

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 13 October 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 blue ink, appearing to read "Adrian Skull", is positioned above the printed name and title.

**Adrian Skull  
CHIEF EXECUTIVE OFFICER**

8 October 2015

**CITY OF MARION  
GENERAL COUNCIL AGENDA  
FOR MEETING TO BE HELD ON  
TUESDAY 13 OCTOBER 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  
22 September 2015 .....5

**6. ADJOURNED ITEMS**

Nil

**7. YOUTH ADVISORY COMMITTEE (YAC) UPDATE**

Nil

**8. DEPUTATIONS**

**Ms Shelly Roach – Telecommunications Tower**  
GC131015D01 ..... 19

**Ms Rosa Vaccaro – Telecommunications Tower**  
GC131015D02 ..... 20

**Mr Matt Luker – Telecommunications Tower**  
GC131015D03 ..... 20a

**9. PETITIONS**

Nil

**10. COMMITTEE RECOMMENDATIONS**

Nil

## 11. PRESENTATIONS

<b>Environment Protection Authority - Telecommunication Tower</b>	
GC131015.....	21

## CORPORATE REPORTS FOR DECISION

<b>Telecommunications Facilities, Morphettville</b>	
GC131015R01 .....	22
<b>Local Government Association Membership Fees</b>	
GC131015R02 .....	64
<b>Cove Youth Service Operational Options – amendment to the motion</b>	
GC131015R03 .....	81
<b>Hallett Cove (ADC) Residential DPA</b>	
GC131015R04 .....	82
<b>Existing Activity Centre Policy Review (DPA)</b>	
GC131015R05 .....	120
<b>Decriminalisation of “Sex Work Bill 2015”</b>	
GC131015R06 .....	125
<b>Submission on South Australian new Climate Change Strategy and Low Carbon Investment Plan for South Australia</b>	
GC131015R07 .....	143
<b>Oaklands Crossing Campaign</b>	
GC131015R08 .....	180
<b>Deputy Mayor, DAP Elected Member Representative and Committee Elected Member Representatives for 2016</b>	
GC131015R09 .....	195
<b>Code of Practice, Procedures at Council Meetings</b>	
GC131015R10 .....	200

## 12. CORPORATE REPORTS FOR INFORMATION/NOTING

NIL

## MATTERS RAISED BY MEMBERS

## 13. Questions with Notice

<b>Provisions for Major Disaster or Impact</b>	
GC131015Q01 .....	227
<b>Encouragement of Aged Care Facility Investment</b>	
GC131015Q02 .....	230

**14. Motions with Notice**

**Poker Machines in Council Owned Facilities**

GC131015M01 .....232

**Development Proposal Notice**

GC131015M02 .....235

**Electric Vehicles**

GC131015M03 .....236

**15. Questions without Notice**

**16. Motions without Notice**

**17. CONFIDENTIAL ITEMS**

**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 22 SEPTEMBER 2015**



---

**PRESENT**

His Worship the Mayor Kris Hanna

**Councillors**

**Coastal Ward**

Ian Crossland  
Tim Gard

**Mullawirra Ward**

Jerome Appleby  
Jason Veliskou

**Southern Hills**

Nick Westwood

**Warracowie Ward**

Bruce Hull

**Warriparinga Ward**

Luke Hutchinson  
Raelene Telfer

**Woodlands Ward**

Tim Pfeiffer

**In Attendance**

Mr Adrian Skull  
Mr Vincent Mifsud  
Ms Kathy Jarrett  
Ms Abby Dickson  
Ms Kate McKenzie  
Ms Victoria Moritz

CEO  
Director  
Director  
Acting Director  
Manager Governance  
Governance Officer

**COMMENCEMENT**

The meeting commenced at 7.00pm.

**KAURNA ACKNOWLEDGEMENT**

*We acknowledge the Kurna 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 *Council Committee Terms of Reference* (recommendation 2 relating to the appointment of an expert member to the Finance and Audit Committee) GC220915R07.
- Councillor Gard declared a conflict of interest in the item *Seacliff Park Residential and Centre Development Plan Amendment (DPA) – Community Consultation* GC220915R01.

## CONFIRMATION OF MINUTES

### General Council meeting held on 8 September 2015

**Moved Councillor Telfer, Seconded Councillor Westwood** that the minutes of the General Council meeting held on 8 September 2015 be taken as read and confirmed.

**Carried Unanimously**

### Chief Executive Committee meeting held on 8 September 2015

**Moved Councillor Gard, Seconded Councillor Crossland** that this item be adjourned until after the next Chief Executive Officer Committee meeting is held.

**Carried Unanimously**

## ADJOURNED ITEMS

Nil

## WORKSHOP / PRESENTATION ITEMS

Nil

## COMMUNICATION - HIS WORSHIP THE MAYOR

### Report on Mayoral Activities for August and September 2015

Date	Event	Comment
26 August 2015	Junction Stakeholder Group	Attended
26 August 2015	Meeting with Marion Bowling Club	Attended
26 August 2015	Meeting with Andrew Linke (Emmaus Christian College) re O'Halloran Hill Tafe Site	Attended
26 August 2015	Meeting with Marion Tennis Club	Attended
26 August 2015	ERBA Annual General Meeting	Attended
27 August 2015	Elected Member Farewell for Geoff Whitbread	Attended
28 August 2015	Meeting with Marion Croquet Club	Attended
28 August 2015	Kokubunji – Sister City Relationship Meeting	Attended
29 August 2015	Edwardstown Oval Site Inspection	Attended
29 August 2015	Exhibition Opening at Migration Museum	Attended
29 August 2015	Day on the Khaki Green Warradale Army Barracks Open Day	Attended and gave opening speech
2 September 2015	Meeting with Club Marion	Attended
3 September 2015	ERBA Breakfast - Budget & Q&A with Treasurer Koutsantonis	Attended
7 September 2015	Meeting with BDO re CEO Contract Report	Attended
9 September 2015	Metropolitan Mayors Luncheon	Attended
10 September 2015	Official Opening of City Services Building for Elected Members and Staff	Attended and gave opening speech
11 September 2015	Interview with Professor Andrew Beer re Mayoral Leadership Research Project	Attended
11 September 2015	Ascot Park School Gymnastics Assembly	Attended and gave speech
12 September 2015	Marion RSL Bowling Club - Opening of the 2015-2016 Pennant Season	Attended and participated in official procedures
16 September	Meeting with Daniel Mitroussidis and	Attended

2015	Neil Pahuja re Letter of Support for All Care Aged Care - Dover Gardens	
16 September 2015	The Welcome Workshop	Attended and Participated
16 September 2015	Edwardstown Lions Club Annual Dinner (including. Citizenship Ceremony)	Attended
16 September 2015	Marion Uniting Church Womens Evening Fellowship Group - 'Your Life as Mayor of the City of Marion'	Attended and gave speech
In addition the Mayor has met with residents and also with the CEO and Council staff regarding various issues.		

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

**Carried Unanimously**

## **COMMUNICATION – DEPUTY MAYOR**

### **Report on Deputy Mayoral Activities for August and September 2015**

<b>Date</b>	<b>Event</b>	<b>Comment</b>
23 August 2015	Hindu Society of SA 30 <sup>th</sup> Anniversary	Attended
1 September 2015	Warriparinga Ward Briefing	Attended
8 September 2015	CEO Review Committee	Attended

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

**Carried Unanimously**

**COMMUNICATION – ELECTED MEMBERS**  
**Councillor Raelene Telfer**

Date	Event	Comment
27-08-15	Marion Historic Village Project Group	Liaison role regarding communication
30-08-15	Friends of Sturt Landcare	Weeding Kenton Ave Reserve
1-09-15	Warriparinga Ward Briefing	Local projects
4-09-15	Gallery M exhibition	Containment
7-09-15	History of Edwardstown researching	Jan Vincent met Dr Jo Ankor and I
8/09/15	CEO Review Committee	Interpretation of the CEO KPI's
10/09/15	Opening of City Services building	Toured and met staff after official opening
17/09/15	Mitchell Park Sports & Community Club	System foci
21/09/15	Cosgrove Hall	AGM

**Moved Councillor Telfer, 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 August and September 2015**

Date	Activity	Attended by	Comments
28 August	South Australian Local Government Finance Management Group Annual General Meeting	Vincent Mifsud	
3 September	Heliostat	Kathy Jarrett	Arranged by Cr Prior, with other Elected Members and staff in attendance
4 September	Western Adelaide Consultative Group	Adrian Skull	
4 September	Meeting with Colin Stirling, Vice Chancellor Flinders University; Matt Pears, CEO City of Mitcham and David Banks, Flinders University	Adrian Skull	
9 September	Metropolitan Local Government Group meeting	Vincent Mifsud	

11 September	Meeting with Jim Hallion, State Coordinator General; Matthew Pears, CEO City of Mitcham; Luigi Rossi, General Manager Project Delivery DPTI	Adrian Skull	Meeting requested by Luigi Rossi
16 September	Council Solutions	Vincent Mifsud	
21 September	Southern Region Waste Resource Authority Annual General Meeting	Vincent Mifsud	
22 September	Council Solutions Board of Management Meeting	Adrian Skull Vincent Mifsud	

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

**Carried Unanimously**

#### **YOUTH ADVISORY COMMITTEE (YAC) UPDATE**

Nil

#### **DEPUTATIONS**

Nil

#### **PETITIONS**

Nil

#### **COMMITTEE RECOMMENDATIONS**

Nil

#### **WORKSHOP / PRESENTATION ITEMS**

Nil

## **CORPORATE REPORTS FOR DECISION**

Councillor Gard declared a conflict of interest in the matter as he lives in close proximity to the area in discussion and left the meeting.

7.13pm Cr Gard left the meeting.

7.13pm **Seacliff Park Residential and Centre Development Plan Amendment (DPA) – Community Consultation**  
**Report Reference: GC220915R01**

**Moved Councillor Crossland, Seconded Councillor Hutchinson** that council:

1. Note the Minister's approval for the Seacliff Park Residential and Centre DPA to be placed on public consultation and the amendments to be undertaken to the DPA prior to consultation taking place.

**Carried Unanimously**

7.14pm Councillor Gard re-entered the meeting

7.14pm **Edwardstown Oval - National Stronger Regions Fund**  
**Report Reference: GC220915R02**

**Moved Councillor Pfeiffer, Seconded Councillor Telfer** that Council:

1. Endorse the Edwardstown Oval Architectural Brief (Appendix 2) for the development of a costed concept plan and authorise the calling of a select tender to engage architectural, civil engineering, services engineering, landscape architecture and cost management services.
2. Endorse the costed concept plan being developed on the basis of recommended building and various ground improvements to a financial target of \$7 - \$8 million.
3. Endorse the roles and responsibilities (Appendix 3) documented for the various parties associated with the project.
4. Approve funding of up to \$135,000 for the necessary additional staff resources and specialist consultants required to develop a concept plan and a comprehensive NSRF submission. That this funding will be sourced from the Asset Sustainability Reserve – Community Facilities Partnership Program.
5. Note that the Chief Executive Officer will review resourcing required to develop the concept plan and the lodgement of the NSRF application and will allocate resources, inclusive of new resources, as required.

**Amendment:**

**Moved Councillor Hull, Seconded Councillor Veliskou**

1. Endorse the Edwardstown Oval Architectural Brief (Appendix 2) for the development of a costed concept plan and authorise the calling of a select tender to engage architectural, civil engineering, services engineering, landscape architecture and cost management services.

2. Endorse the costed concept plan being developed on the basis of recommended building and various ground improvements to a financial target of \$7 - \$8 million.
3. Endorse the roles and responsibilities (Appendix 3) documented for the various parties associated with the project.
4. Approve funding of up to \$135,000 for the necessary additional staff resources and specialist consultants required to develop a concept plan and a comprehensive NSRF submission. That this funding will be sourced from the Asset Sustainability Reserve – Community Facilities Partnership Program.
5. Note that the Chief Executive Officer will review resourcing required to develop the concept plan and the lodgement of the NSRF application and will allocate resources, inclusive of new resources, as required.
6. That the council supports an urgent full review of the management structure at this site.

That the Amendment become the motion was **Carried**  
The motion was **Carried**

7.45pm     **Community Energy Opportunities**  
              **Report Reference: GC220915R03**

**Moved Councillor Hull, Seconded Councillor Veliskou** that Council:

1. Holds a facilitated discussion at the 17 November 2015 Elected Members' Forum to:
  - Develop clear objectives and agreed outcomes for energy efficiency and community renewable energy initiatives in the City of Marion;
  - Identify priority energy efficiency and community renewable energy options for further investigation;
2. Allocates approximately \$5,000 from savings achieved by ceasing the purchase of GreenPower to both support the facilitated workshop and for follow up work;
3. Allocates approximately \$10,000 from savings achieved by ceasing the purchase of GreenPower to review and update previous audit reports and develop a program of works to improve the energy efficiency of key Council buildings.

**Councillor Appleby called a point of order** on the basis that recommendations 2 and 3 are in direct opposition to a previous resolution of Council.

The Mayor ruled in favour of the point of order.

The motion was then varied to amend recommendations 2 and 3 of the motion to address the point of order raised as follows:

That Council (as varied):

1. Holds a facilitated discussion at the 17 November 2015 Elected Members' Forum to:



- Develop clear objectives and agreed outcomes for energy efficiency and community renewable energy initiatives in the City of Marion;
  - Identify priority energy efficiency and community renewable energy options for further investigation;
2. Allocates approximately \$5,000 from identified savings resulting from the 2014/15 financial year to both support the facilitated workshop and for follow up work;
  3. Allocates approximately \$10,000 from identified savings resulting from the 2014/15 financial year to review and update previous audit reports and develop a program of works to improve the energy efficiency of key Council buildings.

**The varied motion was carried**

**8.00pm Wi-Fi Access in Council Owned Community Buildings**  
**Reference No: GC220915R04**

**Moved Councillor Veliskou, Seconded Councillor Westwood** that Council:

1. Note this report.
2. Revisit the issue by 31 July 2016 reassessing any subsequent progress and opportunities that may arise.

**Carried**

**8.07pm Chief Executive Review Committee Amendment**  
**Reference No: GC220915R05**

**Moved Councillor Pfeiffer, Seconded Councillor Crossland** that the motion resolved on 25 November 2014 (GC251114R04) excluding point 4 be amended to:

That Council:

1. Establishes the Chief Executive Review Committee until 30 January 2016 to conduct the annual Chief Executive Officer performance and remuneration reviews in accordance with the Terms of Reference as set out in Appendix 1 to this report and the Chief Executive Officer's Employment Agreement.
2. Appoints the Mayor, Councillor Hutchinson and Councillor Telfer to this Committee until it ceases on 30 January 2016.
3. The Terms of Reference of the CEO Review Committee be reviewed, commencing in July 2015 to be concluded before November 2015.

**Carried Unanimously**

**Strategic Directions Committee Amendment**  
**Ref No: GC220915R06**

**Moved Councillor Veliskou, Seconded Councillor Telfer** that part 1 of the motion resolved on 25 November 2014 (GC251114R05) be amended to:

1. Establishes the City of Marion Strategic Directions Committee **until the end of November 2015.**

**Carried Unanimously**

8.10pm **Council Committees Terms of Reference**  
- Finance and Audit  
- Strategic Issues  
- People and Culture  
- Urban Planning  
- Infrastructure  
**Report Reference: GC220915R07**

Councillor Hutchinson sought and was granted leave of the meeting to address recommendation 2 of the report first.

Councillor Pfeiffer declared a conflict of interest in recommendation 2 of the matter due to his employment.

8.11pm Councillor Pfeiffer left the meeting.

**Moved Councillor Hutchinson, Seconded Councillor Westwood** that Council:

2. Appoint Mr Lew Owens as expert member to the Finance and Audit Committee until November 2018.

**Carried Unanimously**

8.12pm Councillor Pfeiffer re-entered the meeting.

**Moved Councillor Hutchinson, Seconded Councillor Crossland** that formal meeting procedures be suspended to allow for informal discussion on the item.

**Carried Unanimously**

8.12pm meeting suspended.

8.25pm Councillor Appleby left the meeting.

8.27pm Councillor Appleby re-entered the meeting.

8.53pm formal meeting procedures resumed.

**Moved Councillor Hutchinson, Seconded Councillor Crossland that Council:**

1. Adopts the Terms of Reference for the Finance and Audit Committee as provided in Appendix 1 and amended based on the discussion and feedback provided.
3. Adopts the Terms of Reference for the People and Culture Committee as provided in Appendix 2 and amended based on the discussion and feedback provided.
4. Adopts the Terms of Reference for the Strategy Committee as provided in Appendix 3 and amended based on the discussion and feedback provided.
5. Adopts the Terms of Reference for the Infrastructure Committee as provided in Appendix 4 and amended based on the discussion and feedback provided.
6. Adopts the Terms of Reference for the Urban Planning Committee as provided in Appendix 5 and amended based on the discussion and feedback provided.
7. Each of the Terms of Reference for the Committees is placed on the Council website prior to their commencement in January 2016.
8. Sets the sitting fees for the Committees as follows:
  - a) Expert member at \$1000 per meeting
  - b) Finance and Audit Committee Chairperson \$1200 per meeting
9. Adopts the meeting schedule for the Committees as set out in Appendix 6 to this report.
10. Endorses the composition of a Selection Advisory Panel as the Elected Members appointed to the People & Culture Committee (as selected on October 13, 2015) to source and evaluate potential candidates for appointment as Expert Members to each Committee (with the exception of the Finance and Audit Committee) for recommendation to Council.
11. Requests a further report be presented to the General Council meeting on 13 October 2015, to appoint the elected member representatives and presiding members to each of the Committees.

**Carried**

8.58pm **Code of Practice, Procedures at Meetings 2015**  
**Report Reference: GC220915R08**

**Moved Councillor Hutchinson, Seconded Councillor Telfer that Council:**

1. Adopts the amended 'Code of Practice – Procedures at Council Meetings 2015' provided at Appendix 1 to this report, subject to the inclusion of identified changes.

**Amendment**

**Moved Councillor Veliskou, Seconded Councillor Gard that:**

1. Council adopts the amended 'Code of Practice – Procedures at Council Meetings 2015' provided at Appendix 1 to this report, subject to the inclusion of identified changes.

2. The verbal communication reports by Elected Member on the fourth Tuesday of the month are reinstated.

That the Amendment become the motion was **Lost**

**Councillor Veliskou called for a Division.**

**Councillor Appleby called a point of order** on the basis that a division cannot be called on an amended motion.

The Mayor ruled in favour of the point of order.

The original motion was put and a two thirds majority was not achieved.

The motion was **Lost**

The Mayor sought and was granted leave of the meeting to bring forward the item *Cove Civic Centre GC220915F01*.

## **CONFIDENTIAL ITEMS**

**9.06pm Cove Civic Centre**  
**Report Reference: GC220915F01**

**Moved Councillor Westwood, Seconded Councillor Crossland that:**

1. pursuant to Section 90(2) and (3)(b) and (d) of the *Local Government Act 1999*, the Council orders that all persons present, with the exception of the following persons: Adrian Skull, Geoff Whitbread, Vincent Mifsud, Abby Dickson, Kathy Jarrett, Kate McKenzie, Victoria Moritz, John Valentine and Deborah Horton be excluded from the meeting as the Council receives and considers information relating to the Cove Civic Centre, 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 information relates to a matter that could confer a commercial advantage to a third party and prejudice the commercial position of Council.

**Carried Unanimously**

9.06pm the meeting went into confidence

**Moved Councillor Crossland, Seconded Councillor Gard that:**

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that this report, Cove Civic Centre and the minutes arising from this report having been considered in confidence under Section 90(3)(b)(i)(ii) of the Act shall, except when required to effect or comply with Council's resolution(s) regarding this matter, be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting. This confidentiality order will be reviewed at the General Council Meeting in December 2015

**Carried Unanimously**

9.46 pm the meeting came out of confidence

## **CORPORATE REPORTS FOR INFORMATION / NOTING**

### **9.48pm Finance Report – August 2015 Report Reference: GC220915R09**

**Moved Councillor Telfer, Seconded Councillor Hutchinson** that Council:

1. Receive the report “Finance Report – August 2015”.

**Carried Unanimously**

## **MATTERS RAISED BY MEMBERS**

### **Questions with Notice**

Nil

### **Motions with Notice**

#### **9.51pm Tonsley Train Line Service Ref No: GC220915M01**

**Moved Councillor Hull, Seconded Councillor Hutchinson** that:

1. Council writes to the Transport Minister Stephen Mulligan and Annabel Digance MP requesting:
  - a. The introduction of a weekend train service on the Tonsley Line at hourly intervals that Council believes that having no weekend train service on the Tonsley Line is not best practice in public transport and is a gross underutilisation of significant public funded infrastructure; and
  - b. The renaming of stations along the line.

**Carried**

#### **8.56pm Advertising on Bus Shelters Ref No: GC220915M02**

**Moved Councillor Veliskou, Seconded Councillor Pfeiffer** that Council:

1. Be provided a report on how Council can prevent junk food advertising on bus shelters in immediate proximity to Schools and Kindergartens in the Marion council area.

That this report identify:

- the owners of the bus shelters,
- the providers of the advertising,
- the types of advertising currently in place
- the shelters with City of Marion branding of any sort and
- options available to regulate advertising in the different bus shelter arrangements with the Marion Council area.

**Moved Councillor Westwood, Seconded Councillor Gard** that the meeting be extended for a period of 10 minutes to allow the remaining items to be dealt with.

**Carried**

10.00pm meeting extended

The motion was **Carried**

**Councillor Appleby called for a division.**

**Those for:** Councillors Pfeiffer, Telfer, Hutchinson, Hull, Westwood, Veliskou and Gard.

**Those against:** Councillors Appleby and Crossland.

**Carried**

### **Questions without Notice**

Nil

### **Motions without Notice**

Nil

### **Elected Member Verbal Communication Reports**

Elected Members were provided an opportunity to briefly state any activities or communications they had recently participated in.

**CLOSURE** - Meeting Declared Closed at 10.08pm.

**CONFIRMED THIS 13 OCTOBER 2015**

.....  
**CHAIRPERSON**

**CITY OF MARION  
GENERAL COUNCIL MEETING  
13 October 2015**

**Originating Officer:** Victoria Moritz, Governance Officer  
**Corporate Manager:** Kate McKenzie, Manager Governance  
**Director:** Kathy Jarrett  
**Subject:** Deputation: Ms Shelly Roach – Telecommunications Tower  
**Ref No:** GC131015D01

---

**SPEAKERS:**

Ms Shelly Roach

**ORGANISATION/GROUP REPRESENTED BY SPEAKERS:**

Resident

**COMMENTS:**

Ms Roach has requested to give a deputation to Council in relation to the telecommunications tower being considered at Kellett Reserve.

**CITY OF MARION  
GENERAL COUNCIL MEETING  
13 October 2015**

**Originating Officer:** Victoria Moritz, Governance Officer  
**Corporate Manager:** Kate McKenzie, Manager Governance  
**Director:** Kathy Jarrett  
**Subject:** Deputation: Ms Rosa Vaccaro – Telecommunications Tower  
**Ref No:** GC131015D02

---

**SPEAKERS:**

Ms Rosa Vaccaro representing George and Fay Vaccaro

**ORGANISATION/GROUP REPRESENTED BY SPEAKERS:**

Residents

**COMMENTS:**

Ms Vaccaro has requested to give a deputation to Council in relation to the proposed site of the Telecommunications Tower at 142 Morphett Road, Glengowrie.



**CITY OF MARION  
GENERAL COUNCIL MEETING  
13 October 2015**

**Originating Officer:** Victoria Moritz, Governance Officer  
**Corporate Manager:** Kate McKenzie, Manager Governance  
**Director:** Kathy Jarrett  
**Subject:** Deputation: Mr Matt Luker – Telecommunications Tower  
**Ref No:** GC131015D03

---

**SPEAKERS:**

Mr Matt Luker

**ORGANISATION/GROUP REPRESENTED BY SPEAKERS:**

Joined Party with the Council I the ERD Court proceedings.

**COMMENTS:**

Mr Luker has requested to give a deputation to Council in relation to the proposed site of the Telecommunications Tower at 142 Morphet Road, Glengowrie.

**CITY OF MARION  
GENERAL COUNCIL MEETING  
13 October 2015**

**Originating Officer:** Craig Clarke. Unit Manager Communications  
**Corporate Manager:** Kate McKenzie, Manager Governance  
**Director:** Kathy Jarrett  
**Subject:** Presentation – Environment Protection Authority  
**Ref No:** GC131015

---

**SPEAKERS:**

Keith Baldry, Operations Director – Mining, Radiation and Regulatory Support

**ORGANISATION/GROUP REPRESENTED BY SPEAKER:**

Environment Protection Authority

**COMMENTS:**

Telstra is seeking to build a telecommunications tower in Morphettsville, at either 142 Morphetts Rd or Kellett Reserve. The City of Marion has invited the Environment Protection Authority to brief Council on the radiation and health impacts of installing a telecommunications tower in these locations.

**CITY OF MARION  
GENERAL COUNCIL MEETING  
13 October 2015**

**Corporate Manager:** John Valentine, Manager Strategic Projects  
Patrice Pearson, Community Engagement Co-ordinator

**Director:** Abby Dickson (Acting Director)

**Subject:** Telecommunications Facilities, Morphettsville

**Report Reference:** GC131015R01

---

**REPORT OBJECTIVES:**

To advise Council of the results of the surveys of households and members of the Morphettsville Park Sports Club in relation to the possible location of a telecommunications facility at 142 Morphetts Road or Kellett Reserve.

**EXECUTIVE SUMMARY:**

At the 14 July 2015 General Council meeting Council resolved to undertake further community consultation to identify a location for a telecommunications facility within the Morphettsville area which has the least residential impact. Harrison Research conducted a random door knock of 222 homes, evenly divided between the two sites to ensure statistically valid representation. Members of the Morphettsville Park Sport Club (MPSC) were surveyed separately.

The MPSC management committee considered their members' responses at a meeting on 6 October 2015. The committee chose not to make a decision at this time. Instead, they have advised Council that a decision on whether to support a telecommunications tower at Kellett Reserve should be voted on by their new committee, which will be elected at their annual general meeting on October 23.

The face-to-face interviews of households were conducted over the weekend of 12 and 13 September 2015 asking what people considered as benefits and dis-benefits of a telecommunications facility and which site they deemed to be of lower impact.

In conjunction with this household survey, an online survey was distributed to the MPSC through the Chair of the club to all the members. The online survey was provided with a unique identifier link, ensuring one response per person. Out of 600 surveys that were sent, a statistically valid responsive rate of 107 was received.

When residents were asked, taking into account the negatives and positives of a new telecommunications facility in their local area, just under one in four (23%) were in favour, and just under a half (46%) were against a new telecommunications facility.

When shown the two potential locations, 49% of residents nominated Kellett Reserve and 41% nominated 142 Morphetts Road as the site with the least impact.

When members of the MPSC were asked taking into account the negatives and positives of a new telecommunications facility, almost two thirds, (65%) were in favour and just over one quarter (26%) were against.

**RECOMMENDATIONS (2)**

**DUE DATES**

**That Council:**

1. Note that the Morphetville Parks Sports Club at this stage have not made a decision on whether to vary the licence to enable the development of a telecommunications facility on Kellett Reserve and have advised they will do so after their 23 October 2015 Annual General Meeting.

**13 Oct 2015**

2. Oppose the development on both sites and advocate that Telstra find an alternative site for the telecommunications facility which has less residential impact; and note that the appeal regarding development at 142 Morphet Road currently before the Environmental Resources Development Court will proceed.

**13 Oct 2015**

**OR**

Subject to the Morphetville Parks Sports Club agreeing to vary their licence, Council support the development of a telecommunications facility at Kellett Reserve.

**Consideration of Appendix 3**

**That Council:**

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that appendix 3 to this report(GC131015R01) be reviewed and considered in confidence under Section 90(3) (h) of the Act shall, except when required to effect or comply with Council's resolution(s) regarding this matter, and be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting. This confidentiality order will be reviewed at the General Council Meeting in December 2015

**13 Oct 2015**

## **BACKGROUND:**

At the 14 July 2015 General Council meeting the following resolutions were adopted by Council:

*That Council;*

1. *"Write to Telstra informing that Council at this point in time is not in a position to make a decision regarding entering into a commercial lease on Kellett Reserve. Rather, Council would prefer to undertake further community consultation to identify a location which has the least impact on the residential community.*
2. *Subject to Telstra's agreement, endorse that further community engagement be undertaken to identify a site with the least residential amenity impact including further engagement with the Morphettville Park Sports Club.*
3. *Should further community consultation occur, require a report be brought back to Council detailing the outcomes of the further consultation undertaken and assessment of alternative sites."*

Since the 14 July 2015 General Council meeting there has been a range of matters investigated and actions taken, namely:

- Review of other potential sites for a telecommunications facility within the area identified by Telstra;
- The development of surveys for both residents and club members of the Morphettville Park Sports Club;
- Development and distribution of community information;
- Conducting the two surveys.

These matters are described in greater detail below.

## **DISCUSSION**

### ***Other Potential Sites***

In response to community feedback received during July 2015 further potential sites for a telecommunications facility were investigated.

Alternative sites considered included:

- Regan Avenue (between Kellett Oval and Morphett Road)
- Na Botto Court (part of a reserve near Sturt Creek)
- A traffic island at the junction of Morphett Road and Denham Avenue

As potential other sites need to meet Telstra's technical requirements Telstra also reviewed the three sites and advised that Na Botto Court, Regan Avenue and the traffic island were not viable alternatives due to the technical and site access requirements. Internal assessment of the above sites also raised concerns regarding the impact on residential amenity.

As a result of seeking alternative sites it was confirmed that the two potential sites for the telecommunications facility were Kellett Reserve and 142 Morphett Road.

### ***Development and Distribution of Community Information***

Prior to conducting surveys the need to put clear information to the community was identified.

Attached, as Appendix 1, is a copy of the information flyer that was distributed prior to the surveys. The flyer described the background and two potential sites. The flyer also included statements from the Environment Protection Authority (EPA) and Telstra.

### ***Development of surveys***

Harrison Research was engaged to assist with the development and conduct of independent surveys of residents and sports club members.

The purpose of the community consultation was to provide an update to the community about the two locations identified for a Telstra telecommunications facility and Council's role in advocating to Telstra on behalf of our community.

The survey sought to identify the following:

- Statistically valid information from residents living in and around the two sites regarding the proposed telecommunications facility and members of the Morphettville Park Sports Club.
- An overall picture of the situation.
- The provision of a comprehensive report on the findings.

### ***Survey Methodology***

- The information sheet was provided to the catchment area of approximately 400 households, based on the location of the survey, detailing:
  - Process so far
  - Council's role to advocate to Telstra in finding a site with the least residential impact
  - Outline of the two sites
  - How the survey process will work
- Harrison Research conducted a random door knock of about 290 homes with (222 responses), evenly divided between the two sites to ensure statistically valid representation. Members of the MPSC were also surveyed.
- The face to face interviews of households in the defined area were conducted over the weekend of 12 and 13 September 2015 asking what people see as benefits and implications and which site they deem to be of lower impact.
- In conjunction with this survey an online survey was distributed to the MPSC through the Chair to about 600 members. The online survey was provided with a unique identifier link, ensuring one response per person ensuring statistically valid responses, 107 responses were received.

## SUMMARY OF SURVEY FINDINGS

Attached, as Appendix 2, is Harrison Research's report on the findings from the survey. The appendix to the Harrison Research report includes the questions for the two surveys.

To assist developing a base line for comparison both surveys sought respondents' views on the quality of mobile phone reception, internet coverage and internet speed. The household surveys were conducted so that an even distribution was achieved on the east and west sides of Morphett Road.

### ***Results of the Household Door to Door Survey***

- The aspects of telecommunications service tested in the local area recorded relatively high ratings, as outlined below:
  - a. Mobile phone reception – average rating of 4.3 (75% rating this as excellent or good, 4% rating this as poor)
  - b. Internet coverage – average rating of 3.9 (57% rating this as excellent or good, 12% rating this as poor)
  - c. Internet speed - average rating of 3.6 (46% rating this as excellent or good, 15% rating this as poor)
- When asked which telecommunication service aspects need improvement in their local area, internet speed (45%) received the largest response followed by internet coverage (28%) and mobile phone reception (21%).
- A number of positives of having a new telecommunications facility in their local area were identified, including faster internet speed (36%), better internet coverage (29%) and better phone reception (28%).
- Negatives, however, were also identified, principally being unsightly (50%), health risks (32%) and radiation concerns (26%).
- When asked, taking into account the positives and negatives of having a new telecommunications tower in their local area, how strongly they favoured such a tower, just under one in four (23%) were in favour, while just under half (46%) were against.
- When shown two potential locations for a new telecommunications facility the results were mixed, with 49% naming Kellett Reserve and 41% naming 142 Morphett Road. Those residing to the east of Morphett Road were significantly more likely to name 142 Morphett Road while those residing to the west of Morphett Road were more likely to name Kellett Reserve.
- Vegetation, named by 22% of the sample, was clearly regarded as the best option to reduce the impact of a tower, however, almost one third (30%) did not think anything would reduce its impact.

### ***Results of the Online Survey of Club Members***

- The aspects of the telecommunications service tested in the area around Kellett Reserve recorded mid range ratings, as outlined below:
  - a. Mobile phone reception – average rating of 3.4 (45% rating this as excellent or good, 19% rating this as poor)
  - b. Internet coverage – average rating of 3.1 (36% rating this as excellent or good, 26% rating this as poor)
  - c. Internet speed - average rating of 3.0 (34% rating this as excellent or good, 30% rating this as poor)
- When asked which telecommunication service aspects need improvement in the specified area at Kellett Reserve, internet speed (45%) received the largest response followed by internet coverage (40%) and mobile phone reception (36%).
- A number of positives of having a new telecommunications facility at the specified area in Kellett Reserve were identified, including income to improve the club's facilities (73%), faster internet speed (49%), better internet coverage (48%) and better phone reception (45%).
- Negatives, however, were also identified, principally being unsightly (37%), health risks (27%) and radiation concerns (23%).
- When asked, taking into account the positives and negatives of having a new telecommunications tower in the specified area at Kellett Reserve, how strongly they favoured such a tower, almost two in three (65%) were in favour, while just over one quarter (26%) were against.
- When asked how the location of a telecommunications tower at the identified location at Kellett Reserve would impact on their participation at the club, almost two thirds (63%) indicated that it would have no impact, however, more than one in five (21%) indicated they would no longer be involved in the club.
- Vegetation, named by 38% of the sample was clearly regarded as the best option to reduce the impact of a tower, however, almost one third (31%) did not think anything would reduce its impact.

### ***Morphettville Park Sports Club***

The MPSC management committee considered their members' responses at a meeting on 6 October 2015. The committee chose not to make a decision at this time. Instead, they have advised Council that a decision on whether to support a telecommunications tower at Kellett Reserve should be voted on by their new committee, which will be elected at their annual general meeting on October 23.

Meantime, if Council approves the development of a Telstra Facility at Kellett Reserve, the MPSC would need to agree to a variation of their lease. The MPSC currently hold a licence agreement over the whole reserve. This agreement expires in June 2016. Should Council wish to enter into a separate agreement with Telstra before June 2016, Council would first need a mutual agreement with MPSC.



**ANALYSIS:*****Assessment of the two locations***

The potential telecommunications facility locations of 142 Morphett Road and Kellett Reserve have impacts that can be compared. The table below is provided as a summary of the two locations and their relative impacts.

<b>Criteria</b>	<b>142 Morphett Road</b>	<b>Kellett Reserve</b>
Residential amenity	Significant impact with no street or land buffer between the development and surrounding residential properties.	Lesser impact due to the buffer the reserve and streets provide between the development and surrounding properties.
Telecommunication benefit	Improved coverage and transmission.	Improved coverage and transmission.
Community benefit	Nil.	Source of funds to improve sports club facilities. Improved lighting to Kellett Oval. Improved change room and related facilities.

**Approval Processes**

If the development of a telecommunications facility is to proceed at Kellett Oval the following approvals would be needed:

- Written confirmation from the MPSC supporting the telecommunications facility and agreeing to a variation to their lease;
- Council agreeing to enter into a lease with Telstra;
- Agreement between Council and MPSC for lease funds from Telstra to be used for upgrading the club's facilities.

If the development of a telecommunications facility is to proceed at 142 Morphett Road, Telstra would need to appeal through the Environment Resources and Development Court (ERD) against the decision of the DAP refusing the tower at that location. The ERD Court would need to overturn the DAP's refusal for the development of the telecommunications facility to proceed. Information on this appeal has been supplied as a separate confidential appendix to this report.

There is a high level of risk that Telstra may be successful in the appeal against the DAP decision regarding 142 Morphett Road, Glengowrie. Similar appeals lodged by telecommunication companies have been successful.

Depending on the outcome of Council's consideration of this matter, further direction will be sought as to the extent Council wishes to expend resources in defending the appeal for the 142 Morphett Road site.

## **Financial Analysis**

If the telecommunications facility was developed at Kellett Oval the income stream from the Telstra lease payments could be reinvested into the community by improving the club room facilities at Kellett Oval.

The following draft lease terms have been negotiated with Telstra for the Kellett Reserve Location:

- Annual rent of \$18,000 plus 3% indexation.
- Lease Term: 10 years with 2 rights of renewal of 5 years.

This would result in providing Council with an income of \$483,667 over a 20 year period.

Telstra have also indicated that they are open to investing funds to improve community infrastructure. This was evident in their agreement to invest funds in the MPSC to cover the costs for the relocation of the existing light tower, installing lights on the phone tower and upgrading the power distribution board to accommodate the additional lighting.

Telstra are also open to providing funds toward community art or landscaping if deemed appropriate and/or feasible.

## **CONCLUSION:**

Council commissioned a face-to-face community survey and an online survey of the MPSC to gauge support for building a telecommunications tower at either 142 Morphett Rd or Kellett Reserve. About 49% of residents nominated Kellett Reserve and 41% nominated 142 Morphett Rd as the site with the lease impact. In contrast, about 65% of members of the MPSC were in favour of the telecommunications tower while 26% were against.

At this stage Council is still waiting on advice from the MPSC on whether they support the variation of their licence which would enable the potential development of a telecommunications facility on Kellett Reserve. Regardless of whether Council supports the development on Kellett Reserve, the option remains to advocate against the development at 142 Morphett Road.

**Appendix 1: Community flyer distributed to households (September 2015)**

**Appendix 2: Harrison Research report on survey results**

**Appendix 3: Confidential - Legal Considerations**

## BACKGROUND

- **March 2014** – Telstra applies for Development Approval to install a telecommunications tower at a commercial property at 142 Morphett Rd.
- **September 2014** – The independent Development Assessment Panel (DAP) refuses application on the grounds it would impact on the amenity of the area. Telstra appeals the decision and then puts the appeal on hold pending investigation of alternative sites.
- **April 2015** - Council support considering a commercial lease with Telstra for the installation of a telecommunications tower at Kellett Reserve - subject to community consultation and Development Approval (revenue from the lease would be reinvested into Morphettville Park Sports Club).
- **May – June 2015** – Council consults with the community.
- **July 2015** – DAP approves Telstra’s application to install a telecommunications tower at Kellett Reserve.
- **July 2015** – After examining the results of community consultation for Kellett Reserve - which showed people understood a tower would be installed in the area but wanted other sites to be considered – Council decide to consult further with the community.
- **August 2015** – Telstra and Council examine other possible locations for the tower in the area but these were discounted after technical and site investigations.

## NEXT STEPS

We will collate feedback from the survey of local residents and the Morphettville Park Sports Club community. The results of the consultation, and an assessment of the two sites, will be included in a report to Council. Council will use the reports to understand which location has the least impact on the community.

## NEED MORE INFORMATION?

### City of Marion

[www.marion.sa.gov.au](http://www.marion.sa.gov.au)  
[communityengagement@marion.sa.gov.au](mailto:communityengagement@marion.sa.gov.au)  
 Georgie Johnson (administration assistant)  
 T: 8735 6600

Australian Radiation Protection and Nuclear Safety Agency – [www.arpansa.gov.au](http://www.arpansa.gov.au)

International Commission on Non-Ionising Radiation Protection – [www.icnirp.org](http://www.icnirp.org)

Environment Protection Authority South Australia  
[www.epa.sa.gov.au/environmental\\_info/radiation](http://www.epa.sa.gov.au/environmental_info/radiation)

World Health Organisation  
[www.who.int/peh-emf/publications/facts/fs304/en/](http://www.who.int/peh-emf/publications/facts/fs304/en/)

DISCLAIMER – The views expressed in this document represent those of the organisation making them and the City of Marion does not warrant the information provided.

## AN IMPORTANT MESSAGE FOR THE HOUSEHOLDER

### Telecommunications tower update

September 2015

Dear Resident

This flyer contains updated information about Telstra’s plans to build a telecommunications tower in Morphettville and how we are seeking community feedback on the proposal.

Telstra wants to build a tower at one of the following locations:

- On City of Marion-owned land at Kellett Reserve or
- A commercial property at 142 Morphett Rd

The City of Marion wants Telstra to find a location for the tower that has the least impact on the community.

Many of you have contacted us asking detailed questions about the proposal and seeking further information about the health impacts of a tower.

Over the following pages, you’ll find details about Telstra’s plans, scientific information from the Environment Protection Authority about why phone towers are safer than you might think and answers to your questions.

### A survey of households

Council has an important role to play in conveying your views about the proposal to Telstra.

We will soon be conducting a random survey of households around the two sites. This is an opportunity for residents to tell us about the quality of telecommunications coverage in Morphettville and to provide their opinion about the possible locations.

The results of the consultation and an assessment of the two sites will be included in a report to Council. The report will be available to the public. You can keep track of when the report will be available by visiting [www.marion.sa.gov.au](http://www.marion.sa.gov.au)

**INSIDE - Telstra plans detailed; EPA discuss health impacts**



# The EPA has provided the following information

Mobile phone base stations produce radiofrequency radiation that is part of the electromagnetic radiation spectrum, which also includes radio and television towers, CB and UHF aerials, pager services, cordless phones and some remote-controlled devices.

**Health authorities and radiation regulators around the world, including the World Health Organisation (WHO) and the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA), conclude that there are no established health effects from exposure to the radio frequency electromagnetic energy from mobile phone base station antennas.**

The World Health Organisation says that exposure levels are very low and there is no scientific evidence that the signals from base stations and wireless networks cause adverse health effects. Within Australia, ARPANSA sets exposure limits to protect people of all ages and health status against any adverse effects. Base station emissions are typically a small fraction of these limits. **The exposure from base stations is much less intense than from a mobile phone itself.**

Telecommunications companies are required to submit plans to the telecommunications regulator, the Australian Communications and Media Authority, prior to commissioning of the station and the estimated maximum exposures must be within the required standards.

The location and emission details of every mobile phone base station in Australia is publicly available on a national website at [www.mobilesitesafety.com.au](http://www.mobilesitesafety.com.au)

You can search for information via postcode or a map.

In South Australia, the Environment Protection Authority provides advice on radiation safety of non-ionising radiation sources, including lasers, microwaves, powerlines, mobile phones and communication towers.

*This information has been provided by the Environmental Protection Authority*

## Quick questions

### What is the role of the City of Marion?

Council has multiple roles to play in this process. We're an advocate for residents as we want the tower to be located in an area which has the least impact on the community. Separate to that, our independent Development Assessment Panel assesses the planning merits of any application and, if the tower is situated on Council land, we negotiate any lease arrangements.

### What other sites for the towers were considered?

Alternative locations at Regan Ave, Na Botto Court and a traffic island at the junction of Morphett Rd and Denham Ave were also considered but were rejected following technical and site investigations.

### How high is the tower?

The tower is 31.94 metres tall.

### How will the survey of households be conducted?

Harrison Research will randomly door-knock about 300 homes, evenly divided between the two sites, to ensure a statistically valid survey. Members of Morphettville Park Sports Club, based at Kellett Reserve, will also be surveyed. Before any decision is made, the club would need to agree to a tower being built there as part of its lease agreement.



The two options which Telstra is considering for a telecommunications tower in Morphettville.

# Telstra has provided the following information

Telstra has identified a need to improve mobile telecommunications service for our customers in parts of Glengowrie and Morphettville. Our existing base stations that service the area are approaching capacity, particularly during the busiest times.

A new base station will provide added capacity to ensure customers enjoy the same experience as they do today and allow for future growth. **The new facility will meet the increased demand of our customers for local mobile network services, including voice calling and SMS, video-based content services and mobile internet browsing.**

Telstra has conducted extensive investigations in the Marion area in order to determine a suitable location for the new facility, which will primarily consist of a 31.94 metre tall monopole with antennas and a small equipment building.

Telstra understands that some locations where we need to place our facilities are more sensitive than others. **Telstra works hard to find a balance between providing high quality services and minimising impact on the community and the local environment.**

In addition to technical and construction requirements, Telstra has taken into account a number of other important non-technical criteria when selecting a site, including:

- the potential to co-locate at an existing telecommunications facility;
- the potential to locate on an existing building or structure;
- the visual impact on the surrounding area and the need to obtain relevant town planning approvals;
- the type of and ability to secure tenure at the site; and
- the minimisation of electromagnetic emissions exposure to the public.

Telstra has identified two suitable locations for the new facility - one on a commercial property at 142 Morphett Road and another site on Kellett Reserve, which is owned by the City of Marion.

While both locations meet Telstra's technical requirements, the site at Kellett Reserve is preferred as it has less visual impact than the location at 142 Morphett Road.

Michael McGlashan, Area General Manager  
Telstra Adelaide

*This information has been provided by Telstra*





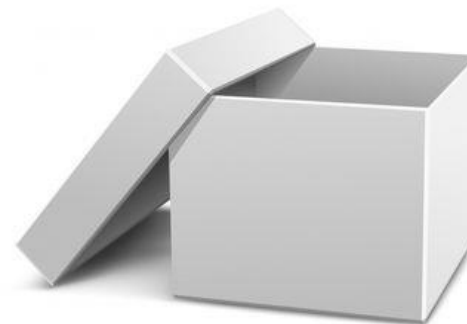
---

## Telecommunications Tower Research Draft Report

# Table of Contents

---

INTRODUCTION	3	PRINCIPLE FINDINGS: ONLINE SURVEY	16
Background, Objectives and Methodology	4	Phone and Internet Service Ratings	17
		Services in Need of Improvement	18
EXECUTIVE SUMMARY	5	Perceived Negatives of Tower	19
		Perceived Positives of Tower	20
PRINCIPLE FINDINGS: DOOR TO DOOR SURVEY	7	Support for Tower	21
Phone and Internet Service Ratings	8	Impact on Club Participation	22
Services in Need of Improvement	9	Suggestions to Reduce Impact	23
Perceived Positives of Tower	10	Final Comments and Suggestions	24
Perceived Negatives of Tower	11	Online Survey Sample Structure	27
Support for Tower	12		
Location of Least Impact	13	APPENDIX 1: QUESTIONNAIRES	28
Suggestions to Reduce Impact	14		
Door to Door Survey Sample Structure	15		



# INTRODUCTION

---

## Background, Objectives and Methodology

The objective of the research is to provide Marion Council with the preferred option for a telecommunications tower among residents living within, and close to, a clearly defined area within the City of Marion. This area is highlighted on the Map to the right.

We understand that you wish to test two potential options for the tower, those being:

- 142 Morphett Road
- Kellett Reserve

Further, you also wish to ascertain the views of members of the Morphett Park Sports Club members in respect to having a new telecommunications tower located at Kellett Reserve.

We are aware that a number of community consultations have already taken place and that further consultations took place prior to the conduct of the survey.





# EXECUTIVE SUMMARY

## Key Findings

### Door to Door Survey

The aspects of telecommunications service tested in the local area recorded relatively high to high ratings, as outlined below:

- Mobile phone reception – average rating of 4.3 (75% rating this as excellent or good, 18% rating this as poor)
- Internet coverage – average rating of 3.9 (57% rating this as excellent or good, 12% rating this as poor)
- Internet speed - average rating of 3.6 (46% rating this as excellent or good, 15% rating this as poor)

When those surveyed were asked which of these aspects need improvement in their local area, internet speed (45%), internet coverage (28%) and mobile phone reception (21%) were identified.

A number of positives of having a new telecommunications tower in their local area were identified, including faster internet speed (36%), better internet coverage (29%) and better phone reception (28%).

Negatives, however, were also identified, principally being unsightly (50%), health risks (32%) and radiation concerns (26%).

When asked, taking into account the positives and negatives of having a new telecommunications tower in their local area, how strongly they favoured such a tower, just under one in four (23%) were in favour, while just under half (46%) were against.

When shown two potential locations for a new telecommunications tower the results were mixed, with 49% naming Kellett Reserve and 41% naming 142 Morphet Road. Those residing to the east of Morphet Road were significantly more likely to name 142 Morphet Road while those residing to the west of Morphet Road were more likely to name Kellett Reserve.

Vegetation, named by 22% of the sample was clearly regarded as the best option to reduce the impact of a tower, however, almost one third (30%) did not think anything would reduce its impact.

### Online Survey

The aspects of the telecommunications service tested in the area around Kellett Reserve recorded mid range ratings, as outlined below:

- Mobile phone reception – average rating of 3.4 (45% rating this as excellent or good, 19% rating this as poor)
- Internet coverage – average rating of 3.1 (36% rating this as excellent or good, 26% rating this as poor)
- Internet speed - average rating of 3.0 (34% rating this as excellent or good, 30% rating this as poor)

When those surveyed were asked which of these aspects need improvement in the specified area at Kellett Reserve, internet speed (45%), internet coverage (40%) and mobile phone reception (36%) were identified.

A number of positives of having a new telecommunications tower at the specified area in Kellett Reserve were identified, including income to improve the club's facilities (73%), faster internet speed (49%), better internet coverage (48%) and better phone reception (45%).

Negatives, however, were also identified, principally being unsightly (37%), health risks (27%) and radiation concerns (23%).

When asked, taking into account the positives and negatives of having a new telecommunications tower in the specified area at Kellett Reserve, how strongly they favoured such a tower, almost two in three (65%) were in favour, while just over one quarter (26%) were against.

When asked how the location of a telecommunications tower at the identified location at Kellett Reserve would impact on their participation at the club, almost two thirds (63%) indicated that it would have no impact, however, more than one in five (21%) indicated they would no longer be involved in the club.

Vegetation, named by 38% of the sample was clearly regarded as the best option to reduce the impact of a tower, however, almost one third (31%) did not think anything would reduce its impact.

---

# **PRINCIPAL FINDINGS: DOOR TO DOOR SURVEY**

## Phone and Internet Service Ratings

Those surveyed were asked to rate, on a scale of 1 to 5, where 5 is excellent and 1 is poor, a number of aspects of telecommunications in their local area.

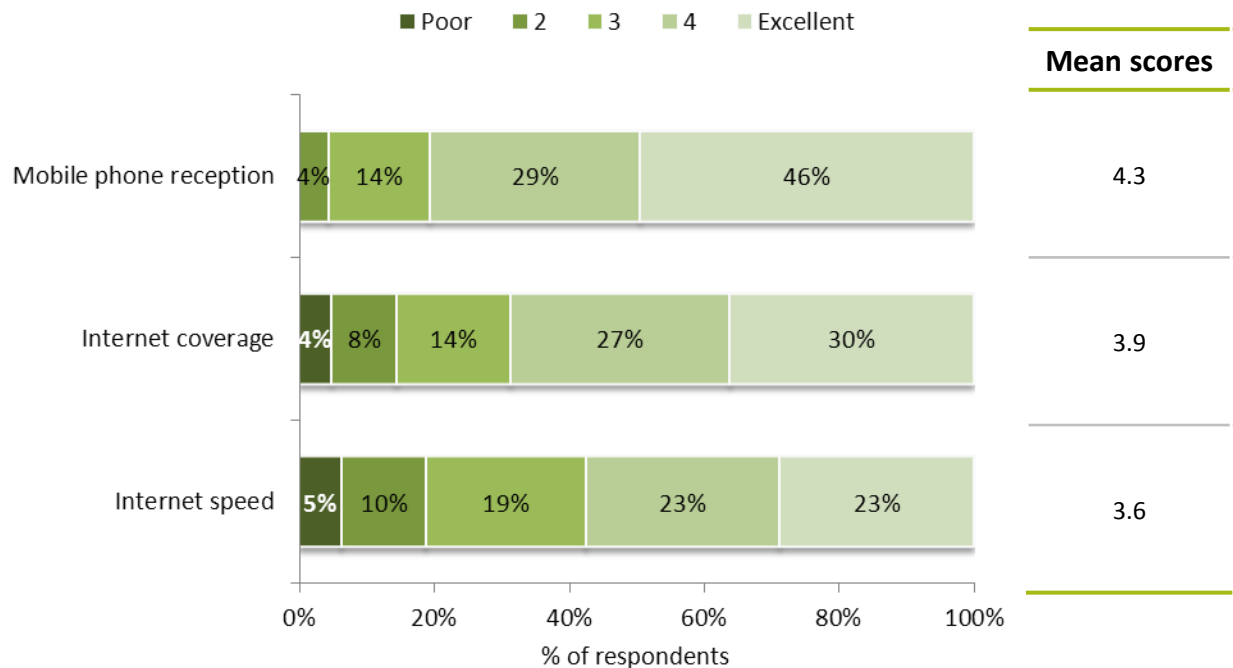
All aspects tested recording relatively high to high ratings, as outlined below:

- Mobile phone reception – average rating of 4.3 (75% gave a rating of 4 or 5)
- Internet coverage – average rating of 3.9 (57% gave a rating of 4 or 5)
- Internet speed – average rating of 3.6 (46% gave a rating of 4 or 5)

There were few variances to these responses among the groups surveyed, although those who were in favour of having a new telecommunications tower in their area were more likely to rate the internet speed and internet coverage as poor, with 25% and 22% respectively giving this a rating of 1 or 2.

Those who indicated that they were against having a telecommunications tower in their area were more likely to rate all three services as good or excellent.

**Q1. Please rate, on a scale of 1 to 5 where 1 is poor and 5 is excellent, the following in your local area... (n=222)**



## Services in Need of Improvement

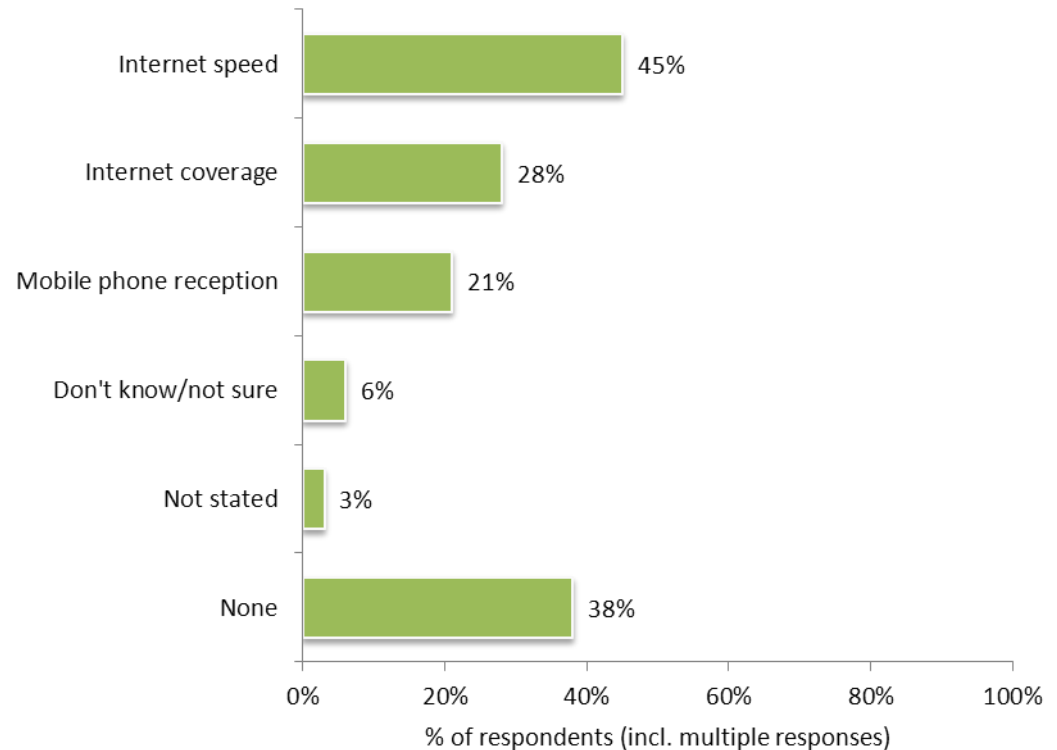
Survey respondents were then shown a list of aspects of telecommunications and asked which of these they think need improvement in their local area.

Almost half (45%) named internet speed, while internet coverage (28%) and mobile phone reception (21%) were both named by more than one in five of those surveyed.

Those who were in favour of having a new telecommunications tower were more likely to indicate that internet speed (65%), internet coverage (59%) and mobile phone reception (47%) need improvement in their local area.

Those who indicated that they were against having a telecommunications tower in their area were more likely to indicate that none of the services need improvement.

**Q2. Of the following, which do you think needs improvement in your local area? (n=222)**



## Perceived Positives of a New Telecommunications Tower

Those surveyed were asked what they considered to be the positives of having a new telecommunications tower in their local area.

Just over half (52%) of the total sample identified at least one positive, with three main responses, those being:

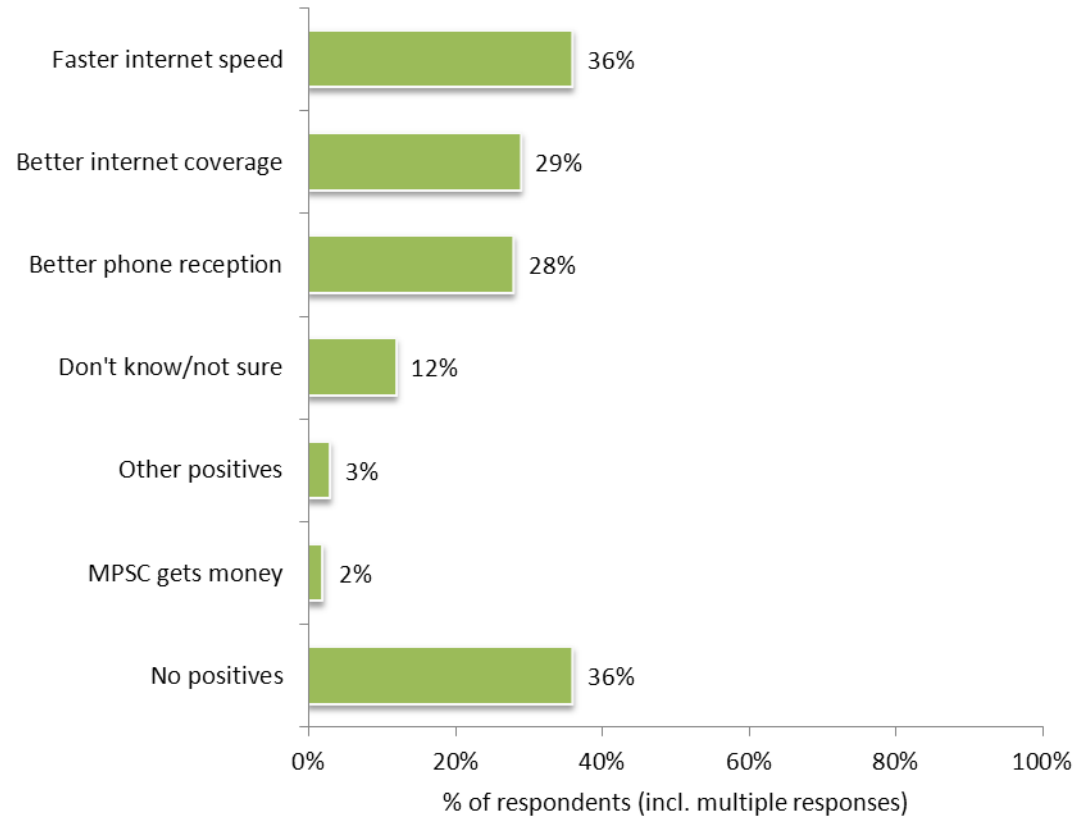
- Faster internet speed (36%)
- Better internet coverage (29%)
- Better phone reception (28%)

Just over one third (36%) indicated that there were no positives of having a new telecommunications tower in their local area.

There were a number of variances to these findings among the groups surveyed, as outlined below:

- Those who were in favour of having a new telecommunications tower in their local area were more likely to name faster internet speed (69%), better internet coverage (57%) and better phone reception (49%). Conversely, they were less likely to indicate that there were no positives (2%)
- Those who were not in favour of having a new telecommunications tower in their local area were less likely to name faster internet speed (22%), better internet coverage (16%) and better phone reception (15%). Conversely, they were more likely to indicate that there were no positives (59%)

**Q3. What do you think would be the positives of having a new telecommunications tower in your local area? (n=222)**



## Perceived Negatives of a New Telecommunications Tower

Those surveyed were then asked if they thought there would be any negatives of having a new telecommunications tower in their local area.

Seven in ten (70%) of the total sample identified at least one negative, with three main responses, those being:

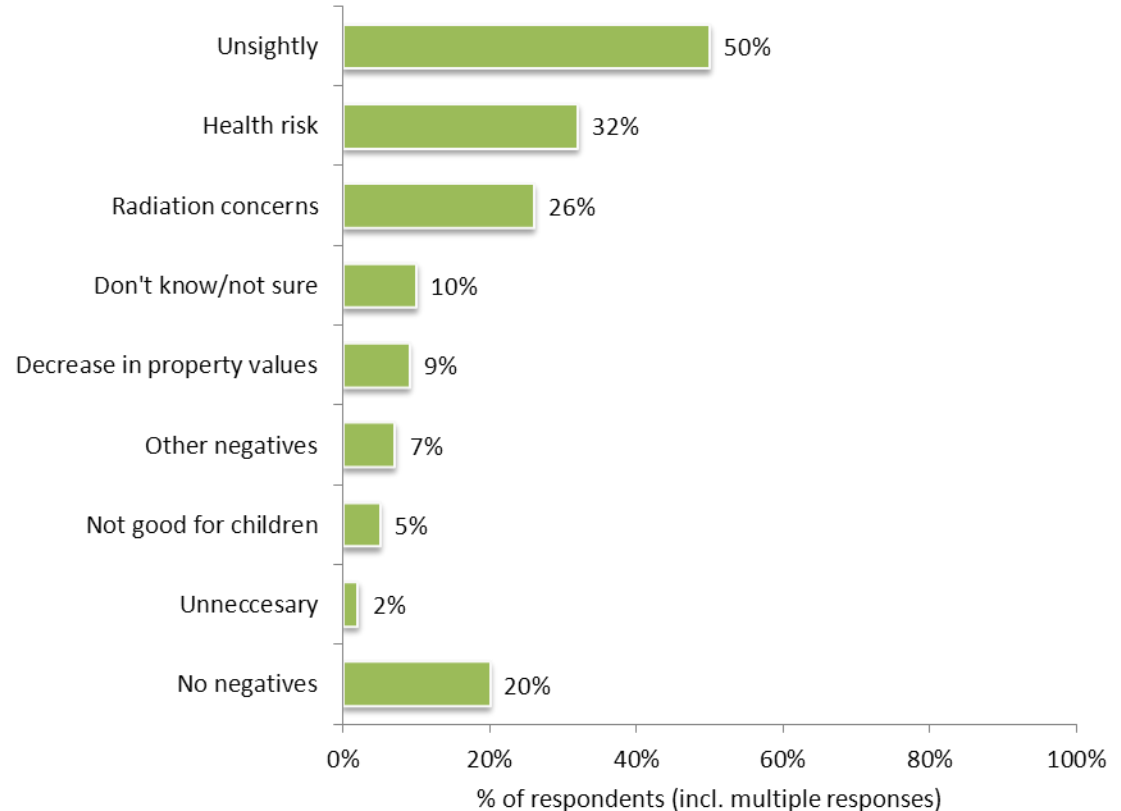
- Unsightly (50%)
- Health risk (32%)
- Radiation concerns (26%)

One in five (20%) indicated that there were no positives of having a new telecommunications tower in their local area.

There were a number of variances to these findings among the groups surveyed, as outlined below:

- Those who were in favour of having a new telecommunications tower in their local area were less likely to name unsightly (27%), radiation concerns (12%) and health risk (8%). They were more likely to indicate that there were no negatives (45%)
- Those who were in not favour of having a new telecommunications tower in their local area were more likely to name unsightly (70%), health risk (56%), radiation concerns (39%), decrease in property values (17%) and not good for children (9%). They were less likely to indicate that there were no negatives (4%)

### Q4. And do you think there would be any negatives of having a new telecommunications tower in your area? (n=222)



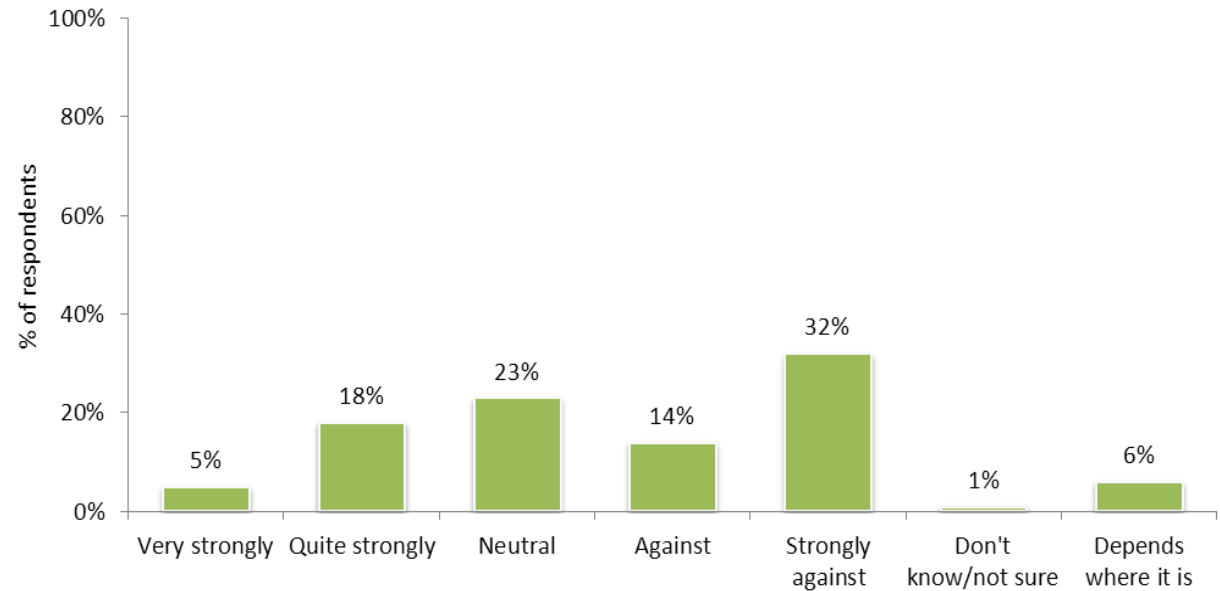
## Level of Support for a New Telecommunications Tower

Survey respondents were then asked, taking into account the positives and negatives of having a new telecommunications tower in their local area, how strongly they favour having such a tower.

As shown in the adjacent chart, just under one in four (23%) indicated that they were in favour of such a tower, while almost half (46%) stated that they were against.

There were few variances to these responses among the groups surveyed.

**Q5. Taking into account the positives and negatives of having a new telecommunications tower in your local area, how strongly do you favour having such a tower? (n=222)**





## Location of Least Impact

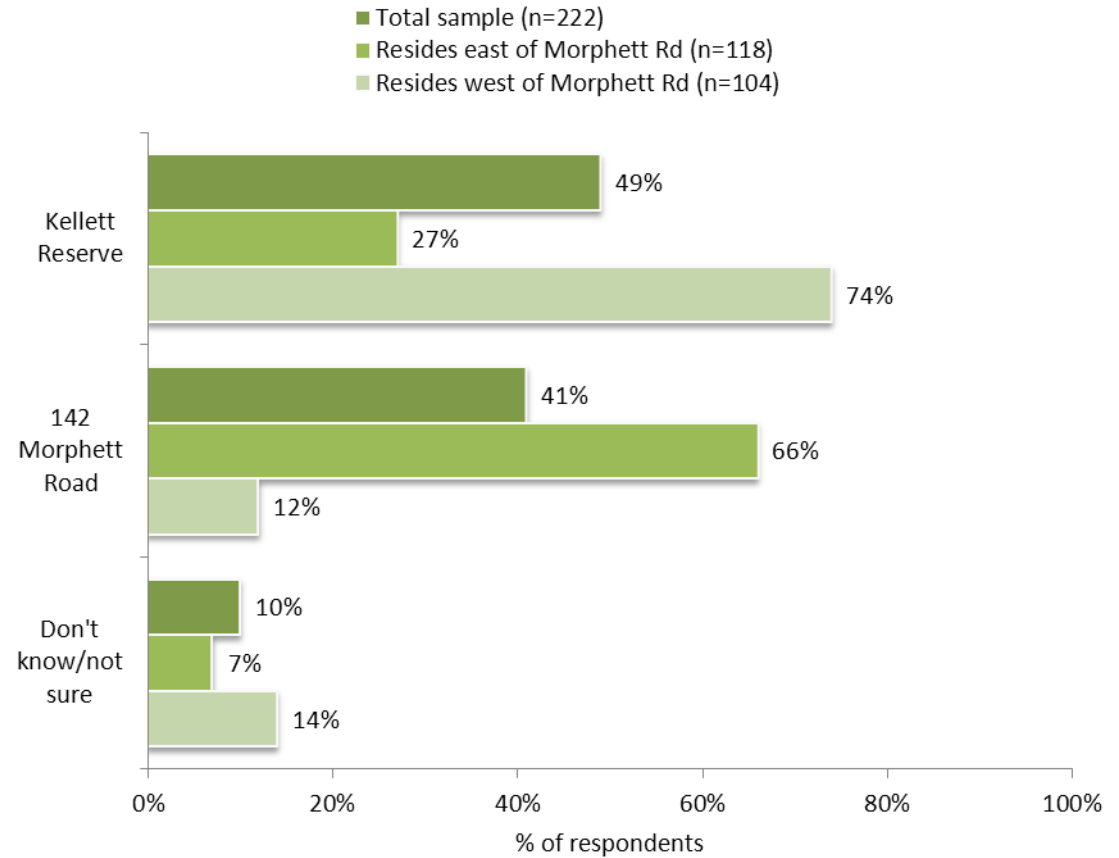
Those surveyed were shown a map of two possible sites for a new telecommunications tower (142 Morphett Road and Kellett Reserve) and asked which of these sites would have the least impact.

The overall results were mixed, with 49% naming Kellett Reserve and 41% naming the 142 Morphett Road site.

As shown in the adjacent chart, however, those residing on the east of Morphett Road were more likely to name 142 Morphett Road (66%), while those residing on the west of Morphett Road were more likely to name Kellett Reserve (74%).

Long term residents were more likely to favour Kellett Reserve (57%), while short term residents of less than two years were more likely to favour 142 Morphett Street.

**Q6. At which of the following sites do you think a new communications tower would have the least impact?**



## Suggestions to Reduce Impact

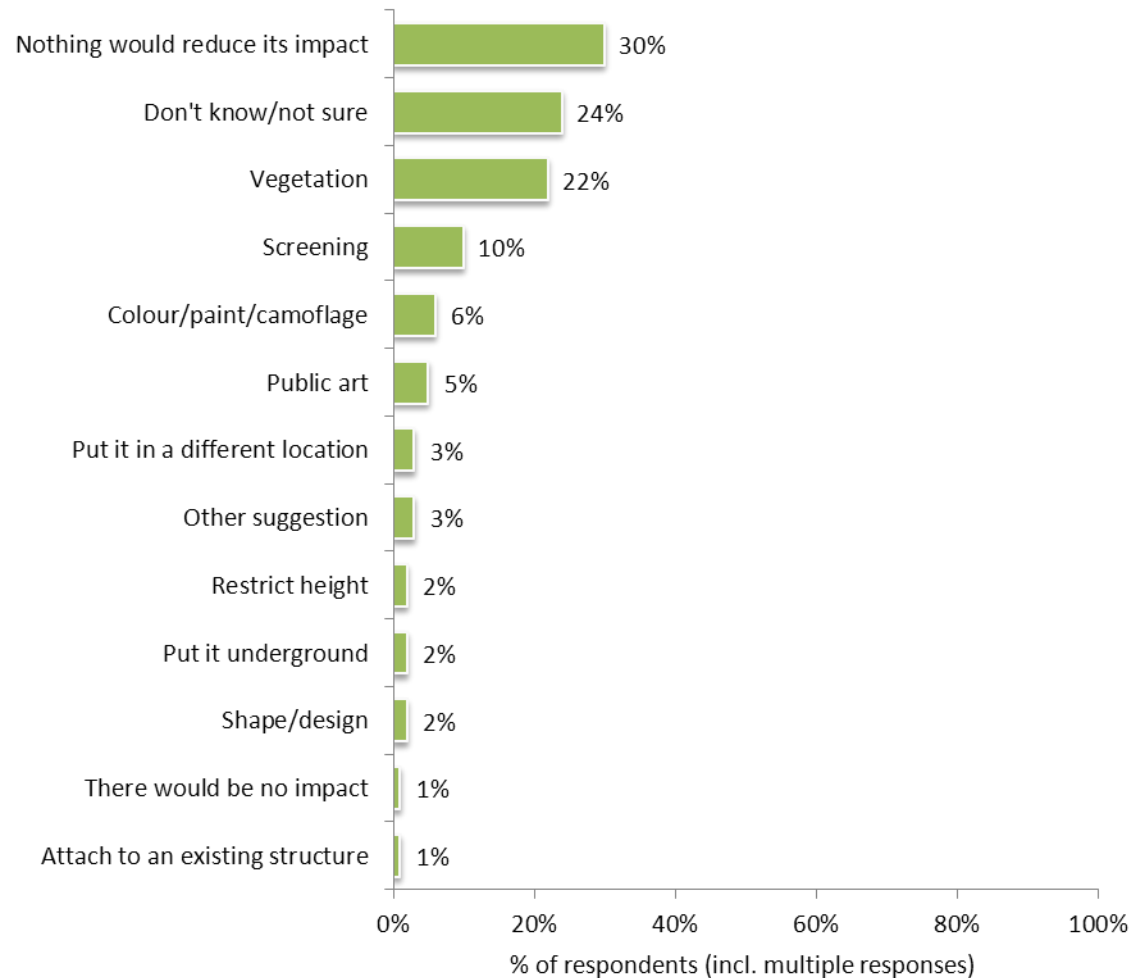
Finally, residents were asked, if the tower were to go ahead, what they think could be done to reduce its impact.

The most common suggestion was clearly vegetation, named by 22% of those surveyed. Smaller proportions named screening (10%), colour/paint/camouflage (6%) and public art (5%).

Almost one third (30%) indicated that nothing would reduce its impact, while just under one quarter (24%) did not know or were unsure.

A significantly higher proportion of those who were against having a new telecommunications tower in their local area indicated that nothing would reduce its impact (43%) compared to those who were in favour (20%).

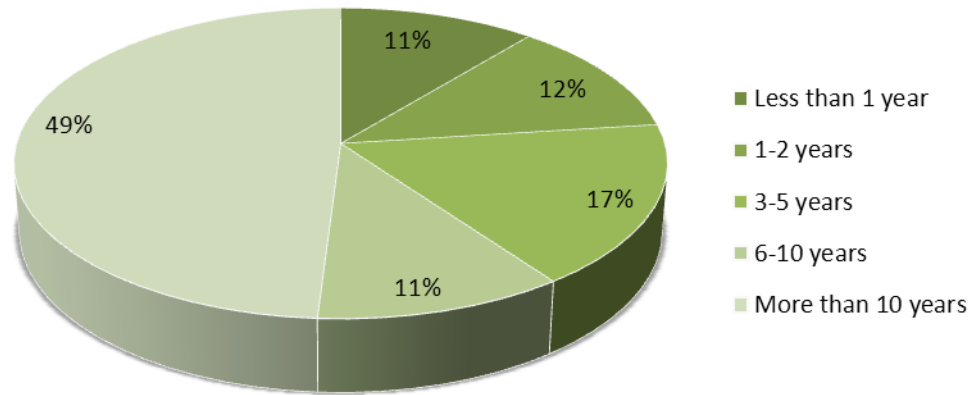
**Q7. If the tower was to go ahead, what do you think could reduce its impact? (n=222)**



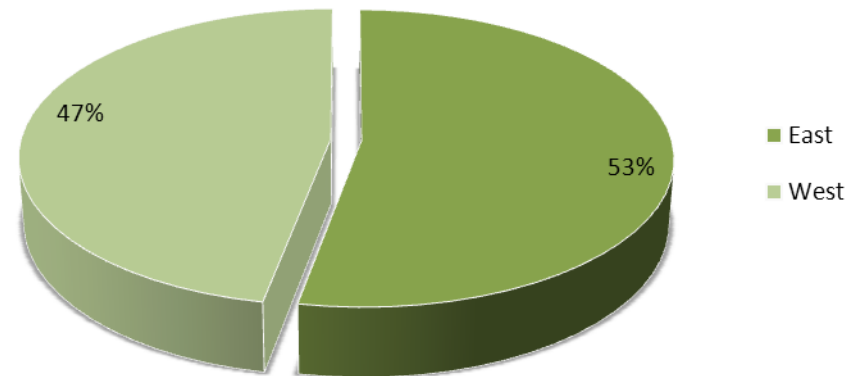
## Door to Door Survey Sample Structure

---

Q8. How long have you lived in the area? (n=222)



Q9. Residence Eastern or Western side of Morphett Rd? (n=222)



# **PRINCIPAL FINDINGS: ONLINE SURVEY**

# Phone and Internet Service Ratings

Those surveyed were asked to rate, on a scale of 1 to 5, where 5 is excellent and 1 is poor, a number of aspects of telecommunications in the area around Kellett Reserve.

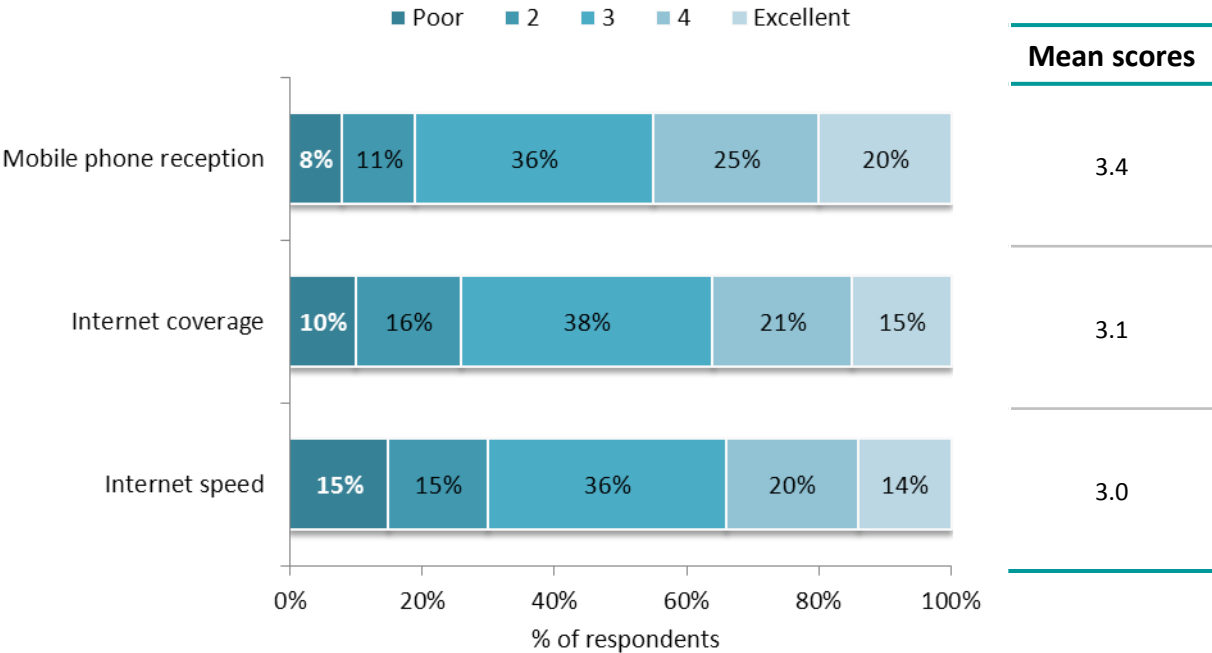
All aspects tested recording mid range ratings, as outlined below:

- Mobile phone reception – average rating of 3.4 (45% gave a rating of 4 or 5)
- Internet coverage – average rating of 3.1 (36% gave a rating of 4 or 5)
- Internet speed – average rating of 3.0 (34% gave a rating of 4 or 5)

Those in favour of having a new telecommunications tower at Kellett Reserve were more likely to rate all three services as poor.

Morphett Park Sports Club members who have been using the facilities for more than five years were also more likely to rate internet coverage as poor.

**Q1. Please rate, on a scale of 1 to 5 where 1 is poor and 5 is excellent, the following in the area around Kellett Reserve (n=107)**



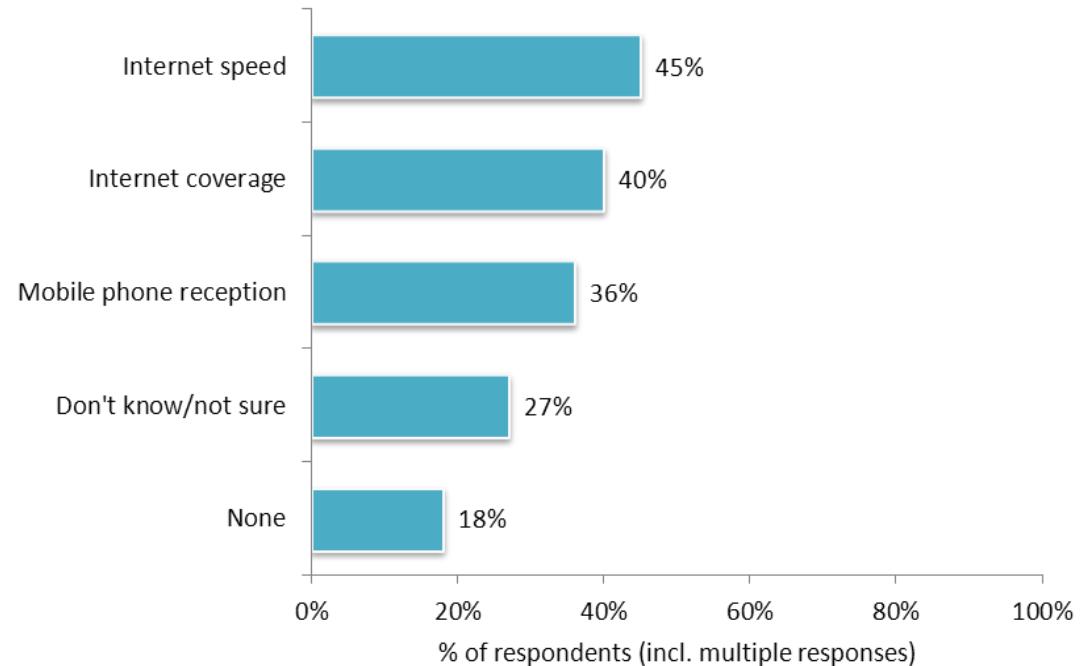
## Services in Need of Improvement

Survey respondents were then given a list of aspects of telecommunications and asked which of these they think need improvement in the area around Kellett Reserve.

Almost half (45%) named internet speed, while internet coverage (40%) and mobile phone reception (36%) were both named by approximately four in five of those surveyed.

Those who were in favour of having a new telecommunications tower were more likely to indicate that internet speed (64%), internet coverage (59%) and mobile phone reception (50%) need improvement in the area around Kellett Reserve.

**Q2. Of the following, which do you think needs improvement in the area around Kellett Reserve? (n=107)**



# Perceived Negatives of a New Telecommunications Tower

Those surveyed were asked if they thought there would be any negatives of having a new telecommunications tower in the identified area at Kellett Reserve.

More than two in five (43%) of the total sample identified at least one negative, with three main responses, those being:

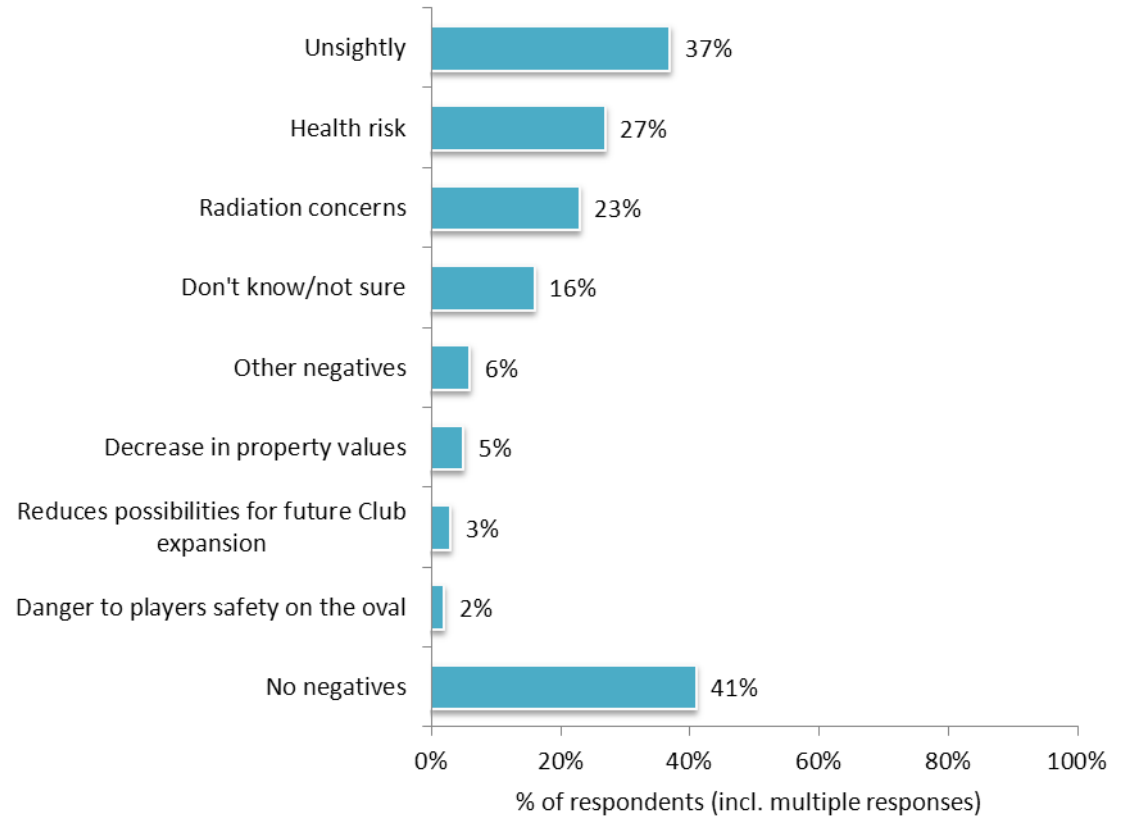
- Unsightly (37%)
- Health risk (27%)
- Radiation concerns (23%)

Approaching half (41%) indicated that there were no negatives of having a new telecommunications tower in the identified area at Kellett Reserve.

There were a number of variances to these findings among the groups surveyed, as outlined below:

- Those who were in favour of having a new telecommunications tower in their local area were less likely to name unsightly (13%), radiation concerns (6%) and health risk (6%). Conversely, they were more likely to indicate that there were no negatives (61%)
- Those who were in not favour of having a new telecommunications tower in their local area were more likely to name unsightly (93%), health risk (71%), radiation concerns (61%) and decrease in property values (18%). Conversely, none of this group indicated that there were no negatives

**Q3. What do you think would be the negatives of having a new telecommunications tower at the identified location at Kellett Reserve? (n=107)**



# Perceived Positives of a New Telecommunications Tower

Those surveyed were then asked what they considered to be the positives of having a new telecommunications tower at the identified location at Kellett Reserve.

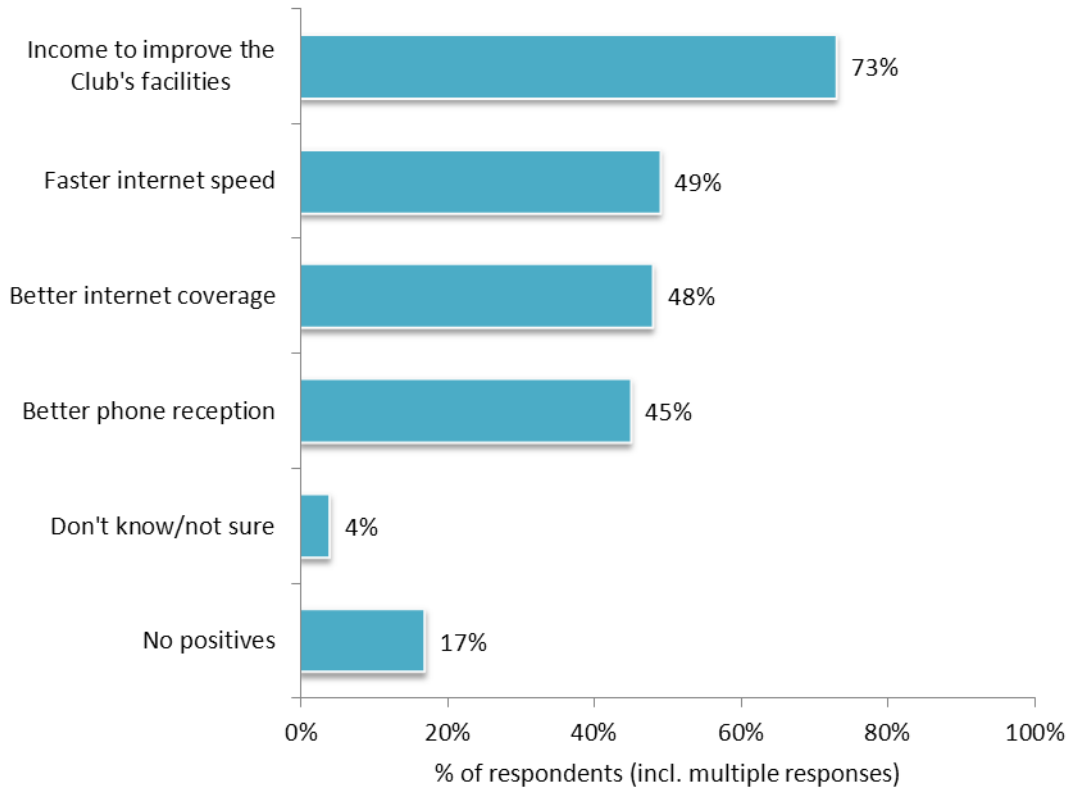
Just under four in five (79%) of the total sample identified at least one positive, with four main responses, those being:

- Income to improve the club's facilities (73%)
- Faster internet speed (49%)
- Better internet coverage (48%)
- Better phone reception (45%)

There were a number of variances to these findings among the groups surveyed, as outlined below:

- Those who were in favour of having a new telecommunications tower in the identified location at Kellett Reserve were more likely to name income to improve the club's facilities (94%), faster internet speed (71%), better internet coverage (69%) and better phone reception (63%). Conversely, none of this group indicated there were no positives
- Those who were not in favour of having a new telecommunications tower in the identified location at Kellett Reserve were less likely to name income to improve the club's facilities (25%), faster internet speed (4%), better internet coverage (4%) and better phone reception (4%). Conversely, this group was more likely to indicate that there were no positives (61%)

**Q4. What do you think would be the positives of having a new telecommunications tower at the identified location at Kellett Reserve? (n=107)**





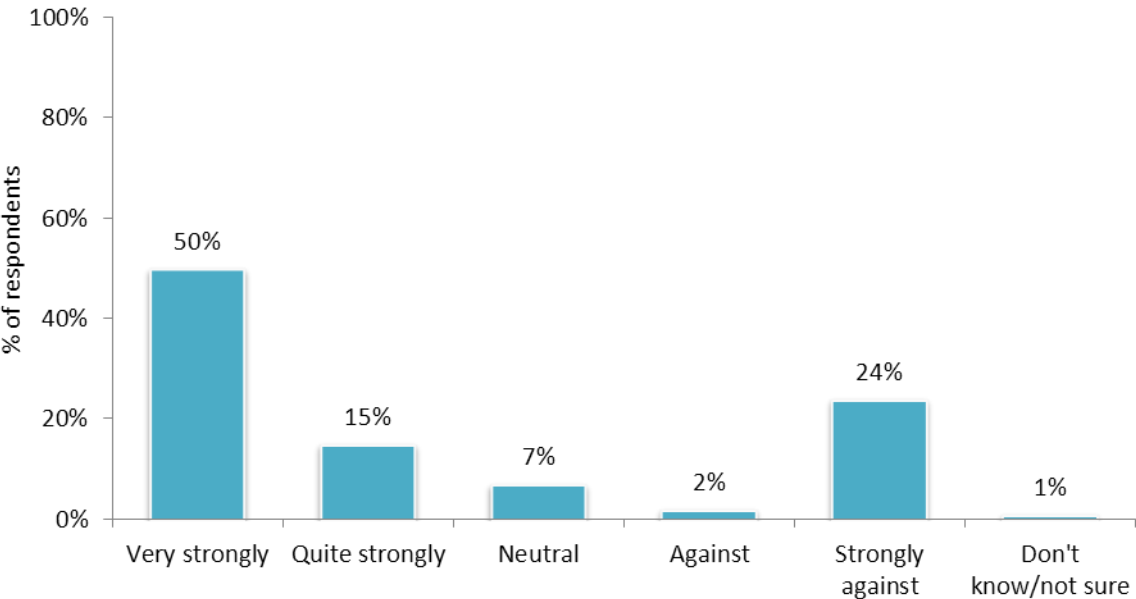
# Level of Support for a New Telecommunications Tower

Survey respondents were then asked, taking into account the positives and negatives of having a new telecommunications tower in the identified location at Kellett Reserve, how strongly they favour having such a tower.

As shown in the adjacent chart, almost two thirds (65%) indicated that they were in favour of such a tower, while just over one quarter (26%) stated that they were against.

Those who live more than 5 kilometres from Kellett Reserve (79%) were more likely to be in favour of a new telecommunications tower at this location, while those who live within 5 kilometres of Kellett Reserve (33%) were more likely to be against it.

**Q5. Taking into account the positives and negatives of having a new telecommunications tower at the identified location at Kellett Reserve, how strongly do you favour having such a tower? (n=107)**



# Impact on Club Participation

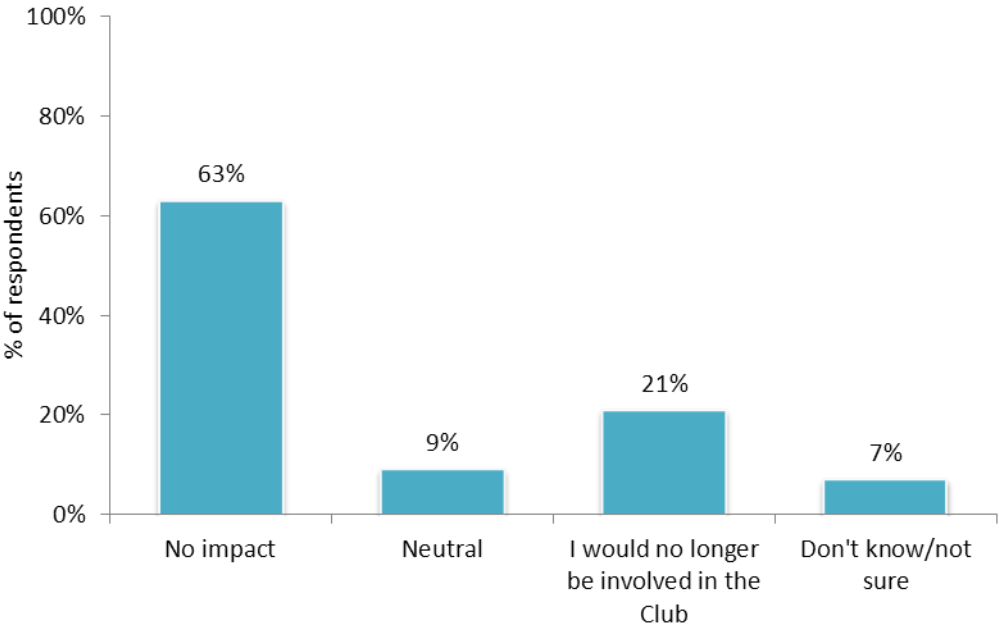
Those surveyed were then asked how the location of the telecommunications tower in the identified location at Kellett Reserve would impact on their participation in sporting club activities.

Almost two thirds (63%) indicated that it would have no impact, however, just over one in five (21%) stated that they would no longer be involved in the sports club.

The incidence of indicating that the telecommunications tower would have no impact was significantly higher among those who were in favour of the tower (87%) and those who live more than 5 kilometres from the proposed site (76%).

Conversely, those who live within 5 kilometres of the proposed site were more likely to indicate that they would no longer be involved with the club.

**Q6. How would the location of the telecommunication tower at the identified location at Kellet Reserve have an impact on your participation in Club activities? (n=107)**



# Suggestions to Reduce Impact

Finally, survey respondents were asked, if the tower were to go ahead, what they think could be done to reduce its impact.

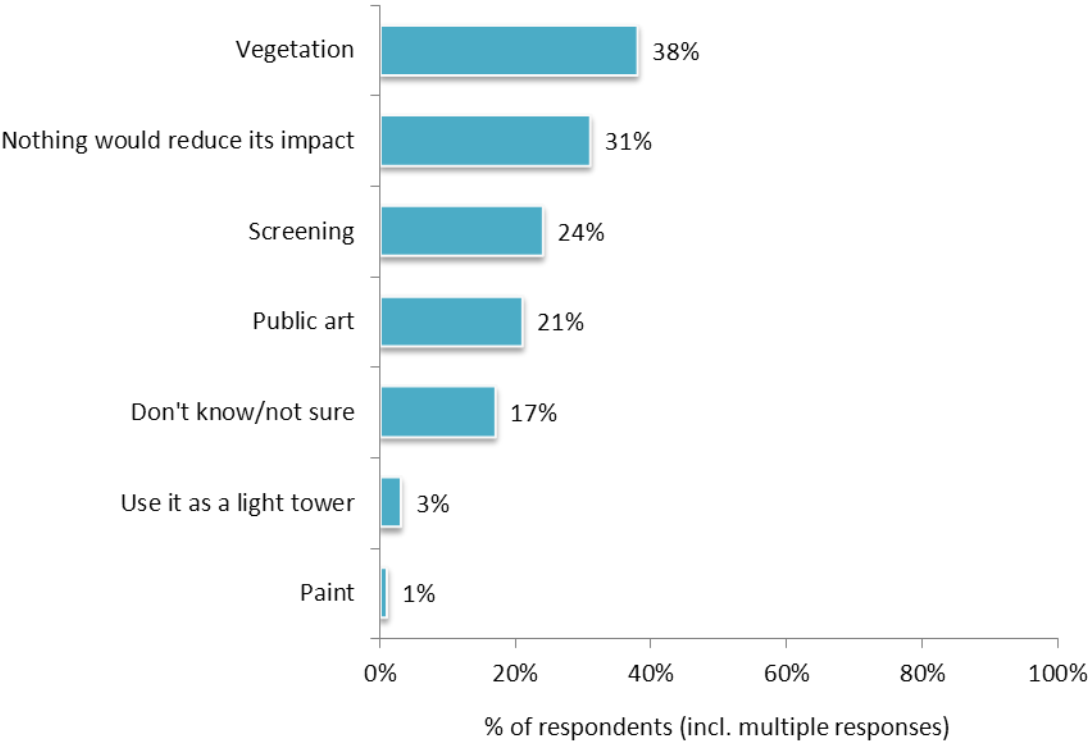
The most common response was clearly vegetation, named by 38% of those surveyed. Other initiatives named included screening (24%) and public art (21%).

Almost one third (31%) indicated that nothing would reduce its impact while just under one in five (17%) did not know or were unsure.

Those who were in favour of having a new telecommunications tower in the identified area at Kellett Reserve were more likely to name vegetation (53%), screening (34%) and public art (33%).

Reflecting these findings, the group who indicated that the telecommunications tower would have no impact on their sports club participation, were also more likely to name vegetation (55%), screening (36%) and public art (30%).

**Q7. If the tower was to go ahead, what do you think could reduce its impact? (n=107)**



## Final Comments and Suggestions

---

Finally, online respondents were asked if they had any other comments or suggestions in regards to the Telecommunications Tower. Of the total sample 38% (or 41 individuals) chose to leave a comment and these comments are displayed in their verbatim form below:

1. Building a tower in such a highly residential area that is on the up and growing would significantly reduce the market value and appeal of the properties. It would also place a huge concern to parents whose children attended the reserve for regular sporting activities due to the health concerns.
2. Does it have to go where it is proposed? There are vacant areas to the east and west of the community clubrooms...
3. Don't want it there. Why should footy club get the money from the lease - what about residents who will have to put up with looking at it 24/7.
4. Don't want it in that location.
5. Find a better location.
6. Find a better place... Back of the gym on Oaklands Rd along the Sturt River where there is an abundance of trees, and less residents in close proximity to the structure.
7. Find somewhere else
8. Hopefully use the tower for lights for oval as well. Making sure money from tower is put into upgrading club facilities.
9. I am 100 percent behind having the tower at Kellett Reserve the benefits to the community would be outstanding.
10. I don't see a problem. If people are worried about their health, they should stop using a carrying a mobile phone and stop supplying their kids with them and allowing them even babies from playing with them. Parents and adults should get real.
11. I think that as a whole this opportunity will be fantastic for the sporting club. As a netballer we have dreamt of possibly being closer to the sporting club and if by placing the telecommunications tower on Kellett Reserve will help achieve this than that's a great step forward. The club has been a huge part of the Morphettsville community for many years and being able to offer football (men's and women's), cricket and netball is something that other clubs dream off. We need to be able to keep our facilities up to a particular standard when offering as much as we do and if that means having a telecommunications tower to help fund some of that than I'm all for it. As a community member better phone and internet services would be great too. I don't think it will look out of place, people may think it will to begin with but after time they will get use to it and eventually forget about it. By placing some nice greenery and screens around the bottom it will not become an issue.
12. I think the benefits to the local community would far outweigh any negative impacts. The Morphettsville Sporting Club is a community club and the club actively supports the community in many ways, including improving the general health and well-being of community members. It considers that these positive benefits will greatly outweigh any perceived health and aesthetic risks. Improving the clubs viability and growth will only enhance these and other positive benefits for the local community.

## Final Comments and Suggestions

---

13. I think the council would be unjustly jeopardising the future long-term viability of the club, by not utilising this location. The club is in desperate need of upgrading, and having this tower, will assist greatly towards this.
14. I think the Kellett Reserve location is the best one for a tower. As a member of the sporting club I think the positives of this tower definitely outweigh aesthetic outcomes.
15. I would like to see the tower go ahead at Kellett Reserve to assist with mobile phone communication but also very importantly improve the sporting club facilities.
16. If the tower was to go ahead, I as a life member of both the cricket and football club and a current junior football coach would have no hesitation in leading a mass walkout of the junior grades to play elsewhere. I have a large amount of parents ready to join me. The management of the football club has been poor for many years. A quick fix with the phone tower might pay some bills, but a football club without juniors will cease to exist very quickly.
17. It will ruin the visual appeal of the club and club won't be able to expand rooms if tower is on that land.
18. Just do it, and this would help the club moving forward with their facilities.
19. No one would ever say let's hang out at the phone tower. This is a community reserve not just a football club. Better fiscal management and not buying a premiership would see the club in a much better financial position. Why can't council give them 200k from the other sporting club development budget of millions to be fair and equitable.
20. No room left to expand club rooms if tower goes up in proposed position.
21. Put it where it won't be in a shared public space!
22. Should go ahead.
23. The Club really needs this tower to be able to move ahead. The tower will have no more impact on people in the area than the goal posts and light poles in the area already.
24. The Club would benefit greatly utilising the funds for upgrades.
25. The council would not be showing true community spirit if they didn't help with a struggling club that needs more lighting and improvements of the facilities.
26. The fact is a tower is required so why not place it on Kellet Reserve and have the club benefit with extra revenue. I don't see it being a problem as mobile towers are everywhere and you have more radiation emitted from a microwave oven than a tower.
27. The funding would be a huge lift for the clubs facilities, one toilet for men , two for women at the moment, lack of space in rooms to hold functions, rooms being tacked on for change rooms, As for the tower I can't see a problem, having researched the issues there is little chance off any health issues.
28. The proceeds of having the tower on Kellett Reserve would greatly benefit the club's ability to upgrade and improve the facilities to cater for the ever growing club membership and the benefit the club provides to the youth, both male and female, in the area.

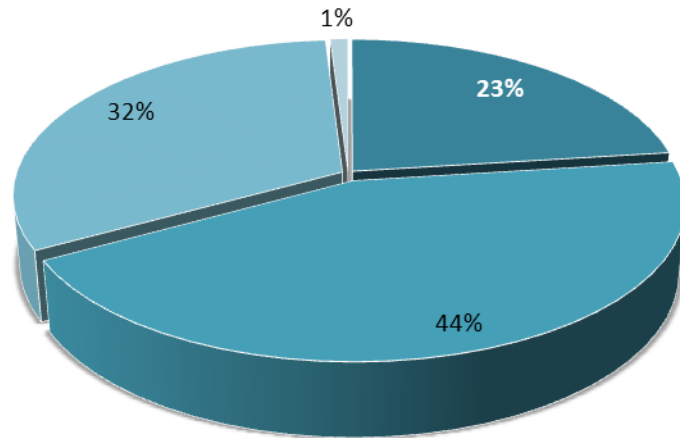
## Final Comments and Suggestions

---

29. The sporting club needs this.
30. The tower will have a large negative impact on the sporting club as parents will take their children to other clubs. The minor income generated from the tower will not achieve the unrealistic dreams of the club board. The board should get the finances of the club in order by other means instead of looking at Telstra's 30 pieces of silver as a way to compensate for the long term financial mismanagement of the club.
31. There is a suitable alternate arrangement for this tower proposed; the location on Morphet road is much more suitable.
32. Think of the future of the club - not just a one off payment. Once it's in it cannot be removed once you realise that it was a huge mistake.
33. This decision will negatively impact the club forever and will be a deterrent to new players and members.
34. This is a great opportunities to upgrade the club's facilities which is certainly needs. Going on all recent research there are no negative effects.
35. This is a sell-out, extremely poor decision of the club to even consider this. Get money from the council - and don't use all the clubs money (not FOOTBALL ONLY) and players and trying to buy a premiership.
36. This will ruin the future of the club.
37. Tower and associated shed will impede clubs ability to expand club rooms as they will be competing for space.
38. We live within 50 metres of the sporting club on Kellett Reserve and are patrons as are our young sons. While we appreciate that such infrastructure is essential we are equally puzzled as to location of this tower on council land. Given the importance of open space its use and the community benefit of such clubs, any infrastructure that permanently detracts, devalues or impacts on the use of this space is to be considered a negative. Further to this we are also puzzled that the tower is located so close to the actual club. If the proposal is for the tower to be on council land the surely the further from the clubrooms the better. Let me stress this, at no point in the future will open space be created, the demands on public land will only increase and yet these public facilities are one of the most cost effective ways of maintaining happy supportive cohesive stress free communities. Consequently we strongly protest at the proposed use of public land in this manner. If there is to be a commercial arrangement the let it be between two commercial entities and not a public amenity.
39. We need to get with the times and move forward in the world not backwards.
40. What guarantee is there that the club will get money? Move it away from sporting club.
41. Why not put the tower where it won't be in the middle of a green, community focussed area?

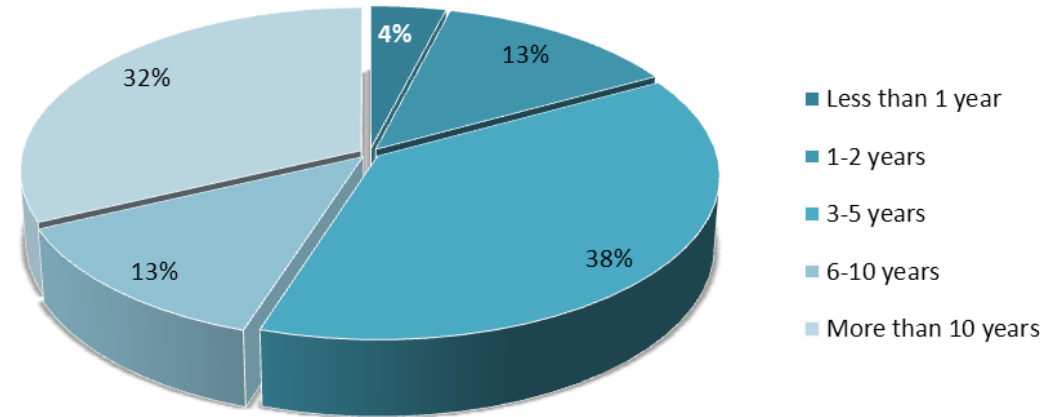
## Online Survey Sample Structure

Q9. Which of the following best describes where you live? (n=107)



- Within 1 kilometer of Kellett Reserve
- Between 1 and 5 kilometers from Kellett Reserve
- More than 5 kilometers from Kellett Reserve
- Don't know / not sure

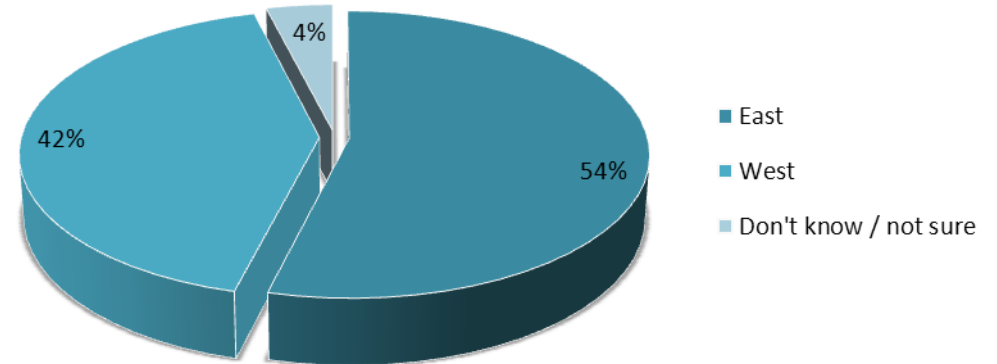
Q8. How long have you been using the Kellett Reserve sports facilities? (n=107)



- Less than 1 year
- 1-2 years
- 3-5 years
- 6-10 years
- More than 10 years

Q10. Is your residence on the Eastern or Western side of Morphett Rd?

(Base: residence within 5km of Kellett Reserve, n=72)



- East
- West
- Don't know / not sure

# **APPENDIX 1: QUESTIONNAIRES**



## COMMUNITY SURVEY

*Introduction –Face to Face Survey*

The Marion Council has commissioned Harrison Research to conduct a face to face survey of residents in the area. Telstra is going to install a Telecommunications Tower in the local area and the Marion Council wishes to understand the views of residents and users of the sports club to advocate for a location which has the least impact. The collective feedback from residents and users of the area will be considered by Council. The survey results will also be provided to Telstra. All the information gathered in the survey is absolutely confidential under the Privacy Act laws and individual information and responses cannot be passed on to any party. We would greatly appreciate your participation in this survey.

## QUESTIONS

1. Please rate, on a scale of 1 to 5, where 1 is poor and 5 is excellent, the following in your local area (**circle one**):

Mobile phone reception	1 Poor	2	3	4	5 Excellent	Don't know
Internet coverage	1 Poor	2	3	4	5 Excellent	Don't know
Internet speed	1 Poor	2	3	4	5 Excellent	Don't know

2. Of the following, which do you think needs improvement in your local area? (**circle as many as applicable**):
- a) Mobile phone reception,
  - b) Internet coverage,
  - c) Internet speed
  - 
  - d) None
  - e) Don't know/not sure

3. What do you think would be the positives of having a new telecommunications tower in your local area? (**circle as many as applicable**)

- a) Better phone reception
- b) Better internet coverage
- c) Faster internet speed
- d) Other \_\_\_\_\_

- e) No positives
- f) Don't know/not sure

4. And do you think there would be any negatives of having a new telecommunications tower in your local area? If so, what are they? (**circle as many as applicable**)

- a) Health risk
- b) Unsightly
- c) Radiation concerns
- d) Other \_\_\_\_\_

- e) No negatives
- f) Don't know/not sure

5. Taking into account the positives and negatives of having a new telecommunications tower in your local area, how strongly do you favour having such a tower? (**circle one**)

- a) Very strongly
- b) Quite strongly
- c) Neutral
- d) Against
- e) Strongly against
- f) Don't know/not sure
- g) Depends where it is

6. **[Show map]**. At which of the following sites do you think a new telecommunications tower would have the least impact? (**circle one**)

- a) 142 Morphett Road
- b) Kellett Reserve
- c) Don't know/not sure

7. If the tower was to go ahead, what do you think could reduce its impact? (**UNPROMPTED, circle as many as applicable**)

- a) Public art
- b) Vegetation
- c) Screening
- d) Nothing would reduce its impact
- e) Other \_\_\_\_\_
- f) Don't know/not sure

8. How long have you lived in the area?

- a) Less than 1 year
- b) 1-2 years
- c) 3-5 years
- d) 6-10 years
- e) More than 10 years
- f) Refused

9. **INTERVIEWER: Record location of residence, including street number, address and whether it is on the eastern or western side of Morphett Road**

---

---

---

## MSPC SURVEY

**Introduction – Online Survey**

The Marion Council has commissioned Harrison Research to conduct an Online Survey of users of the Morphetville Park Sporting Club facilities. Telstra is going to install a Telecommunications Tower in the local area and the Marion Council wishes to understand the views of residents and users of the sports club to advocate for a location which has the least impact.

The collective feedback from residents and users of the area will be considered by Council. The survey results will also be provided to Telstra. All the information gathered in the survey is absolutely confidential under the Privacy Act laws and individual information and responses cannot be passed on to any party. We would greatly appreciate your participation in this survey.

**QUESTIONS**

1. Please rate, on a scale of 1 to 5, where 1 is poor and 5 is excellent, the following in the area around Kellett reserve?

<b>Mobile phone reception</b>	1 Poor	2	3	4	5 Excellent	Don't know
<b>Internet coverage</b>	1 Poor	2	3	4	5 Excellent	Don't know
<b>Internet speed</b>	1 Poor	2	3	4	5 Excellent	Don't know

2. Of the following, which do you think needs improvement in the area around Kellett reserve? **(select as many as applicable)**

- a) Mobile phone reception
- b) Internet coverage
- c) Internet speed
- d) None
- e) Don't know/not sure

3. **Map displayed.** What do you think would be any negatives of having a new telecommunications tower at the identified location at Kellett Reserve? If so, what are they? **(select as many as applicable)**

- a) Health risk
- b) Unsightly
- c) Radiation concerns
- d) Other **(specify)**
- e) No negatives
- f) Don't know/not sure



4. **Map displayed.** Also, what do you think would be the positives of having a new telecommunications tower at the identified location at Kellett Reserve? **(select as many as applicable)**

- a) Better phone reception
- b) Better internet coverage
- c) Faster internet speed
- d) Income to improve the Club's facilities
- e) Other **(specify)**
- f) No positives
- g) Don't know/not sure



5. Taking into account the positives and negatives of having a new telecommunications tower at the identified location at Kellett Reserve, how strongly do you favour having such a tower?

- a) Very strongly
- b) Quite strongly
- c) Neutral
- d) Against
- e) Strongly against
- f) Don't know/not sure

6. How would the location of the telecommunication tower at the identified location at Kellett reserve have an impact on your participation in Club activities?
  - a) No impact
  - b) Neutral
  - c) I would reconsider my involvement in the Club
  - d) Don't know/not sure
7. If the tower was to go ahead, what do you think could reduce its impact? **(select as many as applicable)**
  - a) Public art
  - b) Vegetation
  - c) Screening
  - d) Nothing would reduce its impact
  - e) Other **(specify)**
  - f) Don't know/not sure
8. How long have you been using the Kellett Reserve sports facilities?
  - a) Less than 1 year
  - b) 1-2 years
  - c) 3-5 years
  - d) 6-10 years
  - e) More than 10 years
  - f) no answer
9. Which of the following best describes where you live?
  - a) Within 1 kilometre of Kellett Reserve
  - b) Between 1 and 5 kilometres from Kellett Reserve
  - c) More than 5 kilometers from Kellett Reserve
  - d) Don't know/not sure
10. **IF A OR B IN Q9:** Is your residence on the eastern or western side of Morphett Road?
  - a) Eastern
  - b) Western
  - c) Don't know/not sure
11. **ASK ALL:** Lastly, do you have any other comments or suggestions in regards to the Telecommunications Tower?

OPEN ENDED

**CITY OF MARION  
GENERAL COUNCIL MEETING  
13 October 2015**

**Originating Officer:** Kate McKenzie, Manager Governance  
**Chief Executive Officer:** Adrian Skull  
**Subject:** Local Government Association Membership Fees  
**Report Reference:** GC131015R02

---

**DISCUSSION:**

The matter of the Local Government Association (LGA) Membership has been discussed by Council at its meetings of 14 April 2015, 28 April 2015 and 11 August 2015. Various information has been provided to Council throughout this period.

At its meeting on 11 August 2015, Council resolved *“The City of Marion suspends its membership until a report is received from the new CEO of the Local Government Association regarding the value provided by the LGA to member Councils as well as the mathematical formula by which membership fees are calculated.”*

Since this resolution, the following documents have been exchanged between the City of Marion and the Local Government Association:

- Appendix 1 – Correspondence from Mayor Hanna to LGA dated 18<sup>th</sup> August 2015 advising of the resolution of Council.
- Appendix 2 – Email received by Manager Governance from Chris Russell at the LGA dated 2 September 2015 with an extract of the City of Marion calculations.
- Appendix 3 – Correspondence from the LGA to Mayor Hanna dated 2 September 2015 advising the matter will be considered by the LGA Board.
- Appendix 4 – Correspondence from Mayor Hanna to LGA dated 8 September 2015 acknowledging Council is waiting on a substantive response from the LGA
- Appendix 5 – Correspondence from LGA to Mayor Hanna dated 24 September 2015 advising of the LGA Boards views and requesting a meeting. The LGA requested that this correspondence be tabled at the next Council Meeting
- Appendix 6 – Correspondence from Mayor Hanna to LGA dated 6 October 2015 seeking letter of response and inviting Mayor Burgess and Mr Pinnegar to the General Council Meeting on 13 October 2015.
- Appendix 7 – Correspondence from the LGA to Mayor Hanna in response to the Mayor’s letter dated 6 October 2015 advising they are unavailable to attend the General Council Meeting.
- Appendix 8 – Email from Mayor Burgess, LGA to Mayor Hanna dated 7 October 2015 requesting to speak with the Mayor about Marion’s membership of the LGA attaching the *‘value of LGA Membership – Marion Update’*
- Appendix 9 – Email response from Mayor Hanna to Mayor Burgess, LGA dated 8 October 2015.

Council has a number of options regarding how to progress on this matter.

**Option 1**

That Council:

1. Notes the correspondence received from the Local Government Association highlighting the governance/structure review and the formula review with any changes intended to apply from 2016/17 financial year.
2. Confirm its membership with the LGA for 2015/16 financial year and pay the current invoice.
3. Re-assess its position in April 2016 with the expectation that the LGA has completed the governance and formula reviews.

**Option 2**

That Council:

1. Notes the correspondence received from the Local Government Association highlighting the governance/structure review and the formula review with any changes intended to apply from 2016/17 financial year.
2. Resigns from the Local Government Association effective from 1 July 2016.
3. Pays the current invoice to the Local Government Association for the 2015/16 financial year.

**Option 3**

That Council:

1. Notes the correspondence received from the Local Government Association highlighting the governance/structure review and the formula review with any changes intended to apply from 2016/17 financial year.
2. Continues to negotiate with the Local Government Association to reach a better outcome for the City of Marion community.

**RECOMMENDATIONS (1)**

**DUE DATES**

**That Council:**

**October 2015**

**(Insert Option)**

OFFICE OF THE MAYOR



18 August 2015

Attention: Dave Burgess  
President Local Government Association  
GPO Box 2693  
ADELAIDE SA 5001

PO Box 21 Oaklands Park  
South Australia 5046

245 Sturt Road Sturt  
South Australia 5047

T +61 (08) 8375 6611

F +61 (08) 8375 6856

E [mayor@marion.sa.gov.au](mailto:mayor@marion.sa.gov.au)

[www.marion.sa.gov.au](http://www.marion.sa.gov.au)

Dear President Burgess,

At its meeting on Tuesday, 11 August 2015, Council resolved the following:

*"The City of Marion suspends its membership until a report is received from the new CEO of the Local Government Association regarding the value provided by the LGA to member Councils as well as the mathematical formula by which membership fees are calculated."*

This correspondence is to formally advise the Local Government Association of the City of Marion's decision. Accordingly, Council requests a report from the new Chief Executive Officer after he commences addressing the matters raised in the resolution.

In preparing a response, your incoming Chief Executive Officer may wish to take account of two points in particular. One is that, during Council debate on the subject, the question of "value" was discussed not only in terms of what benefits Councils are receiving, but also in terms of the efficiency and effectiveness of the LGA organisation itself. Secondly, the City of Marion has already received several communications addressing the question of tangible and specific LGA benefits to our residents, including your Worship's visit with Mr Searle and Mr Russell to outline the position to our Elected Members, yet we have remained unpersuaded.

On receipt of this information, Council will re-consider its position.

Yours sincerely,

Kris Hanna  
Mayor

From: Chris Russell <Chris.Russell@lga.sa.gov.au>  
To: "Kate.McKenzie@marion.sa.gov.au" <Kate.McKenzie@marion.sa.gov.au>,  
Cc: Michael Stewart <michael.stewart@lga.sa.gov.au>, Mark Searle  
<Mark.Searle@lga.sa.gov.au>  
Date: 02/09/2015 06:16 PM  
Subject: LGA Subscriptions

Hi Kate,

As discussed, please find attached an extract from our subscriptions spreadsheet which should assist your members to understand how the mathematical calculation of the formula is undertaken. It is referred to in the letter currently being sent from our President to Mayor Hanna.

We have previously offered to provide a briefing if further explanation is required but the attachment should make the process a bit more understandable for those who are mathematically inclined. To assist, the redistribution columns to the right of the rows are where the amounts removed as a result of the two caps being applied are redistributed to other Councils – so in the second redistribution Marion receives an added amount from other Councils whose subscriptions would otherwise have increased by more than 5% on their previous year, and this is again removed in the third redistribution when the maximum of three times the average is again applied.

The adjustments calculated and paid to Marion in June as a refund were the result of a flawed template adopted by the LGA administration in 2005/06. The refunds calculated were reviewed and confirmed by LGA'S auditors.

The auditors have also reviewed the newly created template (from which the attached extract is taken) to calculate the 2015/16 member subscriptions and confirmed that is correct.

Do not hesitate to contact myself or our Finance Director, Michael Stewart, should you need further information on this or related issues.

Regards

**Chris Russell** • Director, Communications  
Local Government Association of South Australia  
T 08 8224 2030 • M 0417 830 105 • 148 Frome Street Adelaide 5000 • GPO Box 2693 Adelaide SA 5001

[chris.russell@lga.sa.gov.au](mailto:chris.russell@lga.sa.gov.au) • [www.lga.sa.gov.au](http://www.lga.sa.gov.au) • [@LGAofSA](https://twitter.com/LGAofSA)

WARNING AND DISCLAIMER: The information provided by the LGA in this email does not constitute legal advice. If legal advice is required, we suggest that you seek out the services of a qualified legal provider. The contents of this email and any files transmitted with it are confidential and may be subject to legal professional privilege and copyright. You must not copy or distribute this message or any part of it or otherwise disclose its contents to anyone without written authorisation from the LGA. No representation is made that this email is free of viruses or other defects. Virus scanning is recommended and is the responsibility of the recipient. We take no responsibility for misdirection, corruption or unauthorised use of email communications, nor for any damage that may be caused as a result of transmitting or receiving an email communication. If you have received this communication in error, please delete the email and advise us immediately.

---

This email has been scanned by City of Marion's MessageLabs Email Security System.  
For more information please visit <http://www.symanteccloud.com>

---



New\_Subscriptions\_Marion\_201516.xlsx



Target Subscriptions	2117835
less Voting Contribution	-282500
Target Population/Revenue Contribution	1835335
Population % Weighting	40%
Revenue % Weighting	60%
Target Population Contribution	734134
Target Revenue Contribution	1101201
Count Councils	69
Average Target Subscription	30693
Average Subscription Cap Factor	3
Subscription Cap	92080
Annual Increase Rate Cap	5%

2015/16	Population >=	Flat Fee
	1	2500
	10001	5000
	50001	7500

Council	Previous Year Subscription	Grant's Commission		Voting Contribution	Population Factor	Population Contribution	Revenue Factor	Revenue Contribution	Total Contribution
		Total Population	Revenue \$000's						
Marion, City of	96614	88292	74894	7500	5.251%	38552	3.862%	42533	88586
TOTAL	2066181	1681298	1939026	282500	100%	734134	100%	1101201	2117835
COUNT		69							

Source  
Grants Commission figures 2013/14  
Revenue figures are Gross Revenues  
69 Councils includes - APY

Fee Limit		Excess to Redistribute	1st Redistribution				Excess to Redistribute	2nd Redistribution			
5% Limit	Final Limit (Cap Applied)		Redistribution Base	Redistribution Rate	Excess Redistribution	Total Contribution		Redistribution Base	Redistribution Rate	Excess Redistribution	Total Contribution
101444	92080		88586	6.441%	11384	99969	7890			-7890	92080
		176749	1375446	100.00%	0	2117835	22896	915279	100.00%	0	2117835

Excess to Redistribute	3rd Redistribution				Excess to Redistribute	Final Redistribution			
	Redistribution Base	Redistribution Rate	Excess Redistribution	Total Contribution		Redistribution Base	Redistribution Rate	Excess Redistribution	Total Contribution
			0	92080				0	92080
5545	467762	100.00%	0	2117835	0	467762	100.00%	0	2117835

Remainder Excess
0

% INCREASE

-4.7%

2.5%



**Office of the President**

In reply please quote our reference: 630446 / CR : LM

2 September 2015

Mayor Kris Hanna  
City of Marion  
PO Box 21  
OAKLANDS PARK SA 5046

Dear Mayor Hanna

Thank you for your letter of 18 August conveying the decision of your Council at its meeting of 11 August. I appreciate the Council has determined to receive further information rather than to withdraw from the LGA.

I will ensure that the LGA Board is apprised of this development at the earliest opportunity and can assure you the Board regards this issue as very important.

We have already been working on ways of calculating the value of more LGA services in dollar terms and this work is continuing. The LGA regularly reviews its operations. At this time its five-year Strategic Plan is being reviewed by the Board and administration is being considered in conjunction with the recruitment of a new CEO.

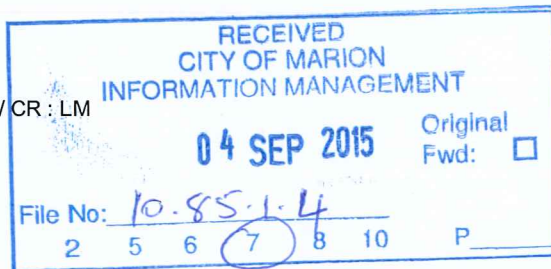
I have previously advised that the LGA Board has resolved to undertake a review of the LGA Subscriptions Formula which we have outlined. We have previously offered to provide a briefing to assist in understanding how the formula is calculated and we remain willing to do so. In addition we will forward to the Council an extract of Marion's calculations from the current year's subscriptions and would remind you that the revised template has been checked by our auditors.

I appreciate your communication directly with me on this. I understand that the Council is yet to be persuaded and that to do so we must improve our communication to your Council Members. Should you have outstanding queries do not hesitate to contact myself or our CEO.

Yours sincerely

Mayor Dave Burgess  
**President**

Telephone: 8224 2022  
Email: [lgaresident@lga.sa.gov.au](mailto:lgaresident@lga.sa.gov.au)



OFFICE OF THE MAYOR



8 September 2015

Mayor Dave Burgess  
President  
Local Government Association  
GPO Box 2693  
ADELAIDE SA 5001

PO Box 21 Oaklands Park  
South Australia 5046  
245 Sturt Road Sturt  
South Australia 5047  
T +61 (08) 8375 6611  
F +61 (08) 8375 6856  
E [mayor@marion.sa.gov.au](mailto:mayor@marion.sa.gov.au)  
[www.marion.sa.gov.au](http://www.marion.sa.gov.au)

Dear Mayor Burgess *Dave*

Thank you for your letter dated 2 September 2015 acknowledging City of Marion's concerns regarding the value of the LGA Membership and efficiency of the organisation.

On behalf of Council, I note receipt of "an extract of Marion's calculations from the current year's subscriptions". I look forward to receiving a substantive response from the LGA about our concerns and the subscription formula as previously requested.

If Council is not satisfied by the LGA response it is possible that Council might decide to cease its membership.

At the time Marion Council resolved to "suspend its membership" on 11 August 2015, neither our staff nor anyone from the LGA advised Elected Members of the provision in your constitution which provides for recovery of a full years membership fees even if a member council resigns before having paid fees in the current year.

Could you please therefore advise, as a matter of urgency, whether or not the LGA will seek recovery of City of Marion's 2015/2016 LGA fees even if Council resolves to resign from the LGA in the near future?

Your urgent response would be appreciated.

Yours sincerely,



Kris Hanna  
Mayor



**Office of the President**

In reply please quote our reference: 631577 / MP/CR : DB

24 September 2015

Mayor Kris Hanna  
City of Marion  
PO Box 21  
OAKLANDS PARK SA 5046

Dear Mayor Hanna

KRIS

Thank you for your letter of 8 September 2015 in reply to my earlier letter.

Your letter of 18 August 2015 conveying your Council's resolution regarding LGA membership was included in the Agenda for consideration at the LGA Board's September meeting.

Our new CEO Matt Pinnegar commenced work with the LGA on Monday 7 September 2015, and has been apprised of your Council's recent concerns and resolution at its meeting of 11 August 2015.

I can confirm that clause 132 of our Constitution requires payment in full of subscriptions, and any service fees, for the year in which a constituent resigns from the LGA.

The LGA Constitution is freely available on our website and recent changes were highlighted in the 2013/14 LGA Annual Report which I distributed to you and your members when I visited the Council in May.

My preference and that of the LGA Board is for the City of Marion to willingly choose to continue to be a member of the LGA.

The subscriptions formula has been provided to your Council along with the calculation of the current year's fee for the City of Marion.

Regarding Council's request for a report, I remind you of the work we completed and provided to you identifying that the LGA saves your Council more than its subscriptions directly (via legal templates, the Unity website system, contracting of the One Library Network and electricity contracting), more than 50% above your subscriptions in special distributions from the LGA's Workers Compensation Scheme, Mutual Liability Scheme and the Asset Mutual Fund, and a significantly greater amount in grant funding from State and Federal Governments including \$1.5 million in concessions to Marion pensioners and other benefit recipients.

.../2

-2-

As I have advised, the LGA Board has determined to conduct a review of the subscriptions during the current financial year with any changes intended to apply from 2016/17. The LGA is not in a position to modify any LGA subscriptions for the current financial year.

Your most recent letters raise the issue of the efficiency of the LGA and the Council resolution seeks a report from Mr Pinnegar. The LGA Constitution vests the budget and directions of the LGA in the LGA Board which is elected by Councils to make these key decisions.

At the LGA Board Meeting on 17 September 2015 the Board resolved:

- To establish an independent Audit Committee for the LGA Board;
- To conduct a governance review of the LGA; and
- For the CEO to conduct a structural review of the LGA.

Mr Pinnegar has advised me - and I support the position - that it is reasonable to allow him 12 months to assess the requirements of the LGA Board and constituent Councils, the reviews endorsed by the LGA Board and institute structural changes to the LGA Secretariat. We will provide a progress report to all Councils before the end of this financial year.

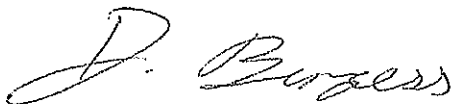
I propose that he and I meet with you and your new CEO Mr Skull as soon as possible to discuss the best way to find a mutually acceptable outcome before the Annual General Meeting on 30 October 2015.

In the near future the 2014/15 LGA Annual Report will also be finalised for presentation to the AGM.

I would appreciate it if you could table this correspondence at your next Council meeting.

Please do not hesitate to contact me or Matt Pinnegar if you have any further questions.

Yours sincerely



Mayor Dave Burgess  
**President**

Telephone: 8224 2022  
Email: [lgaresident@lga.sa.gov.au](mailto:lgaresident@lga.sa.gov.au)



OFFICE OF THE MAYOR



6 October 2015

Mayor Dave Burgess  
President  
Local Government Association  
GPO Box 2693  
ADELAIDE SA 5001

PO Box 21 Oaklands Park  
South Australia 5046

245 Sturt Road Sturt  
South Australia 5047

T +61 (08) 8375 6611

F +61 (08) 8375 6856

E [mayor@marion.sa.gov.au](mailto:mayor@marion.sa.gov.au)

[www.marion.sa.gov.au](http://www.marion.sa.gov.au)

Urgent

Dear Mayor Burgess,

Further to recent correspondence and conversations regarding City of Marion's membership of the LGA, would you please ask Mr Pinnegar to set out in writing to the City of Marion by the end of this week the following:

- a) The assurances given by Mr Pinnegar to Mr Skull regarding his plans for reform of the LGA in the year ahead (as referred to in passing in your letter to me in September)
- b) Whether or not the LGA Board is considering excluding Marion from benefits derived from the local government insurance schemes (as hinted at by Mr Pinnegar to Mr Skull last week) and, if so, the legal basis upon which the LGA considers it could possibly do so.

Given the desirability of sorting this out before the LGA general meeting at the end of the month, I don't think the requested letter is too much to ask.

I am starting to think there may be limited value in the proposed 2 Mayors + 2 CEOs meeting if it is to be a replay of the meeting Mr Skull had last week with Mr Pinnegar. If these matters are to be communicated to the City of Marion it might as well be to the whole of Council directly.

As you requested in your September letter, Council will be considering the LGA issue at the General Council Meeting to be held on Tuesday 13th October 2015. I invite yourself and Mr Pinnegar (either or both of you) to attend this meeting to answer any questions that may arise from Elected Members. About 8.15pm would be an ideal time. I must, however, stress that without a further letter as requested above, a discussion at Council may be of limited value.

I look forward to a response at your earliest convenience.

Yours faithfully



Kris Hanna  
Mayor



**Office of the President**

In reply please quote our reference: 632190 / MP : DB

7 October 2015

Mayor Kris Hanna  
City of Marion  
PO Box 21  
OAKLANDS PARK SA 5046

Dear Mayor Hanna

Thank you for your correspondence dated 6 October 2015.

The Board and I remain committed to working through this issue with you and your Elected Members. In reference to your most recent correspondence:

(a) Resolutions passed by the LGA Board are:

- Governance review: 17 September 2015

*Moved Mayor Parkin Seconded Mayor Spear that the LGA Board:*

1. *requests that the LGA immediately undertakes an independent governance review of the structure of the LGA itself, with particular reference to the role of the Board in the governance process; the relationship of the board with 'wholly owned' entities such as the LGA Mutual Liability Scheme and LGA Workers Compensation Scheme and LGA Procurement; reporting obligations of LGA Administration to the Board; and the appropriateness of the current practice of recommending persons for appointment to unassociated organisations; and*
2. *delegates to the LGA Executive Committee authority to endorse a scoping study which will be presented at its meeting to be held on 15 October 2015.*

**CARRIED**

- Structural review: 17 September 2015

*Moved Mayor O'Loughlin Seconded Mayor Rosenberg that the LGA Board requests that the CEO reviews the structure and resourcing of the LGA Secretariat and provide a progress report to the next Board meeting.*

**CARRIED**

.../2

-2-

- Subscription review: 21 May 2015

*Moved Mayor Keneally Seconded Mayor Parkin that the LGA Board:*

- 1. endorses the reimbursement, with interest, prior to 30 June 2015, to nominated Councils for payments in excess of the 3 x average cap; and*
- 2. endorses a review of the LGA membership subscriptions formula which identifies alternative options for consideration and decision prior to the setting of 2016/17 subscriptions.*

**CARRIED**

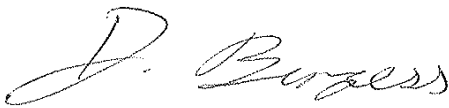
In addition to the above, the LGA is developing a new strategic plan which it will finalise at the January board meeting.

(b) I confirm we have received this advice but a decision has not been made at the LGA Board level to act upon it, as the preference of the Board is that the City of Marion remains a willing and active participant of the LGA as we undertake the above reviews.

Regrettably we are unavailable for your Council meeting next week but we are committed to meeting beforehand at a mutually convenient time.

Due to the need for Marion's membership to be resolved prior to the LGA October AGM, I will be contacting individual Councillors in the meantime to address any concerns before your next Council meeting.

Yours sincerely



Mayor Dave Burgess  
**President**

Telephone: 8224 2022

Email: [lgapresident@lga.sa.gov.au](mailto:lgapresident@lga.sa.gov.au)

On 7 Oct 2015, at 5:18 pm, LGA President <[lgapresident@lga.sa.gov.au](mailto:lgapresident@lga.sa.gov.au)> wrote:

Dear Mayor Hanna

I am keen to talk with you about Marion's membership of the LGA. You may be aware that our AGM is scheduled for October 29/30 and I would like to confirm your attendance.

As a relatively new President of the LGA I am determined to make the Association better for the benefit of Council Members. The LGA Board is united in this mission and has already resolved to have a governance review and a membership subscription review.

We have a new CEO who will conduct a structural review of the LGA as well as finalise a new strategic plan by January 2016 in consultation with members.

We are determined to deliver more and build upon the value we already provide to Councils.

For your information the LGA 2015 Annual Report text as approved can be found on the [LGA website](#) and the final designed version will be loaded later this week; I attach an updated Membership Value statement for Marion and response to your letter dated 6 October 2015.

I would appreciate you calling me or CEO Matt Pinnegar (ph: 0403 431 011) when it is convenient for you so we can answer any questions you have about the future of the LGA and Marion's continued membership.

At the heart of Local Government is a shared commitment to work together for the benefit of the communities we enable, and I look forward to working with you to create a stronger Association that remains the united voice of local government.

**Yours sincerely**

**Mayor Dave Burgess • LGA President**

**Local Government Association**

[lgapresident@lga.sa.gov.au](mailto:lgapresident@lga.sa.gov.au) • [www.lga.sa.gov.au](http://www.lga.sa.gov.au) • <M1.2.jpg> [@LGAofSA](#)

T: 08 8224 2022 • 148 Frome St Adelaide • GPO Box 2693 Adelaide SA 5001



WARNING AND DISCLAIMER: The information provided by the LGA in this email does not constitute legal advice. If legal advice is required, we suggest that you seek out the services of a qualified legal provider. The contents of this email and any files transmitted with it are confidential and may be subject to legal professional privilege and copyright. You must not copy or distribute this message or any part of it or otherwise disclose its contents to anyone without written authorisation from the LGA. No representation is made that this email is free of viruses or other defects. Virus scanning is recommended and is the responsibility of the recipient. We take no responsibility for misdirection, corruption or unauthorised use of email communications, nor for any damage that may be caused as a result of transmitting or receiving an email communication. If you have received this communication in error, please delete the email and advise us immediately.

---

This email has been scanned by City of Marion's MessageLabs Email Security System.  
For more information please visit <http://www.symanteccloud.com>

---

## 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
	Financial Assistance Grants campaign (\$12m)	\$341,775
	Library Funding Agreement (\$190m - 10 years)	\$610,352
	Planning Reform	
	Local Government Act review	
	Housing Trust stock transfer (estimate \$6m)	\$ 415,000
	Premier's Local Government Forum	
	Wage Case/Awards - SA Industrial Commission	
	National Federation White Paper/Tax Review (ALGA) <sup>4</sup>	
	Federal Local Road Funding (R2R) <sup>5</sup> increase for 2 years	\$2,836,136
Leadership	Council Members' Guide	
	Meeting Procedures Handbook	
	Candidates' Website (Statewide costs)	\$50,000
	Financial Sustainability resources/templates	
	Council of the Future initiative	
	Local Government Governance Panel	
	ICAC Information Papers	
	Procurement Guidelines (LGA Procurement)	
	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	
Public Education	Native Title - Kurna Indig. Land Use Agreement support	
	2014 LG Elections Promotion (\$260,000)	
	2012/13 Careers in Council (\$690,000)	
	School Education kit/site	
	LGA Website	
Governance/ Value Add Services / Enterprises	Media liaison	
	Library One Card Network (savings \$700,000)	\$36,822
	Unity Website system (savings \$7m over 10 years)	\$30,000+
	LGA Procurement (including electricity contracts)	\$42,000+
	LGA Mutual Liability Scheme <sup>1</sup>	\$139,974
	LGA Workers Compensation Scheme <sup>2</sup>	Special Distribution
	LGA Asset Mutual Fund <sup>3</sup> (\$5m bonuses - 3 schemes)	
	Statewide Super <sup>*</sup>	
* LGA co-owns/ nominates people to boards + LGA advocated for and helped establish, nominates people to boards	Local Government Finance Authority <sup>+</sup> (\$2m bonuses)	
	Education & Training Services	
Total Achieved		\$5,364,274
Total yet to be finalised		\$1,297,919
<b>TOTAL</b>		<b>\$6,662,193</b>

<sup>4</sup> Australian Local Government Association (LGA subscriptions include ALGA membership)

<sup>5</sup> Roads to Recovery Program

**From:** "Kris Hanna" <[mayor@marion.sa.gov.au](mailto:mayor@marion.sa.gov.au)>  
**Date:** 8 October 2015 10:54:09 am ACDT  
**To:** "LGA President" <[lgapresident@lga.sa.gov.au](mailto:lgapresident@lga.sa.gov.au)>  
**Subject: Re: LGA Membership**

Dear Mayor Burgess

On behalf of the Council I thank you for your email of Tuesday 7th October. Earlier that same day I had finalised a letter to you and asked my Assistant to email it to you. Your Tuesday email shows no sign of having received my letter of Tuesday; Did you receive it?

Essentially my letter on Tuesday asked for a letter from Mr Pinnegar outlining his reform plans, and it invited Your Worship and Mr Pinnegar to the General Council meeting next Tuesday. That is a sincere invitation to sort out this issue.

We could have a chat on the 'phone or have lunch, but that is the old way of doing things. Our residents, and the Councillors of Marion, want not only value but also transparency. An LGA presentation at Council would potentially gain the support of all Councillors, not just the Mayor or CEO. Such an approach would also avoid the multiplicity of messages coming from the LGA in recent months, whereby we have your staff conveying one message to our staff, another message to media, another message from your CEO to our CEO, and another message in your correspondence with me.

Your latest "LGA value to Marion" document is appreciated but may have missed the point of our concerns. When considering value, one question is the benefit provided by the LGA which we would not otherwise receive anyway. Another question is what we have to pay to get such benefit. It's that simple really. Please, therefore, let's have a frank discussion at our forthcoming Council meeting.

It was puzzling to see your departure from protocol by emailing Councillors directly. Of course I understand it was not intended as an insult or an attempt to create division within our Council. Perhaps you think Marion's LGA questions stem from a Mayor with a truculent personality. Please bear in mind that Marion Council passed a resolution purporting to suspend our membership until receiving satisfaction from the LGA, and the Mayor did not vote on the question. You are also no doubt aware that there are many Councillors and a few Mayors across SA who are asking the same questions of the LGA.

There are then some real issues to be addressed. I honestly don't understand why you or at least Mr Pinnegar wouldn't attend our Council meeting next Tuesday. Elected Members discussed the agenda on Tuesday and at this stage we have reserved a spot for an LGA deputation at about 8.15pm.

If neither of you can possibly attend on Tuesday, the same offer applies to the General Council meeting to be held on 27th October. That is, of course, very close to the LGA AGM. Unless the Council is persuaded to change its position by then (and we are open to doing so) you can expect no one from Marion to be attending.

We look forward to receiving a report from Mr Pinnegar, as requested, and a deputation to Marion Council, as requested, as a "circuit breaker" to overcome the current impasse.

Yours Faithfully  
Mayor Kris Hanna

**CITY OF MARION  
GENERAL COUNCIL MEETING  
13 October 2015**

**Chief Executive Officer:**     **Adrian Skull**

**Subject:**                       **Cove Youth Service Operational Options – amendment to the motion**

**Report Reference:**           **GC131015R03**

---

Pursuant to Regulation 21 of the *Local Government (Procedures at Meetings) Regulations 2013*, the Chief Executive Officer may submit a report recommending revocations or amendment of a decision of Council.

At its meeting of 23 June 2015, Council resolved the following:

**Cove Youth Service Operational Options**

**Reference No: GC230615R01**

**That Council:**

1.   **The Cove Youth Service will cease to operate from its current site in Hallett Cove as soon as practicable possible. The new City of Marion Youth Service will operate from the City of Marion Administration Building.**
2.   **A series of workshops will be initiated in the next three months to consider a new direction and strategy for youth programs across our city. Elected Members and representatives from related organisations within our community will be encouraged to participate.**
3.   **Recommendations will be made to council by 1<sup>st</sup> December 2015.**

The redevelopment of City Services has resulted in the Community Development Team relocating from the Administration Building to City Services. The Youth Services staff are part of the Community Development Team and it therefore is appropriate they work from the City Services Building. The motion passed by Council on 23 June 2015 specifically stated that the Youth Service operate from the Administration building. It is recommended that section 1 of the motion be amended as follows:

**MOTION:**

**That the motion resolved on 23 June 2015 (GC230615R01) be amended to:**

**That Council:**

1.   **The Cove Youth Service will cease to operate from its current site in Hallett Cove as soon as practicable possible and staff will relocate to other Council office space**

**CITY OF MARION  
GENERAL COUNCIL MEETING  
13 October 2015**

**Originating Officer:** David Melhuish, Senior Policy Planner

**Corporate Manager:** Steve Hooper, Manager Development Services

**Director:** Kathy Jarrett, Director

**Subject:** Hallett Cove (ADC) Residential DPA

**Report Reference:** GC131015R04

---

**REPORT OBJECTIVES:**

Council to consider a 'Statement of Justification' for the rezoning of land at Hallett Cove for residential purposes, and, if considered appropriate, seek the preparation of a 'Deed of Agreement'.

**EXECUTIVE SUMMARY:**

Adelaide Development Company (ADC) on behalf of the Hallett Cove Joint Venture are seeking Council's approval to undertake a Development Plan Amendment (DPA) process over land at Hallett Cove to provide for an extension to the existing abutting residential development to the north.

The proposed DPA is to be funded by the developer and is to be undertaken in accordance with Council's 'Privately Funded Development Plan Amendments Policy' (the Policy). The first part of the process is for Council to consider the merits of the proposal via a Statement of Justification. If considered appropriate a 'Deed of Agreement' between the developer and Council will be prepared.

**RECOMMENDATIONS (4)**

**DUE DATES**

**That Council:**

- |  |              |
|--|--------------|
| 1. Initiate and proceed with a privately funded DPA seeking the rezoning of the Landscape Buffer Zone at Hallett Cove to a Residential Zone.   | October 2015 |
| 2. Advises Adelaide Development Company (the private funder) that the funding and management of the Development Plan Amendment is to be based on 'Model 2' as outlined in Council's 'Privately Funded Development Plan Amendments Policy'. | October 2015 |
| 3. Enters into a 'Deed of Agreement', outlining the roles of the parties, legal requirements and procedures etc. with Adelaide Development Company (the private funder); this Deed to be prepared and funded by the private funder.        | October 2015 |
| 4. Delegates to the Chief Executive Officer the authority to consider and sign off on the Deed on behalf of Council.   | October 2015 |

## BACKGROUND

The rezoning of the land for residential purposes has been identified as a low priority DPA in the Strategic Directions Report due to resource implications. However, ADC is keen to have the land rezoned in the short term so has decided to undertake a privately funded DPA process.

Council has previously considered the rezoning of the subject land from Landscape Buffer Zone to Residential Zone on two previous occasions. Firstly as part of Council's Strategic Directions Report in 2014 and more recently at an Elected Members Forum on 21 July 2015.

The ADC land comprises two separate allotments. One is located within the City of Marion and the other is within the City of Onkaparinga. It is ADC's intention to undertake the rezoning/development of the land in two stages. The first stage involves the section of land within the City of Marion. Rezoning of the land within the City of Onkaparinga (which is currently within an Industrial Zone) will be undertaken at a later date. ADC has shown through a conceptual masterplan that the two stages would integrate seamlessly.

## ANALYSIS:

Phillip Brunning & Associates Pty Ltd (PBA) on behalf of ADC has prepared a Statement of Justification seeking Council's approval to undertake a privately funded DPA process in respect to the rezoning of the land for residential and open space purposes.

Due to Council's lower priority for the DPA and current resource availability, ADC has requested that the DPA process be based on Model 2 as outlined within the Scope of the Policy. In Model 2 *'The private funder funds, procures and manages as much of the DPA process as possible but provides funds for Council to procure and engage its own consultants to undertake an independent peer review of the DPA'* as compared to Model 1 which requires greater resource input from Council.

Model 2 is considered an appropriate model for this DPA. Even though much of the DPA would be undertaken by ADC, Council has full control of the process, particularly at the critical decision making times.

*A copy of the Policy containing details on Models 1 & 2 (pages 1 & 3) is attached as Appendix 1.*

The Statement of Justification should clearly outline the policy outcome that is being sought and the level of consistency of the proposal with criteria set out in Council's Privately Funded DPA Policy. The criteria states that:

- a) The proposed policy change is consistent with the State Government's Planning Strategy for Metropolitan Adelaide (30 Year Plan for Greater Adelaide).*
- b) The proposed policy change is consistent with Council's Strategic Vision for the City.*
- c) The existing zoning is outdated and not in alignment with the other policy directions of the Government and Council resulting in appropriate development being restricted on the land.*
- d) Appropriate consideration has been given to likely social, environmental, economic and physical benefits and costs arising from the proposal.*
- e) Whether the proposed DPA can be appropriately managed, taking into consideration the timing of other priorities and projects within Council's policy program and the resources available.*



The Statement of Justification has given due consideration to the above criteria and in particular the following is noted:

- The proposed DPA would be consistent with the relevant policies within the 30 Year Plan, particularly in regard to spatial distribution, urban design, housing mix, affordability and health and wellbeing.
- The proposed DPA has previously been identified by Council as a future DPA/project within Council's latest Strategic Directions Report.
- The existing zoning for the land (Landscape Buffer Zone) sought to provide a buffer between Port Stanvac refinery and residential development in Hallett Cove to the north. As the refinery has ceased operations the former intent for the land has little purpose and it's rezoning for and use as an extension of the existing adjacent residential area to the north is both logical and has merit.
- Development of the land for housing would help in reducing the pressure for greenfield development at the urban fringe and infill development in existing suburbs.

*Greater detail on the level of consistency with the criteria can be found in the Statement of Justification which is attached as Appendix 2.*

The content of the Statement of Justification provides sufficient confidence for Council to proceed with the proposed privately funded DPA. The next step of the DPA process will be the preparation of a 'Statement of Intent' for the consideration of the Minister. Prior to this happening, a 'Deed of Agreement' outlining the roles of the parties, legal requirements and procedures etc. is required to be entered into between Council and the private funder (ADC).

## **CONCLUSION:**

The Statement of Justification provided by ADC clearly outlines the proposal for the land and shows that the proposed DPA is consistent with Council's 'Privately Funded Development Plan Amendments Policy' criteria. Rezoning the land for residential purposes appears logical and a DPA process should proceed.

**Appendix 1: Privately Funded Development Plan Amendments Policy**  
**Appendix 2: Statement of Justification**

# Privately Funded Development Plan Amendments Policy



## 1. RATIONALE

The Development Plan is a document that contains the planning controls that guide what can and cannot be developed in a council area. Planning authorities use these planning controls to assess new development proposals.

A Development Plan Amendment (DPA) is a document that describes proposed changes to a Development Plan and includes a statutory process required to be undertaken when either the Council or the Minister for Planning seeks to amend land use zoning and/or the policies contained within the Development Plan.

Privately funded DPAs are a legitimate approach that may be used to expedite and resource the preparation of a DPA, particularly where its preparation has not been budgeted for or identified as a priority by the Minister or Council through the Development Plan Review process under Section 30 of the *Development Act 1993*.

Council is under no obligation to agree to a privately funded DPA.

## 2. PURPOSE

The purpose of this policy is to guide Council in the assessment and processing of privately funded DPAs in a clear and transparent manner and clarify Council's requirements and relationships with the potential private funder.

## 3. SCOPE

This policy applies when a private funder seeks to fund a Council initiated DPA through an agreement with Council based on one of the following models.

### Model 1

The private funder provides financial resources but the entire DPA process, including the procurement and management of consultants is undertaken by Council with the private funder given no additional opportunity to input into the DPA process beyond that available to any other person.

### Model 2

The private funder funds, procures and manages as much of the DPA process as possible but provides funds for Council to procure and engage its own consultants to undertake an independent peer review of the DPA.

It is Council's decision which of the two models of privately funded DPAs is appropriate based on its consideration of the proposal and the needs of the area in which it is located.

## 4. PROCESS / IMPLEMENTATION (Summarised in the Flow Chart in the Appendix)

### Statement of Justification

In requesting Council's endorsement to proceed with a Privately Funded DPA a 'Statement of Justification' should be submitted by the private funder which outlines the level of consistency with the criteria below, and clearly outlines the policy outcome that is being sought.

Council will make an assessment of the 'Statement of Justification', consider point (e) below, make necessary preliminary investigations and consultations with Government Agencies to understand

# Privately Funded Development Plan Amendments Policy



policy positions of the Agencies and determine whether to proceed with the preparation and lodgement of the Statement of Intent which is required for the agreement of the Minister for Planning to begin the DPA.

Council has the right to reject a proposed DPA.

## Criteria to consider Privately Funded DPAs

In order to determine whether or not Council should proceed with a privately funded DPA, the DPA proposal should be assessed against the following criteria:

- a) The proposed policy change is consistent with the State Government's Planning Strategy for Metropolitan Adelaide (30 Year Plan for Greater Adelaide).
- b) The proposed policy change is consistent with Council's Strategic Vision for the City.
- c) The existing zoning is outdated and not in alignment with the other policy directions of the Government and Council resulting in appropriate development being restricted on the land.
- d) Appropriate consideration has been given to likely social, environmental, economic and physical benefits and costs arising from the proposal.
- e) Whether the proposed DPA can be appropriately managed, taking into consideration the timing of other priorities and projects within Council's policy program and the resources available.

## Deed of Agreement

A legal instrument in the form of a Deed of Agreement will be required to be entered into between Council and any private funder. As a minimum the Deed of Agreement will:

- state that a private funder is funding an open and transparent process which provides no guarantee that any Development Plan outcome sought by the private funder will be provided;
- outline the heads of agreement and legal procedures, including the roles of the parties, legal requirements and procedures, and project and financial management;
- define in detail the nature of the DPA including the area to be covered, the purpose of the DPA and what the DPA investigations will encompass;
- acknowledge that Council maintains ultimate control of the DPA, in that key stages are presented to Council for consideration prior to being submitted to the Minister for agreement or endorsement. The key stages that are considered by Council include: Statement of Intent, draft investigations and policy for Public and Agency Consultation, hearing public submissions and Approval;
- acknowledge that the capacity for Council to process the privately funded DPA will be influenced by Council's other policy priorities, and projected timing will be estimated accordingly;

# Privately Funded Development Plan Amendments Policy



- acknowledge that some parts of the DPA process cannot be outsourced and management, policy oversight and processing will be required to be undertaken by Council staff, therefore the DPA will be managed according to Council priorities and subsequent timeframes;
- acknowledge that while the Council may initiate a DPA, ultimately the decision on its authorisation is a decision of the Minister for Planning, and not the Council, and that the Council has no control over this decision;
- detail what happens if the DPA is either not authorised by the Minister or authorised with amendments that do not suit the interest of the private funder (essentially it should be agreed that the private funder must accept that scenario and still be responsible for the cost of the DPAs preparation and that there will be no refund of any funds expended by the private funder);
- be prepared at the expense of the private funder and acknowledge that the private funder will fund any additional investigations that are required by Council following public and agency consultation;
- acknowledge that the private funder will fund any legal costs associated with preparation of the DPA, including legal review, legal proceedings or judicial review proceedings in relation to the DPA process; and
- acknowledge that the Deed shall not in any way affect Council's standing as the relevant authority to assess applications for development approval in respect of land affected by a privately funded DPA.

Council will indicate within the Statement of Intent, at the time of public consultation, and as part of the explanatory statement and statement of investigations that it has received payment for preparation of the DPA but has sought independent advice.

Preparation of the DPA will not commence until such time as notice of agreement has been received from the Minister for Planning to the Statement of Intent.

## Project Management and Procurement

### Model 1

The cost of the DPA investigations, document preparation, consultation and other costs as per the Deed of Agreement will be borne by the private funder and paid into a fund (*Privately Funded DPA Fund*) as directed by Council.

Council will manage the selection and procurement process for engaging a consultant(s) to undertake the DPA. The consultant(s) undertaking the privately funded DPA will report directly to Council staff and project management of the DPA process will be undertaken by Council staff.

In selecting a consultant(s) to undertake the Privately Funded DPA the procurement process will be undertaken in accordance with Council's Procurement Policy.

### Model 2

A Privately Funded DPA under this model will require Peer Review.

The cost of the Peer Review will be borne by the private funder, and paid into a fund (*Privately Funded DPA Fund*) as directed by Council.

# Privately Funded Development Plan Amendments Policy



If Council agrees to proceed with a privately funded DPA under this model, the private funder will engage suitably qualified consultants, including one who meets the requirements of the Development Act and Regulations to prepare the relevant DPA documents.

Council will engage a suitably qualified and independent consultant or consultants, including a consultant who meets the requirements of the Development Act and Regulations, to undertake a Peer Review of the relevant investigations and DPA documents.

The Peer Review will review:

- the DPA documents prior to consultation occurring. This will include a review of the investigations and an assessment against the Statement of Intent agreed by the Minister for Planning;
- the Government Agency consultation responses to the draft DPA and policy changes as a result of the consultation;
- the Public consultation responses to the draft DPA and policy changes as a result of the consultation; and
- the approval version of the DPA.

In selecting a consultant(s) to undertake the Peer Review, the procurement process will be undertaken in accordance with Council's Procurement Policy.

The consultant undertaking the peer review will report directly to Council staff.

## 5. DEFINITIONS

**Development Plan** is a document that contains the planning controls that guide what can and cannot be developed in a council area. Planning authorities use these planning controls to assess new development proposals.

**Development Plan Amendment (DPA)** is a document that describes proposed changes to a Development Plan. The DPA process involves a series of stages and approvals, and includes undertaking investigations to inform the proposed zoning or policy changes.

**Development Plan Review** is a process required under Section 30 of the Development 1993, whereby all councils must periodically review their Development Plan at least every five years to ensure it remains up to date and aligns with the State's Planning Strategy. This process results in preparation of a Strategic Directions Report and program of Development Plan Amendments for agreement with the Minister for Planning.

**Planning Strategy** is a document empowered under Section 22 of the Development Act 1993 that outlines the State Government's direction for land use change and development in South Australia. The relevant volume applying to the City of Marion is currently 'The 30-Year Plan for Greater Adelaide'.

**Private Funder** means one or more private persons or organisations proposing to fund the undertaking of a Development Plan Amendment where they may benefit from any changes to zoning or development policies resulting from the Amendment.

# Privately Funded Development Plan Amendments Policy



**Statement of Intent (SOI)** is a document that outlines the scope, timing, consultation requirements and nature of investigations to be carried out in preparing a Development Plan Amendment. Council is required to prepare a SOI under Section 25(1) of the Development Act 1993 to reach agreement with the Minister for Planning to initiate a Development Plan Amendment.

**Statement of Justification** is a document to be submitted to Council under this Procedure and its overarching Policy to justify a request for Council to consider initiating a privately funded Development Plan Amendment. This Statement will be assessed and considered against the criteria outlined in this Procedure.

## 6. DELEGATION

The decision whether or not to initiate a privately funded Development Plan Amendment is delegated to Council.

## 7. REFERENCES

- Development Act 1993
- Development Regulations 2008
- Local Government Act 1999

## 8. REVIEW AND EVALUATION

This policy will be reviewed after the first 12 months of operation, and then once in every term of Council.

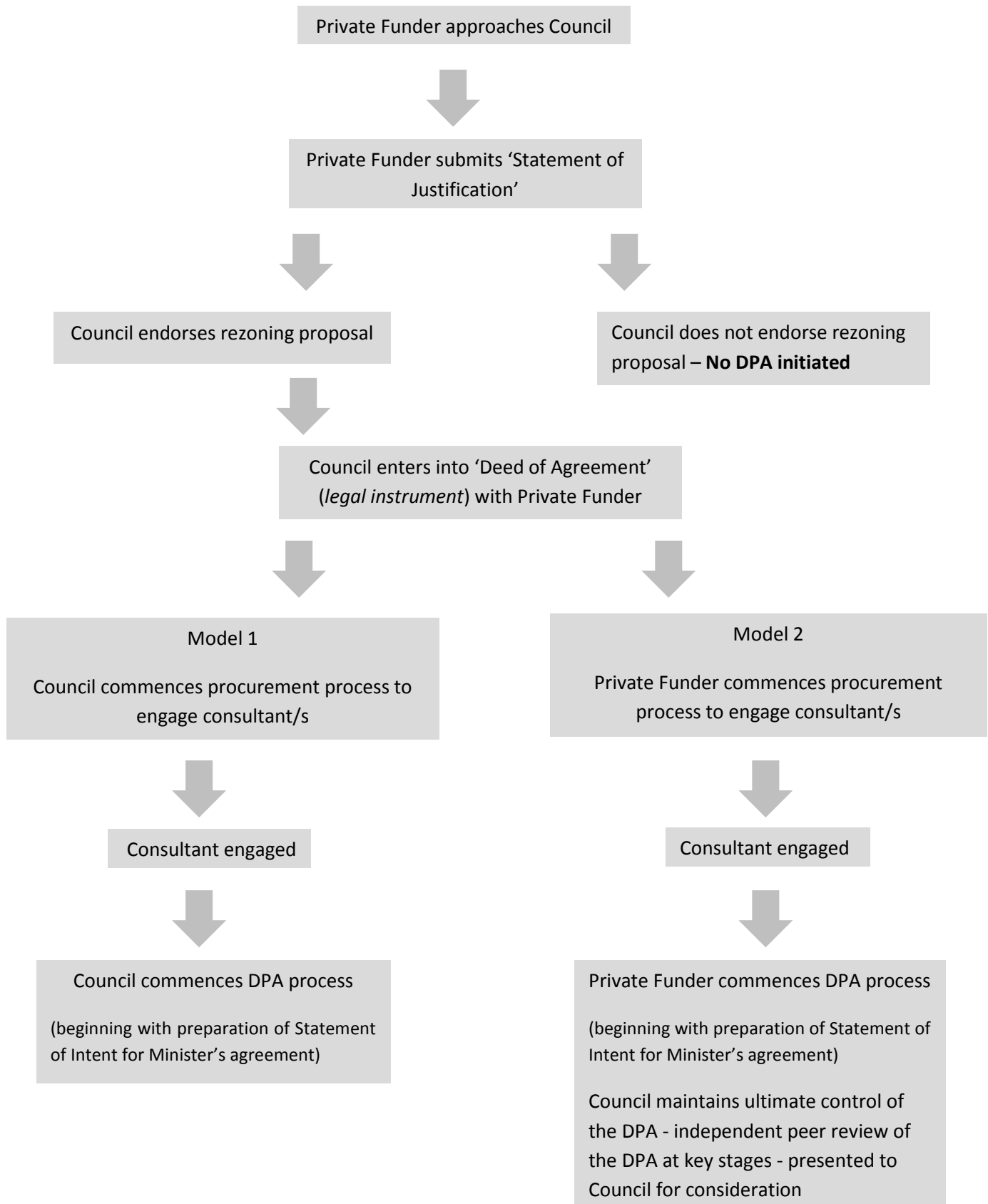
Revision Ref. No.	Approved/ Amended/ Rescinded	Ratified Date	Evaluation Date	Council Committee EMG	Resolution Number	Document Reference
		GC140715R05	July 2016	Council	R05	n/a
Policy Manager and Department responsible				Manager Development Services/Development Services		

Note: Electronic versions are maintained within the Corporate Information Management System as the controlled version. Printed copies are considered uncontrolled. Before using a printed copy, ensure you are using the current version.

# Privately Funded Development Plan Amendments Policy



## Privately Funded Development Plan Amendments Flow Chart







Town Planning  
Development Advice  
Strategic Management

PRIVATELY FUNDED  
DEVELOPMENT PLAN AMENDMENT  
HALLETT COVE, SOUTH AUSTRALIA  
  
**STATEMENT OF JUSTIFICATION**



BY HALLETT COVE JOINT VENURE

Phillip Brunning  
& Associates

26 Wakeham Street  
Adelaide SA 5000  
Telephone 08 8232 5686  
Mobile 0407 019 748  
phil@phillipbrunning.com

SEPTEMBER 2015





CONTENTS	Page
1. INTRODUCTION	1
2. PROPOSAL	2
3. PLANNING STRATEGY	6
4. COUNCIL'S STRATEGIC VISION	11
5. DEVELOPMENT PLAN	13
6. SOCIAL, ENVIRONMENTAL & ECONOMIC	14
7. CONCLUSION	15
Appendix 1	Submission re Strategic Directions Report
Appendix 2	Summary of Preliminary Investigations

## 1. INTRODUCTION

This report has been prepared as a 'Statement of Justification' in respect to a proposal by the Adelaide Development Company on behalf of the Hallett Cove Joint Venture to rezone land at Hallett Cove for residential housing and public open space.

Council has previously received and considered a detailed submission for the rezoning of this land at Hallett Cove as part of the Section 30 Development Plan Review and Strategic Directions Report approved by the Minister for Planning in June 2014.

The rezoning of this land is identified within Council's Strategic Directions Report as being an appropriate candidate for rezoning via the Development Plan Amendment (DPA) process albeit with low priority due to resourcing implications.

LOW PRIORITY		
Project/Development Plan Amendment	Scope	Resourcing / Timing
15 <b>Residential (Hills Policy Area 11) – Hallett Cove Buffer Policy Area 9</b>  <i>10 Year Council Plan Population Growth and increased diversity in the residential community</i>	<p>During the public consultation process Council has been asked to look at the potential rezoning of land at the southern end of Hallett Cove, within the Hallett Cove Buffer Policy Area 9 (Open Space Zone), to residential. The site is directly adjacent existing residential development, within the Hills Policy Area 11, to the north and could form a logical extension.</p> <p>The owner of the land is of the opinion that the land is no longer required as a separation buffer between residential uses and the oil refinery as the refinery is no longer in operation.</p>	<p>The land is likely to require extensive investigations to ascertain its appropriateness for residential purposes so it is considered more appropriate for a separate DPA process to be undertaken (from the overarching Residential (Hills Policy Area 11), with costs being paid by the land owner. This would allow the timing of the DPA process to be more flexible for the land owner.</p> <p><b>This DPA could be prioritised were Council to endorse a developer funded DPA with limited resource implications for Council.</b></p>

As provided for by Council's Privately Funded Development Plan Amendments Policy, the Hallett Cove Joint Venture seeks that Council formally initiate a Development Plan Amendment and proceed according to 'Model 2'.

Model 2 provides that '*the private funder funds, procures and manages as much of the DPA process as possible but provides funds for Council to procure and engage its own consultants to undertake an independent peer review of the DPA*'.

It is on this basis that the Hallett Cove Joint Venture seeks Council decision to proceed.

The first step in the process is the consideration of a Statement of Justification by the Council according to the following criteria which are set out within its policy for privately funded Development Plan Amendments, i.e.:

- The proposed policy change is consistent with the State Government's Planning Strategy for Metropolitan Adelaide (30 Year Plan for Greater Adelaide).*
- The proposed policy change is consistent with Council's Strategic Vision for the City.*
- The existing zoning is outdated and not in alignment with the other policy directions of the Government and Council resulting in appropriate development being restricted on the land.*
- Appropriate consideration has been given to likely social, environmental, economic and physical benefits and costs arising from the proposal.*
- Whether the proposed DPA can be appropriately managed, taking into consideration the timing of other priorities and projects within Council's policy program and the resources available.*

## 2. PROPOSAL

The proposal is for Council to formally resolve to initiate and proceed with a Development Plan Amendment that would rezone land at Hallett Cove for residential housing and public open space, according to its Privately Funded Development Plan Amendments Policy.

The land in question is more particularly described as Allotment pieces 4101 and 4102 in Deposited Plan 91554, within the Hundred of Noarlunga, as recorded in Certificate of Title 6113 Folio 868. The land has an area of some 12 hectares, with the substantive portion (6.381 hectares) located within the City of Marion.



The Hallett Cove Joint Venture through the Adelaide Development Company has developed a substantial number of allotments within the Hallett Cove area including the Cove Point Estate and more recently those along Burlington Road.

The successful completion of this recent stage exposed the underlying demand from local residents for new and more diverse housing, with a significant number of purchasers coming from the surrounding area.

The subject land has been quarantined from any development while the Port Stanvac refinery was active. As this is no longer a constraint, the HCJV is now seeking to utilise this land and complete the estate.

This land at Hallett Cove displays the necessary attributes and qualities that make it a logical candidate for further residential development, in a manner that would integrate with the local community, and enhance access to public open space including the coastal reserve.

In respect to that portion of the land within the City of Onkaparinga, a similar approach has been made to the Onkaparinga Council for consideration as candidate for rezoning. It is thought however that the logical way to proceed is to pursue that land within the City of Marion, and if successful proceed with the balance with the City of Onkaparinga.

The form of development envisaged for this land is communicated via the concept plan provided below, which is in a preliminary form and still subject to further interrogation and refinement.



The dashed line layout of the road and subdivision pattern demonstrates how the southern portion of the land may be developed into the future, together with provision for the 'relocation' of the landscaped buffer strip along Sigma Road.

In terms of the fundamentals underpinning this proposal, the following is provided:

- this land is **no longer required as a buffer to the Port Stanvac oil refinery**, which has now ceased operations and is to be decommissioned;
- the land is **not needed for public open space** in so far as the JV has previously devoted over 8 hectares to Council for this purpose (which represents almost 23% of the developed areas to date);



- the proposal will **incorporate appropriate levels of public open space** and may assist in the **enhancement of the adjacent coastal reserve** previously transferred to Council by the JV;
- we understand it is Council's preference that resources be directed towards **enhancing the appearance and function** of existing open space for the enjoyment of the community;
- **adequate separation** is provided to the more recent **desalination plant** to the south so as to not expose future residents to harm or nuisance;
- this potential may be further reduced via mounding, landscaped buffer planting and appropriate fencing along the southern extent of the site;
- Council would be well aware of the strategic objectives and targets identified by the **30 Year Plan** in respect to providing additional housing;
- this land presents as an important opportunity to not only provide for additional housing, but also **increased diversity and choice**;
- in doing so, it may **reduce pressure** on established areas elsewhere in Hallett Cove to accommodate this growth and **impact character**;
- with SA's **aging demographic** and a desire to remain close to family, housing choice and diversity will become increasingly important;
- the land is one of the flattest areas within Hallett Cove and is therefore very **suitable for residential development**, and may be developed without the need for excessive earthworks or retaining walls;
- due to previous owners farming activities, the land is essentially **cleared of vegetation** with the proposed development providing an opportunity to enhance landscape planting and biodiversity;
- the **development concept** provided above demonstrates how the existing road network may be extended into this area;
- based on expert traffic advice, the extending road network has **adequate capacity to cater for anticipated traffic movements**;
- so too, **infrastructure services and utilities** such as water, power and sewer may be provided without disproportionate extension or augmentation;
- appropriate **stormwater management** can be provided for on the land, including a facility for detention of peak flows;





- public open space may be provided for on the land in the form of a small park that would integrate with the nearby coastal reserve;
- this presents an opportunity for **enhanced pedestrian and cycle movement** for the enjoyment of the community more generally, not just new residents;
- we envisage **a mix of housing types and sizes**, including a more compact arrangement of terrace houses fronting open space and the coast; and
- consistent with the commitment to quality within earlier stages of the JV's Hallett Cove development, new allotments would be subject to a **restrictive covenant** in the form of an encumbrance that calls up **design guidelines**.

A range of technical reports from various experts have been commissioned including:

- **Environmental Site History** - LBW Environmental Projects
- **Acoustic** – Sonus
- **Geotechnical** – Walbridge & Gilbert
- **Surveying** - Fyfe Earth Partners
- **Traffic** - MFY Traffic & Transport Engineers
- **Engineering & Infrastructure** – Greenhill Engineers
- **Urban Design** – Ian Robertson

All reports confirmed that the subject land is suitable for residential development.

Copies of these reports have been provided to Council planning staff for consideration. We anticipate that these reports will form the substantive part of the investigations associated with this DPA. A summary of the investigations to date is provided at Appendix 2.

### 3. PLANNING STRATEGY

The 30 Year Plan for Greater Adelaide is the relevant volume of the Planning Strategy.

The following policies and targets are relevant in the consideration of this proposal.

Policies	Consistency
<b>Overall Spatial Distribution</b>	
1. Plan for population growth of 560 000 people over 30 years and accommodate this growth through the delivery of 258 000 additional dwellings to be constructed over the life of this Plan.	The proposed rezoning of this land would contribute to the achievement of this target in terms of providing for additional housing within the established urban area.
3. Concentrate new growth within metropolitan Adelaide in transit corridors, transit oriented developments and activity centres so that the urban character of the majority of neighbourhoods remains largely unchanged.	The additional housing arising from the proposed rezoning would enjoy good access to public transport (bus and rail) and would occur within a manner that would complement not compromise the character of the existing neighbourhood.
<b>Urban Design</b>	
2. Maximise and increase the quality of public spaces and require excellent design in the public realm.	The proposal would facilitate the enhancement and function of existing public open space, by directing a proportion of resources that may otherwise be required to provide additional or new open space for the benefit of the community.
4. Protect and strengthen the identity of agreed character areas by enhancing the valued elements of the existing streetscape	Appropriate policies may be included within the Development Plan to ensure compatibility between new development for this land and that for the existing urban area to the north.
6. Structure Plans for greenfield developments, urban infill and transit-oriented developments will set objectives and guidelines for the quality of building performance outcomes in terms of: <ul style="list-style-type: none"> <li>• climate response (for example, solar orientation and ventilation)</li> <li>• energy use</li> <li>• water use and recycling</li> <li>• noise attenuation and air quality</li> <li>• improving the aesthetics of the public realm</li> </ul>	As evident within the development concept prepared to date, the land may be developed in a manner that provides for good solar orientation, the efficient use of water and energy, together with appropriate levels of urban design both in respect to built form and public open space development.
7. Ensure building design can be adapted in the future to minimise new building requirements and maximise the re-use and redevelopment of existing infrastructure.	This land may be developed in an efficient manner via the extension and augmentation of existing infrastructure services.
8. Develop guidelines in Structure Plans to help create unique characteristics and identity across different neighbourhoods, suburbs and precincts.	The Development Plan may be amended to include more specific guidance in respect to urban form and appearance via the use of concept plans and expressions of desired future character.



- |  |   |
|--|---|
| <p>10. Promote a highly permeable and connected grid street structure in new growth areas and transit-oriented developments to encourage walking and cycling.</p>                    | <p>The arrangement of roads envisaged (as shown on the above concept plan) would provide for the logical extension of the existing road network so as to provide connectivity and permeability.</p> |
| <p>11. Provide safe and attractive streetscapes in growth areas and transit-oriented developments through street tree plantings and lighting.</p>                                    | <p>Suitable policies currently exist within the Development Plan to require appropriate levels of urban design in terms of the configuration and presentation of public streets.</p>                |
| <p>12. Develop and promote a distinctive range of building typologies for residential housing density, which responds to metropolitan Adelaide's existing character and climate.</p> | <p>Development Plan policies provide appropriate guidance in respect to dwelling design and appearance which will be supplemented via a restrictive covenant and design guidelines.</p>             |

### Communities and social inclusion

- |   |   |
|---|---|
| <p>1. Plan for population growth of 560,000 people over 30 years.</p>   | <p>The rezoning of this land to provide additional residential allotments and new housing would assist in accommodating the projected increase in population over the coming planning period.</p> |
| <p>4. Plan for the growing number of young families.</p>  | <p>The form of development envisaged would provide for household having young family with good access to public open space.</p>   |
| <p>5. Plan for the projected increase in the number and proportion of elderly people and respond to their preference to remain living in their existing community.</p>  | <p>Appropriate policies may be included within the Development Plan that assist in the provision of appropriate housing forms of older persons, i.e. smaller allotments near open space.</p>      |
| <p>7. Create safe and inviting public spaces that will encourage community participation by a wide range of people.</p>   | <p>It is envisaged that portion of this land will be developed for public open space in the form of small neighbourhood park that would provide a focus for the local community.</p>              |
| <p>8. Provide engaging spaces where young people can congregate for social activities in a positive setting.</p>  | <p>Appropriate facilities may be installed within public open space for young persons such as playground equipment or similar.</p>  |
| <p>9. Give priority to pedestrian, wheelchair, gopher and cycle movement in neighbourhoods, which will ensure greater access for people with less mobility, particularly children, the elderly and people with prams.</p> | <p>Public spaces will be designed in accordance with recognised standards for access for disabled and other mobility impaired persons where possible.</p>   |

### Housing mix, affordability and competitiveness

- |  |  |
|--|--|
| <p>2. Ensure housing affordability is a key input to annual and long-term housing supply targets.</p>  | <p>A greater supply of housing assists in moderating price over time.</p>  |
| <p>3. Integrate a mixture of competitive housing styles, types, sizes and densities into the wider housing market, including medium-density low-rise and attached dwellings.</p> | <p>Appropriate policies may be included within the Development Plan to provide for housing diversity in terms of size and configuration while still being compatible with the existing urban area.</p> |



### Affordable housing

- |  |   |
|--|---|
| <p>4. Provide for the integration of new affordable housing with other new dwellings in developments to avoid inappropriate concentrations of social housing.</p>  | <p>As appropriate, the development of this land may include affordable housing. Discussions will be had with Renewal SA in this regard as to whether this location is an appropriate candidate.</p> |
| <p>5. Ensure that the standard of affordable housing is at least consistent with other dwellings in a development, for example, in appearance, construction, materials, energy efficiency and water conservation measures.</p> | <p>If affordable housing is to be provided, such may be arranged in a manner that is not readily determinable from other housing.</p>   |

### Health and wellbeing

- |   |   |
|---|---|
| <p>1. Design pedestrian- and cycle-friendly areas in growth areas and existing neighbourhoods to promote active communities.</p>  | <p>This land may be developed in a manner consistent with the adjoining urban area to the north which affords suitable levels of access for pedestrian and cyclists, supplemented as required with new pathways.</p>  |
| <p>2. Ensure health and wellbeing requirements are incorporated into Structure Plans. Structure Plans will:</p> <ul style="list-style-type: none"> <li>• require urban regeneration projects to provide links to adjoining areas to maximise the shared use of services and facilities</li> <li>• incorporate cultural initiatives, such as public art, to stimulate revitalisation of communities and social cohesion</li> <li>• ensure that pedestrian areas in activity centres are direct, convenient, safe, well-signposted, sheltered and shaded, and offer disabled access</li> <li>• ensure that neighbourhood street environments and open spaces maximise access for all users, including the disabled, elderly, those who use small personal motorised transport such as gophers, people with prams or dogs, and emergency or other service vehicles</li> <li>• incorporate principles of Crime Prevention Through Environmental Design in all public areas (such as open space and streets) and activity centres</li> <li>• incorporate guidelines to protect homes along major transport corridors from noise and air pollution</li> <li>• promote active communities, which may include provision of playing fields, indoor sports facilities and public space</li> </ul> | <p>While not the subject of a Structure Plan, policies for the development of this land may ensure that the desired elements articulated by the Planning Strategy are reflected in the final urban form.</p> <p>The Development Plan currently contains extensive policy guidance in this regard.</p> |



- promote the development of community gardens for social interaction and physical wellbeing

#### Transport

- |  |  |
|--|--|
| 14. Provide direct and safe cycling links to public transport stations and interchanges. | Appropriate provision will be made for cyclists. |
|--|--|

#### Infrastructure

- |  |   |
|--|---|
| 6. Prioritise the rollout of new growth areas (where practical) to areas that are contiguous to existing infrastructure, to ensure that infrastructure augmentation can be delivered at least cost to the community. | The development of this land which is contiguous with the existing urban form represents and efficient use of existing infrastructure services. |
|--|---|

#### Biodiversity

- |  |  |
|--|--|
| 2. Contain growth where possible to areas inside identified urban lands.   | This land is an appropriate candidate for infill development.  |
| 6. Enhance the urban biodiversity of metropolitan Adelaide by supporting the development of urban forests, restoring watercourses, establishing linked networks of open space and encouraging the use of local indigenous species. | Biodiversity of this locality may be enhanced via appropriate species selection for planting within private property and public open space reserves. |

#### Open space, sport and recreation

- |   |  |
|---|--|
| 3. Provide neighbourhood open spaces within safe, comfortable walking distances of residents in new growth areas. | The development of this land would provide for a walkable neighbourhood. |
|---|--|

#### Climate change

- |  |  |
|--|--|
| 1. Contribute to South Australia's target of a 60 per cent reduction of greenhouse gas emissions by 2050 through the implementation of the policies in the Plan that will lead to a more compact and less carbon-intensive urban form.   | The development of this infill land would assist in reducing urban sprawl, efficient use of existing infrastructure services, energy consumption and therefore greenhouse gas emissions. |
| 5. Increase energy efficiency of buildings through the implementation of a six star rating for new buildings, and new efficiency standards for air conditioning, which is in line with the COAG National Strategy on Energy Efficiency.  | New dwelling will be required to achieve contemporary requirements in respect to energy efficiency.  |
| 11. Set building standards and design guidelines to create more thermally and energy efficient buildings. This will improve the liveability of housing in the likely event of increased temperatures. Structure Plans for greenfield developments, urban infill and transit-oriented developments will set objectives and guidelines for the quality of building | New dwelling will be required to achieve contemporary requirements in respect to energy efficiency.  |



performance outcomes in terms of climate response (such as solar orientation) and energy use.

12. Reduce energy costs through the introduction of improved energy efficiency standards for new buildings.

New dwelling will be required to achieve contemporary requirements in respect to energy efficiency.

#### Water

1. Incorporate water-sensitive urban design (WSUD) techniques in new developments to achieve water quality and water efficiency benefits (see Box 4 for examples of WSUD techniques).

The development of this land may be guided by the principles of WSUD.

## 4. COUNCIL'S STRATEGIC VISION

Council's Strategic Vision is articulated in the following manner.





The proposal is considered to be generally consistent with the 6 key themes.

### **Livable**

The rezoning of this land for residential purposes would provide for a high quality living environment as logical extension to the existing suburb of Hallett Cove which affords a high level of amenity and function for its residents including good access to public transport, shopping and the coast.

### **Prosperous**

The development of this land for residential development represents a considerable capital expenditure that would result in many positive economic effects, both direct and indirect over time, such that would have a beneficial effect on the local and wider community in terms of property investment, home ownership and employment.

### **Biophilic**

The development of this land for residential purposes represents prudent use of land which is within the currently defined urban area together with existing infrastructure assets such that would minimize pressure for expansion into green fields land at the urban fringe so as to provide additional housing in response to population growth.

### **Innovative**

The development of this land will be developed in accord with contemporary standards and requirements in respect to infrastructure service provision, energy and water efficiency, together with information technology. This will include connection to the NBN network as an extension to the recent Burlington Road development.

### **Engaged**

The Development Plan Amendment process to be observed requires public consultation in respect to the proposed policy changes to the Development Plan which would provide an opportunity for existing residents to engage with Council so as to communicate their aspirations and expectations.

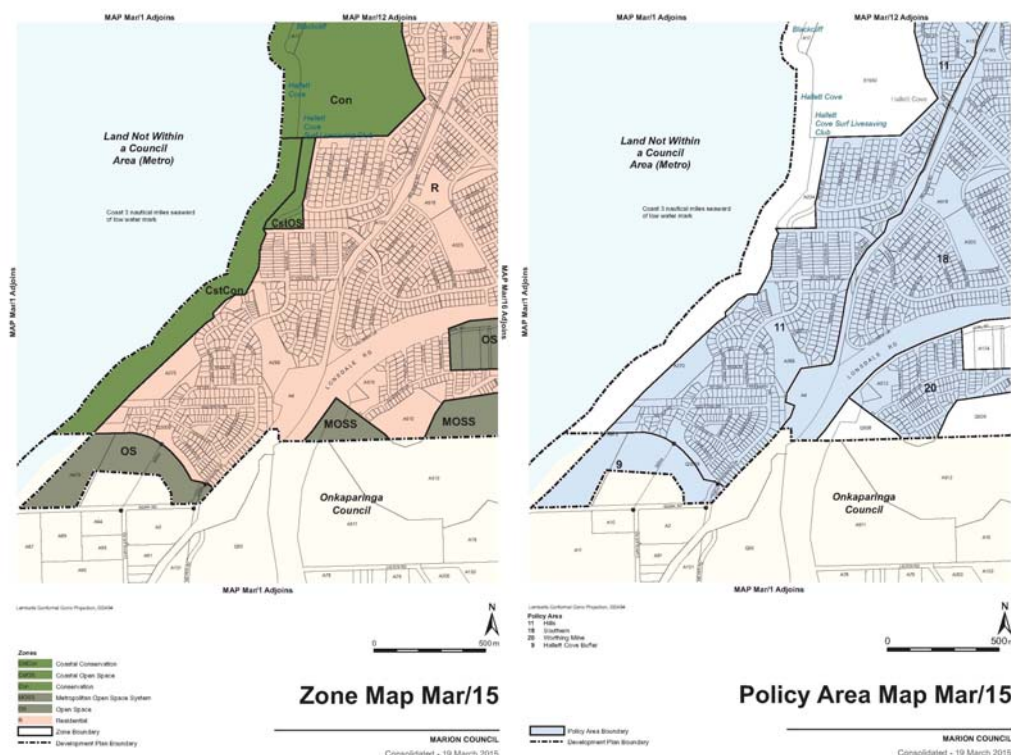
### **Connected**

Future residents within this area will enjoy convenient and efficient access to public transport services (bus and rail) which assist in ensuring appropriate levels of mobility within the community, together with high speed broadband internet access via the NBN that will be provided to each new home within this estate.



## 5. DEVELOPMENT PLAN

It is understood that this land was assigned to the Open Space Zone and more particularly the Hallett Cove Buffer Policy Area 9 as a mechanism by which to preserve a buffer between the existing residential area and the industrial area to the south, most notably the oil refinery complex at Port Stanvac.



Prior to the Better Development Plan and General Development Plan Amendment in October 2010, this land was within the Landscape (Buffer) Zone which sought to provide a physical separation between potentially impacting uses to the south (Port Stanvac more particularly) and the residential area of Hallett Cove to the North.

As Port Stanvac has ceased operations and is to be decommissioned, there is no function or purpose for the current zoning of this land which is held in private ownership, with the ultimate aspiration of being developed for housing as the logical extension of Hallett Cove.

In this regard, it would seem appropriate to extend the existing Residential Zone supplemented by location specific policies via a new Policy Area together with an appropriate Structure or Concept Plan that provides more detailed guidance in respect to urban form and layout of residential development sought.

Such a concept plan may be informed by that provided above together with the detailed investigations to be undertaken which will have appropriate regard to the various opportunities and constraints posed by this land. If necessary a specific statement of desired future character and principles of development control may be expressed.



## **6. SOCIAL, ENVIRONMENTAL & ECONOMIC**

### **Social**

The development of this land for residential development represents a logical extension of the existing community that would be appropriately integrated via the existing road network and connection via public space. Movement between the new and the existing would be seamless and indiscernible.

### **Environmental**

The development of this land represents an efficient use of resources that would reduce pressure for 'greenfields' development at the urban fringe which necessitates disproportionate expenditure on infrastructure. New residential development would be designed and constructed in accord with contemporary energy and water standards.

### **Economic**

The development of this land for residential development represents a considerable capital expenditure that would result in many positive economic effects, both direct and indirect over time, such that would have a beneficial effect on the local and wider community in terms of property investment, home ownership and employment.

Residential development is considered to be the highest and best use of this land given its relationship to the existing residential area to the north and its intrinsic qualities or attributes which include coastal views. This higher economic function and therefore value will further strengthen Council's rate base and therefore recurrent income.

## 6. CONCLUSION

Having regard to the above matters, this land is considered to be appropriate candidate for rezoning so as to accommodate additional residential housing and public open space, according to the Development Plan Amendment process provided under Section 25 of the Development Act, 1993.

We submit that Council should resolve to proceed according to its policy in respect to privately funded Development Plan Amendments, with the next step in the process being the preparation of a Deed Agreement that would outline more particularly the manner in which this will be undertaken.

We acknowledge that Council maintains ultimate control of the DPA in that at key stages it will be presented for consideration prior to it being submitted to the Minister. The key stages include the Statement of Intent, draft investigations and policy for public and agency consultation, hearing of submissions and then approval.

### **PHILLIP BRUNNING & ASSOCIATES PTY LTD**

A handwritten signature in black ink, appearing to be 'P. Brunning', is located below the company name.

**PHILLIP BRUNNING MPIA**  
Certified Practising Planner



# APPENDIX 1

Hallett Cove 1167 002b



Town Planning  
Development Advice  
Strategic Management

30 September 2013

Mr Mark Searle  
Chief Executive Officer  
City of Marion  
PO Box 21  
OAKLANDS PARK SA 5046

Dear Mark,

**Hallett Cove Rezoning Submission – City of Marion – Strategic Directions  
Report 2013 – Development Plan Review – Section 30 of Development Act 1993**

As invited, we make the following submission on behalf of Adelaide Development Company (and more particularly the Hallett Cove Joint Venture) in respect to the Council's Strategic Directions Report currently undergoing public consultation which will inform Council's Section 30 Development Plan Review.

I have been engaged by the Hallett Cove Joint Venture to present land located at Burlington Road, Hallett Cove as a candidate for rezoning via the Development Plan Amendment process provided for under the Development Act 1993 so as to enable this land to be developed for residential housing and associated public open space.

In summary, we are of the view that this land is an appropriate candidate for rezoning so as to allow further residential development, for the following reasons:

- this land was only ever quarantined as a landscaped buffer due to the presence of and potential for impact arising from the Port Stanvac oil refinery which has now ceased operations and is to be decommissioned;
- this land is not needed for public open space in so far as extensive areas have previously been given over by my Client for this purpose, which is yet to be developed and utilised to its full potential;
- the land is relatively flat and forms a natural or logical expansion to the existing residential area adjacent, and may be connected to existing infrastructure services in an efficient and economic manner;
- the rezoning of this land presents an opportunity to respond in a positive manner to Council's identified need for increased housing choice and diversity within Hallett Cove, in an efficient manner that may not otherwise be achieved within the established urban area;
- the identification and utilisation of suitable infill sites for residential development would enable the more efficient use of valuable infrastructure and services, consistent with the core message of The 30 Year Plan for Greater Adelaide.

**Phillip Brunning & Associates**

ABN 40 118 903 021

Level 1, 96 Glen Osmond Road  
Parkside SA 5063  
Telephone 08 8377 7095  
Facsimile 08 8377 7534  
Mobile 0407 019 748  
phil@phillipbrunning.com

The land in question is more particularly described as Allotment pieces 4101 and 4102 in Deposited Plan 91554, within the Hundred of Noarlunga, as recorded in Certificate of Title 6113 Folio 868. The land has an area of some 12 hectares, with the substantive portion (6.381 hectares) located within the City of Marion.

The Hallett Cove Joint Venture through the Adelaide Development Company has developed a substantial number of allotments within the Hallett Cove area including the Cove Point Estate and more recently those along Burlington Road. These homes are a high quality addition to the Hallett Cove community and assist in responding to strong demand for housing diversity in this area.

We consider that this land at Hallett Cove displays the necessary attributes and qualities that make it a logical candidate for further residential development, in a manner that would integrate with the local community, and enhance access to public open space including the coastal reserve.

I provide over the page, preliminary concept plans that demonstrates how this land may be developed for housing and public open space. You will note that two concepts are provided, one which extends over the whole of the land, and the other which is limited to that located within the City of Marion.

In respect to that portion of the land within the adjoining City of Onkaparinga, I advise that a similar approach has already been made to the Onkaparinga Council for consideration as part of their Development Plan review process. It is our view however that one is not necessarily dependant on or should delay development of the other.



Figure 1 – Location Plan

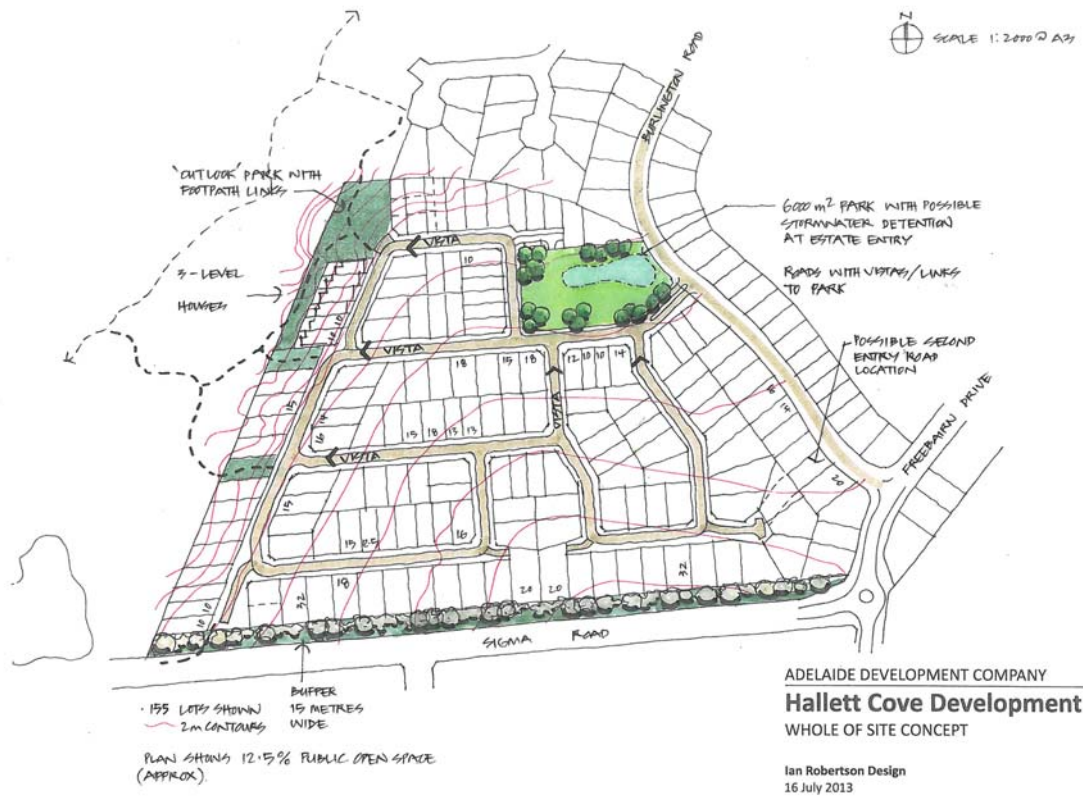


Figure 2 – Possible Development Concept - Overall

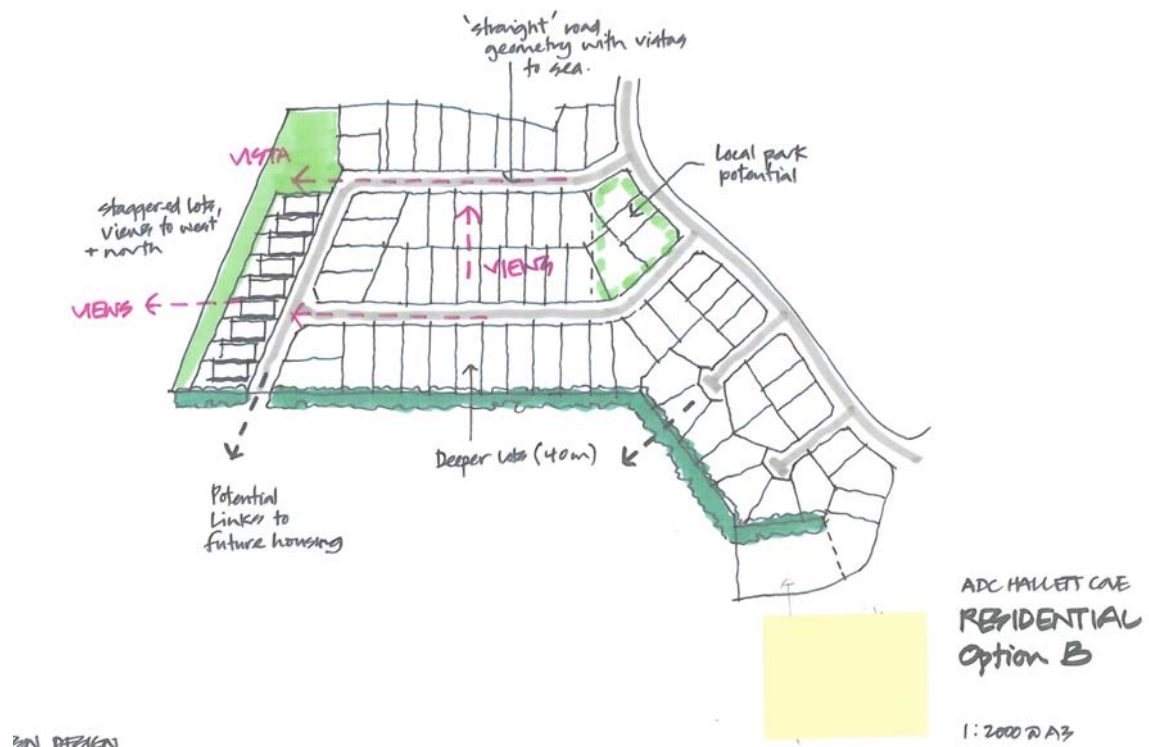


Figure 3 – Possible Development Concept – City of Marion



The Hallett Cove Joint Venture has held this land for some 20 years now and has a long standing expectation to develop the balance of this land for high quality residential housing in a manner that is consistent with the pattern and form of existing development to the north and east.

The south western extent or boundary of the current Residential (Foothills) Zone was determined to provide specific separation from the former Port Stanvac oil refinery. As the refinery no longer operates and is being removed, there is no longer any need for this separation or buffer to the residential area.

This expectation has been made very clear to existing purchasers within Hallett Cove and is reflected most clearly within certain annexures to contracts of sale for adjacent residential allotment, including the following plan that makes it very clear that this land is held in private ownership and has been 'earmarked' for future development.

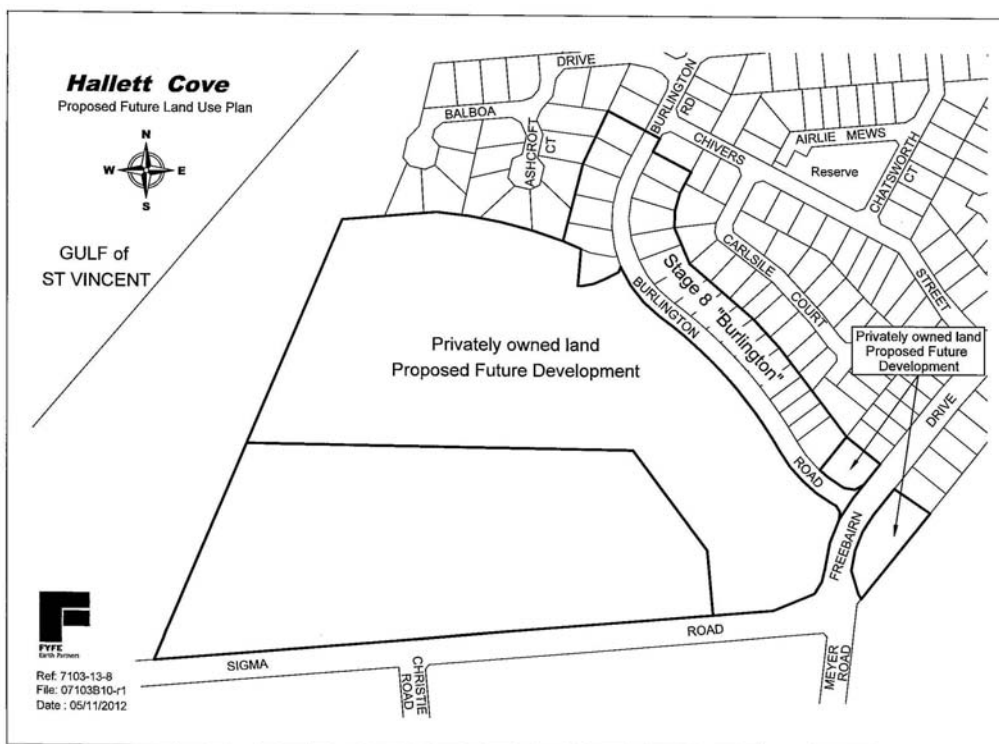


Figure 4 – Annexure to Contracts of Sale

The industrial area to the south of the land accommodates both the recently constructed water desalination plant and an electrical sub-station. Regard has been given to both of these uses, and the expert advice we have received suggests that these uses would not adversely affect residential amenity.

We are of the view that there is no apparent planning rationale or basis for the maintenance of the whole of this land as a buffer to the adjacent industrial area given the nature of development within and the potential for impact arising. Adequate buffering may be achieved via the provision of a landscaped earth mound.

The portion of land within the City of Marion is located within the Open Space Zone - Hallett Cove Buffer Policy Area 9 (previously Landscape (Buffer) Zone) which I understand was used as 'best fit' zoning at the time according to the Better Development Plan policy modules and has no designated function as public open space.

I understand that this land, which is held in private ownership, is not identified within any Council plans or strategies for acquisition and development as public open space, suggesting that the current zoning is at best a 'holding mechanism' to provide a spatial buffer to a potentially impacting use which is no longer.

Given the nature of development that has occurred in recent years within the industrial area to the south, (the desalination plant, the electrical substation, and vehicle storage area) none of which has a significant potential for environmental harm or nuisance, the relevance of the current zoning is therefore outdated.

To my mind it does not make economic sense to effectively 'sterilise' otherwise developable land by maintaining the current zoning policies which are now not necessary, for reasons including the cessation of operations and planned decommissioning of the oil refinery at Port Stanvac.

The development of this land (all or portion of) for residential purposes with associated public open space and linkages to the coastal reserve, not only represents an orderly and economic use of this land, but would complement and enhance the existing residential area adjacent.

In a boarder context, I note that this land is not located at the edge or the periphery of the metropolitan area, but rather in a location that is adjacent to an established residential community that enjoys a high level of amenity and access to goods and services, including public transport that should be capitalized upon.

This is consistent with the approach advocated by The 30 Year Plan for Greater Adelaide.

I note that Council's Strategic Directions Report 2013 released for public consultation identifies as a high priority, Development Plan Amendments<sup>1</sup> that provide opportunity for improved housing choice (dwelling variety and densities) in appropriate locations within Hallett Cove so as to meet the changing needs of the population, including the aged.

Portion of this land offers potential for a more compact and efficient form of housing that has an aspect over the coast and/or public open space that will respond to the growing demand for such accommodation, particularly within an area such as Hallett Cove which is tightly held with little available stock.

Preliminary market research undertaken by my Client suggests that a substantial proportion of longer term residents within Hallett Cove that are now approaching retirement want to 'down size' into more efficient accommodation, but do not want to leave the area and their existing support/social networks.

The average gradient of this land is such that it would better enable a more compact and efficient form of housing that may not otherwise be achievable on the sloping land which characterizes much of Hallett Cove. This may also improve affordability given the reduced need for extensive earthworks and retaining walls.

Strong demand for residential land in this area was demonstrated within the Burlington at Hallett Cove Estate where allotments were sold to a diverse range of purchasers including first home owners, retirees, families and investors.

---

<sup>1</sup> Residential (Hills Policy Area 11) and Residential (Hallett Cove) Development Plan Amendments (Page 12)

This need for greater housing choice and diversity was a clear theme arising from the community engagement process associated with Council's Community Plan in 2012, and is key policy focus recommended by The 30 Year Plan for Greater Adelaide as acknowledged within Appendix 1 to the Strategic Directions Report 2013<sup>2</sup>.

**We see this land at Hallett Cove as an important opportunity to satisfy this existing policy agenda via the Development Plan Amendment/s already identified within the Strategic Directions Report that have been assigned high priority, as supported by the community engagement program undertaken by Council in 2012.**

In this regard, we look forward to working collaboratively with Council in order to progress the necessary investigations and research that may feed into the Development Plan Amendment Report to be undertaken by the Council, which given the high priority suggests that it may be commenced within the next 12 months.

Focusing in on some of the finer detail associated with the master planning for this land, I note that the development concepts shown above would provide for improved linkage with the coastal reserve to the west which accommodates both walking and cycling paths, that may be further enhanced.

Adequate land is currently provided as an open space reserve to the coast, with the subject land playing no practical function or purpose from an aesthetic point of view in terms of either a landscape buffer or backdrop to the urban area. My Client would be prepared to engage with Council in respect to the enhancement of this coastal reserve.

The layout and arrangement of roads and allotments indicated in the above development concepts would integrate in a seamless manner with the existing urban area, and given the number of allotments proposed would not alter the nature and function of the existing road network in terms of traffic volumes.

For that land which is adjacent the coastal reserve to the west and has some slope, my Client will pursue a tailored housing design which minimises the need for extensive earthworks and retaining walls, but rather 'steps' the building form gently down the slope in the manner depicted in the diagram below.

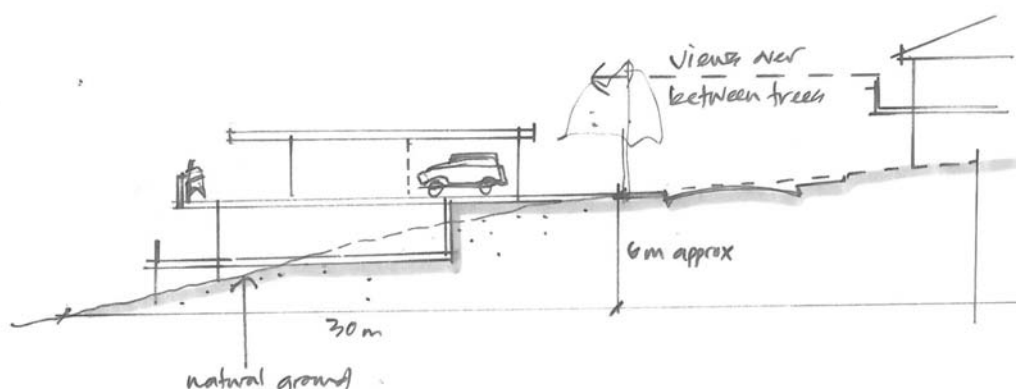


Figure 5 –Typical Detail for Sloping Land

<sup>2</sup> Housing Mix, Affordability and Competitiveness, Strategic Directions Report, 2003 (Appendix 1 page 33)

Preliminary investigations undertaken indicate no fundamental impediment to the cost effective provision of roads, infrastructure services (electrical, sewer, water, gas, telecommunications), and stormwater management which would be the subject of further design work as part of the development application process post rezoning.

Adelaide Development Company has a long standing and established track record of delivering high quality residential estates within South Australia and interstate, with an emphasis on tailoring the design responding to the specific needs of the end user, and adopting best practice in environmentally sustainable development.

Examples of such estates include Blackwood Park, Flagstaff Pines & Franklin Island.

ADC has achieved Enviro Development accreditation for Blackwood Park and Niche at Hillbank and further details of the Enviro Development approach can be found at [www.envirodevelopment.com.au](http://www.envirodevelopment.com.au)

At a mutually convenient time, our team would appreciate the opportunity to meet with Council officers in order to discuss this approach further, and enter into more detailed discussions associated with the mechanics of the Development Plan Amendment and how we may best assist.

We would also like to make a short presentation in respect to the future development of this land at the public hearing to be held as part of the consultation process associated with the Strategic Directions Report 2013. This would comprise a short audio-visual presentation.

We thank you in anticipation of your positive consideration of our request and look forward making our verbal presentation in person at the public hearing scheduled for 7.00 PM on Tuesday 22 October 2013 in the Council Chambers. Could you please confirm our ability to do so in this regard?

Yours faithfully

**PHILLIP BRUNNING & ASSOCIATES PTY LTD**

A handwritten signature in black ink, appearing to be 'P. Brunning', is located below the company name.

**PHILLIP BRUNNING MPIA**  
Certified Practising Planner



# APPENDIX 2

---

## HALLETT COVE REZONING – PRELIMINARY INVESTIGATIONS

---

Further to our submission of September 2013 (copy attached) and our subsequent discussions, the Hallett Cove Joint Venture seek to have Council initiate a Development Plan Amendment so as to rezone land at Hallett Cove so as to better provide for residential development as an extension to the existing Hallett Cove residential community.

While the *prima facie* case has been previously presented to and acknowledged by the Council as part of the Section 30 Development Plan Review and Strategic Directions Report process, we seek to present a range of technical studies and reports which may form the 'building blocks' of the investigations associated with such a Development Plan Amendment.

These preliminary technical reports and studies are presented in order to provide Council with the initial confidence that there may be no fundamental barriers to the progression of this DPA process and that subject to an appropriate process being agreed to that Council may take the necessary steps to prepare a Statement of Intent for submission to the Minister for Planning.

### 1. Environmental

The Preliminary Site Investigation prepared by LBW Environmental Projects concludes that:

- there is no evidence of contamination in soils that would pose an unacceptable risk to human health;
- there is no evidence of contamination with imported materials on site that would pose an unacceptable risk to human health; and
- there is no requirement for site remediation.

### 2. Acoustic

Sonus have provided an Environmental Noise Assessment which finds that:

- when assessed against the relevant criteria, noise associated with existing and potential future industry would not preclude this land from being developed for residential purposes;
- if the northern portion of the land were to be developed for residential purposes (that within the City of Marion) a 3.0 m high barrier would be required to the southern boundary;
- if the whole of the land were to be developed for residential purposes a 4 m high barrier would be required along Sigma Road; and
- it would also be necessary to ensure that upper level habitable room windows in future dwellings within a designated areas are acoustically treated with laminated glass.
- acoustic treatments to dwellings can be required by restrictive encumbrance.

### 3. Geotechnical

The Preliminary Geotechnical Investigations undertaken by Walbridge & Gilbert Engineers provides certain recommendations in respect to the preparation of the land ahead of development but presents no technical constraints to future development.

### 4. Survey

A complete survey of the land has been conducted by Fyfe Earth Partners showing all existing features (including mounding and placement of fill) relative to property boundaries and surrounding land. As required this may be overlaid aerial photograph.

### 5. Traffic

MFY Traffic Parking & Transport Engineers have provided a Traffic Impact Assessment in respect to the additional traffic that may be anticipated as a result of this land being developed for residential purposes and its likely impact (if any) on the existing road network.

Key points to note include:

- consideration has been given to the increase in residential allotment arising from both the northern (Marion) and southern portion of the land (Onkarparinga);
- a total of 1140 additional trips per day would be generated if both parcels of land were to be developed for residential purposes (620 trips for the Marion land);
- additional traffic associated with peak operation for the desalinisation plant (45 vehicles per day) have been accounted for in this assessment;
- provision has also been made for increase in volume over time (2% per annum);
- minimal delays would be experienced as a result of increase traffic movements
  - average of 2.7 seconds in the AM peak and 2.5 seconds in the PM peak at Freebairn/Burlington intersection; and
  - average 3.4 seconds in the AM peak hour and 4.2 seconds in the PM peak hour for Freebairn/Meyer Sigma roundabout intersection;
- the level of service at both intersections mentioned will remain at Class 'A' for both the AM peak hour and PM peak hour; and
- the additional traffic generation would require no road upgrades or intersection upgrades.

### 6. Engineering & Infrastructure

Greenhill Engineers has been engaged to undertake a preliminary assessment of key infrastructure services requirements associated with the development of the land for residential purposes including that necessary for water, power and sewer connections.

In summary the Greenhill report advises:

- vehicle access to the residential development on this land may be achieved via two new intersections with the recently constricted Burlington road;
- SW Water has confirmed that existing sewer infrastructure surrounding site has adequate capacity to service the proposed development;
- the existing potable water network in Burlington Road and Freebairn Drive has adequate capacity and provides suitable connection points to service the proposed development;
- SAPN advise that the electrical load to be generated by the proposed development is within the threshold of the existing substation such that standard augmentation charges will apply;
- SAPN also advise that five pad mount transformers would be required in order to service this development with one of the connection points being the existing switching cubical;
- APA Group have confirmed that natural gas may be supplied to the proposed development and that there is to be no cost to the developer for such infrastructure;
- the NBN roll out map has Burlington Road listed as being available for connection;
- stormwater generated by development at the norther and eastern portions of the land may be controlled by detention basins within the development;
- post development stormwater discharge is to be attenuated to the capacity of the existing 300 mm diameter concrete main at the headwall at the northwest corner of the land;
- stormwater from the southwest portion of the land may be detained to pre-development peak flow rates by a small detention basin on the western site boundary; and
- alternatively, in lieu of constructing an additional basin, flows from this portion of the land may be discharged directly into an existing basin subject to capacity being increased.

## 7. Urban Design

Preliminary concept plans have been prepared by Ian Robertson Urban Designer which demonstrate the manner in which this land may be developed for residential and open space purposes with a suggested road layout which integrates with the existing network.

These concepts may be further refined and interrogated in collaboration with Council.

**CITY OF MARION  
GENERAL COUNCIL MEETING  
13 October 2015**

**Originating Officers:** Steve Hooper, Manager Development Services

**Directors:** Kathy Jarrett

**Subject:** Existing Activity Centres Policy Review – Development Plan Amendment.

**Report Reference:** GC131015R05

---

**INTRODUCTION**

The Minister for Planning has proposed a Development Plan Amendment (DPA) to stimulate economic diversity and development in prime retail and commercial areas within Greater Adelaide.

The Existing Activity Centres Policy Review DPA proposes changes to the planning policies used in the assessment of development proposals in 'activity centres' such as Regional Centre, District Centre, Neighbourhood Centre and Local Centre zones to support greater business opportunities, flexibility, competition and certainty.

Council participated in a workshop and briefing with respect to the DPA where a draft submission on the DPA was considered. This submission has been revised to reflect SDC input and is referenced in Appendix I.

**RECOMMENDATIONS**

**DUE DATES**

**That Council:**

- |   |                        |
|---|------------------------|
| <b>1. Endorse the submission contained in Appendix I as Council's submission on the Existing Activity Centres Policy Review Development Plan Amendment.</b> | <b>13 October 2015</b> |
|---|------------------------|

## **BACKGROUND/DISCUSSION**

Minister Rau has released a Development Plan Amendment (DPA) for public consultation which proposes to change the policy content of 25 Council Development Plans including the City of Marion Development Plan. Specifically the following zones within the City of Marion Development Plan are proposed to be affected:

Suburban Activity Neighbourhood Zone (applies within Tonsley);  
Regional Centre Zone (Westfield Marion and surrounds);  
District Centre Zone (Castle Plaza and Hallett Cove);  
Neighbourhood Centre Zone (21 within the City of Marion)  
Local Centre Zone (19 within the City of Marion).

The intent of the DPA is to ensure consistent assessment across the Greater Adelaide Region, particularly for shops, offices and consulting rooms within designated centres. The overarching strategic objective is to stimulate economic diversity and development in retail and commercial areas. Key policy amendments are as follows:

- new policies regarding off-street vehicle requirements for developments located near high frequency public transit services (namely: a reduction in the parking rates as applies in certain circumstances within the City of Marion);
- the ability for existing buildings in affected zones to be used interchangeably between a consulting room, office and or shop - as a complying development subject to satisfying designated criteria;
- use of floor space requirements as a guide - rather than as a non-complying trigger where exceeded.

Generally, the proposed policy changes are considered commendable, with a not able exception being a change to the Suburban Neighbourhood Zone so as to remove the establishment of a "Bulky Goods outlet or retail showroom" from the non-complying list. This is not considered consistent with the Masterplan for the Tonsley site and it is recommended that Council's submission should object to this change. This change aside, the policy framework is considered appropriate.

A copy of the Development Plan Amendment has been left in the Elected Members room should members desire to further examine the document. Alternatively, the DPA can be accessed via the DPTI website. A link to this website was provided to Elected Members via email on 27 August 2015.

This DPA is the first of two initiated DPA's to review land use rules affecting development in activity centres and shopping activity more generally. A second DPA will focus on expanding opportunities for existing and new businesses outside of established activity centres.

A draft submission was considered at the Strategic Directions Committee on 6 October 2015. Consultation on the DPA concludes on 21 October 2015. A copy of the draft submission is attached at Appendix I.

## **CONCLUSION**

The Existing Activity Centres Policy Review Development Plan Amendment is considered commendable in that it removes artificial barriers to retail uses, office uses and consulting rooms being established interchangeably as the demand for each land use changes. Further, the establishment of floor space requirements as guides rather than maximum or

minimum thresholds is considered appropriate and will reduce barriers to suitable centre activities from being established within appropriate zones.

Council has an opportunity to forward a submission to the State Government on the DPA. This submission will be considered by the Development Policy Advisory Committee who will then provide advice to the Minister on any suggested changes to the DPA.

A draft submission was considered at the Strategic Directions Committee at its meeting on 6 October 2015 and any changes recommended at that meeting have been incorporated into a revised submission outlined in Appendix I.

#### **Appendix I: DPTI Submission**

## 3.3.4.3

14 October 2015

Presiding Member DPAC  
c/- Department of Planning, Transport and Infrastructure  
GPO Box 1815  
Adelaide SA 5001

Attention: Bryan Moulds

Dear Sir,

**MINISTERIAL DEVELOPMENT PLAN AMENDMENT - EXISTING ACTIVITY CENTRES  
POLICY REVIEW**

Thank you for providing Council the opportunity to comment on the above-mentioned Ministerial Development Plan Amendment (DPA).

I confirm that this DPA was considered by Council at the Strategic Directions Committee on 6 October 2015 and thereafter at the General Council Meeting held on 13 October 2015.

Council considers a review of the policy framework applying to centres zones to be long overdue. The existing policy framework for the City of Marion and more generally within Greater Adelaide often impedes the establishment of new businesses (and job creation and investment more generally).

For example, the existing reliance upon retail floor space restrictions or 'caps' has frustrated the reasonable development of retail and commercial activity in lower order centres.

Council supports a revision of centres policy to ensure incumbent and new businesses can develop with greater confidence within activity centres. In particular the following aspects are supported:

- the modification of zones to ensure that floor space requirements are used only as a guide rather than maximum or minimum thresholds;
- the removal of criteria that make shops, offices and consulting rooms non-complying development (such as through floor space 'caps');
- the introduction of complying (which can proceed 'as of right') development requirements which promote adaptive re-use of existing buildings for consulting rooms, offices and shops; and,
- the introduction more consistent off-street parking requirements for development located near high-frequency public transport routes, interchanges and stations.

Council does however raise two issues as follows:

- the proposed deletion of "bulky goods outlet or retail showroom" from the non-complying table within the Suburban Activity Neighbourhood Zone is not considered appropriate, and is inconsistent with the Master Plan developed for the Tonsley site;



- attachment Mar/4 contains an error by incorrectly referencing a car-parking rate as “1 or 2 bedrooms” rather than “1 or 2 spaces.”

Council notes that a number of existing lower order centres such as Local Centre and Neighbourhood Centre Zones are struggling to remain viable. For example, an audit of Council’s Centre zones indicates that some former centres are no longer operational and have been converted to housing developments. This compromises the ability to achieve a vibrancy of suburbs and contributes to the reliance on the motor vehicle.

Council looks forward to examining the second DPA that will focus on expanding opportunities for existing and new businesses outside of established activity centres. In this respect, within the City of Marion, the following zone warrants urgent review:

- Commercial Zone ( both along Marion and South Roads and el sewhere within the Council area including the commercial zone at Sheidow Park in the vicinity of Hutt Close);
- Residential Zone on Sturt Road adjacent to Westfield Marion.

Council encourages DPTI staff reviewing the second DPA to contact Council’s administration with a view to better appreciate the obstacles to establishing viable businesses within these zones and localities, prior to putting this DPA on public consultation.

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

Yours faithfully

Kris Hanna  
Mayor  
City of Marion

**CITY OF MARION  
GENERAL COUNCIL MEETING  
13 October 2015**

**Originating Officer:** David Melhuish, Senior Policy Officer  
**Corporate Manager:** Steve Hooper, Manager Development Services  
**Director:** Kathy Jarrett, Director  
**Subject:** Decriminalisation of Sex Work Bill 2015  
**Report Reference:** GC131015R06

---

**REPORT OBJECTIVES:**

The purpose of this report is to provide Council with a summary of any implications for Council with respect to the Statutes Amendment (Decriminalisation of Sex Work) Bill 2015.

**EXECUTIVE SUMMARY:**

Council has been invited by Tung Ngo, Member of Legislative Council, to make a submission on the Statutes Amendment (Decriminalisation of Sex Work) Bill 2015 to the Select Committee of Parliament. Due date for submission is 16 October 2015.

The Bill in its current form has implications on Council as a planning authority and potentially under the Local Government Act 1999.

**RECOMMENDATIONS (1)**

**DUE DATES**

**That Council:**

- |  |                           |
|--|---------------------------|
| <p><b>1. Advises the Select Committee that it does not support the Bill in its current form and seeks that the Committee:</b></p> <ul style="list-style-type: none"><li>• Consider the likely implications on the Planning System if sex work is decriminalised</li><li>• Consider the likely implications on the resourcing and role of local government if sex work is decriminalised</li><li>• Include amendments to the Development Act 1993 / Regulations (changes to definition of a Home Activity to ensure that premises for the purposes of sex work are discouraged from locating in residential areas) as part of the Bill</li><li>• Include amendments to the South Australian Planning Policy Library (SAPPL) (specific policy for the assessment and location for sex work venues) as part of the Bill</li><li>• Consider reintroducing the proposed amendment to Part 6 of the Summary Offences Act 1953 outlined in the 'Statutes Amendment (Sex Work Reform) Bill 2012', relating to it being an offence to use premises for the purposes of sex work within a 'prescribed distance' from 'protected premises' (i.e. 200 metres of schools, places of worship and the like)</li></ul> | <p><b>13 Oct 2015</b></p> |
|--|---------------------------|

## BACKGROUND

The Hon Michelle Lensink MLC recently brought the Statutes Amendment (Decriminalisation of Sex Work) Bill to a second reading vote in the Legislative Council (Upper House). The Bill seeks to legalise prostitution and brothels. The Bill has since been referred to a Select Committee which is to enquire into and report on the merits of the Bill. Council has been invited to make a submission on the Bill to the Committee.

Council considered a former and similar Bill (Statutes Amendment (Sex Work Reform) Bill 2012) in September 2012. The 2012 Bill was never passed and the 2015 Bill appears to be a reintroduction of similar legislative changes to decriminalise sex work in South Australia.

This report provides a summary of the key findings of former legal advice and associated implications for Local Government should the legislation be passed. As the proposed (2015) legislative changes are similar to those from 2012 much of the legal advice received at that time is still relevant.

## ANALYSIS:

The Statutes Amendment (Decriminalisation of Sex Work) Bill 2015 proposes to decriminalise prostitution and sex work venues in South Australia. It is also proposed to amend current legislation such that 'soliciting' in a public place for the purpose of prostitution is no longer an offence.

Further, brothels and other forms of sex work venues will constitute a legal use of land for which development approval will usually be required.

The proposed legislation does not introduce any policies into the Development Act or Regulations to guide the assessment of sex work venues. Without amendments to a Council's Development Plan, sex work venues are likely to be assessed on merit as commercial entertainment premises. Procedurally, most brothels will probably be personal service establishments and thus satisfy the definition of a "shop". Escort Agencies, on the other hand, are likely to be an "office" land use.

The current provisions of the City of Marion Development Plan would generally guide such uses away from residential areas into Commercial, Industry/Commerce or Centre Zones.

The 2012 Bill proposed to introduce legislation that made it an offence to use premises for the purposes of sex work within 200 metres of a school, child care centre, places of worship and the like. The 2015 Bill does not propose this so development applications for all relevant locations are to be assessed on merit.

Councils will be responsible for the assessment of development applications for sex work venues. Councils will also be responsible for the investigation and enforcement of sex work venues operating without development approval.

It is noted that some sex work venues may fall within the ambit of a 'home activity' and therefore not require Development Approval.

A 'home activity' applies on residential land and means the use of a site by a person resident on the site-

- (a) That does not detrimentally affect the amenity of the locality or any part of the locality;*  
*and;*
- (b) That does not require or involve any of the following:*

- (i) *assistance by more than 1 person who is not a resident in the dwelling;*
- (ii) *use of a floor area exceeding 30 square metres;*
- (iii) *the imposition on the services provide by any public utility organization of any demand or load greater than that which is ordinarily imposed by other users of the services in the locality;*
- (iv) *the display of goods in a window or about the dwelling or its curtilage; or*
- (v) *the use of a vehicle exceeding three tonne tare in weight.*

It is noted that currently applications for approval for sex work venues are rare, due to their illegal nature and accordingly, their “hypothetical nature” given that they cannot be lawfully implemented. There appears to be only one case in South Australia which was considered by both the Environment Resources and Development Court and Supreme Court. Although the application was refused on ‘planning grounds’ each Court noted that it was not a ‘court of morals’ and accordingly any planning assessment of a proposed sex work venue must not include a moral judgment of the proposed use.

Should the legislation be introduced, Council might consider commencing a Development Plan Amendment and/or seek the Department of Planning Transport and Infrastructure (DPTI) to make amendments to the South Australian Planning Policy Library to provide for specific policies for the assessment and location for sex work venues (for example: to guide them away from residential and commercial zones and into industrial zones).

With the removal of the offence of soliciting in a public place for the purpose of prostitution, “soliciting” will require a permit from the relevant Council under Section 222 of the Local Government Act, 1999. Section 222 makes it an offence for a person to use a public road for a business purpose unless authorized by a permit. It carries a maximum penalty of \$2,500 or an expiation fee of \$210.

The previous legal advice indicates that there may be scope for Councils to manage “soliciting” by way of by-laws should there be a desire to do so. If the legislation is introduced, however, the practical, WHS (for staff involved), and legal implications of introducing such by-laws would need to be explored thoroughly before such a by-law was contemplated.

Council may wish to advise the Select Committee that it does not support the Bill in its current form and seeks that the Committee:

- Consider the likely implications on the Planning System if sex work is decriminalised
- Consider the likely implications on the resourcing and role of local government if sex work is decriminalised
- Include amendments to the Development Act 1993 / Regulations (changes to definition of a Home Activity to ensure that premises for the purposes of sex work are discouraged from locating in residential areas) as part of the Bill
- Include amendments to the South Australian Planning Policy Library (SAPPL) (specific policy for the assessment and location for sex work venues) as part of the Bill
- Consider reintroducing the proposed amendment to Part 6 of the Summary Offences Act 1953 outlined in the ‘Statutes Amendment (Sex Work Reform) Bill 2012’, relating to it being an offence to use premises for the purposes of sex work within a ‘prescribed distance’ from ‘protected premises’ (i.e. 200 metres of schools, places of worship and the like).

### **Resource (capacity) Impact**

Should the Bill proceed and form legislation, Councils will be responsible for the assessment of development applications for sex work venues. Councils will also be responsible for the investigation and enforcement of sex work venues operating without development approval.

### **Policy Implications**

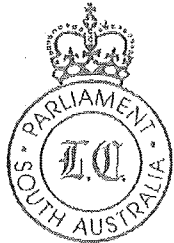
As mentioned in the body of the report, Council may wish to review its Development Plan and/or seek the DPTI to make amendments to the South Australian Planning Policy Library to introduce provisions to guide the location and assessment of Sex Work Venues, should the legislation become law. Likewise, Council might review its by-laws with respect to “soliciting” if the legislation is passed.

### **CONCLUSION:**

This report outlines the implications for Council with respect to the Development Act, 1993 and elsewhere if the Statutes Amendment (Decriminalisation of Sex Work) Bill 2015 is passed.

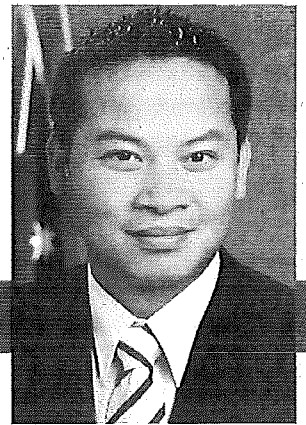
Council may not wish to support the Bill in its current form and may wish to seek that the Select Committee consider the potential implications on the Planning System within South Australia.

Appendix 1	Letter from Tung Ngo MLC
Appendix 2	Statutes Amendment (Decriminalisation of Sex Work) Bill 2015
Appendix 3	Relevant legislation to be amended by the Bill



# Tung Ngo MLC

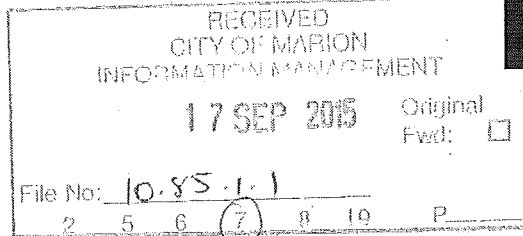
Member of State Parliament



Parliament House, North Terrace, Adelaide SA 5000 | Tel: 8237 9276 | Email: tung.mlc@parliament.sa.gov.au

Wednesday, 16 September 2015

Mr Kris Hanna  
Mayor  
City of Marion  
PO Box 21  
OAKLANDS PARK SA 5046



Dear Mr Hanna

## **Statutes Amendment (Decriminalisation of Sex Work) Bill**

I take this opportunity to write to you about recent attempts that have been made to have sex work decriminalised in South Australia.

The Hon Michelle Lensink MLC recently brought the Statutes Amendment (Decriminalisation of Sex Work) Bill to a second reading vote in the Legislative Council (Upper House).

Before I became a Member of Parliament, I served as a local Councillor for 18 years at Port Adelaide Enfield Council. In my contribution to the above Bill, I raised a number of practical concerns on whether it would provide local Councils with enough powers and resources to be able to regulate public soliciting and non-complying brothels.

The Bill has since been referred to a Select Committee of which I am a member. The committee will enquire into and report on the merits of this particular Bill. I invite your Council to make a submission to this Committee as I believe local Councils are best placed to provide feedback on this proposal.

To register your interest in making a submission you can contact Leslie Guy, Secretary of the Committee at Parliament House by phone on 8237 9490 or via email at [leslie.guy@parliament.sa.gov.au](mailto:leslie.guy@parliament.sa.gov.au).

Feel free to contact me on 8237 9276 if you wish to discuss this issue or any other matter further.

Yours sincerely

Hon Tung Ngo MLC  
Member of Legislative Council (Upper House)



**Legislative Council—No 44**

As introduced and read a first time, 1 July 2015

South Australia

## **Statutes Amendment (Decriminalisation of Sex Work) Bill 2015**

A BILL FOR

An Act to amend the *Criminal Law Consolidation Act 1935*, the *Equal Opportunity Act 1984*, the *Spent Convictions Act 2009*, the *Summary Offences Act 1953* and the *Return to Work Act 2014*

---

## Contents

### Part 1—Preliminary

- 1 Short title
- 2 Amendment provisions

### Part 2—Amendment of *Criminal Law Consolidation Act 1935*

- 3 Amendment of section 5—Interpretation
- 4 Insertion of section 68AA
  - 68AA Provision of commercial sexual services to children
- 5 Amendment of section 270—Punishment for certain offences
- 6 Variation of Schedule 11—Abolition of certain offences

### Part 3—Amendment of *Equal Opportunity Act 1984*

- 7 Amendment of section 5—Interpretation
- 8 Amendment of section 85T—Criteria for establishing discrimination on other grounds
- 9 Amendment of section 85U—Application of Division
- 10 Amendment of section 85ZA—Application of Division
- 11 Amendment of section 85ZB—Discrimination by associations
- 12 Amendment of section 85ZD—Application of Division
- 13 Amendment of section 85ZF—Discrimination by person disposing of interest in land
- 14 Amendment of section 85ZG—Discrimination in provision of goods and services
- 15 Amendment of section 85ZH—Discrimination in relation to accommodation
- 16 Amendment of section 85ZI—Charities
- 17 Amendment of section 85ZK—Measures intended to achieve equality

### Part 4—Amendment of *Spent Convictions Act 2009*

- 18 Insertion of section 16A
  - 16A Certain convictions in relation to sex work taken to be spent

### Part 5—Amendment of *Summary Offences Act 1953*

- 19 Amendment of section 4—Interpretation
- 20 Amendment of section 21—Permitting premises to be frequented by thieves etc
- 21 Repeal of sections 25, 25A and 26
- 22 Repeal of Part 6

### Part 6—Amendment of *Return to Work Act 2014*

- 23 Amendment of section 4—Interpretation
- 24 Insertion of section 6A
  - 6A Additional provisions in respect of sex work

### Schedule 1—Transitional provision

- 1 Application of section 128(1) of *Return to Work Act 2014* to certain employers
-



The Parliament of South Australia enacts as follows:

## Part 1—Preliminary

### 1—Short title

This Act may be cited as the *Statutes Amendment (Decriminalisation of Sex Work) Act 2015*.

### 2—Amendment provisions

In this Act, a provision under a heading referring to the amendment of a specified Act amends the Act so specified.

## Part 2—Amendment of *Criminal Law Consolidation Act 1935*

### 3—Amendment of section 5—Interpretation

Section 5(1), definition of *common prostitute*—delete the definition

### 4—Insertion of section 68AA

After section 68 insert:

#### 68AA—Provision of commercial sexual services to children

(1) A person must not provide commercial sexual services to a child.

Maximum penalty: 10 years.

(2) However, it is a defence to a charge of an offence against this section if it is proved that the defendant believed on reasonable grounds that the person to whom he or she provided commercial sexual services had attained 18 years of age.

### 5—Amendment of section 270—Punishment for certain offences

Section 270(1)(b)—delete paragraph (b)

### 6—Variation of Schedule 11—Abolition of certain offences

Schedule 11, clause 1—after paragraph (29) insert:

and

(30) offences relating to prostitution.

## Part 3—Amendment of *Equal Opportunity Act 1984*

### 7—Amendment of section 5—Interpretation

Section 5(1)—after the definition of *sexuality* insert:

*sex worker* means a person who provides sexual services on a commercial basis;

## 8—Amendment of section 85T—Criteria for establishing discrimination on other grounds

(1) Section 85T(1), definition of *discriminate*—after paragraph (f) insert:

or

(g) discriminate on the ground of being, or having been, a sex worker,

(2) Section 85T—after subsection (7) insert:

(8) For the purposes of this Act, a person discriminates on the ground of being, or having been, a sex worker—

(a) if he or she treats another unfavourably because the other is, or has in the past been, a sex worker; or

(b) if he or she treats another unfavourably on the basis of a characteristic that appertains generally to persons who are, or who have in the past been, sex workers, or on the basis of a presumed characteristic that is generally imputed to persons who are, or who have in the past been, sex workers; or

(c) if he or she treats another unfavourably because of an attribute of or a circumstance affecting a relative or associate of the other, being an attribute or circumstance described in the preceding paragraphs.

## 9—Amendment of section 85U—Application of Division

Section 85U—delete "or religious appearance or dress" and substitute:

, religious appearance or dress or being, or having been, a sex worker

## 10—Amendment of section 85ZA—Application of Division

Section 85ZA—delete "or caring responsibilities" and substitute:

, caring responsibilities or being, or having been, a sex worker

## 11—Amendment of section 85ZB—Discrimination by associations

Section 85ZB(2)—after paragraph (c) insert:

or

(d) for persons who are, or who have in the past been, sex workers,

## 12—Amendment of section 85ZD—Application of Division

Section 85ZD—delete "or religious appearance or dress" and substitute:

, religious appearance or dress or being, or having been, a sex worker

## 13—Amendment of section 85ZF—Discrimination by person disposing of interest in land

Section 85ZF(1)—delete "or caring responsibilities" and substitute:

, caring responsibilities or being, or having been, a sex worker

## **14—Amendment of section 85ZG—Discrimination in provision of goods and services**

Section 85ZG(1)—delete "or caring responsibilities" and substitute:

, caring responsibilities or being, or having been, a sex worker

## **15—Amendment of section 85ZH—Discrimination in relation to accommodation**

(1) Section 85ZH(1)—delete "or caring responsibilities" and substitute:

, caring responsibilities or being, or having been, a sex worker

(2) Section 85ZH—after subsection (5) insert:

(6) This section does not apply to discrimination on the ground of being, or having been, a sex worker in relation to the provision of accommodation by an organisation that does not seek to secure a pecuniary profit for its members, if that accommodation is provided only for persons who are, or who have in the past been, sex workers.

## **16—Amendment of section 85ZI—Charities**

Section 85ZI(a)—after subparagraph (iv) insert:

(v) persons who are, or who have in the past been, sex workers; or

## **17—Amendment of section 85ZK—Measures intended to achieve equality**

(1) Section 85ZK—delete "or persons with caring responsibilities" and substitute:

persons with caring responsibilities, or persons who are, or who have in the past been, sex workers

(2) Section 85ZK—delete "or persons without caring responsibilities" and substitute:

persons without caring responsibilities, or persons who are not, or who have never been, sex workers

## **Part 4—Amendment of *Spent Convictions Act 2009***

### **18—Insertion of section 16A**

After section 16 insert:

#### **16A—Certain convictions in relation to sex work taken to be spent**

(1) Despite any other provision of this Act, a conviction of a person for a prescribed sex work offence will be taken to be spent on the commencement of this section (including, to avoid doubt, a conviction occurring after the commencement of this section).

(2) In this section—

*prescribed sex work offence* means—

(a) an offence against section 270(1)(b) of the *Criminal Law Consolidation Act 1935*; or

**Statutes Amendment (Decriminalisation of Sex Work) Bill 2015****Part 4—Amendment of *Spent Convictions Act 2009***

---

- (b) an offence against section 21 of the *Summary Offences Act 1953* involving premises frequented by prostitutes; or
  - (c) an offence against section 25, 25A or 26 or Part 6 of the *Summary Offences Act 1953*; or
  - (d) a common law offence relating to prostitution,
- (in each case, as in force before the commencement of this section).

**Part 5—Amendment of *Summary Offences Act 1953*****19—Amendment of section 4—Interpretation**

Section 4(1), definition of *prostitute*—delete the definition

**20—Amendment of section 21—Permitting premises to be frequented by thieves etc**

Section 21—delete ", prostitutes" wherever occurring

**21—Repeal of sections 25, 25A and 26**

Sections 25, 25A and 26—delete the sections

**22—Repeal of Part 6**

Part 6—delete the Part

**Part 6—Amendment of *Return to Work Act 2014*****23—Amendment of section 4—Interpretation**

Section 4(1), definition of *employer*, (a)—after "subsection (7)" insert:

or section 6A

**24—Insertion of section 6A**

After section 6 insert:

**6A—Additional provisions in respect of sex work**

The following provisions apply in respect of the provision of sexual services on a commercial basis (not being the provision of a service that is prohibited under a law of the State):

- (a) for the purposes of paragraph (b) of the definition of *contract of service* in section 4, the provision of such a service will be taken to be work of a prescribed class if—
  - (i) the work is performed by 1 person to the contract, arrangement or understanding (the *worker*) in the course of or for the purposes of a business carried on by another person to the contract, arrangement or understanding (the *employer*); and

- (ii) the work is performed personally by the worker (whether or not the worker supplies any equipment); and
- (iii) the worker does not employ any other person to carry out any part of the work;
- (b) a reference to an employer in this Act does not include a reference to—
  - (i) a person to whom such services are personally provided; or
  - (ii) a person of a class prescribed by the regulations for the purposes of this paragraph;
- (c) in determining an application under section 175, the Corporation must not refuse to extend the protection of this Act to a self-employed person merely because the person is or has been engaged in the provision of commercial sexual services (other than where the provision of the services is prohibited under a law of the State);
- (d) the regulations may exempt a specified class of persons or bodies from a specified provision of this Act.

## Schedule 1—Transitional provision

### 1—Application of section 128(1) of *Return to Work Act 2014* to certain employers

- (1) This clause applies to an employer of a person who provides sexual services on a commercial basis.
- (2) An obligation under section 128(1) of the *Return to Work Act 2014* will be taken not to apply to an employer to whom this clause applies during the prescribed period.

**Note—**

That subsection provides that an employer must not employ a worker in employment to which that Act applies unless the employer is registered by the Return to Work Corporation of South Australia.

- (3) Nothing in this clause—
  - (a) limits the operation of section 128(3) of the *Return to Work Act 2014*; or
  - (b) prevents—
    - (i) an employer to whom this clause applies from applying for registration by the Return to Work Corporation of South Australia during the prescribed period; or
    - (ii) such an application being processed by the Return to Work Corporation of South Australia during the prescribed period.
- (4) In this clause—
 

*employer* has the same meaning as in the *Return to Work Act 2014*;

*prescribed period* means the period commencing on the day on which this clause comes into operation and ending 6 months after that day.

The Parliament of South Australia enacts as follows:

## Part 1—Preliminary

### 1—Short title

This Act may be cited as the *Summary Offences Act 1953*.

### 4—Interpretation

- (1) In this Act, unless the contrary intention appears—

*the Commissioner* means the Commissioner of Police or the person for the time being acting in the office of Commissioner of Police;

*major offence* means—

- (a) an offence attracting a penalty or maximum penalty of life imprisonment or imprisonment for at least seven years; or
- (b) an offence against section 86A(1) of the *Criminal Law Consolidation Act 1935*;

*minor* means a person under the age of 18 years;

*motor vehicle* has the same meaning as in the *Motor Vehicles Act 1959*;

*prostitute* includes any male person who prostitutes his body for fee or reward; Deleted

*public place* includes—

- (a) a place to which free access is permitted to the public, with the express or tacit consent of the owner or occupier of that place; and
- (b) a place to which the public are admitted on payment of money, the test of admittance being the payment of money only; and
- (c) a road, street, footway, court, alley or thoroughfare which the public are allowed to use, notwithstanding that that road, street, footway, court, alley or thoroughfare is on private property;

*public venue* means a place where members of the public are gathered for an entertainment or an event or activity of any kind, whether admission is open, procured by the payment of money or restricted to members of a club or a class of persons with some other qualification or characteristic, but does not include a church or place of public worship;

*senior police officer* means a police officer of or above the rank of inspector;

*serious and organised crime offence* has the same meaning as in the *Criminal Law Consolidation Act 1935*;

*telephone* includes any telecommunication device for the transmission of speech;

*to tattoo* means to insert into or through the skin any colouring material designed to leave a permanent mark.

**20—Permitting drunkenness and disorderly conduct**

- (1) A person who keeps premises where provisions or refreshments are sold or consumed and who knowingly permits drunkenness or disorderly conduct to take place on those premises is guilty of an offence.

Maximum penalty: \$750.

- (2) In this section—

*premises* includes a shop, restaurant or other premises to which the public are admitted.

**21—Permitting premises to be frequented by thieves etc**

- (1) A person who—

(a) is the occupier of premises frequented by reputed thieves, prostitutes, persons without lawful means of support or persons of notoriously bad character; or

(b) is, without reasonable excuse, in premises frequented by any such persons,

is guilty of an offence.

Maximum penalty: \$750.

- (2) In a prosecution under this section, it is not necessary for the prosecutor to prove that the defendant knew that the persons frequenting the premises were reputed thieves, prostitutes, persons without lawful means of support or persons of notoriously bad character, but it is a defence that the defendant did not know and could not, by the exercise of reasonable diligence, have ascertained that the persons frequenting the premises were such persons.

Deleted



*Repealed/Deleted*

**Summary Offences Act 1953—1.7.2013**  
 Part 5—Offences against decency and morality

---

**25—Soliciting**

A person who—

- (a) in a public place, or within the view or hearing of any person in a public place, accosts or solicits a person for the purpose of prostitution; or
- (b) loiters in a public place for the purpose of prostitution,

is guilty of an offence.

Maximum penalty: \$750.

**25A—Procurement for prostitution**

- (1) A person must not engage in procurement for prostitution.

Maximum penalty:

For a first offence—\$1 250 or imprisonment for 3 months.

For a subsequent offence—\$2 500 or imprisonment for 6 months

- (2) A person engages in procurement for prostitution if the person—

- (a) procures another to become a prostitute; or
- (b) publishes an advertisement to the effect that the person (or some other person) is willing to employ or engage a prostitute; or
- (c) approaches another person with a view to persuading the other person to accept employment or an engagement as a prostitute.

- (3) In this section—

*advertisement* includes a notice exhibited in, or so that it is visible from, a public place.

**26—Living on the earnings of prostitution**

- (1) A person who knowingly lives, wholly or in part, on the earnings of prostitution of another person is guilty of an offence.

Maximum penalty: \$2 500 or imprisonment for 6 months.

- (2) In proceedings for an offence against subsection (1), the fact that a person lives with, or is habitually in the company of, a prostitute and has no visible lawful means of support is, in the absence of proof to the contrary, proof that that person is knowingly living on the earnings of prostitution.

## Part 6—Brothels

### 27—Interpretation

In this Part—

*brothel* means premises—

- (a) to which persons resort for the purpose of prostitution; or
- (b) occupied or used for the purpose of prostitution;

*premises* includes a part of premises.

### 28—Keeping and managing brothels

- (1) A person who—

- (a) keeps or manages a brothel, or assists in keeping or managing a brothel; or
- (b) receives money paid in a brothel in respect of prostitution,

is guilty of an offence.

Maximum penalty: For a first offence—\$1 250 or imprisonment for 3 months.

For a subsequent offence—\$2 500 or imprisonment for 6 months.

- (2) A person who acts or behaves as master or mistress, or as a person having the control or management, of a brothel will, for the purposes of this section, be taken to keep that brothel, whether he or she is or is not the keeper.

### 29—Permitting premises to be used as brothels

A person who—

- (a) lets or sublets premises knowing that they are to be used as a brothel; or
- (b) permits premises to be used as a brothel,

is guilty of an offence.

Maximum penalty:

For a first offence—\$1 250 or imprisonment for 3 months.

For a subsequent offence—\$2 500 or imprisonment for 6 months.

### 30—Prosecutions

- (1) A prosecution cannot be instituted under this Part without the written consent of the Commissioner or a senior police officer.
- (2) An apparently genuine document produced by the prosecutor and purporting to authorise a prosecution under this Part and purporting to be signed by the Commissioner or a senior police officer will be accepted, in the absence of proof to the contrary, as evidence of the consent of the Commissioner or senior police officer to the prosecution.

### **31—Determination of tenancy of brothels**

- (1) Upon the conviction of the tenant, lessee or occupier of premises for permitting the premises, or a part of the premises, to be used as a brothel, the landlord or lessor may require the person so convicted to assign the lease or other contract under which the premises are held to some person approved by the landlord or lessor (which approval must not be unreasonably withheld).
- (2) If a person so convicted fails within one month to assign the lease or contract in accordance with a requirement made under subsection (1), the landlord or lessor may determine the lease or other contract, but without prejudice to any rights or remedies of a party to the lease or contract in respect of anything done or omitted before the determination of the lease or contract.
- (3) If the landlord or lessor, after such a conviction has been brought to his or her notice, fails to exercise the rights under subsection (1) and subsequently during the subsistence of the lease or contract the premises are again used as a brothel, the landlord or lessor will be taken to have permitted the premises to be used as a brothel.
- (4) Where a landlord or lessor determines a lease or other contract under the powers conferred by this section and subsequently grants another lease or enters into another contract of tenancy to, with or for the benefit of the same person, without causing to be inserted in the lease or contract reasonable and adequate provisions for preventing the premises from being used as a brothel, he or she will, if the premises are subsequently used as a brothel, be taken to have permitted the premises to be used as a brothel.

### **32—Power of police to enter suspected brothels**

The Commissioner or a senior police officer, or any other police officer authorised in writing by the Commissioner or a senior police officer, may at any time enter and search premises which he or she suspects on reasonable grounds to be a brothel.

**CITY OF MARION  
GENERAL COUNCIL MEETING  
13 October 2015**

**Originating Officer:** Ann Gibbons, Manager Environmental Sustainability

**Director:** Kathy Jarrett

**Subject:** Submission on South Australia's new Climate Change Strategy and Low Carbon Investment Plan for South Australia

**Report Reference:** GC131015R07

---

**REPORT OBJECTIVES:**

The purpose of this report is to seek input from Council on a submission in response to a review of South Australia's Climate Change Strategy and a 'Low Carbon Investment Plan for South Australia' strategy paper.

**EXECUTIVE SUMMARY:**

The State Government is developing a new Climate Change Strategy and is seeking submissions from interested parties to help shape South Australia's action in responding to a changing climate and transition to a low carbon economy. A series of consultation papers have been developed to provide background, guide the discussion and support community and stakeholder feedback on the development of the new strategy.

In addition, the State Government has developed a 'Low Carbon Investment Plan for South Australia' strategy paper to stimulate discussion about strategies to achieve a \$10 billion investment target in low carbon generation investments by 2025.

A draft submission (Attachment 1) has been developed in response to both the new Climate Change Strategy and the Low Carbon Investment Plan. Subject to the inclusion of any further comments, endorsement is being sought for this submission.

**RECOMMENDATIONS (1)**

**DUE DATES**

**That Council:**

- 1. Endorse the City of Marion's submission on the development of a new Climate Change Strategy for South Australia and the Low Carbon Investment Plan for South Australia (subject to the inclusion of any additional comments at the meeting).**

**13 Oct 2015**

**BACKGROUND**

South Australia's first climate change strategy was released in 2007. Since then, scientific consensus on the changes occurring to the climate is continuing to grow and the need for action has become more urgent. Renewed international and national focus on climate change provides the impetus for South Australia to position itself to take advantage of opportunities in transitioning to a low carbon, resilient economy.

Six consultation papers have been developed by the State Government to provide background and set out the issues to be considered in the development of South Australia's new Climate Change Strategy. The consultation papers cover the following areas:

- Overview – outlines the need for a new strategy, the guiding principles for its development and the science behind climate change.
- Lead – provides information on the international and national climate change policy context, achievements to meet specific objectives of the *Climate Change and Greenhouse Emissions Reduction Act 2007* (also currently under review), and the South Australian Government's role in taking action on climate change.
- Innovate – explores the economic opportunities arising from climate change action, 'Clean tech' industries in the new carbon economy, opportunities for innovation, and the State Government's approach to partnering with industry.
- Adapt – discusses climate change impacts for South Australia, implementation of 'Prospering in a Changing Climate – A Climate Change Adaptation Framework for South Australia', and proposed future adaptation priorities for South Australia.
- Reduce – provides information on South Australia's greenhouse gas emissions profile, current emissions reduction achievements, and potential opportunities to reduce emissions in specific sectors.
- Carbon Neutral Adelaide – one of the Government's key emission reduction priorities that will be delivered in partnership with the Adelaide City Council.

The Overview consultation paper is provided in Attachment 2 and the remaining five consultation papers can be accessed on the State Government YourSAy website (<http://yoursay.sa.gov.au/decisions/yoursay-engagements-climate-change-strategy-for-south-australia/about>). Several hard copies have also been placed in the Elected Members' Room.

In addition, the State Government has developed a 'Low Carbon Investment Plan for South Australia' aimed at support discussion about strategies to achieve a \$10 billion investment target in low carbon generation investments by 2025. This document can be accessed on the Renewables SA website (<http://www.renewablessa.sa.gov.au/news/consultation-begins-on-low-carbon-investment-plan-for-south-australia>).

Comments on both the Climate Change Strategy consultation papers and the Low Carbon Investment Plan for South Australia strategy paper close on 18 October 2015.

## ANALYSIS:

The City of Marion has taken a proactive leadership role in responding to climate change through active participation in the development and implementation of Resilient South, a climate change adaptation program that has been developed for the Southern Adelaide Region by the Cities of Holdfast Bay, Marion, Mitcham and Onkaparinga.

Resilient South has been developed in line with the State Government's 'Prospering in a Changing Climate – A Climate Change Adaptation Framework for South Australia'. Priorities identified in regional adaptation plans are being brought together to inform state-wide priorities for adaptation as described in the 'Adapt' consultation paper.

**Consultation:** Cr Gard and the Manager Environmental Sustainability attended a stakeholder workshop organised by the State Government at the Marion Cultural Centre on 23 September 2015. The workshop provided an opportunity to provide feedback on a number of key questions including:

- What should be included in the new SA Climate Change Strategy?
- What does it mean for South Australia to be a leader in taking action to respond to climate change?

- How can government, communities, businesses and individuals work together to prioritise and fund activities that build our resilience to climate change?
- What are the opportunities for South Australia to substantially reduce our emissions?
- How can South Australia be the innovator in climate change action?
- What plans or commitments does industry and community have with respect to low carbon generation?

A summary of feedback provided by participants in this session is included in Attachment 3 for reference.

**Legal / Legislative and Risk Management:** A legislated review of the *Climate Change and Greenhouse Gas Emissions Reduction Act 2007* is also currently underway, with feedback from this consultation contributing to an assessment of whether its aims are being achieved and what additional legislative measures might be considered to help achieve its targets.

**Policy Implications:** This commitment and leadership is reflected in the strategic aspirations identified in the *City of Marion Community Plan: Towards 2040*.

## **CONCLUSION:**

The State Government is seeking input to the development of a new Climate Change Strategy for South Australia. Feedback on a 'Low Carbon Investment Plan for South Australia' is also being sought.

A draft submission has been prepared highlighting the alignment with climate change responses already being delivered in Marion along with opportunities for future collaboration with the State Government.

## **ATTACHMENTS (3):**

1. **Submission on South Australia's new Climate Change Strategy and Low Carbon Investment Plan for South Australia**
2. **Developing a new Climate Change Strategy for South Australia – Overview consultation paper**
3. **Notes from Stakeholder Workshop: Marion, Wednesday 23 September 2015**

File Ref: 5.85.1.31

15 October 2015

DEWNR Climate Change  
GPO Box 1047  
ADELAIDE SA 5001

Dear Sir/Madam

**Submission on South Australia's new Climate Change Strategy and  
Low Carbon Investment Plan for South Australia**

The City of Marion welcomes the development of a new Climate Change Strategy for South Australia and acknowledges the ongoing action in developing strategic approaches to climate change adaptation and mitigation in South Australia.

In particular, the discussion about low carbon generation investment initiatives contained within the 'Low Carbon Investment Plan for South Australia' strategy paper is considered to be a step in the right direction. This commitment and leadership aligns well with the strategic aspirations identified in the *City of Marion Community Plan: Towards 2040*.

The City of Marion has taken a proactive role in responding to climate change through active participation in the development and implementation of Resilient South, a climate change adaptation program that has been developed for the Southern Adelaide Region by the Cities of Holdfast Bay, Marion, Mitcham and Onkaparinga.

***Climate Change Strategy Feedback***

The following comments are provided in response to each of the consultation papers developed for the new Climate Change Strategy for South Australia:

**1. Overview:**

- The guiding policy principles for the climate change strategy described in the Overview paper are supported. Having a coherent, cost-effective and evidence-based response to climate change that considers environmental, social and economic impacts is becoming increasingly important as intense heatwaves and bushfires are becoming more frequent.
- The State Government, through the Climate Change Adaptation Framework, has recognised local government's role in adaptation. The City of Marion would welcome a further opportunity to comment on a draft climate change strategy following this initial consultation phase.

**2. Lead:**

- The leadership role of the South Australian Government in providing policy certainty, establishing a consistent regulatory framework, and facilitating community and private sector action is recognised.
- There is a need for a coordinated response from State Government on climate change adaptation plans. A Sector Agreement between the Resilient South partner Councils and the State Government expired in June 2014. Despite attempts to renew the

agreement to have a coordinated effort in implementing the adaptation plan, there has been limited progress to date.

- The City of Marion supports the Premier's Climate Change Council recommendation to prioritise support for vulnerable members of the community to respond to climate change; as well as to engage Indigenous people in planning for climate change adaptation.

### **3. Innovate:**

- The City of Marion agrees that there are significant economic opportunities arising from climate change action and supports an increased focus on clean tech solutions to support transition to a low carbon economy.
- Resilient South identified the important role that research institutions have in climate change adaptation. The City of Marion would support the State Government continuing to fund local research institutions to provide relevant recommendations to respond to climate change in our region. This would have the additional benefit of maintaining and creating jobs in this sector.

### **4. Adapt:**

- The Resilient South Regional Adaptation Plan adopted by all four partner councils in August 2014 includes 10 adaptation pathways that reflect the regional priorities identified in the government's Adapt consultation paper. The full Regional Adaptation Plan and the background reports are available at [www.resilientsouth.com](http://www.resilientsouth.com)
- Resilient South seeks to address these priority areas through a renewed Sector Agreement with the State Government. A previous Sector Agreement established under the Climate Change Adaptation Framework expired in June 2014. In 2015 the City of Onkaparinga, as host of the Resilient South program, wrote to the Department of Environment, Water and Natural Resources with a view to renewing this agreement.
- The four Resilient South partner Councils are currently in the process of finalising the 'Southern Region Local Government Implementation Plan 2015 – 2019' for approval by Councils along with Local Action Plans. The City of Marion's Local Action Plan will integrate priority adaptation actions into our existing and new strategic management plans.
- In addition to the Resilient South program the City of Marion has implemented a number of projects and activities that contribute to our climate change response efforts and align with regional priorities discussed in the Adapt paper including:
  - Water Resources Management: Stormwater management planning with neighbouring councils; Integration of flood plain mapping in to Development Plan Policy.
  - Vulnerable Citizens: provision of support services to vulnerable members of the community through our Community Wellbeing team, and tree planting and vegetation management programs to green our public spaces and cool the urban environment.
  - Community and Emergency Services: Southern Adelaide Zone Emergency Management Planning that considers extreme storm, extreme heat, and flood risks.

### **5. Reduce:**

- Streetlighting – the single largest source of greenhouse gas emissions from local government across the state. Although councils pay for the energy used, they have limited opportunity to influence the technology that is employed as the majority of streetlights are owned and managed by SA Power Networks (SAPN). While some progress is being made in this area, significant emissions reductions could be achieved



if existing street and public lighting were to be changed over to more efficient lighting technologies.

- **Vehicles** – The City of Marion supports the use of electric vehicles where possible. Further review of electric vehicle technologies, including options for local manufacturing and jobs creation in this industry sector is supported.
- **Waste** – Although the waste sector comprises only a small proportion of the state's overall emissions profile there are significant opportunities for further emissions reductions from the sector. These opportunities would be best supported through increased reinvestment of the Waste to Resources Fund, collected from the solid waste levy, into the waste management industry.

#### **6. Carbon Neutral Adelaide:**

- While the ambition for the City of Adelaide to be the world's first carbon neutral city is to be commended, a broader focus beyond the CBD to include greater Adelaide would be welcome.
- The City of Marion would welcome a partnership with governments and the private sector to progress emissions reduction projects in our region.

The new Climate Change Strategy represents an important step forward in the effectively responding to climate change and the City of Marion looks forward to working collaboratively with the South Australian Government in the delivery of its objectives.

#### **Low Carbon Investment Plan for South Australia Feedback**

The following comments are provided in response to the Low Carbon Investment Strategy Paper:

- The South Australian Government's investment in renewable energy assets and strategic focus on low carbon investments that will support the State's economic, environmental and social priorities is commended.
- The City of Marion supports in principle the use of electric vehicles where possible and welcomes initiatives that could accelerate the take up of electric vehicles and provide opportunities for local industry development and jobs creation as described in Case Study 3 – Electric vehicle incentives.
- The City of Marion is currently investigating opportunities to develop community renewable energy projects and would welcome a partnership with governments and the private sector to progress this or similar clean tech and renewable energy projects in our region.
- The Marion community is already investing in low carbon electricity generation evidenced through uptake of roof-top photovoltaic systems at just over 27% of households. Uptake as high as 38% in some suburbs, but drops to 20% in suburbs with larger proportions of public housing. Initiatives to increase access to roof-top solar for public and rental housing sectors would be supported.

The comments presented in this submission have been reviewed by Elected Members and relevant staff and have been endorsed by Council. If you have any queries regarding the submission, please contact Ann Gibbons, Manager Environmental Sustainability, by phone on (08) 8375 6857 or email [ann.gibbons@marion.sa.gov.au](mailto:ann.gibbons@marion.sa.gov.au).

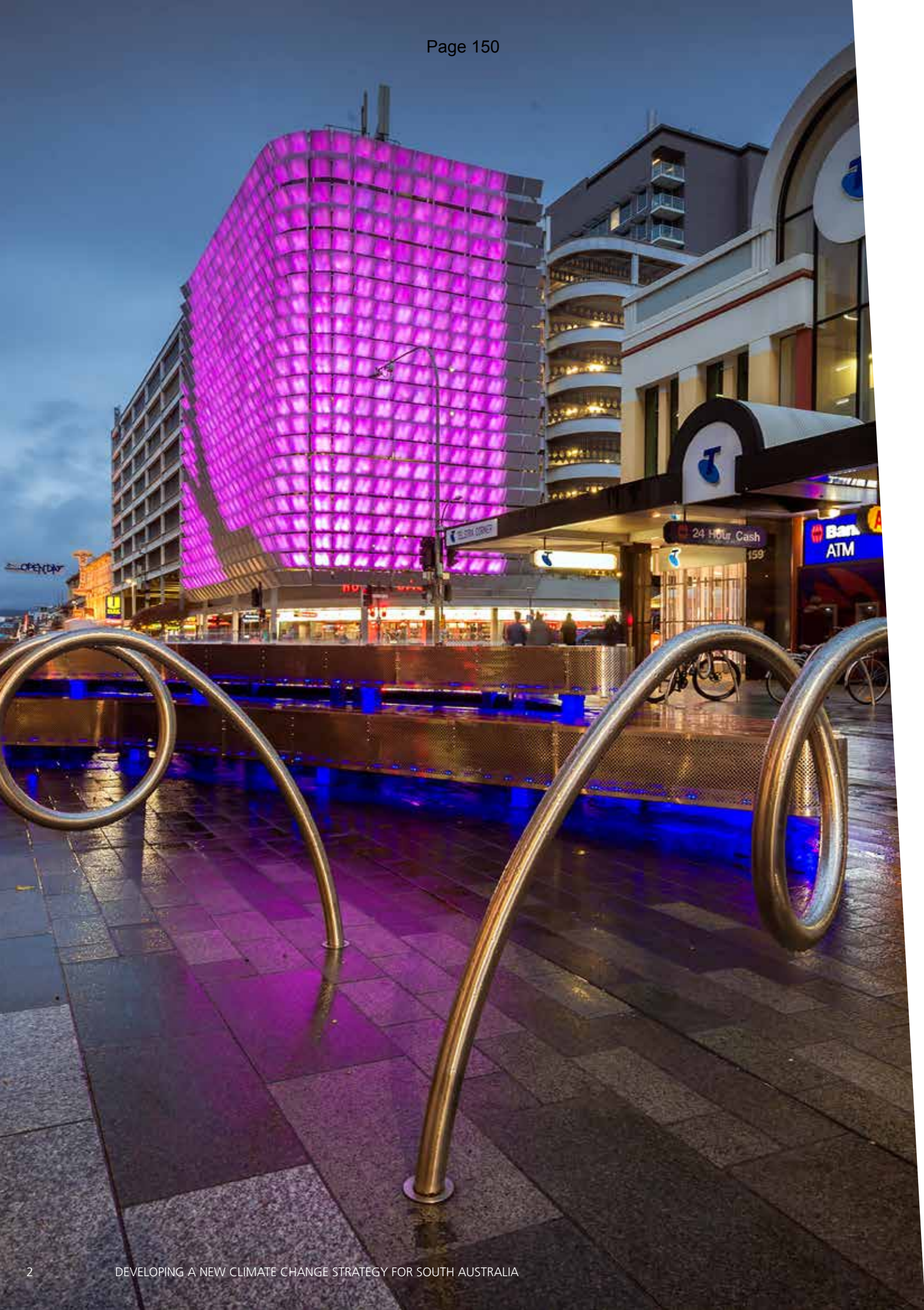
Yours faithfully

# DEVELOPING A NEW CLIMATE CHANGE STRATEGY FOR SOUTH AUSTRALIA

Overview consultation paper









## TOWARDS A LOW CARBON, CLIMATE RESILIENT FUTURE

Around the world, nations are transitioning to a low carbon future. Our trading partners and competitors, including China, India, the United States and Europe have accelerated efforts to reduce carbon pollution while also increasing renewable energy.

Closer to home, Australian States and Territories have seen the dividends in South Australia – jobs and investments – that renewable energy and other efforts to reduce carbon pollution have provided and are taking steps to boost renewables and build low carbon economies.

As a result of acting early, over \$6 billion has been invested in renewables and thousands of jobs have been created in our State. Since 1990 we have reduced our carbon pollution by 9 per cent while our State's economy has grown by 60 per cent.

Tackling the challenges presented by climate change allows us to help build a strong, prosperous State – one that is able to harness fully the opportunities offered by a low carbon economy.

We can be the showcase for what can be done and in doing so we can attract more investment for renewables, attract and foster new industries, and develop new technologies.

These opportunities include exporting expertise in clean tech development and climate change adaptation solutions to emerging international markets, taking advantage of our reputation for clean and green food and driving greater efficiency in our industries.

The Premier's Climate Change Council (PCCC) has already shown us what our State could be in 2050. In this vision, our dwellings are affordable and environmentally and thermally efficient; sustainability and prosperity measures provide new and better ways of doing things; our cities, towns and settlements are transformed into more attractive places to live, work and play through sustainable design and function; and we, as South Australians, are resilient and adaptable.

By working together, Government, community and industry, we can help make this a reality. The Government has as already announced that Adelaide will be the world's first carbon-neutral city – a beacon for renewables and clean technology. This will help create new jobs and build on the State's international reputation. We are delivering



more jobs in renewables and aim to have 50 per cent of our electricity generated from renewable sources by 2025, helping attract \$10 billion in low carbon investment.

The Government will build on this by working with business to see if we can change the way we buy things to ensure we reduce carbon pollution while boosting jobs.

In addition, we are ensuring the resilience of our state by partnering with regional leaders to deliver regional climate change adaptation plans under our internationally recognised and award winning adaptation framework. South Australia continues to lead international sub-national efforts and will be attending the United Nations Framework Convention on Climate Change 21st Conference of Parties in Paris in December this year.

Our actions to date have been guided by the Climate Change Strategy released in 2007 following extensive consultation with the South Australian community. Given international developments, changes to national climate policies, significant developments in technology and the urgency for action, it is timely that we review our strategy.

Reviewing and updating our Strategy allows us to reflect on our collective achievements and ensure that we are on the right path – and have the right settings in place – to harness the opportunities associated with transitioning to a low-carbon, climate resilient economy.

Your input is vital to this process, and we encourage all South Australians to participate in the development of a new Climate Change Strategy through this formal consultation process. This set of papers has been prepared to provide the background and context for the decisions that must be made.

**Jay Weatherill**  
Premier of South Australia

**Hon Ian Hunter MLC**  
Minister for Climate Change



# BACKGROUND

## ABOUT THIS DOCUMENT

This is the first of six complementary consultation papers prepared by the State Government to provide the background and set out the issues to be considered in the development of South Australia's new Climate Change Strategy.

This *Overview* document outlines the need for a new strategy, the guiding principles for its development, the science behind climate change, the reality of South Australia's current and future challenges in the face of climate challenge, and our activities and achievements to date in responding to these challenges.

The five other consultation papers are as follows:

### LEAD

- The international and national context within which South Australia has developed, and will continue to develop, its climate change strategy
- Achievements to date to meet the specific objects of the *Climate Change and Greenhouse Emissions Reduction Act 2007*, which is currently under review
- The role of the South Australian Government in taking action on climate change.

### REDUCE

- South Australia's greenhouse gas emissions profile
- Achievements to date in reducing emissions
- Potential opportunities to reduce emissions in specific industry sectors

### CARBON NEUTRAL ADELAIDE

- One of the Government's key emission reduction priorities, the Carbon Neutral Adelaide initiative.

### ADAPT

- The impact of climate change in South Australia
- Implementation of *Prospering in a Changing Climate - A Climate Change Adaptation Framework for South Australia*
- Proposed future priorities for assisting South Australians to adapt to the impacts of climate change.





## INNOVATE

- The economic opportunities arising from climate change action
- 'Clean tech' industries in the new carbon economy
- Opportunities for innovation across the South Australian economy
- The State Government's approach to partnering with industry.

In addition, the State Government has developed a *Low Carbon Investment Plan for South Australia* strategy paper, which is designed to stimulate discussion about the strategies and initiatives to achieve the \$10 billion investment target in low carbon generation investment by 2025.

## ABOUT THE CONSULTATION PROCESS

The consultation process provides an opportunity for the community and stakeholders to have their say in the development of the new strategy.

Submissions can be provided online via the State Government's YourSAY website at [yoursay.sa.gov.au](http://yoursay.sa.gov.au).

Formal written submissions may also be mailed to DEWNR Climate Change, GPO Box 1047, Adelaide SA 5001.

Submissions close on 18 October 2015.

To help guide your submission, individual papers identify key consultation questions. An online discussion forum will also be available on the website.

Your input will help shape South Australia's climate change strategy which will be released ahead of the Paris climate change conference in December 2015.

Sept - Oct 2015

Consultation Papers released. Stakeholder consultation commences. Public comment open on YourSAY website.

Oct - Nov 2015

Stakeholder analysis commences. Drafting of new Climate Change Strategy.

Dec 2015

**Climate Change Strategy released**



# DEVELOPING A NEW CLIMATE CHANGE STRATEGY







## THE NEED FOR A NEW STRATEGY

Many developments have occurred since South Australia's original climate change strategy was released in 2007. Scientific data and observations continue to affirm scientific consensus of the changes to the climate that are occurring as a result of a warming planet. The need for action has become more urgent. Technology and innovation present new opportunities. With a renewed focus on international and national action, it is timely for South Australia to position itself to harness the opportunities presented by transitioning to a low carbon, resilient economy.

South Australians continue to call on the Government to lead on climate change action. Recent research has shown that:

- Climate change is a top environmental concern for South Australians, with at least 64% extremely or quite concerned about the issue. However, people are unclear about the impact that they can really have.
- South Australians see the Australian Government as primarily responsible for addressing climate change (80%), but also feel industry/business (78%), the State Government (71%), householders/individuals (66%) and local government (62%) have a role to play.
- 59% of South Australians are aware that there are things they can do to reduce the impact of climate change, and householders are already active.
- 59% of South Australians are aware of the State Government's work in supporting the establishment of wind farms, solar energy and the renewable industry.
- It is also clear that more work needs to be done to increase public awareness of the work being undertaken by the Government and industry to address climate change.



## OUR VISION

The PCCC has outlined a vision for South Australia to be a low carbon, resilient economy in 2050. In this vision, dwellings are affordable and environmentally and thermally efficient. Renewable energy, water saving practices and distributed systems mean low energy bills and decreased water usage. Air quality has improved with less reliance on transport, lower industrial and vehicle emissions, technological advances, and integrated design of the built environment and transport infrastructure.

Sustainability and prosperity measures provide new and better ways of doing things. Innovation in managerial, operational and technological advancements boost the State's competitive edge, generate new products and enable entry into new markets in the dominant overseas markets of China, Brazil and India. 3D printing, robotics and drones have revolutionised the manufacturing and service industries and people work in jobs that were not yet thought of in the early part of the century.

The State's cities, towns and settlements are transformed into more attractive places to live, work and play through sustainable design and function. The urban sprawl is limited through smart planning and social policies. Better use is made of developed land and valuable agricultural land, biodiversity and water resources are preserved. Ambitious business ventures and innovation are supported by new business models, and a workforce skilled in management, design, marketing, software and logistics. Investment in education, skills and research focus on global Asian markets that were emerging in the first two decades and create a sustainable and prosperous state by ensuring a balance between the economic, ecological, social and cultural dimensions.

South Australia's people are resilient and adaptable. Individuals are well connected to their communities – they find local solutions and have consumer patterns and lifestyle choices that ensure resources are shared more equitably. South Australians continue to enjoy what they have always loved about living in South Australia – the lifestyle, the landscape and the culture.

South Australia is proud of the foresight and commitment shown in the early part of the century by its leaders, businesses and community, who were determined to leave a positive legacy for their children and grandchildren.

## GUIDING POLICY PRINCIPLES

The following principles will guide the Government's approach to developing the new Climate Change Strategy:

### Leadership

We are committed to demonstrating strong and focussed leadership on climate change, which includes being at the forefront of emerging market opportunities and participating in national and global networking forums.

### Action

We recognise that the benefits of strong and prompt action to address climate change far outweigh the economic costs of not acting. We prioritise actions that result in tangible, measurable outcomes.

### Scientific evidence

We are informed by the latest science as accepted by the mainstream scientific community and by governments internationally.

### Cost-effective, best practice measures

Drawing on national and international best practice and expertise, we prioritise efficient and effective policies that are low cost, have co-benefits and leverage existing funding sources. Preference is given to market based mechanisms that are recognised internationally as the most cost effective way to reduce greenhouse gas emissions.

### Coherent, consistent policy

Governments must work together to deliver a coherent, consistent national response to the widespread challenge of climate change.

We believe the South Australian Government has an important advocacy role to play in ensuring nationally consistent climate change policy that is adequate to achieve Australia's legally binding emissions reduction targets. The decisions we make are informed by evidence and manage risk with long-term considerations that provide certainty for government and private sector decision making.

**Consultation**

We make better decisions by bringing the voices of communities and stakeholders into the issues that are relevant to them.

**Competitive advantage**

We recognise the importance of competitive advantage within our industry sectors and are committed to developing policies that will capture optimal climate change and competitiveness outcomes. We are committed to creating an investment environment that promotes new economic opportunities, including emergent industries, technologies and markets.

**Environmental and social impacts**

We consider the environmental and social impacts of our policies to build the resilience of the entire community, ensure that low carbon choices are accessible to all and that natural ecosystems are able to thrive.



# THE SCIENCE OF CLIMATE CHANGE

“Human influence on the climate system is clear, and recent anthropogenic emissions of greenhouse gases are the highest in history.

Warming of the climate system is unequivocal, and since the 1950s, many of the observed changes are unprecedented over decades to millennia. The atmosphere and ocean have warmed, the amounts of snow and ice have diminished, and sea level has risen.”

*Intergovernmental Panel on Climate Change, 2014*

The latest authoritative scientific consensus reinforces the link between atmospheric concentrations of greenhouse gases such as carbon dioxide and increases in global surface and ocean temperatures which in turn influence changes in our climate system. Human activities – notably the combustion of fossil fuels for energy, the clearing of forests and changes in land use – have been the main driver of global warming and climate change in recent decades<sup>1</sup>.

Globally, atmospheric carbon dioxide (CO<sub>2</sub>-e) levels are the highest they have been for 800,000 years at 400.47 parts per million (ppm) as at June 2015<sup>2</sup>. The 14 warmest years on record have occurred this century<sup>3</sup>. Since 1880, the global average temperatures across land and ocean have risen 0.7 degrees Celsius above the 20th century average, with 2014 the warmest year on record<sup>4</sup>. Records continue to be set. Globally the first seven months of 2015 have been the warmest on record<sup>5</sup>.

Many of the observed changes in the climate system since the 1950s are unprecedented over decades to millennia and the observed impacts of these temperature rises include increases in mean sea level, increases in ocean acidity, and increases in the frequency and intensity of drought conditions and extreme weather events such as storm surges and flood events.

## AUSTRALIAN CONTEXT

According to the latest data provided by Australia’s Bureau of Meteorology (BoM) and the Commonwealth Scientific and Industrial Research Organisation (CSIRO), Australia’s climate has already changed. Since 1910, more hot days have been recorded than cold days, with an overall warming of 0.9 degrees Celsius. Since the 1970s, northern Australia has experienced increases in rainfall while in south-eastern and south-western Australian average rainfall has declined. There have been more instances of extreme fire weather in southern and eastern Australia and sea levels have risen by approximately 20cm since 1900<sup>6</sup>.

Key projections for Australia’s climate include:

- Average temperatures are likely to increase, including an increase in extreme temperature events
- Average rainfall levels are predicted to decrease in Southern Australia, while time in drought is likely to increase
- Rainfall is expected to increase in the tropics, including increased frequency and intensity of extreme events (such as cyclones)
- Sea levels will continue to rise further and oceans will become more acidic
- Southern and Eastern Australia are likely to experience harsher fire weather conditions.

<sup>1</sup> Intergovernmental Panel on Climate Change, 2014.

<sup>2</sup> National Aeronautical and Space Administration (NASA), 2015.

<sup>3</sup> World Meteorological Organisation, 2015.

<sup>4</sup> National Aeronautical and Space Administration (NASA), 2015.

<sup>5</sup> US National Oceanic and Atmospheric Administration (NOAA), 2015.

<sup>6</sup> Bureau of Meteorology and CSIRO, 2014



## SOUTH AUSTRALIA'S CHANGING CLIMATE

While South Australia's climate has always been highly variable, a strong warming trend has been observed since the 1970s that is consistent with international warming projections. Average temperatures across the state have warmed almost 1 degree Celsius over the past century<sup>1</sup>. Rainfall records since 1900 show that rainfall across South Australian regions varies seasonally, annually and over decades. Since the 1990s a decline in rainfall, particularly within the agricultural districts of the state between April-October, has been experienced however given the natural range of rainfall variability, trends are less clear than those for temperature and sea level rise<sup>2</sup>. Sea level rise of between 4.7mm and 4.9mm per year has been recorded in South Australia since 1992<sup>3</sup>.

South Australia is particularly vulnerable to the adverse impacts arising from climate change. Climate change is likely to impact upon the community, our natural and built environments and more broadly, industry and economic productivity. These impacts will be borne from events such as heatwaves, extreme weather and natural hazards, which are likely to become more prevalent as our climate continues to change. This presents a variety of social and economic challenges which must be managed by adequately engaging, informing and empowering all representative community and stakeholder groups to take action by adapting.

More detailed information about climate change in South Australia can be found in the *Adapt* paper.

<sup>1</sup> Bureau of Meteorology, 2015

<sup>2</sup> Bureau of Meteorology and CSIRO, 2014

<sup>3</sup> Bureau of Meteorology, 2015



## PROGRESSING CLIMATE CHANGE ACTION IN SOUTH AUSTRALIA

### SA KEY CLIMATE CHANGE TARGETS

**Target:** Reduce emissions by 60% of 1990 levels by 2050

**Status:** Net emissions down by 9% in 2012/13



**Status:** Gross State Product is up 60% since 1990



**Target:** Generate 50% of the state's electricity from renewable sources by 2025

**Status:** 39% of electricity generated from renewables in 2013/14



South Australia has continued to take action on climate change despite changes in the national climate change and economic policy environment.

The *Climate Change and Greenhouse Emissions Reduction Act 2007* made South Australia the first Australian jurisdiction to enact specific climate change legislation that set a long-term emissions reduction target. Under this legislation, South Australia set a target to reduce greenhouse gas emissions by at least 60% of 1990 levels by 31 December 2050, renewable energy consumption and generation targets of 20% by 2014, and established the Premier's Climate Change Council (PCCC), a key advisory body to the Minister for Climate Change on climate change action. The renewable energy generation target was subsequently increased to 33% renewable energy generation within the state by 2020. Further information about achievements specific to the objects of the Act can be found in the *Lead* paper.

The latest estimate of South Australia's greenhouse gas emissions indicates that in 2012/13 net greenhouse gas emissions in South Australia were 9% lower than the 1989/90 baseline. During this time Gross State Product grew by 60%.

South Australia has led the nation in the uptake of renewable energy, growing from near zero in 2003 to 1,473 megawatts in wind and 565 megawatts in rooftop solar to date. In 2014, 39% of the state's electricity generation was from renewable sources, and there is now a new target to generate 50% of the State's grid electricity from renewable energy sources by 2025.



The Government has set a \$10 billion low carbon generation investment target by 2025. For the period 2003-2015, there has been \$6.6 billion investment in renewable energy generation in South Australia, with around 40% realised in regional areas.

The Government has taken a strategic approach to attracting this investment, capitalising on national policy settings such as the Federal Renewable Energy Target by being an early mover and putting in place the most supportive regulatory frameworks for renewable energy development in Australia.

South Australia was the first Australian jurisdictions to provide a premium feed-in tariff mechanism to support the installation of solar photovoltaic systems. This scheme commenced on 1 July 2008 and, whilst it is now closed to new entrants, it was an important stimulus for the sector with 1 in 4 South Australian households now having solar photovoltaic systems. South Australia was also the first jurisdiction in Australia to introduce planning guidelines for wind farms in 2003.

The State Government has supported the development of high quality information to inform investment decision making, such as wind resource and solar resource mapping, which have been used by potential investors to inform site selection investigations. The State Government has also led by example, being an early adopter of solar panels, with installations on major public buildings on North Terrace, support for the 1MW solar installation on the Adelaide Showgrounds (at the time the largest in Australia), and the mandating of solar panels on new and refurbished government buildings.

The release of the State Government's Low Emission Vehicle Strategy 2012-16 (LEVS) also demonstrates a commitment to reducing the greenhouse emissions intensity of the transport sector within South Australia, including the Government's own vehicle fleet.

In August 2012, the Government released *Prospering in a Changing Climate: A Climate Change Adaptation Framework for South Australia* developed in close consultation with the community, local government and regional stakeholders. The framework provides the foundation for South Australians to develop well-informed and timely actions to increase their preparedness for the impacts of climate change. Under the framework, the State Government has committed to delivering regional climate change adaptation plans across the State.

Founded on collaboration, the approach is a partnership between local communities and decision-makers, local and state government, and the private sector. The approach has received state and national recognition for the innovative practices and achievements that are making communities more resilient. Its success has been due predominantly to the regionally-driven approach and the significant commitment of local leaders across sectors to address the impacts of climate change on their communities.



## INTERNATIONAL / NATIONAL DEVELOPMENTS

**2001**

Mandatory Renewable Energy Target commences

**2007**

*National Greenhouse and Energy Reporting Act* gains assent

**2008**

Carbon Pollution Reduction Scheme Green Paper released

Garnaut Climate Change Review final report released

Kyoto Protocol signed by Australia

**2009**

National Strategy on Energy Efficiency released

Renewable Energy Target (RET) expanded to generate at least 20% of national grid electricity by 2020

**2011**

Garnaut Review Update released

**2012**

National Carbon Pricing Mechanism commences

Australian Renewable Energy Agency (ARENA) commences operation

Productivity Commission releases 'Barriers to Effective Climate Change Adaptation' report

*Greenhouse & Energy Minimum Standards (GEMS) Act* commences

## SOUTH AUSTRALIAN MILESTONES

**2003-05**



First wind farm constructed at Starfish Hill



Energy efficiency program for low-income households



Herbert Girardet's 'Creating a Sustainable Adelaide' report



Tackling Climate Change Summit in South Australia



Montreal Declaration signed committing to climate change action and target setting

**2006**



South Australia urges COAG to streamline greenhouse gas and energy reporting



The late Stephen Schneider's 'Climate Change: Risks and Opportunities' report released

**2007**



Inaugural Sir Hubert Wilkins Chair of Climate Change appointed



'Tackling Climate Change – South Australia's Greenhouse Strategy 2007 – 2020' launched



*Climate Change and Greenhouse Emissions Reduction Act* enacted



'Black Balloons' awareness raising campaign commences

**2008**



Inaugural Premier's Climate Change Council (PCCC) established



Solar Feed-in legislation commences



Building Innovation Fund begins four year operation



New water heater energy efficiency installation standards



First Climate Change Sector Agreement established with industry



Container deposit levy increased to 10 cents

**2009**



Residential Energy Efficiency Scheme commences



Solar panels weighing less than 100 kilograms no longer required to apply for planning or building approval



Plastic bag ban in SA begins



RenewablesSA established



'Water for Good' plan released to diversify water supply

**2010**



New 33% renewable energy generation target by 2020



Lochiel Park 'green village' officially opened



Agreement renewed with Manitoba (Canada) to continue cooperation on climate change



Solar panels announced for new and refurbished government buildings

**2010**



'30 Year Plan for Greater Adelaide' launched, providing for a low carbon future



Green Hubs – climate change community grants launched in partnership with the Conservation Council of SA



SA Renewable Energy payroll tax rebate for large wind and solar projects commences



Goyder Institute established, including researching the effects of climate change on water supplies



Adopted 6-star energy efficiency rating for new housing in the Building Code of Australia



Commenced target bans to landfill, including white goods, vehicles and aggregated organic material



New target for the greenhouse gas efficiency of government vehicles established



Water efficient taps and showerheads for government projects



## 2013

Clean Energy Finance Corporation (CEFC) commences operation

Regional Natural Resource Management Planning for Climate Change Program commences

## 2014

National Carbon Pricing Mechanism is repealed

Emissions Reduction Fund (ERF) introduced

## 2015

Climate Change Authority releases 'Special Review: Australia's Future Emissions Reduction Targets' report

ERF commences with first auction

Australia's Intended Nationally Determined Contribution (INDC) submission

United Nations Framework Convention on Climate Change (UNFCCC) 21<sup>st</sup> Conference of Parties in Paris – Universal Agreement on Climate Change

## 2011



Introduced state specific energy efficiency requirements for air-conditioners



Bowden Village 'sustainable community' development approved



First regional water demand and supply statement released incorporating climate change impacts



First regional Climate Change Sector Agreement established



Renewable Energy Plan for South Australia launched

## 2012



South Australia achieves its Kyoto emissions reduction commitment target



Low Emissions Vehicle Strategy released



Climate Change Adaptation Framework, 'Prospering in a Changing Climate' launched



Works begin on the Sustainable Industries Complex at Tonsley Park redevelopment



Statewide Wind Farm Development Plan Amendment approved



Major upgrades and electrification to Adelaide Metro rail commences

## 2013



First regional Climate Change Adaptation Plan released



'2013 State of the Environment' report, featuring a dedicated chapter to climate change



National 'Greenhouse 2013' conference held in Adelaide



South Australia's Climate Change Adaptation Program wins two national awards

## 2014



PCCC 'South Australia's Climate Change Vision: Pathways to 2050' released



South Australia generates 39% of its electricity from wind and solar



New 50% renewable energy generation target by 2025 announced



South Australia achieves a 27% reduction of waste to landfill since 2002 / 2003



South Australia re-elected as Co-chair of The Climate Group – States and Regions Alliance



*Pastoral Land Management and Conservation (Renewable Energy) Amendment Act 2014* passes Parliament



Clean Energy Summit held in Adelaide

## 2015



Retail Energy Efficiency Scheme commences



Goyder Institute releases climate change projections for South Australia



Building Upgrade Finance legislation tabled in Parliament



Plan to make the City of Adelaide the world's first carbon neutral city



Tonsley redevelopment awarded 6 star Green Star - Communities certification by the Green Building Council of Australia



Signed International Agreement – Compact of States and Regions



South Australia wins two awards – United Nations Association of Australia 2015 World Environment Day Awards



South Australia hosts Jurisdictional Meeting on Climate Change with States and Territories attended by Executive Secretary of UNFCCC

## THE NEXT STEPS

South Australia must recognise and pursue opportunities that will help the State to become a low carbon economy, which is well adapted to the expected changes in our climate. Industry has a lead role to play in this, however a constructive approach is needed also to form partnerships between business, government, research institutions and the community. This approach will be central to the development of South Australia's new Climate Change Strategy.

In addition, our transition to the efficient use of zero or renewable energy for electricity generation and transport is at the core of achieving a low carbon economy. Embedding climate change into the mainstream decision making and policy development is a crucial element to enable this to happen.

The new Climate Change Strategy will collate the views and ideas of Government, stakeholders and the community in order to develop a comprehensive policy framework for Climate Change action in South Australia, with the outcome of achieving future prosperity in the low carbon economy.

## REFERENCES

Australian Government Department of the Environment. (2015). *Australian National Greenhouse Accounts: State and Territory Gas Inventories 2012-13*. Canberra: Commonwealth of Australia.

Bureau of Meteorology & CSIRO. (2014). *State of the Climate Report 2014*. Canberra: Commonwealth of Australia.

Bureau of Meteorology. (2015). *Monthly Data Report: Australian Baseline Sea Level Monitoring Array – July 2015*. Bureau of Meteorology.

Bureau of Meteorology. (2015). *Climate Change and Variability*. Retrieved from Bureau of Meteorology website: [http://www.bom.gov.au/climate/change/index.shtml#tabs=Tracker&tracker=timeseries&tQ%5Bgraph%5D=t-mean&tQ%5Barea%5D=sa&tQ%5Bsea-son%5D=0112&tQ%5Bave\\_yr%5D=0](http://www.bom.gov.au/climate/change/index.shtml#tabs=Tracker&tracker=timeseries&tQ%5Bgraph%5D=t-mean&tQ%5Barea%5D=sa&tQ%5Bsea-son%5D=0112&tQ%5Bave_yr%5D=0)

Intergovernmental Panel on Climate Change. (2014). *Climate Change 2014: Synthesis Report. Contribution of Working Groups I, II and III to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change*. Geneva: Intergovernmental Panel on Climate Change.

National Aeronautical and Space Administration (NASA). (2015, February). *Global Climate Change: Vital Signs of the Planet 2015*. Retrieved from NASA: <http://climate.nasa.gov>

World Meteorological Organisation. (2015). Retrieved from Warming Trend Continues in 2014: <https://www.wmo.int/media/?q=content/warming-trend-continues-2014>

## GLOSSARY & ACRONYMS

### BATTERY STORAGE

An electrical device that has capability to store generated electricity from a variety of generating sources including solar and wind.

### BIODIVERSITY

The variety of life forms: the different plants, animals, fungi, bacteria and other microorganisms, the genes they contain, and the ecosystems they form. It includes the ecological and evolutionary processes through which genes, species and ecosystems interact with one another and with their environment.

### BIO-ENERGY

Biofuel or bioenergy is any fuel that is derived from biomass—recently living organisms or their metabolic byproducts, such as manure from cows. It is a renewable energy source, unlike other natural resources such as petroleum, coal and nuclear fuels. Biosources is shorthand for energy resource sources derived from biomass. Biodiesel refers to a diesel-equivalent, processed fuel derived from biological sources.

### BUREAU OF METEOROLOGY (BOM)

Australia's national weather, climate and water agency.

### CARBON DIOXIDE EQUIVALENT (CO<sub>2</sub>e)

An internationally accepted measure that encapsulates all of the different greenhouse gases. Each of the gases has a different 'global warming potential' in terms of an equivalent amount of carbon dioxide (the major greenhouse gas). Methane, for example, has a global warming potential 21 times that of carbon dioxide — so one tonne is included in the accounts as 21 tonnes of CO<sub>2</sub>-e.

### CARBON NEUTRAL

Net greenhouse gas emissions are zero. This can be achieved by preventing or offsetting emissions (e.g. by supporting a tree planting scheme that will absorb carbon dioxide, or a combination of the two).

### CARBON NEUTRAL ADELAIDE

A South Australian Government initiative to enable the City of Adelaide to become a carbon neutral city.

### CLEAN TECH

A description relating to products, services and processes that can optimise operational performance and productivity, reduce the necessity for natural resource exploitation and cut or eliminate emissions and wastes.

### CLIMATE CHANGE

Any change in climate over time, whether due to natural variability or as a result of human activity.

### CLIMATE CHANGE ADAPTATION

Action in response to, or anticipation of, climate change to reduce or avoid adverse consequences or to take advantage of beneficial changes. Adaptation is usually distinct from actions to reduce greenhouse gas emissions.

### CLIMATE CHANGE AUTHORITY (CCA)

An Australian independent Authority who provides expert advice on Australian Government climate change mitigation initiatives.

### CLIMATE CHANGE AND GREENHOUSE EMISSIONS REDUCTION ACT 2007

South Australian legislation to provide for measures to address climate change by setting targets to achieve a reduction in greenhouse gas emissions within the State; to promote the use of renewable sources of energy; to promote business and community understanding about issues surrounding climate change and to facilitate the development of policies and programs to address climate change.

### CARBON PRICING

A system where a monetary charge is applied to the right to emit a unit of carbon, taking the form of a *permit*. The carbon price can be determined by a regulator or the open market via the trading of permits.

## CLIMATE SYSTEM

A highly complex system consisting of the atmosphere, the water cycle, ice, snow and frozen ground, the land surface and plants and animals, and the interactions between them.

## COMMONWEALTH SCIENTIFIC AND INDUSTRIAL RESEARCH ORGANISATION (CSIRO)

The federal government agency for scientific research in Australia.

## DECILE

Each of ten groups into which a population can be divided according to the distribution of values of a particular variable.

## ENERGY EFFICIENCY

The ratio of energy required to produce a certain level of a service such as kilowatt per unit of heat or light.

## FEED-IN TARIFF

A payment made to household or businesses that generate their own electricity through means such as solar photovoltaic panels.

## FOSSIL FUELS

Fuels formed by natural processes under the ground over millions of years. They often contain high percentages of carbon, such as coal, petroleum and natural gas.

## GREENHOUSE GAS EMISSIONS

The release of greenhouse gases into the atmosphere. A greenhouse gas is an atmospheric gas that absorbs and emits infrared or heat radiation, giving rise to the greenhouse effect. Typical greenhouse gases include carbon dioxide, methane, nitrous oxide and refrigerants.

## GREENHOUSE GAS EMISSIONS BASELINE

The starting measurement by which future measurements of greenhouse gases are based on.

## INTERGOVERNMENTAL PANEL ON CLIMATE CHANGE (IPCC)

The scientific intergovernmental body under the auspices of the United Nations, established in 1988 by the World Meteorological Organisation (WMO) and the United Nations Environment Program (UNEP) at the request of member governments. The IPCC produces reports that support the United Nations Framework Convention on Climate Change (UNFCCC).

## LAND USE, LAND USE CHANGE AND FORESTRY (LULUCF)

A sector of a greenhouse gas inventory that covers emissions and removals of greenhouse gases resulting from direct human-induced land use, changes in land use change and forestry activities.

## LOW CARBON ECONOMY

An economy based on low carbon power sources that therefore has a minimal output of greenhouse gas (GHG) emissions.

## LOW CARBON INVESTMENT PLAN

A South Australian Government initiative towards \$10 billion investment in low carbon energy generation by 2025 and 50 per cent of electricity production by renewable energy by 2025.

## MEGATONNE (MT)

A unit of measurement, expressed as a million tonnes.

## MEGAWATT (MW)

A unit of electricity equal to one million watts, particularly used as a measure of the output of a power station.

## OCEAN ACIDITY

The ongoing decrease in the pH of the world's oceans, caused by the uptake of CO<sub>2</sub> in the Earth's atmosphere, much of which is dissolved and absorbed in the ocean.

## PASTORAL CROWN LAND

Land that is owned by the State Government, within the pastoral districts (arid lands) of South Australia.

## PREMIER'S CLIMATE CHANGE COUNCIL (PCCC)

The Premier's Climate Change Council was established under the *Climate Change and Greenhouse Emissions Reduction Act 2007*. The primary function of the Council is to provide independent advice to the Minister responsible for Climate Change about matters associated with reducing greenhouse gas emissions and adapting to climate change.

## PROSPERING IN A CHANGING CLIMATE: A CLIMATE CHANGE ADAPTATION FRAMEWORK FOR SOUTH AUSTRALIA

Sets out the foundation for South Australians to develop well-informed and timely actions to be better prepared for the impacts of climate change.

## RAINFALL VARIABILITY

The degree to which rainfall amounts vary spatially and temporally.

## RENEWABLE ENERGY

Energy that comes from resources which are naturally replenished on a human timescale such as sunlight, wind, rain, tides, waves, and geothermal heat.

## RENEWABLE ENERGY TARGET (RET)

A policy which mandates a percentage of the electricity purchased by a retailer to be sourced from renewable energy generation. A generator is provided with certificates by the Clean Energy Regulator, which are 'surrendered' upon the sale of this energy. The intent of the RET is to encourage investment into new renewable energy sources.

## SEA LEVEL RISE

The rise in the average level of an ocean for which heights can be measured.

## SOLAR ENERGY

The harnessing of the radiant light and heat from the sun using a range of technologies such as photovoltaic (panels) or thermal power generation in order to produce electricity.

## SOUTH AUSTRALIA'S CLIMATE CHANGE VISION: PATHWAYS TO 2050

The official advice presented to the Minister for Climate Change by the Premier's Climate Change Council (PCCC) in February 2014.

## UNITED NATIONS FRAMEWORK CONVENTION ON CLIMATE CHANGE (UNFCCC)

The international treaty that sets general goals and rules for confronting climate change. It has the goal of preventing dangerous human interference with the climate system.

## WIND ENERGY

A form of electricity generation using wind turbines to extract electrical power from air flow.



[www.environment.sa.gov.au/climatechange](http://www.environment.sa.gov.au/climatechange)

## **What should be included in South Australia's new Climate Change Strategy?**

### **Notes from Stakeholder Workshop: Marion, Wednesday 23rd September 2015**

---

#### **Objective of workshop**

To seek input from industry, government and the community in the development of the Climate Change Strategy and Carbon Neutral Adelaide action plan.

#### **Desired outcomes**

- Increased stakeholder awareness of the objectives and process for developing the new Climate Change Strategy
- Stakeholder input/views provided regarding what should be included in the strategy, including input on innovative solutions for climate action, state-wide priorities for action in relation to adaptation, an industry-led low carbon transition and government leadership

#### **Workshop principles**

- Accessible for participation by stakeholders with varying levels of skill, knowledge and expertise
  - Conversation based workshops which promote 2-way dialogue between all stakeholders
  - Whilst conversation based, workshops include clear prioritizing of issues/topics raised
- 

## **What should be included in the new SA Climate Change Strategy?**

Small group conversations enabled participants to talk about what they felt was important to be included in the strategy. Participants were guided through a series of questions and the notes were made by each small group and are included in section 2.

As a result of these small group conversations, participants were asked to write down their top three individual priorities that they would like to see included in South Australia's Climate Change Strategy.

### **1. Priorities for inclusion in South Australia's Climate Change strategy**

#### **LEAD**

- Government generation/communication a sense of hope around the doom and gloom of Climate Change.
- More incentives/grants from the State Government to local Communities and Businesses.
- Carbon neutral not just for Adelaide City Council but incentives for all Councils.
- Remove fossil fuel subsidies including to industry/agriculture. Have Tesla re-tool to Ford/Holden factories to make electric vehicles i.e. cars, trucks, buses, trains and trams. Ban the sale of new petrol/diesel vehicles after Ford/Holden shut down.



- A better and closer connection to community opinion on suggested management strategies – community surveys.
- Instigate community networks to share knowledge and ideas, and lobby at appropriate level for change.
- SA Government leadership in introducing an across the economy measure (such as carbon pricing) and building support for this across other states and territories.
- Government/Business ~ consistency in Policy, Direction, Community Goals.
- Federal, State and Local Policy alignment that enables action in all areas.
- Fossil Fuel Divestment.
- Integrate other community needs e.g. health, social wellbeing and industry advancement with energy/emissions strategy.
- Create focal group hubs (dozens) to integrate public (community) with experts for synergy.
- Information ‘harnessing’ from experts then dissemination (in all elements of discussion).

## **REDUCE**

- Stop the Super Trawlers from devastating our oceans.
- Carbon neutral Adelaide expanded to whole metropolitan area and then to the whole state.
- Eliminate Animal Agriculture.
- Regulation of carbon emissions.
- Reduction in animal agriculture and making sure people know how important it is what they put on their forks matters.
- Let’s look to leave a better future for our future generations.
- Development and implementation of Fleet Management programs, starting with government vehicles.
- Innovative public transport solutions for greater Adelaide.
- Remove fossil fuel subsidies and transfer these to roof-top solar so that each home can be self-sufficient in energy.
- 100% renewable generation / set a 100% renewable energy target by a set (not distant) date. – e.g. 2030.
- Reduce methane emissions into the atmosphere by limiting meat and dairy in diet.
- Acknowledge and adapt lifestyle choices to reduce methane emissions from animal agriculture.
- Public information sessions to share information about ways to reduce the impact of climate change.
- Government/Industry/Community initiatives to establish emissions reduction as community norms.
- Government/Industry/Community partnership and strategy to drive a zero carbon energy supply that integrates: distributed renewable generation; storage; and electric vehicles.
- Tangible and real incentives for renewable energy use plus reduction of energy waste from distribution.
- Stop urban sprawl.

- Develop urban food forest to promote local food (seasonal) and reduce transportation and create a healthier population.
- Support local government in transitioning their communities to a low carbon future.

### **ADAPT**

- Increase urbanisation density of Adelaide.
- Density compounds benefits such as P/T use, innovation, and community interaction and education levels.
- Vertical Forests ~ forested apartment buildings.
- Focus on the achievable goals.
- Re afforestation for carbon syncing ~ ecological benefits.
- Improving health by what people eat ~ non animal diet ~ effects GHG emissions as well.
- Eco mapping to discover and improve efficiency design and waste containment.
- Mandate rainwater collect for households and especially for large buildings ~ use for sprinkling to reduce dust which is going to increase with high heat.

### **INNOVATE**

- Show clear alignment between Department, State Development ('the carrot' for providing incentives) and DEWNR ('the stick') in developing the policy.
- Remove bans on growing agricultural hemp.
- Hydroponic/Aquaporin vertical farms to grow hemp/vegies organic reducing transport distance and exhibiting organic low water produce.
- Alignment between increased productivity (GDP) from SA through innovation, how business will be supported and research funding to evaluate the technological/innovation options for Climate Change adaptation and their cost benefit.
- Big businesses and their shareholders making sacrifices as well as individual households.
- Facilitate community ownership of energy for public transport. Grow public transport – make it free.
- Community engagement through better incentives for social enterprises. LETs – like schemes to promote local growth, farmer's markets, innovation and low carbon growth oven food chains/markets.
- Improvement of industry processes efficiency (process intensification).
- Redesign public transport:
  - Small, flexible, electric vehicles.
  - Integrated bike plan.
  - All public transport free.
  - Extend tram/Obahn/train network.

### **Something Else**

- An audit at council levels by independent commission for:
  - Eco.
  - Social.
  - Environment.
  - Cultural

## **2. Notes from Small Group Conversations**

### **2.1 LEAD: What does it mean to you for South Australia to be a leader in taking action to respond to climate change?**

#### **Table 1 notes**

- Support and lead the solar thermal plant in Port Augusta.
- There are significant financial gains through timely investment into Climate Change adaptation.
- Would be proud for SA to show leadership. We were one of the first to give women the vote.
- Small countries seem to be able to 'turn the ship around'.
- We have a very diverse set of challenges with respect to Climate Change – it is a bold ambition to lead.
- We have natural advantages with respect to energy production: solar; nuclear and wind.
- Sense of hope.
- SA has led in the past and should again. Somebody in Oz needs to nudge the Federal Government towards more action.
- Leading can influence private investment into SA.
- % budget is for renewable green energy compared to other states.
- More community leaders. Everybody involved and informed.

#### **Table 2 notes**

- Providing and enabling social and community enterprises.
- Local Government engagement with communities.
- Internal enablers within government need to support overarching policies.
- Lead by example ~ by doing.
- How to address and engage different views that conflict.
- Lead development of cyclical economy (v's linear).
- Links with innovation and change to supportive industry and manufacturing opportunities.
- SA is a unique state to educate others about ~ driest state in driest continent.
- Opportunity for SA in development and export.
- Create Regional Government.

### Table 3 notes

- Extension services for businesses – efficiencies, compliance etc., through EPA etc., ‘Eco-mapping’.
- Mining – self regulation legislation.
- Leadership – stopping sprawl; increasing density; increasing public transport.
- World stage leadership – look at emissions on a consumption basis e.g. China, India emissions which go into our consumables. Include all emissions not just scope1/2.
- Accepting the science by all parties and work toward positive solutions.
- Lead by example – SA government model low emission/zero emission practices.
- SA government to build partnerships with other states and territories in overcoming party political barriers.
- Sharing bottomless tanks – pilot projects at local level.
- Increase public transport in South Australia and make it affordable. Lead by example – more affordable emission strategies for communities.

## 2.2 ADAPT: How can government, communities, businesses and individuals work together to prioritize and fund activities that build our resilience to climate change?

### Table 1 notes

- Education.
- Look at example of Eyre Peninsula study and community actions.
- Leadership; Need research and factual information; Education and social programs.
- Look at David Attenborough’s Global Apollo Scheme.
- Making information on the likely changes that are coming more accessible to the community (this will build an acceptance of need for adaptation).
- Community Forums; Provide incentives for renewable energy for businesses and communities.

### Table 2 notes

- World famous Oceanographer Sylvia Earle, states 90% of our large fish are gone. WWF says 50% of fish stocks are gone.
- Integrate community with focus grouping.
- Make a movie – create participation and interest.
- 1 hour SA movie to ‘sell’ the idea. SKTP/Community/Drama School/Environment School/PCCC.
- Acknowledge and adapt our lifestyle and dietary choices to reduce/eliminate meat and dairy to limit methane emissions.
- People need to realise what they put on their forks is one of the most important issues of the destruction of our planet.
- Marketing plan.

- Integration of issues with climate change e.g. social wellbeing.
- Education and information sharing is the key.
- Acidification of our oceans is our main source of the destruction of our planet. What are we leaving our grand children.
- Carrot and stick approach?
- Don't get bogged down in debates about whether climate change is happening or not!
- Stick vs carrot. Choose carrot create vision/incentive.
- Link back to values of individuals/businesses – contextualise!
- The science is in!
- Integrate issues of what they eat: Western diet of meat and dairy is ruining our eco systems. Dairies consuming our water and causing pollution.
- Methane is many times more harmful to the atmosphere than carbon. Lifestyle adaptations to reduce these emissions are essential.
- Over fishing is ruining our oceans.

### Table 3 notes

- Local government partnering with community groups especially for vulnerable communities.
- Pilot project to show community the benefits of new technology.
- Communication for the community to learn from each other and make funds be targeted.
- Need increased water tanks in the city.
- Use solar power as primary source for houses with grid as a backup.
- Identify projects constrained by upfront capital costs (e.g. solar rainwater) which could deliver a financial return over time with funding mechanism.
- Installation of rainwater tanks – barrier is upfront funding.
- Proactively offer cooling solutions for vulnerable communities – in innovative financing mechanisms.
- Designs to power overcoming failures.
- Geological footprints to find efficiency of water use.
- Sprinklers established through government assistance.
- Focus agriculture on water efficient plants like hemp. Make and promote industries which use these.
- Focus on people with disabilities ~ put systems in place to help (e.g. neighbourhood watch).
- Local groups engaging with local government.
- Agriculture and industry make up 70% of water use e.g. grains irrigated – then exposed. We could change agriculture focus from high water use to low water use.
- Solar batteries – improve efficiency.
- Organic; permaculture; food forest; anti-monoculture.
- Water; agriculture/industry 70%; hemp; aquaponics and hydroponic.
- Community sharing of water storage, renewable energy and battery storage.
- Require building design to include rainwater tanks.
- Underground powerlines to reduce power going out in heat waves.

## 2.3 REDUCE: What are the opportunities for South Australia to substantially reduce our emissions?

### Table 1 notes

- Encourage: walking; local shopping; bring back low fuel transport modes.
- Local food.
- Incentives to redevelop areas where transport hubs are.
- Wind and solar better prices.
- Reduce consumption.
- Share sharing of surplus vegetable with neighbours.
- Increase electricity prices.
- Mechanisms to dissipate heat climates through better urban planning and development.
- Enhance the social contacts ~ social capital.
- Stop the urban sprawl ~ more open space in cities.
- Low consumption: Lifestyle ~ educate to use seasonal local food ~ community gardens.
- Reduce emissions.
- Increase efficiency of using electricity.
- Education on efficiency and local food growing/use.
- Promote growing local products ~ fruit and vegetables.
- Charge more for water.
- Promote Farmers Markets through various mechanisms (over food chains).
- Planning: Urban infill. Increase population in transport hubs.
- Discourage agriculture practices that use too much water ~ dairy that send milk to China.
- Reduce methane emissions from cattle.
- Councils to encourage people to use public transport. Better parking – improve the system.
- If infill 'up' (buildings) still need to take into account for open space/green space.
- Rain water tanks for everybody.
- Restrict refrigerated air-condition in preference for evaporative.
- What about encouraging smaller families ~ too many people.
- Nuclear Power?
- Provide dividends for households that increase: efficiency of resource use; reduce emissions.
- Incentives for electric vehicles over fossil fuels.
- Geothermal energy for urban areas.
- Community education, motivation for zero waste and to reduce emissions.

## Table 2 notes

- More integrated bike lanes through the greater city.
- State when 100% reduction is to be achieved.
- Disclosure schemes when houses are sold/leased ~ new homes.
- Look at solutions for regions especially remote communities to convert to solar/wind (where power is privately supplied).
- Look at areas of providing solutions for solar power storage (battery) and delivery at community level (or through grid).
- Make all public transport free.
- Food miles- local produce, farmers markets etc.
- The fact that changing lighting etc. make business sense.
- Capitalise on the synergies i.e. health and not car i.e. cycling; Buy local and food markets.
- Isolate key strategies 80/20 principle.
- Educate and generate options.
- Integrate emission reduction with other major community needs e.g. fitness.
- Modelling emissions reduction pathways i.e. what does an 80% reduction target mean for energy, industry and transport?
- Do we need a benevolent dictator? E.g. Brazil.
- Making externalities explicit: costs of remote power supply; cost of carbon emissions.

## Table 3 notes

- Carbon absorbing – concrete should be used more widely.
- Reduce emissions from agriculture – animal production. Diet changes to vegetarian, change clothing.
- Government partner and meet with industries to identify emissions reduction opportunities.
- More revegetation of green urban spaces using endemic plant species.
- Provide incentive based behavioural change programs.
- Community awareness campaign for climate change action.
- Behavioural change- promote benefits of change to the public e.g. health.
- Tesla motors - local company to take over Holden/Ford factories ~ electric cars; ban new petrol cars; electric cars, bikes, trucks, trams and trains.
- Minimise fuel consumption in transport ~ efficiency of engines and machines.
- Bring people together e.g. councils, NGOs and community groups.
- Changing building codes to drive uptake of efficient products and lower cost (e.g. double glazing).
- Reducing meat – lobby power; removing meat subsidy; removing meat advertising.
- Cooperatives; community engaged; local economy; tax breaks; plasma are combustion for waste; new building codes.
- Kathryn Bellette: Premier's Climate Change Council; lead; innovate; reduce; adapt; Climate Change Act 2007/2011.
- Role of regulation to ensure compliance and drive higher efficiencies.



- Fleet management to choose more efficient vehicles.
- Incentivise conversion of buildings to increased efficiencies ~ retrofit existing; higher building standards for new buildings.
- Create a fund to make industry more efficient (divert existing funds).
- Private car use ~ hybrid and electric.
- All curriculum should have a mandatory Climate Change class.

## **2.4 INNOVATE: How can South Australia be the innovator in climate change action?**

### **Table 1 notes**

- Differential rates for housing/vehicles etc.
- Individual initiative e.g. ask council to act on requests.
- SA Government partnering in research with universities.
- Planning houses; urban infill; limiting sprawl; standards for new developments.
- Subsidies and incentives.
- Financial incentives to promote uptake of new technologies.
- Negative gearing – like incentives for solar power on properties.
- SA Government funding to support the connection between (applied) research and business.
- Strengthening ties between the private sector and research sector.

### **Table 2 notes**

- SA unique due to very harsh climate but reliance upon it as a food bowl.
- Innovation Fair.
- Community sponsorships for attendance at NCCARF Conference.
- Mini – make a fair Tonsley.
- Think Tank – come together of leading thinkers ~ academics, scientists and entrepreneurs for climate change innovation.
- Seriously harness our intellectual resources. Provide an avenue for people to contribute. E.g. common thread – Marion Council or Sustainability Hub.
- Inventory and Expertise ~ Inventors, entrepreneurs, innovators with a list of their skills for all areas to identify synergies.
- Integrate with other general community needs.
- Mechanisms like ‘common thread’ ‘sustainability hub’ to promote community led innovations.
- Vertical forests; vertical farms; entrepreneur schools and Transition Towns Network.
- Best practice in psychology of climate change adaptation practices and knowledge sharing.
- Bring in ideas from other countries ~ generate additional ideas and harness information.
- Register of innovators and scientist and entrepreneurs on Climate Change skills.

- Sharing best practices on disability care and psychology.
- Educate the population. Are we all talking to each other ~ different sectors.
- Councils: innovative ideas; contest – innovative ideas in carbon reductions to mentor regional sister councils.

### **Table 3 notes**

- Renew the 'grid' to incorporate battery storage, electric vehicles etc. including infrastructure planning.
- Make the renewable target 100% by 2050.
- Community survey for suggested change.
- Reward innovation e.g. big \$ for big change rather than little \$ for little change (or both!)

## **2.5 LOW CARBON GENERATION: What plans or commitments does industry and community have with respect to low carbon generation?**

### **Table 1 notes**

- Adelaide City Council providing subsidies for solar power storage – other councils could do this.
- Community ownership of energy.
- Local Government to set course with action and leadership.
- Local Government to drive an urgent Transition Towns initiative.

### **Table 2 notes**

- Increase feeding tariff on solar for households and businesses.
- Plasm are generation from landfill: base load power; on demand; small units/decentralisation and carbon emission.
- Transfer fossil fuel subsidies to renewables.
- Lead – change.
- Less shareholder profits for fossil fuel.
- Reduce electricity usage.
- 100% renewables.
- Increase green waste, food waste and composting.
- We have a focus on small community initiatives. We need to look at big business profits.
- Promote composting through social enterprises.
- Divestment – take money out of fossil fuel markets. Reduce subsidies.
- More landfill gas recovery.
- Low carbon generation at Port Augusta.

**Table 3 notes**

- Tesla Motors to take over Holden/Ford factories; ban petrol engine cars; electric cars, trucks and trains.
- Port Augusta solar thermal.
- Should government have a role or leave it to the market?
- Government interventions that enable people to 'follow the money' in a way that reduces carbon emissions.
- No coal electricity generation.
- Electrical vehicles.
- Incentives for feed in tariffs.
- Re: targets.
- Contract for different schemes.
- Carbon pricing.

**CITY OF MARION  
GENERAL COUNCIL MEETING  
13 October 2015**

**Originating Officer:** Craig Clarke, Unit Manager Communications

**Corporate Manager:** Kate McKenzie, Governance Manager

**Director:** Kathy Jarrett

**Subject:** Oaklands Crossing

**Report Reference:** GC131015R08

---

**REPORT OBJECTIVES:**

The purpose of this report is to provide Council with the costs and options for running a Council-led campaign to build a grade separation at Oaklands Crossing.

**EXECUTIVE SUMMARY:**

Construction of an overpass at Oaklands Crossing remains unfunded, three years after the State Government released a design to fix traffic congestion at the intersection.

A Council-led campaign could assist decision makers to recognise the importance of building the overpass. It would highlight the economic and social benefits of solving the traffic problems and build support among key stakeholders and the wider community. The campaign would aim to activate supporters by using high-profile advertising, such as billboards, to drive them to a dedicated website and social media platforms where they could register for more information, sign petitions and be notified about community events about the overpass.

Preliminary briefings with decision makers could begin immediately to take advantage of Federal changes while the campaign proper is recommended to start once detailed research is completed early next year.

**RECOMMENDATIONS (2)**

**DUE DATES**

**That Council:**

- |  |           |
|--|-----------|
| 1. Undertakes Option ____ to campaign for the construction of the Oaklands Crossing overpass.  | 13 Oct 15 |
| 2. Allocates up to \$_ from identified savings, resulting from the 2014/15 financial year to fund the running of a Council-led campaign to build a grade separation at Oaklands Crossing | 13 Oct 15 |

## **BACKGROUND**

In 2011, the Department of Planning, Transport and Infrastructure began a study to investigate the feasibility of finding a solution to 40 years of traffic congestion at Oaklands Park rail crossing. In September 2012, the State Government released the results of the study which recommended construction of a \$100-\$110 million overpass to carry trains over Morphet Rd. No money was earmarked for the project.

Council in 2013 presented a petition with 5500 signatures to the then Member for Mitchell, Alan Sibbons, calling for the State Government to fund the project. At the General Council Meeting on 23 June 2015, Elected Members resolved:

“That Council calls for a report in relation to the costs and other associated detail related to a Council-led campaign for a grade separation engineering solution for the Oaklands crossing. That this campaign incorporates the use of billboards, namely those operated Ooh! Media at this very crossing. That the funding of this campaign is not limited to Council with Council canvassing local businesses to potentially co-fund this campaign.”

## **DISCUSSION**

A Council-led campaign will provide an opportunity to pursue state and federal investment in an overpass at Oaklands Crossing and increase pressure from the community for the project.

The campaign would occur on two levels:

- Decision maker and stakeholder briefings.
- Community awareness raising and activation initiatives.

The foundation for the campaign would be comprehensive research to understand who currently uses the crossing and the level of inconvenience of traffic congestion, along with an analysis to demonstrate the economic and social benefits of constructing the infrastructure. Decision makers would be briefed on the research results, while key statistics would be used in any publicity materials.

The research needs to be accurate, independent and credible. Administration has held preliminary discussions with a market research company and economic specialists about undertaking the project.

The research would assist in the preparation of a detailed campaign communications and engagement plan.

### **Briefing decision makers**

The City of Marion would seek meetings with State and Federal decision makers to build the economic and social case for constructing the overpass. Council has had considerable success in the past with this approach. The Cove Civic Centre and the SA Aquatic Centre and GP Plus are two recent examples, which will be discussed below.

Council would also identify and encourage peak organisations whose members would benefit from the construction to support the campaign.

## Community awareness

In parallel with formal briefings, Council would build community awareness about the overpass and encourage local residents and businesses to add their voice to the campaign. The awareness-raising would occur through the news media and advertising, such as billboards, radio and letterbox drops. These would direct people to dedicated social media platforms and a website where they could sign petitions, register to receive more information about the campaign, and be notified of public meetings and other events etc.

Traditional communications channels to build awareness and other grassroots techniques would also be utilised.

## Timings

The campaign needs to be flexible to take advantage of opportunities as they arise but also programed to link with State/Federal election and budget cycles over three years.

The research component will take an estimated four months to complete. Council would use the research phase to construct digital communications platforms, prepare communications materials and develop the campaign in detail.

It is recommended that the research be finalised prior to meeting decision makers and starting the campaign. However, Council could immediately seek preliminary meetings with Ministers and local MPs to take advantage of changes in the Federal Government, a new Liberal candidate for Boothby and a new national policy direction in relation to developing cities.

Meantime, the formal briefing component of the campaign could occur immediately after receipt of the research and last about six months to give decision makers an opportunity to consider the merits of the overpass. The community campaign could start in September 2016 – 18 months before the March 2018 state election.

## Options

There are a number of options to progress the campaign. Refer to Appendix 1 for a detailed cost breakdown (which does not include staff costs):

- |          |  |
|----------|--|
| Option 1 | <p>Fund the full campaign. The estimated costs would be in the order of:</p> <ul style="list-style-type: none"> <li>▪ Research - \$43,000</li> <li>▪ Briefing decision makers - \$5,938</li> <li>▪ Community awareness - \$82,860</li> <li>▪ Resource to lead project - \$105,000 over three years</li> </ul> <p>Estimated total - \$236,798</p>   |
| Option 2 | <p>Undertake a limited campaign by using the research results to brief decision makers and other stakeholders. The estimated costs would be in the order of:</p> <ul style="list-style-type: none"> <li>▪ Research - \$43,000</li> <li>▪ Briefing decision makers - \$5,938</li> <li>▪ Resource to lead project - \$105,000 over three years</li> </ul> <p>Estimated total - \$153,938</p> |
| Option 3 | <p>Same as option 2 but undertake a smaller scale communications campaign, using the City of Marion's existing communications channels, flyers for the community and a one-off use of billboards. The estimated costs would be in the order of:</p>  |

- Research - \$43,000
  - Briefing decision makers - \$5,938
  - Limited communications - \$18,000 (billboard, printing and distribution of 2000 flyers, 4000 additional flyers, distribution of 300 postcards.)
  - Resource to lead project - \$105,000 over three years
- Estimated total - \$171,938

### **Cove Civic Centre approach**

Council used a similar approach of research, direct briefings and communications to secure \$3.4 million from the Federal Government towards building the Cove Civic Centre. Although the project was first raised more than 20 years ago, intense lobbying occurred from 2009 until the funding was announced in 2012.

Council engaged a market research company and a community engagement specialist to undertake detailed research on the community's needs while a consultant was employed to advocate for the project. Elected Members and senior staff also met with decision makers and other key stakeholders over a number of years. The cost of research and direct briefings was in the order of about \$39,000. This work was supported by a DVD for decision makers and general communications materials at a cost of more than \$10,000.

## **Financial**

### **1 Resourcing**

Communications element	The development and implementation of the strategy could be absorbed into existing resources of the Communications and Engagement Unit.
------------------------	---

Project lead	It is estimated that a 0.25 FTE is required to progress the campaign, including preparation of reports, correspondence and pursuing meetings. The lead for the project would typically sit in the Strategic Projects team. At this time the team is fully committed with other Council priorities. Should Council elect to proceed with the campaign, then the existing work needs to be reprioritised or money allocated to employing an additional resource on a part-time basis. It is estimated that this would cost about \$35,000 per year. It is estimated that a suitable campaign would run for a period of up to three years.
--------------	---

### **2 Other costs**

The campaign is an unbudgeted item. The overall cost of the campaign is as follows:

Research phase	\$43,000 for an independent survey and economic analysis.
Direct briefing	\$5938 for printing of research papers and summaries for stakeholders.
Awareness	\$82,860 for advertising, community flyers, public banners and meetings.



Resource                      \$35,000 per year should Council elect to employ a 0.25 FTE to lead the project.

Council as part of the campaign would write to businesses surrounding Oaklands Crossing seeking a contribution and support for the public awareness activities.

### **Risks**

The greatest risk to the campaign is that neither the State nor Federal Governments fund construction of the overpass.

### **CONCLUSION:**

No commitment has been made to fix the traffic congestion at Oaklands Crossing, which has become a source of frustration for motorists. A solution to the 40-year-old problem – an overpass – has been found but no funding has been earmarked to building it. A Council-led campaign would help to raise the issue before decision makers with the aim of the State and/or Federal Governments funding construction.

**Appendix 1 – Draft campaign strategy**

**Appendix 2 – Advertising rates**

**Appendix 3 – Billboards**

## **Appendix 1     Draft campaign strategy**

### **OBJECTIVES**

The objectives of the strategy are to:

- Secure a financial commitment from the State and/or Federal Governments to build the Oaklands Crossing overpass.
- Raise awareness among the community and other stakeholders about the need for the overpass.
- Activate the community and other stakeholders to publicly support the construction of the project.

### **APPROACH**

The following outlines the steps involved in preparing and executing a strategy aligned with the above objectives:

#### **1        Research**

Accurate and credible information about the need and impact of the overpass is crucial to receiving support from decision makers, the community and stakeholders. This phase would involve three elements and will inform the overall campaign:

Usage survey	Identify who uses the crossing, when, for what purpose, where do they originate and where are they going, and their experiences with traffic congestion.
Economic/social impact	Analysis of the economic and social benefits to Marion and the state of building the overpass – and the cost of not constructing the project in terms of lost travel time to business and the community.
Stakeholder identification	Identify where Council has support for the project politically and among peak associations, community groups, and business leaders and working to activate them. Identify the key funding decision makers and their influencers.
Messaging	Development of key messages based on above data.

#### **2        Direct briefings**

The results of the usage survey and economic impact analysis would be used as the foundation for a briefing campaign about the benefits of constructing the overpass.

Meetings would be sought with key decision makers at a State and Federal level to brief them about the economic and social benefits of building the project. Third party support would also be sought among peak associations, community groups and businesses which could influence the decision makers. Meetings would be led by the Mayor and Chief Executive Officer.

### **3 Community awareness**

Undertake a high-profile public communications campaign to raise awareness of the need to fix traffic issues at Oaklands Crossing and to activate supporters.

The integrated campaign will begin with the formal release of the economic and usage data in a single report to grab community attention. Billboard, radio and print advertising and letterbox drops will work together to highlight problem and drive the community to a dedicated website and social media platforms which contain information about the urgent need for the overpass.

Here the community will be encouraged to sign petitions and register to become involved, creating a database that can be used to invite them to future events and send them further information.

Traditional lobbying techniques such as postcards to decision makers would also be used. The campaign will be supported by the City of Marion's existing communications techniques such as media news stories, City Limits, What's Happening column and social media and web platforms.

Supporters identified in phase one will be encouraged to speak out publicly in support of funding the crossing solution.

### **TIMINGS**

Oct 15-Feb 16	Undertake research phase. Preparation of digital communications platforms, prepare communications materials and develop campaign.
Mar-Sept 16	Brief decision makers and key stakeholders about research findings. Build support among identified stakeholders.
Sept 16	<p>Launch public awareness campaign, which runs parallel with continuing to seek support from decision makers and key stakeholders.</p> <ul style="list-style-type: none"> <li>• Sept –Oct 16 Initial advertising burst to raise attention – billboard, print radio advertising and flyers. Launch websites and social media.</li> <li>• Apr-May 17 Second advertising tranche to coincide with State/Federal budgets.</li> <li>• Feb-Mar 18 Third advertising tranche to coincide with State election.</li> </ul>

The timing of the key events will be linked to State/Federal budget and election cycles to gain maximum exposure. Momentum will be maintained during the low points with public meetings and events, along with creation of e-newsletters to keep the community informed.

## BUDGET ESTIMATES

The following is an indicative cost of a campaign (excluding staff costs):

Item	Cost
<b>Research</b>	
Commission usage survey – written quote Harrison Market Research	\$18,000
Economic and social impact analysis – verbal indicative quote from SA Centre for Economic Studies (initiative of Adelaide and Flinders University)	\$20,000 to \$25,000
<b>Research total</b>	<b>\$43,000</b>

<b>Direct briefing materials</b>	
Printing of 500 research reports	\$4598
Printing 2000 summaries of research findings for stakeholders	\$1340
<b>Direct briefing materials total</b>	<b>\$5938</b>

<b>Community awareness – Phase 1</b>	
Hire of billboard for two months, including initial design	\$14,550
Advertising – one quarter page in Saturday Advertiser, one quarter page in the Guardian Messenger, Adelaide Now digital mobile graphic two days	\$6900
Printing and distribution of 2000 project outline flyers to local residents, Council venues, businesses and facilities	\$1090
Printing of 4000 'call to action' flyers for ongoing distribution at community and Council events	\$520
Printing and distribution of 300 postcards	\$330
Radio adverts – package of 40 slots mixing breakfast and drive time	\$8730
<b>Phase 1 total</b>	<b>\$32,120</b>

<b>Community awareness – Phase 2</b>	
Hire of billboard for two months	\$13,550
Advertising – one quarter page in the Saturday Advertiser, one quarter page in the Guardian Messenger, Adelaide Now digital mobile graphic two days	\$6900
Printing and distribution of 2000 project update flyers to local residents, key stakeholders and Council venues	\$1090
Printing and distribution of 300 postcards	\$330
<b>Phase 2 total</b>	<b>\$21,870</b>

<b>Community awareness – Phase 3</b>	
Hire of billboard for two months	\$13,550
Advertising – one quarter page in The Saturday Advertiser, one quarter page in the weekday Advertiser, one quarter page in the Guardian Messenger, Adelaide Now digital mobile graphic two days	\$8900
Printing and distribution of 2000 project update flyers to local residents, key stakeholders and Council venues	\$1090

Printing and distribution of 300 postcards	\$330
<b>Phase 3 total</b>	<b>\$23,870</b>

Note: Prices include GST.

<b>City of Marion communication channels</b>	<b>Cost</b>
<b>City Limits</b> – articles including project overview, interviews with residents businesses and stakeholders and Council’s views	No additional cost
<b>Website</b> dedicated to the campaign – project details, updates, links to other websites, response to news	\$2000
<b>Facebook</b> page dedicated to the campaign – regular updates, announcements, community feedback	No additional cost
<b>Twitter</b> account dedicated to the campaign – ongoing promotion, links to the campaign website	No additional cost
<b>What’s Happening</b> Messenger column – articles	No additional cost
<b>Printed and electronic newsletters</b> , including Economic Development, libraries, neighbourhood centres, Community Care, and E-talk	No additional cost
<b>Outdoor banners, badges, car bumper stickers</b>	\$3000
<b>Total</b>	<b>\$5000</b>

<b>Cost of campaign</b>	<b>\$131,798</b>
<b>Inclusive of staff costs over three years</b>	<b>\$105,000</b>
<b>Total cost</b>	<b>\$236,798</b>

**Appendix 2 – Indicative advertising costs****Outdoor billboards**

Location	Size (m)	Hire rate per 28 days	Install	Produce	Total for 1 month hire	Total for 2 month hire
Warradale, cr Diagonal and Morphett Rds	12 x 3	\$5500	\$900	\$980	\$8050	\$13,550
Warradale, Morphett Rd	12 x 3	\$5500	\$900	\$980	\$8050	\$13,550

Note: Design is not factored into the costs, which could add an extra \$800 to \$1000.

**Advertising**

Print			
	¼ page	½ page	Full page
Guardian	\$819	\$1638	\$3276
Advertiser M-F	\$3402	\$7157	\$13,611
Advertiser Sat	\$4685	\$9860	\$18,741
Online			
	Homepage	State news banner	Digital mobile
AdelaideNow	\$3450 per day	\$1400 per day	\$700 per day
Radio			
	Breakfast M-F – per 15 & 30 second ad	Drive M-F – per 15 & 30 second ad	
5AA	\$135-\$180	\$116-\$155	
Mix	\$330-\$441	\$288-\$385	
Hit 107	\$92-\$123	\$110-\$147	
MMM	\$135-\$180	\$101-\$135	

**Printed material**

Item	Quantity	Format	Cost
Project report	500	A4, 40 page document	\$4598
Summary of	2000	A3 fold printed on card	\$1340

research			
Project outline for Phase 1	2000	A4 tri fold	\$590
Project update for Phase 2	2000	A4 tri fold	\$590
Project update for Phase 3	2000	A4 tri fold	\$590
Call to action flyer	4000	DL size, double sided	\$520
Postcards	900	Postcard with graphic	\$400

Note: The costs for letterbox drops of flyers to local households and businesses and mailing postcards to stakeholders and decision makers is not included. The costs are 50c for letterbox delivery and 65c for mailing a postcard.

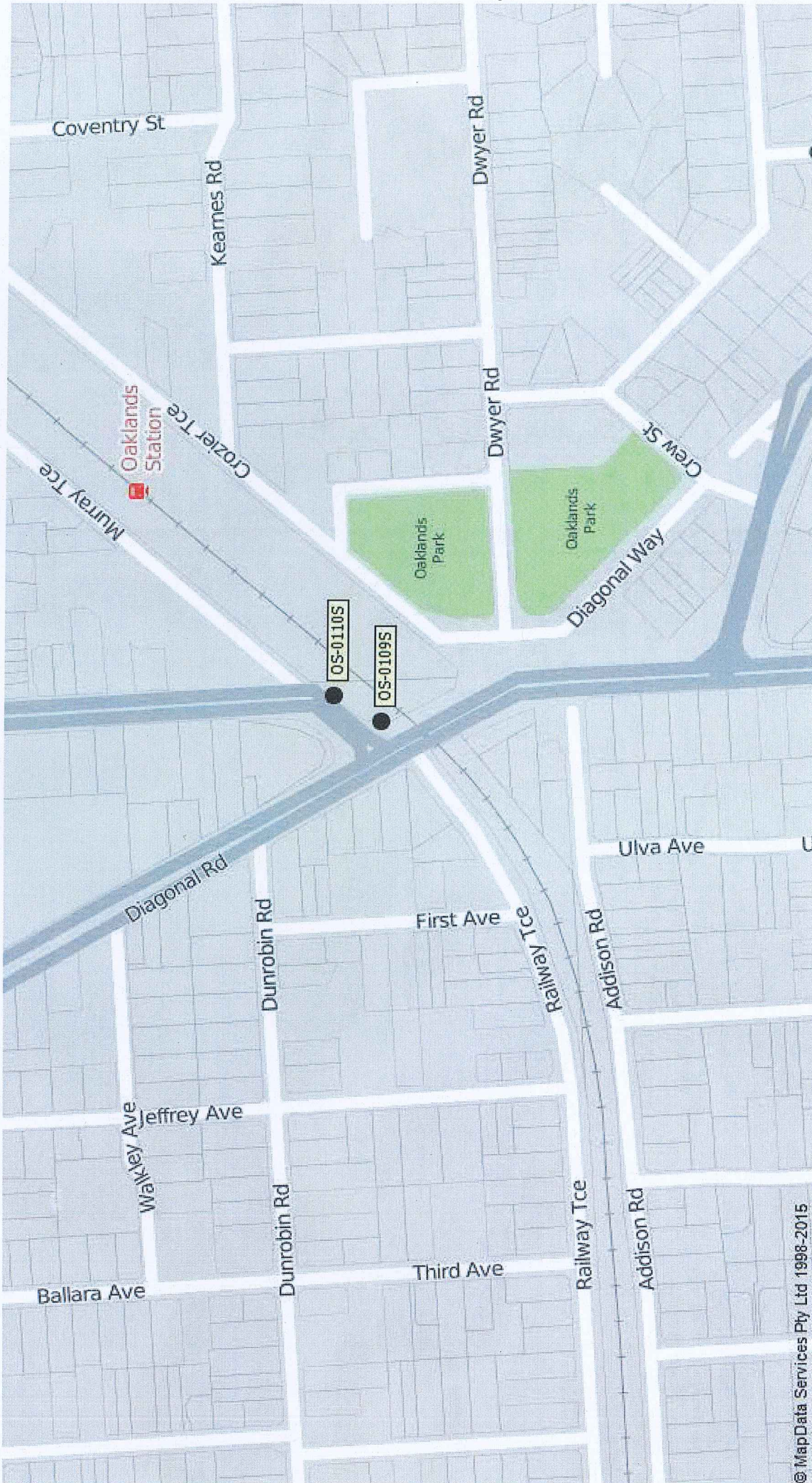


## Site Availabilities

Site	Location	Size	Direction	Media Rate per 28 Days	Production	Install	28-Dec	25-Jan	22-Feb	21-Mar	18-Apr	16-May	13-Jun	11-Jul	8-Aug	5-Sep	3-Oct	31-Oct	28-Nov	26-Dec	23-Jan	20-Feb
SA, Supersite																						
OS-0109S	SA, Warradale, Cnr Diagonal & Morphett Rds,	12.61 x 3.3m	Outbound	\$5,500	\$980	\$900				✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
OS-0110S	SA, Warradale, Morphett Rd,	12.61 x 3.3m	Outbound	\$5,500	\$980	\$900	✓				✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓

Ticks indicate when sites are currently available  
 All rates quoted exclude gst  
 Sites are subject to availability at time of booking.









OS-0109S

**South Australia  
Warradale**
Cnr Diagonal & Morphet  
Rds

<b>Format</b>	Supersite
<b>Size</b>	12.61 x 3.3m
<b>Market Area</b>	South
<b>Direction</b>	Outbound

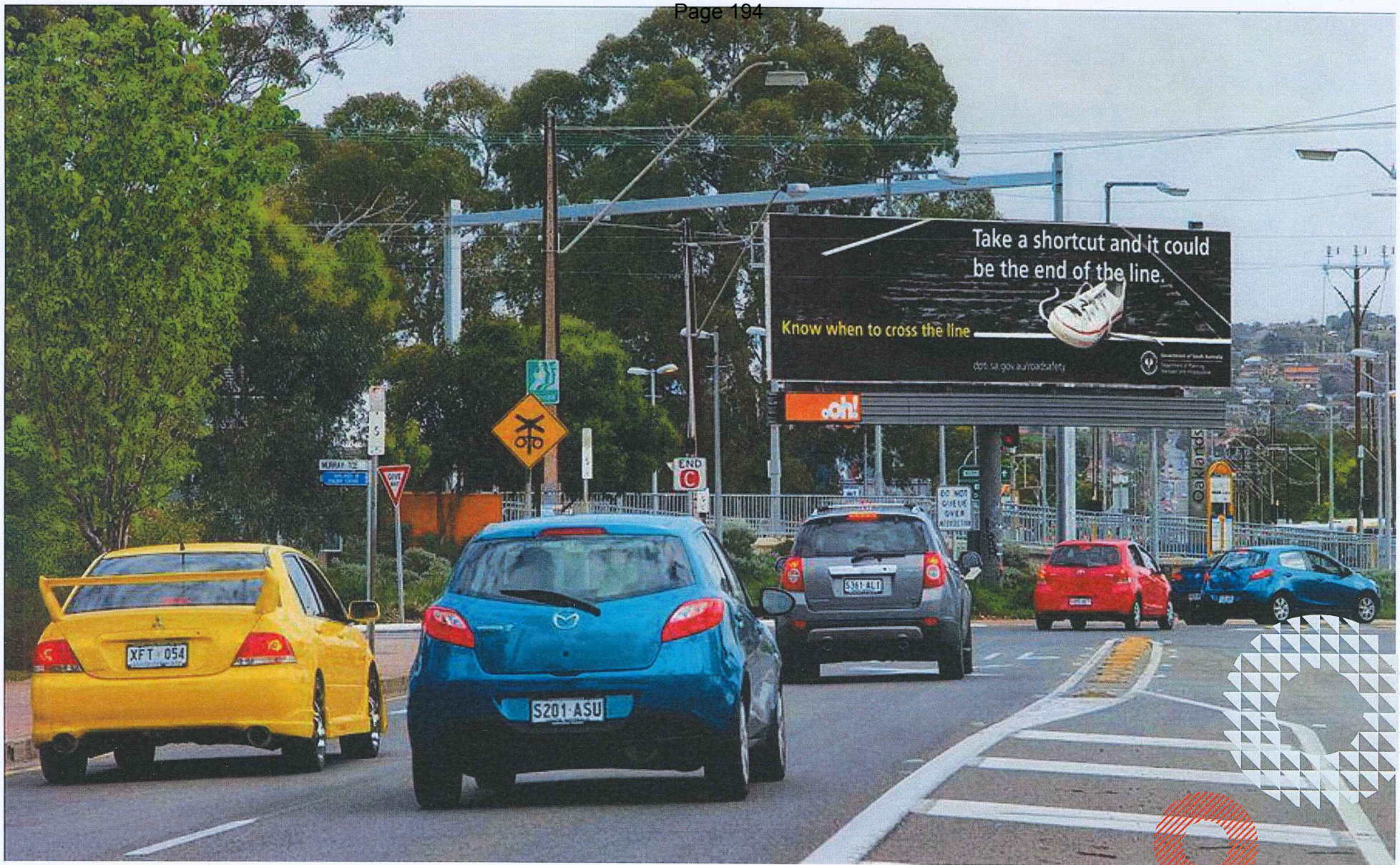
**Description**

Viewed from Morphet & Diagonal Rds and located in close proximity to Westfield Marion Shopping Centre, the largest shopping centre in the Adelaide Metropolitan area.



Unmissable





OS-0110S  
**South Australia**  
**Warradale**  
 Morphett Rd

**Format** Supersite  
**Size** 12.61 x 3.3m  
**Market Area** South  
**Direction** Outbound

#### Description

Viewed from Morphett & Diagonal Rds and located in close proximity to Westfield Marion Shopping Centre, the largest shopping centre in the Adelaide Metropolitan area.

**oh!**  
 Unmissable



**CITY OF MARION  
GENERAL COUNCIL MEETING  
13 October 2015**

**Corporate Manager:** Kate McKenzie, Manager Governance

**Director:** Kathy Jarrett, Director

**Subject:** Deputy Mayor, DAP Elected Member Representative and Committee Elected Member Representatives for 2016

**Report Reference:** GC131015R09

---

**REPORT OBJECTIVES AND EXECUTIVE SUMMARY:**

The objective of this report is for Council to appoint Elected Members to various positions of Council, Council Committees and the Development Assessment Panel for the 2016 calendar year.

The appointment of Elected Members to these positions is required to fulfil Council's governance and legislative obligations. Details of the legislative and financial provisions associated with these appointments are included within **Appendix 1** to this report.

Nominations will be sought during the meeting and a ballot will be held if more nominations than vacancies occur. The process for the ballot is provided in **Appendix 2**.

The following provides a summary of the position available.

Deputy Mayor (1 position)

The current term of the Deputy Mayor is due to expire on 25 November 2015. It is recommended the new term be 26 November 2015 to 25 November 2016.

Development Assessment Panel (3 positions)

The current Elected Members appointed to the Development Assessment Panel (DAP) are due to expire on 1 December 2015. Council is required to appoint three (3) Elected Members to the DAP. It is recommended that the new term be 2 December 2015 to 1 December 2016.

Finance and Audit Committee (2 positions)

The current Elected Member appointed to the Audit Committee are due to expire on 25 November 2015. Based on the new composition for the committees resolved by Council on 22 September 2015, Council is required to appoint two (2) Elected Members to this Committee. It is recommended that the new term be 26 November 2015 to 25 November 2016.

Section 41 Committees (12 positions, 4 presiding members)

At its meeting of 22 September 2015, the Council established and adopted Terms of Reference for a number of Section 41 Committees. Council is required to appoint three (3) Elected Members and a Presiding Member to the:

- People and Culture Committee
- Strategy Committee
- Infrastructure Committee
- Urban Planning Committee

Note: the Mayor is a member of each Committee

**RECOMMENDATIONS (12)****DUE DATES****That Council:**

- |  |              |
|--|--------------|
| 1. Appoints Councillor ..... as the Deputy Mayor from 26 November 2015 until 25 November 2016;   | October 2015 |
| 2. Council appoints Councillor ....., Councillor ....., and Councillor ..... to the Development Assessment Panel for a term commencing on 2 December 2015 and concluding on 1 December 2016.                               | October 2015 |
| 3. Council appoints Councillor ..... and Councillor ..... to the Finance and Audit Committee for a term commencing on 26 November 2015 and concluding on 25 November 2016.   | October 2016 |
| 4. Council appoints Councillor ....., Councillor ....., and Councillor ..... to the People and Culture Committee for a term commencing on 1 January 2016 and concluding on 31 December 2016.                               | October 2015 |
| 5. Council appoints Councillor X as the Presiding Member of the People and Culture Committee for a term 1 January 2016 to 31 December 2016.  | October 2015 |
| 6. Council appoints Councillor ....., Councillor ....., and Councillor ..... to the Strategy Committee for a term commencing on 1 January 2016 and concluding on 31 December 2016.   | October 2015 |
| 7. Council appoints Councillor X as the Presiding Member of the Strategy Committee for a term 1 January 2016 to 31 December 2016.  | October 2015 |
| 8. Council appoints Councillor ....., Councillor ....., and Councillor ..... to the Infrastructure Committee for a term commencing on 1 January 2016 and concluding on 31 December 2016.                                   | October 2015 |
| 9. Council appoints Councillor X as the Presiding Member of the Infrastructure Committee for a term 1 January 2016 to 31 December 2016.  | October 2015 |
| 10. Council appoints Councillor ....., Councillor ....., and Councillor ..... to the Urban Planning Committee for a term commencing on 1 January 2016 and concluding on 31 December 2016.                                  | October 2015 |
| 11. Council appoints Councillor X as the Chair of the Urban Planning Committee for a term 1 January 2016 to 31 December 2016.  | October 2015 |
| 12. Notes the financial impact of up to \$7,125 for the 2015/16 financial year for the implementation of additional section 41 Committees and confirms this will be adjusted accordingly within the budget review process. | October 2015 |

## **Appendix 1**

### **Deputy Mayor**

Sections 51(3) and (4) of the *Local Government Act 1999* (the Act) provide that if a council has a Mayor, the council may also resolve to have a Deputy Mayor. Such a position is chosen amongst the council at their discretion for a period of time not exceeding four years.

The role of a Deputy Mayor is to support the Mayor in their official capacity and be able to undertake the Mayoral role to preside at Council meetings in the event that the Mayor is absent. Additional duties may involve acting as principal spokesperson, representing Council at civic and ceremonial functions and at key meetings on major projects with State Ministers, Federal Members and major business and community leaders.

#### Financial Implications

Allowances paid to the Deputy Mayor is set by the Remuneration Tribunal of South Australia (the Tribunal) in accordance with the Act. The Tribunal set the allowance for the Deputy Mayor for City of Marion as \$23,750 (one and a quarter times the Councillor allowance).

Provision has been made in Council's budget for the payment of the Deputy Mayors allowances.

### **Development Assessment Panel**

Section 56A (1) of the Development Act 1993 provides that a council must establish a council Development Assessment Panel (DAP). Section 51A(3) states the constitution and membership of a council DAP must consist of 7 members including an independent presiding member and up to 3 Council members.

Membership of the DAP during a Council term provides the opportunity for Elected Members to gain a greater understanding of the operations of the Development Act and the City of Marion Development Plan. Members who have previous experience on a DAP are in many cases empowered with a greater depth of knowledge in planning related matters which can assist constituents with planning concerns and issues.

Appointment to the DAP is for a maximum period of two years however, Council's previous appointments have been for one year to enable most Elected Members with an opportunity to be a member of the DAP during their term on Council.

In the event that there is insufficient Elected Members interested in a position on the Panel, members of Council's administration (with suitable expertise) may be appointed to the Panel, pursuant to Section 56A(3)(c) of the Development Act, 1993. Should this course of action be required, such staff must not be staff directly involved in the assessment of applications under this Act.

Pursuant to Section 56A(3)(d) of the Development Act, 1993, at least one member of the Panel must be a woman and at least one member of the Panel must be a man. Ms Wendy Bell is currently the only female member of the DAP. Ms Bell's appointment expires in May 2016.

Pursuant to Section 56A(5) of the Development Act, 1993, a Council must within 14 days of appointing a person as a member of a DAP, give notice of the appointment by publishing the names and term of appointment in a newspaper circulating in the area of the Council.

#### Financial Implications

The current sitting fees for Elected Members on the Development Assessment Panel is \$200 per meeting. Provision has been made in Council's budget for the payment of allowances.

### **Finance and Audit Committee**

Section 126 of the Local Government Act 1999 required that Council has an Audit Committee. The City of Marion has adopted the Finance and Audit Committee to fulfil this

obligation. The Terms of Reference require that two Elected Members form part of the membership.

#### Financial Implications

No additional allowance can be paid to the Elected Members on this Committee under the Remuneration Tribunal of South Australia determination. Accordingly, there is no budget impact.

#### **Other Section 41 Committees**

Section 41 of the Local Government Act 1999 provides the mechanism by which Council may establish committees. At the 22 September 2015 meeting, Council adopted Terms of Reference for the following committees:

- People and Culture Committee
- Strategy Committee
- Infrastructure Committee
- Urban Planning Committee

Each Committee require three Elected Members to be appointed and a presiding member from within these three members.

#### Financial Implications

Allowance paid to the Presiding Member of a Prescribed Committee is set by the Remuneration Tribunal of South Australia (the Tribunal) in accordance with the Act. The Tribunal set the total allowance for the Presiding Member of a Prescribed Committee for City of Marion as \$23,750 (one and a quarter times the Councillor allowance).

If the Deputy Mayor is appointed as Presiding Member to a Committee, no additional allowance can be paid to beyond what is set by the remuneration tribunal.

Hence, the total increase to appoint an Elected Member other than the Mayor or Deputy Mayor as the presiding member to a prescribed committee is \$4,750 per annum. As the current Strategic Directions Committee Presiding Member already receives this allowance and it is included within the 2015/16 budget, the additional costs will be:

- 2015/16 financial year \$7,125 (6 months of the financial year)
- 2016/17 financial year \$14,250



## **Appendix 2 - Process for meeting ballot.**

At its meeting of 8 September 2015, council resolved to adopt preferential voting as the method to apply when conducting ballots for positions selected by Council.

To ensure clarity during the process, it is recommended that each element/resolution be considered separately.

The process to apply will be as follows:

- Nominations will be sought.
- If more nominations than positions, a secret ballot will be held.
- Council members will be provided with ballot papers and requested to indicate their first preference by placing the name of the candidate next to number one of the ballot paper.
- Council members may place the name of the second preference next to number two and continue this process until all candidates are named on the ballot paper.
- As a minimum, Council members must vote for candidates equal to the number of positions. For example, DAP has three positions. If there are six candidates, members must vote for at least three. If members fail to vote for the minimum number, the vote will be declared invalid.

### Counting

- The first candidate to reach quota will be elected.
- The quota is calculated as follows:

$$\frac{\text{Total number of formal ballots papers}}{\text{Number of vacancies} + 1} + 1$$

If a fraction occurs, it will be rounded up. This formula is the same applied to the calculations of quotas within Local Government Elections.

- The ballot papers will be sorted by first preference votes.
- The candidate with the least votes is excluded.
- The excluded candidate's votes are distributed to the next candidate on the ballot paper.
- In the case where there are equal votes at the conclusion of re-distribution of votes, they will both be excluded.
- This process will continue until there is a clear winner.
- In the event that there is a tie at the conclusion of the process, Council will be requested to vote again for one of the two final candidates.

Once a nominee is identified, this will then be voted upon as a formal council resolution under the Local Government (Procedures) Regulations at meetings.

**CITY OF MARION  
GENERAL COUNCIL MEETING  
13 October 2015**

**Originating Officer:** Kate McKenzie, Manager Governance  
**Director:** Kathy Jarrett  
**Subject:** Code of Practice, Procedures at Meetings 2015  
**Report Reference:** GC131015R10

---

**REPORT OBJECTIVE:**

The purpose of this report is to seek Council consideration and adoption of the proposed *Code of Practice, Procedures at Meetings 2015 (Appendix 1)*.

**EXECUTIVE SUMMARY:**

Section 86 of the Local Government Act 1999 (the Act), prescribes the procedures at meetings at a high level. Section 86(8) states:

*Subject to this Act, the procedures to be observed at a meeting of a council will be:*

*(a) As prescribed by regulation*

*(b) Insofar as the procedure is not prescribed by regulation, as determined by the Council.*

The relevant regulations are the *Local Government (Procedures at Meetings) Regulations 2013* (the Regulations). If Council determines to establish its own practices in certain matters, Council must prepare a Code of Practice or Policy.

Pursuant to section 6(1) of the Regulations, if Council establishes its own procedures it must be supported by resolution of at least two-thirds of the members of the Council as a whole.

**RECOMMENDATIONS (1)**

**DUE DATES**

**That Council adopts the amended 'Code of Practice – Procedures at Council Meetings 2015' provided at Appendix 1 to this report, subject to the inclusion of identified changes.**

**October 2015**

## BACKGROUND

The Regulations allow for a Council to adopt a Code of Practice or Policy to vary procedures at meetings. The common practice is to adopt a Code of Practice as it can be a useful document that provides greater clarity (to both Elected Members and the public) in relation to the procedures used at General Council and Council Committee meetings. This allows Council to have a degree of flexibility in meeting procedures.

Section 4 of the Regulations provides guiding principles that should be applied with respect to the procedures to be observed at formal meetings as follows:

- Procedures should be fair and contribute to open, transparent and informed decision-making;
- Procedures should encourage appropriate community participation in the affairs of the council;
- Procedures should reflect levels of formality appropriate to the nature and scope of responsibilities exercised at the meeting;
- Procedures should be sufficiently certain to give the community and decision-makers confidence in the deliberations undertaken at the meeting.

## DISCUSSION

The immediate past Council adopted a Code of Practice, Procedures at Meetings (the Code) and is attached as Appendix 1 with minor variations as follows:

- The Code has been updated to comply with the *Local Government (Procedures at Meetings) Regulations 2013* (the Regulations).
- Publication of Council agendas (1.3) has been varied to reflect current practice.
- Council Committee Reporting Obligations (1.4) has been varied to reflect current practice.
- The verbal report from Elected Members at Council Meetings has been deleted and only a written report will be accepted and included in the minutes (section 3.5).
- The time at which each item commences has been included (3.5(c))
- 

## CONCLUSION

The adoption of the Code provides clarity to Elected Members and the public on the procedures to be used at Council meetings.

Should Council endorse the revised Code, all Elected Members will be provided with a copy of the document, which will also be published on Council's website to enable public access to the Code.

The regulations require that the Code of Practice be reviewed once per financial year and hence the next review will be undertaken during the 2016/2017 financial year.



# **CODE OF PRACTICE**

## **Procedures at Council Meetings**

# **2015**

**Adopted by Council 13 October 2015**

**To be review: 2016/17**

# CODE OF PRACTICE – PROCEDURES AT COUNCIL MEETINGS

## TABLE OF CONTENTS

### ***Part 1 – Preliminary***

Introduction .....	3
Guiding Principles .....	3
Legislative Requirements and Policy Context .....	3
Definitions .....	3

### ***Part 2– Procedures at Council Meetings***

1. City of Marion General Procedures .....	5
1.1 Council / Committee Meeting Close Time .....	5
1.2 Publication of Council / Committee Agenda .....	5
1.3 Late Items (Reports) .....	5
1.4 Council Committee Reporting Obligations .....	5
1.5 Moving Items “En Bloc” .....	5
2. Commencement of Meetings and Quorums .....	6
3. Minutes .....	7
4. Questions .....	10
5. Petitions .....	11
6. Deputations .....	12
7. Motions .....	13
8. Amendments to Motions .....	16
9. Variations etc .....	17
10. Addresses by Members etc .....	17
11. Voting .....	18
12. Divisions .....	19
13. Tabling of Information .....	20
14. Adjourned Business .....	20
15. Short-term Suspension of Proceedings .....	21
16. Points of Order .....	22
17. Interruption of Meetings by Members .....	23
18. Interruption of Meetings by Others .....	24

## PART 1 – PRELIMINARY

### Introduction

The role of a council is to manage its local area by acting as an informed representative and responsible decision-maker in the best interests of its community. Council can only make decisions and act through a majority vote of the Council (or Committee). The effectiveness of Council Meetings directly contributes towards accountability to the community.

Council meeting procedures are largely determined by the Local Government (Procedures at Meetings) Regulations 2013 (the Regulations). In addition to the requirements of the Regulations, this Code of Practice identifies a number of discretionary procedures adopted by Council for Council meetings.

### Guiding Principles

Council's approach to the conduct of its meetings adopts the **Guiding Principles** contained within the Local Government (Procedures at Meetings) Regulations 2013 which state:

- Procedures should be fair and contribute to open, transparent and informed decision-making;
- Procedures should encourage appropriate community participation in the affairs of the council;
- Procedures should reflect levels of formality appropriate to the nature and scope of responsibilities exercised at the meeting;
- Procedures should be sufficiently certain to give the community and decision-makers confidence in the deliberations undertaken at the meeting.

### Legislative Requirements and Policy Context

Procedures at Council meetings are regulated by the Local Government (Procedures at Meetings) Regulations 2013. In accordance with these Regulations, Council is able to set discretionary procedures pursuant to Regulation 6. This Code of Practice is made pursuant to this Regulation and has been passed by a two thirds majority of Elected Members.

The provisions set out in this Code of Practice reflect the provisions of the Regulations (including numbering) except where Council has utilised its discretionary powers. Regulations that have been varied by Council under these powers are highlighted in **bold** in this document.

### Definitions

In these procedures, unless the contrary intention appears-

"**Act**" means the *Local Government Act 1999*;

**"clear days"** means days, inclusive of Saturdays, Sundays and public holidays, which do not include:

- the day on which the notice is given
- the day on which the meeting occurs

**"deputation"** means a person or group of persons who wish to appear personally before a council or council committee in order to address the council or committee (as the case may be) on a particular matter;

**"formal motion"** means a motion-

- (a) that the meeting proceed to the next business; or
- (b) that the question be put; or
- (c) that the question lie on the table; or
- (d) that the question be adjourned; or
- (e) that the meeting be adjourned<sup>1</sup>;

**"member"** means a member of the council or council committee (as the case may be);

**"point of order"** means a point raised to draw attention to an alleged breach of the Act, Regulations or this Code of Practice in relation to the proceedings of a meeting;

**"presiding member"** means the person who is the presiding member of a council or council committee (as the case may be) and includes any person who is presiding/chairing at a particular meeting.

**"written notice"** includes a notice given in a manner or form determined by the council.

---

<sup>1</sup> See clause 13 for specific provisions about formal motions



## **PART 2 – PROCEDURES AT COUNCIL MEETINGS**

### **1. City of Marion General Procedures**

#### **1.1 Council Meeting Close Time**

Where Council meetings continue to 10.00pm, unless there is a specific motion adopted at the meeting to continue beyond this time, the meeting will be adjourned to a date and time specified as part of the motion.

#### **1.2 Publication of Council Agenda**

Council meeting Agendas will be uploaded to Council's website at least three clear days before the meeting and available for inspection upon request.

#### **1.3 Late Items (Reports)**

Late items (reports) listed on a circulated Agenda will be emailed and/or delivered to members prior to the scheduled meeting. Late reports will only occur where information has not been provided in time for the delivery of the Agenda and where an urgent Council decision is required.

#### **1.4 Council Committee Reporting Obligations**

Council Committees will report to Council in the form of the minutes from each committee meeting. The minutes will be received and noted. Any matters discussed by the Committee where a Council resolution is required is to be considered as separate resolutions to the receiving and noting of the Committee minutes.

#### **1.5 Moving Items “En Bloc”**

Items listed on the Agenda for Council consideration may be “moved on block”.

## **2. Commencement of Meetings and Quorums**

Regulation 7

- 2.1 A meeting will commence as soon after the time specified in the notice of meeting as a quorum is present.
- 2.2 If the number of apologies received by the Chief Executive Officer indicates that a quorum will not be present at a meeting, the Chief Executive Officer may adjourn the meeting to a specified day and time.
- 2.3 If at the expiration of 30 minutes from the time specified in the notice of meeting as the time of commencement a quorum is not present, the presiding member or, in the absence of a presiding member, the Chief Executive Officer, will adjourn the meeting to a specified day and time.
- 2.4 If a meeting is adjourned for want of a quorum, the Chief Executive Officer will record in the minute book the reason for the adjournment, the names of any members present, and the date and time to which the meeting is adjourned.
- 2.5 If a meeting is adjourned to another day, the Chief Executive Officer must-
  - (a) give notice of the adjourned meeting to each member setting out the date, time and place of the meeting; and
  - (b) give notice of the adjourned meeting to the public by causing a notice setting out the date, time and place of the meeting to be placed on display at the principal office of the council.

### 3. Minutes

- 3.1 The minutes of the proceedings at a meeting must be submitted for confirmation at the next meeting or, if that is omitted, at a subsequent meeting.
- 3.2 No discussion on the minutes may occur before confirmation, except as to the accuracy of the minutes as a record of proceedings.
- 3.3 On the confirmation of the minutes, the presiding member will-
- (a) initial each page of the minutes, which pages are to be consecutively numbered; and
  - (b) place his or her signature and the date of confirmation at the foot of the last page of the minutes.
- 3.4 The minutes of the proceedings of a meeting must include-
- (a) The names of the members present at the meeting; and
  - (b) in relation to each member present-
    - i. the time at which the person entered or left the meeting; and
    - ii. unless the person is present for the whole meeting, the point in the proceedings at which the person entered or left the meeting; and
  - (c) each motion or amendment, and the names of the mover and seconder; and
  - (d) any amendment or withdrawal of a motion or amendment; and
  - (e) whether a motion or amendment is carried or lost; and
  - (f) any disclosure of interest made by a member; and
  - (g) an account of any personal explanation given by a member; and
  - (h) details of the making of an order under subsection (2) of section 90 of the Act (see subsection (7) of that section); and

- (i) a note of the making of an order under subsection (7) of section 91 of the Act in accordance with the requirements of subsection (9) of that section; and
- (j) details of any adjournment of business; and
- (k) any other matter required to be included in the minutes by or under the Act or any regulation including:
  - i. a question on notice asked by an Elected Member of which five clear days notice has been given together with the reply provided (refer also to Clause 4.2(b) of this Code of Practice).
  - ii. if resolved by Elected Members present at the meeting at which the question is asked, details of a question without notice together with the reply provided (refer also to Clause 4.5 of this Code of Practice).
  - iii. In the event that a division is called by a member, the names of members who voted in the affirmative and the names of the members who voted in the negative (in addition to the result of the vote) (refer also to Clause 12.4 of this Code of Practice)

**3.5 The minutes of relevant Council meetings will also include:**

- (a) **Elected Member communication reports to the following extent:**
  - i. **The Mayor's, Deputy Mayor's and Elected Member reports (only the subject matter) where those reports have been provided in writing to the minute taker by 12 noon on the Wednesday next following the meeting.**
  - ii. **Types of activities to be included in reports are those attended by Elected Members in their Representative or Civic capacity only. Examples include:**
    - **Civic activities (e.g. citizenship ceremonies)**
    - **Meetings with external bodies attended as Council Liaison**

- **Meetings with residents**
- **Training sessions attended**

**Attendance at Council meetings will not be recorded. Attendance at Development Assessment Panel or Committee meetings will be recorded.**

- (b) **The name of a person or persons (representor) making a deputation. However, the details of the content of the deputation will not be included (refer also to Clause 6.9 of this Code of Practice).**
- (c) **The time at which each item commences**

**3.6 Minutes will be forwarded by email to Elected Members to confirm accuracy and then placed on Council's website by 5.00pm on the Friday next following the meeting, or at the latest, within five days after the meeting.**

**3.7 The minutes of the meetings will not include:**

- (a) **Apologies received from Elected Members**
- (b) **Leave of Absences**
- (c) **Voting Patterns other than Divisions or as required by legislation**

## 4. Questions

- 4.1 A member may ask a question on notice by giving the Chief Executive Officer written notice of the question at least five clear days before the date of the meeting at which the question is to be asked.
- 4.2 If notice of a question is given under Clause 4.1:
- (a) the Chief Executive Officer must ensure that the question and answer is placed on the agenda for the meeting at which the question is to be asked; and
  - (b) the question and the reply must be entered in the minutes of the relevant meeting (refer also to Clause 3.4(k)(i) of this Code of Practice).
- 4.3 A member may ask a question without notice at a meeting.
- 4.4 The presiding member may allow the reply to a question without notice to be given at the next meeting.
- 4.5 A question without notice and the reply will not be entered in the minutes of the relevant meeting unless the members present at the meeting resolve that an entry should be made (refer also to Clause 3.4(k)(ii) of this Code of Practice).
- 4.6 The presiding member may rule that a question with or without notice not be answered if the presiding member considers that the question is vague, irrelevant, insulting or improper.
- 4.7 **Members are able to ask a maximum of three Questions without Notice at a Council meeting except with the consent of the meeting.**
- 4.8 **Questions may be asked prior to the moving of a motion or during a debate on a motion for clarification purposes only. Such questions are not considered “questions without notice” as described in Clauses 4.3, 4.4, 4.5, and 4.7 of this Code of Practice.**
- 4.9 **In asking a clarification question a member will not be considered to be speaking to the motion.**
- 4.10 **A maximum of two clarification points may be asked by**

**individual members in relation to each motion except with the consent of the presiding member.**

**4.11 Members are encouraged to seek answers to questions prior to the Council meeting.**

**4.12 In relation to Questions with Notice, all questions and answers will be included in the agenda papers and the minutes therefore will not be read out at the relevant meeting.**

## **5. Petitions**

Regulation 10

**5.1 A petition to the council must-**

- (a) be legibly written or typed or printed; and**
- (b) clearly set out the request or submission of the petitioners; and**
- (c) include the name and address of each person who signed or endorsed the petition.**
- (d) be addressed to the council and delivered to the principal office of the council.**

**5.2 If a petition is received as detailed in 5.1, the Chief Executive Officer must ensure that the petition or a statement as to the nature of the request or submission and the number of signatures is placed on the agenda for the next ordinary meeting of the council.**

**5.3 Where further investigation is required on issues raised in a petition, the petition will be provided to the next meeting of Council from receipt of the petition to note the petition and a report providing further detail will be provided to Council once investigations have been completed.**

**5.4 On initial receipt of the petition, a summary and the first page only will be provided to Council. When the matter is considered the entire petition will be attached to the report.**



## 6. Deputations

- 6.1 A person or persons wishing to appear as a deputation at a meeting must deliver (to the principal office of the council) a written request to the council.
- 6.2 The chief executive officer must transmit a request received as detailed in Section 6.1 to the presiding member.
- 6.3 The presiding member may refuse to allow the deputation to appear at a meeting.
- 6.4 The chief executive officer must take reasonable steps to ensure that the person or persons who requested a deputation are informed of the outcome of the request.
- 6.5 If the presiding member refuses to allow a deputation to appear at a meeting, the presiding member must report the decision to the next meeting of the council.
- 6.6 The council may resolve to allow a deputation to appear despite a contrary ruling by the presiding member.
- 6.7 A council may refer the hearing of a deputation to a council committee.
- 6.8 **A deputation must not exceed five minutes except with the consent of the meeting.**
- 6.9 **The name of the representor will be recorded in the minutes of a Council meeting however, the details of the content of the deputation will not be included (refer also to Clause 3.5(b) of this Code of Practice).**

## 7. Motions

- 7.1 A member may bring forward any business in the form of a written notice of motion.
- 7.2 The notice of motion must be given to the chief executive officer at least five clear days before the date of the meeting at which the motion is to be moved.
- 7.3 A motion the effect of which, if carried, would be to revoke or amend a resolution passed since the last periodic election of the council must be brought by written notice of motion.
- 7.4 If a motion as detailed in Clause 7.3 is lost, a motion to the same effect cannot be brought-
- (a) until after the expiration of 12 months; or
  - (b) until after the next periodic election,
- whichever is the sooner.
- 7.5 **Where a notice of motion has been given by a member who is not present at the meeting the notice of motion may be moved by any other member present at the meeting.**
- 7.6 **Notice of motions cannot be added to on the night of the meeting where the notice of motion is presented. Additions to notices of motions will be dealt with separately as a motion without notice.**
- 7.7 Subject to the Act and these regulations, a member may also bring forward any business by way of a motion without notice.
- 7.8 The presiding member may refuse to accept a motion without notice if, after taking into account the Guiding Principles, he or she considers that the motion should be dealt with by way of a written notice of motion.
- 7.9 The presiding member may refuse to accept a motion if the subject matter is, in his or her opinion, beyond the power of the council.
- 7.10 **A motion without notice will not be accepted, where in the opinion of the presiding member, the motion relates to a significant issue or substantive information is required in order to make an informed decision on the motion (Refer**

**Clause 7.8 above). Such issues should be provided as written notices of motion.**

- 7.11 A motion will lapse if it is not seconded at the appropriate time.
- 7.12 **A member moving or seconding a motion will speak to the motion at the time of moving or seconding the motion for no longer than three minutes (clause 10.1). If further time is required, it will be considered by the presiding member and granted at their discretion to a total maximum of five minutes.**
- 7.13 **If the motion is seconded, the common practice of the meeting will be to put the motion without further debate/discussion unless there is a speaker against the motion.**
- 7.14 **The common practice of the meeting will be to alternate speakers for and against the motion until the debate is complete.**
- 7.15 **At the conclusion of the debate, if a member who has not already spoken wishes to raise a new matter that has not been covered in previous debate/discussion or a matter considered of high importance, they will be permitted to speak for a maximum of three minutes.**
- 7.16 A member may only speak once to a motion except-
- (a) To provide an explanation in regard to a material part of his or her speech, but not so as to introduce any new matter; or
  - (b) with leave of the meeting; or
  - (c) as the mover in reply.
  - (d) for the mover who may exercise a right to speak in closing the debate.
- for no longer than three minutes (Clause 10.1). The period of speaking may be extended with the consent of the presiding member.**
- 7.17 A member who has spoken to a motion may not at a later stage of the debate move or second an amendment to the motion.
- 7.18 A member who has not spoken in the debate on a question may move a formal motion.

7.19 A formal motion must be in the form of a motion set out in 7.17 (and no other formal motion to a different effect will be recognised).

7.20 If the formal motion is-

- (a) that the meeting proceed to the next business, then the effect of the motion, if successful, is, in the case of an amendment, that the amendment lapses and the meeting proceeds with the consideration of the motion before the meeting without further reference to the amendment and, in the case of a motion, that the motion lapses and the meeting proceeds to the next item of business; or
- (b) that the question be put, then the effect of the motion, if successful, is that debate is terminated and the question put to the vote by the presiding member without further debate; or
- (c) that the question lie on the table, then the effect of the motion, if successful, is that the meeting immediately moves to the next item of business and the question can then only be retrieved at a later time by resolution (and, if so retrieved, debate is then resumed at the point of interruption); or
- (d) that the question be adjourned, then the effect of the motion, if successful, is that the question is disposed of for the time being but debate can be resumed at the later time (at the point of interruption); or
- (e) that the meeting be adjourned, then the effect of the motion, if successful, is that the meeting is brought to an end immediately without the consideration of further business.

7.21 If seconded, a formal motion takes precedence and will be put by the presiding member without discussion unless the motion is for an adjournment (in which case discussion may occur (but only occur) on the details for resumption).

7.22 A formal motion does not constitute an amendment to a substantive motion.

7.23 If a formal motion is lost-

- (a) the meeting will be resumed at the point at which it was interrupted; and

- (b) if the formal motion was put during debate (and not at the end of debate) on a question, then a similar formal motion (i.e., a motion to the same effect) cannot be put until at least one member has spoken on the question.

7.24 A formal motion for adjournment must include the reason for the adjournment and the details for resumption.

## 8. Amendments to Motions

Regulation 13

- 8.1 A member who has not spoken to a motion at an earlier stage of the debate may move or second an amendment to the motion.
- 8.2 An amendment must be relevant to the motion and so framed that it forms a sensible alternative proposal. It must not be a direct negation of the original motion.
- 8.3 An amendment will lapse if it is not seconded at the appropriate time.
- 8.4 A person who moves or seconds an amendment (and, if he or she chooses to do so, speaks to the amendment) will, in so doing, be taken to have spoken to the motion to which the amendment relates.
- 8.5 If an amendment is lost, only one further amendment may be moved to the original motion.
- 8.6 If an amendment is carried, only one further amendment may be moved to the original motion.
- 8.7 **Amendments are to be provided to the minute taker in writing to ensure accuracy of recording.**

## **9. Variations etc**

Regulation 14

- 9.1 The mover of a motion or amendment may, with the consent of the seconder, request leave of the meeting to vary, alter or withdraw the motion or amendment.
- 9.2 The presiding member must immediately put the question for leave to be granted and no debate will be allowed on that question.

## **10. Addresses by Members etc**

Regulation 15

- 10.1 A member must not speak for longer than three minutes at any one time without leave of the meeting.
- 10.2 **Members are to speak through the Chair of the meeting when speaking to a motion.**
- 10.3 A member may, with leave of the meeting, raise a matter of urgency.
- 10.4 A member may, with leave of the meeting, make a personal explanation.
- 10.5 The subject matter of a personal explanation may not be debated.
- 10.6 The contribution of a member must be relevant to the subject matter of the debate.
- 10.7 **Members will address other members as Councillor during council meetings.**
- 10.8 **Members may choose to sit or stand when addressing the Council meeting.**

## 11. Voting

- 11.1 The presiding member, or any other member, may ask the chief executive officer to read out a motion before a vote is taken.
- 11.2 The presiding member will, in taking a vote, ask for the votes of those members in favour of the question and then for the votes of those members against the question (and may do so as often as is necessary to enable him or her to determine the result of the voting), and will then declare the outcome.
- 11.3 A person who is not in his or her seat is not permitted to vote **unless extenuating circumstances exist, in which case the Elected Member may be located elsewhere within the Chamber, but not in an area designated a public area.**
- 11.4 For the purpose of clause 11.3 extenuating circumstances are;
- infant or dependent care
  - injury
  - infirmity



## 12. Divisions

12.1 A division will be taken at the request of a member.

12.2 If a division is called for, it must be taken immediately and the previous decision of the presiding member as to whether the motion was carried or lost is set aside.

12.3 The division will be taken as follows-

- (a) the members voting in the affirmative will, until the vote is recorded, stand in their places; and
- (b) the members voting in the negative will, until the vote is recorded, sit in their seats; and
- (c) the presiding member will count the number of votes and then declare the outcome.

12.4 The chief executive officer will record in the minutes the names of members who voted in the affirmative and the names of the members who voted in the negative (in addition to the result of the vote).

**12.5 Members wishing to vote in the affirmative but are unable (to stand) due to extenuating circumstances, may indicate their affirmative vote by raising a hand or by indicating in some other unambiguous manner.**

**12.6 Members voting in the negative, who are not currently in their seats due to extenuating circumstances may indicate their negative vote by raising a hand or by indicating in some other unambiguous manner**

**13. Tabling of Information**

Regulation 18

- 13.1 A member may require the chief executive officer to table any documents of the council relating to a motion that is before a meeting (and the chief executive officer must then table the documents within a reasonable time, or at a time determined by the presiding member after taking into account the wishes of the meeting, and if the member who has required the tabling indicates that he or she is unwilling to vote on the motion until the documents are tabled, then the matter must not be put to the vote until the documents are tabled).
- 13.2 The chief executive officer may, in tabling a document, indicate that in his or her opinion consideration should be given to dealing with the document on a confidential basis under section 90 or 91 of the Act.

**14. Adjourned Business**

Regulation 19

- 14.1 If a formal motion for a substantive motion to be adjourned is carried-
- (a) the adjournment may either be to a later hour of the same day, to another day, or to another place; and
  - (b) the debate will, on resumption, continue from the point at which it was adjourned.
- 14.2 If debate is interrupted for want of a quorum and the meeting is then adjourned, the debate will, on resumption, continue from the point at which it was interrupted.
- 14.3 Business adjourned from a previous meeting must be dealt with before any new business at a subsequent meeting.

**15. Short-term Suspension of Proceedings**

15.1 If the presiding member considers that the conduct of a meeting would benefit from suspending the operation of all or some of the provisions of this Division for a period of time in order to allow or facilitate informal discussions, the presiding member may, with the approval of at least two-thirds of the members present at the meeting, suspend the operation of this Division (or any part of this Division) for a period determined by the presiding member.

15.2 The Guiding Principles must be taken into account when considering whether to act in accordance with Clause 15.1.

15.3 If a suspension occurs in accordance with Clause 15.1

- (a) a note of the suspension, including the reasons for and period of suspension, must be entered in the minutes; and
- (b) the meeting may proceed provided that a quorum is maintained but, during the period of suspension-
  - (i) the provisions of the Act must continue to be observed; and
  - (ii) no act or discussion will have any status or significance under the provisions which have been suspended; and
  - (iii) no motion may be moved, seconded, amended or voted on, other than a motion that the period of suspension should be brought to an end; and
- (c) the period of suspension should be limited to achieving the purpose for which it was declared; and
- (d) the period of suspension will come to an end if-
  - (i) the presiding member determines that the period should be brought to an end; or
  - (ii) at least two-thirds of the members present at the meeting resolve that the period should be brought to an end.

**16. Points of Order**

- 16.1 The presiding member may call to order a member who is in breach of the Act or these regulations.
- 16.2 A member may draw to the attention of the presiding member a breach of the Act or these regulations, and must state briefly the nature of the alleged breach.
- 16.3 A point of order takes precedence over all other business until determined.
- 16.4 The presiding member will rule on a point of order.
- 16.5 If an objection is taken to the ruling of the presiding member, a motion that the ruling not be agreed with must be moved immediately.
- 16.6 The presiding member is entitled to make a statement in support of the ruling before a motion under 16.5 is put.
- 16.7 A resolution under 16.5 binds the meeting and, if a ruling is not agreed with-
- (a) the ruling has no effect; and
  - (b) the point of order is annulled.

**17. Interruption of Meetings by Members**

17.1 A member of a council must not, while at a meeting-

- (a) behave in an improper or disorderly manner; or
- (b) cause an interruption or interrupt another member who is speaking.

17.2 Clause 17.1(b) does not apply to a member who is-

- (a) objecting to words used by a member who is speaking; or
- (b) calling attention to a point of order; or
- (c) calling attention to want of a quorum.

17.3 If the presiding member considers that a member may have acted in contravention of Clause 17.1, the member must be allowed to make a personal explanation.

17.4 Subject to complying with Clause 17.3, the relevant member must leave the meeting while the matter is considered by the meeting.

17.5 If the remaining members resolve that a contravention of Clause 17.1 has occurred, those members may, by resolution-

- (a) censure the member; or
- (b) suspend the member for a part, or for the remainder, of the meeting.

17.6 A member who-

- (a) refuses to leave a meeting in contravention of Clause 17.4; or
- (b) enters a meeting in contravention of a suspension under Clause 17.5,

is guilty of an offence and the Maximum penalty is \$1,250

**18. Interruption of Meetings by Others**

Regulation 30

18.1 A member of the public who is present at a meeting of a council must not-

- (a) behave in a disorderly manner; or
- (b) cause an interruption.

Maximum penalty: \$500

Adopted by Council:	13 October 2015
Next Review:	October 2016
Previous Version:	12 February 2013
Owner:	Manager Governance
Applicable Legislation:	Local Government Act 1999 Local Government (Procedures at Meetings) Regulations 2013





**CITY OF MARION  
GENERAL COUNCIL MEETING  
13 October 2015**

**Question Received from:** Councillor Tim Gard

**Subject:** Provision for Major Disaster or Impact

**Ref No:** GC131015Q01

**File No:** 9.33.3.31

---

**QUESTION:**

Could management advise the particular responsibilities of the City of Marion in respect of provisions for any form of major disaster or impact in the City of Marion?

In doing so, could advice be given as to how State and Municipal provisions interrelate and where any responsibilities begin and end?

Further, is there a need to perform any planning for such events with or for major ratepayers such as Westfield?

**COMMENTS: (Sherie Walczak, Risk Unit Manager)**

All emergency management arrangements in South Australia are governed by the *Emergency Management Act 2004* (the Act).

The State Emergency Management Committee (SEMC) is a strategic planning committee that reports to the Emergency Management Council on matters that relate to the preparedness of the State. See Appendix 1 which outlines the South Australian Emergency Management Committee Structure.

The State Emergency Management Plan (SEMP) is prepared under section 9(1)(b) of the Act to manage all emergencies. The SEMP outlines responsibilities, authorities and the mechanisms to prevent, or if they occur manage and recover from, incidents and disasters within South Australia. It relies on strong cooperative, coordinated and consultative relationships among State Government agencies and Local Government together with other services to ensure that an efficient and coordinated response can be made to any incident or disaster. It does not assume a particular incident or event and is based on the All Hazards principles as endorsed by the Emergency management Council and Emergency management Australia.

**Zone (Local Government) Arrangements**

The SEMP establishes a regional structure of eleven Emergency Management zones based on Local Government boundaries. Each zone will have a Zone Emergency Management Committee (ZEMC) responsible for planning and implementing zone-level actions in support of the SEMP. The zone will undertake emergency risk assessments and develop a Zone Emergency Management Plan (ZEMP) and other plans as required. The role of a ZEMC includes:

- Working within the Zone Emergency Risk Management Framework to identify, analyse and evaluate emergency risks that could impact the Zone;
- Identifying and evaluating treatment options and developing a Zone Emergency Management Plan (ZEMP) to address residual risk;

- Providing assurance that arrangements are in place to prevent and/or mitigate, prepare for, respond to and recover from emergencies,

A ZEMC does not have an 'operational' role during emergencies. When an emergency occurs, the SAPOL Local Service Area Commander / Zone EM Coordinator may, following consultation with the Control Agency, activate the Zone Emergency Centre (ZEC) to support the actions of the Control Agency. Some ZEMC members, as part of their broader day-to-day role, may attend the ZEC during its operations.

The City of Marion participates in the Southern Adelaide ZEMC together with the cities of Mitcham, Onkaparinga and Holdfast Bay. The City of Marion hosts the Southern Adelaide ZEMC and Ann Gibbons, Manager Environmental Sustainability, is the Committee Chair. Council representatives are provided from risk management teams; Marion's representative is Sherie Walczak, Unit Manager Risk.

Other members include representatives of South Australian Fire and Emergency Services Commission (SAFECOM), State Emergency Service (SES), South Australian Police (SAPOL), and the Department for Communities and Social Inclusion (DCSI) State Recovery Office.

### **City of Marion Arrangements**

Each Council has a legislative obligation under Section 7(d) of the *Local Government Act 1999* to "take measures to protect its area from natural and other hazards and mitigate the effect of such hazards". Therefore, the City of Marion has a responsibility to work with all levels of government and our local community to:

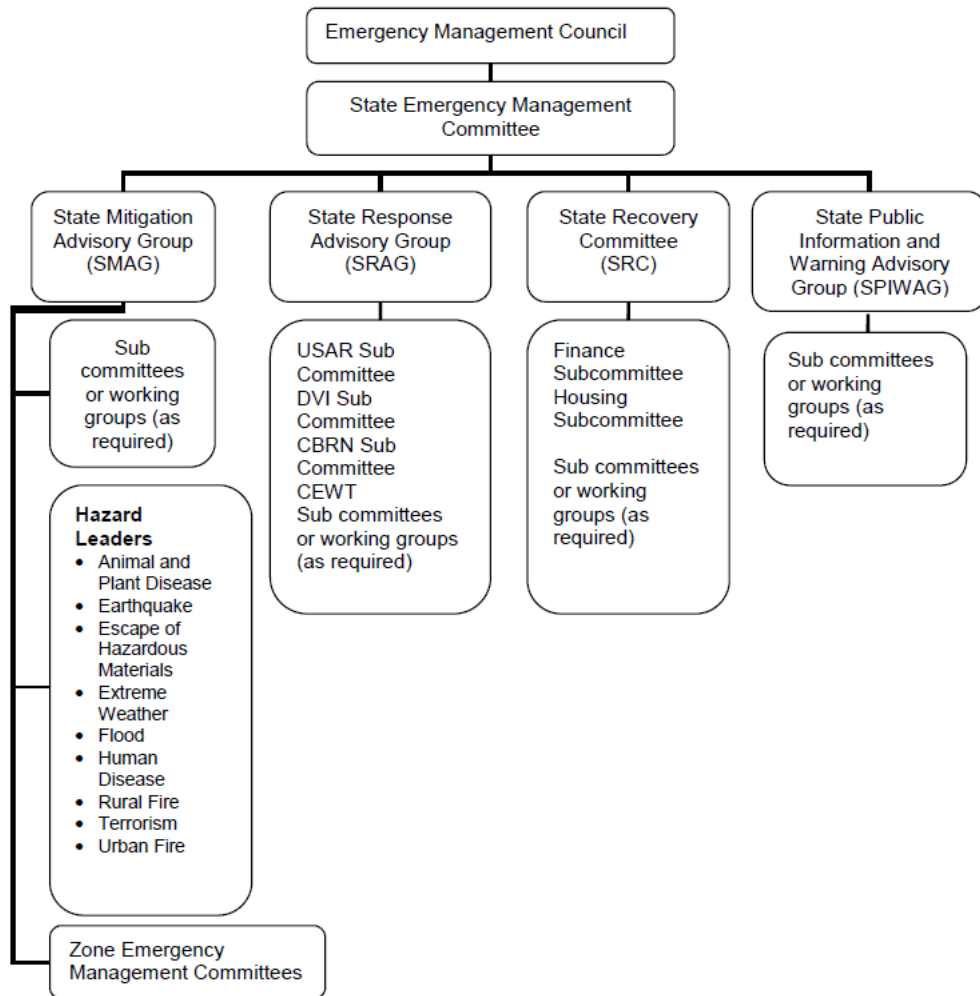
- Prepare – anticipated threats via Hazard Registers and Emergency Management Plans
- Prevent – limit the effects by the implementation of controls to anticipated threats
- Respond – provision of facilities, plant & human resources as requested by the incident controller
- Recover – restoration of essential community services following a disaster

Part of the emergency response planning process includes the identification of critical infrastructure to support the continued provision of essential services to businesses, governments and the community within an emergency response.

Representatives of Westfield Marion were involved in some of the hazard assessment workshops or emergency management planning activities coordinated by the Southern Adelaide ZEMC. The role of such planning and identification of organisations to be involved in that planning is a matter for the Southern Adelaide ZEMC and Hazard Leaders.

## APPENDIX 1

Figure 1: S.A. Emergency Management Committee Structure



**CITY OF MARION  
GENERAL COUNCIL MEETING  
13 October 2015**

**Question Received from:** Councillor Tim Gard

**Subject:** Encouragement of Aged Care Facility Investment

**Ref No:** GC131015Q02

**File No:** 9.33.3.31

---

**QUESTION:**

1. Is there any strategy being pursued for the encouragement of aged care facility investment within the City of Marion, particularly in areas of the city where there are clear shortfalls in such facilities?

**COMMENTS:**

**Margi Whitfield, Manager Community Participation  
Steve Hooper, Manager Development Services:**

There are 24 aged care facilities available to City of Marion residents, 8 of which are within Marion council boundaries, with the remainder in adjacent areas. These facilities provide 2,165 high care beds. The majority of these facilities are within the central and northern Marion council area, with 6 facilities available for southern residents of the City of Marion. While aged care facilities are fewer in the southern areas of Council and there may be opportunities for future development of such facilities, evidence is suggesting adequate provision at this time.

The City of Marion, as a current provider of the Commonwealth Home Support Program (CHSP), is also working with residents to foster independence and to remain living in their own homes for as long as they wish to. The support provided to eligible residents through the CHSP assists in reducing pressure on aged care facilities and allows those who wish to remain in their own homes to do so for as long as possible.

Over the past 10 years, more than 30 aged care/retirement living development applications have been approved by Council. These have included expansions to existing aged care facilities such as Eldercare at Glengowrie and Southern Cross Care at Oaklands Park together with new aged care facilities/retirement living facilities such as Anglicare at Trott Park and Albion Mews at Dover Gardens.

It is acknowledged that there is more aged care/retirement living housing in the northern part of the Council area. To accommodate additional aged care facilities in the south, vacant land to the immediate east of the Hallett Cove Shopping Centre has been identified as appropriate for aged care housing in the Marion Development Plan. However this land remains vacant at the time of writing. Additional opportunities could be created with the

potential rezoning of the Adelaide Development Company (ADC) land at the southern extremity of the Council, although this land is not in close proximity to services, shops and other facilities. In this respect, whilst ADC has provided Council with a concept layout for the rezoning of the ADC land, illustrating a mix of dwelling styles, they have not expressly contemplated aged care housing to the best of our knowledge.

**CITY OF MARION  
GENERAL COUNCIL MEETING  
13 October 2015**

**Notice Received from:** Councillor Bruce Hull

**Subject:** Development Proposal Notice

**Ref No:** GC131015M01

**File No:** 9.24.1.4 & 9.33.3.27

---

**MOTION:**

That subject to the approval of the applicant (via an amended development application form) Council affixes a Development Proposal Notice outside (on the subject property) of all Category 2 or 3 development application sites for the period of prescribed public notification, being A3 in size and laminated as per the attached example from the City of Sydney (appendix 1).

That any notice for Category 2 developments clarify that valid representations can only be received from those property owners and occupiers notified in writing of the proposal development, and that for other owners and occupiers, the notice is a courtesy notification only.

**COMMENTS: Councillor Hull**

Nil

**COMMENTS: Steve Hooper, Manager Development Services**

The current provisions of the Development Act and associated Regulations do not contemplate 'Development proposal notices' being placed in front of development sites.

Accordingly, as Council has no statutory authority for the placing of notices on development properties, any such notice would need to be with the approval of the applicant. In the event that the owner does not agree to the placement of such notice, Council would not be in a position to legally proceed with such a notice.

Council processes between 15 and 30 Category 2 & 3 developments per month of which approximately 2-5 would be Category 3 developments.

Placing notices on Category 3 developments would have minimal impact on resourcing and would provide those persons not formally notified of a proposed development an opportunity to lodge a valid written representation with respect to a development where otherwise they might not be aware of the development (assuming they have not read the public notice section in the Guardian Messenger).

Placing notices on Category 2 development will have greater resource implications given the higher number of applications involved. Resourcing implications might include costs of

preparing and laminating the notice, associated costs such as 'cable ties' or 'star droppers' (depending on which is appropriate for each individual site) and associated staff time in erecting and thereafter dismantling the notices.

It is noted that a Category 2 developments does not afford those residents who are not considered 'adjoining property owners' an opportunity to lodge a valid representation and legal advice provides that representations from other properties owners or occupiers are to be disregarded and are invalid. Accordingly, to avoid misleading the public with any Category 2 'Development Proposal Notice', it is recommended that the notice is a courtesy notification as identified in the wording of the motion.

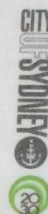
Members may be aware that the Draft Planning, Infrastructure and Development Bill contemplates 'Development Proposal Notices' being placed on land with respect to certain types of applications. Once this legislation is introduced, Council will have a statutory duty to place notices on land for affected development applications.

During consultation in 2014 on the *Think, Design, Deliver* Expert Panel on Planning Reform reports, Council resolved to support the suggested reform of improving consultation on assessment matters via sign boards on development sites.



# DEVELOPMENT PROPOSAL

City of Sydney  
Town Hall House  
456 Kent Street  
Sydney NSW 2000  
Telephone +61 2 9265 9333  
Fax +61 2 9265 9222  
council@cityofsydney.nsw.gov.au  
GPO Box 1591 Sydney NSW 2001  
cityofsydney.nsw.gov.au



25-Aug-2015

## SITE NOTICE

DEVELOPMENT PROPOSAL

REFERENCE NUMBER D/2015/1165

Site: 88-108 William Street, WOOLLOOMOOLOO NSW 2011  
Applicant: NKT ARCHITECTURE PTY LTD

### PROPOSAL

Alterations to Level 22 for air ventilation services including installing an external grille within the existing spandrel panel on the western facade of the building.

The City of Sydney has received the above Development Application. As part of our assessment process, we are notifying surrounding neighbours and property owners to seek their views on the proposal.

The application is on public exhibition until **9 September 2015**. (If the period finishes on a weekend, the period is extended to the next working day). During this time, you are welcome to make a submission on the proposal. You can view the full application at any of the following locations (although privacy restrictions exist for internal areas of residential buildings):

1. Online at the City's website [www.cityofsydney.nsw.gov.au](http://www.cityofsydney.nsw.gov.au), under Development – Development Applications – On Exhibition. The website contains all relevant details of the proposal, including plans, which can be downloaded if required. A submission can be made directly from the website.
2. In person at the following locations:  
CBD Level 2, Town Hall House, 456 Kent St, Sydney. Mon to Fri 8am - 6pm.  
KINGS CROSS 50-52 Darlinghurst Rd, Kings Cross. Mon to Fri 9am – 5pm. Sat 9am – 12 noon.

If you would like to speak directly to a Council planning officer about this development application, you can contact **John Butera** on Ph: 9265 9333 or email: [dasubmissions@cityofsydney.nsw.gov.au](mailto:dasubmissions@cityofsydney.nsw.gov.au)  
Yours faithfully

**BILL MACKAY**  
Manager – Planning Assessment

Sydney2030 Green Global Connected

Recycled paper. Made from 100% Australian recycled paper, printed with vegetable based inks.

**CITY OF MARION  
GENERAL COUNCIL MEETING  
13 October 2015**

**Notice received from:** Councillor Bruce Hull

**Subject:** Poker Machines

**Ref No:** GC131015M02

**File No:** 9.24.1.4 &

---

**MOTION:**

1. Council call for a report to be presented to the February 2016 General Council Meeting to consider a policy position that all City of Marion Community Facilities are Poker Machine free.
2. This report include potential options and strategies for clubs that are currently operating with poker machines to assist in this transition.

**COMMENTS: Mark Gibson – Team Leader Land & Property**

Council currently owns 2 community facilities that are leased/licensed to community organisations that hold a gaming machine licence. These facilities are;

- The Marion RSL, Norfolk Road, Marion. (Licence agreement expires in November 2016).
- The Marion Sports & Community Club, Sturt Road, Marion. (Lease agreement expires in June 2016).

The current Leasing & Licencing Policy states the following in regards to gaming machines;

*'If the Lessee or Licensee intends to hold a liquor licence or gaming machine licence under the Liquor Licensing Act 1997 or the Gaming Machines Act 1992, the Lessee or licensee must first obtain the written consent of Council. Council shall give due consideration to any such request, but shall not be obligated to give such consent. If consent is given, Council may impose such conditions as it deems reasonable relating to the use of the Premises and the supply or provision of liquor and/or gaming machines'.*

There are currently no Council policies in relation to gaming machines and assisting the community in relation to gaming machine dependence.

Should Council resolve, a report can be presented to Council at the February 2016 General Council Meeting which outlines strategies Council may wish to adopt in regards to the phasing out of gaming machines in operation at Council owned facilities and the associated impact this would have on the sustainability of clubs. The report would include a policy in regards to gambling facilities.

**CITY OF MARION  
GENERAL COUNCIL MEETING  
13 October 2015**

**Notice received from:** Councillor Nick Westwood

**Subject:** Electric Vehicles

**Ref No:** GC131015M03

---

**MOTION:**

That Council:

1. Provide in principle support for the use of electric vehicles in all possible modes of transport, which will contribute to a more liveable city and state.
2. Provide limited staff support, for the review of local electric vehicle technology and the possibility of local electric vehicle manufacture within or near the City of Marion, with a view to generating jobs for our residents.

**COMMENTS: Councillor Westwood**

In line with the enthusiasm that various Elected Members have displayed regarding alternative energy generation and the need for more employment opportunities within our city, I have pursued the subject of local electric vehicle manufacture, an interest of mine for many years.

I have met with members of the Australian Electric Vehicle Association on two occasions recently. They have been enthusiastic about electric vehicle manufacture, and I have enlisted a number as technical advisers.

Further to this, I recently met with the State Treasurer, the Hon Tom Koutsantonis at a Breakfast hosted by the Edwardstown Region Business Association. On this occasion, Mr Koutsantonis committed himself to a meeting on this subject before I finished asking the question (to request a meeting). My reaction, apart from surprise, was to tell him that I would have to gather some people together first and then have the discussion with him, which he accepted. I have now contacted his office for that meeting, to explore the matter further with him, and to align myself with efforts being made and information being held by staff in various department offices. I don't want to "reinvent the wheel" and would like to be "on the same page" as the State Government before working towards the main goal.

This motion is to enable staff to provide both oral and written advice to me and other Councillors on this matter, with the endorsement of Council.

**COMMENTS: Ann Gibbons, Manager Environmental Sustainability**

Subject to Council supporting the motion, administration could undertake a high level review of electric vehicle technology and investigate opportunities for local electric vehicle manufacture and jobs creation with relevant organisations and State Government departments.

Please note should the motion be supported additional resources will need to be provided or reprioritised in order for this activity to occur.