\$203,500
Option 4	Will need to reprioritise other works Internal Landscape Architecture and Rec Planning, Project Management, external engineering services	\$15,000 (External engineering) Heron Way budget allocation 2015/16

Recommendation

Preparation of the detailed design and documentation for stages 4 and 5 is recommended to be undertaken internally 2016/17 (Option 1) due to the limited cost to council and efficiencies of internal design and project management.

Financial Implications

The original project budget for Heron Way Reserve was \$1,326,000 Following completion of Stage 1 Commemorative Space \$976,000 is available to carry over to 2015/16.

In addition Council has storm water civil works of \$398,000 programmed within Councils 2016/17 capital works LTFP.

In discussions with the Department of Planning, Transport and Infrastructure, advice has been received that the upcoming funding round will have a focus on precinct and regional play space provision. This provides additional information for consideration of the recommended proposed prioritisation of staging and implementation of the master plan.

Budget allocation Stages 3, 4 & 5

The scope and scale of the master plan has been considered. The following table 3 illustrates a proposed revised budget allocation to be referenced for detailed design.

Table 3: Design Budget

Stage	Scope	Year	Budget estimate of costs
3	Storm water civil works	2016/17	\$398,035
4	Detailed design (engineering costs)	2016/17	\$7,500
4	Proposed budget Stage 4 implementation - Play space \$385,000 - Turf repairs and irrigation \$42,500 - Ephemeral swale landscaping \$82,500 - Reserve amenities shelter, paths \$384,500 - Contingency (10%) \$89,450	Proposed works 2017/18 subject to grant funding success	\$983,950
4	Original Master Plan Stage 4 Opinion of Cost		\$1,564,250
4	Proposed budget savings from master plan opinion of cost		\$580,300
5	Detailed design (engineering costs)	2016/17	\$7,500
	Proposed budget stage 5 implementation -Demolition \$51,000 -Amphitheatre earthworks and walls \$154,000 -Paving road and paths \$376,800 -Irrigated turf \$62,500 -Planting \$30,000 -Amenities (toilet) \$161,800 -Contingency (10%) \$83,610	Proposed works 2017/18 subject to grant funding success	\$919,710
5	Original Master Plan Stage 5 Opinion of Cost		\$942,841
5	Proposed budget savings from master plan opinion of cost		\$23,131

*Estimate of Whole of life is provided appendix 4. This is to be confirmed and reported at completion of detailed design

With reference to the proposed budget for Stage 2, 3, 4 and 5 the following table 4 illustrates a proposed funding option for implementation. This would require up to \$829,813 to be allocated from the available Heron Way Reserve project budget (\$975,930). In addition it will require storm water civil works to be completed within the 2016/17 capital works storm water budget (\$398,035) and successful DPTI grant applications for 2015/16 for (\$690,993) and future grant for (\$459,885).

Table 4: Funding options

Stage	Scope	Funding options	Year	Grant Funding Required	CoM
Stage 2 Dune Protection					
2	Capital works	Heron Way Reserve LTFP budget allocation (GC250515R09)	2015/16		\$62,000
2	Capital works	Coastal Protection Board (Not confirmed to date)	2015/16	CPB \$248,000	
Stage 3 Storm water civil works					
3	Capital works	Storm water civil capital works budget 2016/17	2016/17		\$398,035
Stage 4 and 5 Play space, Reserve and Amphitheatre					
4	Capital works	Future DPTI grant fund application	2015/16	DPTI \$690,993	
4 & 5	Detailed design	Heron Way Reserve budget allocation	2016/17		\$15,000
4	Capital works	Heron Way Reserve budget allocation	Late 2016/17		\$292,958
5	Capital works	Council report to seek endorsement to submit Future DPTI grant fund application	2016/17	DPTI \$459,855	
5	Capital works	Heron Way Reserve budget allocation	2017/18		\$459,855
Total				\$1,398,848	\$1,227,848
Existing CoM budget allocation -Heron Way (\$975,930) -Civil storm water (\$398,035)					\$1,373,965
Stage 6	Revegetation and car park to café and parking alterations Subject to strategic prioritisation process				Remaining Heron Way Reserve budget allocation \$146,117

On completion of stages 4 and 5 it is currently estimated that there will be an increase in annual maintenance and operating costs of \$72,260 pa requiring consideration for the Long Term Financial Plan. Current estimates of whole of life costs for stages 4 and 5 of the project are provided (Refer Appendix 4). These costs will be further refined on completion of the detailed design for stages 4 and 5. The changes to the Long Term Financial Plan will need to be considered for the 2018/19 financial year onwards including an annual increase of \$113,584 for ongoing operational, maintenance and depreciation/renewal costs which includes replacement costs for like for like assets.

CONCLUSION

This report provides recommendations on staging of works which align with practicalities of construction, opportunities for grant funding and resource considerations. It is proposed that dune coastal protection works will commence late 2015 subject to grant funding from Coastal Protection Board and planning approvals.

The next stage of works required is the subterranean stormwater civil works (Stage 3). This has been identified within the 2016/17 stormwater capital works program. Detailed design work has been completed for the stormwater part of the project. It is proposed that council apply for DPTI Open Space Grant funding at the end of 2015/early 2016 (next available opportunity) leveraging the stormwater capital works budget allocation (\$398,000) and the proposed Stage 4 allocation (\$293,000) Heron Way Reserve project budget allocation.

Consequently it is proposed to complete Stage 4 and 5 detailed design for the play space and associated landscape reserve amenities in 2016/17 and apply for grant funding for Stage 4. Subject to the success of attracting grant funding and council endorsement it is proposed to construct Stage 4 and apply for future grant opportunities stage 5 (late 2016/17- early 2017/18).

Future stages of the master plan will be subject to strategic prioritisation and funding availability.

Appendix 1: Proposed program and flow chart

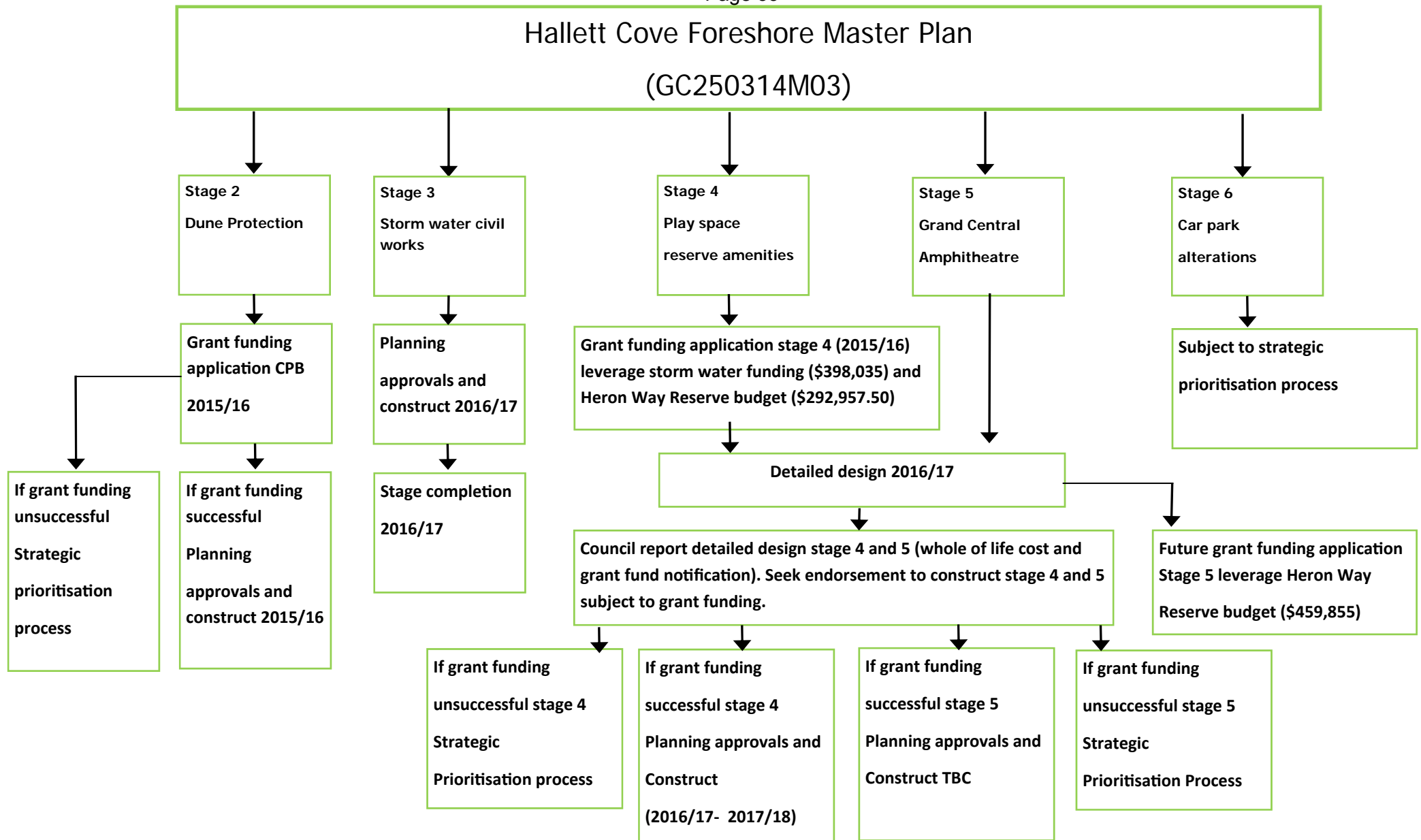
Appendix 2: Final Endorsed Master Plan

Appendix 3: Indicative staging areas and design brief

Appendix 4: Estimate Whole of Life Cost

Appendix 1 Detailed program schedule

Stage 2 Dune protection		
Task	Description	Estimated dates
Grant application CPB	Submitted and waiting for notice	Late August 2015
Subject to grant success		
Development Approvals	Lodge plans for planning and building rules approval	September/ October 2015
Tender and procurement	Finalise documents and tender package	October 2015
Construction	Rock revetment and plantings	November 2015- February 2016
If unsuccessful with grant application scope of works to be considered in the strategic prioritisation process and future grant funding application		
Stage 3 Stormwater civil works (2016/17 capital works program)		
Task	Description	Estimated Dates
Development approvals	Lodge plans for planning and building rules approval	July 2016
Tender and Procurement	Finalise documents and tender package	August 2016
Construction	On site works	October 2016 – Jun 2017 (indicative)
Stage 4 Play space and reserve		
Task	Description	Estimated Dates
Grant funding application	DPTI Open Space fund leverage from proposed stormwater capital works budget and Heron Way Reserve Development project budget for stage 4	Typically December 2015/January 2016
Detailed design stage 4 and 5	Program for 2016/17 work area planning	July 2016- January 2017
Council report	Detailed design stage 4 and 5 indicating whole of life costs and seek endorsement to construct stage 4 and 5 subject to grant funding	March 2017
Development approvals	Stage 4 and 5	March 2017- April 2017
Tender and Procurement	Tender documentation / procurement process for stage 4 and 5 subject to grant funding notification	May 2017
Construction	On site works	May 2017 – November 2017 (indicative)
Project Stage Completion	Reserve open for community use and funding acquittals	December 2017 (indicative)
Stage 5 Grand Central Amphitheatre (subject to strategic prioritisation process)		
Task	Description	Estimated Dates
Detailed design	Program for 2016/17 work area planning	July 2016- January 2017
Grant Funding application	DPTI Open Space fund leverage from remaining Heron Way Reserve budget	Typically December 2016/January 2017
Council report	Detailed design stage 4 and 5 indicating whole of life costs and seek endorsement to construct stage 5 subject to grant funding	March 2017
Development approvals	Stage 4 and 5	March 2017- April 2017
Tender and Procurement	Tender documentation / procurement process for stage 4 and 5 subject to grant funding notification	May 2017
Construction	On site works	May 2017 – November 2017 (indicative)
Project Stage Completion	Reserve open for community use and funding acquittals	December 2017 (indicative)
Stage 6 Car park alterations and revegetation (subject to strategic prioritisation process)		
Task	Description	Estimated Dates
Detailed design	Technical drawings and specifications	TBC
Implementation	Funding/ procurement and construction	TBC



APPENDIX 2

RETAINING WALL AND WIDENED PEDESTRIAN PATH TO IMPROVE PEDESTRIAN CONNECTIONS AROUND CAR PARK

ROCK ARMOURING TO THE EXISTING BEACH ACCESS RAMP

COASTAL HEATHLAND BOTANIC TRAIL

SEATING WALL TO PROVIDE SPACE FOR RESPITE AND VIEWS

ROCK ARMOURING TO THE EXISTING BEACH ACCESS RAMP

CLIMBING NET STRUCTURE AND EMBANKMENT SLIDES. CLIMBING NET TO REPRESENT THE CONSTELLATION OF ORION. SHADE SAILS OVER THE SLIDES

SHELTER STRUCTURE AND PICNIC TABLES

PLAY SPACE WITH 5 WAY SWING, FITNESS EQUIPMENT AND WATER PLAY SCULPTURES INTEGRATED WITH SWALE

SAND PIT FOR PLAY AND SUN BATHING

ROCK ARMOURING TO THE EXISTING BEACH ACCESS RAMP

BBQ AND PICNIC AREA

COMMEMORATIVE SPACE FOR EVENTS AND COMMUNITY/ FAMILY PICNICS ETC

PROPOSED NEW AUTOMATED TOILET

PROPOSED RELOCATED BUS STOP

RESHAPE PROFILE OF DUNE FOR STABILISATION

POTENTIAL KAURNA TYILBRUKE INTERPRETATIVE SITE

PAVED PLAZA SPACE WITH SEATING WALL TO FORECOURT OF CAFE. ENHANCE CONNECTIONS TO THE CONSERVATION PARK

PROPOSED NEW GPT

FORMALISED 45 DEGREE ANGLE PARKING WITH VEGETATED PROTUBERANCES

REALIGNED ENTRY TO THE CAFE ACCESS DRIVE

FORMALISED 45 DEGREE ANGLE PARKING WITH VEGETATED PROTUBERANCES

WATER SENSITIVE URBAN DESIGN COLLECTION FROM CAR PARKING KERB AND GUTTER

PROPOSED SUBTERRANEAN TANK FOR WATER HARVESTING & IRRIGATION OF TURF AREAS

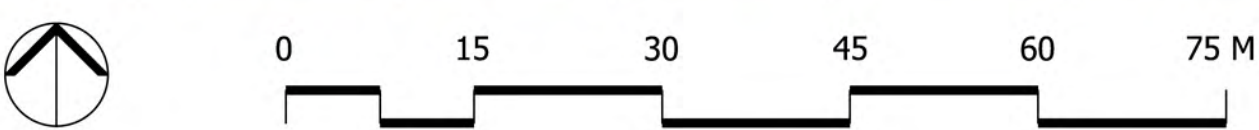
PROPOSED NEW GPT

NARROWED ROAD, UNIT PAVED TO ENHANCE PEDESTRIAN CONNECTIVITY AND SLOW VEHICLES

EVENTS SPACE/ AMPHITHEATRE TERRACED SEATING WALLS

LEGEND

- PROPOSED EVERGREEN TREE
- EXISTING TREE TO BE RETAINED
- RETENTION OF EXISTING REVEGETATION
- PROPOSED GARDEN BED GROUNDCOVER AND GRASSES WITH ORGANIC MULCH
- PROPOSED GARDEN BED SHRUBS WITH ORGANIC MULCH
- PROPOSED EXPOSED AGGREGATE CONCRETE PAVING TYPE 1
- PROPOSED EXPOSED AGGREGATE CONCRETE PAVING TYPE 2
- PROPOSED CONCRETE PAVING
- PROPOSED UNIT PAVERS TYPE 1
- PROPOSED UNIT PAVERS TYPE 2
- PROPOSED COMPACTED RUBBLE CEMENT TREATED
- PROPOSED IRRIGATED INSTANT TURF
- RUBBER SOFTFALL
- PROPOSED SAND PIT
- DRYLAND GRASS
- PROPOSED GABION WALL
- PROPOSED INSITU CONCRETE WALL
- PROPOSED GABION SEATING WALL
- PROPOSED ROCK MORTARED WALL WITH CUT STONE CAPPING
- PROPOSED BENCH SEAT
- PROPOSED SEAT WITH BACK REST
- PROPOSED TIMBER DECKING
- PICNIC TABLE
- PROPOSED RUBBISH BIN
- PROPOSED DRINK FOUNTAIN
- PROPOSED BBQ
- PROPOSED SHELTER
- PROPOSED SHADE SAILS OVER PLAY SPACE SLIDES
- ROCK LINED SWALE
- PROPOSED PRAM RAMP

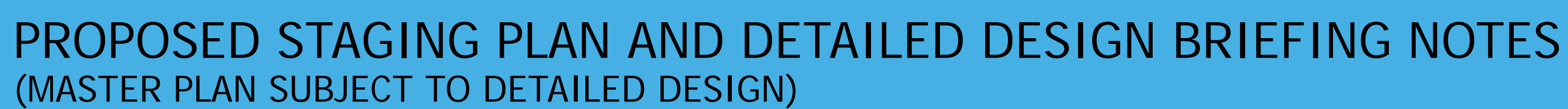


FINAL

HALLETT COVE FORESHORE MASTER PLAN

PREPARED BY OPEN SPACE & RECREATION PLANNING - CITY OF MARION

Design BG 13/12/13	Drawn JY 13/12/13	Checked BG	Authorised for Issue ORIGINAL SIGNED BY: BG
Drawing Number / Sheet HC-SK14			Issue
22			



Estimate of Whole of Life Cost- Heron Way Stage 4 & Stage 5												
Description	Lifecycle Yrs	Acquisition Cost	Projected Operating Costs pa	Projected Maint Costs pa	Total Projected O&M pa	Less Existing O&M pa	Net Increase O&M pa	Projected Depn/ Renewal pa	Existing Depn/ Renewal pa	Net Increase Depn/ Renewal pa	Whole of Life Cost of Proposal	Whole of Life Increase Cost of Proposal
Stage 4 - (whole of life cost based upon 50 years)		\$ 983,950	\$ 16,500	\$ 42,100	\$ 58,600	\$ 25,000	\$ 33,600	\$ 30,828	\$ 8,224	\$ 22,604	\$ 5,455,352	\$ 3,794,162
Stage 5 - (whole of life cost based upon 50 years)		\$ 919,710	\$ 4,230	\$ 35,630	\$ 39,860	\$ 1,200	\$ 38,660	\$ 20,314	\$ 1,595	\$ 18,719	\$ 3,928,404	\$ 3,788,677
Stage 4 & 5 - Total (whole of life cost based upon 50 years)		\$ 1,903,660	\$ 20,730	\$ 77,730	\$ 98,460	\$ 26,200	\$ 72,260	\$ 51,142	\$ 9,818	\$ 41,324	\$ 9,383,755	\$ 7,582,839

**Whole of life costs include acquisition, operating & maintenance expenditure and depreciation/renewal using current values.*

Maintenance 5% pa equation

Appendix 2: Adjourned Item – Additional Information

Comments provide by Ray Barnwell, Manager Finance

Funding for Heron Way Foreshore Masterplan

There is currently an unutilised fully funded budget of \$975,930 specifically set aside for the Heron Way Foreshore development available for carryover from 2014/15.

In providing guidance on the funding availability to progress the staged implementation of the master plan it is recommended that Council utilise this existing budget of \$975,930 prior to accessing funding set aside in Council's reserves.

In considering the potential of utilising funding from the Asset Sustainability Reserve Council must be mindful of the purpose and intent of this reserve which is detailed as follows:

Purpose - this is a reserve fund established to:

- I. Primary Purpose – Provide Council with the ability to access sufficient funds to enable it to respond to a major infrastructure failure or fund an infrastructure gap identified in periodic asset audits. **A minimum balance of \$2 million will be retained in the Asset Sustainability Reserve for this purpose.**
- II. Assist Council fund its Long Term Asset Management objectives.
- III. Provide a means by which to spread the cost of intergenerational assets thereby reducing the need for borrowings.
- IV. Provide a means by which Council can strategically plan to maintain its asset base within a long term financial framework.
- V. Quarantine funds specifically set aside in the Community Facilities Partnership Program (CFPP) **for the purpose of funding the renewal, upgrade and purchase of Council assets as resolved by Council.** This will include encouraging organisations leasing council facilities to seek partnership funding for required renewal and upgrade of those community facilities.

The Heron Way project would be considered a new project within Council's Strategic Asset Management Decision Making Matrix as outlined in the Asset Management Policy. As such it would therefore fall outside purposes I – IV which is primarily directed towards the sustainable maintenance and renewal of existing assets.

From 2015/16 Council has quarantined within the Asset Sustainability Reserve funding which is set aside in the Community Facilities Partnership Program (CFPP) for the purpose of funding the renewal, upgrade and purchase of Council assets as resolved by Council. As this project would be classified an 'upgrade' to an existing asset Council under this policy may therefore resolve to access funding under purpose V as outlined above. This however, is not the recommended option with an existing budget of \$975,930 already available.

It is therefore recommended that Council :

Allocate \$15,000 from the existing Heron Way Foreshore budget (\$975,930) for engineering services required to proceed with the detailed design and planning of the play space, reserve works and amphitheatre (stages 4 and 5) in 2016/17 and ;

Allocate \$293,000 from the existing Heron Way Foreshore budget (\$975,930) to progress Stage 4 of the masterplan in 2016/17 in support of the submission of a grant funding application to DPTI Open Space (2015/16 grant application) or similar opportunities leveraging this funding in addition to the funding for the programmed 2016/17 storm water civil works of \$398,000.

If Council were unsuccessful in securing grant funding and additional funds were required to fully fund the project a report would be brought to Council outlining the available funding options.

The current balance in the Asset Sustainability Reserve is detailed as follows:

<u>ASSET SUSTAINABILITY RESERVE (ACTIVITY 5103)</u>			
<u>AS AT 31 JULY 2015</u>			
Balance As At 30th June 2015			<u>3,135,806.26</u>
Made up as follows:			
<u>Asset Sustainability Reserve Fund - General - (Retained for Purpose I to IV)</u>			
Opening balance as at 1 July 2015 - Asset Sustainability Reserve		3,135,806.26	
<u>Transfers To Reserve</u>			
Jul-15		-	
<u>Transfers From Reserve</u>			
Jul-15		-	<u>3,135,806.26</u>
<u>CFPP Quarantined Funds – (Retained for Purpose V)</u>			
Opening balance as at 1 July 2015 - Quarantined FCPP Funding			-
<u>Transfers to reserve</u>			
1-Jul-15	Transfer of 2015/16 funding surplus	4,197,462.00	
1-Jul-15	Transfer of 2015/16 Budget Allocation for CFPP	1,400,000.00	
		-	
		5,597,462.00	
<u>Transfers from reserve</u>			
Jul-15		-	
		-	<u>5,597,462.00</u>
Closing balance as at 31 July 2015			<u>8,733,268.26</u>
<i>* In addition to the above CFPP funding of \$1,868,650 from 2014/15 is available for carryover approval</i>			

**CITY OF MARION
GENERAL COUNCIL MEETING
11 August 2015**

Originating Officer: Mark Gibson, Team Leader Land and Property
Corporate Manager: Peter Patterson, Manager Open Space and Facilities
Director: Abby Dickson (Acting)
Subject: Marion Outdoor Swimming Pool Signage
Report Reference: GC110815R02

REPORT OBJECTIVES:

The purpose of this report is to respond to the Council motion passed at the 26 May 2015 General Council meeting (GC260515M02) to advise Council of the costs to install double sided LED screens on the current swimming pool sign.

EXECUTIVE SUMMARY:

The Marion Outdoor Swimming Pool is located on Hendrie Street, Park Holme. The main vehicular and pedestrian entrance and exit is also located on Hendrie Street. The Swimming Pool sign is located on the corner of Oaklands Road and Hendrie Street (see appendix 1). The sign is also situated adjacent to an intersection and traffic lights, which control access into Hendrie Street and the Oaklands Wetlands from Oaklands Road. The primary function of the sign is to provide clear and essential direction to the Centres car park and entrance for vehicles travelling east or west on Oaklands Road.

In 2013, the swimming pool sign was identified through Council's asset management plan as requiring removal and replacement due to its age and structural stability. In September 2014 the sign was removed and in November 2014 the sign was replaced with a modern like for like equivalent as per Council's asset management policy at a cost of \$17,000.

On 26 May 2015, Council resolved,

that a report be brought to Council advising of the total estimated cost to install a double sided LED, fully inclusive of the costs associated with installation and connection to the power source. That in so doing the report provide Council with details of suitable options of implementing such an initiative, including consideration of using solar power as an energy source.

Should Council wish to install double sided LED screens on the current sign, DA approval would be required, which would also require approval from DPTI due to the close proximity of the sign to the intersection and traffic lights. The cost of the installation works is estimated at \$27,500. These works are currently unfunded, however this work could be undertaken through the re-prioritisation of works within the existing 2015-16 Minor Capital Works budget.

RECOMMENDATIONS (4)**DUE DATES****That Council:**

- | | |
|---|---------------------|
| 1. note the report. | August 2015 |
| 2. endorse the submission of a Development Application to install 2 LED screens on the existing Marion Outdoor Swimming Pool sign. | August 2015 |
| 3. subject to Development Approval, install 2 LED screens. | October 2015 |
| 4. note that the installation cost estimate at \$27,500 for the LED screens is funded through the re-prioritisation of works within the 2015-16 Minor Capital works budget and the annual increased operating, maintenance and depreciation costs of \$3,600 will be included in the first budget review of 2015-16 budget as an on-going item. | August 2015 |

BACKGROUND

On 26 May 2015, Council resolved,

that a report be brought to Council advising of the total estimated cost to install a double sided LED, fully inclusive of the costs associated with installation and connection to the power source. That in so doing the report provide Council with details of suitable options of implementing such an initiative, including consideration of using solar power as an energy source.

The Marion Outdoor Swimming Pool is located on Hendrie Street, Park Holme. The main vehicular and pedestrian entrance and exit is also located on Hendrie Street. The position of the facility is located at the rear of Marion vineyard with limited visible frontage to Oaklands Road, therefore making the entrance and car park less visible from Oaklands Road.

The Swimming Pool sign is located on the corner of Oaklands Road and Hendrie Street (see appendix 1). The sign is also situated adjacent to an intersection and traffic lights, which control access into Hendrie Street and the Oaklands Wetlands from Oaklands Road. The primary function of the sign is to provide clear and essential direction to the Centres car park and entrance for vehicles travelling east or west on Oaklands Road. The sign is also used to advertise the swim centre seasonal dates.

In 2013, the swimming pool sign was identified through Council's asset management plan as requiring removal and replacement within a 12 month period due to its age and structural stability. In September 2014 the sign was removed and in November 2014 the sign was replaced with a modern like for like equivalent as per Councils asset management policy at a cost of \$17,000. The current sign has slatwall to allow for additional information to be displayed.

ANALYSIS

Due to the current sign being located in close proximity to the intersection and traffic lights of Hendrie Street and Oaklands Road, there are a number of factors to consider prior to the installation of double sided LED screens onto the sign. These include;

The installation of LED Screens requires Council to obtain DA approval. Part of the approval process would require approval from DPTI due to the close proximity (18m) to the intersection and traffic lights. If DPTI are favourable, Council has the option to submit a development application which would be referred to the Development Assessment Panel (DAP) for decision. DPTI would conduct an onsite assessment to advise whether LED signage is suitable for the location. Should it be suitable, DPTI may provide comment on the requirements of the screen size, colour and font size of the wording.

Informal discussions have already occurred with DPTI regarding this potential circumstance. DPTI have advised they may consider the proposal however they may insert restrictions which would include the LED screen colour being black with white static wording.

Council's current Development Plan discourages LED signage within 80 metres of a signalised intersection. However once an application is lodged, Council's DAP would have regard to the advice of DPTI as to whether this provision of the Development Plan should be strictly applied.

Financial implications

Should the sign be installed with double sided LED screens, the cost for this installation is estimated at \$27,500. This cost includes LED screens, insulation and power and also the supply of a modem, where all advertising could be controlled and monitored from the Swim Centre office. This work is currently unfunded within the 2015-16 budget, however this work could be undertaken through the re-prioritisation of works within the existing 2015-16 Minor Capital Works budget. The increased operating, maintenance and depreciation costs, estimated at \$3,600 per annum could be accommodated through an adjustment at the 2015-16 first budget review process as an ongoing item.

The suggestion has been made that the existing sign be relocated to a greater distance from the intersection to allow for LED facilities. This option is not recommended due to potential confusion and lack of clarity provided to visitors to the complex as there is no entrance to the car park from the adjoining Western Avenue/Oakland Road turning.

Solar Power

There is currently power available to the sign, however there are energy options available for the LED Screen initiative, including installing a single solar panel on the top of the sign. The cost of a single solar panel is estimated at \$10,000 bringing the total cost of the works to \$37,500. It is estimated that the solar panel will reduce energy costs by 8%.

CONCLUSION:

Due to the limited visibility of the frontage of the outdoor swimming pool on Oaklands Road, the primary function of the swimming pool sign is to provide clear and essential direction to the Centre's car park and entrance for vehicles travelling east or west on Oaklands Road. It is therefore recommended that the current location of the sign remain. The existing sign has the capacity for LED but is subject to a DPTI assessment, DAP approval and the allocation of funds from Council.

Appendix 1



**CITY OF MARION
GENERAL COUNCIL MEETING
11 AUGUST 2015**

Originating Officer: Deborah Horton, Unit Manager Executive Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Local Government Finance Authority Annual General Meeting Representative and Notice of Motion

Report Reference: GC110815R03

REPORT OBJECTIVES:

To determine Council's interest in;

- nominating a representative to the Local Government Finance Authority (LGFA) Annual General Meeting to be held on Friday 30 October 2015.
- submitting motions on notice for consideration at the LGFA Annual General Meeting.

EXECUTIVE SUMMARY:

The LGFA has written to the Chief Executive Officer advising that the LGFA Annual General Meeting will be held on Friday 30 October 2015, at the Adelaide Oval, War Memorial Drive **Appendix 1**. In preparedness for this meeting, the LGFA have requested that Council provide the name of its chosen representative to attend the meeting, along with any motions on notice to be included in the agenda by the 21 August 2015.

RECOMMENDATIONS

DUE DATES

That Council:

- | | |
|--|---------------------|
| 1. Notes the report '<i>Local Government Finance Authority – Annual General Meeting Representative and Notice of Motion.</i> | 11 August 15 |
| 2. Appoints _____ as the Council Representative for the Annual General Meeting of the Local Government Finance Authority of South Australia to be held on Friday 30 October 2015 and advises the Local Government Finance Authority by Friday 21 August 2015. | 11 August 15 |

BACKGROUND

1. Appointment of Council Representative

According to Section 15(1) of the Act:

“Every Council is entitled to appoint a person to represent it at a general meeting of the Authority”.

Cr Pfeiffer represented the City of Marion at the LGFA Annual General Meeting last year. This meeting coincides with the Annual General Meeting of the Local Government Association of South Australia, with the commencement time to be advised closer to the date.

The “Appointment of Council Representative” form circulated by the LGFA is provided at **Appendix 2** for information. The form indicates it needs to be returned to the LGFA by no later than Friday 21 August 2015.

2. Notice of Motion

The Rules of the LGFA in relation to the Annual General Meeting require that a notice of motion specifying a resolution which is to be proposed at the meeting, be given to the Chief Executive Officer (of the LGFA) not less than forty two days prior to the meeting.

A “Notice of Motion” form circulated by the LGFA is provided at **Appendix 3** and should be received by the LGFA on or before Friday 21 August 2015.

No motions have been identified by Administration for consideration at the 2015 LGFA Annual General Meeting.

CONCLUSION

Should Council wish to appoint a Council Representative and/or submit any Notice of Motions to the LGFA for consideration at the LGFA Annual General Meeting, all appropriate documentation will be forwarded by the relevant due date.

Appendix 1 – Correspondence from LGFA

Appendix 2 – Council Representative Authority Form

Appendix 3 – Notice of Motion Template (LGFA)

- 6 JUL 2015

Original
Fwd:

File No:

2 5 6 7 8 10 P



TO: Chief Executive Officers
Secretaries - Regional Associations

FROM: Chief Executive Officer

RE: Annual General Meeting – Friday, 30 October 2015

Advance notice is hereby given that the Annual General Meeting of the Local Government Finance Authority of South Australia will be held on Friday 30 October 2015 at the Adelaide Oval, Memorial Drive, Adelaide. This meeting will again coincide with the Meetings of the Local Government Association of S.A. with the commencement time to be advised.

1. Appointment of Council Representative

Section 15(1) of the Local Government Finance Authority of South Australia Act 1983, provides that:-

" Every Council is entitled to appoint a person to represent it at a general meeting of the Authority."

As the Meetings of the Local Government Association of South Australia will also be held on the above day, it is suggested that the same person be appointed to represent your Council on the Association and the Authority.

A form is attached for your convenience to notify us of your representative.
Please return same to this Authority no later than Friday 21 August 2015.

2. Nominations for Members of the Board

A representative member of the Board currently holds office for a term of two years and, as an election took place last year, nominations for members of the Board are not being sought this year.

3. Notice of Motion

The Rules of the Authority in relation to Annual General Meeting procedures require that a Notice of Motion specifying the resolution which is to be proposed has been given in writing to the Chief Executive Officer not less than forty two days prior to the meeting and to comply with this Rule, it is necessary for Notices of Motion to be submitted to the Local Government Finance Authority of South Australia office on or prior to Friday 21 August 2015.

Member Councils are requested to lodge the Notice of Motion in the following manner:-

- (a) Notice of Motion
- (b) Reason
- (c) Suggested Action

A copy of the appropriate form is attached for your convenience.


PAUL A SLATER
CHIEF EXECUTIVE OFFICER

3 July 2015

APPOINTMENT OF COUNCIL REPRESENTATIVE

2015 ANNUAL GENERAL MEETING

I advise that Mayor/Alderman/Councillor/Officer/ or any other person

.....
(Full Name)

.....
(Home Address)

is appointed Council Representative to the Local Government Finance Authority of South Australia.

.....
(Signature of Chief Executive Officer)

.....
(Corporation/District Council)

CLOSING DATE: Friday 21 August 2015

2015 ANNUAL GENERAL MEETING

NAME OF COUNCIL:

NOTICE OF MOTION:

.....
.....
.....

REASON:

.....
.....
.....
.....

SUGGESTED ACTION:

.....
.....
.....
.....

NOTICES OF MOTION TO BE SUBMITTED TO THE
LOCAL GOVERNMENT FINANCE AUTHORITY OF SOUTH AUSTRALIA OFFICE
ON OR PRIOR TO FRIDAY 21 AUGUST 2015

**CITY OF MARION
GENERAL COUNCIL MEETING
11 AUGUST 2015**

Question Received from: Councillor Hull

Subject: Elected Member Expense, Benefits, Support and facilities Policy

Ref No: GC110815Q01

QUESTION:

Would the previous Mayor be liable for the cost of personal use regarding the Mayors vehicle?

COMMENTS: Kate McKenzie, Manager Governance

Legal advice has been sought on the above question and based on the legislative provisions of section 78(3) of the Local Government Act 1999, a member of Council must not use a facility or service provided by the council under this section for purposes unrelated to the performance or discharge of official functions or duties (unless the use has been approved by the Council and the member has agreed to reimburse the council or any additional costs or expenses associated with this use).

Although the policy position at the time permitted the Mayor to have full private (assuming this occurred) and business use and Council shall pay all maintenance and operating expenses, this does not prevail over the legislative requirements. The effect of what has occurred is that the Council of the day resolved to confer a benefit in favour of the Mayor, beyond what the Local Government Act permits.

The Mayor acted within the terms of what Council had approved. Neither the Mayor, nor the Council would have appreciated that the arrangements offended the provisions of the Act. Notwithstanding this, the legislative provisions required that previous Mayor ought to have reimbursed Council for the costs associated with the use of the vehicle for private purposes.

**CITY OF MARION
GENERAL COUNCIL MEETING
11 AUGUST 2015**

Question Received from: Councillor Hutchinson

Subject: Compliance Operations

Ref No: GC110815Q02

QUESTION:

1. How many expiations were there issued over the last 12 months?
2. What is the breakdown of numbers between parking, animal and health related expiations?
3. How many staff currently operate as general inspectors? (On average per day)
4. How many of those staff are dedicated to the Westfield shopping centre contract? (On average per day)
5. Are notices issued at Westfield shopping centre carpark expiations or fee requests?

COMMENTS: Sharon Perin (Unit Manager Community Health and Safety)

1. 5,770 expiations were issued during the 2014/2015 financial year.
2. The breakdown of the number of expiations issued between parking, animal and health are:
 - 5,466 expiations were issued for parking
 - 292 expiations were issued regarding animals
 - 4 expiations were issued regarding health related mattersAlso, 8 expiations were issued under the Fire and Emergency Services Act
3. There are 6 FTE Community Safety Inspectors (previously called General Inspectors) who work a 7 day roster. When there is a full complement of staff, ie when no-one is on leave, the following staffing levels are applied across the week:
 - Monday – Friday day shift (8.00am - 4.30pm): 3 Community Safety Inspectors
 - Monday – Friday afternoon shift (4.30pm – 9.30pm): 1 Community Safety Inspector

- Saturday day shift (8.30am – 5.00pm): 2 Community Safety Inspectors
- Sunday day shift (8.30am – 5.00pm): 1 Community Safety Inspector
- Public holidays day shift (8.30am – 5.00pm): 1 Community Safety Inspector

4. The contract between the City of Marion and the operators of the Westfield Marion Shopping Centre does not require a dedicated number of staff to fulfil the contract.

Staff are rostered to undertake a variety of duties to service a wide range of community safety and well-being needs throughout the City of Marion area and to service the monitoring of parking at the Westfield Marion Shopping Centre. On average, one Community Safety Inspector is rostered at the Westfield Marion Shopping Centre 4 days a week, with Community Safety Inspectors checking the Shopping Centre on other days as other duties permit.

5. Expiation notices are issued at the Westfield Marion Shopping Centre car park.

**CITY OF MARION
GENERAL COUNCIL MEETING
11 AUGUST 2015**

Question Received from: Councillor Bruce Hull

Subject: City of Marion Volunteer Program Annual Report

Ref No: GC110815Q03

QUESTION:

"with regard to the most recent (2015) City of Marion Volunteer Program Annual Report, why was the carried motion GC130514R01(point 3) not acted on where Council clearly requested that future reports capture and acknowledge the contributions of both City of Marion Registered Volunteers and other volunteers working within the City of Marion utilising ABS statistics?"

COMMENTS: Councillor Hull

I request that the attached minute be presented with this question please.

City of Marion Volunteer Program – Annual Report

Ref No: GC130514R01

Moved Councillor Habib, Seconded Councillor Verrall that:

1. The City of Marion Volunteer Program Annual Report (2013/14 is noted, including 43,016 volunteer hours achieved during the year valued at \$1,180,789.
2. Council acknowledges and thanks all of the City of Marion registered volunteers and other volunteers for the significant contributions they have made to the community.

Amendment:

Moved Councillor Hull, Seconded Councillor Veliskou that:

1. The City of Marion Volunteer Program Annual Report (2013/14 is noted, including 43,016 volunteer hours achieved during the year valued at \$1,180,789.
2. Council acknowledges and thanks all of the City of Marion registered volunteers and other volunteers for the significant contributions they have made to the community.
3. Future reports capture and acknowledge the contribution of both City of Marion Registered Volunteers and other volunteers working within the City of Marion utilising ABS statistics.

The amendment was **Carried**

The amendment became the motion and was **Carried**

COMMENTS: Margi Whitfield, Manager Community Participation

In previous years, an Annual Report was formally presented to the Council in relation to the Volunteer Program at the City of Marion. In 2015, the report could not be scheduled for Council's attention at the relevant time and an internal report was circulated to coincide with Volunteer Week celebrations on 17 May 2015. The report was distributed to Elected Members before the Volunteer Afternoon Tea celebration to provide an overview of

information for Elected Members before the event. This report was specific to City of Marion registered volunteers and City of Marion programs.

Further to this report, the following ABS data from the 2011 census can be provided:

<u>Unpaid work</u>	<u>Marion</u>	<u>%</u>	<u>South Australia</u>	<u>%</u>	<u>Australia</u>	<u>%</u>
<i>People aged 15 years and over</i>						
Did unpaid domestic work (last week)	51,791	73.3	936,604	71.5	12,149,347	70.0
Cared for child/children (last two weeks)	18,812	26.6	364,336	27.8	4,827,808	27.8
Provided unpaid assistance to a person with a disability (last two weeks)	8,173	11.6	154,651	11.8	1,896,957	10.9
Did voluntary work through an organisation or group (last 12 months)	12,454	17.6	258,840	19.8	3,090,874	17.8

In Marion (Statistical Area Level 3), of people aged 15 years and over, 73.3% did unpaid domestic work in the week before the Census. During the two weeks before the Census, 26.6% provided care for children and 11.6% assisted family members or others due to a disability, long term illness or problems related to old age. In the year before the Census, 17.6% of people did voluntary work through an organisation or a group.

In 2014/15, City of Marion had 424 volunteers who contributed 44, 810 hours of voluntary work to a value of \$1,230,035.

Apart from ABS data, no detailed information about volunteer numbers is collected by any agency or organisation. While this has been put forward as an initiative for a volunteering strategy for SA, there has been no progress to date with either the State government, Volunteering Australia or Volunteering SA and NT.

Further ABS data will be released in line with the next census in 2016.

**CITY OF MARION
GENERAL COUNCIL MEETING
11 August 2015**

Notice Received from: Councillor Byram
Subject: Police Clearance
Ref No: GC110815M01
File No: 9.24.1.4 & 9.33.3.34

MOTION:

1. a. that current councillors are to undergo police clearance checks.
b. these are to be done by _____
2. All people nominating for elected member positions in the City of Marion are to provide a current police clearance with their nomination paperwork - to commence with the election in 2018.
3. That all staff of the City of Marion are to undergo police clearance checks

COMMENTS: Councillor Byram

Currently all volunteers in the City of Marion are required to undergo a police clearance - there is no choice in this it is compulsory if they want to volunteer for us.

It is unfair to expect volunteers to do this and exclude all elected members and some of the staff.

Staff are currently looking at updating the policy regarding staff, we need to also include the elected members and senior staff members.

COMMENTS: Kate McKenzie, Manager Governance

It is proposed that Council consider the following alternative motion in regards to this matter.

"That a report be brought back to the 8th September 2015 Council Meeting with information regarding Council's powers to implement police clearance checks for the following:

1. *All current Elected Members*
2. *All candidates nominating for Elected Member positions in the City of Marion*
3. *All staff of the City of Marion."*

Prior to Council making a decision on this matter, it is important for all aspects of the legislation are researched appropriately. By resolving to bring back a report, this will allow for this research to be completed regarding Council's legal obligations to request a police clearance, any barriers or implications that may need to be considered, potential options for implementations and a cost benefit analysis.

**CITY OF MARION
GENERAL COUNCIL MEETING
11 August 2015**

Notice Received from: Councillor Gard

Subject: Cost Sharing with Councils

Ref No: GC110815M02

File No: 9.24.1.4 &

MOTION:

- 1. That management commence to research the prospects of structured cost sharing between neighbouring city councils, giving priority to the most practical and cost beneficial opportunities.**
- 2. That this research be ongoing and reported formally to Council and the Audit Committee**

COMMENTS: Councillor Gard

The meeting with Local Government Minister Brock on 21 July at our Council Forum highlights the need to take an active position on the subject of rationalisation of operations.

I posed the question: 'In the eyes of State and Federal Government, could local government do a better job in its approach to requests for funding?'.

The Ministers response was somewhat oblique and I have no doubt that this was his intention.

The message was clear, however, that cost sharing was a prerequisite for achieving better outcomes with dealings for funding. In other words, get your houses in order and more support may be forthcoming. Moreover, the coffers are not abundantly overflowing anywhere in government and the highest priority is responsible management with creative initiatives, if that wasn't the case before.

I took it therefore that the Minister's advice overrode any other aspect of the funding request processes.

Indeed Members are well aware of my position in relation to the need for rationalisation of government in Australia and that I consider the first step to lie at the feet of local government.

This is a matter of re-energising or galvanising local government to rethink its approach to governing. There has never been a time in our history in which the main forms of our national and state incomes have contracted to a point that Australians have no alternative

but to allow imagination to take precedence over conservative thinking – necessity is indeed the motherhood of invention and hence this is the time to invent.

The processes to restructure will be tortuous but we owe it to constituents to embrace that responsibility with the utmost of concern and enthusiasm. This is an example on the largest scale of the maxim 'waste not want not'. That was the Minister's message!

Clearly we have outstanding organisation, experience and skills within the walls of the City of Marion, as do most local government entities, and significantly we are not a cumbersome entity over-burdened with bureaucracy. This disposition renders us unique to display leadership and effective review of structure, and eventually charter, in government.

Whilst it is not for Council to dictate priorities for the execution of this request, if a resolution is taken, it will be important for the appropriate team structures to be brought into place, very likely with the support and coordination of the Audit Committee.

My thought is that a series of workshops between neighbouring city councils would be a worthy starting point, if in fact this has not eventuated before now.

Benefits:

- Immediate and increasing savings, directly and indirectly, to the ratepayer
- Stronger position established in the request for grants from governments
- Greater cohesion between councils in both strategy and operations
- Step towards the option of regional government with a bi-product being greater enlightenment in respect to that option
- Local government will be perceived more positively and a raft of advantages will flow from those perceptions

COMMENTS: Fiona Harvey Manager Strategy

There are a range of formal and informal arrangements in which City of Marion business units currently work collaboratively or in partnership with other local government areas and organisations to either leverage external funding opportunities or realise cost savings through sharing services and procurement. Some examples are provided below.

Southern Region Waste Resource Authority (the Authority). The Authority is a regional subsidiary jointly established in 1998 by the Cities of Onkaparinga, Holdfast Bay and Marion. The Authority operates a waste transfer station/landfill site on behalf of the constituent Councils.

Zone Emergency Management Committee (Southern) (ZEMC) – shared by the Cities of Holdfast, Mitcham, Onkaparinga and Marion for emergency response planning in the south (in consultation with Emergency Services).

Energy efficient street lighting with the LGA and other Councils including Onkaparinga, Charles Sturt, Salisbury and Playford.

Shared costs for Gross Pollutant Trap cleaning with Mitcham and Holdfast Bay.

The City of Marion actively participates in the operations of Council Solutions, a joint initiative of the Cities of Adelaide, Charles Sturt, Marion, Onkaparinga, Salisbury and Tea Tree Gully (Constituent Councils). Established as a Regional Authority in December 2012 in accordance with the Local Government Act 1999 (SA), its purpose is to undertake collaborative procurement activities to achieve cost savings and value outcomes. Some examples of joint contracts are provided below (please note this is not an exhaustive list):

- Arboriculture advice services
- Cleaning services
- Concrete
- Fencing
- Irrigation – design consultancy
- Irrigation – maintenance and repair
- Irrigation – supply and installation
- Leasing finance of IT equipment
- Legal services
- Pavers
- Pest control services
- Quarry materials
- Rate and Dog notices
- Road works
- Road works – crack sealing
- Temporary labour hire
- Toilet requisites
- Tree removal, pruning and ancillary services

Council Solutions is also used to facilitate investigation of initiatives to promote service standardisation and cost savings, for example waste collection and disposal arrangements.

The City of Marion benefits from the following services through Local Government Association connected bodies:

- The Local Government Finance Authority of South Australia (LGFA) is a statutory authority established to exclusively serve and benefit South Australian Councils. It provides competitive rates for both Investments and Borrowing and enables Councils to operate with a lower overhead for the Treasury Management function. Rates are regularly benchmarked against the commercial banking sector to ensure the best value continues to be received. LGFA Investments are also particularly appealing as they are Government Guaranteed.
- The Local Government Risk Services (LGRS), which also encompasses Local Government Association Mutual Liability Scheme (LGAMLS), Local Government Association Asset Mutual Fund (LGAAMF) and Local Government Association Workers Compensation Scheme (LGAWCS) provides the City of Marion with a comprehensive range of insurance products including;
 - civil and professional liability insurance
 - property, asset and special risk insurance
 - public and products liability insurance
 - personal accident and journey insurance
- LGA Procurement Advisory Services utilise procurement contracts, including;
 - Electricity supply
 - Software licensing
 - Telecommunication (fixed line and mobile)
 - After hours calls services

The City of Marion also has a range of projects which are done in partnership with other councils and organisations, some examples include:

- Waste Administration position shared between Holdfast Bay Council and City of Marion.
- Currently a Natural Resource Management Board funded Education Officer position is hosted at City of Marion and this resource is shared with three of our neighbouring Councils (Onkaparinga, Mitcham and Holdfast Bay).
- A New Neighbours Settlement Services position is hosted at City of Marion (Cooinda Neighbourhood Centre) in partnership with Lutheran Community Care to provide support to new arrivals in settling into Australia.
- Resilient South Program is a regional approach to realising regional outcomes for climate adaptation across the Cities of Marion, Onkaparinga, Mitcham and Holdfast Bay, which supports a shared resource hosted by City of Onkaparinga.
- Stormwater management – City of Marion has worked in collaboration with neighbouring councils including Mitcham, Holdfast Bay, West Torrens & Unley to develop stormwater master plans. Collectively councils have engaged Stormwater Management Authority & Natural Resource Management Board to fund the implementation of the plans.
- Street lighting - The Cities of Marion, Charles Sturt, Onkaparinga, Playford, Salisbury Port Pirie, Port Augusta and Whyalla received funding from the Local Government Research and Development Fund to identify critical pathways to transition to safe and sustainable public street lighting.

The City of Marion employees are active in a range of information sharing networks, some examples include:

- Procurement Leaders Group
- Local Government Financial Managers Group
- Local Government Community Managers Network
- Creative Communities Network
- Environmental Sustainability Network
- Revenue Professionals South Australia

The examples outlined above provide an indication of how the City of Marion currently works collaboratively and in partnership with other organisations to enable greater outcomes to the community.

**CITY OF MARION
GENERAL COUNCIL MEETING
11 AUGUST 2015**

Notice Received from: Councillor Hull

Subject: Local Government Association Membership

Ref No: GC110815M03

File No: 9.24.1.4 & 9.33.3.27

MOTION:

That Council suspend standing orders so as to assess the pending annual LGA membership account and subsequently give direction to Administration in regards to any payment.

COMMENTS: Councillor Hull

Nil

COMMENTS: Kate McKenzie, Manager Governance

This matter was last considered by Council at its meeting of 28 April 2015 (**Appendix 1**) where Council resolved the following:

That Council:

1. *Advises the Local Government Association of South Australia (LGA) that the annual membership fee of \$96 000 is excessive, that the City of Marion is only prepared to pay a reduced / revised membership fee for the 2015/2016 financial year. If this revised membership fee is not acceptable to Council, the City of Marion will consider terminating its membership of the LGA.*
2. *Request a refund for the previous years over payment.*

Since April 2015, the LGA reviewed the overpayment resulting in a refund to Council a total of \$20,725.10 which includes GST and interest. The LGA has also completed a review of the spreadsheet used to calculate the LGA membership's subscription formula with its auditors, and has committed to review the formula itself over the next 12 months. The LGA is also proposing to complete a more detailed assessment of the value of LGA services.

The City of Marion has received the invoice for membership to the Local Government Association for the 2015/16 financial year in the amount of \$92,080, excluding GST (see **Appendix 2** for details). This is a 4.7% fee reduction from 2014/15 which equates to \$4,534.

The LGA has also provided further information in the form of an updated "Value of Membership" statement (attached) which identifies financial benefits from a number of LGA services, excluding both special dividends from the LGA insurance schemes and grants won or preserved by the LGA/ALGA.

The Mayor has written to the Local Government Finance Authority (LGFA) and Local Government Risk Services (LGRS) to seek clarification regarding the terms of the membership. The LGFA has advised that every Council is a member of the authority and Marion would still have the full benefits of currently available services from the LGFA if Council ceased its membership with the LGA. The LGRS confirmed that membership and any conditions that may apply are determined by each Scheme board and hence they are unable to specifically respond. The schemes include the LGA Workers Compensation Scheme, LGA Mutual Liability Scheme and LGA Asset Mutual Fund.

Matters to be considered in ceasing membership with the LGA include:

- Council Members could not apply for election to the LGA Board.
- LGA Board appoints representatives to each of the scheme boards and to the LGFA Board. If the Council ceased its membership of the LGA it could lose the ability to put forward names for consideration for such positions.
- Council membership on the Metropolitan Local Government Group (MLGG) may cease. This forum is for Mayors and CEO's to discuss matter of public policy.
- Access to research and development funding through the LGA/LGFA.
- Access to the LGA Procurement Advisory Services as these services are current only provided to LGA Members.
- Current contractual arrangements through the LGA such as:
 - The Library One Card Network
 - ICT Platform Unity (Council website and intranet) and the related mobile application
 - Electricity contracting via LGA Procurement.
- Major events, Training and Development run by the LGA that City of Marion staff or elected members attend, would not be provided at the membership rate.
- Impact on relationships with other governments given the LGA (and nationally the Australian Local Government Association) foster these relationships on behalf of Local Government with both State and National governments.
- Impact of relationships with other Councils and professional staff groups if the Council is not seen to be supporting its share across the sector.

The LGA website is currently a public website as all South Australian Councils are members and its contents are copyrighted with use granted to LGA members. If Marion was no longer a member of the LGA or public access to the website is ceased or part of the website became a secure site, resources would be required to a number of tasks including:

- Update and research on legislative amendments impacting Council.
- Amendments to legal templates provided by the LGA such as the delegations templates.
- Other template documents on which Council relies including a series of Standard Operating Procedures for authorised officers and regulatory staff.
- Financial Sustainability models and guides including model financial statements.
- Other Guides/model documents including those covering members' allowances and benefits, gifts and benefits, primary and ordinary returns and representation reviews.
- Resources developed by the LGA for Council use (such as election promotion artwork).
- Preparation of publications such as "So You Want To Be On Council," "The Elected Members' Guide", "The Meeting Procedures Handbook" etc.

Appendix 1

CITY OF MARION GENERAL COUNCIL MEETING 28 APRIL 2015

Notice Received from: Councillor Hull

Subject: Local Government Association Membership

Ref No: GC280415M02

MOTION:

'That Council advises the Local Government Association of South Australia (LGA) that the annual membership fee of \$96 000 is excessive, that the City of Marion is only prepared to pay a membership fee of \$70 000 for the 2015/2016 financial year. If this revised membership fee is not accepted by the LGA, the City of Marion will terminate its membership of the LGA'.

COMMENTS: Councillor Hull

With financial pressures and budgetary constraint, the LGA should not be quarantined from our scope to find savings. In any event, I am advised that the City of Marion may be getting a raw deal from the LGA given that the City of Port Adelaide/Enfield with a budget of around \$104 million paid \$95,300 to the LGA last year?

COMMENTS: Kate McKenzie, Manager Governance

BACKGROUND

The Local Government Association is a public authority for the purpose of promoting and advancing the interests of local government in South Australia. Its objectives and powers are defined within its Constitution. Its legal basis and continuation as a legal entity is provided for in Schedule 1 to the Local Government Act 1999 (SA).

Membership to the Local Government Association South Australia is voluntary and all Councils (68) under the Local Government Act 1999 (SA) are 'ordinary' members.

The annual LGA subscription is determined via a population and revenue formula endorsed by the LGA Board. A cap does exist in order that no Council will incur an increase of more than 5% to subscription fees in each year and to limit subscriptions for larger Councils. Queries have been raised with the LGA this financial year about an apparent anomaly in the formula. As a result, the formula is currently being reviewed for consideration by the LGA Board in July 2015.

The services provided to member Councils by the LGA are determined by the LGA Board. Core activities of the LGA are focused on advocating on behalf of local government to the state and federal government on legislative issues, funding and leadership back to the sector.

DISCUSSION

There are a number of factors and complex issues to be considered by Council in making a decision to either request a reduced LGA Membership fees or withdraw its membership altogether.

The following provides some detail but further research is required.

Legal

The LGA provides advice to Council regarding legislative changes. There is a potential for breaches or non-compliance issues to arise due to the inability to keep up to date with all legislative provisions.

Representation to Boards/Committee

The LGA manages representation of Local Government to more than 20 legislative Boards and Committees. The process requires nominations from the sector and these nominations are endorsed by the LGA board to the Minister.

If the City of Marion withdraws its membership to the LGA, further research would be required to determine the impact on Council's ability to seek appointment on various bodies. It may also impact on Council's ability to nominate for various bodies such as the Local Government Finance Authority, LGA Workers Compensation Scheme and LG A Mutual Liability Scheme. These appointments are determined by the LGA Board.

LGA General Meeting

If Council is not a member of the LGA, it would not have a voting right or the ability to submit motions to the LGA General Meetings.

Operational

The Council uses a web platform provided through a contract with the LGA which is tailored for Local Government. Further research would be required to ascertain the impact of this, including the costs associated with alternative providers and the staff resources to implement a change in provider.

Further research would be required to determine the impact on technologies such as the 'My Local Services App' as this is leveraged from the same system.

Advisory Services

A loss of access to a wide range of advisory services and copyright documents prepared by the LGA would have significant operational implications for Council. This includes access to model guidelines, policies, manuals, templates, circulars, etc. The LGA also provides a significant range of opportunities for Council staff and members to network across and beyond SA. The loss of such networking or costs of replicating it would also represent a risk.

Insurance Schemes

The Council is a member of the Local Government Insurance Schemes being:

- Workers Compensation
- Mutual Liability
- Asset

These Schemes provide significant financial benefit to the Council. Participation in the two first mentioned schemes is secured through scheme rules established by the LGA but which would require Ministerial approval to be changed. Council can remain a Member of these Schemes but some complexities arise such as the LGA owns the license for the LGA Workers Compensation Scheme. This would require further research and discussions with the Schemes as there may be some additional risks associated with not being a member of the LGA.

Additionally, the Schemes and the LGA run a number of joint activities such as the Climate Change Adaptation Program. Council's ability to participate in these would need further discussion and research.

Financial

There are a number of financial matters already highlighted but other matters to consider are:

- Training and Development
- Local Government Research and Development Scheme
- Local Government Financial Authority
- Access to joint projects

Access for a non-member Council would depend on decisions by the LGA Board.

CONCLUSION

Based on the information provided, it is recommended that further discussions occur with the Council and Local Government Association to understand the full range of the services provided and the interrelated complexities associated with Council's membership. It is noted that the LGA is attending the Elected Member Forum on Tuesday, 19th May 2015. It is recommended that an alternative motion is considered by Council as follows:

"That Council seek further information from the incoming President of the Local Government Association and Senior Staff to address its concerns at the Elected Member Forum to be held on Tuesday, 19 May 2015".



Local Government Association
of South Australia

SCANNED

The **Voice**
of Local
Government

Our Reference: 629445/ SVH:TM

31 July 2015

Mr Geoff Whitbread
A/Chief Executive Officer
City of Marion
PO Box 21
OAKLANDS PARK SA 5046

RECEIVED CITY OF MARION INFORMATION MANAGEMENT		Original Fwd: <input type="checkbox"/>
- 4 AUG 2015		
File No:	10-85.1.4	
8	5	6 7 8 40 P

Dear Geoff

I am writing to advise you that at the LGA Board meeting of 21 May 2015 determined the 2015/2016 budget and subscriptions for the upcoming financial year.

The benefits gained through LGA membership include representation by the LGA Board on key Local Government legislative, funding and other policy matters such as pensioner concessions and services and distributions which flow from schemes/funds established by the LGA for mutual liability, workers compensation and asset cover. Our 2014 Annual Report can be found on the LGA website and the 2015 Annual Report will be presented to the AGM as usual in October.

The LGA has recently sought to calculate financial benefits of its activities on top of the benefit of the actual services and representation. The attached document highlights recent achievements and estimates the financial benefits to your communities through Council from a small number of activities. For all Councils, these are well in excess of subscriptions paid. We would invite your feedback on this.

Annual LGA subscriptions are determined via a population and revenue formula. Two caps are applied; one to ensure no Council pays more than three times the average subscription and the second to limit any annual growth to a maximum of 5%. A review was undertaken of the calculation of the subscriptions formula by LGA's auditors in 2015 and some previous anomalies were corrected. The 2015/16 subscriptions have been calculated in accordance with the revised template confirmed by the LGA's auditors. Please note that the Board has also determined to undertake a review of the subscriptions formula prior to the 2016/17 subscriptions being determined and that Council views will be sought in that process.

Your Council's 2014/2015 LGA membership subscription has been calculated at \$92,080.00 (excluding GST) and a tax invoice is attached.

If you have any queries please do not hesitate to contact me, or the President, Mayor Dave Burgess on 8224 2022, or a member of the LGA Board.

Yours sincerely

Mark Searle
Acting Chief Executive Officer

Telephone: 8224 2022 Email: mark.searle@lga.sa.gov.au
Attach: Tax Invoice
Value of LGA Membership




SCANNED

Value of LGA Membership - Marion Council and Community

The LGA is a membership-based association which is operated by Councils to provide services to Councils for the benefit of communities, including managing intergovernmental relationships. It is a public body, which operates under a constitution and its existence and powers are guaranteed by Schedule 1 of the Local Government Act.

Key LGA Service Areas	Activities / Examples (2014/15 \$ Statewide involved unless stated)	Marion Council and community annual benefit where \$ available
Representation	Pensioner Concessions Campaign (\$32.7m)	\$1,596,990
	Supplementary Road Funding campaign (\$19m)	\$541,144
	FAGS campaign (\$12m)	\$341,775
	Library Funding Agreement (\$190m - 10 years)	\$610,352
	Planning Reform	
	Local Government Act review	
	Housing Trust stock transfer (estimate \$6m)	
	Premier's Local Government Forum	
	Wage Case/Awards - SA Industrial Commission	
	ALGA/CoAG - Federation White Paper/Tax Review	
	R2R incr. (2015/16) + Fuel Excise x 2 years \$119m	\$2,836,136
Leadership	Council Members' Guide	
	Meeting Procedures Handbook	
	Candidates' Website	\$50,000
	Financial Sustainability resources/templates	
	Council of the Future initiative	
	Local Government Governance Panel	
	ICAC Information Papers	
	Procurement Guidelines (LGAP)	
	Climate Change work (incl Solar Innovation Fund \$280K)	
	LGA Delegations Templates	\$22,000
	Gifts and Benefits Guidelines for Council Members	
	LGA Showcase/OGM & Conference/AGM	
	Volunteer Strategy	
	Child Protection Guidelines	
	Native Title - Kurna ILUA support	
Public Education	2014 LG Elections Promotion (\$260,000)	
	2012/13 Careers in Council (\$690,000)	
	School Education kit/site	
	LGA Website	
	Media liaison	
Governance/ Value Add Services / Enterprises	Library One Card Network (savings \$700,000)	\$36,822
	Unity Website system (savings \$7m over 10 years)	\$30,000
	LGA Procurement (including electricity contracts)	-
	LGA Mutual Liability Scheme ¹	\$139,974
	LGA Workers Compensation Scheme ²	
	LGA Asset Mutual Fund ³ (\$5m bonuses - 3 schemes)	Special Distribution
	Statewide Super*	
	Local Government Finance Authority ⁺ (\$2m bonuses)	
* LGA co-owns/ nominates people to boards + LGA advocated for and helped establish, nominates people to boards	Education & Training Services	
Total Achieved		\$5,322,274
Total yet to be finalised		\$882,919
TOTAL		\$6,205,193



Local Government Association
GPO Box 2693, ADELAIDE 5001

Accounts Officer
Phone: 8224 2048
Fax: 8232 6336
Email: accounts@lga.sa.gov.au

SCANNED

TAX INVOICE

ABN: 83 058 386 353

Invoice Number	29494
Page	1
Date	31/07/2015

Debtor 53
City of Marion
PO Box 21
OAKLANDS PARK SA 5046

Your Order Number

For more information contact:
LGA Michael Stewart 0882242037

DESCRIPTION	QTY	PRICE	DISCOUNT	GST	TOTAL
2015/2016 LGA MembershipSubscription	1.00	92,080.00		9,208.00	101,288.00
PLEASE SETTLE THIS ACCOUNT WITHIN 14 DAYS EFT PAYMENTS Please fax or post your remittance advice immediately after payment is made BSB No: 085-042 A/c No: 51 635 0212 Bank: National Australia Bank Branch: Hutt Street, Adelaide			Page Total \$ 9,208.00 \$ 101,288.00 Total including GST \$101,288.00		

Total includes GST of \$9,208.00

**CITY OF MARION
GENERAL COUNCIL MEETING
11 AUGUST 2015**

Originating Officer: Steve Hooper, Manager Development Services

Director: Kathy Jarrett

Subject: Department of Planning, Transport and Infrastructure
(DPTI) Presentation

Reference No: GC110815R04

EXECUTIVE SUMMARY:

At the General Council meeting of 28 July 2014, Council considered a report on the Darlington Project for Crown Development – Removal and Major Pruning of Regulated and Significant (Regulated) Trees (GC280715R03). At the meeting, Council resolved to:

1. Notes the report GC280715R03.
2. To enable Council to appropriately respond to the application, that the applicant (the Department of Planning, Transport and Infrastructure) meets as soon as practicable with the Elected Council at a forum to inform (with all appropriate documentation including maps) and discuss this development application.
3. In order to seek additional information from the applicant, that Council requests an extension of time beyond the closing date of 21 August 2015 to provide a formal response under Section 49(7a) of the Development Act 1993.

Liaison has occurred with the Department of Planning, Transport and Infrastructure (DPTI) and they have agreed to attend the 11th August 2015 Council meeting to further brief Council in confidence regarding the application for pruning and removal of significant trees. DPTI has requested to brief Council in confidence as some of the information is still awaiting approval from the Minister and therefore not publicly available yet.

At the conclusion of the briefing, Council should resolve to keep any information associated with the briefing in confidence.

RECOMMENDATIONS: (2)

That

1. Pursuant to Section 90(2) and (3)(j) of the *Local Government Act 1999*, the Council orders that all persons present, with the exception of the following persons: Kathy Jarrett, Vincent Mifsud, Abby Dickson, Kate McKenzie, Victoria Moritz, Rebecca Kersten, Steve Hooper and Rudy Tieman, be excluded from the meeting as the Council receives and considers information relating to 'Department of Planning, Transport and Infrastructure (DPTI) Presentation'. This resolution is made upon the basis that the Council is satisfied that the requirement for the meeting to be conducted in a place open to the public has been outweighed by the need to keep consideration of the matter confidential given the item relates to information the disclosure of which would divulge information provided on a confidential basis by a public authority and would, on balance, be contrary to the public interest. August 15

That:

- 2. Council in accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the briefing provided by the Department of Planning, Transport and Infrastructure (DPTI) and any associated documentation having been considered in confidence under Section 90(2) and (3)(j) of the Act be kept confidential and not available for public inspection until such time as the documents are publicly released by 'Department of Planning, Transport and Infrastructure (DPTI). This confidentiality order will be reviewed at the General Council Meeting in December 2015.**

August 15

**CITY OF MARION
GENERAL COUNCIL MEETING
11 AUGUST 2015**

Originating Officer: Steve Hooper, Manager Development Services

Director: Kathy Jarrett

Subject: Crown Development – Removal and Major Pruning of Regulated and Significant (Regulated) Trees

Report Reference: GC110815R05

EXECUTIVE SUMMARY & BACKGROUND:

The proposal provides for the removal of 27 regulated or significant trees and the pruning of 5 significant trees which will be impacted by the infrastructure works proposed along South Road and surrounding areas.

At the General Council meeting of 28 July 2014, Council considered a report on the Darlington Project for Crown Development – Removal and Major Pruning of Regulated and Significant (Regulated) Trees (GC280715R03). At the meeting, Council resolved as follows:

1. Notes the report GC280715R03.
2. To enable Council to appropriately respond to the application, that the applicant (the Department of Planning, Transport and Infrastructure) meets as soon as practicable with the Elected Council at a forum to inform (with all appropriate documentation including maps) and discuss this development application.
3. In order to seek additional information from the applicant, that Council requests an extension of time beyond the closing date of 21 August 2015 to provide a formal response under Section 49(7a) of the Development Act 1993.

A copy of this report is attached at Appendix I.

Liaison has occurred with the Department of Planning, Transport and Infrastructure (DPTI) and they have agreed to attend the 11th August 2015 Council meeting to further brief Council in confidence regarding the application for pruning and removal of significant trees.

The Ministers delegate has also agreed to extend the time by which Council must make its submission on the application. This extension will enable Council to consider the item at the 25 August 2015 Council Meeting.

The deadline for Council's submission is now 28 August 2015.

RECOMMENDATIONS:

DUE DATE

That Council

1. **Suspends formal meeting proceedings to enable informal debate and workshop its submission having regard to the draft submission outlined in Appendix I and the outcomes of the DPTI briefing on the development application.**

11 Aug 15

SUBMISSION:

Council has an opportunity to comment on the proposal. Details of a potential submission are contained in Appendix I.

This submission was framed before tonight's briefing by DPTI in relation to the application and will most likely be revised having regard to discussion with DPTI and observations made during the briefing.

Given the time constraints in providing its submission, it is recommended that Council suspend formal meeting proceedings to enable informal debate and workshop its submission.

CONCLUSION:

This application is a Crown Development pursuant to Sections 49 of the Development Act, 1993, which was submitted by DPTI to facilitate the "Darlington Upgrade Project." Council has an opportunity to provide a submission to the Development Assessment Commission (DAC) on the proposal.

Council will need to finalise a submission to the Development Assessment Commission at the Council Meeting to be held on 25 August 2015. The draft letter outlined in appendix I provides a starting point for this submission which can be further informed by the outcomes of the DPTI briefing.

Appendix I: Report to GC280715R – Crown Development Application

**CITY OF MARION
GENERAL COUNCIL MEETING
28 JULY 2015**

Originating Officer: Steve Hooper, Manager Development Services

Director: Kathy Jarrett

Subject: Crown Development – Removal and Major Pruning of Regulated and Significant (Regulated) Trees

Report Reference: GC280715R03

REPORT OBJECTIVES & EXECUTIVE SUMMARY:

The purpose of this report is to provide Council with an opportunity to provide comment on Development Application No: 100/1125/2015.

This application is a Crown Development pursuant to Section 49 of the Development Act, 1993. The application was submitted by the Department of Planning, Transport & Infrastructure (DPTI) to facilitate the “Darlington Upgrade Project.”

The application proposes the removal of 27 Regulated or Regulated/Significant Trees and the Pruning of 5 Regulated/Significant Trees which will be impacted by the infrastructure works proposed along South Road and surrounding areas.

RECOMMENDATIONS:

DUE DATE

That Council

- 1. Endorses the submission as contained in Appendix II.**

29 July 15

BACKGROUND:

The Darlington Upgrade Project is a \$620 million project (\$496 million federally funded and \$124 million state funded) which involves the upgrade of the 2.3 km section of Main South Road between the Southern Expressway and Ayliffes Road.

This upgrade is an integral component of the North-South Corridor project and this section of the corridor project aims to provide non-stop access between the Southern Expressway and the Ayliffes Road/Shepherd's Hill Road intersection. The key features of the project as proposed in the current alternative scheme are:

- A non-stop motorway between the Southern Expressway and the Ayliffes Road/Shepherds Hill Road intersection;
- A lowered motorway that passes underneath Flinders Drive and Sturt Road;
- Main South Road (at grade) service roads along both sides of the motorway to provide connections to Flinders Drive, Sturt Road and most local roads;
- Full free flow interchange at the Southern Expressway/Main South Road junction with dedicated ramps providing direct access to and from the new motorway and South Road.

The road infrastructure works are exempt from requiring Development Approval under the Development Act.

However, the associated removal and/or pruning of regulated or significant trees does require Development Approval. The proposal is a Crown Development pursuant to Section 49 of the Development Act, 1993.

As a Crown development, the Development Assessment Commission (DAC) is the relevant authority. However, pursuant to Section 49(7a) of the Development Act 1993, the Commission is required to refer the application to Council and invite Council to provide feedback within 8 weeks of the receipt of this correspondence. Council therefore has an opportunity to provide its comments by 21 August 2015.

PROPOSAL:

The Darlington Upgrade Project will require the removal and major pruning of numerous regulated and significant trees within the Cities of Marion and Mitcham.

Within the City of Marion, a total of 27 regulated or significant trees are identified to be removed and 5 significant trees are proposed to undergo major pruning. A large proportion of affected trees within the City of Marion are located along Sturt Road (adjacent Bedford Park/Clovelly Park), however some are located in the vicinity of South Road (Bedford Park), South Road (Clovelly Park) Laffer Drive (Bedford Park) Oak Avenue (Clovelly Park) and Mimosa Terrace (Clovelly Park).

Regulated trees are trees that have a trunk circumference (or multiple trunk circumference) of 2 metres or more measured at 1 metre above natural ground level. Significant trees are trees that have a trunk circumference (or multiple trunk circumference) of 3 metres or more measured at 1 metre above natural ground level.

Council's Planning Officer – Arboriculture has examined the documentation submitted by the applicant and inspected the trees which have been planned for removal or major pruning to facilitate the road upgrades. He has noted that all the selected trees are in good health and condition with life expectancies of more than 10 years, although some would require pruning to improve their shape.

The applicant has advised that the trees included in this application have been identified as requiring removal or a major prune (including root impacts) as these trees are either located within the new road formation, will be impacted by relocation of services, will be subject to other impacts such as temporary pavement to relocate and maintain traffic movements during construction. DPTI also advises that the assessment of the impacts of the trees identified for removal and pruning is based on the current (alternative) concept design and anticipated construction requirements and that the intention is to minimise these impacts where possible through optimisation of design options and use of alternative construction methods. The inference being, although not stated, there may be opportunity to retain some of the affected trees.

The applicant intends to develop a Landscape and Urban Design Plan (which includes on ground plantings) to offset the removal of these trees, based on the legislative requirement that replacement trees are planted at a ratio of 2:1 for regulated trees and 3:1 for significant trees. Further, if on-ground plantings cannot be achieved within the immediate project area, the project team intends to negotiate opportunities with the relevant council (Marion or Mitcham) to complete on-ground plantings within local reserves or open areas, to achieve the required offset.

Details of the proposal are contained within **Appendix I**.

DISCUSSION:

As part of the preparation of Council's submission to the Development Assessment Commission consideration has been given to Council's previous representations to DPTI regarding protection of trees and the associated environmental and social amenity provided by them.

Council in its formal response to the Minister of Transport and Infrastructure regarding the Darlington Upgrade Scheme in May 2015 (GC 120515R03) made specific reference to the removal of trees and advised that the retention of remnant native vegetation is strongly supported, and in particular, for the several sites in the project area containing large remnant *Eucalyptus camaldulensis*. These trees are of very high ecological and cultural significance and should be protected. This includes retaining trees where possible and ensuring any changes to environmental conditions during construction or operation of the project will not negatively impact on the health of the trees.

Council is currently corresponding with DPTI regarding its desire to enhance the aesthetic and visual amenity along busy arterial roads by planting suitable vegetation in median strips on Oaklands Road, Diagonal Road and Sturt Road. A reply to Council's last letter to DPTI, dated 17 March 2015 seeking to progress this planting has not been received to date.

A large proportion of affected trees are within the carriageways of the widened South Road and the intersection approaches on the connecting roads will have to be removed. However, a number of trees on the periphery, leading into the approaches to the project, in medians, verges and footpaths could be retained depending on the final design road alignments and geometry, service location and construction arrangements. It is recommended that there be a requirement on any Development Approval that the removal of the trees, in particular those in these marginal locations should not proceed until final design and construction details are confirmed.

The removal of the proposed trees and in particular those on the Clovelly Park side of Sturt and South Roads, will have a significant visual and amenity impact on the adjacent community. These trees currently provide shade and a buffer between residences and adjacent arterial roads. Their removal will disaffect this community to a degree that offset replacement planting is unlikely to remedy even in the long term. It is recommended that there be a requirement on any Development Approval that the landscape plan proposed by DPTI include provision for extensive, empathetically designed, environmentally and aesthetically effective barriers which could include for example landscaped earth mounds and green walls.

In line with Council's wish to have median strips on busy arterial road such as Sturt Road landscaped with suitable shrubs and ground covers it would be appropriate that the proposed DPTI landscape plan incorporates replacement offset planting within the Sturt Road median for trees removed from the median.

COMMUNITY CONSULTATION:

The development application is a Crown Development which is exempt from public consultation as it incorporates a cost of less than \$3million.

However, community engagement has been part of the State Government's approach to the overall Darlington Upgrade Project, incorporating the following:

- Community information days were held in early April 2015 to allow the public to find out more about the project, meet members of the project team and raise any issues and questions;

- A Community Liaison Group (CLG) has been established for the Darlington Upgrade Project to provide a forum for local residents and businesses to discuss and exchange information about the project. This group has met on five (5) occasions since September 2014, however, the agendas and minutes imply a traffic focus with very little mention of the removal of regulated and significant trees/
- Community Feedback via DPTI website (with a link provided on CoM website); and,
- Liaison with key stakeholders including Kaurana and Friends of Warriparinga.

It is acknowledged that a community engagement framework has been developed by DPTI, however, it is not known whether this consultation has closely examined the full extent of tree removal and pruning contemplated as part of the subject application. The DPTI correspondence indicates that consultation with adjacent land owners will be undertaken as part of the development process. There has been little discussion with Council officers regarding the impact of the project on trees in stakeholder meetings until now.

SUBMISSION:

Council has an opportunity to comment on the proposal. Details of a potential submission are contained in Appendix II. A summary of the contents contained in the submission is as follows:

- Recognition of the strategic importance of the Darlington Upgrade for the State;
- Advising that all of the trees proposed to be removed or pruned have been examined by Council's Planning Officer - Arboriculture and are deemed to be healthy with life expectancies longer than 10 years;
- Request that DPTI in finalising the design detail and construction arrangements of the project seek to retain as many of the trees proposed to be removed or pruned as practicable and to delay the removal of the trees until these details are finalised and final tree removal numbers are confirmed.
- Acknowledgement that the applicant intends to develop a Landscape and Urban Design Plan (which includes on-ground plantings) to offset the removal of these trees, based on a ratio of 2:1 for regulated trees and 3:1 for significant trees and request this to be more community and environmentally sensitive replacement strategy which provides an effective visual and noise buffer between residents and the adjacent road traffic and also includes enhancement of medians.
- The proposal fails to comply with the City of Marion Development Plan with respect to "General Section: Natural Resources PDC 28, 29 & 30", Regulated Trees Objectives 1 & 2 and PDC's 1, 2 & 3, and Significant Trees Objectives 1 & 2, and PDC's 1, 2, & 3. These Development Plan provisions promote the retention of existing areas of natural vegetation including regulated and significant trees where possible.

CONCLUSION:

This application is a Crown Development pursuant to Sections 49 of the Development Act, 1993, which was submitted by DPTI to facilitate the "Darlington Upgrade Project." Council has an opportunity to comment the Development Assessment Commission (DAC) on the proposal.

The proposal provides for the removal of 27 regulated or significant trees and the pruning of 5 significant trees which will be impacted by the infrastructure works proposed along South Road and surrounding areas.

A draft submission is provided for Elected Members' consideration as outlined in Appendix II.

Appendix I: Details of proposal plans

Appendix II: Submission to Development Assessment Commission

SECTION 49 & 49A – CROWN DEVELOPMENT DEVELOPMENT APPLICATION FORM

1125

APPIAN 498

PLEASE USE BLOCK LETTERS

COUNCIL: Marion and MitchamAPPLICANT: Department of Planning, Transport and
Infrastructure (Darlington Upgrade Project)ADDRESS: 77 Grenfell St, Adelaide, SA
(GPO Box 1533 Adelaide SA 5001)CROWN AGENCY: DPTI

FOR OFFICE USE

080/V015/15 (& into

DEVELOPMENT No: City of Marion)

PREVIOUS DEVELOPMENT No: _____

DATE RECEIVED: / /

CONTACT PERSON FOR FURTHER INFORMATION

Name: Emma FellTelephone: 8343 2648 [work] _____ [Ah]

Fax _____ [work] _____ [Ah]

Email: emma.fell@sa.gov.au☐ Complying

Decision: _____

☐ Merit

Type _____

☐ Public NotificationFinalised: / /☐ Referrals

NOTE TO APPLICANTS:

(1) All sections of this form must be completed. The site of the Development must be accurately identified and the nature of the Proposal adequately described. If the expected development cost of this Section 49 or Section 49A application exceeds \$100,000 (excl. fit-out) Or the development involves the division of land (with the creation of additional Allotments it will be subject to those Fees as outlined in Item 1 of Schedule 6 of the Development Regulations 1993. Proposals over \$4 million (excl. fit-out) will be subject to public notification and advertising fees.

(2) Three copies of the Application should also be provided.

Decision
required

Fees

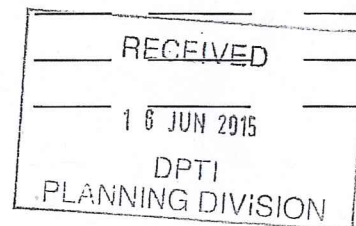
Receipt No

Date

Planning: _____

Land Division: _____

Additional: _____

Minister's
ApprovalEXISTING USE: Primarily DPTI road (Main South Road)

DESCRIPTION OF PROPOSED DEVELOPMENT: The Darlington Upgrade Project will involve construction of a 2.3 kilometre non-stop powered section of road between the Southern Expressway and Ayliffes Road at Darlington as well as upgrades to local roads and Cycling and pedestrian routes to maintain existing connectivity in the area.

LOCATION OF PROPOSED DEVELOPMENT: Main South Road, Darlington. Please refer to Property details attached to this form

House No: _____ Lot No: _____ Street: _____ Town Suburb: _____

Section No [full/part] _____ Hundred: _____ Volume: _____ Folio: _____

Section No [full/part] _____ Hundred: _____ Volume: _____ Folio: _____

LAND DIVISION:

Site Area [m²] _____ Reserve Area [m²] _____ No of existing allotments _____

Number of additional allotments [excluding road and reserve]: _____ Lease: _____

YES _____ NO _____

DEVELOPMENT COST [Do not include any fit out costs]: \$ 174 000 (approximately)

POWERLINE SETBACKS: Pursuant to Schedule 5 (2a)(1) of The Development Regulations 1993, if this application is for a building it will be forwarded to the Office of the Technical Regulator for Comment unless the applicant provides a Declaration to confirm that the building meets the required setback distances from existing powerlines. The declaration form and further information on electricity infrastructure and clearances distances can be downloaded from the Planning SA website (www.planning.sa.gov.au).

I acknowledge that copies of this Application and supporting documentation may be provided to Interested persons in accordance With the *Development Act 1993*.

SIGNATURE: emmaDated: 5/5/15

Reference
Contact Officer Yasmine Alliu
Telephone 7109 7076
Facsimile 8303 0753

23/06/2015

Dear Sir/Madam,

MANDATORY REFERRAL

The enclosed copy of the abovementioned proposal is referred to you as a prescribed body pursuant to the provisions of Section 49(7a) of the Development Act 1993.

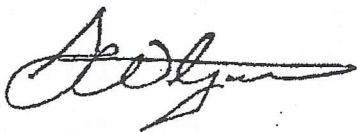
The Development Assessment Commission is seeking specific technical and environmental advice to inform a statutory assessment process and to facilitate good planning outcomes. The Commission values the professional and independent advice of state agencies on the suitability of a development proposal, and on any conditions that should be imposed should an approval be granted.

The Commission is required to undertake an independent planning assessment against all relevant provisions of a Local Development Plan. In order to achieve statutory timelines, the Commission requests that only specific technical, design and/or environmental advice be provided. The overall planning merits of an application are then considered. References to settled planning policies – expressed as background to the agency's position and the rationale for any referral advice – is appreciated for contextual reasons. However comments relating to emerging policy positions that are not in accordance with the State's Planning Strategy should not be integrated into this advice, but supplied in a separate attachment that will be forwarded to the Department of Planning, Transport and Infrastructure for consideration at a more strategic level.

In accordance with Section 49(7a), the Commission invites specific comment on the suitability of the proposed development to enable an expeditious assessment of the application.

Should a response not be received by the Commission within **8** weeks of your receipt of this correspondence, it will be presumed, unless you notify the Commission within that period that you require an extension of time or you have requested additional information from the applicant (i.e. stopped the clock), that you do not desire to make a response on the proposal.

Yours faithfully,



Please include planning officer's name and/or the EDALA ID number for this application or attach page 2 of this referral to your response if you do not use it for your reply. Thank you.

For DEVELOPMENT ASSESSMENT COMMISSION

Agency	City of Marion
Application Number	080/V015/15 (EDALA ID 7662)
Relevant Authority	Minister for Planning
Kind of Development	Land Use
Due Date to Reply	18 August 2015
Minor/Major/Technical	Merit
Officer	Yasmine Alliu



Government of South Australia

Department of Planning,
Transport and Infrastructure

Planning Division
Roma Mitchell House
136 North Terrace
Adelaide SA 5000

GPO Box 1815
Adelaide SA 5001

Telephone: 08 8303 0760
ABN 92 366 288 135

<http://www.dpti.sa.gov.au>

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CITY OF MARION
INFORMATION

26 JUN 2015

Original
Fwd: ☐

10: 2 5 6 7 8 10 P

CITY OF MARION
DEVELOPMENT SERVICES

26 JUN 2015

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Government of South Australia

Department of Planning,
Transport and Infrastructure

In reply please quote: 2014/21283

Enquiries to: Ms Emma Fell

Telephone: 8343 2648

Mr Simon Neldner
Principal Planning Officer, Development Assessment
Development Division
Department of Planning, Transport and Infrastructure
GPO Box 1815
ADELAIDE SA 5001

**SAFETY AND SERVICE
DIVISION**77 Grenfell Street
Adelaide SA 5000GPO Box 1533
Adelaide SA 5001Telephone: 08 8343 2222
Facsimile: 08 8343 2768

ABN 92 366 288 135

CITY OF MARION
DEVELOPMENT SERVICES

20 JUN 2015

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16 JUN 2015

DPTI
PLANNING DIVISION

Dear Mr Neldner,

**RN6203 MAIN SOUTH ROAD, DARLINGTON
REGULATED TREE SUBMISSION FOR
DARLINGTON UPGRADE PROJECT**

The department is seeking Development Approval for the removal and major pruning of Regulated and Regulated Significant trees located within the City of Marion and the City of Mitcham areas, as part of the Darlington Upgrade Project. Refer to Table 1 below, for the number of trees in each Council area included in this application.

Table 1: Regulated and Regulated Significant Trees to be Impacted by the Project

	Removal			Major Prune / Root Impact		
	Regulated	Regulated Significant	Total	Regulated	Regulated Significant	Total
Marion Council	18	9	27	0	5	5
Mitcham Council	46	14	60	13	0	13
Total	64	23	87	13	5	18

These trees are Regulated trees or Regulated Significant trees under the *Development Act, 1993* due to the following factors:

Regulated trees

- have a trunk circumference of 2 m or more measured at 1 m above natural ground level; or
- have multiple trunks with a total circumference of 2 m or more and an average circumference of 625 mm or more measured at 1 m above natural ground level.

Regulated Significant trees

- have a trunk circumference of 3 m or more measured at 1 m above natural ground level; or

- have multiple trunks, with a total circumference of 3 m or more and an average circumference of 625 mm or more measured at 1 m above natural ground level.

Approval to impact the Regulated and Regulated Significant trees outlined in Table 1, and the enclosed application, is sought to enable construction of the Darlington Upgrade Project, which involves upgrading a 2.3 km section of Main South Road, between the Southern Expressway and Ayliffes Road at Darlington. Works will involve relocation of services, construction of a lowered road and bridges, upgrades to local at grade roads and construction of temporary pavement to maintain traffic during the project.

The Regulated and Regulated Significant trees included in this application have been identified as requiring removal or a major prune (including root impacts) as these trees are either located within the new road formation, will be impacted by relocation of services (such as water, electricity, gas and communications), or will be subject to other impacts, such as temporary pavement to relocate and maintain traffic movements during construction.

The assessment of impacts to Regulated and Regulated Significant trees is based on the current concept design and the anticipated construction requirements. The department and construction contractor anticipate to minimise impacts where possible, through optimisation of design options and use of alternate construction methods, such as hydro-vac excavation (where practical).

Please refer to the enclosed application for individual tree details, photos and location plans for each Council area. Three copies of the application are enclosed, as well as a CD containing the files.

A Landscape and Urban Design Plan (which includes on ground plantings) will be developed to offset the removal of these trees, based on a ratio of 2:1 for regulated trees and 3:1 for significant trees. If on-ground plantings cannot be achieved within the immediate project area, the project team will negotiate opportunities with the relevant Council (Marion or Mitcham) to complete on-ground plantings within local reserves or open areas, to achieve the required offset.

The department will consult with Marion and Mitcham Councils, and the adjacent landowners, as part of the development process.

Should you require any additional information or would like to discuss this further, please contact Ms Emma Fell, Environment Officer on telephone number 8343 2648.

Yours sincerely,


Jon Whelan
**MANAGER,
PROJECT DELIVERY**

18 May 2015

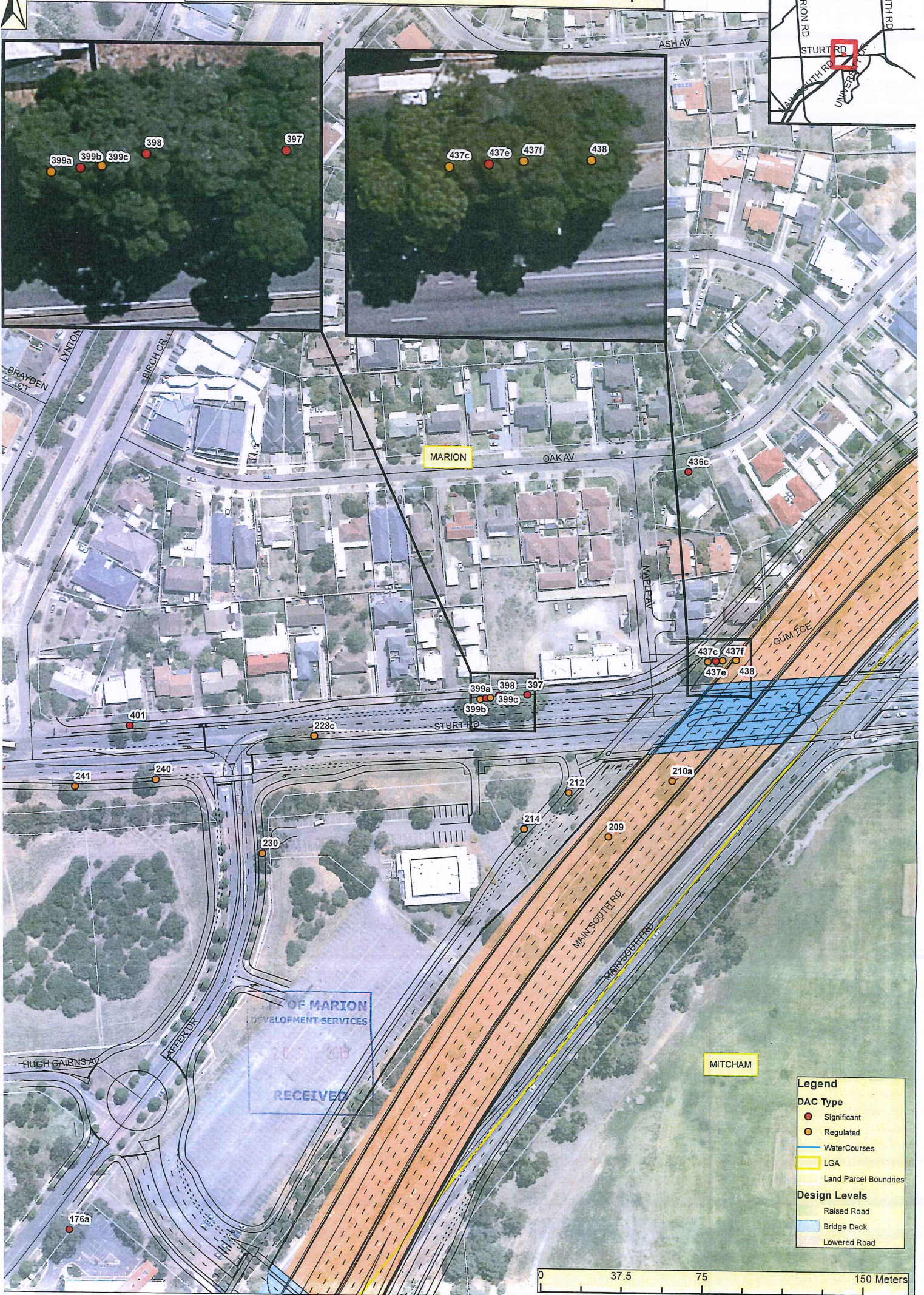
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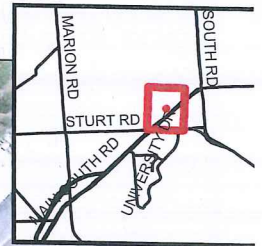
DEPARTMENT OF PLANNING, TRANSPORT & INFRASTRUCTURE TRANSPORT SERVICES DIVISION Road Number : 6203 Location : Darlington Project/Road/Rail: South Road Upgrade, Darlington										VS 2014/022 EXTRACT Marion Regulated Trees										DATA SHEET - VE 105 File No : 20140624102 PATCHES No : 201406982										Surveyed By: RMP Date : 26/01/14 to 28/11/14 Checked By: TS LOCAL GOVERNMENT COUNCIL(S) (LGC)																			
LOGC (ALLOCATED NUMBER)										PHOTO REFERENCE										IS THE SURVEY / AREA COVERED BY EITHER OR BOTH OF THE FOLLOWING ACTS DEVELOPMENT ACT 1993? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO NATIVE VEGETATION ACT 1991? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO										SPECIES OR GROUP/AREA DESCRIPTION										REMARKS/NOTES									
Plan Reference or Location										Marion Council Area Removals																																							
1 70										Main South Rd Median - Just North of Sturt River Bridge										REGULATED SIGNIFICANT TREE - 2 stems etc 3.3 / 12.0m, planted in median over grass																													
1 131a										Eucalyptus camaldulensis var camaldulensis																																							
1 131b										Eucalyptus camaldulensis var camaldulensis										REGULATED TREE - planted in median over grass. Probably more hollows not visible from ground.																													
1 131c										Eucalyptus camaldulensis var camaldulensis										REGULATED SIGNIFICANT TREE - planted in median over grass. Possible hollows not visible from ground.																													
1 74a										Eucalyptus camaldulensis var camaldulensis										REGULATED SIGNIFICANT TREE - Two stems etc 15m / 15m. In creek line on creekbank over Phragmites, Trogasium and Ipomoea.																													
1 131a										Main South Rd Median - SW of Flinders Div																																							
1 131b										Eucalyptus camaldulensis var camaldulensis																																							
1 131c										Eucalyptus camaldulensis var camaldulensis										REGULATED TREE - planted in median over grass. Probably more hollows not visible from ground.																													
1 131d										Eucalyptus camaldulensis var camaldulensis										REGULATED SIGNIFICANT TREE - planted in median over grass. Possible hollows not visible from ground.																													
1 176a										Laffer Div - In front of Mank Oliphant Building																																							
1 176b										Eucalyptus camaldulensis var camaldulensis										REGULATED SIGNIFICANT TREE - planted in landscaped area around car park																													
1 209										Car park between Main South Rd and Laffer Div																																							
1 210a										Eucalyptus camaldulensis var camaldulensis										REGULATED TREE - planted in landscaped area over grass																													
1 212										Eucalyptus camaldulensis var camaldulensis										REGULATED TREE - planted in landscaped area over grass																													
1 214										Eucalyptus camaldulensis var camaldulensis										REGULATED TREE - 3 stems etc 1.0m / 0.50m / 0.5m, planted in landscaped area over grass																													
1 228c										Eucalyptus camaldulensis var camaldulensis										REGULATED TREE - 2 stems etc 1.0m / 1.0m, planted in Sturt Road Median																													
1 230										Eucalyptus camaldulensis var camaldulensis										REGULATED TREE - planted in landscaped area around car park																													
1 240										Sturt Rd - South side, West of Laffer Div																																							
1 241										Eucalyptus camaldulensis var camaldulensis										REGULATED TREE - over mown grasses																													
1 397										Sturt Rd - North side, west of Main South Rd																																							
1 398										Eucalyptus camaldulensis var camaldulensis										REGULATED SIGNIFICANT TREE - Possibly more hollows.																													
1 399a										Eucalyptus camaldulensis var camaldulensis										REGULATED SIGNIFICANT TREE - Possibly more hollows.																													
1 399b										Eucalyptus camaldulensis var camaldulensis										REGULATED TREE																													
1 399c										Eucalyptus camaldulensis var camaldulensis										REGULATED SIGNIFICANT TREE																													
1 401										Eucalyptus camaldulensis var camaldulensis										REGULATED TREE																													
1 401										Eucalyptus camaldulensis var camaldulensis										REGULATED SIGNIFICANT TREE - possible root damage, planted in island in pavement.																													
1 437c										Gun Toe / Sturt Rd median																																							
1 437d										Eucalyptus camaldulensis var camaldulensis										REGULATED TREE - light group on island																													
1 437e										Eucalyptus camaldulensis var camaldulensis										REGULATED SIGNIFICANT TREE - light group on island, 2 stems etc 2.19 / 2.15																													
1 437f										Eucalyptus camaldulensis var camaldulensis										REGULATED TREE - light group on island																													
1 438										Eucalyptus camaldulensis var camaldulensis										REGULATED TREE																													
1 442c										Main South Rd - West side, North of Sturt Rd																																							
1 559a										Eucalyptus globulus (Tasmanian bluegum)										REGULATED TREE																													
1 551b										Sturt Rd Median - West of Laffer Div																																							
1 552a										Eucalyptus camaldulensis var camaldulensis										REGULATED TREE - planted over mown grasses on island, 2 stems 2.3m / 0.5m																													
1 552b										Eucalyptus camaldulensis var camaldulensis										REGULATED TREE - planted in median																													
1 552c										Eucalyptus camaldulensis var camaldulensis										REGULATED TREE - planted in median																													
1 552d										Eucalyptus camaldulensis var camaldulensis										REGULATED TREE - planted in median																													
1 552e										Eucalyptus camaldulensis var camaldulensis										REGULATED TREE - planted in median																													
1 552f										Eucalyptus camaldulensis var camaldulensis										REGULATED TREE - planted in median																													
1 552g										Eucalyptus camaldulensis var camaldulensis										REGULATED TREE - planted in median																													
1 552h										Eucalyptus camaldulensis var camaldulensis										REGULATED TREE - planted in median																													
1 552i										Eucalyptus camaldulensis var camaldulensis										REGULATED TREE - planted in median																													
1 552j										Eucalyptus camaldulensis var camaldulensis										REGULATED TREE - planted in median																													
1 552k										Eucalyptus camaldulensis var camaldulensis										REGULATED TREE - planted in median																													
1 552l										Eucalyptus camaldulensis var camaldulensis										REGULATED TREE - planted in median																													
1 552m										Eucalyptus camaldulensis var camaldulensis										REGULATED TREE - planted in median																													
1 552n										Eucalyptus camaldulensis var camaldulensis										REGULATED TREE - planted in median																													
1 552o										Eucalyptus camaldulensis var camaldulensis										REGULATED TREE - planted in median																													
1 552p										Eucalyptus camaldulensis var camaldulensis										REGULATED TREE - planted in median																													
1 552q										Eucalyptus camaldulensis var camaldulensis										REGULATED TREE - planted in median																													
1 552r										Eucalyptus camaldulensis var camaldulensis										REGULATED TREE - planted in median																													
1 552s										Eucalyptus camaldulensis var camaldulensis										REGULATED TREE - planted in median																													
1 552t										Eucalyptus camaldulensis var camald																																							

DEPARTMENT OF PLANNING, TRANSPORT & INFRASTRUCTURE									
TRANSPORT SERVICES DIVISION									
Revision 6 - May 2014									
VS 2014/022 EXTRACT									
Marion Regulated Trees									
DATA SHEET - VE TIS									
File No: 2014/022/1/02									
PATCHES No: 2014/00982									
IS THE SURVEY AREA COVERED BY EITHER OR BOTH OF THE FOLLOWING ACTS									
DEVELOPMENT ACT 1997 <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO									
NATIVE VEGETATION ACT 1997 <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO									
SPECIES OR GROUP/AREA DESCRIPTION									
REMARKS/NOTES									
Project/Road/Rail: South Road Upgrade, Darlington									
Road Number: 10203									
Location: Darlington									
Surveyed By: RMP									
Date: 26/3/14 to 28/11/14									
Checked By: TS									
LOCAL GOVERNMENT COUNCIL(S) (LGC)									
1 - City of Marion									
2 - City of Mitcham									
3 - City of Onkaparinga									
4 -									
5 -									
6 -									
IMPACT OR RECOMMENDED ACTION									
REMOVAL									
MAJOR PRUNE									
MINOR PRUNE									
MONITOR									
Offset is Negated - eg DEAD vegetation with no habitat value									
Veg is structurally unsound/within the Clearance Envelope etc									
REGULATION 5(1)(b) APPLIES									
Area reporting selected in lieu of individual reporting									
AREA OF VEGETATION TO BE REMOVED (m ²)									
TOTAL NVA AREA (m ²)									
0.000									
AREA TO BE REMOVED SUBJECT TO THE NVA (m ²)									
NVA SEB Multiplication Factor (Condition)									
NVA SEB for AREA (HA)									
TOTAL 0.0000									
EASTING									
NORTHING									
NUMBER IN GROUP									
WEED SPECIES & OTHERS (N, D, E, O)									
Amenity Planting or has Amenity Value									
NATIVE VEGETATION									
SUBJECT TO DEVELOPMENT ACT									
SUBJECT TO NATIVE VEGETATION ACT									
REGULATED (R) OR REGULATED SIGNIFICANT TREES (S)									
NOT IN GROUP WITH BUTT DIA. 0.15+ OR MS									
0.10+									
TOTAL 5									
SINGLE-STEMMED(S) OR MULTI-STEMMED(M) SPECIMEN									
BUTT DIA (M). IN GROUP AND/OR MS SITUATIONS INSERT HIGHEST RANGE READING									
BUTT DIA (M). ONLY USE THIS COLUMN IN A GROUP AND/OR MS SITUATION INSERT LOWEST RANGE									
CIRCUMFERENCE (M) DEVELOPMENT ACT REQUIREMENT ONLY									
HEIGHT (m) - In GROUP situations Insert HIGHEST range reading.									
HEIGHT (m) - In GROUP situations Insert LOWEST range reading.									
SPREAD (m) - In GROUP situations Insert WIDEST range reading.									
SPREAD (m) - In GROUP situations Insert NARROWEST range reading.									
HEALTH & CONDITION									
APPROXIMATE TREE PROTECTION ZONE (TPZ)									
BUTT DIA. @ 1.0m x 12									
TRUNK DIA. JUST ABOVE TREE BASE (m)									
STRUCTURAL ROOT ZONE (SRZ) RADIUS (m)									
Marion Council Area Major Prunes									
LGC (ALLOCATED NUMBER)	Plan Reference or Location	PHOTO REFERENCE							
428	Minrosa Tce								
428	Eucalyptus camaldulensis var. camaldulensis		REGULATED SIGNIFICANT TREE - planted over grasses, leaf litter and Gabena						
436c	Oak Ave (near Maple Ave)								
436c	Eucalyptus camaldulensis var. camaldulensis		REGULATED SIGNIFICANT TREE - on private property.						
554	Sturt Rd - South side, West of Wariparinga Way								
554	Eucalyptus camaldulensis (River Redgum)		REGULATED SIGNIFICANT TREE - possible root damage, close to footpath, branch trimming may be required. Old enough to be native vegetation.						
555	Eucalyptus camaldulensis (River Redgum)		REGULATED SIGNIFICANT TREE - possible root damage, close to footpath, branch trimming may be required. Old enough to be native vegetation.						
570	Sturt Rd - North side, West of McInerney Av								
570	Eucalyptus camaldulensis (River Redgum)		REGULATED SIGNIFICANT TREE - possible root damage, close to footpath, branch trimming may be required. Old enough to be native vegetation.						









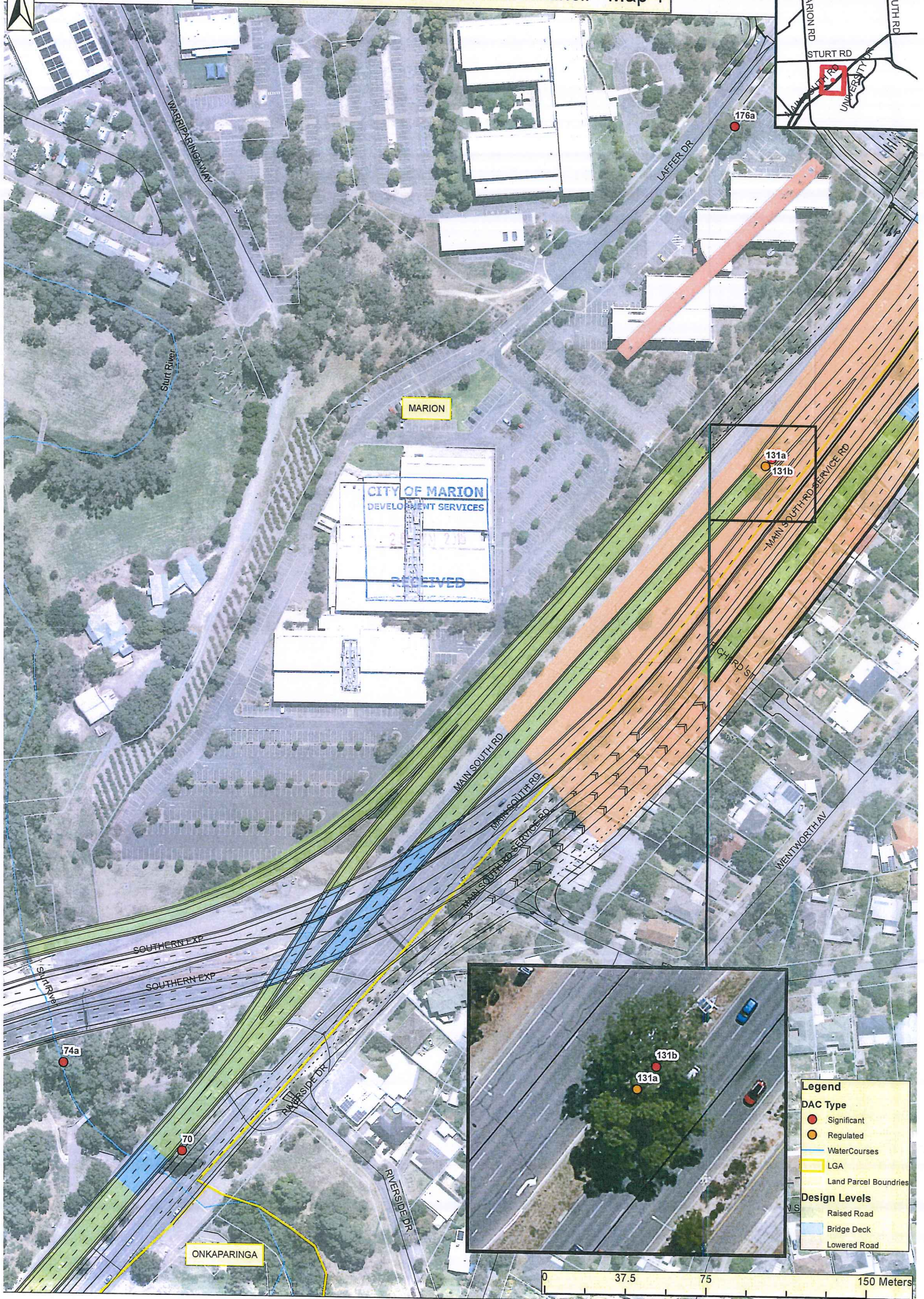
Legend

DAC Type

- Significant (Red dot)
- Regulated (Orange dot)
- WaterCourses (Blue line)
- LGA (Yellow outline)
- Land Parcel Boundaries (Thin grey line)

Design Levels

- Raised Road (Orange fill)
- Bridge Deck (Blue fill)
- Lowered Road (Light blue fill)



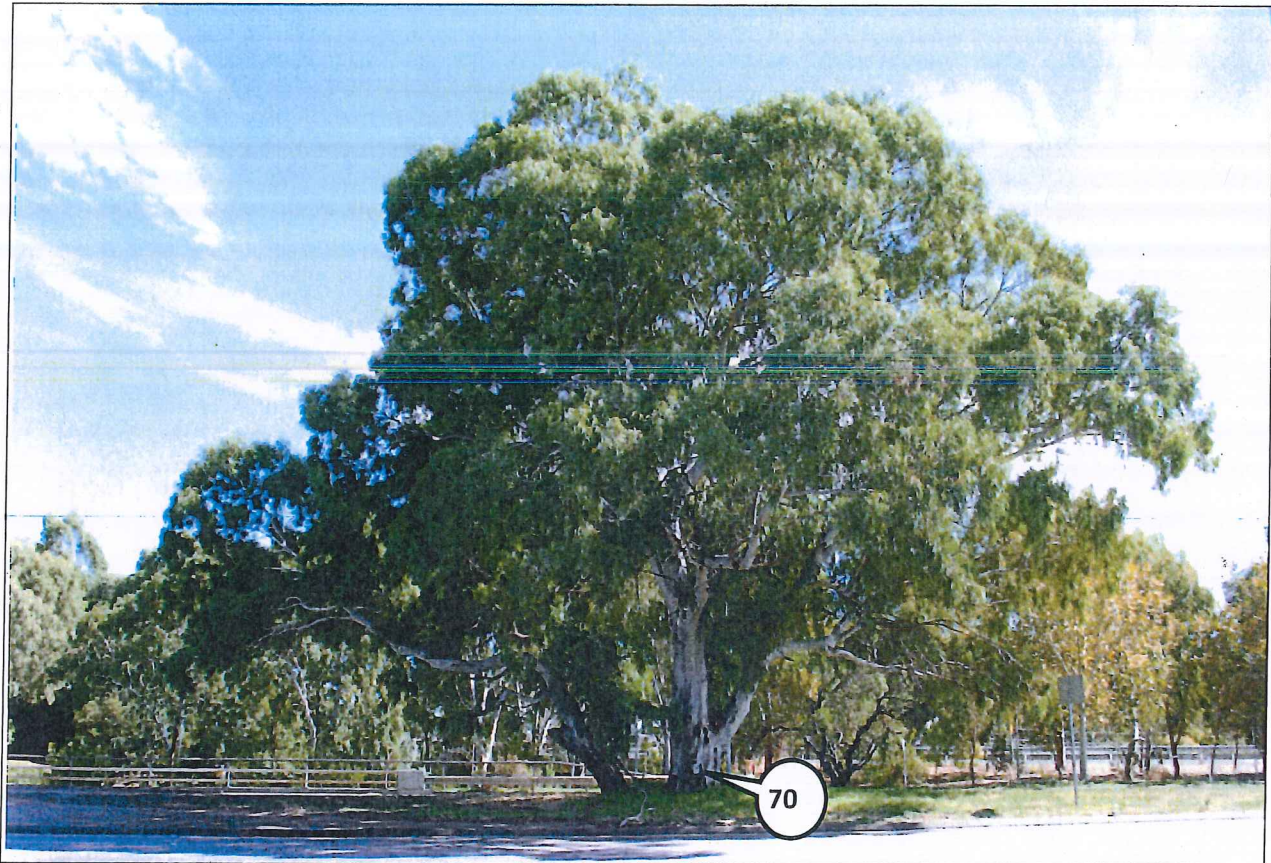


Photo 70

Eucalyptus camaldulensis – significant tree





Photo 74 74a *Eucalyptus camaldulensis* – significant tree



Photo 131 *Eucalyptus camaldulensis* – 131a regulated tree, 131b significant tree





Photo 176 176a *Eucalyptus camaldulensis* – significant tree



Photo 209 *Eucalyptus cladocalyx* – regulated tree

DEVELOPMENT SERVICES

26 JUN 2015

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Photo 210 210a *Eucalyptus camaldulensis* – regulated tree

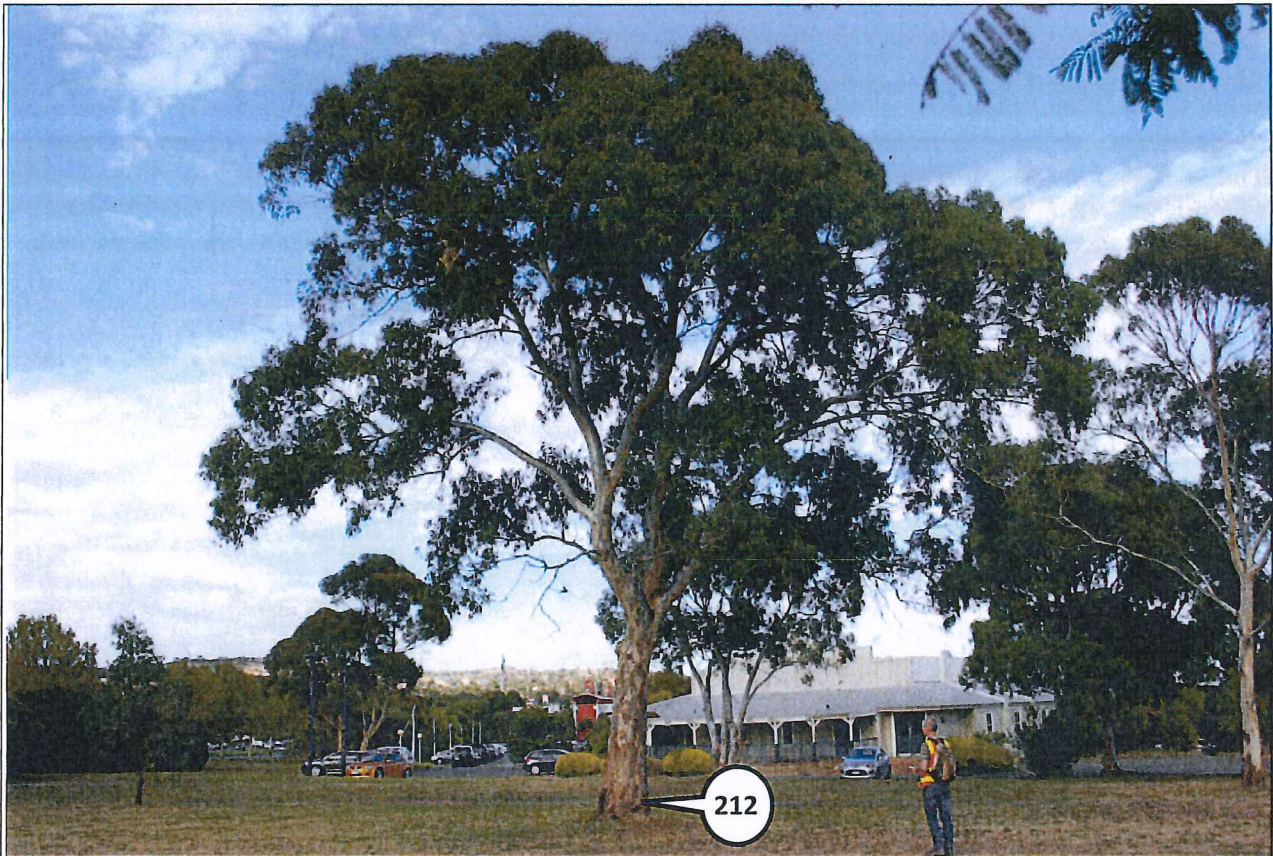


Photo 212 *Eucalyptus camaldulensis* – regulated tree

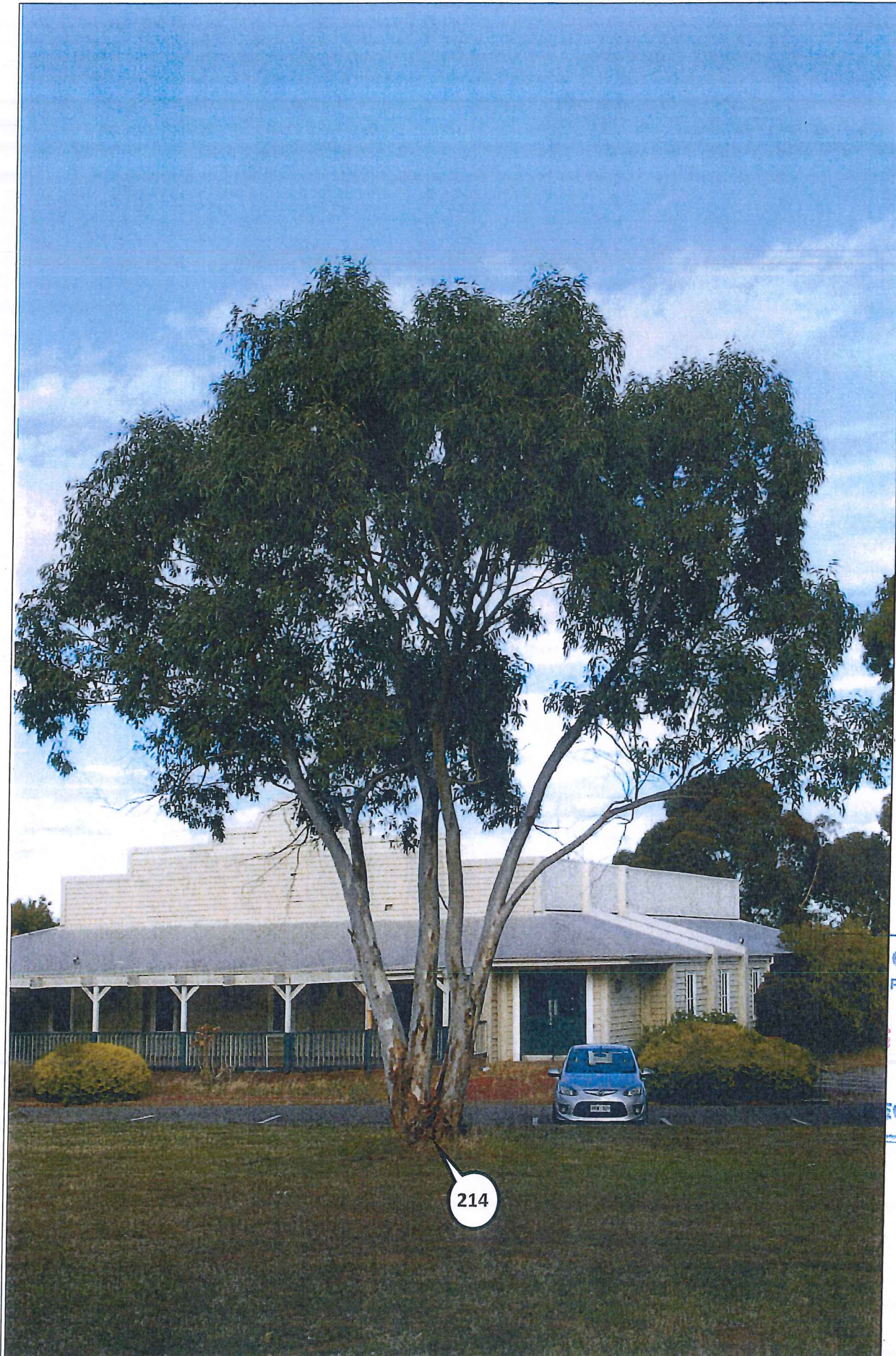


Photo 214 *Eucalyptus camaldulensis* – regulated tree



Photo 228 228c *Eucalyptus leucoxylon* – regulated tree

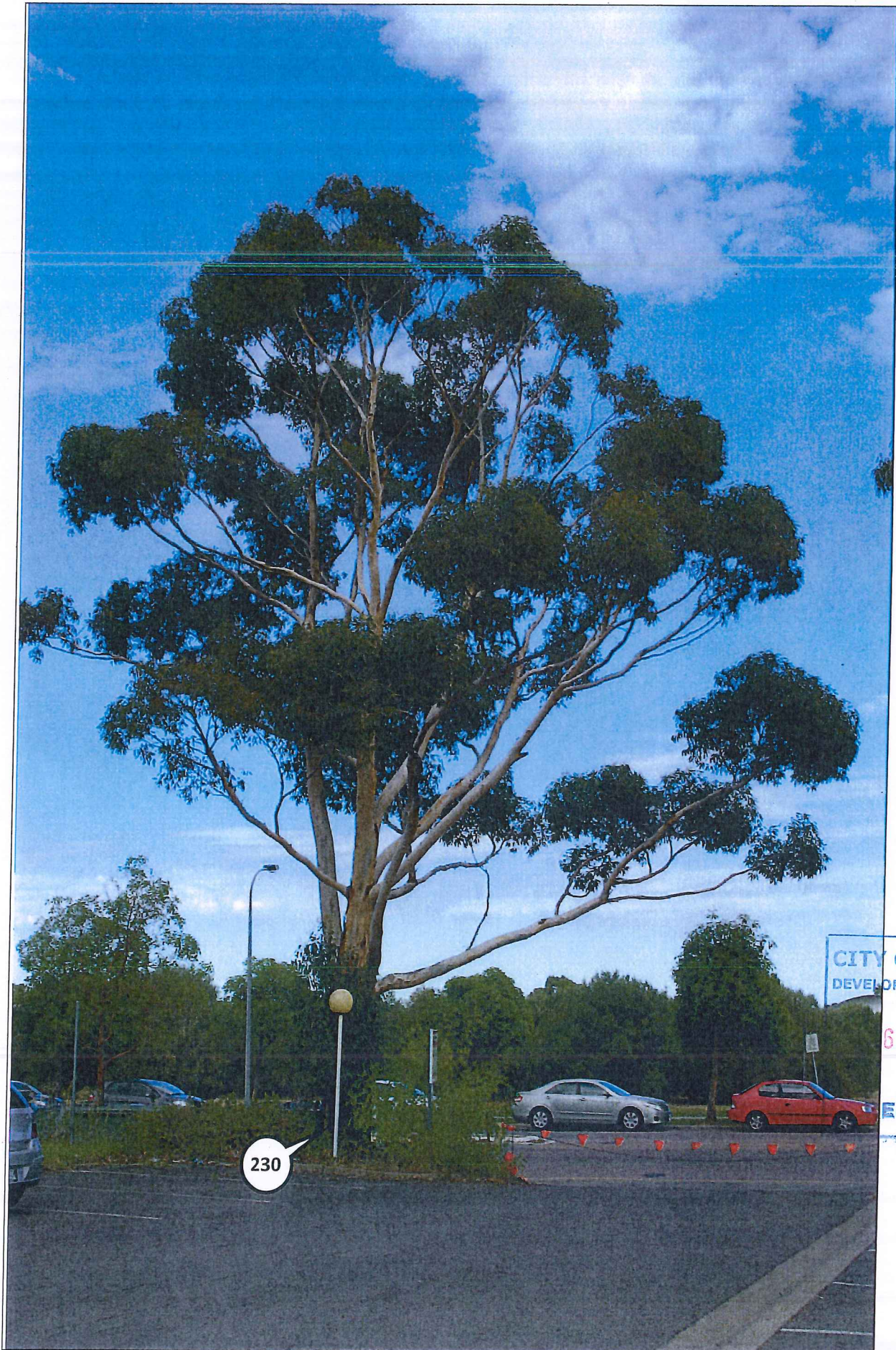


Photo 230 *Eucalyptus cladocalyx* – regulated tree



Photo 240 *Eucalyptus camaldulensis* – regulated tree



Photo 241 *Eucalyptus camaldulensis* – regulated tree

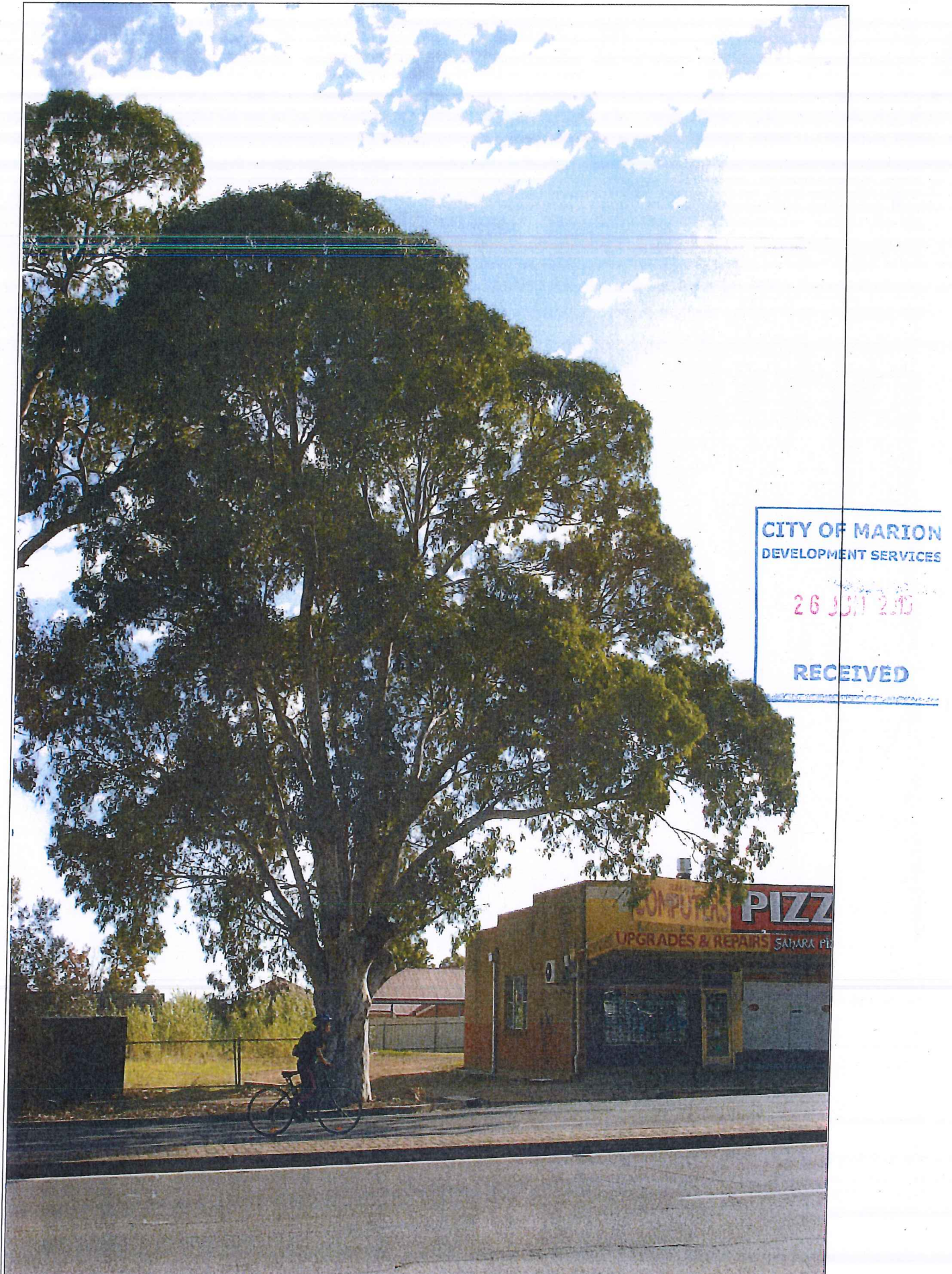


Photo 397 *Eucalyptus camaldulensis* – significant tree

Knet # 9308713



Photo 398 *Eucalyptus camaldulensis* – significant tree

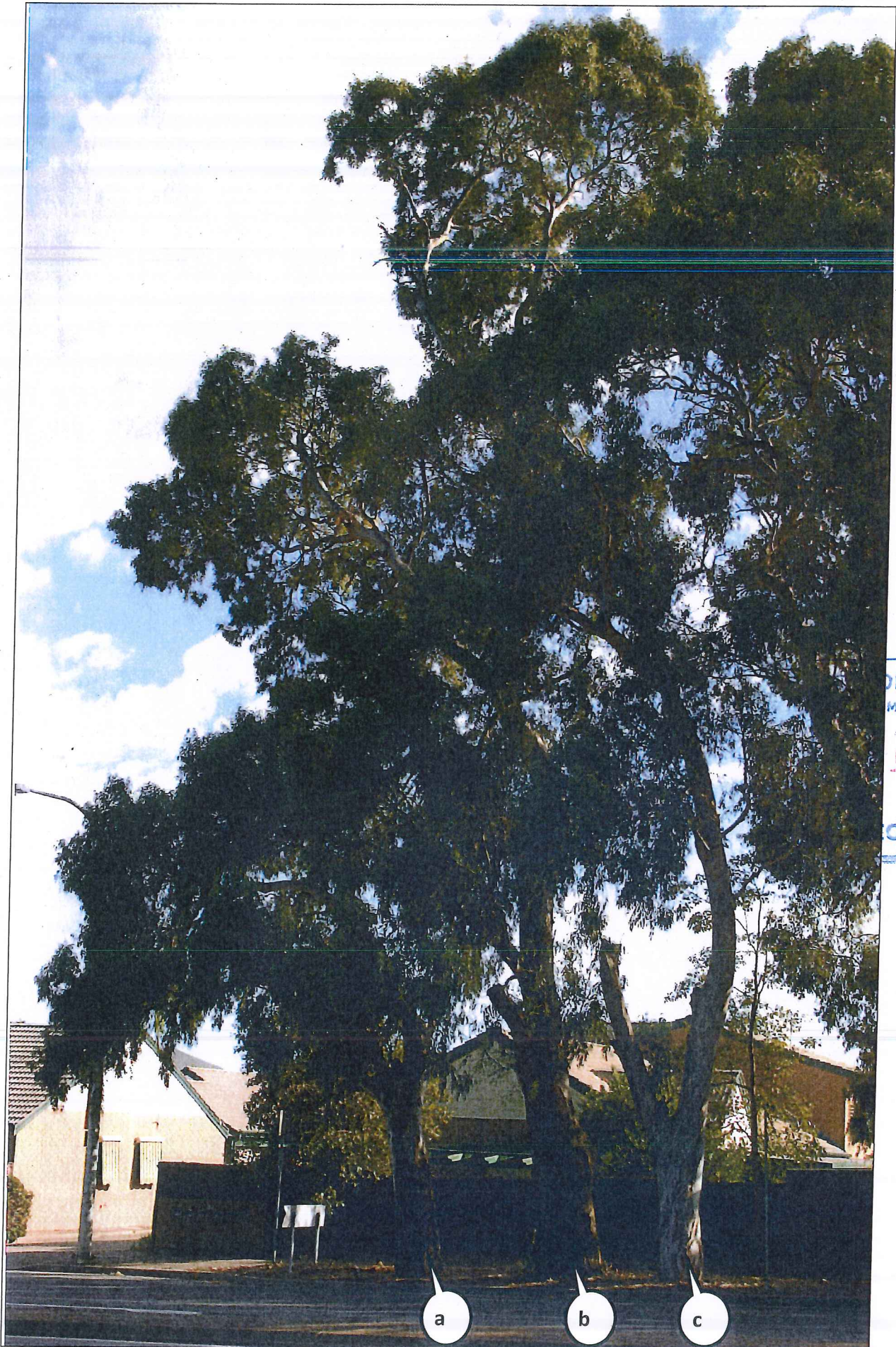


Photo 399 *Eucalyptus camaldulensis* – 399a and 399c regulated trees, 399b significant tree

Knet # 9308713

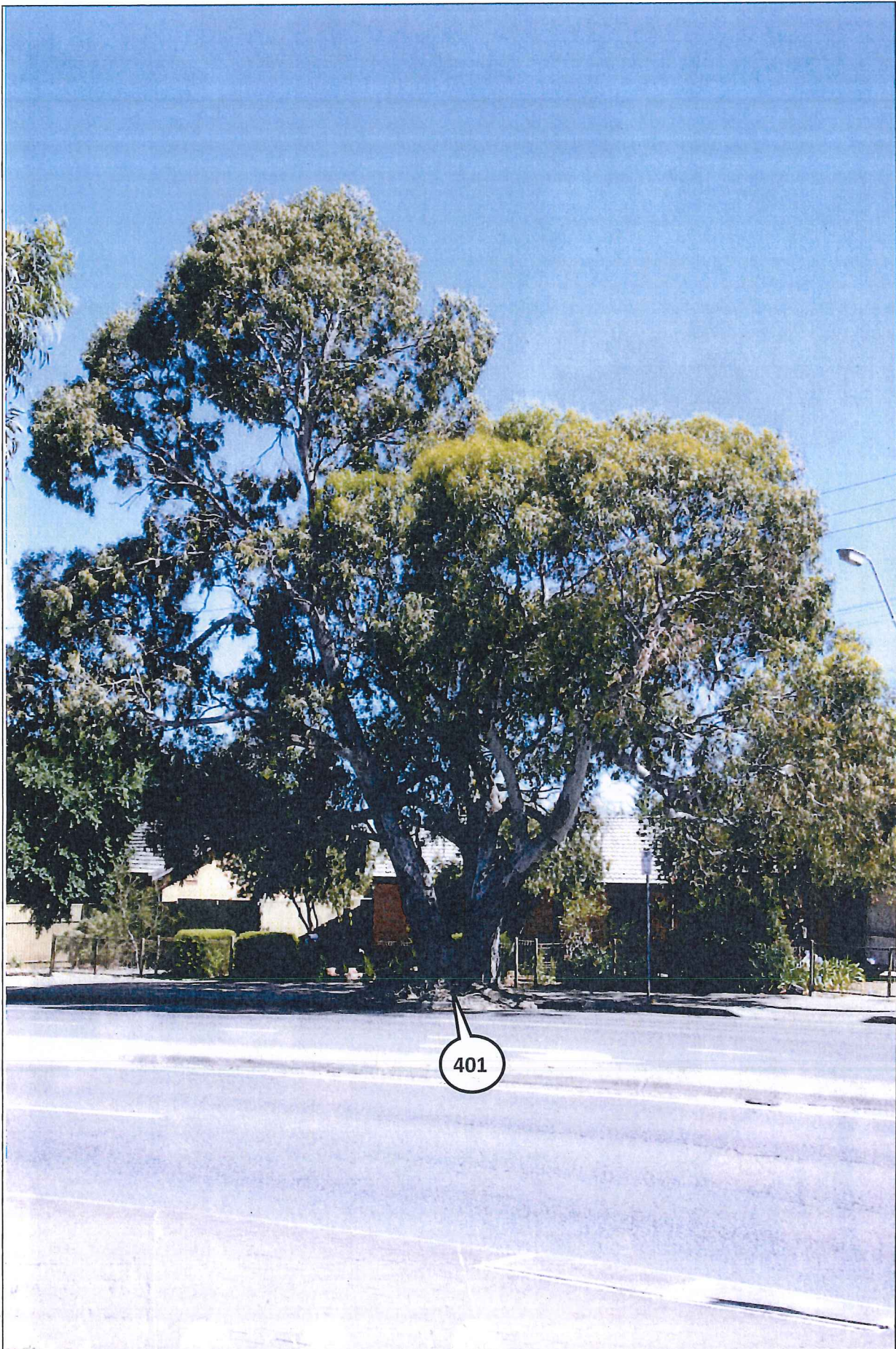


Photo 401 *Eucalyptus camaldulensis* – significant tree

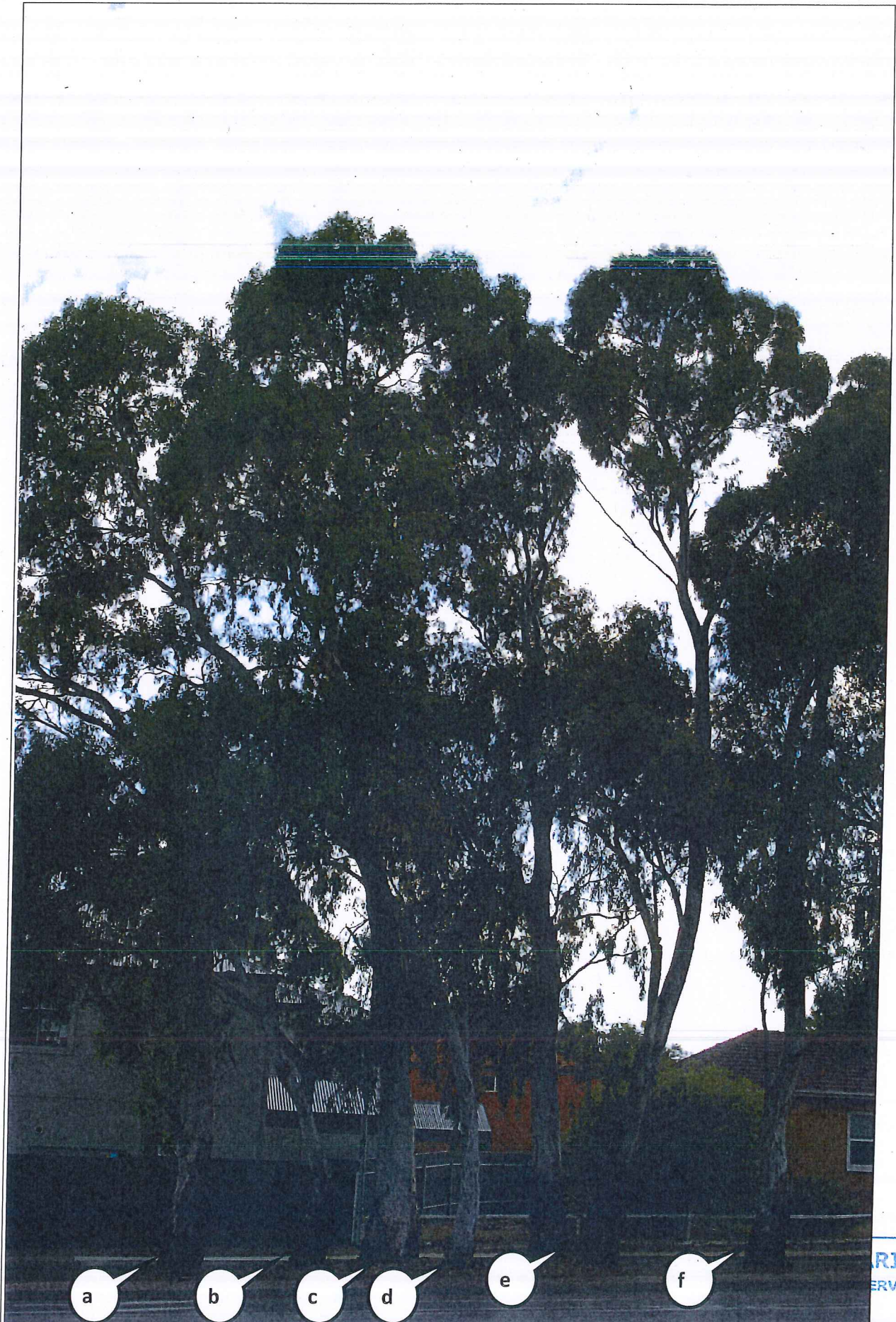


Photo 437 *Eucalyptus camaldulensis* – trees 437c and 437f – regulated trees, tree 437e – significant tree

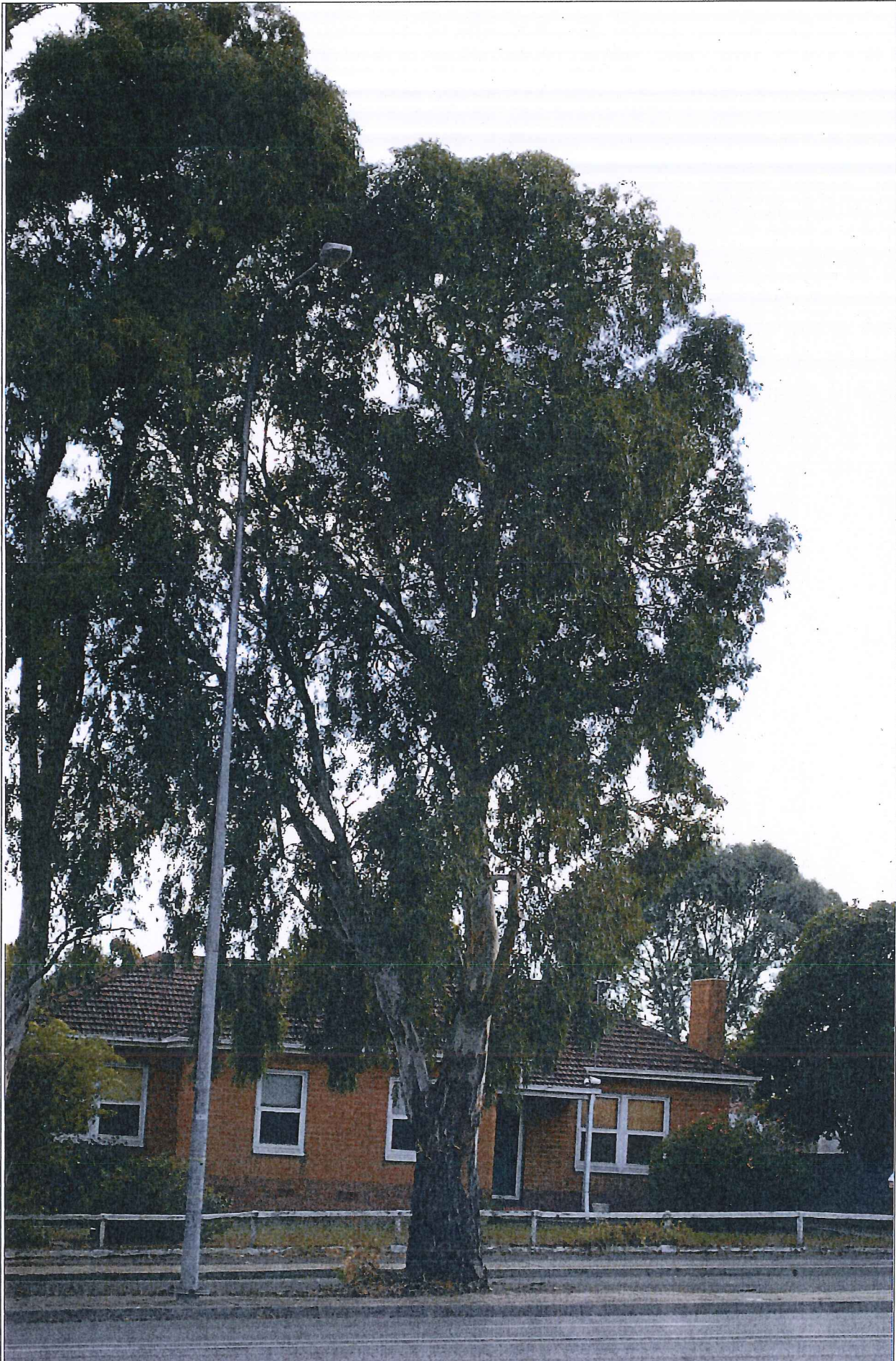


Photo 438 *Eucalyptus camaldulensis* – regulated tree

Knet # 9308713

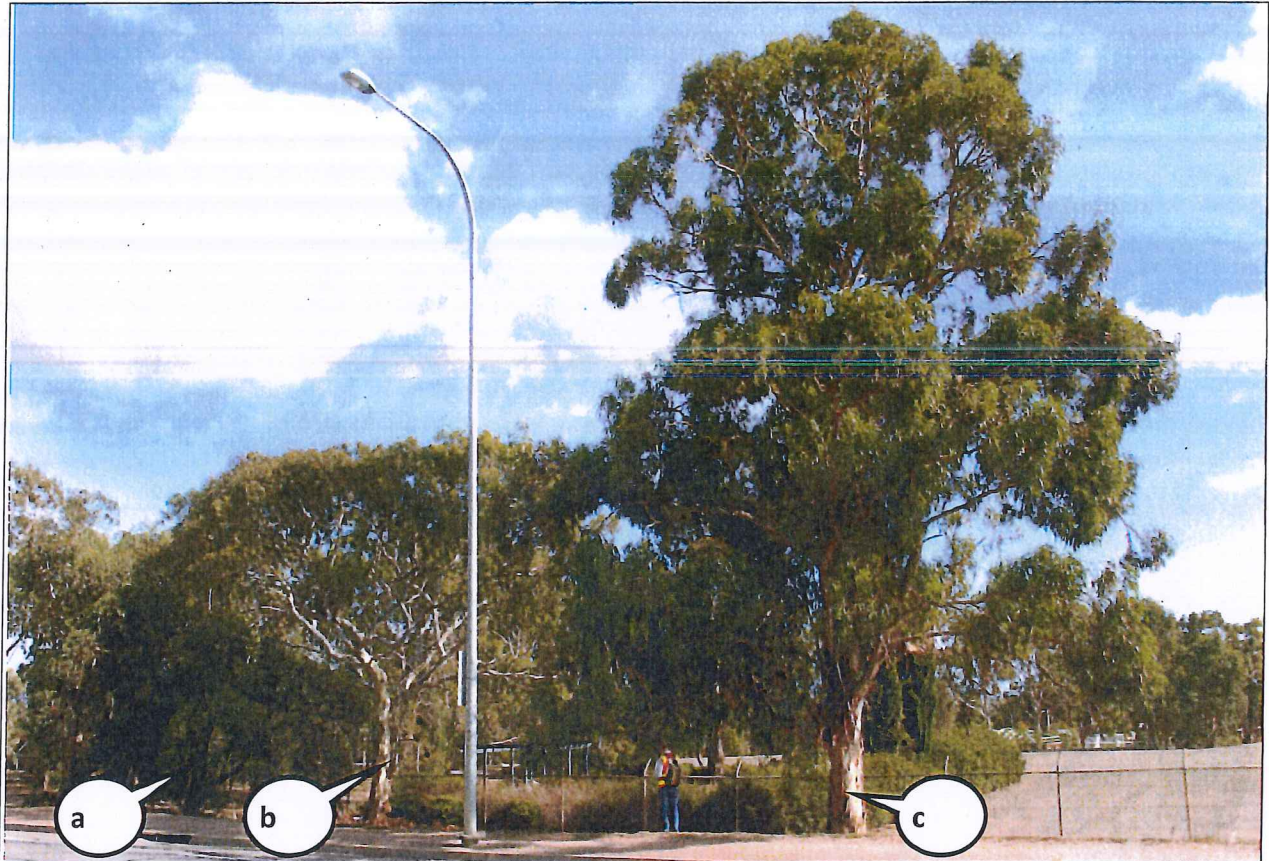


Photo 442 442c *Eucalyptus globulus* – regulated tree



Photo 559 559a *Eucalyptus camaldulensis* – regulated tree



Photo 561 561b *Eucalyptus leucoxylon* – regulated tree

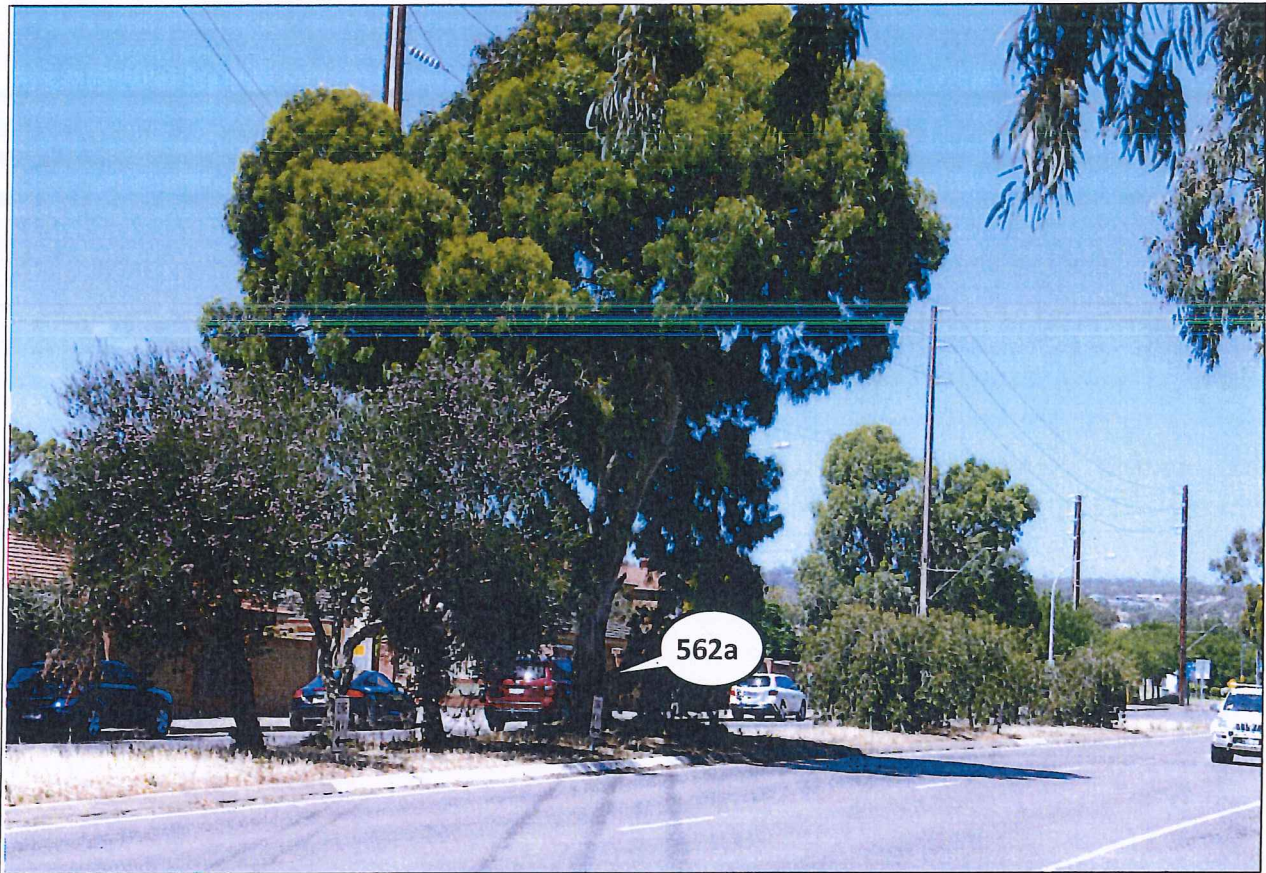


Photo 562 562a *Eucalyptus leucoxylon* – regulated tree



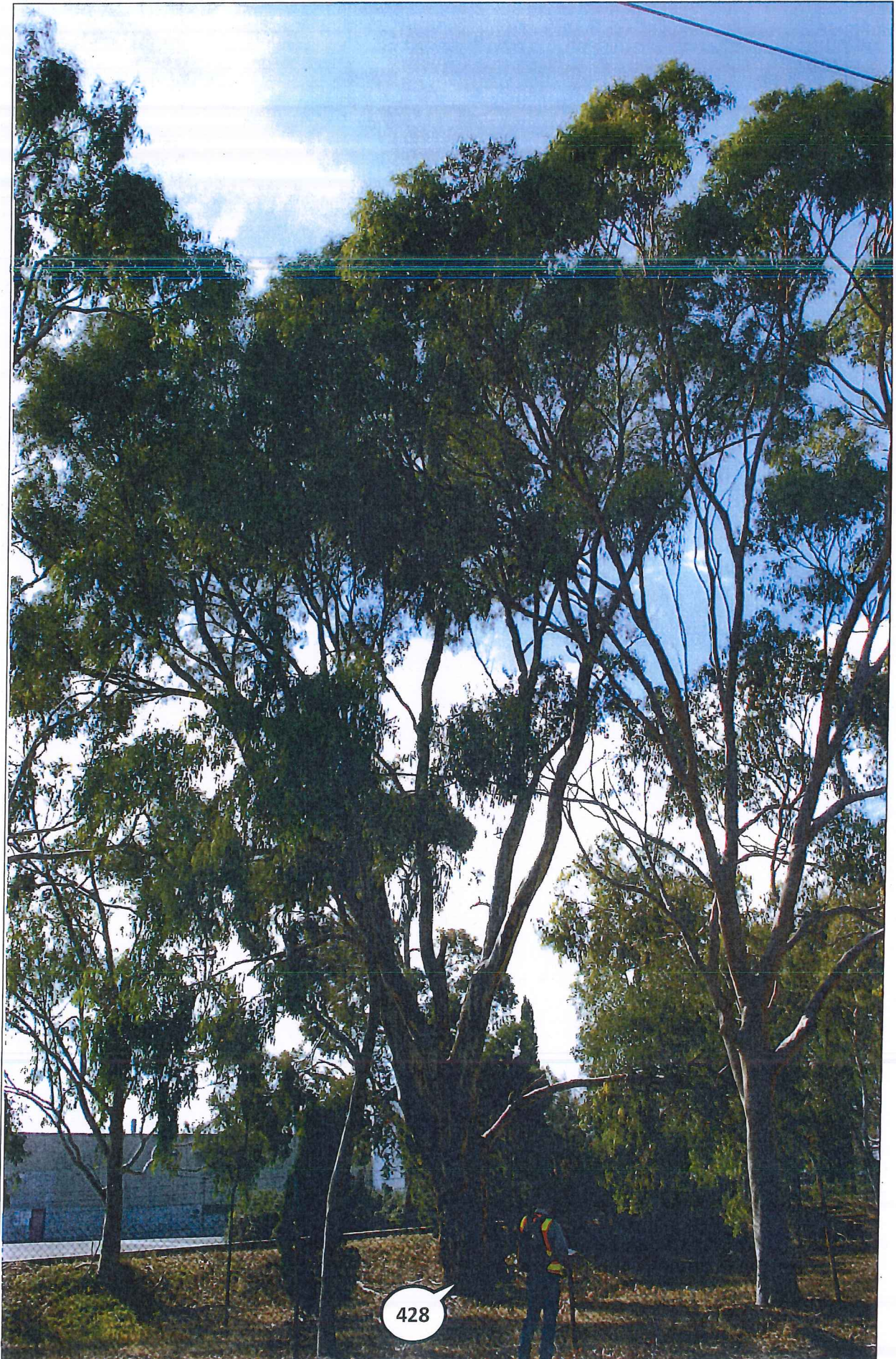


Photo 428 *Eucalyptus camaldulensis* – significant tree

Knet # 9308608

26 JUL 2015

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Photo 554 *Eucalyptus camaldulensis* – significant tree



Photo 570 *Eucalyptus camaldulensis* – significant tree

3.71.11.1

29 July 2015

Development Assessment Commission
GPO Box 1815
ADELAIDE SA 5001

Attention: Simone Fogarty, Presiding Member

Dear Ms Fogarty

CROWN DEVELOPMENT APPLICATION NO 080/V015/15 (Our Ref: 100/1125/2015)

Thank you for providing Council the opportunity to comment on the above-mentioned development application pursuant to Section 49(7a) of the Development Act, 1993.

I confirm that this application was considered by Council at the General Council Meeting held on 28 July 2015.

Council recognises the strategic importance of the Darlington Upgrade Project as part of the overall North-South Corridor Project.

Council notes that a large number of Regulated and Significant trees are proposed to be removed in association with the project. Many of these trees are landmark trees, which contribute to the visually amenity and scenic quality of the City of Marion. Many of the trees proposed to be removed, in particular on the Clovelly Park side of Sturt and South Roads, will have a significant visual and amenity impact on the adjacent community. These trees currently provide shade and a buffer between residences and adjacent arterial roads. Their removal will disaffect this community to a degree that offset replacement plantings is unlikely to remedy even in the long term.

I note that the City of Marion Development Plan contains numerous provisions which the proposal will not comply with. These provisions are listed at Attachment I.

Council's Planning Officer – Arboriculture has also noted that all of the trees affected by this application are healthy and in good condition and none would otherwise be expected to die in the short-term.

Council in its formal response to the Minister of Transport and Infrastructure regarding the Darlington Upgrade Scheme in May 2015 made specific reference to the removal of trees and advised that the retention of remnant vegetation is strongly supported, in particular, for the several sites in the project area containing large remnant *Eucalyptus camaldulensis*. These trees are of very high ecological and cultural significance and should be protected. This includes retaining trees where possible and ensuring any changes to environmental conditions during construction or operation of the project will not negatively impact on the health of the trees.

The removal of 27 Regulated or Regulated/Significant trees is therefore regrettable and should be reviewed to ensure as few trees as possible are removed in the final design.

DPTI is therefore requested (in finalising the design detail and construction arrangements for the project) to seek to retain as many of the trees as practicable and to delay the removal of the trees until these details are finalised and final tree removal numbers are confirmed. If the Development Assessment Commission resolves to approve the application, this requirement should be incorporated as a condition of consent.

Council acknowledges and supports DPTI's intention to develop a Landscape and Urban Design Plan (which includes on ground plantings) to offset the removal of these trees, and encourages DPTI to provide for a more community and environmentally sensitive replacement strategy which provides an effective visual and noise buffer between residents and the adjacent road traffic and also includes enhancement of medians. If the Development Assessment Commission resolves to approve the application, this requirement should be incorporated as a condition of consent.

Thank you for providing the City of Marion with an opportunity to comment on the application.

Yours faithfully

Kris Hanna
Mayor
City of Marion

Attachment I:**Development Application No: 1001125/2015 (Ref: 080/V015/15)****Provisions application is not consistent with:****General Section: Natural Resources:**

PDC 28: Development should retain existing areas of native vegetation and where possible contribute to revegetation using locally indigenous plant species.

PDC 29: Development should be designed and sited to minimise the loss and disturbance of native flora and fauna, including marine animals and plants, and their breeding ground and habitats.

PDC 30: Native vegetation should be conserved and its conservation value and function not compromised by development if the native vegetation does any of the following:

(d) has high amenity value and/or significantly contributes to the landscape quality of an area, including the screening of buildings and unsightly views.

(e) has high value as a remnant of vegetation associations characteristic of a district of region prior to extensive clearance for agriculture.

Regulated Trees:

Objective 1: The conservation of regulated trees that provide important aesthetic and/or environmental benefit.

Objective 2: Development in balance with preserving regulated trees that demonstrate one or more of the following attributes:

(a) significantly contributes to the character or visual amenity of the locality

(b) indigenous to the locality

(c) a rare or endangered species

(d) an important habitat for native fauna.

PDC 1: Development should have minimum adverse effects on regulated trees.

PDC 2: A regulated tree should not be removed or damaged other than where it can be demonstrated that one or more of the following apply:

(a) the tree is diseased and its life expectancy is short

(b) the tree represents a material risk to public or private safety

(c) the tree is causing damage to a building

(d) development that is reasonable and expected would not otherwise be possible

(e) the work is required for the removal of dead wood, treatment of disease, or is in the general interests of the health of the tree.

PDC 3: Tree damaging activity other than removal should seek to maintain the health, aesthetic appearance and structural integrity of the tree.

Significant Trees:

Objective 1: The conservation of significant trees, in Metropolitan Adelaide, that provide important aesthetic and environmental benefit.

Objective 2: The conservation of significant trees in balance with achieving appropriate development.

PRINCIPLES OF DEVELOPMENT CONTROL

1 Development should preserve the following attributes where a significant tree demonstrates at least one of the following attributes:

(a) makes an important contribution to the character or amenity of the local area; or

(b) is indigenous to the local area and its species is listed under the National Parks and Wildlife Act 1972 as a rare or endangered native species

(c) represents an important habitat for native fauna

(d) is part of a wildlife corridor of a remnant area of native vegetation

(e) is important to the maintenance of biodiversity in the local environment

(f) forms a notable visual element to the landscape of the local area.

2 Development should be undertaken so that it has a minimum adverse effect on the health of a significant tree.

3 Significant trees should be preserved, and tree-damaging activity should not be undertaken, unless:

(a) in the case of tree removal:

(i) the tree is diseased and its life expectancy is short

(ii) the tree represents an unacceptable risk to public or private safety

(iii) the tree is within 20 metres of a residential, tourist accommodation or habitable building and is a bushfire hazard within a Bushfire Prone Area

(iv) the tree is shown to be causing or threatening to cause substantial damage to a substantial building or structure of value

(v) all other reasonable remedial treatments and measures have been determined to be ineffective

(vi) it is demonstrated that all reasonable alternative development options and design solutions have been considered to prevent substantial tree-damaging activity occurring.

(b) in any other case, any of the following circumstances apply:

(i) the work is required for the removal of dead wood, treatment of disease, or is in the general interests of the health of the tree

(ii) the work is required due to unacceptable risk to public or private safety

(iii) the tree is within 20 metres of a residential, tourist accommodation or habitable building and is a bushfire hazard within a Bushfire Prone Area

(iv) the tree is shown to be causing or threatening to cause damage to a substantial building or structure of value

(v) the aesthetic appearance and structural integrity of the tree is maintained


(vi) it is demonstrated that all reasonable alternative development options and design solutions have been considered to prevent substantial tree-damaging activity occurring.

**CITY OF MARION
GENERAL COUNCIL MEETING
11 August 2015**

CONFIDENTIAL REPORT

Director: Kathy Jarrett
Subject: Investigation
Reference No: GC110815F01

If the Council so determines, this matter may be considered in confidence under Section 90(3)(g) of the Local Government Act 1999 on the grounds that the report contains information that Council has a duty to keep confidential.



**Geoff Whitbread
Chief Executive Officer**

RECOMMENDATION:

1. That pursuant to Section 90 (2) and (3)(g) of the Local Government Act 1999, the Council orders that all persons present, with the exception of the following persons: Kathy Jarrett and Abby Dickson be excluded from the meeting as the Council receives and considers information that it has a duty to keep confidential.