

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 25 October 2016

Commencing at 6.30 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 dark ink, appearing to read "Adrian Skull", is written over a faint, light-colored rectangular stamp.

Adrian Skull
CHIEF EXECUTIVE OFFICER

21 October 2016

**CITY OF MARION
GENERAL COUNCIL AGENDA
FOR MEETING TO BE HELD ON
TUESDAY 25 OCTOBER 2016
COMMENCING AT 6.30PM**



1. OPEN MEETING

2. KAURNA ACKNOWLEDGEMENT

We acknowledge the Kurna 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

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6. COMMUNICATIONS

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Elected Member Report

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7. VERBAL COMMUNICATIONS FROM ELECTED MEMBERS

8. DEPUTATIONS

Nil

9. PETITIONS

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Report Reference: GC251016P01..... 20

10. COMMITTEE RECOMMENDATIONS

Nil

11. WORKSHOP / PRESENTATION ITEMS

Nil

12. ADJOURNED ITEMS

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MATTERS RAISED BY MEMBERS

15. Questions with Notice

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16. Motions with Notice

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17. Questions without Notice

18. Motions without Notice

19. CONFIDENTIAL ITEMS

20. LATE ITEMS

21. MEETING CLOSURE

Council shall conclude on or before 9.30pm 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 11 OCTOBER 2016**



PRESENT

His Worship the Mayor Kris Hanna

Councillors

Coastal Ward

Ian Crossland
Tim Gard

Mullawirra Ward

Jason Veliskou

Southern Hills

Janet Byram
Nick Westwood

Warracowie Ward

Bruce Hull
Nathan Prior

Warriparinga Ward

Luke Hutchinson
Raelene Telfer

Woodlands Ward

Tim Pfeiffer

In Attendance

Mr Adrian Skull
Mr Vincent Mifsud
Ms Abby Dickson
Mr Tony Lines
Ms Jaimie Thwaites
Ms Yvette Zaric

CEO

General Manager Corporate Services
General Manager City Development
General Manager Operations
Unit Manager Governance & Records
Governance Officer

COMMENCEMENT

The meeting commenced at 6.30pm.

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.

ELECTED MEMBER'S DECLARATION OF INTEREST

The Chair asked if any Member wished to disclose an interest in relation to any item being considered at the meeting.

Nil

CONFIRMATION OF MINUTES

6.32pm Moved Councillor Veliskou, Seconded Councillor Telfer that the minutes of the General Council Meeting held on 27 September 2016 taken as read and confirmed.

Carried Unanimously

DEPUTATIONS

6.32pm Deputation – Lapwing Street Reserve
Report Reference: GC111016D01

Mrs Nadine Tapley gave a five minute deputation to Council on the proposed plans for the Lapwing Street Reserve due to commence later this month.

PETITIONS

6.37pm Petition – Removal of Lapwing Street Reserve Playspace
Report Reference: GC111016P01

Moved Councillor Hull, Seconded Councillor Westwood that Council:

1. Continues to provide a playspace at Lapwing Reserve, notes the whole of life costs and funds required to be added to the Long Term Financial Plan and add this play space to the list of works to be further prioritised for upgrade.
2. Notes the report and authorises administration to write to the head petitioner advising of Council's decision.

The vote was **Tied**
The Mayor gave his casting vote and voted for the motion
Carried

Councillor Westwood called for a Division:

Those For: Councillors Pfeiffer, Prior, Hull, Westwood and Veliskou

Those Against: Councillors Telfer, Hutchinson, Byram, Gard and Crossland

The vote was **Tied**
The Mayor gave his casting vote and voted for the motion
Carried

The Mayor sought and was granted leave of the meeting to vary the order of the agenda and bring forward the item '5 Minute Presentation on Youth opportunities within the City of Marion Young Citizen of the Year, Charlotte Rayner'.

WORKSHOP / PRESENTATION ITEMS

7.04pm 5 Minute Presentation on Youth Opportunities within the City of Marion Young Citizen of the Year, Charlotte Rayner

Ms Charlotte Rayner, Young Citizen of the Year, gave a presentation on Youth opportunities within the City of Marion.

COMMITTEE RECOMMENDATIONS

7.11pm Moved Councillor Hutchinson, Seconded Councillor Telfer that Committee Recommendations report's GC111016R01, GC111016R02, GC111016R03 be moved enbloc as printed in the General Council meeting agenda for 11 October 2016.

Carried

Confirmation of the Minutes for the Finance and Audit Committee Meeting held on 4 October 2016 Report Reference: GC111016R01

Moved Councillor Hutchinson, Seconded Councillor Telfer that Council:

1. Receives and notes the minutes of the Finance and Audit Committee meeting of 16 August 2016 (Appendix 1).
2. Note that separate reports will be brought to Council for consideration of any recommendations from the Finance and Audit Committee.

Carried

Confirmation of the Minutes for the Urban Planning Committee Meeting held on 4 October 2016 Report Reference: GC111016R02

Moved Councillor Hutchinson, Seconded Councillor Telfer that Council:

1. Receives and notes the minutes of the Urban Planning Committee meeting on 4 October 2016 (Appendix 1).
2. Notes that separate reports will be brought to Council for consideration of any recommendations from the Urban Planning Committee.

Carried

Confirmation of the Minutes for the Strategy Committee Meeting held on 4 October 2016
Report Reference: GC111016R03

Moved Councillor Hutchinson, Seconded Councillor Telfer that Council:

1. Receive and note the minutes of the Strategy Committee meeting of 4 October 2016 (Appendix 1).
2. Note that separate reports will be brought to Council for consideration of any recommendations from the Strategy Committee.

Carried

ADJOURNED ITEMS

Nil

CORPORATE REPORTS FOR DECISION

7.12pm Update to the 30 Year Plan for Greater Adelaide
Report Reference: GC111016R04

Moved Councillor Prior, Seconded Councillor Byram that Council:

1. Considers the written submission attached in Appendix 1, revise where necessary and request that a formal letter to this effect be prepared for the Mayor's signature.

Councillor Prior with consent of Councillor Byram sought and was granted leave of the meeting to vary the motion as follows:

1. Considers the written submission attached in Appendix 1, revise where necessary and request that a formal letter to this effect be prepared for the Mayor's signature.
2. The letter be further expanded to include additional information on Council's intention for Glenthorne Farm.

Carried Unanimously

7.22pm Marion Outdoor Pool
Report Reference: GC111016R05

Moved Councillor Veliskou, Seconded Councillor Hull that Council:

1. Notes the preliminary investigations on management options for the Marion Outdoor Swimming Centre and that this will be further considered as part of Council's Service Review program with a report being provided to the Finance and Audit Committee on 6 December 2016 before coming to Council.

Councillor Veliskou with consent of Councillor Hull sought and was granted leave of the meeting to vary the motion as follows:

1. Notes the preliminary investigations on management options for the Marion Outdoor Swimming Centre and that this will be further considered as part of Council's Service Review program with a report being provided to the Finance and Audit Committee on 15 December 2016 before coming to Council.

Carried Unanimously

7.25pm Cr Pfeiffer declared a perceived conflict of interest as he has a work colleague who is involved with one of the Tennis Clubs and left the meeting.

7.25pm Cr Pfeiffer left the meeting.

7.25pm Tennis and Netball Review
Report Reference: GC111016R06

Moved Councillor Veliskou, Seconded Councillor Hull that Council:

1. Notes the report.
2. Adopts the vision of 'Stronger clubs, which have well managed good quality facilities and improved community access', as well as the four key principles of Accessibility, Sustainability, Community Benefit and Accountability.
3. Endorses Access Option 3 Open Community Courts as the preferred access arrangement to be further considered in negotiations with clubs and leasing arrangements.
4. Undertakes further assessment of directions for courts at McConnell Reserve, Nanningai Reserve, Roy Lander Reserve, Hamilton Park, Glandore Oval and Yanyarrie Reserve to identify appropriate scopes and budgets and reports back to Council by 28 February 2017.
5. Commences individual consultation with clubs / organisations that use Stanley Street Reserve, Woodforde Family Reserve, Ballara Park Tennis Courts, Hamilton Park Reserve, Seacombe Seaview Heights Tennis Courts and Weaver Street Reserve and reports back to Council by 13 December 2016.
6. Notes that either external funding or funding proposals are currently progressing with facilities at Cove Netball, Clovelly Park Netball, Hallett Cove Beach Tennis, Southbank Tennis Club and Warradale Tennis Club.
7. Notes that as discussions progress with clubs that costs will be identified and brought to Council for consideration and prioritisation.

Councillor Veliskou with consent of Councillor Hull sought and was granted leave of the meeting to vary the motion as follows:

1. Notes the report.

2. Adopts the vision of 'Stronger clubs, which have well managed good quality facilities and improved community access', as well as the four key principles of Accessibility, Sustainability, Community Benefit and Accountability.
3. Works with Clubs to establish the best option for opening community courts in negotiation with clubs and leasing arrangements.
4. Undertakes further assessment of directions for courts at McConnell Reserve, Nanningai Reserve, Roy Lander Reserve, Hamilton Park, Glandore Oval and Yanyarrie Reserve to identify appropriate scopes and budgets and reports back to Council by 28 February 2017.
5. Commences individual consultation with clubs / organisations that use Stanley Street Reserve, Woodforde Family Reserve, Ballara Park Tennis Courts, Hamilton Park Reserve, Seacombe Seaview Heights Tennis Courts and Weaver Street Reserve and reports back to Council by 13 December 2016.
6. Notes that either external funding or funding proposals are currently progressing with facilities at Cove Netball, Clovelly Park Netball, Hallett Cove Beach Tennis, Southbank Tennis Club and Warradale Tennis Club.
7. Notes that as discussions progress with clubs that costs will be identified and brought to Council for consideration and prioritisation.

Carried Unanimously

7.51pm Councillor Telfer left the meeting.

7.51pm Councillor Telfer re-entered the meeting.

7.51pm Councillor Pfeiffer re-entered the meeting.

**7.51pm Clovelly Park Netball Court Redevelopment (Amendment to previous resolution)
 Report Reference: GC111016R07**

Moved Councillor Pfeiffer, Seconded Councillor Telfer that Council:

1. Amends the resolution of 14 June 2016 that states:

Endorses an allocation of up to \$62,344 towards court resurfacing and installation of Halide Metal floodlights being made from Council's Asset Sustainability Reserve – Community Facilities Partnering Program fund, subject to a successful funding application to the Office for Recreation and Sport Community Recreation and Sport Facilities Program by the Adelaide Wildcats Netball Club and Development Approval.

to the following new resolution:

Endorses an allocation of up to \$62,344 towards court resurfacing and installation of Halide Metal floodlights being made from Council's Asset Sustainability Reserve – Community Facilities Partnering Program fund, subject to Adelaide Wildcats Netball Club contributing an additional \$32,500 and Development Approval.

Carried

7.54pm Finance and Audit Committee Annual Report to Council 2015-2016
Report Reference: GC111016R08

Moved Councillor Telfer, Seconded Councillor Gard that Council:

1. Note the Finance and Audit Committee's Annual Report to Council for 2015/16 provided at Appendix 1.
2. Provides the following feedback to the Committee on opportunities for continuing development of the Committee's operations or matters for the Committee to further consider in 2016/17:
 -
 -
 -

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

1. Note the Finance and Audit Committee's Annual Report to Council for 2015/16 provided at Appendix 1.

Carried Unanimously

7.57pm Annual Corporate Performance Report 2015-16
Report Reference: GC111016R09

Moved Councillor Hull, Seconded Councillor Westwood that Council:

1. Note the Annual Corporate Performance Report 2015-16 as provided in Appendix 1.

Carried Unanimously

8.18pm Audited Annual Financial Statements for the year end 30 June 2016
Report Reference: GC111016R10

Moved Councillor Telfer, Seconded Councillor Crossland that Council:

1. Adopts the audited Annual Financial Statements for the year ended 30 June 2016 (Appendix 2).
2. Receive the Southern Region Waste Resource Authority (SRWRA) 2015/16 audited Financial Statements (Appendix 5).
3. Receive the Council Solutions Regional Authority 2015/16 audited Annual Financial Statements (Appendix 6).

Carried

**8.23pm Investment Performance 2015/16
Report Reference: GC111016R11**

Moved Councillor Hutchinson, Seconded Councillor Prior that Council:

1. Notes the Investment Performance Report 2015/16.

Carried Unanimously

**8.23pm Annual Report 2015/16
Report Reference: GC111016R12**

8.24pm Councillor Prior left the meeting.

Moved Councillor Pfeiffer, Seconded Councillor Byram that:

1. Council adopts the City of Marion Audited Annual Report for the 2015/16 financial year as contained with Appendix 1.
2. The City of Marion Financial Statements 2015/16 being considered in report GC111016R10 be included within the published version of the City of Marion Annual Report 2015/16.
3. The Southern Regional Waste Resources Authority Audited Financial Statements being considered in report GC111016R10 be included within the published version of the City of Marion Annual Report 2015/16.
4. The Council Solutions Regional Authority Financial Statements being considered in report GC111016R10 be included within the published version of the City of Marion Annual Report 2015/16.
5. Administration distributes copies of the City of Marion Annual Report 2015/16 in accordance with legislative requirements.
6. Administration distributes copies of the City of Marion Annual Report 2015/16 to key stakeholders.
7. A summary of the Annual Report 2015/16 will be distributed to households, businesses and stakeholders via City Limits.

8.26pm Councillor Prior re-entered the meeting.

Carried Unanimously

**8.27pm Election for Representative Members of the Local Government Finance Association (LGFA) Board of Trustees
Report Reference: GC111016R13**

The item was deferred while a ballot was conducted.

MATTERS RAISED BY MEMBERS

Questions with Notice

**8.30pm Elected Member Room, Computer and Telephone
Report Reference: GC111016Q01**

QUESTIONS: Councillor Luke Hutchinson

Over the last 12 months can staff please advise:

What are the 5 most visited external websites on the Elected Member Computer?

What are the telephone numbers of the 3 most dialled numbers on this telephone?

What are the telephone numbers of the 3 most frequent inbound calls received on this telephone?

What days and times were each of these numbers last dialled?

Are Elected Members able to use these resources for personal and/or commercial interests?

If not, what are the provisions that would be contravened if an Elected Member regularly and/or deliberately abused this facility?

COMMENTS: Phil Mattingly, Service Delivery and Infrastructure, Unit Manager ICT

What are the 5 most visited external websites on the Elected Member Computer?

Our Internet usage reporting has a number of firewall security restrictions that means we are unable to provide this level of detail requested. The Elected Member computer uses a generic PC only logon for all Elected Members and the network traffic is separated from being visible to the Staff PC network. Without this network connection and logon, historical traffic is not captured to our reporting services and the "internet browser history" is automatically deleted at each logoff. Instantaneous traffic is able to be monitored, but this is only available for a short period whilst occurring (ie. effectively requiring live monitoring).

COMMENTS: John Deally, Manager ICT

What are the telephone numbers of the 3 most dialled numbers on this telephone?

The 3 most dialled numbers on this telephone were all external and these details have been provided separately to Elected Members via email due to privacy.

What are the telephone numbers of the 3 most frequent inbound calls received on this telephone?

This information cannot be obtained from the telecommunications provider due to privacy legislation considerations.

What days and times were each of these numbers last dialled?

The 3 most dialled numbers on this telephone were all external and these details have been provided separately to Elected Members via email due to privacy.

COMMENTS: Jaimie Thwaites, Unit Manager Governance and Records

Are Elected Members able to use these resources for personal and/or commercial interests?

Section 78(3) of the *Local Government Act 1999* states that:

A member of a council must not use a facility or service provided by the council under this section for a purpose unrelated to the performance or discharge of official functions or duties (unless the use has been approved by the council and the member has agreed to reimburse the council for any additional costs or expenses associated with this use).

If not, what are the provisions that would be contravened if an Elected Member regularly and/or deliberately abused this facility?

Misuse of Council resources would be a breach of Part 3 of the Code of Conduct for Council Members published by the Minister for Planning for the purposes of Section 63(1) of the Local Government Act 1999. The Code of Conduct states that:

- 3.14 Council members using Council resources must do so effectively and prudently.
- 3.15 Council members must not use Council resources, including services of Council staff, for private purposes, unless legally or properly authorised to do so, and payments are made where appropriate.

The City of Marion's 'Elected Member Code of Conduct Procedure For Investigating Complaints' should be followed if a breach is suspected.

8.32pm Personal Explanation

Councillor Veliskou with leave of the meeting provided a personal explanation. Councillor Veliskou apologised for raising a formal motion at an inappropriate time.

**8.33pm Election for Representative Members of the Local Government Finance Association (LGFA) Board of Trustees
 Report Reference: GC111016R13**

Moved Councillor Hutchinson, Seconded Councillor Pfeiffer that Council:

1. Notes the responses from the LGFA Candidates.
2. Votes for the appointment of;
 1. Colin Davies
 2. Annette Martin
 to the Local Government Finance Authority Representative Board.

Carried Unanimously

8.38pm Moved Councillor Crossland, Seconded Councillor Westwood that the following items Destination Playspace (GC111016M01), Oaklands Round House (GC111016M02), Illegal Dumped Rubbish (GC111016M03) and confidential item, Administration Building and Surplus Land at City Services (GC111016F01) be adjourned to the next General Council Meeting to be held on 25 October 2016.

Amendment:

Moved Councillor Veliskou that the following items Destination Playspace (GC111016M01), Oaklands Round House (GC111016M02), Illegal Dumped Rubbish (GC111016M03) be adjourned to the next General Council Meeting to be held on 25 October 2016.

The amendment was withdrawn.

The original motion was **Carried**

Questions without Notice

Nil

Motions without Notice

Nil

CLOSURE - Meeting Declared Closed at 8.41pm.

CONFIRMED THIS 11 OCTOBER 2016

.....
CHAIRPERSON

Mayoral Communication Report

Date of Council Meeting: 25 October 2016

Name of Elected Member: Mayor Kris Hanna

Date	Event	Comment
23 September 2016	South Adelaide Basketball Club Presentation Night	Attended, gave speech
24 September 2016	Meeting Dover Square Tennis Club	Attended
24 September 2016	Muslim Women's Association of SA - Eid Al-Adha Morning Tea	Mayor & Mayoress attended
25 September 2016	Proposed Vodaphone Tower, Community Meeting	Attended, gave speech
26 September 2016	'Code Club' Certificate Presentation to young participants	Attended, gave speech
28 September 2016	Meet with Directors of Leartek a Waste Recycling Company	Attended
30 September 2016	Conference Opening - Federation of Association of Teachers of French in Australia (FATFA)	Attended
30 September 2016	Islamic Society of SA Meeting with President Mr Ahmed Zreika Re: Parkholme Mosque	Attended
30 September 2016	Edwardstown Bowling Club	Attended
5 October 2016	Morphettville Ladies Probus Club	Attended, gave speech
8 October 2016	Sheidow Park School Quiz Night	Attended
9 October 2016	Cove Football Club Meeting with President	Attended
10 October 2016	Brighton Meals on Wheels AGM	Attended, gave speech
10 October 2016	Met with Lions Club of Edwardstown	Attended
13 October 2016	LGA Governance Review Consultation	Attended (part)
13 October 2016	Hosted Civic Reception to present the keys to the City for Olympic Gold Medallist Kyle Charmers. Also acknowledged Paralympic and Olympic athletes training in the City of Marion.	Hosted, gave speech
14 October 2016	Friends of Parks Conference Opening	Attended briefly
14 October 2016	Cove Footy Presentation Night	Attended
15 October 2016	Citizenship Ceremony <ul style="list-style-type: none"> • 9.30am and 12.30pm 	Conducted Ceremonies
15 October 2016	Edward Said Memorial Lecture	Attended
16 October 2016	Hindu Society - Community Cultural Centre Foundation Laying Ceremony	Attended
16 October 2016	Cove Footy AGM	Attended, acted as Returning Officer
17 October 2016	Hallett Cove Foreshore Master Plan - Community Information session	Attended

Mayoral Communications Report

Date	Event	Comment
17 October 2016	Oaklands Estate Resident Association AGM	Attended and gave speech, acted as Returning Officer
In addition, the Mayor has met with residents, MP's and also with the CEO and Council staff regarding various issues.		

Deputy Mayor Communication Report

Date of Council Meeting: 25 October 2016

Name of Elected Member: Deputy Mayor Jason Veliskou

Date	Event	Comment
5 October 2016	Glengowrie Neighbourhood Watch	General Meeting attended
12 October 2016	Meeting with Mayor	Meeting between Mayor and Deputy Mayor
13 October 2016	Olympian Reception in Council Chambers	Mayor hosted civic reception for all Olympians and Paralympians who either live or train in the city of Marion. Mayor Hanna presented the Key to the City to 2016 Olympic Gold Medalist Kyle Chalmers.
In addition, the Deputy Mayor has met with residents, various groups and Council staff regarding various issues.		

CEO and Executive Communications Report

Date of Council Meeting: 25 October 2016

Date	Activity	Attended by
26 September 2016	Glenthorne Farm meeting with DPTI	Adrian Skull
27 September 2016	Meeting with General Manager Westfield	Adrian Skull Abby Dickson
27 September 2016	Meeting with South Australian Aquatic and Leisure Centre re Marion Cultural Centre Plaza / Playspace	Abby Dickson
28 September 2016	Met with Marion Croquet Club re Croquet Club SA Proposal	Abby Dickson
29 September 2016	Meeting with Renewal SA	Adrian Skull
06 October 2016	Met with Statewide Super re Sponsorship	Adrian Skull
11 October 2016	Attended SRC (Southern Recycling Centre) Committee Meeting	Vincent Mifsud
13 October 2016	Met with Corey Wingard MP re Operation Flinders	Adrian Skull
13 October 2016	Teleconference with ACCC and Council Solutions re Waste	Adrian Skull
13 October 2016	Attended Olympic Reception at City of Marion	Adrian Skull
13 October 2016	Attended Local Governance Review meeting at the Local Government Association (LGA)	Vincent Mifsud on behalf of Adrian Skull
15 October 2016	MC at Citizenship Ceremony	Adrian Skull Vincent Mifsud
19 October 2016	Teleconference – Council Solutions Board of Management Meeting	Adrian Skull
19 October 2016	Attended Icebreaker 16- Networking event at Tonsley	Adrian Skull Tony Lines Abby Dickson
20 October 2016	Attended LGA Conference and AGM – morning session	Adrian Skull
21 October 2016	Attended (LGFA) Local Government Finance Authority Board AGM Meeting	Vincent Mifsud on behalf of Adrian Skull
24 October 2016	Attended Community Afternoon Tea with Premier Weatherill and Cabinet Ministers at Ascot Park Bowling Club	Adrian Skull

**CITY OF MARION
GENERAL COUNCIL MEETING
25 OCTOBER 2016**

Originating Officer: Steve Hooper, Manager Development & Regulatory Services
General Manager: Abby Dickson, City Development
Subject: Petition – Development Application No: 100/2016/1025 – Telecommunications Tower at Hallett Cove
Reference No: GC251016P01

PETITION FROM: Mr Robert Dittmar

NO OF SIGNATORIES: 288

DATE PETITION RECEIVED: 25 October 2016

CORRESPONDENCE:

The petition of Residents of Hallett Cove draws the attention of the Council to Development Application 100/2016/1025 on behalf of Vodaphone Hutchison Australia Pty Ltd, for a Telecommunications facility comprising a total height of 26 metres and associated equipment, shelter and fencing and alterations to the existing carpark at 121 The Cove Road Hallett Cove SA 5158.

The petitioners therefore request that the Council reject outright the proposed application for a Telecommunications Tower on that site because more appropriate sites have not been given proper consideration.

A copy of the petition is attached as **Appendix 1**.

COMMENTS: Steve Hooper, Manager Development & Regulatory Services

Development Application No: 100/2016/1025 proposing a telecommunications facility comprising a total height of 26 metres and associated equipment shelter and fencing and alterations to the existing carpark at 121 The Cove Road, Hallett Cove underwent Category 3 public consultation from 6 September to 28 September 2016. Forty-seven (47) valid representations were received during the public consultation period.

The applicant has subsequently requested that the application be placed “on hold” to allow time to consider the representations received and any possible measures it can take to reduce the impact on the local community.

Each representor who lodged a representation during the public consultation period has been notified of the status of the application.

In the event that the application is reactivated by the applicant, the application will be presented to the Development Assessment Panel for a decision. Each of the representors will have an opportunity to present directly to the Panel and the applicant will have an opportunity to respond.

RECOMMENDATIONS (2):

Due Date:

That Council:

- | | |
|---|--------------------|
| 1. Note the petition and comments provided by Administration. | 25 Oct 2016 |
| 2. That the head petitioner be advised that Council has noted the petition and that in the event the application is reactivated, the application will be reported to the Development Assessment Panel for consideration and decision, and, all valid representors will be invited to present to the Panel at the relevant meeting. | 28 Oct 2016 |

Appendix 1: Petition

A-7

CITY OF MARION

PETITION

TO HIS WORSHIP THE MAYOR AND COUNCILLORS OF THE CITY OF MARION

Petition Contact Person: Robert Dittmar.....
 Telephone Number: 08 8322 6703 .
 Address: 4 Kurnabinna Tce Hallett Cove 5158
 Date Petition Initiated: 5 October 2016

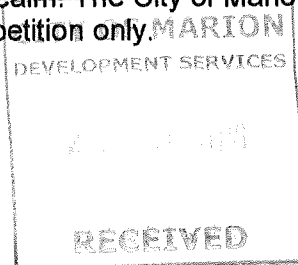
The petition of Residents of Hallett Cove

draws the attention of the Council to Development Application 100/2016/1025 on behalf of Vodaphone Hutchison Australia Pty Ltd, for a Telecommunications facility comprising a total height of 26 metres and associated equipment, shelter and fencing and alterations to the existing carpark at 121 The Cove Road Hallett Cove SA 5158.

The petitioners therefore request that the Council reject outright the proposed application for a Telecommunications Tower on that site because more appropriate sites have not been given proper consideration.

Name	Address	Signature
Jane BIERBAUM	28 South Ave Hallett Cove	<i>Jane Bierbaum</i>
Marilyn Ras	29 South Ave Hallett Cove	<i>Marilyn Ras</i>
Lyn Dempster	22 South Ave Hallett Cove	<i>Lyn Dempster</i>
Steve Dempster	22 South Ave Hallett Cove	<i>Steve Dempster</i>
James Gordon	26 South Ave Hallett Cove	<i>James Gordon</i>
Sonya Gordon	26 South Ave, Hallett Cove	<i>Sonya Gordon</i>
Phoebe Gordon	26 South Ave, Hallett Cove	<i>Phoebe Gordon</i>

Please note this petition is a public document, by signing it, I understand that my name address and signature will be made available in the public realm. The City of Marion will record these details for the purpose of this petition only.



The petitioners therefore request that the Council reject outright the proposed application for a Telecommunications Tower on that site because more appropriate sites have not been given proper consideration.

Name	Address	Signature
Jodi George	37 South Ave.	[Signature]
Simon George	37 South Ave	[Signature]
Fran Clarke	35 South Ave	[Signature]
Talm Clarke	35 South Ave	[Signature]
Paul inner	10 First ST	[Signature]
Sally Glover	10 First St	[Signature]
Kristian Sadowka	14 First St	[Signature]
Wendy King	6 First st.	[Signature]
Moltou M.	6 First st	[Signature]
Rhonda Hollitt	16 Second St	[Signature]
Malcolm HOLLITT.	" " "	[Signature]
Nikki Donald.	19 Second Street	[Signature]
Anna Molony	28 South Ave	[Signature]
William DeRitter	28 South Ave	[Signature]
Nathan Bierbaum	28 South Ave	[Signature]
Lewis DeRitter	28 south Ave	[Signature]
IDA SCHAR	25 South Ave	[Signature]
Tony SCHAR	25 South Ave	[Signature]
Hill Creek	3 Kurnashina Tce	[Signature]

CITY OF MARION
DEVELOPMENT SERVICES

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Attach additional sheets if required

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CITY OF MARION

PETITION








TO HIS WORSHIP THE MAYOR AND COUNCILLORS OF THE CITY OF MARION

Petition Contact Person: Robert Dittmar.....
 Telephone Number: 08 8322 6703 .
 Address: 4 Kurnabinna Tce Hallett Cove 5158
 Date Petition Initiated: 5 October 2016

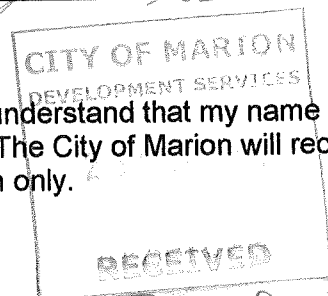
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The petitioners therefore request that the Council reject outright the proposed application for a Telecommunications Tower on that site because more appropriate sites have not been given proper consideration.

Name	Address	Signature
G. JARRETT	5 Kooraweera St	
S. R. MELDRUM	3 KOORAWEEA ST	
G. CALDICOTT	2 KOORAWEEA ST	
P. Reynolds	6 Grey Rd	
R. Roberts	1 Kooraweera St.	
A. Clark	4 Kooraweera St	
C. DOBSON	15 PINDEE ST, H.C.	

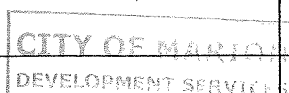
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Pg 1 of 3

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Name	Address	Signature
Ric McHugh	25A Fryer St.	[Signature]
June Aschley	" "	[Signature]
Rosemary Edwards	27 Fryer St	[Signature]
Graeme Edwards	27 Fryer St	[Signature]
J Buckley	30 Fryer	[Signature]
Phyllis Al-Nookry	24 Fryer St	[Signature]
Sarah Forshaw	16 Fryer Street	[Signature]
Glenn Raymond	14 Fryer St	[Signature]
Christine Raymond	14 Fryer St	[Signature]
E Munn	10 Fryer St	[Signature]
Teagan Harris	8 Fryer St	[Signature]
Tracey Harris	8 Fryer St	[Signature]
FIONA CARUSO	6 Fryer St	[Signature]
Vivienne Giannias/Zados	2 Fryer St	[Signature]
Richard Zados	2 Fryer St	[Signature]
Ronda Gascooke	7 Fryer St	[Signature]
BIN 21	4 Central Ave	[Signature]
Crystal Gu	4 Central Ave	[Signature]
John VanderZalm	16 Central Ave	[Signature]
Sibhan Banks	16 Central Ave	[Signature]
K. Ham	3 CLIFFTOP CRESS	[Signature]
Haidee Boud	14 Central Ave	[Signature]



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Name	Address	Signature
Troy Sparshen	100 Kurnabynna St	T.S.
Ch. Penquith	145-163 Penny Barr	Ch. Penquith
Bohit Schuy	41 Kurnabynna Ter	B.Schuy
MATT CUBIS	43 KURNABYNNA TER	M. Cubis
Polly O'Reilly	12/32 Fryer St	Polly O'Reilly
Bart Bishop	2/32 Fryer St	B. Bishop
Deb. Saunders	31 Atkinson Cres Hallett	Deb. Saunders
Kayn Saunders	31 Atkinson Cres Hallett	Kayn Saunders
Brewer EVANS	5-32 Fryer St Hallett	B. Evans
Roslin Richards	37 Kurnabynna Ter	R. Richards
V OUXU	7-32 FRYER H/C	V OUXU
Michelle BobRushy	39 Kurnabynna Ter	M. BobRushy
Megan Hosmer	28 Jured Rd S/M	M. Hosmer
Chris Hall	Davenport tce	Chris Hall
Jonathan Hoopmann	29/Peyer St	J. Hoopmann
PAARVIZ MALAKOVI	9/32/Fryer ST	P. Malakovi
Anne Calvert	" " "	A. Calvert
Carol Soltau	115 SANDISON RD H/C.	C. Soltau
Lisa Walker	21 SOUTH AV H/C	L. Walker
Bianca Gough	28 Kiah Cres	B. Gough
Tom Kimber	30 Franklin St	T. Kimber
Steven Cost	5 Kettle St	S. Cost
Donna Thomas	13 Brett St	D. Thomas
Elouisa Smith	41 Ray Cr	E. Smith
		Attach additional sheets if required

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Name	Address	Signature
Kathy Leysdon	177 The Cove Rd H/C	K Leysdon
Gary Berlitz	2 Moora St. Hallett Cove	G Berlitz
Gillian Strickland	32 Alia Drive, Sheidow PK	G Strickland
SUE BLAXLAND	8 SANDISBURY ROAD H/C	S Blaxland
Pamela Earl	4 Yarrambi St, H/C	P Earl
Cat Carroll	sheidow park	C Carroll
Julie Coombe	10 Wolfest Dr	J Coombe
JAMES GOLDSBY	18 LUPWING ST	J Goldsby
E. Zuidland	16 Kallianmura St	E Zuidland
L. E. HOLL	8, Tynes Drive	L E Holl
A. Warren	a Moora St, H. Cove	A Warren
I. Turner	2 Westwif Crt. Marion	I Turner
C BREWITT	4 NARANG ST, H.C.	C Brewitt
D. Smith	17, BARNDOW ST. H.C.	D Smith
Tanya Kidd	2 Narang St H.C.	T. Kidd
George Beattie	Hallett Cove	G Beattie
John Martin	Hallett Cove	J Martin
Kim Don	" "	K Don
ROB SAINSBURY	HACKETT WEST	R Sainsbury
Shane Hicks	Station Ave Blackw.	S Hicks
BRUCE DOUBIKIN	HACKETT WEST	B Doubin
BRIDNY PEARCE	Sheidow Park	B Pearce
Tammy	HALLITT COVE	Tammy
J. Handli	HALLITT COVE	J Handli
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H= 7

CITY OF MARION

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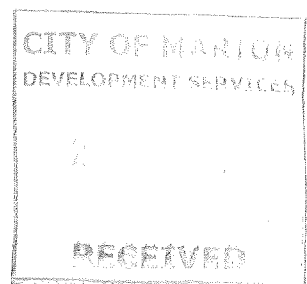
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The petitioners therefore request that the Council reject outright the proposed application for a Telecommunications Tower on that site because more appropriate sites have not been given proper consideration.

Name	Address	Signature
ROSALIND GALLASCH	23 CENTRAL AVE HALLETT COVE	Rosalind Gallasch
Naomi Woods	8 Second St Hallett Cove	Naomi Woods
JUDY CARTER	10 SECOND ST HALLETT COVE	Judy Carter
JOHN SHARLAND	11 SOUTH AVE HALLSETT COVE	John Sharland
Lucy Allen	3 South Ave Hallett	Lucy Allen
Lisa Van Vught	1 South Avenue H/C	Lisa Van Vught
Leo van Vught	1 South Ave	Leo van Vught

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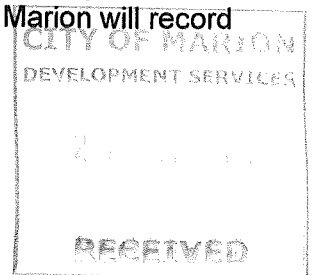
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The petitioners therefore request that the Council reject outright the proposed application for a Telecommunications Tower on that site because more appropriate sites have not been given proper consideration.

Name	Address	Signature
1) [Signature]	34 KURNABINNA TCE	[Signature]
DEBRA WING	33 KURNABINNA TCE	[Signature]
Ray Weger	36 " " TOR	[Signature]
MARCUS GILMORE	32 " " "	[Signature]
GREGORY MILLER	30 " "	[Signature]
HAH HUNDERTMARK	28 KURNABINNA TCE	[Signature]
GEOFF CHADBORN	26 KURNABINNA TCE	[Signature]

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Name	Address	Signature
Toni Barrell	6/4 South Ave Hallett Cove	
Laura Wines	6 South Ave, Hallett Cove	
Robyn O'Neill	8 SOUTH AVE HALLETT COVE	R. O'Neill
Glenda Rosenbush	14 South Ave Hallett Cove	G. Rosenbush
Bob Booth	18 South Ave Hallett Cove	B. Booth
Leone Swcock	13 Third St. H/C	L. Swcock
Peter Rice	9 Third St. H/C	P. Rice
Rosemary Gardner	21 Central Ave H/C	R. Gardner
A. J. [unclear]	75 Central Ave	A. J. [unclear]
[unclear]	[unclear]	[unclear]
[unclear]	3/11 Central Ave.	[unclear]
Jay James	4/4 Central Ave	J. James
M. Campbell	1/7 Central Ave	M. Campbell
S.H. Spangler	6/7 CENTRAL AVE	S.H. Spangler
M. Lindsay	1/41 Central Ave. Hallett Cove	M. Lindsay
SARA TOMMASI	5/41 Central Avenue	Sara Tommasi
Deo [unclear]	7/41 CENTRAL AVENUE	Deo [unclear]
Tessa Wesson	32 Central Ave	T. Wesson
Val Winter	Hallett Cove	V. Winter
Steve Winter	28 Central Ave Hallett Cove	S. Winter
Deb Flock	33 Central Ave H.C.	D. Flock
Wendy Ormsby	24 Central Ave H.C.	W. Ormsby
Garry Ormsby	24 Central Ave HC	G. Ormsby
Dorothy Cranfield	25 CENTRAL AVE	D. Cranfield
Terry Gallacher	23 Central Ave HC.	T. Gallacher

CITY OF MARION
DEVELOPMENT SERVICES

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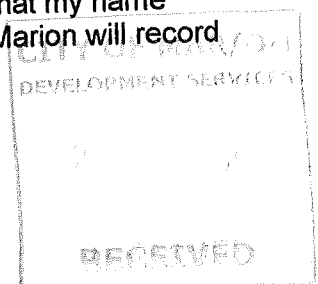
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Name	Address	Signature
Anne Saunders	1/32 Fryer St, Hallett Cove	[Signature]
Lorraine Heaven	3/32 Fryer St, Hallett Cove	[Signature]
1 ENCLAW KICKER	4/32 FRYER ST	[Signature]
Sandra May	72 Ragamuffin Dr Hallett Cove	[Signature]
Jonny Macleod	17 Yalpa Rd Marion	[Signature]
Janet Sims	Hallett Cove SA	[Signature]
Aleks Iljason	10 Rainbow St	[Signature]

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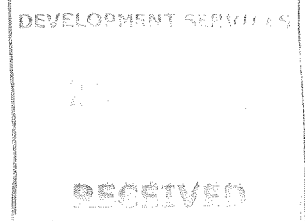
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Name	Address	Signature
Shirley Elliott	2 Second St H.C	<i>[Signature]</i>
Brian Elliott	2 SECOND ST H/C	<i>[Signature]</i>
Jana Burns	17 FRYER ST H/C	<i>[Signature]</i>
BRENTON STEWART	17 FRYER ST, H/C	B. Stewart
VALERIE KEMP	19 FRYER ST H/C	V Kemp
PHIL KEMP	19 FRYER ST H/C	<i>[Signature]</i>
ALLAN HARRINGTON	23 FRYER ST H/C	<i>[Signature]</i>

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N=25

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Name	Address	Signature
TADHIG O'SHEA	7 PEERA STREET	TOShea
SUSAN UPTON	7 PEERA STREET	Supton
B.N. Donnelly	13 Peera St	B.N. Donnelly
JOHN GRAY	28 THE ESPLANADE	John Gray
JOY GRAY	28 THE ESPLANADE	Joy Gray
IAN HUTCHINSON	25 The Esplanade	Ian Hutchinson
ROLF WENGENROTH	23 THE ESPLANADE	Rolf Wengenroth
ANNEMARIE WENGENROTH	23 THE ESPLANADE	Annemarie Wengenroth
MARCUS MITCHELL	21 The Esplanade	Marcus Mitchell
LOTTE MITCHELL	21 THE ESPLANADE	Lotte Mitchell
Julie Miles	2 Peera St.	Julie Miles
Peter Miles	2 Peera St	Peter Miles
Krista Anderson	121 PEERA ST	Krista Anderson
Robert Tait	5 Peera St	Robert Tait
GERALDINE CLARK	6 PEERA ST H.C.	Geraldine Clark
Krista Jakhwal	9 Peera St H.C	Krista Jakhwal
Nitin JAKHWAL	9 Peera St H.C	Nitin Jakhwal
C. Folelli	9 Peera St H.C.	C. Folelli
L. Rind	7 BOONGA ST H/C	L. Rind
NICK SMALES	1 BOONGA ST	Nick Smales
M. VALDEZ	6 BOONGA ST	M. Valdez
D. JENNISON	17 PEERA ST	D. JENNISON
DOT JENNISON	17 PEERA ST.	Dot JENNISON
G. A. Hughes	3 PEERA ST	G. A. Hughes
Sandra Hughes	3 Peera St	Sandra Hughes

Attach additional sheets if required

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Name	Address	Signature
SHAW SAUNDERS	21 KURNABINNA TCE	[Signature]
Sue Shaw	23 23 KURNABINNA Tce	[Signature]
TONY RITTMER	22 KURNABINNA TCE	[Signature]
JUNE RITTMER	22 KURNABINNA Tce	[Signature]
VOLLMER G.	20 Kurnab. Tce	[Signature]
VOLLMER HEINZ	20 Kurnab. Tce	[Signature]
MUGGERTON Isabel	17 Kurnabinna Tce	[Signature]
CATHERINE MILLER	30 Kurnabinna Tce	[Signature]
ANDREW McQUILLAN	38 KURNABINNA TCE	[Signature]
JESSICA McQUILLAN	38 KURNABINNA TCE	[Signature]
DEBRA McQUILLAN	38 KURNABINNA TCE	[Signature]
Tammy Manning	15a Kurnabinna Tce	[Signature]
Damien Manning	15a Kurnabinna Tce	[Signature]
SAM COX	27 KURNBINNA TCE	[Signature]
Julie Staszyc	29 Kurnabinna Tce	[Signature]
JOHN RHODES	13 KURNABINNA TCE	[Signature]
JOE MATHIAS	14 Kurnabinna Tce	[Signature]
Carol Hillier	12 kurnabinna Tce	[Signature]
Rowan Hunderfmark	10 Kurnabinna tce	[Signature]
SYD BOWER	8 KURNABINNA TCE	[Signature]
Melissa Cropley	6 Kurnabinna Tce	[Signature]
Dana Cropley	6 Kurnabinna Tce	[Signature]
GRAHAM J PINE (NED)	2 KURNABINNA TCE	[Signature]
JUDITH A. PINE (JUDY)	2 KURNABINNA TCE	[Signature]
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P-2A
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KEITH DEBSON	15 PINDEE ST 5158	
GREG SCHAR	19 PINDEE ST 5158	
Julie Schar	19 Pindoe St 5158	
Lorraine Pringle	25 Pindoe St 5158	
Julie & David William	23 Pindoe St 5158	
Emily Smart	28 Pindoe St 5158	
Peter Taylor	5 NATO ST	
S-CARTER	1 NATO	
Phil McDune	2 Nanto St 5158	
Shirley Hollingsworth	1 The Esplanade 5158	
Laurence Lawrence	3 Koorawara St	
DARREN PICKERT	2-5 THE ESPLANADE	
Fiona Pickert	2-5 The Esplanade	
Pamela Zwer	7 The Esplanade	
MATTHEW PIGRAM	10 KOORAWARA ST	
Jess Nesbitt Pigram	"	
Karen Dimond	12 Nungamoora St	
Neil Crafter	12 Nungamoora St	
MARIA MCCANN	17 Murnada St	
Sue Vandarsant	9 Murnada St	
Jessica Fuller	7 Murnada St	
Tim Gerrell	12 Murnada St	
BERNER J VOSS	10 MURNADA ST	
KRISTEN MILN	7 Murnada St	
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[illegible]

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DEVELOPMENT SERVICES

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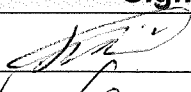
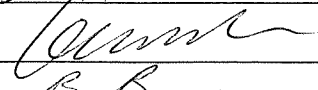



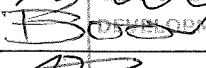
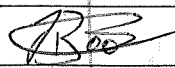
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Name	Address	Signature
Mengyi Zhou	3 Kurnabinna Tce Hallett Cove	
LEI Zhou	3 Kurnabinna Tce Hallett Cove	
Brenda Bowler	8 Kurnabinna Tce	
ROBERT DITTMAR	4 " "	
MARY DITTMAR	4 " "	
PATRICIA BOON	11 FRYER ST H.C	
Jason Boon	11 Fryer St H.C	

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**CITY OF MARION
GENERAL COUNCIL MEETING
25 OCTOBER 2016**

ADJOURNED ITEM

Originating Officer: Alicia Clutterham, Team Leader Open Space & Recreation
Manager: Ann Gibbons, A/Manager Innovation and Strategy
General Manager: Abby Dickson, General Manager City Development
Subject: Destination Playspace
Report Reference: GC251016M01

The item '*Destination Playspace*', GC11101616M01 (attached as appendix 1) was adjourned at the 11 October 2016 General Council meeting due to time constraints of the meeting.

In accordance with the *Local Government (Procedures at Meetings) Regulations*, the debate on an adjourned item will resume and continue at the point it was adjourned. *The motion for this item is yet to be Moved or Seconded.*

**CITY OF MARION
GENERAL COUNCIL MEETING
11 OCTOBER 2016**

Notice Received from: Councillor Hull
Subject: Destination Playspace
Ref No: GC111016M01

MOTION 1:

That Council:

Amend the following resolution (GC140616R15):

Endorse Option 1 with resource allocation costing up to an additional \$40,000 to deliver the Destination Playspace investigation 2019/20.

to

- 1. Endorse Option 1 with a resource allocation costing up to an additional \$80,000 to deliver the destination playspace investigation in 2016/17.**

MOTION 2:

That:

- 1. The Oaklands reserve and playspace project is placed on hold pending the outcomes of the destination playspace investigation.**
- 2. A report is brought to council presenting the findings of the destination playspace investigation in May 2017.**

COMMENTS: Councillor Hull

Pursuant to Regulation 12 (3) of the Local Government (Procedures at Meetings) Regulations 2013, a member may bring a motion to the effect of which, if carried, would rescind or amend a resolution of the Council passed since the last general election. Therefore, I have brought this Motion with Notice to amend the resolution passed on 14 June 2016 to undertake an investigation on a destination playspace.

In June 2016 Council considered the potential to develop a Destination Playspace in the City of Marion. This Playspace would have the potential to attract visitors and tourists state wide, provide iconic play features, surrounding open space, community facilities and opportunities for local business to benefit from the attraction. It would be a space which celebrates the City of Marion, local community and sense of place. There are potentially a number of locations where a Destination Playspace could be developed, and we don't want to limit this potential by progressing smaller scale developments at some sites that have the potential to support a Destination Playspace. Rather than wait until 2019/20 to undertake the investigation into the

potential for a destination playspace, I propose this investigation is conducted as soon as possible so Council has the information to consider the opportunity for a Destination Playspace and can adjust its playspace program accordingly.

COMMENTS: Alicia Clutterham, Team Leader Open Space and Recreation

Council endorsed an open space works program in April 2016 (GC260416R10). The adopted 3 year works program includes the redevelopment of Oaklands Reserve and Playspace as one of the 17 projects – with planning, concept design and community consultation to begin early in 2016-17. A project plan and brief has been developed based on a service level of \$900,000 for this regional playspace and is awaiting the outcome of this Motion with Notice.

Council also considered a report on a Destination Playspace within the City of Marion in June 2016 (GC140616R15). In consideration of the large works program and resources required to commence this project, Council resolved to commence the Destination Playspace investigation in 2019/20 with \$40,000 allocated to this in Council's Long Term Financial Plan.

To consider a destination playspace at Oaklands Reserve, the timing of the investigation of opportunities for a Destination Playspace in the City would need to be brought forward from 2019/20. The Oaklands Reserve and Playspace redevelopment would also be put on hold pending this investigation.

Retiming the destination playspace project would have an impact on resourcing and budget, as all resources are currently allocated to existing priority projects as per the 3-year Business Plan. The investigation of a destination playspace is a significant piece of work which would require additional resourcing, and an increase compared with what would be required if undertaken in 2019/20 (where internal resources will be freed up). The project management resources allocated to the Oaklands Reserve and Playspace project could be redirected to the destination playspace investigation project, with the remaining work to be conducted by a consultant in 2016/17.

The scope of this project in 2016/17 would include:

- Define a Destination Playspace level of service;
- Assess suitability of open space within City of Marion that could support a Destination Playspace viable site option (this may not be on Council land);
- Present to Council a shortlist of sites that meet defined criteria for recommendation to consult with community.

It is estimated that to undertake the destination playspace investigation in 2016/17 the following resources would be needed:

- Project Management: Nil as covered through redirecting PM resources from Oaklands Reserve and Playspace project
- Up to \$80,000 for consultants to undertake the following works:
 - Open space analysis and demographic profiles as well as review of the current Council play space and open space documents
 - Workshop with Elected Members destination playspace level of service, define criteria for site assessments and identify opportunities
 - Site audits on existing infrastructure assessment and site feasibility for development (include historical site analysis for soil issues, landscape architecture, engineering, quantity surveying)

Appendix 1

- Identification and evaluation of potential economic development opportunities to support a local economy
- Schematic drawings to enable feasibility and site assessment
- Identification of potential partnerships and high level discussions with key stakeholders to be able to consider and seek support
- Investigate potential partnership models
- Investigate potential funding models
- Prepare overview of financial considerations and estimated WOL costs.

This project scope does not include the development of designs for the playspace. This would occur when Council has considered a report and considers proceeding to the Concept Design Development stage at a particular location.

Should Council wish to proceed with a Destination Playspace including steps such as Concept Designs, community engagement etc., there will be flow on effects for the open space works program resource requirements and project programming in 2017/18 and beyond.

Other options could be considered including:

- Proceed as is with the planning and consultation on Oaklands Reserve and Playspace on the current adopted scale/scope (\$900k project) in 2016/17 and not proceed with the Destination Playspace investigation in 2016/17. Remain with the current endorsed position of commencing investigations into a Destination Playspace in 2019/20.
- Retime Oaklands Reserve and playspace project, and Hallett Cove Beach detailed design project to free up in-house resources to undertake the destination playspace investigation in 16/17. This option would require \$40k in consultant's fees only, but would have major impacts on delivery of the 3 year adopted works program.
- Do not proceed with a Destination Playspace investigation which would require the resolution of GC140616R15 to be rescinded.

Funding

The previous resolution (GC140616R15) set aside \$40,000 in funding in the LTFP for 2019/20 with no funding allocated in the adopted budget for 2016/17. Council could fund this initiative from its reserve funds – either the Open Space Reserve or from funds contained in the Asset Sustainability Reserve.

**CITY OF MARION
GENERAL COUNCIL MEETING
25 OCTOBER 2016**

ADJOURNED ITEM

Manager: John Valentine, Manager Strategy Projects
General Manager: Abby Dickson, General Manager City Development
Subject: Oaklands Round House
Report Reference: GC251016M01

The item 'Oaklands Round House', GC11101616M02 (attached as appendix 1) was adjourned at the 11 October 2016 General Council meeting due to time constraints of the meeting.

In accordance with the *Local Government (Procedures at Meetings) Regulations*, the debate on an adjourned item will resume and continue at the point it was adjourned. *The motion for this item is yet to be Moved or Seconded.*

**CITY OF MARION
GENERAL COUNCIL MEETING
11 OCTOBER 2016**

Notice Received from: Councillor Crossland
Subject: Oaklands Round House
Ref No: GC111016M02

MOTION:

That Council:

1. Supports the demolition of the building known as the 'Round House' at Oakland's Reserve.
2. Notes the previous advice to Council of 22 March 2016 that demolition costs in 2015 were estimated at \$91,000.
3. Request administration seek updated quotations regarding the demolition works of the Round House.
4. Refers this matter to the next review of the unfunded initiatives for prioritisation.

COMMENTS: Councillor Crossland

Over the last 18 months we have unsuccessfully obtained State Government approval to consider commercial opportunities for this building. The building itself is in very poor condition and as well as being unsightly poses an ongoing community safety risk. Rate payers have been funding both additional security, insurance and staff time. It is now appropriate to make a decision regarding the future of this building.

COMMENTS: John Valentine, Manager Strategic Projects

The Oaklands Round House, wetland and recreation plaza are located on State owned land (Crown Land) which is under the care and control of Council for the purposes of a 'wetland and recreation'.

The legal instrument that transferred the care and control of the land to Council specifically allows Council to demolish existing improvements (structures / buildings) on the land.

During the time the land has been under Council's care and control a number of structures have been either demolished or removed. The 'Bali Hut' building was demolished to enable the recreation plaza to be developed, minor structures have previously been demolished, (ie freestanding shelter) and a substantial transportable building was removed and relocated to Council's southern depot.

Appendix 1

The above mentioned structures were demolished or removed with the knowledge of the Crown Lands office that administers the care and control instrument between the State and Council.

A quote for \$91,000 to demolish the Round House was obtained in 2015. If Council resolves to demolish the Round House this quote will need to be updated and a budget allocation made to undertake the works.

Council has previously resolved the following in relation to the Round House:

GC2803016R09

1. *“Notes the letter received from the Department of Environment Water and Natural Resources outlining the processes involved in obtaining Ministerial approval for potential lessees for the Round House.*
2. *Pursues option 1 – Disposal of unencumbered titles over Allotments 1 and 2, DP55941 for a nominal consideration.*
3. *Advise the Member of Elder of this resolution.”*

GC280812R07

1. *“That the Round House Building be secured and retained by Council until the establishment of the Oaklands Wetland project during 2014 (and the adjoining recreational facilities), with estimated annual security costs of \$9,900, when the potential of the building in its ultimate setting can be properly assessed.”*

If Council supports the motion the Crown Lands would be advised of Council's decision, a competitive quotation process would be undertaken to gain a new demolition cost and the matter referred to Council's unfunded prioritisation process.

**CITY OF MARION
GENERAL COUNCIL MEETING
25 OCTOBER 2016**

ADJOURNED ITEM

Originating Officer: Roger Belding, Unit Manager Operational Support
Manager: Colin Heath, Manager Contracts and Operational Support
General Manager: Vincent Mifsud, General Manager Corporate Services
Subject: Illegal Dumped Rubbish
Report Reference: GC251016M03

The item '*Illegal Dumped Rubbish, GC11101616M03*' (attached as appendix 1) was adjourned at the 11 October 2016 General Council meeting due to time constraints of the meeting.

In accordance with the *Local Government (Procedures at Meetings) Regulations*, the debate on an adjourned item will resume and continue at the point it was adjourned. *The motion for this item is yet to be Moved or Seconded.*

**CITY OF MARION
GENERAL COUNCIL MEETING
11 OCTOBER 2016**

Notice Received from: Councillor Veliskou
Subject: Illegal Dumped Rubbish
Ref No: GC111016M03

MOTION 1:

That:

Marion Council aims to reduce the frequency and volume of illegally dumped rubbish in the area.

Council recognise present arrangement with EPA-SA and endorse the use of cameras within City of Marion, to catch and deter people illegally dumping rubbish in our community.

Resident privacy is paramount in the set up and placement of any cameras and that they only are set up to capture activity on public land.

Further that council take other steps within its power to catch people wilfully dumping rubbish. Council support enhanced focus of its waste service awareness to include messages about our community not tolerating illegal dumping and that council is out to catch, identify and prosecute offenders.

Whilst recognising that the overwhelming majority of tenants (and homeowners) do the right thing; in locations of concern, council will continue to work with private, public and organisational landlords to get them to take responsibility for illegal dumping by their tenants.

Council continue to work with other councils and agencies in carrying out these listed objectives.

COMMENTS: Councillor Veliskou

The sooner council starts to focus on catching and deterring people from illegal rubbish dumping the better. The amount of illegal rubbish dumping is likely to increase as costs for waste disposal increase over the next few years.

This motion also seeks for landlords to take more responsibility for illegal rubbish dumping as a result of the behaviour of their tenants. But also recognises that overwhelming majority of tenants act responsibly and have pride in their community.

The rubbish dumped in our street includes; old appliances, chemicals, building materials, mattresses, unwanted furniture and home contents, automotive waste, garden waste, waste from marijuana cultivation, household waste and electronic waste.

COMMENTS: (Roger Belding, Unit Manager Operational Support)

Council have recently partnered with the Environment Protection Authority (EPA) SA to combat illegally dumped rubbish. Covert EPA surveillance cameras have been installed at known hot spots in a bid to reduce the more than 1,100 incidences a year of illegally dumped rubbish in Marion. The EPA has supplied and installed the cameras and will investigate to prosecute anyone filmed dumping rubbish illegally. Over the next year, the cameras will be rotated to undisclosed locations throughout the city and will complement existing enforcement activities. The placement and maintenance of these cameras has been applied with due consideration given to ensuring the privacy of local residents.

Marion have complimented the use of these cameras through placement of signage across the city, advising the community “No Dumping, Video Surveillance now in use” and that “People Caught Dumping will be Prosecuted”. The signage also advises that outcomes will be applied under the Environmental Protection Act, Local Nuisance and Litter Control Bill, and provisions within the Local Government Act. Under the EPA Act people caught illegally dumping risk fines of up to \$120,000 or two years’ imprisonment; or up to \$500,000 or four years’ imprisonment where the dumping causes environmental harm.

The process applied to illegally dumped rubbish on council land (footpath or road) includes investigation and advice to residents as to alternative disposal options, request for information if the offender is known, and information as to the outcome should an offender be identified. If information received from the investigation is sufficient to identify an offender Council’s Community Safety Inspectors address this accordingly, which may result in advice to the offender to remove the dumped rubbish and or the issuing of an Infringement Notice.

Administration also works closely with entities such as Housing SA and Junction Australia for publicly owned housing / facilities; and communicates directly with residents, owners, as well as Strata and or Leasing Agents in regards to privately owned properties / facilities. Where dumping has been identified as coming from a particular property (eg. as a result of an eviction), Council’s expectation is that the property owner clears the rubbish and then seeks retribution from the vacating resident. In other instances, on conclusion of the investigation process, where an offender is not identified Council will attend and remove the rubbish.

In the current 2016/17 year a “take back rate” (ie. where illegally dumped rubbish is subsequently removed by the offender) of 39% exists as a result of this investigation process being applied.

**CITY OF MARION
GENERAL COUNCIL MEETING
25 OCTOBER 2016**

ADJOURNED ITEM - CONFIDENTIAL

Manager: John Valentine, Manager Strategy Projects

General Manager: Abby Dickson, General Manager City Development

Subject: Administration Building and City Services Surplus Land

Report Reference: GC251016F01

The item '*Administration Building and City Services Surplus Land*', GC111016F01 (attached as appendix 1) was adjourned at the 11 October 2016 General Council meeting due to time constraints of the meeting.

In accordance with the *Local Government (Procedures at Meetings) Regulations*, the debate on an adjourned item will resume and continue at the point it was adjourned. *The motion for this item is yet to be Moved or Seconded*

If the Council so determines, this matter may be considered in confidence under Section 90(3)(b)(i)(ii) of the *Local Government Act 1999* on the grounds that the report contains information that could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and, on balance, be contrary to the public interest.



Adrian Skull
Chief Executive Officer

RECOMMENDATION

That pursuant to Section 90(2)(i)(ii) of the *Local Government Act 1999*, the Council orders that all persons present, with the exception of the following persons: Adrian Skull, Tony Lines, Abby Dickson, Vincent Mifsud, John Valentine Kate McKenzie and Jaimie Thwaites be excluded from the meeting as the Council receives and considers information relating to Council land, 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 could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council, (d)(ii) would, on balance, be contrary to the public interest.

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**CITY OF MARION
GENERAL COUNCIL MEETING
25 OCTOBER 2016**

Originating Officer: Heath Harding, Management Accountant

Corporate Manager: Ray Barnwell, Manager Finance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: 1st Budget Review 2016/17

Report Reference: GC251016R01

REPORT OBJECTIVE AND EXECUTIVE SUMMARY

The purpose of this report is to provide the financial results for the 1st Budget Review for 2016/17. The budget review is a revised forecast of the original budget and as such any savings identified during the reviews will not be confirmed until the financial statements are prepared and audited at the end of the financial year.

This report also provides details of identified once off net cash (funding) savings of \$1,769m following the completion of the independent audit of the 2015/16 Annual Financial Statements.

Cash / Funding Position

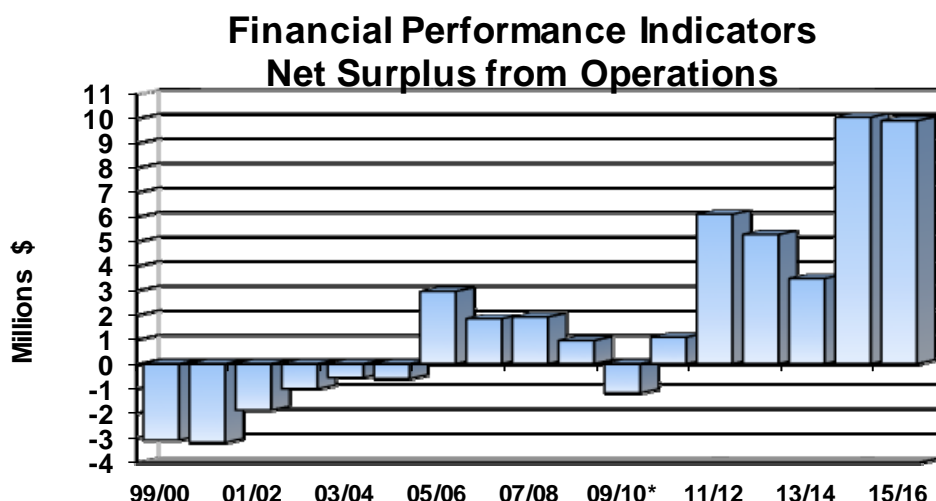
The 1st Budget Review forecasts a full year cash (funding) surplus of \$0.328m (refer Appendix 1 Budgeted Funding Statement – “Movement in levels of Cash/ Accruals”), a favourable adjustment of \$1.008m from the original adopted 2016/17 budget deficit of \$0.680m. This favourable adjustment is attributable the following adjustments to the original 2016/17 adopted budget;

• Principal and interest savings due to deferral of loan funding for City Services	\$610k (F)
• Investment Income	\$239k (F)
• Waste Collection	\$140k (F)
• Insurance renewal	\$ 85k (F)
• Other net adjustments	<u>(\$ 66k) (U)</u>
Net favourable funding adjustments	<u>\$1,008k (F)</u>

Operating

The 1st Budget Review forecasts a full year operating budget surplus for 2016/17 of \$5.211m, a decrease of \$2.442m from the original budget surplus of \$7.653m. This decrease is mainly attributed to a revision of provision for depreciation of \$2.983m (this will have no impact on cash as it is an accounting provision adjustment), the inclusion of 2015/16 operating carryovers (\$0.742m) in relation to grant funded projects and the ‘Lotus Notes’ replacement project, offset by favourable adjustments for interest income (\$0.239m), interest on deferred borrowings (\$0.335m) and the reclassification of budgets from Operating to Capital expenditure (\$0.910m).

The 1st Budget Review operating budget surplus of \$5.211m (6.1%) currently exceeds the target set in the Annual Business Plan and Budget of \$0 - \$4.262m (0 – 5%).



* The underlying operating surplus for 2009/10 after adjusting for the once-off Domain Land transfer for the State Aquatic Centre is an Operating Surplus of \$4.787m.

** The underlying operating surplus for 2010/11 after adjusting for the once-off cash contribution for the SA Aquatic and Leisure Centre is \$6.078m

2015/16 Year End Identified Cash Savings

Following the completion of our independent audit of the financial statements for the year ended 30th June 2016, identified once-off net cash (funding) savings of \$1.769m over and above those embedded in the original 2015/16 budget, have been achieved for the past financial year.

Council in adopting the 2015/16 Annual Budget in June 2015 embedded forecast efficiency and effectiveness savings across the organisation of \$3.2m, resulting in a forecast operating surplus of \$8.9m. A commitment was given to making a concerted effort and having a strong focus throughout the year on achieving these savings, without impacting on service delivery outcomes. This forecast operating surplus also enabled Council to quarantine \$4.2m in the Asset Sustainability Reserve for future major community projects, quarantine \$1.4m in the CFPP reserve and provide funding of \$1.7m to meet existing borrowing commitments (i.e to service existing loans). These forecast savings have now been realised and delivered to the community with the completion and adoption of the audited 2015/16 Annual Financial Statements recording an operating surplus of \$9.8m against an adopted budgeted operating surplus of \$8.9m.

RECOMMENDATIONS (2):

DUE DATES

That Council:

- | | |
|---|------------------------|
| 1. Adopt, as presented in Appendix 1, the revised budgeted statements including the Income Statement, Balance Sheet, Statement of Changes in Equity and Statement of Cash Flows. | 25 October 2016 |
| 2. Approves the identified once-off cash savings following the completion of the 2015/16 audited Annual Financial Statements of \$1.769m either be:- | 25 October 2016 |
| (1) used to reduce the total level of planned and approved borrowings required for the completed City Services Redevelopment project. | |
| Or | |
| (2) transferred to the Asset Sustainability Reserve and quarantined to assist Council fund its long term Asset Management objectives. | |

BACKGROUND:

Council is required to reconsider the approved budget three times during the year in accordance with Section 123 (13) of the Local Government Act 1999 and Section 7 of the Local Government Regulations.

The original 2016/17 budget was developed within the context of a long term framework to achieve a balance between meeting the objectives of the Strategic Plan and attaining financial sustainability in the long term.

Framework

This budget review continues the focus on achieving the framework set by Council when developing the 2016/17 budget, this being:

- Support the achievement of the City of Marion's Strategic Directions;
- Address issues arising from internal audit reviews and assessments;
- Maintains an operating surplus ratio of between 0-5% over any five consecutive years, with a primary focus being on Cash Flow and Funding;
- Continue to improve the maintenance of assets in accordance with Council's Asset Management Plans, with a priority on maintenance before renewal, and renewal before new where it is cost effective to do so;
- Review existing services and assets to ensure they meet prioritised community needs;
- Council only approves new Major Projects where it has the identified funding capacity to do so;
- Maintain Council's position for an average residential rate which remains among the lower rating metropolitan councils;
- Implement responses for progressing liveable cities strategies and funding opportunities within Marion.

DISCUSSION:

Cash / Funding Result

The 1st Budget Review forecasts an underlying cash/(funding) surplus of \$0.328m which is a favourable adjustment of \$1.008m from the original adopted 2016/17 budget. The table below reflects the major budget adjustments since adopting the original budget:

Original Funding Surplus/(Deficit)	(\$0.680m)
Net Budget Adjustments Favourable	<u>\$1.008m</u>
1 st Review Funding Surplus/(Deficit)	<u>\$0.328m</u>

The funding result:

- Identifies the cash difference between total revenues and expenditures of Council after allowing for funding from loans, investments, cash draw-downs and reserves.
- Includes capital expenditures, which are excluded from the operating result.
- Provides information of changes in uncommitted financial resources available to Council.
- Returns a cash surplus where savings arise from the original budget, representing an increase in uncommitted financial resources or returns a cash deficit when costs are greater than the original budget, representing a decrease in available financial resources.

The 1st Budget review is based upon actual results to the end of September 2016 and forecast to June 2017. In accordance with the Local Government (Financial Management) Regulations 1999 a revised budgeted income statement, balance sheet, statement of changes in equity and statement of cash flows are provided in the Attachments to Appendix 1.

Operating Result

The 1st Budget Review forecasts a full year operating budget surplus for 2016/17 of \$5.211m, a decrease of \$2.442m from the original budget surplus of \$7.653m. This decrease is mainly attributed to a revision of provision for depreciation of \$2.983m (this will have no impact on cash as it is an accounting provision adjustment), the inclusion of 2015/16 operating carryovers (\$0.742m) in relation to grant funded projects and the 'Lotus Notes' replacement project, offset by favourable adjustments for interest income (\$0.239m), interest on deferred borrowings (\$0.335m) and the reclassification of budgets from Operating to Capital expenditure (\$0.910m).

The 1st Budget Review operating budget surplus of \$5.211m (6.1%) currently exceeds the target set in the Annual Business Plan and Budget of \$0 - \$4.262m (0 – 5%).

Capital Budget

The 1st Budget Review forecasts expenditure on capital assets increasing by \$7.607m from \$18.598 to \$26.205m (Renewal \$16.230m, New \$9.975m). The net increase is mainly due to budget carry overs from 2015/16 into 2016/17 (\$5.986m), the addition of the BMX Track Development (\$2.750m) offset by the retiming of Open Space capital works into future years (\$0.876m).

The Capital Budget is linked to one of Council's key financial indicators, the Asset Sustainability Ratio, which indicates that Council is on track to meet its performance indicator target of 95 – 100%.

Borrowings

Council's Treasury Management Policy indicates that in the management of its finances, any funds that are not required to meet approved expenditure can be used to reduce the level of borrowings that would otherwise be required.

The current Long Term Financial Plan incorporates a modest borrowing program and it is considered good Treasury Management to offset some future borrowing requirements where possible. In addition, the guidelines of Council's Annual Savings Initiative have the objective to ensure continued improvement in financial performance. One of the three focus areas is to reduce the borrowing program to assist with Long Term Financial Planning.

The 1st Budget Review forecasts no change to the original budget level of required loan funding. Loan principal repayments for 2016/17 have decreased by \$0.274m to \$1.126m due to lower than anticipated loan balances.

Council also currently has substantial cash backed reserves and further consideration of the timing of taking out future borrowings will be reviewed as part of the 2017/18 Annual Business Planning process. Interest charged on borrowings is generally higher than that earned through investments. Therefore, it is not prudent to borrow money when Council has cash reserves available to meet immediate and foreseeable funding needs. In everyday terms this could be compared to paying a minimum credit card payment, and incurring large interest charges, while sitting on money in the bank for a rainy day.

It is therefore recommended that Council consider the option of utilising the identified cash savings from 2015/16 (\$1.769m) to reduce its future borrowings. The financial impact of this would result in an estimated positive net cash flow benefit of \$0.104m per annum. This benefit is derived from the difference between the forecast 15 year borrowing interest rate currently (3.9%) and the forecast return on investments currently (3.00%). Reducing the forecast borrowings now will also free up

capacity for Council to enter into borrowings in the future to fund any approved major community projects.

Alternatively, these identified cash savings could be transferred to the Asset Sustainability Reserve and quarantined to assist Council fund its long term Asset Management objectives.

Reserves

The 1st Budget Review reports an increase in the use of Reserves of \$5.800m.

The balances held in the Reserves prior to the budget review, excluding Grants & Carryovers Reserve, were as follows:

	30 June 2016
Open Space Reserve	\$ 1.014m
Asset Sustainability Reserve	<u>\$10.247m</u>
Total Reserves	<u>\$11.261m</u>

Below is a detailed breakdown of the funding currently quarantined in the Asset Sustainability Reserve. This breakdown highlights funding allocated as part of the 2016/17 budget and allocations committed not yet spent.

Asset Sustainability Reserve								
	Council Report Ref		Major Infrastructure Failure	General	Walk & Cycling	Energy Efficiency	CFPP CFPP	CFPP Major New Projects
1-Jul-16		Balance	2,000,000	1,127,064	-	-	2,922,754	4,197,462
								10,247,280
		Funding allocated as per 2016/17 budget:						
1-Jul-16	SGC120716R02	TFR CFPP 2016/17 Budget Allocation					1,900,000	1,900,000
1-Jul-16	GC080915R03	Walking & Cycling 2016/17 Budget Alloc			200,000			200,000
1-Jul-16	GC280715R06	Estimated Green Power Savings				40,000		40,000
			-	-	200,000	40,000	1,900,000	-
								2,140,000
		Allocations committed but not yet spent:						
11-Aug-15	GC110815R01	Hallett Cove Foreshore Masterplan		(15,000)				(15,000)
11-Aug-15	GC110815R01	Heron Way - Stage 4		(293,000)				(293,000)
8-Dec-15	GC081215R05	Mitchell Park Masterplan - Engagement of specialist consultants required to develop a costed concept plan					(8,051)	(8,051)
19-Jan-16	GC190116M02	Cove Sports Club Balcony					(30,000)	(30,000)
22-Mar-16	GC220316R11	Capella Drive Reserve Improvements					(45,250)	(45,250)
22-Mar-16	GC220316R13	Hallett Cove Beach Tennis Club					(38,000)	(38,000)
24-May-16	GC240516R23	Cove Netball Courts					(65,000)	(65,000)
14-Jun-16	GC140616R08	Clovelly Park Netball Courts					(62,344)	(62,344)
			-	(308,000)	-	-	(248,645)	0
								(556,645)
		Unallocated - Fund Availability 30.09.16	2,000,000	819,064	200,000	40,000	4,574,109	4,197,462
								11,830,635

Operating Grants & Subsidies

Forecast operating grants and subsidies have increased by \$0.286m from \$7.211m to \$7.497m. This increase is predominantly due to the confirmation and addition of the Community Passenger Network Grant (\$201k) and NRM Education Grant (\$0.077m).

Investment Income

Forecast investment income has increased by \$0.239m due to higher interest revenue as a result of forecast larger average cash deposits being held throughout the year.

Employee Costs

Forecast employee costs have increased by \$0.389m (1.2%) from the original budget to \$33.410m. This is mainly due to an increase in grant funded programs (\$0.324m), which are fully offset by corresponding grant revenue and the addition of a Council approved labour resource for Gap Year for School Leavers program (GC270916R10) of \$0.039m.

Carryovers and Unexpended Grants

As part of the finalisation of the 2015/16 Financial Statements, designated unspent budgets were quarantined to the Grants & Carryovers Reserve for specific use in 2016/17 and future years against the works programs and projects they relate to. These budgets were classified as Capital Works, Grant Funded Projects and Other (including Operating).

These total \$10.506m with a breakdown as follows:

2015/16 Carry Over Summary	
Capital Works - Work in Progress	\$ 3,649,234
Capital Works - Retimed to future years	\$ 2,465,136
Grant funding	\$ 1,662,901
Fleet Replacement Program	\$ 1,014,066
Other (incl Operating)	\$ 1,714,399
	\$ 10,505,736

As part of the 1st Budget Review, funds carried over of \$6.728m have been brought into the budgets for 2016/17 to complete the designated works. The balance of \$3.778m remains quarantined in the Grants & Carryovers Reserve for expenditure planned for future years, primarily due to retiming of works for open space development, for example Heron Way (\$0.975m).

Budgets brought into 2016/17 as part of the Carryover process include:

Carryover Analysis 2015/16		
Capital Works	3,649,234	
Drainage Works	963,003	Six works carried over, two now complete, others in progress
Glandore Laneways	787,980	Project due for completion by 30th June 2017
Glade Crescent Reserve	506,082	Multi year project in progress
Cove Civic Centre	200,000	Funding retained for minor capital works post defects period
City Services Redevelopment	150,000	Funding retained for minor capital works post defects period
Other capital works	1,042,169	
Grants	1,662,901	
Sturt River Linear Path	240,000	Grant received in June 2016
Tonsley Greenway Stage 1	350,000	Grant received in June 2016
Hendrie Street Inclusive Playspace	496,200	Pending partnership funding from Touched by Olivia Foundation
Trott Park Dog Park	64,863	Completed August 2016
Jervois Street Reserve	161,657	Completed August 2016
Youth Plaza Oaklands Wetlands	64,220	Funding retained for Recreation Plaza Stage 2
Other various minor grants	285,961	
Other carryovers (incl operating)	1,415,962	
Fleet Replacement Program	1,014,066	Funding designated for specific vehicles to be purchase in 2016/17
Lotus Notes Replacement Program	232,739	Multi year project in progress
Other carryovers (incl operating)	169,157	
Total Carryovers to 2016/17	6,728,097	

The unexpended grants totalling \$1.663m relates to those monies received from funding bodies that were not fully expended by 30 June 2016. These grant monies are tied to a particular purpose or expenditure and therefore are required to be carried over for that purpose.

2015/16 Year End Identified Savings

Our independent audit of the financial statements for the year ended 30th June 2016 has now been completed and savings identified of \$1.769m have been achieved for the past financial year.

Operating Revenue	Favourable/ (Unfavourable) \$000s	Comments for variances +/- \$100k
Rates	(61)	
Statutory Charges	183	Additional Revenue from Parking Fines (\$88k), Dog Registrations (\$27k) and Development Fees (\$53k)
User Charges	58	Predominantly reflects higher than budgeted income at the Marion Outdoor Swimming Centre (\$100k)
Investment Income	426	Additional interest revenue based on higher than average cash deposits held throughout the year.
Reimbursements	44	
Other Revenues	(21)	629
Operating Expenses		
Employee Costs	356	Includes savings from organisational restructure (\$174k) and temporarily vacant positions
Contractual Services	(112)	Predominantly reflects costs relating to temporary management of Marion Leisure and Fitness Centre
Materials	(65)	
Finance Charges	643	Reflects a reduction in interest expense due to budgeted loans from 2014/15 not being taken out.
Other Expenses	318	1,140 Training (\$176k), Insurance Premiums (46k), FBT (\$25k), Vehicle Registration (\$26k) and photocopier charges (\$32k).
Savings achieved against original budget		1,769

Section 7 (2) of the Local Government (Financial Management) Regulations requires that the first reconsideration of a budget in a particular financial year must include a review which takes account of the financial outcomes of the council, council subsidiary or regional subsidiary for the previous financial year.

Corporate KPI – Performance against Council's Adopted Budget

Council's key financial indicators have been updated to reflect adjustments associated with the 1st Budget Review. Commentary in relation to the indicators is provided in Appendix 1.

CONCLUSION:

The 1st Budget Review forecasts a full year cash (funding) surplus for 2016/17 of \$0.328m.

Appendix 1

Budgeted Funding Statement

The following report details the proposed budget changes for the 1st Budget Review.

CITY OF MARION				
Budgeted Funding Statement				
	Budget Original \$000's	Carryovers \$000's	1st Review \$000's	Revised Budget \$000's
OPERATING REVENUE				
Rates				
General	70,829	-	8	70,837
Other - NRM	1,628	-	55	1,683
Statutory Charges	1,751	-	(37)	1,714
User Charges	1,599	-	22	1,621
Operating Grants and Subsidies	7,211	-	286	7,497
Investment Income	265	-	239	504
Reimbursements	619	-	26	645
Share of Profit SRWRA	324	-	-	324
Other	384	-	30	414
	84,610	-	629	85,239
OPERATING EXPENSES				
Employee Costs	33,021	-	389	33,410
Contractual Services	16,886	722	(409)	17,199
Materials	5,193	-	114	5,307
Finance Charges	948	-	(335)	613
Depreciation	14,020	-	2,983	17,003
Other	6,889	20	(413)	6,496
	76,957	742	2,329	80,028
Operating Surplus/(Deficit) before Capital rev's	7,653	(742)	(1,700)	5,211
<i>Add</i>				
(a) Capital Revenue	1,500	-	2,000	3,500
<i>Equals</i> Net Surplus/(Deficit) resulting from operations	9,153	(742)	300	8,711
<i>Add</i> Depreciation	14,020	-	2,983	17,003
<i>Less</i> Share of Profit SRWRA	324	-	-	324
<i>Equals</i> Funding available for Capital Investment exp	22,849	(742)	3,283	25,390
Capital				
<i>Less</i> Capital Expenditure - Renewal	13,673	1,884	673	16,230
<i>Less</i> Capital Expenditure - New	4,925	4,102	948	9,975
<i>Less</i> Capital - contributed assets	1,500	-	-	1,500
<i>Equals</i> Net Overall funding Surplus/(Deficit)	2,751	(6,728)	1,662	(2,315)

CITY OF MARION				
Budgeted Funding Statement				
	Original Budget \$000's	Carryovers	1st Review \$000's	Revised Budget \$000's

Funding transactions associated with accomodating the above net overall funding deficit (or applying the net overall funding surplus) are as follows:

LOANS				
	Loan Principal Receipts (Net)	-	-	-
	Loan Receipts from Sporting Clubs (Net)	-	-	-
Less	Loan Principal Payments	1,400	-	(274)
	Loan funding (Net)	(1,400)	-	274
				(1,126)
Movement in level of cash & accruals				
(b)	Cash Surplus/(Deficit) funding requirements	(680)	-	1,008
Less	Reserves (Net)	(2,031)	6,728	(928)
	Cash/Investments/Accruals Funding	1,351	(6,728)	1,936
				(3,441)
Equals	Funding Transactions	(2,751)	6,728	(1,662)
				2,315
(a) Capital Revenue excludes book gains/loss on sale of assets				
(b) Relates to use of cash to fund major projects				

Analysis of Budgeted Funding Statement

This section of the 1st Budget Review provides an analysis of the movements in the Budgeted Funding Statement (revenues, expenditures, capital, loans and reserves).

The 1st Budget Review reports a funding (cash) surplus of \$0.328m.

Financial Indicators

To assist Council in meeting its objective of financial sustainability a series of financial indicators endorsed by the Local Government Association are provided. Where a Council target has not been adopted the recommended Local Government Association (LGA) target has been provided. The following table provides a matrix of indicators of the 1st Budget Review 2016/2017 and whether the target has been achieved.

Key Financial Indicator	2016/17	Target	Result 5 Yr Avge
Operating Surplus/(Deficit)	\$5.211m	\$0 - \$4.262m	↑
Operating Surplus Ratio	6.1%	0 - 5%	↑
Net Financial Liabilities	(\$4.7m)	\$0 - \$42.6m	✓
Net Financial Liabilities Ratio	(5.5%)	0 - 50%	✓
Interest Cover Ratio	0.9%	0 - 5%	✓
Asset Sustainability Ratio	95.5%	95 - 100%	↓
Asset Consumption Ratio	87.1%	80 - 100%	✓

In most instances the 1st Budget Review 2016/2017 is meeting or exceeding the required targets or is within range of Council meeting its objective of financial sustainability.

Further detail is provided below which explains the basis of each indicator:

Operating surplus – being the operating surplus (deficit) before capital amounts

Operating Surplus Ratio – This ratio expresses the operating surplus (deficit) as a percentage of general and other rates, net of rebates.

Net Financial Liabilities – total liabilities less financial assets. This measures a Council's net indebtedness.

Net Financial Liabilities Ratio – indicates the extent to which net financial liabilities of Council can be met by Council's total operating revenue

Interest Cover Ratio – indicates the extent to which Council's interest expenses are met by total operating revenues

Asset Sustainability Ratio – indicates whether Council is renewing or replacing existing assets at the rate of consumption.

Asset Consumption Ratio – indicates the remaining useful life of Council's assets or the asset stock at a point in time.

Attachments to Appendix 1

- Attachment 1 – Budgeted Income Statement
- Attachment 2 – Budgeted Balance Sheet
- Attachment 3 – Budgeted Statement of Changes in Equity
- Attachment 4 – Budgeted Statement of Cash Flows
- Attachment 5 – Consultants

ATTACHMENT 1

CITY OF MARION		
Budgeted Income Statement		
	Actual	1st
	2016	Review
	\$000's	2017
		\$000's
OPERATING REVENUE		
Rates		
General	68,435	70,837
Other	1,562	1,683
Statutory Charges	1,813	1,714
User Charges	1,771	1,621
Operating Grants and Subsidies	6,482	7,497
Investment Income	696	504
Reimbursements	814	645
Net Gain - Equity Accounted Council Businesses	540	324
Other Revenue	515	414
TOTAL OPERATING REVENUE	82,628	85,239
OPERATING EXPENSES		
Employee Costs	31,783	33,410
Contractual Services	16,293	17,199
Materials	4,740	5,307
Finance Charges	700	613
Depreciation	13,634	17,003
Other Expenses	5,594	6,496
Net Loss - Equity Accounted Council Businesses	1	-
TOTAL OPERATING EXPENSES	72,745	80,028
Operating Surplus/(Deficit) before Capital Revenues	9,883	5,211
CAPITAL REVENUES		
Capital Grants, Subsidies and Monetary Contributions	540	2,000
Physical resources received free of charge	655	1,500
Gain/(Loss) on disposal of assets	(233)	-
Net Surplus/(Deficit) resulting from Operations	10,845	8,711

ATTACHMENT 2

CITY OF MARION		
Budgeted Statement of Financial Position		
	Actual 2016 \$000's	1st Review 2017 \$000's
<u>CURRENT ASSETS</u>		
Cash & Cash Equivalents	24,471	21,030
Receivables	4,754	4,754
Inventory	176	176
TOTAL CURRENT ASSETS	29,401	25,960
<u>CURRENT LIABILITIES</u>		
Creditors	6,082	6,082
Provisions	5,192	5,192
Loans	1,126	1,444
TOTAL CURRENT LIABILITIES	12,400	12,718
Net Current Assets/(Liabilities)	17,001	13,242
<u>NON-CURRENT ASSETS</u>		
Investment in SRWRA & Council Solutions	5,659	5,983
Land	343,709	347,578
Buildings	89,477	88,663
Infrastructure	663,385	670,109
Equipment	6,271	7,852
Furniture & Fittings	912	1,016
Other	10,245	9,483
TOTAL NON-CURRENT ASSETS	1,119,658	1,130,684
<u>NON-CURRENT LIABILITIES</u>		
Provisions	744	744
Loans	9,102	7,658
TOTAL NON-CURRENT LIABILITIES	9,846	8,402
NET ASSETS	1,126,813	1,135,524
<u>EQUITY</u>		
Accumulated surplus	369,211	381,691
Reserves	757,602	753,833
TOTAL EQUITY	1,126,813	1,135,524

ATTACHMENT 3

CITY OF MARION		
Budgeted Statement of Changes in Equity		
	Actual	1st
	2016	Review
	\$000's	2017
		\$000's
ACCUMULATED SURPLUS		
Balance at beginning of period	360,929	369,211
Net Surplus/(Deficit)	10,845	8,711
Transfers from Reserves	15,522	6,855
Transfers to Reserves	(18,085)	(3,086)
Balance at end of period	369,211	381,691
ASSET REVALUATION RESERVE		
Balance at beginning of period	740,335	735,835
Net change this year	(4,500)	-
Balance at end of period	735,835	735,835
OPEN SPACE RESERVES		
Balance at beginning of period	857	1,014
Net change this year	157	71
Balance at end of period	1,014	1,085
OTHER RESERVES		
Balance at beginning of period	18,347	20,753
Net change this year	2,406	(3,840)
Balance at end of period	20,753	16,913
Total Reserves	757,602	753,833
TOTAL EQUITY	1,126,813	1,135,524

ATTACHMENT 4

CITY OF MARION Budgeted Statement of Cash Flows		
	Actual 2016 \$000's	1st Review 2017 \$000's
CASH FLOWS FROM OPERATING ACTIVITIES		
<i>Receipts</i>	85,878	84,915
<i>Payments</i>	(64,969)	(63,025)
NET CASH PROVIDED BY OPERATING ACTIVITIES	20,909	21,890
CASH FLOWS FROM FINANCING ACTIVITIES		
<i>Receipts</i>		
Loans Received	-	-
Proceeds from Bonds & Deposits	21	-
<i>Payments</i>		
Principal	(1,672)	(1,126)
NET CASH (USED IN) FINANCING ACTIVITIES	(1,651)	(1,126)
CASH FLOWS FROM INVESTING ACTIVITIES		
<i>Receipts</i>		
Capital Grants/Subsidies & Contributions/Investments	540	2,000
Sale of Equipment	559	-
Distributions form Equity Accounted Investments	-	-
<i>Payments</i>		
Purchase of IPP&E	(18,324)	(26,205)
NET CASH (USED IN) INVESTING ACTIVITIES	(17,225)	(24,205)
NET INCREASE/(DECREASE) IN CASH HELD	2,033	(3,441)
CASH AT BEGINNING OF REPORTING PERIOD	22,438	24,471
CASH AT END OF REPORTING PERIOD	24,471	21,030

ATTACHMENT 5**CONSULTANTS**

Council resolved at the Council meeting held 8 December 1998 that future budget reviews include an Executive Summary with reference to consultants.

Consultants are defined as an expert called on to provide professional or technical advice not currently available within the organisation. An analysis of Council's accounts reveals the following information of actual + committed year to date (14/10/16) expenditure versus full year actuals for 2015/16 relating to expenditure on Consultants of an operating nature:

Legal Consultants

As at 14 October 2016 1st Budget review

	Full Year Actual 2015/16	Actual YTD 2016/17
Organisational Development <i>(Employment advice)</i>	93,638	3,422
Libraries	1,170	-
Open Space Services	312	25
Environmental Health	13,869	2,326
General Inspection <i>(Dog/Cat & Parking Control)</i>	23,843	10,654
Governance	35,504	23,206
Financial Services	-	1,230
Strategic Projects	16,101	1,426
Asset & Property Management	41,951	897
Development Assessment	194,394	78,324
Infra Mgt (Engineering)	2,534	800
Civil Management	750	-
	424,066	122,310
Full Year Budget		233,513

Other Consultants (not including legal)

As at 14 October 2016 1st Budget review

	Actual Full Year 2015/16	Actual YTD 2016/17
Strategic Development	73,594	35,789
Organisational Development	73,665	8,358
Community Development	(a) 326,409	(a) 15,200
Community Centres	383	-
Occupational Health & Safety	250	-
Cultural Development	3,053	130
Commercial Facilities	(b) 86,167	-
Governance	58,093	23,500
City Management	9,925	63,000
Corporate Development	-	(c) 50,600
Strategic Projects	43,642	18,516
Asset & Property Management	27,610	7,455
Development Assessment	44,371	31,706
Infrastructure Management (Engineering)	107,309	36,042
Civil Services	25,906	-
Open Space Services	9,955	16,500
Depot	335	-
Recruitment	67,344	21,105
	958,011	327,901
Full Year Budget		573,474
(a) Edwardstown Memorial Master Plan	125,749	-
Mitchell Park Sports Club Development Concept Plan	185,920	9,000
Other expenditure	<u>14,740</u>	<u>6,200</u>
	<u>326,409</u>	<u>15,200</u>
(b) Marion Outdoor Pool Master Plan	86,167	-
(c) Streetscape Program Design Guide	-	50,000

**CITY OF MARION
GENERAL COUNCIL MEETING
25 OCTOBER 2016**

Originating Officer: Donna Griffiths, Economic Development Officer

Manager: Neil McNish, Economic Development Manager

General Manager: Abby Dickson, General Manager City Development

Subject: Utilisation of Vacant Commercial Properties

Report Reference: GC251016R02

REPORT OBJECTIVES

To provide the Council with a six-month progress report on the 'Utilisation of Vacant Commercial Properties' Project.

EXECUTIVE SUMMARY

This Council-endorsed initiative aims to activate vacant commercial space to decrease vandalism, improve the appearance of neighbourhoods and help small business to grow.

The approach is a hybrid Business Improvement District and Place-making model (strengthening the connection between people and place) with a view to looking at ways for community groups / local artists / start-ups to activate the space whilst a long term tenant is being sought.

A number of property owners have been approached, however a suitable location has not yet been confirmed for activation at the six-month interval.

RECOMMENDATIONS (2)

DUE DATES

That Council:

- | | |
|---|------------------------|
| 1. Notes the progress over the past six months. | 25 October 2016 |
| 2. Notes that a 12-month project report will be presented to Council in April 2017. | April 2017 |

BACKGROUND

At the General Council meeting held 12 April 2016 (GC120416R02) Elected Members resolved that Council:

1. *Endorses Administration approaching the owner of the Mitchell Park activity centre to conduct a 12 month trial place-making project which seeks to revitalise the area.*
2. *Note a progress report will be brought back to Council in six months.*
3. *Ask Administration to identify a number of vacant commercial properties located on major roads in higher profile locations which have been subject to the risk of vandalism and/ or degradation and then:*
 - a. *Approach the relevant owners to ascertain their interest in providing potential short term leases to community based tenants to activate these properties.*
 - b. *Approach local community groups to seek interest in accessing these properties.*
 - c. *Facilitate contact between the owners and community groups.*
4. *Ask Administration to provide a progress report to Council in six months which summarises the results of this work and includes the issues that have been identified that are impacting on the vacancy rates experienced by these properties.*

The project was endorsed on the basis that it was to be conducted within existing council resources and within existing budgets.

ANALYSIS

Process Overview

An audit of local centre zones and neighbourhood zones was conducted. Forty-two centres were reviewed against set criteria. A short list of seven properties with a minimum of two vacancies was chosen for further investigation.

An internal working group was established consisting of a member from the Economic Development, Open Space, Communications, Community Capacity Building, Arts and Culture, Engineering and Field Services, Planning and Development and Strategy and Innovation teams. The role of the internal working group is to create an 'offer' for activation within existing resources and budget for the Economic Development team to present to nominated Property Owner(s).

The Property Owner(s) is/are then contacted and a meeting is scheduled to talk through the project and some ideas that we can partner on. This is then refined to meet the needs of the owner in the form of a letter. The owner then has 30 days to advise if they are keen to proceed with the mutually agreed project plan.

Overview of Outcomes

A short list of seven properties with a minimum of two vacancies was chosen for further investigation. An overview of the discussions with property owners is below.

Property One

- Characterised by five shops and three vacancies. One property owner.
- After investigation, this Property Owner is currently in arrears of rates and the City of Marion have been trying to recoup these rates for the past three years.
- No further action has therefore been taken for this site in relation to this project.

Properties Two and Three (adjacent)

- Characterised by five vacant shops and vacant land. One property owner.
- An offer was presented to the Property Owner by the City of Marion internal working group and further refined in collaboration with the Property Owner and businesses. However, the Property Owner does not want to formally partner with the City of Marion for various reasons.
- Two businesses have now entered the previously vacant property. The Economic Development team are working one-on-one with the business owners to support their needs. Activation of the space has reduced the amount of graffiti and has drawn other commercial interest.
- The City of Marion has supported the business owner with removal of graffiti in and around the precinct and have supplied bins. This has greatly enhanced the visual amenity of the area.
- There is potential for another business to enter this site. The Planning and Development team are currently working through the required paperwork with the property owner.

Property Four

- Characterised by seven shops and two vacancies. Five property owners.
- Early in the year this group of shops were approached and the two vacant 'shops' were being used for storage. Another two shops were to become vacant in August 2016.
- There were a number of discussions with the property owners with initially some interest being shown in working with the City of Marion.
- However, after a decision by the owner of the vacant premises to continue with the existing situation and ongoing storage needs in the short term the two additional shops did not become vacant. As a result, the internal working group did not proceed with this site.

Property Five

- Characterised by nine shops and two vacancies. One local property owner.
- The City of Marion does not have a prior relationship with this owner. A letter was presented to the Property Owner and the owner has not made contact within the specified timeframe.
- No further progress to be made at this site.

Property Six

- Characterised by seven shops and three vacancies.
- A different approach to engage with the owners of this site has been taken. The Economic Development team has approached the Property Manager to negotiate with the Property Owner.
- There are two businesses currently considering the two vacant shops. However, the City of Marion has been notified that if in two months (November 2016) the two shops are still available the property owners are potentially keen to work with us on an activation strategy.

Other Outcomes

- One shop front has been inspected by a Community Safety Inspector. The property is now deemed '*unsightly*' under the *Local Government Act*.
- One shop within a group has been inspected by an Environmental Health Officer and the business has since closed.
- A large shopping mall is keen to work with us to revitalise vacant spaces by accessing community groups / start-ups / art and cultural groups.

- Discussions have commenced with another shopping mall with the managers advising that they wish to take some six months to review the vacancy situation before considering any other options which is therefore likely to be in early in the new year.

LESSONS LEARNED TO DATE AND NEXT STEPS

This initiative has been successful in proactively identifying properties that require activation, improving the amenity of some locations, linking businesses with local business advisory services / grants available and improving cross collaboration across Council towards a common goal.

A number of community groups and start-ups have approached the team to take up vacant space that might become available as a result of the project.

Engagement and taking the time to develop long term mutually beneficial relationships with property owners will be the key to success for the business and broader community moving forward and helping to create a vibrant city.

Over the next six months, the Economic Development team will continue to work with property owners to identify a suitable place-making project taking on-board the lessons learnt from the past six months.

CONCLUSION

Although no location has yet been confirmed to undertake the envisaged place-making project, a number of valuable relationships have started to develop with the local property owners and their tenants.

Council are asked to note the report and that a 12-month final report will be presented in April 2017.

**CITY OF MARION
GENERAL COUNCIL MEETING
25 OCTOBER 2016**

Originating Officer: Marg Edgecombe, Unit Manager Community Cultural Development

Manager: Liz Byrne, Manager Community & Cultural Services

General Manager: Tony Lines, General Manager Operations

Subject: Concert at the Cove

Report Reference: GC251016R03

REPORT OBJECTIVES

This report seeks Council's endorsement to develop a biennial community concert in the amphitheatre of Heron Way Reserve, Hallett Cove, to be held in the alternate year to Marion Celebrates. The report also seeks Council's guidance on the format, target audience and timing of such an event.

EXECUTIVE SUMMARY

Council is currently developing a City of Marion Marketing and Communications Plan which includes a suite of community events that celebrate the liveability of the City. A community concert in the southern region of the City has been proposed to take place on the alternate year to the Marion Celebrates, the award winning biennial community festival.

This report provides options for Council's consideration to assist staff in scoping a potential event for the 2017-2018 financial year with the view for such an event to be held at the end of March 2018.

RECOMMENDATIONS (2)

DUE DATES

That Council:

- | | |
|--|--------------------|
| 1. Receives full costings and an event management plan for the Concert in the Cove based on Options xxxx (insert combination of numbers & letters), for further consideration. | May 2017 |
| 2. Refers the ongoing allocation of up to \$50,000 for the Concert at the Cove, to the 2017/18 Annual Business Plan and Budget Process for further consideration and prioritisation. | 25 Oct 2016 |

BACKGROUND

Council currently presents Marion Celebrates Festival - Many Cultures, One Earth - as an opportunity for the community to come together to celebrate sustainable community diversity. As a biennial festival, Marion Celebrates is well supported by the community and won the Governor's Multicultural Award in 2013.

Discussions at a recent Elected Member Forum regarding the draft City of Marion Marketing and Communications Plan, in conjunction with the development of the Hallett Cove Foreshore Master Plan, has provided an opportunity to develop a community celebration in the south of the City in the alternate year to Marion Celebrates.

ANALYSIS

Development of Heron Way Reserve

The Hallett Cove Foreshore Master Plan was prepared by Council's Open Space and Recreation Planning team in December 2013. The team is currently in the process of developing a detailed design and costing for the proposed play space and amphitheatre/event space. A report will be brought to Council in May 2017 seeking Council's endorsement to proceed to the construction stage. Any Concert at the Cove, as proposed for March 2018, would be subject to Council endorsing the detailed design, construction and funding required for the Heron Way Reserve project.

The proposed amphitheatre/event space has a potential crowd capacity of 2,500-4,000 people (based on 1 person per 1-2 m²). It should be noted that car parking onsite is limited with approximately 63 spaces available in the long term plan (excluding the Boatshed café car park). Concert goers would potentially need to utilise the train station car park to the east, which is a short walk from the reserve. This has worked well for previous events such as ANZAC Day and Australia Day.

Financial

A proposed ongoing budget of \$50,000 for the event would be utilised for marketing, artist fees, hire of sound equipment and engineer, security, traffic management and/or road closure expenses, and infrastructure needs such as additional toilets, hire of marquees (if required). A fully costed budget, dependant on the concert format, will be developed and presented to council for consideration and endorsement by May 2017.

Options for a Concert at the Cove

Direction from Council on the following options will provide Administration with a guide to developing a proposal for a Concert at the Cove.

	Option	1	2	3
A	Concert Format	Delivered by local community based performers	Headline Act (professional performers)	Combination of Professional and local community performers
B	Target Audience	Family oriented	Young people (12 – 25 years old)	Adult
C	Concert timing	Daytime	Early evening	Evening
D	Event Style	Free	Ticketed (extra cost)	
E	Frequency	Biennial	Other	

CONCLUSION

The proposed biennial Concert at the Cove, as a high profile community event, will be a positive addition to the City of Marion cultural calendar. This community event will support and foster connection to the performing arts, showcase the Heron Way Reserve at Hallett Cove, and provide a stimulating opportunity for community engagement.

**CITY OF MARION
GENERAL COUNCIL MEETING
25 OCTOBER 2016**

Originating Officer: Heather Michell, Land Asset Officer

Manager: Carol Hampton, Manager City Property

General Manager: Abby Dickson, General Manager City Development

Subject: Toc H Hall – Community Land Revocation

Report Reference: GC251016R04

REPORT OBJECTIVES & SUMMARY:

The purpose of this report is to acknowledge receipt of Ministerial approval for the revocation of the community land classification of the Toc H Hall at 30A De Laine Avenue Edwardstown, being the whole of the land in Certificate of Title Volume 6022 Folio 144 (the Hall).

Council authorisation is sought to revoke the Hall from the classification of community land in accordance with Section 194(3)(b) of the Local Government Act 1999. Council will then be able to dispose of the Hall in accordance with Council's Disposal of Land and Assets Policy.

RECOMMENDATIONS (4)

DUE DATES

That Council:

- | | |
|---|-----------------|
| 1. Acknowledges the Ministerial approval to revoke the community land classification dated 5 October 2016 for the Toc H Hall at 30A De Laine Avenue Edwardstown being the whole of the land in Certificate of Title Volume 6022 Folio 144. | 25 October 2016 |
| 2. Revokes the community land classification in respect of the Toc H Hall at 30A De Laine Edwardstown being the whole of the land in Certificate of Title Volume 6022 Folio 144. The Registrar General is to be notified of the revocation of classification of community land in accordance with Section 195 of the Local Government Act 1999. | 25 October 2016 |
| 3. Authorises the disposal of the Toc H Hall at 30A De Laine Avenue being the whole of the land in Certificate of Title Volume 6022 Folio 144 in accordance with Council's Disposal of Land and Assets Policy. | April 2017 |
| 4. Authorises the revenue from the sale of the Toc H Hall to be transferred to the Asset Sustainability Reserve for the purpose of assisting Council to fund its long term asset management objectives. | 25 October 2016 |
| 5. Pursuant to Section 37(b) of the Local Government Act 1999 authorises the Chief Executive Officer to enter into and sign all contracts and documentation necessary to effect a sale and settlement of the Toc H Hall | April 2017 |

DISCUSSION:

Council first considered the future of the Toc H Hall at 30A De Laine Avenue Edwardstown in consideration of the opportunity to pursue asset consolidation and to maximise the use of community facilities and ensure that public value is delivered through its assets on 23 February 2016 (GC230216R08).

Section 194 of the Local Government Act 1999 provides that the community land classification cannot be revoked unless the Minister approves the revocation of the classification.

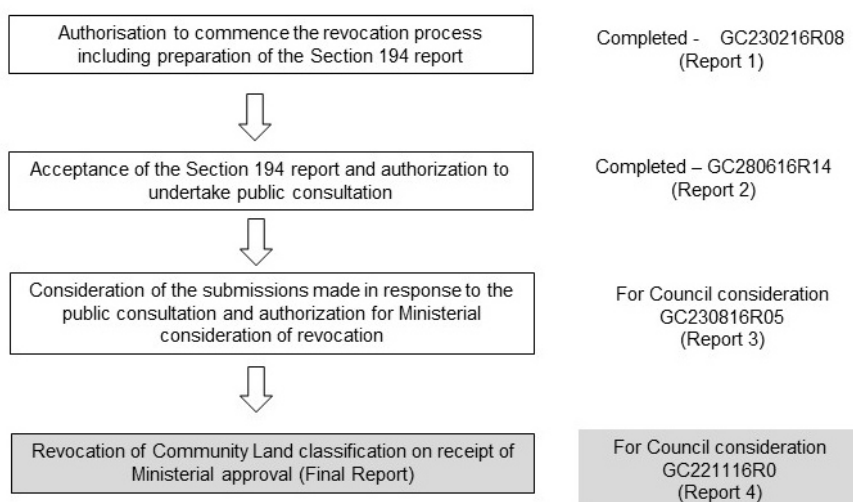
A Section 194 Statement was endorsed by Council on 28 June 2016 (GC280616R14) and authorised that the report be submitted for public consultation in accordance with Section 194(2)(b) of the Local Government Act 1999 and Council's Community Consultation Policy.

On 23 August 2016 (GC230816R14) Council considered the outcome of the community consultation process for the revocation of the community land classification over the Hall and authorised the lodgement of the proposal with a report on all submissions made as part of the public consultation process and a request to approve the revocation of the Community Land classification over the Hall. No objections were received in response to the public consultation process to the proposed revocation and disposal and three submissions were received in support of the proposed disposal.

Ministerial approval was received on 10 October 2016 (Appendix 1) for the revocation. Council is now able to finalise the process by passing a resolution to revoke the community land classification.

Upon revocation of the community land classification, Council will be free to dispose of the Hall in accordance with the Disposal of Land and Assets Policy.

The following diagram illustrates Council's approval process to revoke the community land classification:



Environmental Implications

Contamination investigations have been undertaken to determine any future potential liability that may remain with Council as a result of any site contamination. The findings from the investigations are summarised as follows:

“there is no evidence of any contamination within the upper 1m of the soil profile that would present an unacceptable risk to human health and/or the environment under a residential, open space or commercial development”.

Asbestos materials are known to exist within the building fabric onsite and in a small stockpile of soil at the rear of the allotment.

A copy of the asbestos reports will be provided to prospective purchasers.

Financial Implications

It is recommended that the net proceeds from the disposal of the Hall be transferred to the Asset Sustainability Reserve to be used for the development of existing or new community facilities currently under Council's consideration.

CONCLUSION

Council's endorsement of the recommendations will finalise the process to revoke the community land classification over the Toc H Hall at 30A De Laine Avenue Edwardstown, being the whole of the land comprised in Certificate of Title Volume 6022 Folio 144. Following the revocation, Council will be able to dispose of the Hall in accordance with Council's Disposal of Land and Assets Policy.

It is recommended that community land classification of the Land be revoked.

Appendix 1: Ministerial Approval



Government of South Australia

Department of Planning,
Transport and Infrastructure

In reply please quote 16PLN0738
Enquiries to David Whiterod
Telephone 7109 7142

RECEIVED CITY OF MARION INFORMATION MANAGEMENT	
10 OCT 2016	Original Fwd: <input type="checkbox"/>
File No: _____	
2 5 6 7 8 10	P _____

DEVELOPMENT DIVISION

Roma Mitchell House
136 North Terrace
Adelaide SA 5000

GPO Box 1533
Adelaide SA 5001

Telephone: 08 8303 0822
Facsimile: 08 8303 0849

ABN 92 366 288 135

Mr Adrian Skull
Chief Executive Officer
City of Marion
PO Box 21
OAKLANDS PARK SA 5046



Dear Mr Skull *ADRIAN*

I write in response to your letter seeking approval for the City of Marion's (the Council) proposal to revoke the community land classification of Allotment 151 in Filed Plan 10801, 30A De Laine Avenue, Edwardstown.

I have considered the information provided to me by the Council and in making my decision (under delegation) I have taken into account the nature of the public consultation undertaken by Council.

After carefully considering the effect of the revocation on the area and the local community, I am of the opinion that, on balance, the revocation will be more positive than not in its effect. I approve the Council's proposal to revoke the classification as community land of land being Allotment 151 Filed Plan 10801 contained within Certificate of Title Volume 6022 Folio 144.

If the Council wishes to proceed with the revocation it will need to pass a motion to revoke the community land classification pursuant to subsection 194(3)(b) of the *Local Government Act 1999*.

Yours sincerely

Andrew McKeegan
Chief Development Officer
Development Division
DEPARTMENT OF PLANNING, TRANSPORT AND INFRASTRUCTURE

5 October 2016

**CITY OF MARION
GENERAL COUNCIL MEETING
25 OCTOBER 2016**

Originating Officer: Deb Clunie, Property Leasing Officer

Manager: Carol Hampton, Manager City Property

General Manager: Abby Dickson, General Manager City Development

Subject: Oaklands Estate Kindergarten
Landlords Approval for Centre Facility and Grounds
Upgrade Works

Report Reference: GC251016R05

REPORT OBJECTIVES

The purpose of this report is to seek Council's approval, as landlord, for Centre Facility and Grounds Upgrade Works at the premises contained in Certificate of Title Volume 5836 Folio 050 known as the Oaklands Estate Kindergarten at 16 Pethick Terrace, Oaklands Park, SA 5046.

EXECUTIVE SUMMARY

The Oaklands Estate Kindergarten has a licence over the premises for a term of five years which expires on 31 May 2017.

In accordance with the terms of the licence, the lessee - Department for Education and Child Development (DECD) is seeking Council's approval, as landlord, to upgrade the facilities and grounds at the premises as delineated on Appendix 1.

RECOMMENDATIONS (4)

DUE DATES

That Council:

- | | |
|---|-----------------|
| 1. Grants Landlord's consent for the Centre Facility and Grounds Upgrade Works at Oaklands Estate Kindergarten, Park Terrace, Plympton Park, Certificate of Title Volume 5836 Folio 050. | 25 October 2016 |
| 2. Delegates to the Manager City Property approval to authorise any relevant documents necessary to facilitate the construction and management of the Centre Facility and Grounds Upgrade. | 25 October 2016 |
| 3. Advises that the Oaklands Estate Kindergarten that they will be responsible for any project related cost overruns and will be responsible for all future maintenance and repairs to the Centre Facility and Grounds Upgrade Works. | 25 October 2016 |
| 4. Notes Landlord Approval will be subject to Development Approval and Building Rules Consent. | 25 October 2016 |

BACKGROUND

The Department for Education and Child Development (DECD) has approached Council seeking permission for the Oaklands Estate Kindergarten for Centre Facility and Grounds Upgrade Works. The scope of works will include:

- Upgrade of external outdoor area to provide “Nature Play” elements
- Replacement of sheds
- Replacement of veranda & café blinds due to poor condition of the existing veranda and café blinds
- Toilets to be upgraded
- Kitchen to be upgraded
- Asbestos removal
- Provision of finger guards and soft door closers
- New joinery in office areas.

The cost of the project is estimated at \$380,000

External works	\$180,000
Internals works	\$200,000
	<u>\$380,000</u>

In accordance with the terms of the lease the Club is seeking Council's approval, as landlord, for Centre Facility and Grounds Upgrade Works at the premises.

Landlord's Approval Process



Prior to any alteration to any Council property that is leased or licensed to a third party, approval is required to be granted by Council as landlord. This approval is required for the following activities:

- Addition and alteration to the built structure of the leased premises.

The requirement for this approval does not prevent a lessee from applying for or receiving a Development Approval for an activity on the premises. It does act, however, to prevent the lessee from physically undertaking any works approved under the Development Act.

The consent will be granted subject to:

- All works to be undertaken in a professional manner and to the satisfaction of the City of Marion;
- The City of Marion to be indemnified against all claims, suites, losses etc. that may result from carrying out this work;
- The City of Marion having the right to reinstatement upon termination of the lease;
- The work is to be substantially commenced prior to 25 October 2017, after this date landlords consent will expire; and
- The City of Marion is to be informed once work has been concluded.

ANALYSIS

Consultation

Community consultation was not considered necessary for this project for the following reasons:

- There will be no change to the use of the premises
- The Centre Facility and Grounds Upgrade Works is not anticipated to have a detrimental effect on the amenity of the area.

Legal / Legislative and Risk Management:

The lessee ensures that the Oaklands Estate Kindergarten remains insured in relation to Public Liability Insurance and indemnifies the City of Marion against all damages costs and expenses.

Financial Implications

The Oaklands Park Kindergarten has no current debts.

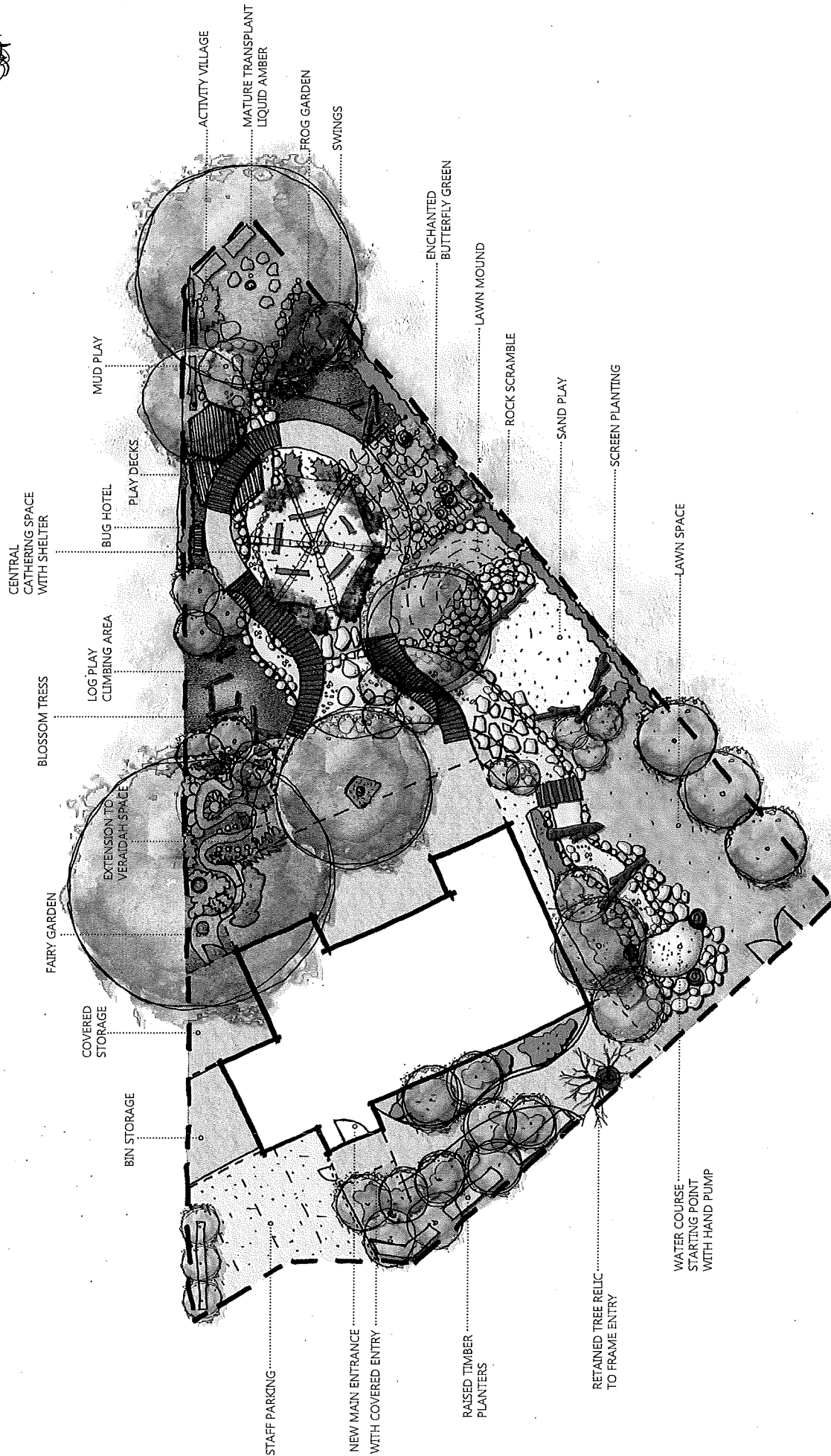
All costs associated with the construction and maintenance of the Centre Facility and Grounds Upgrade Works will be borne by Department for Education and Child Development (DECD).

There is no effect on the 2016/2017 budget.

CONCLUSION

The construction of the Centre Facility and Grounds Upgrade Works, subject to Development Approval, will allow the Oaklands Estate Kindergarten to continue its normal operations within the scope of permitted usage at the site.

Appendix 1 – Oaklands Estate Kindergarten supporting documentation.

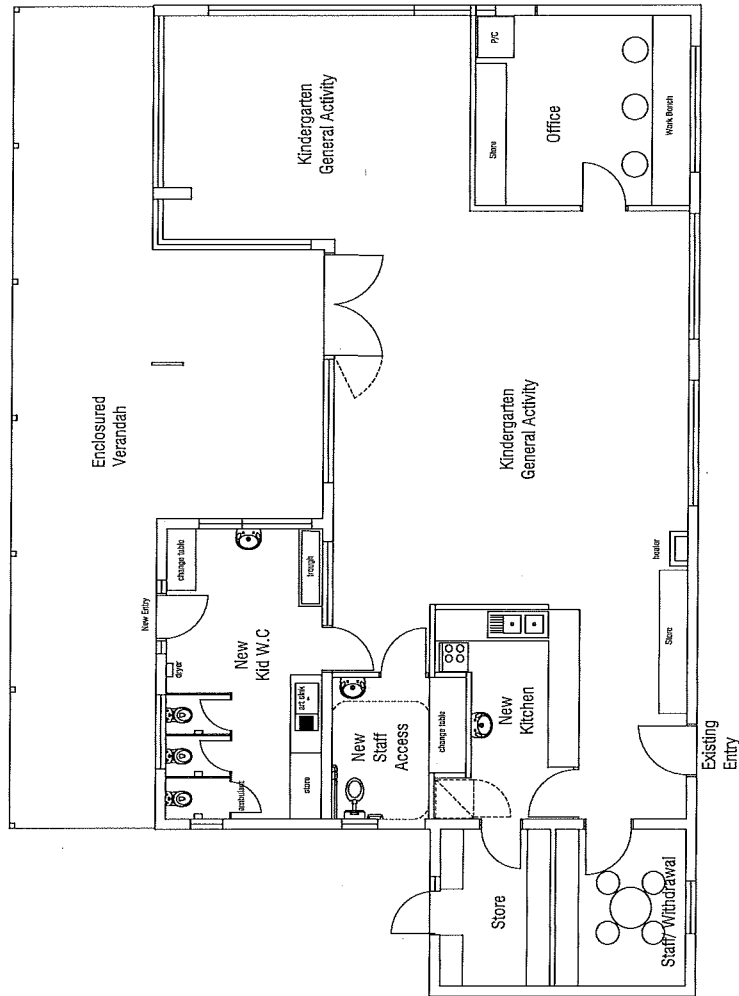


DRAFT

OAKLANDS ESTATE KINDERGARTEN

CONCEPT DESIGN





1 | Floor Plan - Option 5 | $10' \times 12' - 0" = 10410$




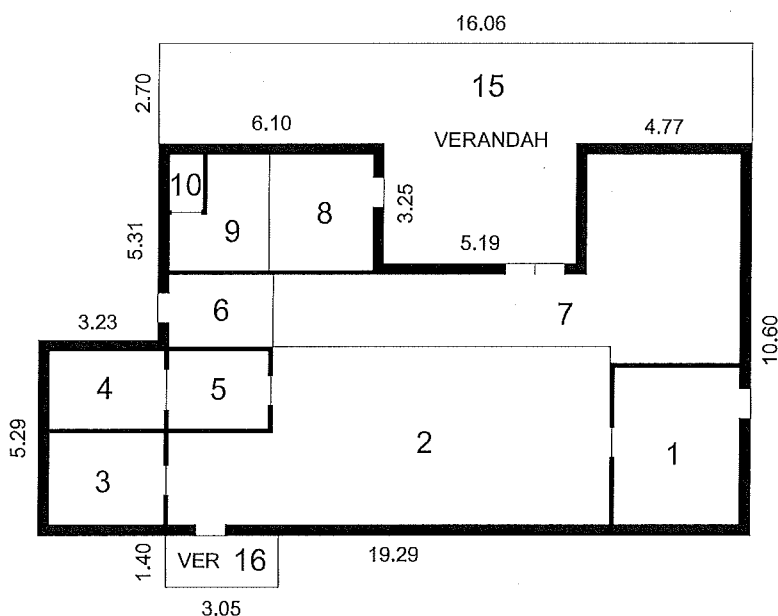
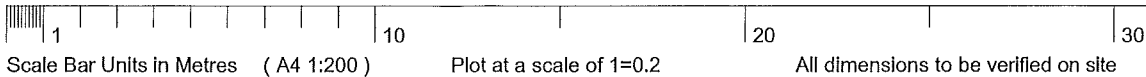
JPE Design Studio

JPE Design
Studio
ABN 97 007
770 245
Level 4,
19 Clifden Street
Adelaide SA 5000
PC Box 9401
Hillman Street
SA 5000
Tel 08 9405 4200
Fax 08 9405 4007
www.jpe.com.au
enquiries@jpe.com.au

Project: Oaklands Estate Kindergarten
16 Pentlick Terrace
Marlton S.A.

Title: Proposed NQS Upgrade
Option 5 Plan

Scale	1:50		PRELIMINARY
Date	Sept 16		
Project No.	10416		
Drawing No.	SK 05 ^A		
Status			



Asset Name **OAKLANDS ESTATE KINDERGARTEN**
16 PETHICK TCE., MARION
 Building Use **KINDERGARTEN**



Government of South Australia
 Department for Administrative
 and Information Services

Created by. *Archink* Drawn *J Sutton* Date *Jan 2006*

Building Asset Information Drawing

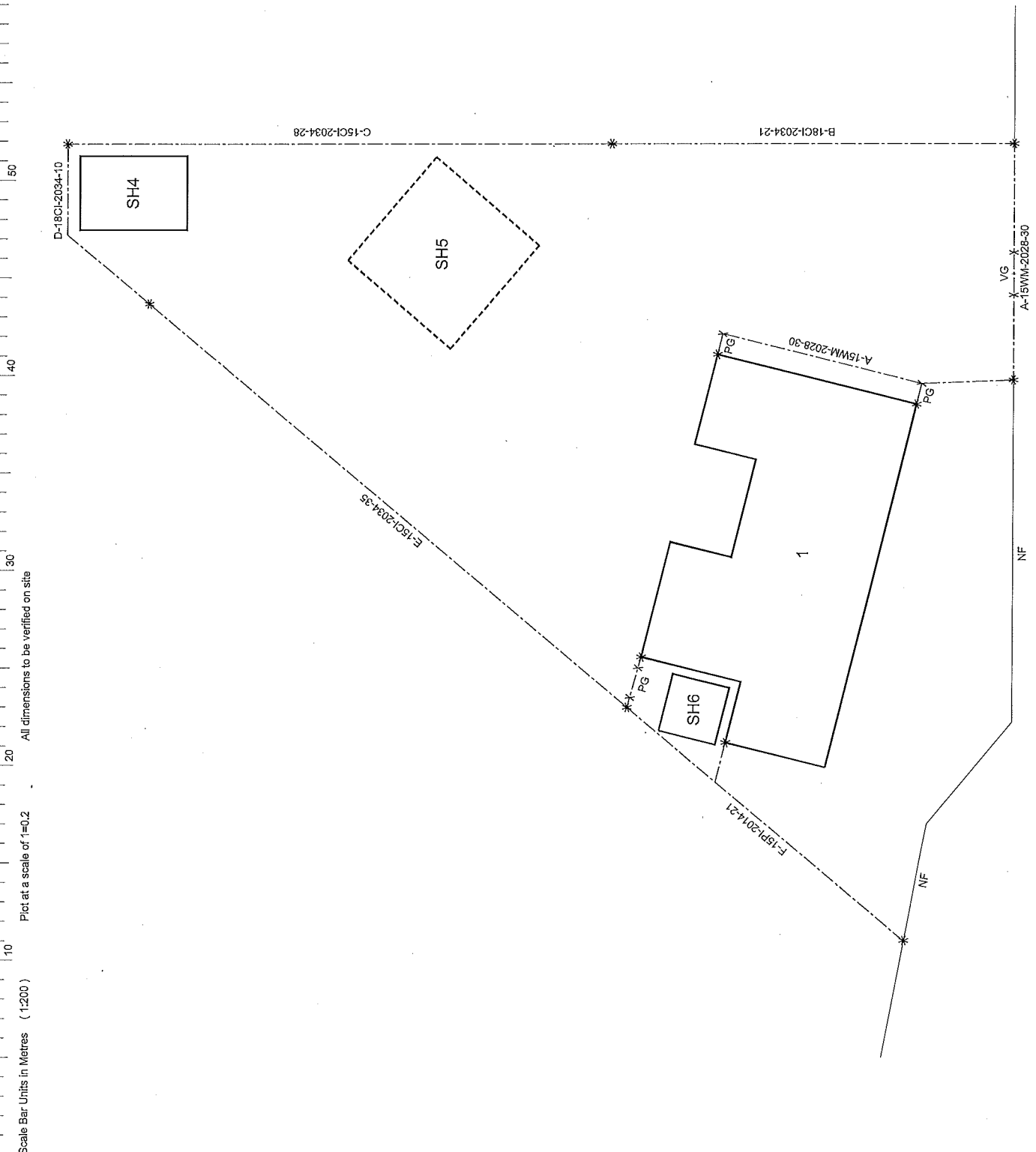
Modified by. *Archink* Drawn *J Sutton* Date *Jan 2006*

Bldg area m² **170** Ver area m² **65** Plan ref. **-**

SAMIS 06662-01-1

BUILDINGS
1 KINDERGARTEN

- SH4 COLORBOND STORE SHED
- SH5 SHADE STRUCTURE
- SH6 GALV IRON STORE SHED

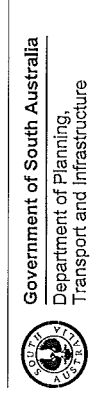


FENCES * code height/type/fail date/length (m/s) *

CI	corrugated iron	PW	post and wire
CM	chain mesh	WM	weld mesh
GT	gabube	NF	not fenced
PG	pedestrian gate	VG	vehicle gate

WM	Water Meter	*	Fence Junction
GM	Gas Meter	PMT	Pad mid trans

OAKLANDS ESTATE
KINDERGARTEN
16 PETHICK TERRACE
MARION 5043



Asset no.	06662	Client.	DECD
DPTI Office.	ADELAIDE	Sheet.	1 of 1
Created by.	-	-	-
Modified by.	Archlink	K O'Connor	Aug 2014
Audited by.	-	-	-

Title details. refer layer " site-allotment " CT-xxx/xxx
Site area. 0.0000 ha Accuracy. site survey
Strategic Asset Management Information System Plan

SAMIS **06662**

**CITY OF MARION
GENERAL COUNCIL MEETING
25 OCTOBER 2016**

Originating Officer: Craig Clarke, Unit Manager Communications

Corporate Manager: Kate McKenzie, Corporate Governance Manager

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: 2016-19 City of Marion Marketing and Communications Plan

Report Reference: GC251016R06

REPORT OBJECTIVES:

The purpose of this report is to provide Council with the draft *2016-19 City of Marion Marketing and Communications Plan* for consideration and adoption.

EXECUTIVE SUMMARY:

The draft 2016-19 City of Marion Marketing and Communications Plan aims to promote the quality of services, facilities and attractions which Council offers.

The plan provides a single, overarching and coordinated approach to marketing and communications activities, and supports the *Strategic Plan – Towards 2040* and the *2016-19 Business Plan*. It is based around five themes with each theme supported by a three-year action plan designed to strengthen the brand, reputation and marketing of Council to specific target audiences.

New marketing campaigns will also be developed to increase the patronage at Council facilities.

RECOMMENDATION (1)

DUE DATE

That Council:

- | | |
|--|------------------------|
| <ol style="list-style-type: none"> 1. Adopts the 2016-19 City of Marion Marketing and Communications Plan (attached as <i>Appendix A</i>). | 25 October 2016 |
|--|------------------------|

BACKGROUND

The City of Marion has employed a traditional operational model of marketing and communications in recent years. Marketing of services and places tended to be the responsibility of line areas whereas the management of day-to-day issues and corporate communications resided in the Communications Unit.

Some of the methods used to market and communicate to stakeholders are:

- City Limits – the community magazine distributed three times a year to 43,000 homes and businesses

- What's Happening column – a fortnightly column in the Guardian Messenger
- Social media – Corporate Facebook, Twitter and Youtube accounts along with dedicated accounts used by Economic Development, the Marion Outdoor Swimming Centre, LKCC, libraries and youth. Combined followers/likes are 9181.
- Website – Receives on average 35,000 hits per month and is Council's main marketing and business tool.
- E-newsletters – Separate newsletters are sent to library, environment and business databases
- Print newsletters – neighbourhood centres and home and community care databases
- Corporate brochures and flyers
- Budget and rates notices
- Annual report
- Annual business plan
- Media releases
- General advertisements
- Signage
- Community engagement activities associated with projects and services
- Community surveys
- Events

The Marketing and Communications Plan was presented to Elected Members at a forum on 21 June and 30 August 2016. The 2016-19 City of Marion Marketing and Communications Plan supports the Strategic Plan – Towards 2040. It is also a goal in the 2016-19 Business Plan.

DISCUSSION

The 2016-19 City of Marion Marketing and Communications Plan outlines a new, integrated and coordinated approach to marketing and communications across the organisation.

A single, overarching three-year strategy has been developed allied to the priorities of Council and is structured around the following five themes: marketing of services, marketing of attractions, celebrating community success, economic investment and customer service.

Each theme is supported by a three-year action plan designed to strengthen the brand and reputation of the organisation. New, coordinated marketing campaigns will also be developed for specific Council services such as libraries and the outdoor pool. Council adopted the first marketing plan, relating to the neighbourhood centres, at its general meeting on September 27, 2016 (GC270916R09).

Plan objectives

The objectives of the plan are to:

- Promote the services the City of Marion offers and demonstrate value for money to ratepayers.
- Build awareness of the City of Marion as a destination for its livability, natural environment, recreation and community facilities.
- Celebrate community success, create a sense of belonging and promote engagement and connectedness in the community.
- Position the City of Marion as an innovative place to do business, generate jobs, investment and economic prosperity.
- Support Elected Members and City of Marion staff to serve the community and deliver results.

The actions

The foundations of the plan are laid in year one with the subsequent years building on the work. Among the key actions are:

Year one – 2016/17

- Review all flyers and information material produced across Council to ensure it is accurate and consistent.
- Implement a marketing plan for libraries, neighbourhood centres and playspaces.
- Develop an events plan and leverage off major national and international events staged in Marion.
- Prepare an investor prospectus for Marion and an annual economic statement outlining the strength of the local economy.
- Produce a new residents' kit and services directory for existing residents.
- Develop a Digital Communications Plan to expand the use of social media and the website.
- Support Elected Members with social media and media training.

Year two – 2017/18

- Develop a suite of flyers in common languages explaining Council services and how to access assistance.
- Review the branding for all City of Marion buildings, materials and signage.
- Review the What's Happening column.
- Update the visitor map and guide.
- Stage Concert at the Cove.
- Develop a campaign to foster pride in living, working and playing in Marion.
- Review the Community Awards and Recognition Policy.
- Review systems and processes to ensure paperwork is faster, better and quicker for business.
- Develop a customer service charter and ensure all frontline staff receive customer service training.

Year three – 2018/19

- Build a new corporate website to replace the existing site which will be seven years' old.
- Produce interactive walking and cycling maps and brochures.
- Promote the city to new migrants, international students and overseas visitors.

How the plan will be delivered

Staff

The Marketing and Communications Unit will lead the development and implementation of the *City of Marion 2016-2019 Marketing and Communications Plan*. Plans will be prepared in conjunction with the relevant teams. The Marketing and Communications Unit will monitor the implementation of the plans.

Finance

Marketing activities listed in 2016/17 can be delivered within the existing budget. This figure does not include existing resources or budgets from other areas which will support the delivery of the plan. Budgets for new marketing activities in 2017/18 and 2018/19 will be subject to the usual budget prioritisation process.

CONCLUSION

The 2016-19 City of Marion Marketing and Communications Plan outlines a new, coordinated and practical approach for engaging with stakeholders.

APPENDICES

Appendix A – 2016-2019 City of Marion Marketing and Communications Plan

2016-19 CITY OF MARION

MARKETING AND COMMUNICATIONS PLAN



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1.0 Executive summary	3
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3.0 Who are our customers?	5
4.0 What is our product and brand?	6
5.0 What do we want to say?	8
6.0 Strategic approach	9
7.0 Marketing and communications activities	10
8.0 Evaluation	18

1.0 Executive summary

If residents feel informed about what their council does, they are more likely to be satisfied with its services. If they believe they receive high quality services, they are more likely to think they get value for money. It's a virtuous cycle.

- The Reputation of Local Government (London, 2008)

The *2016-19 Marketing and Communications Plan* aims to promote the quality services, facilities and attractions which Council offers and position the organisation at the centre of the community.

A transformation is occurring at the City of Marion with new projects taking shape and a greater emphasis on service delivery.

This plan outlines a practical, integrated and coordinated approach across the organisation to marketing and communications activities, which support the *Strategic Plan – Towards 2040* and the *2016-19 Business Plan*.

It is based around the following five themes:

1. Marketing of services
2. Marketing of attractions
3. Celebrating community success
4. Economic investment
5. Customer service

Each theme is supported by a three-year action plan designed to strengthen the brand, reputation and the marketing of Council services and facilities to specific target audiences.

New marketing campaigns will be developed to help increase the patronage of libraries, neighbourhood centres and the outdoor pool. Other services and attractions will be promoted to build community awareness while showcasing Marion to potential visitors and investors.

The plan envisages partnerships with community and business groups, neighbouring councils, and other government agencies.

These strategic initiatives will help to build on the success of the past to create a stronger identity for the future.

2.0 Objectives

The marketing and communications plan is aligned with the City of Marion's strategic objectives.



2016-19 Marketing and Communications Plan objectives

The marketing and communications plan contains the following objectives:

- Promote the services the City of Marion offers and demonstrate value for money to ratepayers.
- Build awareness of the City of Marion as a destination for its livability, natural environment, recreation and community facilities.
- Celebrate community success, create a sense of belonging and promote engagement and connectedness in the community.
- Position the City of Marion as an innovative place to do business, generate jobs, investment and economic prosperity.
- Support Elected Members and City of Marion staff to serve the community and deliver results.

3.0 Who are our customers?

Understanding our community – of today and tomorrow – and their needs and wants is crucial to the success of a customer-driven marketing and communications strategy.

Six broad market segments have been identified, which can be targeted with specific messaging about our “product”. These segments are:

Segments	Characteristics
Residents – current and future*	<ul style="list-style-type: none"> Total population of Marion is 88,983 – and is forecast to rise to 100,000 by 2036 The median age is 39, similar to the SA median. Parents and home builders represent the biggest single demographic in Marion at 20.4 per cent Retirees and seniors (aged 60-84) are the second largest cohort at 19.4 per cent 35 per cent of residents have a mortgage while 29 per cent are renting 14 per cent come from a non-English speaking background with Italian, Greek and Mandarin the most common languages spoken (700 new arrivals each year) 18 per cent of residents are university educated while 19 per cent have vocational training
Businesses – current and future*	<ul style="list-style-type: none"> More than 4680 businesses are active in Marion. They range from sole traders or home-based firms to major industries. Types of industries include manufacturing (23%), finance (14.6%), real estate (11.7%), construction (8.9%), retail (8.7%), health (4.5%)
Community organisations #	<ul style="list-style-type: none"> Marion has more than 700 community groups Examples include sporting, church, schools, service clubs and environmental groups. ‘Community organisations’ are a sub-set of the ‘Residents’
Visitors*	<ul style="list-style-type: none"> 18 million people visit each year to shop or for sport, health, tourism or leisure. 14,311 people live outside Marion but travel here to work. Our facilities are used by 855,700 people a year – neighbourhood centres (47k), libraries (449k), Marion Cultural Centre (286k) and pool (73k)
Partners	<ul style="list-style-type: none"> Marion works with a vast array of State and Federal Government agencies and private sector organisations to deliver community initiatives.
Internal segments	
City of Marion	<ul style="list-style-type: none"> 13 Elected Members 374 staff (338 FTE) 424 volunteers

Sources: * Remplan data and City of Marion annual report. # City of Marion databases.

4.0 What is our product and brand?

The City of Marion offers customers and stakeholders a diverse product, and a recognisable brand in the community.

Our community has built an ongoing relationship with Council through the many services, facilities and attractions which we offer. Our product can be split into two categories:

- | | |
|------------------|---|
| 1) Discretionary | Services which the community chooses to use. For example, libraries, neighbourhood centres, the outdoor pool, playgrounds and community care. |
| 2) Mandatory | Services which are mandatory or statutory. For example, planning, dog registration, rubbish collection, footpaths and roads. |

At its core, the combination of services, facilities and attractions which the City of Marion offers contribute towards delivering a better quality of life for our community.

Our competitive advantage

The competitive advantage is the market offering that makes the City of Marion distinct from other Councils and locations. The City of Marion is competitive across three broad areas:

1 Location

- Sandwiched between the CBD and beaches, and with easy access to the Southern Expressway
- Close to Adelaide airport, Flinders Medical Centre
- Key business district in Edwardstown
- Easily identifiable location due to the name 'City of Marion', although the name may be more associated with Westfield Marion

2 Attractions

- Westfield Marion, SA Aquatic and Leisure Centre, the Tonsley development, Flinders University and Morphettville racecourse
- Wetlands at Oaklands and Warriparinga
- Living Kurna Cultural Centre, Marion Outdoor Swimming Centre, Cove Civic Centre, and Marion Cultural Centre
- Quality open spaces and a network of walking and cycling trails, and spectacular coastline

3 Community focus

- Diverse offer of housing from affordable to high quality compared with other parts of Adelaide
- Rich cultural and demographic mix
- Council rate increases are at historically low levels while Marion has a Council that is united and focused on delivering results.
- Skilled staff who are committed to delivering quality services and facilities.

Our current brand

Brand identify is a powerful factor in expressing an organisation's image and values, and in influencing the way the Council is recognised and perceived by others.

In 2010, the City of Marion rebranded. The logo was modernised with the new colours (a vibrant blue and green) carried through to our marketing and communications collateral. A progressive rebrand was adopted as vehicles, equipment and stationery were replaced.

The tag line *Broad Horizons Bright Future* was introduced. It is no longer in use and the city currently does not have a recognised tag line.

The existing logo and colours represent a strong, identifiable brand in the community and should remain intact for the immediate future.

DRAFT

5.0 What do we want to say?

Positioning statement

A positioning statement is the central message that the City of Marion wishes to use to communicate its position to stakeholders. It represents how we want to be known to the community.

The City of Marion will use the following position:

The City of Marion is home to quality and affordable services, facilities and attractions. We are a welcoming community that is open for business, and is led by Elected Members who are focused on delivering results and are supported by committed staff.

All future strategies and campaigns will be developed using the positioning statement as the central message.

How we currently market Marion

The City of Marion has employed a traditional operational model of marketing and communications.

Marketing of services and places tended to be the responsibility of line areas whereas the emphasis of the Communications Unit was on managing day-to-day issues and corporate communications.

Some of the methods used to market and communicate are:

- City Limits – the community magazine distributed three times a year to 43,000 homes and businesses
- What's Happening column – a fortnightly column in the Guardian Messenger
- Social media – Corporate Facebook, Twitter and Youtube accounts along with dedicated accounts used by Economic Development, the Marion Outdoor Swimming Centre, LKCC, libraries and youth. Combined followers/likes are 9181.
- Website – Receives on average 35,000 hits per month and is Council's main marketing and business tool.
- E-newsletters – Separate newsletters are sent to library, environment and business databases
- Print newsletters – neighbourhood centres and home and community care databases
- Corporate brochures and flyers
- Budget and rates notices
- Annual report
- Annual business plan
- Media releases
- General advertisements
- Signage
- Community engagement activities associated with projects and services
- Community surveys
- Events

6.0 Strategic approach

The City of Marion will utilise an integrated marketing and communications strategy to proactively engage with the community and other key stakeholders.

A single, overarching three-year strategy has been developed for the organisation allied to the priorities of Council and is structured around the following five themes:

1. Marketing of services
2. Marketing of attractions
3. Celebrating community success
4. Economic investment
5. Customer service

A 'one-council' strategy will provide a consistent, centrally coordinated approach to marketing and communications and create a single, compelling narrative and brand identity to tell stakeholders.

Specific actions are outlined under each theme utilising a mixture of traditional and digital technology.

The strategy is supported by marketing plans tailored for discretionary services: libraries, neighbourhood centres, the outdoor swimming pool and the Marion Cultural Centre. This recognizes these services have distinct marketing objectives but will need to conform to the overall brand, messaging and approach.

The 2016-19 Marketing and Communications Plan is a progressive strategy which builds on itself.

Priorities for the first year will involve developing and implementing the services' marketing plans, reviewing the existing communications materials and structures and targeted campaigns to promote services and initiatives to residents.

Successive years will build on this foundation by expanding the range of initiatives and increasing the number of markets that the Council will target. An emphasis of the plan is on effective internal communications to assist in improving customer service.

A community survey should also be undertaken each year to provide an understanding of stakeholders' attitudes to Council and whether the communications and marketing measures are meeting their needs. This strategy will be reviewed annually and adjusted based on the results of the surveys.

7.0 Marketing and communications activities

The following pages outline the activities proposed in the 2016-19 Marketing and Communications Plan.

Staffing

The Marketing and Communications Unit will lead the development and implementation of the *City of Marion 2016-2019 Marketing and Communications Plan*. Tailored marketing plans will be prepared in conjunction with the relevant teams. The Marketing and Communications Unit will monitor the implementation of the plans.

Budget

The budget for the full *City of Marion 2016-2019 Marketing and Communications Plan* requires detailed costing and analysis. The final cost will be based on the actions that are adopted by Council.

Initiatives in 2016/17 relating to the new residents' kit and a services directory can be funded through a reallocation of existing marketing and communications resources across the organisation. In future years, the initiatives will be subject to the normal budget prioritisation process.

2016-2019 Marketing and Communications Action Plan

Outcome 1 – Promote the services the City of Marion offers and demonstrate value for money to ratepayers.

Action	Description	Budget	2016-17	2017-18	2018-19
1.1 New residents' kit	Produce an online kit (including a welcome letter) which outlines services City of Marion offers, key attractions, opportunities to join community groups and how Elected Members can assist residents.	Funded through savings	X		
1.2 Services directory	Produce an online and home-delivered directory of services that the City of Marion offers to the community, and how Elected Members can assist residents.	Funded through savings	X		
1.3 Multi-language flyers	Develop a suite of flyers in common languages explaining services, how to access support groups and which explain role of Council and how to seek assistance.	Subject to future budgets		X	
1.4 Communications audit	Review all flyers and information material produced across Council to ensure it is current, accurate and consistent in style and messaging.	Nil	X		
1.5 What's Happening column	Review the column to better promote the services offered to the community.	\$38,400		X	
1.6 City Limits	Review City Limits magazine with the aim of reducing costs and increasing frequency.	\$117,480	X		
1.7 Online videos	Produce a suite of online videos promoting services, attractions and benefits of living in Marion. Number and subject matter to be determined.	\$5500/video	X	X	X
1.8 Annual report	In conjunction with the annual report, produce an online flyer which summarises the City of Marion's achievements.	Subject to future budgets		X	
1.9 Digital communications strategy	Implement a three-year plan to extend the use of social media and improve the usage of the corporate website.	To be determined	X	X	X
1.10 Corporate website	Build a contemporary corporate website with improved functionality to replace the existing website which will be seven years' old by 2019.	\$50k-\$60k			X

1.11 Marion Cultural Centre website	Build a dedicated Marion Cultural Centre website (linked to corporate website) to promote shows, handle bookings and showcase the MCC. Website is included as part of a strategy to promote the MCC.	\$15,000	X		
1.12 Libraries strategy	Develop a three-year marketing strategy for the libraries to build awareness and increase service use.	To be determined	X		

Outcome 2 – Build awareness of the City of Marion as a destination for its livability, natural environment, recreation and community facilities.

Action	Description	Budget	2016-17	2017-18	2018-19
2.1 Visitor map and guide	Guide for visitors outlining 'what to see and do' in Marion such as parks, walks, wetlands, Coastal Walking Trail, shopping centres, Marion Cultural Centre and Cove Civic Centre. Examine partnering with Holdfast Council.	\$5000		X	
2.2 Neighbourhood centres' strategy	Implement a three-year marketing strategy to build awareness and increase service use. Types of activities include new venue signage, extensive promotions, online videos and a system to better understand client needs.	\$18,300 (first year)	X		
2.3 Park promotions	<ul style="list-style-type: none"> Expand an online interactive map of City of Marion playspaces with photographs of all existing playgrounds, their features and nature spaces. Work with other Councils where possible. Develop a plan to promote all new playgrounds and celebrate the opening of regional level venues to support the Playspace Works Program. 	To be determined	X	X	X
2.4 Outdoor Pool	Develop a strategy for the Marion Outdoor Swimming Centre. For example, outdoor advertising over summer, improved marketing materials, an e-newsletter and creating new events.	To be determined	X		
2.5 Walking and cycling promotion	Produce high quality promotional brochures and interactive maps outlining the range of walking and cycling trails. Integrate into other maps where possible.	Subject to future budgets			X

2.6 Events	Review the existing civic and community events and look for opportunities to create new or partner with existing events, including externally-run events. Develop a calendar of events.	Nil. Future costs	X		
2.7 Major events	Leverage promotion of major national and international events staged in Marion at, for example, SA Aquatic and Leisure Centre and planned new BMX track	Subject to future budgets	X	X	X
2.8 South of the City	Explore creating a joint website between Marion, Mitcham, Onkaparinga and Holdfast Councils highlighting advantages of visiting, living and doing business in the region. Date to be decided.	\$6000			
2.9 Marion Celebrates	Host Marion Celebrates Festival.	\$46,197 for 2016/17	X		X
2.10 Concert at the Cove	Stage a community concert in the amphitheatre of Heron Way Reserve, Hallett Cove. Occurs in alternate year to Marion Celebrates. Include option for food festival.	Subject to future budgets		X	
2.11 Seven days in Marion	Produce an online and hardcopy business directory of places to eat, stay, shop in Marion. The directory will be similar to format to the Entertainment Book with discounts. Co-funded with business.	\$7500	X		
2.12 Overseas promotion	<ul style="list-style-type: none"> Promote the City of Marion as a destination for new migrants by providing information to the Immigration Department. Promote the city to new migrants, international students and overseas visitors. 	Subject to future budgets			X

Outcome 3 – Celebrate community success, create a sense of belonging and promote engagement and connectedness in the community.

Action	Description	Budget	2016-17	2017-18	2018-19
3.1 Media opportunities	Utilise the news media to promote local projects, initiatives and achievements allied to the Council's priorities. Includes media monitoring.	\$6000	X	X	X

3.2 Celebrating Success campaign	Develop a campaign to foster pride in living, working and playing in Marion.	Subject to future budgets		X	
3.3 Signage	Effective use of signage to promote City of Marion facilities and attractions, including: <ol style="list-style-type: none"> 1. Directional – Signs pointing to facilities and attractions. 2. Venue – Outside to explain what the venue offers. 3. Place making – Suburb markers and signs highlighting designated areas eg Edwardstown business precinct, MCC, LKCC, libraries, heritage, cycling paths. 4. Entry statements – explore opportunities where possible. 	Subject to future budgets	X	X	X
3.4 Engagement strategy	<ul style="list-style-type: none"> • Increase the participation rate of community engagement in subsequent years. 	Nil	X	X	X
3.5 Branding	<ul style="list-style-type: none"> • Ensure all City of Marion marketing and communications materials, vehicles and signage meet current brand standards. • Ensure all City of Marion buildings have appropriate branding. • Develop a new tag line for the City of Marion. 	Subject to future budgets		X	
3.6 City-wide banners	Explore installing banners across the city to promote the organisation and events. Specific purposes will be identified as part of future planning.	Subject to future budgets			X
3.7 Awards and Recognition	Review Community Awards and Recognition Policy to better celebrate local success stories.	Nil		X	
3.8 Marion Sports Day	Partner with local sporting clubs to activate parks, reserves, pitches and courts across the city for a day of come and try different activities.	Subject to future budgets		X	
3.9 Merchandise	Produce City of Marion branded collateral for corporate events.	Subject to future budgets			X

Outcome 4 – Position the City of Marion as an innovative place to do business, generate jobs, investment and economic prosperity.

Action	Description	Budget	2016-17	2017-18	2018-19
4.1 Investor prospectus	Produce a prospectus which demonstrates why business and government should choose to invest and do business in the City of Marion.	To be determined	X		
4.2 New business kit	Develop a kit for new businesses containing information about services the City of Marion offers and local business associations.	Subject to future budgets		X	
4.3 Economic statement	Prepare an annual statement outlining the strength of the local economy and how the contribution the City of Marion has made.	Nil	X	X	X
4.4 Economic expo	Host a bi-annual economic expo, which showcases the opportunities in the region, Council/State Government services and a snapshot of the local economy. Explore options to make it regional. Date to be decided.	Subject to future budgets			
4.5 Red-tape reduction	Review systems and processes to ensure paperwork is faster, better and quicker for business.	Nil		X	
4.6 Buy local campaign	Undertake a pilot program of business in Hallett Cove to promote buying local. If successful, extend to other parts of Marion.	Subject to future budgets		X	
4.7 Business awards	Create awards that celebrate the successes of local businesses.	Nil		X	X
4.8 Marion - Open for Business	Reposition and market Council's approach to economic development under the new Open for Business framework.	To be determined.	X		
4.9 Advertising	Explore options for advertising in business publications positioning Marion as a place to invest and do business.	Subject to future budgets		X	
4.10 Newsletter	Monthly e-newsletter for the business community to promote services, events and supporting jobs and economic growth.	Nil	X	X	X

Outcome 5 – Support Elected Members and City of Marion staff to serve the community and deliver results.

Action	Description	Budget	2016-17	2017-18	2018-19
5.1 Internal communications	Develop a plan to strengthen the flow of information to staff and volunteers.	Nil	X		
5.2 Customer service charter	Incorporate an externally-facing charter into existing customer service standards. Charter will be linked to City of Marion Values.	Nil		X	
5.3 Customer service training	Ensure all frontline staff receive customer service training	Nil		X	X
5.4 Template letters review	Review all template letters in Council to ensure they are in plain English, jargon free and easy to understand.	Nil	X		
5.5 Letter training	Train staff to write official letters and other communications in a style that is plain English, jargon free and contains correct spelling and grammar.	Nil		X	
5.6 Contact lists	Create a central list of the contact details for all local sporting, church, community, service clubs, peak bodies, business groups and Members' of Parliament.	Nil		X	
5.7 Blog	Establish a blog to communicate tip, advice and stories from City of Marion staff to assist people in their day-to-day lives. Eg – HR manager provides advice about writing CV or gardener writes about different types of plants to plant.	Nil		X	
5.8 Community survey	Undertake an annual survey of customers to better understand their attitudes, needs and wants.	To be determined	X	X	X
5.9 Social media training	Offer training to Elected Members to assist them to handle Council-related inquiries on social media. (Small groups, informal session.)	Nil	X	X	X
5.10 Media training	Offer training to Elected Members on managing media inquiries and interviews. (Small groups, informal session.)	Nil	X	X	X
5.11 Speech writing	Provide speeches and other correspondence to support Elected Members.	Nil	X	X	X

5.12 EM issues tool kits	Provide briefing packs to support Elected Members on topics of importance.	Nil	X	X	X
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8.0 Evaluation

Marketing and communications metrics will be developed.

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**CITY OF MARION
GENERAL COUNCIL MEETING
25 OCTOBER 2016**

Originating Officer: Roger Belding, Unit Manager Operational Support

Corporate Manager: Colin Heath, Manager Contracts & Operational Support

General Manager: Vincent Mifsud, General manager Corporate Services

Subject: Hard Waste and Management of Dumped Rubbish Assessment of Fee for Service Options

Report Reference: GC251016R07

REPORT OBJECTIVES:

The objective of this report is to provide Council with a range of options for its consideration and endorsement for public consultation, to manage the growing demand and costs to provide the residential hard waste service.

EXECUTIVE SUMMARY:

A service review of the City of Marion Hard Waste Collection and Management of Dumped Rubbish was presented to the Finance and Audit Committee ("FAC") on 8 March 2016 (FAC080316F8.1). At this meeting the Committee noted the service review clearly demonstrated there is a need for the services within the community.

The FAC noted the following points:

- 22% of residents are currently using the hard waste service.
- there will be pressure on the service to meet demand, if the demand continues to grow.
- further work is required with Council to review service standards.
- there are opportunities to improve internal service provisions and monitoring.
- there are opportunities to explore partnerships or collaboration with third parties.
- the use of taping off dumped rubbish with the letter box drop has made an impact.

The FAC:

- encouraged management to further liaise with the Southern Region Waste & Recycle Authority (SRWRA) to see what other options may arise
- suggested that some further work could be completed regarding items that cannot be recycled (hazardous waste and e-waste) and improve communication within the community on how to dispose of these items.

A report was provided to Council (GC230816R06) for consideration, and it was resolved "that the matter be deferred until the 22 November 2016 General Council meeting to enable the matter to be discussed first at an Elected Member Forum". This forum took place on 11 October 2016.

This report provides Council with additional information as requested, and a range of options available to manage the growing demand and costs associated with providing the residential hard waste service.

RECOMMENDATIONS (3)**DUE DATES**

That Council:

- | | |
|---|----------------------------|
| <p>1. Notes this Report.</p> | <p>October 2016</p> |
| <p>2. Authorises the implementation, as outlined within Appendix 3 to this report, of:</p> <ul style="list-style-type: none"> • Option 1 – No change to the current service standard; <p>OR</p> <ul style="list-style-type: none"> • Option 2 – Free Disposal of 2 cubic meters (2m3), with service provided as one only kerbside collection of 2m3, or up to two tip tickets (1 x 2m3 or 2 x 1m3); no additional services offered; <p>OR</p> <ul style="list-style-type: none"> • Option 2a – Free Disposal of 2 cubic meters (2m3), with service provided as one only kerbside collection of 2m3, or up to two tip tickets (1 x 2m3 or 2 x 1m3); additional services offered on a fee for service only (one kerbside collection, unlimited tip tickets); <p>OR</p> <ul style="list-style-type: none"> • Option 3 – Free Disposal of 1 cubic meter (1m3), with service provided as one only kerbside collection, or one 1m3 tip ticket; no additional services offered | <p>October 2016</p> |
| <p>3. Notes that appropriate management discretion will be applied to provide additional Hard Waste services where extenuating circumstances exist.</p> | <p>October 2016</p> |

BACKGROUND

Council has embarked on a series of Service Reviews to identify opportunities to improve the efficiency and effectiveness of services.

Council resolved at its meeting in August 2015 (GC140715M03) that:

1. *Council changes its approach to waste management from a purely education focus to include a focus on deterring and catching those illegally dumping rubbish within the city of Marion.*
2. *A workshop be held before the end of the year with elected members and waste management staff (in area of illegal dumping and hard rubbish collection) to discuss approaches and options to prevent dumped rubbish along with measures to deter and detect offenders.*
3. *A report is provided as a result of this workshop, for consideration by council before the end of the 2015 calendar year.*

A review of the Hard Waste Service and Management of Dumped Rubbish service was initiated in late 2015, and a subsequent comprehensive confidential report presented to the FAC meeting on 8 March 2016 (FAC080316F8.1).

The following reflects a summary of the outcomes of the Service Review:

- the current cost of providing the hard waste service is assessed to be more cost effective when compared to external providers
- the current at-call service delivery approach is generally adopted by most metropolitan councils
- demand for the service is likely to continue to grow based on historic growth patterns
- the scheduled kerbside collection by Council is provided by two staff and a single truck (which are close to capacity), with this same team also collecting illegally dumped rubbish
- relevant legislation indicates Local Government Entities are expected to provide a range of waste disposal options for use by the community and that these options must be environmentally beneficial with an aim to reuse or recycle over disposal to landfill. Legislation also expects responsible management towards removal of dumped rubbish
- a range of hard waste service standards currently exist to provide guidance on the service Council provides to the community; improvement opportunities exist to define and monitor performance in delivering these services
- a recent customer satisfaction survey of hard waste suggests the majority of residents surveyed are happy with the hard waste service, with the exception of waiting times to have the service provided; the provision of Tip Tickets (where the resident can personally dispose of up to one cubic meter of waste to nominated landfill sites, who in turn invoices Council an agreed contract rate) reflects a solution to address waiting times
- a range of processes and initiatives exist to influence and manage incidents of dumped rubbish; the number of reported incidents of dumped rubbish has reduced over time (along with costs to Council), which tends to reflect that existing approaches are being effective and are recommended to continue; the customer survey referred to above reiterates residents' concerns regarding dumped rubbish
- council partners with a range of organisations in relation to the management of dumped rubbish, and this is recommended to continue; opportunities exist to take up an informal offer from EPA-SA to assist with the use of CCTV where practicable, and continue with the use of temporary advisory signage within our community
- community uptake of the hard waste service has increased steadily over the past ten years, from 6,000 requests in 2005/06 to 11,200 in 2014/15, with this growth considered primarily due to increased awareness of the service from residents;
- 22.5% of residents in 2014/15 used the hard waste service (8,960 residents, of which approximately 2,240 received their full entitlement of 2m³ collected over the course of the year)
- hard waste costs to council are similarly growing (currently budgeted at \$332k in 2015/16 compared to \$221k in 2011/12); the increase in costs is primarily due to growth in demand, together with the application of the EPA Landfill Levy and introduction of costs of disposal of certain items (eg. mattresses, tyres, e-waste, etc.)

- data has been obtained regarding the extent of hard waste services provided by other metropolitan councils; this confirms the at call service delivery approach is recommended, however identifies potential opportunities to revise existing service standards
- the availability of 'Tip Tickets' enabling residents to transport hard waste to selected transfer stations for free disposal is a cost effective solution to accommodate demand and reduce waiting times for residents.

The recommendations resulting from the Service Review that were considered and supported by the FAC at their meeting on 8 March 2016 were as follows:-

Hard Waste Service:

1. Council endorse a maximum 6 week waiting period target between the date of requesting a hard waste collection to time of delivery, and performance against this timeframe be monitored
2. Council continue to offer an at-call hard waste service to residential properties only (excluding business premises)
3. Council to benchmark and monitor the performance of its internal collection team to identify further opportunities to optimise the efficiency of its collection processes.
4. Council to retain the process of separation at kerbside for collection of mattresses and or white goods.
5. Council to endorse the continued use of Tip Tickets at existing levels and within the current operating budget.
6. Council explore opportunities to partner with a not-for-profit organisation (or other organisation), to assess whether further benefits (financial, community, environmental) can be achieved from separation and recycling of Hard Waste material collected by council.
7. Council endorse the continued internal service delivery provision of Hard Waste services to residents.
8. Council undertake further internal and community consultation to consider the introduction of a variety of fee for service models and other relevant initiatives to manage the growing demand and costs to provide the Hard Waste service.

Management of Dumped Rubbish:

1. Council enhance reporting of timeframes taken to remove incidents of dumped rubbish
2. Council continue the use of "Illegal Dumped Rubbish under Investigation" tape-up process, including local area letter drop and increased use of advisory signage.
3. Council staff continue to partner with like-minded organisations, such as EPA-SA, Housing SA and Junction Australia, in the management of dumped rubbish.
4. Council formalise a partnering arrangement with EPA-SA to implement the temporary use of CCTV within Marion, where practicable, to compliment enforcement measures able to be applied against the Local Government Act.
5. Council continue with the use of temporary advisory signage to raise awareness within the community that dumped rubbish is not acceptable.

Overview of Current Process for Hard Waste Service

The hard waste service presently provided by the City of Marion is an 'at call' service, where residents (each residential rateable property) can elect to have two collections of one cubic metre each, or one collection of two cubic metres free of charge each financial year, with the service delivery accommodated through either:

- a scheduled kerbside collection (by council staff), or
- use of a Tip Ticket (where the resident can personally dispose of up to one cubic metre of waste to nominated landfill sites, who in turn invoices Council an agreed contract rate when a tip ticket is submitted), or
- a scheduled collection (by a contractor) of defined recyclable products (mattresses and white goods only). A mattress or white goods items equates to one collection.

The scheduled kerbside collection is undertaken by two council staff and a single flatbed collection truck. This same collection team also collects illegally dumped rubbish (estimated at 20% of their time), and between the two activities, is near to capacity.

While the Tip Ticket method is considered the most flexible, the scheduled kerbside collection service is required to ensure equitable access to the hard waste service to residents who have physical or resource (eg access to vehicles or trailers) restrictions. Kerbside collection remains a preferred option for the majority of requests received.

Management discretion is exercised to allow for additional services where there are demonstrated extenuating circumstances (generally related to health matters). It is proposed that the 'extenuating circumstances' interpretation be extended to address those circumstances where a new resident arrives in Marion (eg new lease, or where a property is sold and purchased by new owners) and the entitlements for their property have been 'used' by previous occupants.

It is not recommended that such management discretion be applied in circumstances where landlords are seeking to clean up after end of lease arrangements, as rental bonds can be withheld and used to fund such activity, and landlord insurance would also apply in these circumstances.

DISCUSSION

At its March 2016 meeting, the FAC suggested that consideration be given to additional elements not specifically contained within the Hard Waste service review report:

- liaise with the Southern Region Waste & Recycle Authority (SRWRA) for alternative future waste options,
- inform the community of hazardous waste and e-waste options for residents and consider a range of communication mechanisms for information and promotion,
- analyse options for a fee for service model.

Below provides detail of these additional considerations.

1. Discussion with SRWRA re Future Waste Options

Recent discussions with the Operations Manager of SRWRA considered opportunities for partnering arrangements related to support of our Hard Waste service. These discussions confirmed that due to several factors (eg lack of an existing collection fleet, distance of their transfer station from Marion, and low value of the cost of disposal of hard waste as a proportion of council's total cost) SRWRA were not in a position to provide assistance in collection or direct disposal of Hard Waste. Should such opportunity arise in the future, the level of benefit will be appropriately assessed and considered.

Opportunity for partnering arrangements for delivery of services will continue to be actively pursued and assessed by Administration, including mutually beneficial arrangements with likeminded organisations and non-for-profit entities.

2. Inform the Community of Hazardous Waste and E-Waste Options

Administration will continue to seek viable community waste diversion opportunities and will provide this information to our community appropriately. An example of this being the free Hazardous Waste and E-Waste drop-off days as have been supported by Council over past years.

Hazardous waste drop off days were historically provided in partnership with Zero Waste with funding for collection and disposal provided by Zero Waste. Owing to the cost of such collection days local councils are not in the position to self-fund such initiatives.

The Office of Green Industries (now incorporating Zero Waste) has been requested to provide advice should there be opportunity for future and supported hazardous waste drop off days. Recent advice received is that hazardous waste days will likely be reinstated in one format or another from Financial Report Reference: GC251016R07

Year 2017/18. Zero Waste still provides the community the opportunity for free disposal of hazardous waste through its Dry Creek Depot (open the first Tuesday of every month); Other industry lead opportunities exist for free disposal of Oil and recovery of paint products, unfortunately for the moment this is also only available north of the CBD.

E-Waste recycling is predominantly self-funded by the electronics industry and managed through the Federal Governments Product Stewardship Scheme. As part of this scheme residents can dispose of their TVs and computers for free by taking them to over 13 registered sites in South Australia (eg Adelaide Waste and Recycling Centre, North Plympton). Other E-Waste items may incur a disposal fee. Owing to the success of this scheme there is no requirement for council managed E-Waste drop off days.

Advice on possible waste diversion options is promoted by the City of Marion in several ways including:

- City of Marion's website,
- Hard Waste Confirmation of Booking Letter,
- Waste Calendar and Information brochure,
- community presentations by the City of Marion Waste Education Officer, and
- direct verbal advice from council staff.

The City of Marion website has recently been reviewed and updated in response to new waste diversion options becoming available to residents (this includes details of free drop off locations for televisions and computers).

3. Analysis and Options for Fee for Service Model (including consideration of varying service standard)

A key recommendation from the service review was that Council undertake further internal and community consultation to consider the introduction of a variety of Fee for Service models and other relevant initiatives to manage the growing demand and costs to provide the Hard Waste service. The following range of options have been identified:

Option	Option Description
Option 1	<p><i>No change</i> to the current service standard</p> <ul style="list-style-type: none"> • 2m³ per residential property per annum free (2 x 1m³ collections, or 1 x 2m³ collection; kerbside collection or tip ticket) <p>Budget Impact = \$Nil</p>
Option 2	<p><i>Variation</i> of the service standard</p> <ul style="list-style-type: none"> • 2m³ per residential property per annum free (1 x 2m³ kerbside collection, or tip tickets (1 x 2m³ or 2 x 1m³) with <u>no additional</u> service offered) <p>Estimated Budget Impact = Minimal Savings</p>
Option 2a	<p><i>Variation</i> of the service standard</p> <ul style="list-style-type: none"> • 2m³ per residential property per annum free (1 x 2m³ kerbside collection, or tip tickets (1 x 2m³ or 2 x 1m³)) • Additional service offered based on <u>fee for service only</u>; one x kerbside collection and/or unlimited tip tickets <p>Estimated Budget Impact = Minimal Savings</p>
Option 3	<p><i>Reduction</i> of the service standard</p> <ul style="list-style-type: none"> • 1m³ per residential property per annum free (1 x 1m³ kerbside collection or tip ticket, with <u>no additional</u> service offered) <p>Estimated Budget Impact = \$10k to \$20k savings per year</p>

Option	Option Description
Option 3a	<i>Reduction of the service standard</i> <ul style="list-style-type: none"> 1m3 per residential property per annum free (1 x 1m3 collection, kerbside collection or tip ticket) Additional service offered based on <u>fee for service only</u>; one x kerbside collection and/or unlimited tip tickets <i>Estimated Budget Impact = \$10k to \$20k savings per year</i>
Option 4	<i>Reduction of the service standard</i> <ul style="list-style-type: none"> elimination of mattress collection completely <i>Estimated Budget Impact = \$20k savings per year</i>
Option 4a	<i>Reduction of the service standard</i> <ul style="list-style-type: none"> provision of mattress collection based on <u>fee for service only</u> <i>Estimated Budget Impact = \$20k savings per year</i>
Option 5	Combination of Options 3/3a and 4/4a <i>Estimated Budget Impact = \$30k to \$40k savings per year</i>

Note: A detailed assessment of each option is provided at Appendix 3.

Summary Assessment

Based on historic growth patterns, demand is likely to continue to grow over the next five years and beyond. If service standards to residents are to remain unchanged, and the growth in demand is able to be resourced through increased budget, the option of increasing allocation and availability of Tip Tickets would continue to be recommended as it provides greater flexibility for residents and also is cost effective compared to the alternatives.

Options 1, 2, 2a and 3 are recommended for further consideration by Council.

To provide context to these options, additional information is provided below with respect to:

- legislation,
- community demographics,
- cost of disposal trends,
- demand trend for Marion's hard waste service and cost of hard waste service,
- what hard waste services are offered by other Councils,
- kerbside collection – flatbed truck vs compaction truck,
- council's fees and charges policy, and
- community engagement.

3.1 Legislation

Legislation indicates that Local Government Entities are expected to provide a range of waste disposal options for use by the community and that these options must be environmentally beneficial with an aim to reuse or recycle over disposal to landfill. Further details are contained within the Hard Waste Service and Management of Dumped Rubbish service review report provided to the FAC Committee on 8 March 2016 (FAC080316F8.1).

This service is part of the City of Marion's core business and given this legislative requirement, the option of ceasing to provide a hard waste service has not been explored further.

3.2 Community Demographics

Community and housing demographics¹ show a split of business and residential zoning in Marion along with a degree of social diversity. Marion has an estimated population of 88,292, with 39,659 residential rated properties as at 30 June 2016 (this includes 66% of households purchasing or owning their home, 17.8% renting privately, and 10.5% who were living in social housing).

¹ Australian Bureau of Statistics (ABS) Census of Population and Housing
Report Reference: GC251016R07

3.3 Cost of Disposal Trend

Based on 2014/15 costs, the cost of disposal of hard waste represents approximately 29% (\$90k) of the direct costs associated with provision of the hard waste service.

Table 1 – Cost of Disposal

Element	Cost Driver	% of 2014/15 Direct Costs of \$314,000
Wages and staff costs	Enterprise Bargaining Agreements	47% (\$149k)
Fleet operating	Fuel, maintenance	11% (\$35k)
Mattresses and Whitegoods	Mattresses - commercial rate White Goods - free of charge	11% (\$35k)
Other	CPI	2% (\$5k)
Sub Total Collection Related		71% (\$224k)
General waste disposal	Gate fee (commercial rate) and EPA Landfill Levy	10% (\$32k)
Tip Tickets	Gate fee (commercial rate) and EPA Landfill Levy	14% (\$42k)
Hard Waste Multi Unit Dwellings (MUD's)	Gate fee (commercial rate) and EPA Landfill Levy	5% (\$16k)
Sub Total Waste Disposal related		29% (\$90k)
Total		100% (\$314k)

The state government has indicated the EPA Landfill Levy is scheduled to increase from \$57/tonne to \$103/tonne in 2019/20, an overall increase of 80% from the 2015/16 rate (refer table below).

Table 2 – EPA Waste Levy

Financial Year	EPA Landfill Levy \$/tonne	Increase %
2015/16	\$57	
2016/17	\$76	33%
2017/18	\$85	12%
2018/19	\$95	11%
2019/20	\$103	9%

Waste transfer stations are expected to pass such increases onto Council, so it is clear our costs associated with the disposal of hard waste will trend upward over time and place pressure on our ongoing budget.

3.4 Demand Trend for City of Marion Hard Waste Service and Cost of Hard Waste Service

Since 2005/06 demand for the service has nearly doubled from the 6,000 requests processed in that year, to 11,255 in 2015/16.

Table 3 below provides an overview of the ongoing increase in demand for hard waste services over the past five years, and the average cost per collection (excluding overheads and excluding GST) over this time period. It demonstrates growth in demand, and a relatively stable cost per collection.

Table 3 – Total Hard Waste Collections and Direct Cost per Collection

Financial Year	Total Collections Serviced*	Increase %	Total Direct Cost (excluding overheads)	Average Cost per Collection
2011/12	8,558		\$221,840	\$25.92
2012/13	9,866	15%	\$249,221	\$25.26
2013/14	11,103	13%	\$300,693	\$27.08
2014/15	11,200	1%	\$314,463	\$28.07
2015/16 **	11,255	-	\$326,056	\$28.97

*Includes kerbside collections by council staff and external contractors (mattresses, white goods), and tip tickets

** Based on draft data. Demand for the service has been accommodated within allowed budget, which has impacted on waiting times between the time of booking and the provision of the collection service. Customers who request prompt collection are accommodated wherever practical to do so, or encouraged to take up the tip ticket option.

Given the increasing cost of waste disposal (refer discussion above), community demand for council's hard waste services is expected to continue to increase.

3.5 *Hard Waste Services offered by other Councils*

Appendix 1 provides an overview of present Hard Waste services delivered across Adelaide metropolitan councils as at calendar year 2015.

This analysis suggests:

- the City of Marion's current at-call service delivery approach is consistent with our peers
- councils' continue to provide at least one collection free per year, with a trend towards a fee for service model for second collections. Therefore, an opportunity exists to consider the City of Marion's current service standards.
- a high percentage of council's offer 2m³ per collection, compared to the City of Marion's 1m³.

3.6 *Kerbside Collection – Flatbed Truck vs Compaction Truck*

The kerbside collection service provided by Council staff uses a flatbed truck, which enables council to achieve higher levels of reuse/recycling of product collected.

A rear loading compaction truck is an alternative collection vehicle that is used by some councils (refer Appendix 1). The table below provides a comparison of the two options.

Table 4 – Collection Truck Comparison

	Flat Bed	Compaction
Operational efficiency	<ul style="list-style-type: none"> • Estimated 2.5 tonnes before needing to empty • Approx 35-40 collections per day 	<ul style="list-style-type: none"> • Estimated 2.5 tonnes before needing to empty • Approx 40-50 collections per day (20% increase in collections per day) due to increased payload capacity
Environmental impact	<ul style="list-style-type: none"> • Facilitates reuse and recycling of product collected • Estimated 40% of existing product collected is recycled (60% to landfill) 	<ul style="list-style-type: none"> • Eliminates reuse and minimises recycling of product collected • Estimated 100% of product collected to landfill
Cost - Disposal	<ul style="list-style-type: none"> • Enables approx. 20% discount on standard gate fee 	<ul style="list-style-type: none"> • Assuming 100% landfill, additional annual cost in the order of \$6k
Cost - Vehicle	<ul style="list-style-type: none"> • Existing vehicle upfront purchase cost \$140k (Nov 2013) which includes provision of lifting aids (side lifter, crane) • Annual operating cost (depreciation, fuel etc) of approx. \$35k 	<ul style="list-style-type: none"> • Upfront purchase cost estimated in excess of \$250k (price excludes lifting aids) • Higher servicing and maintenance costs (compaction unit) • Annual operating cost (depreciation, fuel etc) of approx. \$60k
Risk	<ul style="list-style-type: none"> • Manual handling (mitigated by lifting aids) 	<ul style="list-style-type: none"> • Manual handling • Limited options to fit lifting aids

3.7 Fees & Charges Policy

Hard Waste services have been assessed against Council's 'fee for service' policy position endorsed in June 2016 (GC140616R05). This policy enables Council to levy fees and charges for goods and services on a user pays basis and where possible to recover the full cost of operating or providing the service or goods. It also identifies that where it can be demonstrated that members of the community are unable to meet the full cost, concessions may apply.

3.8 Community Engagement

While no formal community engagement activity has occurred to date with respect to the proposed recommendations contained within this report, a customer satisfaction survey was conducted by the City of Marion in May-August 2015 of approximately 2,500 residents who received the hard waste service (refer Appendix 2 for detailed outcomes). 341 responses were received.

This survey indicated:

- a vast majority of residents (82%) are satisfied or very satisfied with the current hard waste collection service
- most residents (73%) prefer the option of two collections of one cubic metre by volume per annum (compared to 10% of residents preferring one collection of two cubic metres by volume per annum, and 10% of residents using the tip tickets).
- the level of satisfaction with the current waiting times between booking a hard waste collection and receiving the service is fairly high (70%).

Elected Member input with respect to our current approach to management of hard waste services was sought through Elected Member Forums on 1 December 2015 and 11 October 2016. Additional community consultation is not considered warranted.

CONCLUSION

This report provides an overview of council hard waste services, with demand for the service and cost of disposal expected to continue to grow.

A range of alternative service options have been considered, and recommendations made to explore options which may assist in providing access to the service to a wider number of residents, within budget constraints and potential budgetary savings.

Administration will continue to research and apply best practice management of hard waste services and proactively explore beneficial partnerships and collaboration opportunities with third parties.

Appendix 1 What other Council's provide in relation to Hard Waste Services

Appendix 2 Service Review Customer Survey Report

Appendix 3 Detailed Assessment of Options

Summary of what other Council's provide in relation to Hard Waste Services

The table below provides an overview of present Hard Waste services delivered across Adelaide metropolitan councils as at calendar year 2015.

Council	Type of Service	Volume per service collection	Charge Criteria	Number of collections per year	Service provider	Collection vehicle
Adelaide City	Set Scheduled Run 4 times a year– moving to an at-call service in Jan 2016.	2 cubic metres each	Free	unadvised	unadvised	unadvised
Adelaide Hills	At Call Booking, fee for service, limited to 6 months of the year. Tip voucher option.	Equivalent of 6x4 trailer	\$20 per collection	292	unadvised	unadvised
Burnside	At Call Booking 1 free per year. \$50 charge for an additional service	2 cubic metres each	Free First Collection \$50 Second Collection	unadvised	Unknown but hoping to engage non-profit entity	unadvised
Campbelltown	At Call Booking 1 free per year	2 cubic metres each	Free	3,641	East Waste	compaction
Charles Sturt	At call up to 2 free collections per year	2 cubic metres each	Free	unadvised	unadvised	unadvised
Gawler	No service	N/A	No Service provided	unadvised	unadvised	unadvised
Holdfast Bay	At Call Booking 1 free per year. \$50 charge for an additional service	1.5 cubic metres each	Free First Collection \$50 Second Collection	3,798	Solo	compaction
Marion	At Call Booking 2 free per year. Option to redeem one or both as a Tip Ticket.	1 cubic metre	Free	11,200	In-house	Flat-bed
Mitcham	At Call Booking 1 free per year	2 cubic metres each	Free	5,285	East Waste	compaction
Norwood Payneham St Peters	Set Schedule – once per year	N/A	Free	unadvised	unadvised	unadvised
Onkaparinga	At Call Booking 2 per year plus 1 mattress booking	2 cubic metres each	Free	13,061	In-house	compaction
Playford	Hybrid – 1 free per year. Collected monthly on a suburb by suburb basis collection must be booked.	2 cubic metres each	Free	unadvised	SITA	unadvised
Port Adelaide Enfield	At Call Booking 4 per year	2 cubic metres each	Free	18,427	unadvised	unadvised
Prospect	At Call Booking 3 per year	No limit/ 'within reason'	Free	2,522	unadvised	unadvised
Salisbury	Voucher system – 1 free voucher per household to use at transfer station. In addition 1 booked service at a cost of \$10	2.1m x 1.5m x 2m (5x7 trailer equivalent)	1 x Free Voucher, and 1 x Serviced \$10 Fee	unadvised	unadvised	unadvised
Tea Tree Gully	At Call Booking 2 per year	1.5 cubic metres, equivalent of 6x4 trailer	Free	12,839	Solo	compaction
Unley	At Call Booking 1 per year	1.5 cubic metres each	Free	unadvised	unadvised	unadvised
Walkerville	Set Scheduled – once a year	N/A	Free	unadvised	unadvised	unadvised
West Torrens	Trial of an At Call Booking system 2 per	2 cubic metres each	Free	unadvised	Solo	compaction

Appendix 1

Council	Type of Service	Volume per service collection	Charge Criteria	Number of collections per year	Service provider	Collection vehicle
	year (commenced Oct 2015)					

Assessed against published and sourced data

In cross-referencing data, it is evident that since 2007 30% of those councils noted in the table above have moved away from an all-out once a year annual roadside collection, towards providing an at-call booked service.

This analysis suggests

- Marion's current at-call service delivery approach is consistent with our peers and should be retained.
- Councils continue to provide at least one collection free per year, with a trend towards a fee for service model for second collections. Therefore, opportunity exists to consider Marion's current service standards.
- A high percentage of council's offer 2m3 per collection, compared to Marion's 1m3



HARD WASTE COLLECTION SURVEY REPORT

1. EXECUTIVE SUMMARY

The results of the Hard Waste Survey indicate:

- A vast majority of residents (82%) are satisfied or very satisfied with the current hard waste collection service;
- The level of satisfaction with the current waiting times between booking a hard waste collection and receiving the service is fairly high (70%);
- Most residents (73%) prefer the option of two collections of one cubic metre by volume per annum with only 10% of residents using the tip tickets;
- While only 12% of survey respondents were dissatisfied or very dissatisfied with a hard waste collection service overall, the level of dissatisfaction with the current waiting times between booking a hard waste collection and receiving the service is twofold higher, gaining one quarter (25 %) of total responses;
- Most negative comments are made with regard to the long waiting times between booking a hard waste collection and receiving the service (90% of negative comments to Question 1 and 37% of negative comments to Question 2).
- Comments to each question included a number of concerns about illegal dumping (50% of all comments made in response to Questions 1 and 4).

2. BACKGROUND

This report is based on the results of the Hard Waste Survey undertaken in City of Marion during May-August 2015 with the aim to determine customer satisfaction with the Council's hard waste collection service, as well as to determine customer preferences regarding how the service is delivered. In the 2014 - 2015 financial year a total of 11,235 hard rubbish bookings were made in City of Marion. The survey results are statistically representative of the resident population who have utilised the hard rubbish service in the last 4 months (plus or minus 5% with a 93% confidence level).

At the time of survey the average waiting time between booking and collection was 8-10 weeks. Tip ticket capacity was limited to 100 per month, which was filled within a week. Since the tail end of the survey period (August), the average waiting time between booking and collection has been 4-5 weeks. Tip tickets have also increased to a capacity of 150 per month, and better cater to customer demand whereby the tickets are available for approximately 3 weeks as opposed to being filled within one week at the start of each month.

3. METHODOLOGY

The survey (included in Appendix 1) was mailed out with confirmation letters for hard rubbish bookings to approximately 2500 residents during May – August 2015. There were 341 survey responses and the response level made up 14% from the total number of mailed survey forms.

The survey form comprised 4 (four) questions:

Question 1: What is your level of satisfaction with the current waiting times between booking a hard waste collection and receiving the service?

Question 2: What is your level of satisfaction with the current hard waste collection service?

Question 3: Which hard waste collection service do you prefer?

Question 4: Do you have any other comments?

4. SURVEY FINDINGS

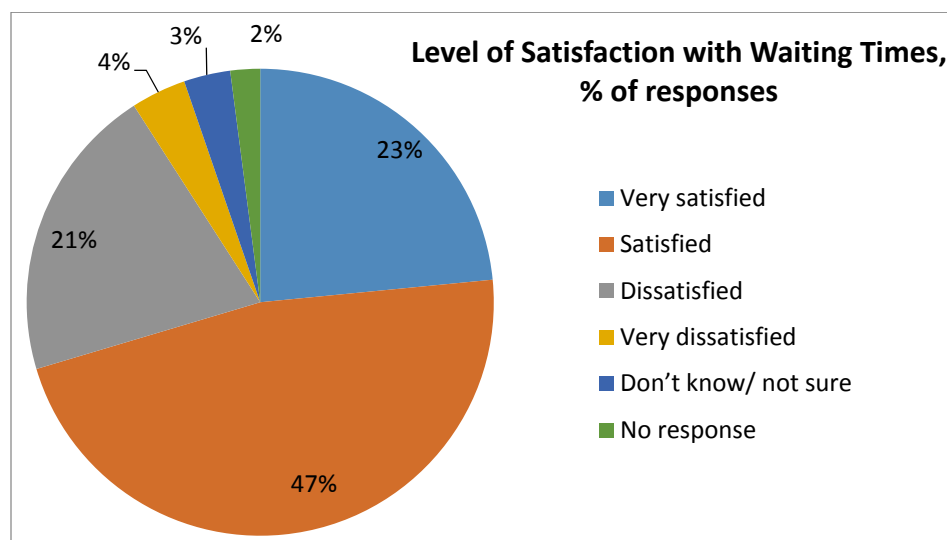
4.1. Customer satisfaction with waiting time for collection

Responses to Question 1 comprised 98% of all returned surveys. Responses are presented in Table 2 and Figure 1. The responses illustrate that overall satisfaction with the waiting times is quite high, with a substantial 70% of customers who are very satisfied and satisfied with current arrangements. However, the number of dissatisfied and very dissatisfied residents is notable coming up to 25% of the surveyed population.

Table 2.

RESPONSE RATING	COUNT	% OF TOTAL
Very satisfied	80	23
Satisfied	160	47
Dissatisfied	70	21
Very dissatisfied	13	4
Don't know/ not sure	11	3
No response	7	2
TOTAL	341	100.0%

Figure 1.

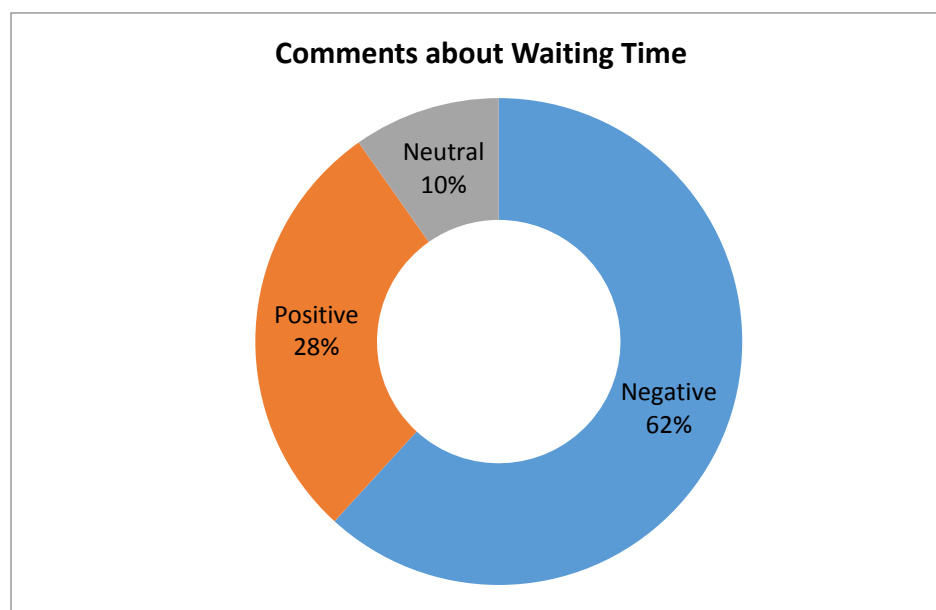


There were 123 comments given by respondents to the Question 1 (36% from total number of returned survey forms). Figure 2 shows that most of those comments (62%) were attached to the negative responses. A vast majority of the negative comments (90%) were made with respect to the long waiting time between the booking date and the date of collection and between the appointed date of collection and the actual collection. People mentioned that they had to wait from 3 weeks up to 6 months between

booking and collection dates (84%). Some customers (6%) complained about long waiting time (up to 2 weeks) between putting waste out and its actual picking by service staff. 10% of respondents who gave negative comments in response to Question 1 were dissatisfied with illegal dumping, streets untidiness, rubbish scattering and larceny.

Positive comments were evenly distributed between those who appreciated the service in general (30%) and those who mentioned that the collection time was prompt (40%) or reasonable (30%).

Figure 2.



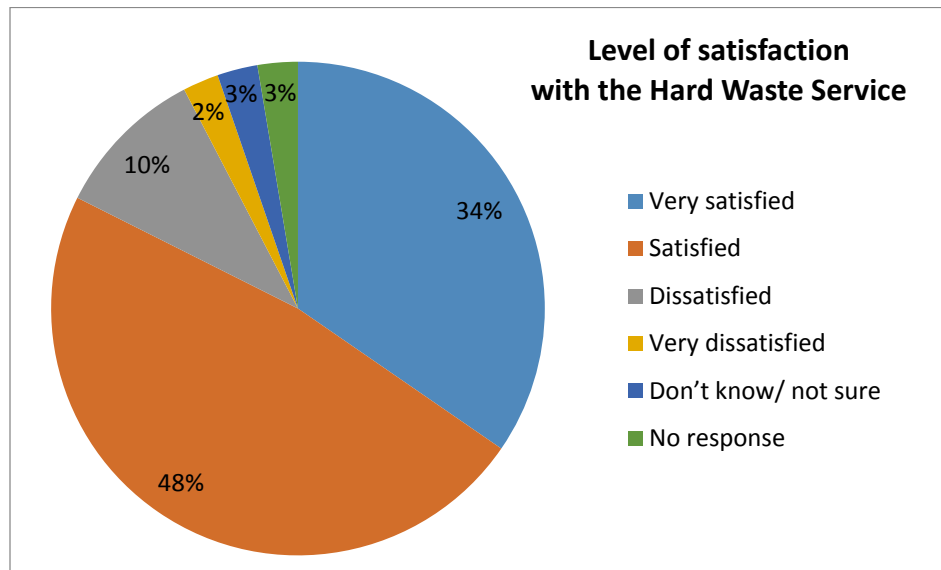
4.2. General customer satisfaction with the service

Responses to Question 2 comprised 97% of all returned Survey Forms. Statistics for answers with regard to overall satisfaction with the current hard waste collection service is given in Table 3.

Table 3.

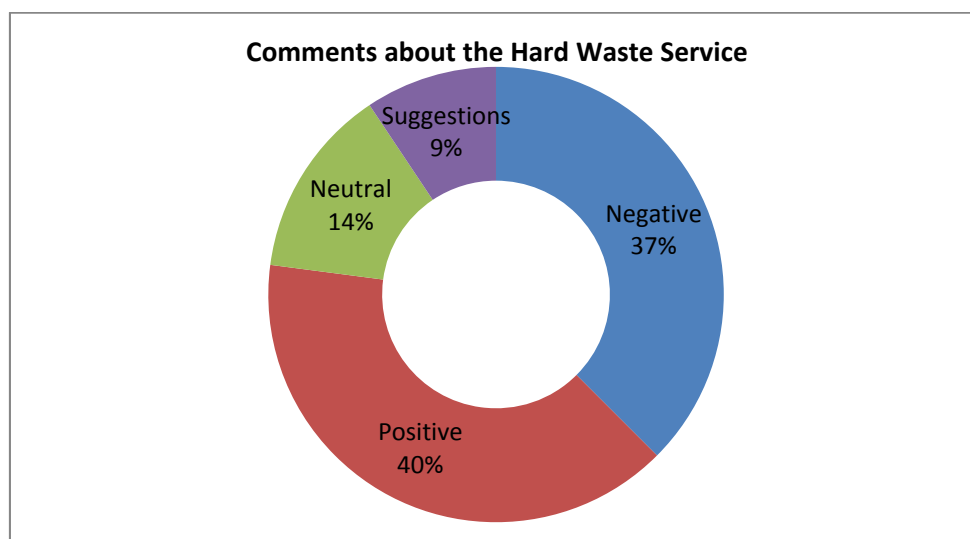
RESPONSE RATING	COUNT	% OF TOTAL
Very satisfied	118	34
Satisfied	163	48
Dissatisfied	34	10
Very dissatisfied	8	2
Don't know/ not sure	9	3
No response	9	3
TOTAL	341	100.0%

Figure 3 shows there is a high level of satisfaction with the hard waste collection service among the Council residents who have utilised the service. Significant numbers of respondents were very satisfied (34%) and satisfied (48%) with the service, with only 12% dissatisfied.

Figure 3.

There were 96 additional comments attached to Question 2). Figure 4 shows that negative and positive comments are almost evenly distributed among the 96 comments attached to Question 2 (28% of all returned surveys). Positive comments (40% of all comments) emphasised the high quality level of the service and its convenience for the community members. 18% of satisfied respondents made special mention of the good job done by collecting staff.

Most negative comments concerned the long waiting time between the booking date and the date of collection (37% of all negative comments made on Question 2), and as such repeated the negative comments from Question 1. The second biggest complaint was about not having enough collections in the current hard waste service set-up (16%), and 13% of respondents' comments cited problems with the limitations on acceptable items for collection. Some customers complained about non-taken items (13%) and a lack of communication with regard to the waste arrangements (11%).

Figure 4.

4.3. Customer service preference for Hard Waste Collection

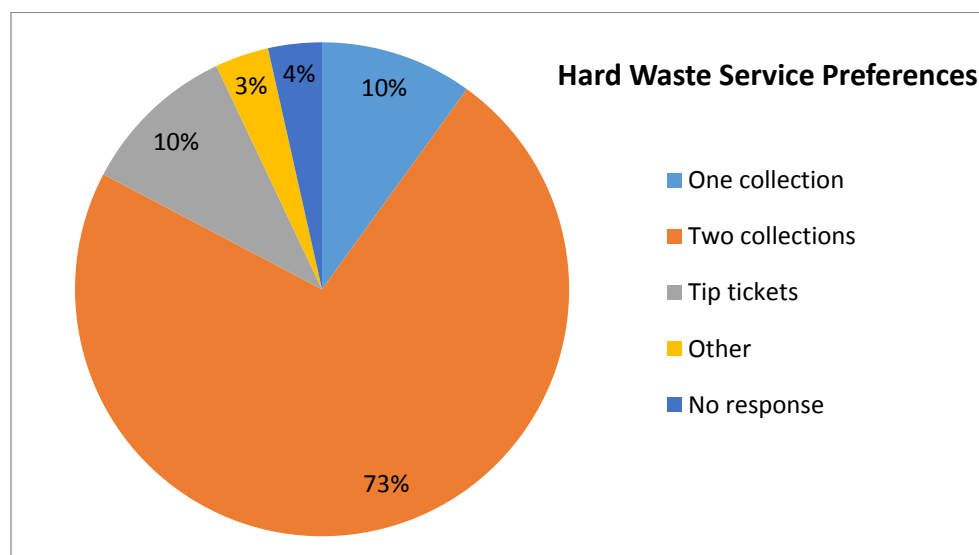
Responses to Question 3 comprised 96% of all returned surveys. Data on hard waste collection preferences is summarised in Table 4.

Table 4.

RESPONSE RATING	COUNT	% OF TOTAL
One collection of two cubic metres by volume per annum	34	10
Two collections of one cubic metre by volume per annum	249	73
Tip ticket	35	10
Other	13	3
No response	12	4
TOTAL	341	100.0%

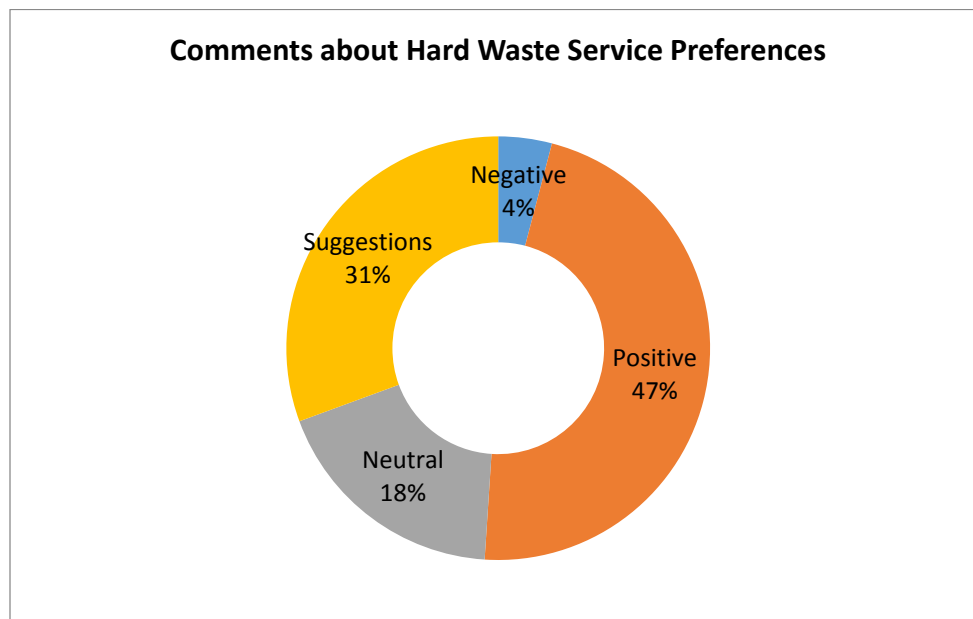
Figure 5 clearly demonstrates that most residents prefer two collections of one cubic meter by volume per annum (73%). Only 10% of customers prefer one collection of two cubic meters or the tip tickets.

Figure 5.



98 respondents (29% of all returned survey forms) commented on Question 3. Figure 6 demonstrates a considerable number of positive comments and suggestions about the available hard waste collection set-up.

Figure 6.



In the majority of positive comments in response to Question 3 (47%), customers mostly explained why they preferred a particular type of Hard Waste Service or expressed their general satisfaction with the current setup. The small number of negative comments (4%) mentioned general dissatisfaction with the service.

A summary of suggestions is shown in Table 5. Most of them require either increasing the number of available collections per year (36%) or a combination of hard waste collections with tip tickets (30%). Some people prefer to have 'collection week' one or two times per year to replace the existing setup (27%).

Table 5.

	SUGGESTIONS	% of suggestions on question 3
Collection frequency	More collections per year (3-4)	36%
Collection type	Replacement of the current set-up with collection week	27%
Combination of collection options	Combination of collections and tip tickets	30%
Other		7%
Total		100.0%

4.4. Other comments

Question 4, which invited any other general comments, received a response rate of 45%, which is detailed below in Table 6.

Table 6.

RESPONSE RATE	COUNT	% OF TOTAL
Comments given	152	45
No response	189	55
TOTAL	341	100.0%

Figure 7 indicates the types of answers given to Question 4. Approximately half of respondents (49%) appreciated the current hard waste service arrangements.

Negative comments referred to the inefficiency or ineffectiveness of the current service set-up (22% of all negative comments) and a lack of capacity to prevent illegal waste dumping and waste larceny (37% of all negative comments). Dissatisfaction was also caused by long waiting time between the booking and collection date (15%) and a scarcity of tip tickets (15%). Some residents complained about stickers either in having not been received or they had been stolen attached to items on the kerb in readiness for collection (11%).

The summary of key suggestions from survey respondents for the current waste collection service is presented in Table 7.

Figure 7.

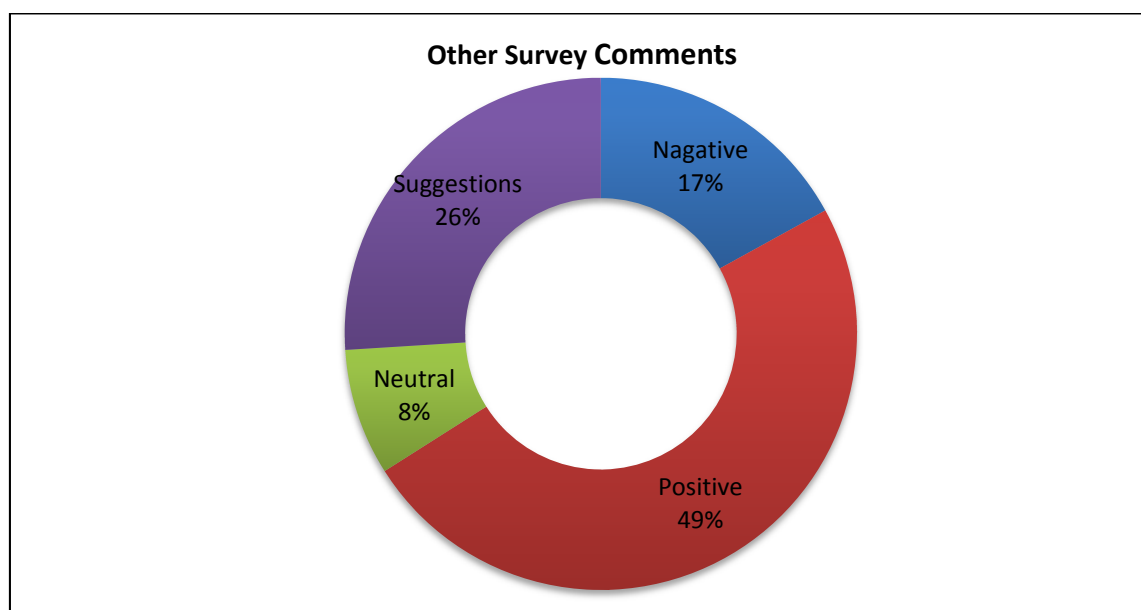


Table 7.

	SUGGESTIONS	% response
Rubbish content	Expand the list of items to be collected (including E-waste, paints and liquids and tyres collection)	20%
Frequency and volume	Allow more than rubbish collections per annum and/or increase the volume of rubbish in one collection	17%
	Allow exceptions for families with children and pensioners to get more frequent/larger collections	7%
Time	Reduce the pick-up time frame between bookings and collections	2%
Tip tickets	Increase the number of available tip tickets per month	10%
Stickers	Increase quality of stickers/ provide spare stickers to replace the stolen ones	13%
Set-up change	Replace the current set-up with fixed collection week per annum	8%
Other	Urgent need to prevent illegal waste dumping	10%
	Educate general public about waste disposal and waste collection service	13%

SURVEY CONCLUSIONS

The Hard Waste Survey results show that the level of satisfaction with the current Hard Waste collection service in the Marion community is high (82%). A notable number of positive comments suggests that the existing options for waste collection suit the residents' needs and are appreciated by many. The main source of dissatisfaction (25% responses to the Question 1) is the long waiting time between booking a hard waste collection and receiving the service. This concern is repeated in the negative responses to the survey questions (90% of negative comments to Question 1, 37% of negative comments to Question 2 and 15% of negative comments to Question 4). Other notable concerns of survey respondents include illegal dumping (10% of negative comments to Question 1 and 37% of negative comments to Question 4), scarcity of existing collection arrangement (16% of negative comments to Question 2, 36% of suggestions to Question 3 and 24% of suggestions to Question 4). A smaller degree of dissatisfaction was caused by poor communication or lack of sufficient information about the Hard Rubbish Collection service (11% of negative comments to Question 2 and 13% of suggestions to Question 4).

Copy of the Hard Waste Survey questionnaire

Hard Waste Survey



21 May 2015

Dear Resident,

We are seeking feedback about your level of satisfaction with the City of Marion's hard waste collection service. We would also like to gain an understanding of customer expectation to look for opportunities to improve this service.

The City of Marion has a hard waste collection service available to all Marion residents. Each household may request the following:

1. One collection of two cubic metres by volume per financial year, or
2. Two collections of one cubic metre by volume per financial year, or
3. Tip tickets (limited numbers per month) that replaces one annual hard waste collection and entitles residents to take one cubic metre worth of materials to a selected transfer station.

As part of the above hard waste collection service we process mattresses, ensemble base and white goods through contracted collection, enabling 100% recycling of these products. We also have a list of accepted and unacceptable items as provided during the booking process. Additional information as to these services is noted within your Marion Waste Calendar and available on line www.marion@sa.gov.au (Hard Waste).

The survey should take you about 5 minutes to complete with an aim to publish results as part of an annual report that is tabled through Council.

For ease of reply, a reply post envelope has been provided for return of the survey, alternatively it may be handed in at the Marion Customer Service counter 245 Sturt Road, Sturt.

Thank you in anticipation of your feedback.

Regards

Roger Belding

Unit Manager Operational Support

Hard Waste Survey



Question 1

What is your level of satisfaction with the current waiting times between booking a hard waste collection and receiving the service?

☐ Very satisfied ☐ Satisfied ☐ Dissatisfied ☐ Very dissatisfied ☐ Don't know / not sure

Comments:

Question 2

What is your level of satisfaction with the current hard waste collection service?

☐ Very satisfied ☐ Satisfied ☐ Dissatisfied ☐ Very dissatisfied ☐ Don't know / not sure

Comments:

Question 3

Which hard waste collection service do you prefer? Please select one option only.

- ☐ One collection of two cubic metres by volume per annum (two cubic metres is about the size of two 6 x 4 trailer loads)
- ☐ Two collections of one cubic metre by volume per annum (one cubic metre is about the size of one 6 x 4 trailer load)
- ☐ Tip tickets (limited number of tickets available per month) that replaces one annual hard waste collection and entitles residents to take one cubic metre worth of materials to a transfer station
- ☐ Other (please provide comments)

Comments:

Question 4

Do you have any other comments?

Thank you for completing our survey.

Detailed Assessment of Options

To assist in summarising the assessment, the following table has been provided considering the following factors per option:

- Manage Demand – would the option help manage growing demand for the service to assist in addressing concerns of limited capacity of the internal kerbside collection team to undertake more kerbside collections (the team is currently at near capacity), and to reduce timeframes for residents to receive the service?
- Budget – would the option result in a positive impact on the hard waste budget to assist in lessening expected future budget pressures associated with the provision of the service?
- Community Expectation – would the option result in known community expectations being met?
- Accessibility – would the option enhance or detract from resident's accessibility of the service?

Option	Option Description	Manage Demand	Budget	Community Expectation	Accessibility
1	<i>No change</i> to the current service standard <ul style="list-style-type: none"> • 2m³ per residential property per annum free (2 x 1m³ collections, or 1 x 2m³ collection; kerbside collection or tip ticket) 				
2	<i>Variation</i> of the service standard <ul style="list-style-type: none"> • 2m³ per residential property per annum free (1 x 2m³ collection with <u>no additional</u> service offered; 1 x 2m³ kerbside collection, or tip ticket (1 x 2m³ or 2 x 1m³)) 				
2a	<i>Variation</i> of the service standard <ul style="list-style-type: none"> • 2m³ per residential property per annum free (1 x 2m³ collection with additional services offered based on <u>fee for service only</u>; one only kerbside collection or unlimited tip tickets) 				
3	<i>Reduction</i> of the service standard <ul style="list-style-type: none"> • 1m³ per residential property per annum free (1 x 1m³ collection with <u>no additional</u> service offered; kerbside collection or tip ticket) 				
3a	<i>Reduction</i> of the service standard <ul style="list-style-type: none"> • 1m³ per residential property per annum free (1 x 1m³ collection with additional services offered based on <u>fee for service only</u>; one only kerbside collection or unlimited tip tickets) 				
4	<i>Reduction</i> of the service standard <ul style="list-style-type: none"> • elimination of mattress collection completely 				
4a	<i>Reduction</i> of the service standard <ul style="list-style-type: none"> • provision of mattress collection based on fee for service only 				
5	<i>Combination of Options 3/3a and 4/4a</i>				

Legend:

Positive impact
Negative impact
Neutral impact

Based on the summary assessment:

- Options 2 and 3 have been assessed to be the most appropriate options that are anticipated to help manage demand for the hard waste service. Managing demand is important as the current internal collection team (two staff, one collection truck) represents a fixed cost of the service, with a finite capacity to undertake kerbside collections. Tip Tickets are a cost effective solution to accommodate demand and reduce waiting times for residents. Both of these Options continue to provide residents with one free collection service per year (neutral impact on accessibility to residents), however Option 2 retains residents current annual allowance of 2m³ (taken either as 1 x kerbside collection, or up to 2 x 1m³ tip tickets) compared to a reduction to 1m³ for Option 3.
- Option 2 benefits to Council are (compared to the current service) a reduction in the number of kerbside collections from residents per year while maintaining the same level of volume of waste collected (2m³ pa). It is noted historical customer surveys suggest only 10% of residents surveyed would prefer this approach.
- Option 3 has the additional benefit of potential budget savings compared to current costs in the order of \$10-\$20k pa. Options 4/4a are also likely to achieve potential budget savings in the order of \$20k pa respectively. Such savings could be applied to covering rising disposal costs or increases in general demand. While there may be financial benefits associated with Option 2, they are however difficult to quantify.
- Option 3, 3a, 4 and 4a would all result in a reduction to the service levels currently experienced by residents (Options 3 and 3a by a reduction in the volume of waste that can be removed for free per annum from 2m³ to 1m³, or Options 4 and 4a eliminating or transferring the cost of mattress disposal onto residents). This may result in negative feedback from within our community.
- While Options with full fee for service models have been considered, applying such models within Council potentially provides little or no financial benefit to residents (given there are a range of external organisations who could provide similar services to residents at similar or lesser cost), however increases complexity and cost of our internal processes. The proposed fee for service makes allowance for this additional internal cost to Council, and the Options are however recommended for further consideration or consultation.

A detailed assessment of each option is provided below.

Where a fee for service is identified, this fee is inclusive of GST and comprises:

- estimated current direct costs to provide the service
- estimated additional administrative overheads (Customer Service Centre time to process payments, merchant fees for credit card payments, administration costs of recording the service request and posting information to residents)
- GST of 10%

Option	Option 1: No change to the current service standard
Scenario	<p>Residents are allocated a free hard waste disposal allocation of 2m³ (two cubic meter) for each financial year:</p> <ul style="list-style-type: none"> • 2 x 1m³ collections, or 1 x 2m³ collection • kerbside collection or tip ticket(s) • inclusive of mattress/white goods • collection/service is linked to Residential Rated Property; not available to commercial/business generated waste
Budget Implications	<ul style="list-style-type: none"> • Nil impact on current 2016/17 expenditure budget of \$334,000 (nil revenue budgeted)
Resourcing	<ul style="list-style-type: none"> • Resourcing for this service is provided by an internal kerbside collection team, an external collection contractor (mattresses and whitegood kerbside collection), and waste transfer stations (tip tickets and general waste disposal)
Advantages	<ul style="list-style-type: none"> • No adverse impact on resident's current level of service
Disadvantages	<ul style="list-style-type: none"> • Does not proactively manage demand, which is expected to result in growing cost of collection (when we have limited capacity with only one collection team/vehicle) and disposal to Council.
Risk	<ul style="list-style-type: none"> • Demand growth adversely impacting on capacity to service (timeframes to provide the service) and cost to Council (cost of collection and disposal) • Provision of Hard Waste services is moderately promoted through the Marion web page, waste calendar and information brochure, on hold messaging, and as noted within the letter drop used within the reduction of dumped rubbish initiative. Any increase in advertising will flow on to an increase in demand and cost.
Resident Perspective	<ul style="list-style-type: none"> • Customer Satisfaction Survey indicated 82% of surveyed residents are happy with the current service, with 73% indicating a preference for two 1m³ collections by volume per annum
Implementation	<ul style="list-style-type: none"> • No change

Option	Option 2 – Variation to the current service standard: Free Disposal of 2 Cubic Meters (2m3), with service provided as one only kerbside collection of 2m3, or up to two tip tickets (1 x 2m3 or 2 x 1m3); no additional services offered
Scenario	<p>Residents are allocated a free hard waste disposal allocation of 2m3 (two cubic meter) for each financial year:</p> <ul style="list-style-type: none"> • 1 x kerbside collection of 2m3, or tip ticket(s) (1 x 2m3 or 2 x 1m3) • inclusive of mattress/white goods • collection/service is linked to Residential Rated Property; not available to commercial/business generated waste
Budget Implications	<ul style="list-style-type: none"> • Approx reduction of 2,240 collections per annum (20% of 2014/15 collection numbers based on the number of residents who received their full entitlement, depending on whether these residents took up the kerbside collection or tip ticket option). Increase in volume per collection is expected to adversely impact on the efficiency of the kerbside collection team (a 15% efficiency reduction would reduce collections by approximately 1,200 per year), with no change to fixed costs of collection (wages, vehicles costs etc). Net reduction of approx. 1,040 collections pa (in order of 10%). • Impact on budget is difficult to quantify, as the potential net reduction in collections may come from any hard waste service stream (ie kerbside collection, tip tickets, mattress/whitegoods)
Resourcing	<ul style="list-style-type: none"> • Resourcing for this service is provided by an internal kerbside collection team, an external collection contractor (mattresses and whitegoods kerbside collection), and waste transfer stations (tip tickets and general waste disposal)
Advantages	<ul style="list-style-type: none"> • Allows future growth to be absorbed within kerbside collection team (approx. 1,040 collections) • The service delivery model is being changed however the annual allowance remains unchanged at 2m3.
Disadvantages	<ul style="list-style-type: none"> • This service delivery model reduces disposal options for residents that would prefer two kerbside collections of 1m3 over one collection of 2m3. • As the allowance is linked to rated property to receive the hard waste service on an annual basis (financial year). With only one kerbside collection allowed this may disadvantage residents new to Marion where a collection has already been allocated to a property. Management discretion will be required to cater for this impact. • May result in a degree of additional illegal dumping. • Demand may continue to grow resulting in future budget pressures.
Risk	<ul style="list-style-type: none"> • Change in service may disenfranchise residents resulting in increased complaints and a negative impact to Council reputation. • A change in service will require the community be informed, which may increase awareness and subsequently increase demand for the service. • Provision of Hard Waste services is moderately promoted through the Marion web page, waste calendar and information brochure, on hold messaging, and as noted within the letter drop used within the reduction of dumped rubbish initiative.
Resident Perspective	<ul style="list-style-type: none"> • Customer Satisfaction Survey indicated 10% of surveyed residents preferred one 2m3 collection by volume per annum (compared to 73% indicating a preference for two 1m3 collections by volume per annum)
Implementation	<ul style="list-style-type: none"> • As the volume allowance to residents is unchanged, this option could commence during this financial year (2016/17)

Option	Option 2a - Variation to the current service standard: Free Disposal of 2 Cubic Meters (2m3), with service provided as one only kerbside collection of 2m3, or up to two tip tickets (1 x 2m3 or 2 x 1m3); Additional services offered on a fee for service only (one kerbside collection, unlimited tip tickets)
Scenario	<ul style="list-style-type: none"> As per Option 2, plus additional collection service (one kerbside collection only, unlimited tip tickets) offered on a fee for service basis at a cost to the resident The estimated calculated fee cost including overheads is estimated at \$50 GST inc for 2m3, to be accommodated by provision of a tip ticket (preferred) or kerbside collection. The fee will be subject to change in line with changes to costs of disposal. Payment to be received via the Customer Service Centre at time of booking.
Budget Implications	<ul style="list-style-type: none"> Cost recovery for additional service offered on fee for service basis.
Resourcing	<ul style="list-style-type: none"> Resourcing for this service is provided by an internal kerbside collection team, an external collection contractor (mattresses and whitegoods kerbside collection), and waste transfer stations (tip tickets and general waste disposal) Increased demand on Customer Service Centre to process fee for service payments
Advantages	<ul style="list-style-type: none"> Recovery of costs should a second or subsequent booking be requested.
Disadvantages	<ul style="list-style-type: none"> This service delivery model reduces disposal options for residents that would prefer two collections of 1m3 over one collection of 2m3. As the allowance is linked to rated property to receive the hard waste service on an annual basis (financial year). With only one collection allowed this may disadvantage residents new to Marion where a collection has already been allocated to a property. May result in increased demand on kerbside collection team where residents elect to adopt the kerbside collection method (over tip ticket), which limits ability to cope with increased demand over all residents; may impact on time taken to deliver service to residents Increases complexity of service within Council May result in a degree of additional illegal dumping. Demand will continue to grow resulting in additional resourcing / cost into the future.
Risk	<ul style="list-style-type: none"> Change in service may disenfranchise residents resulting in increased complaints and a negative impact to Council reputation. A change in service will require the community be informed, which may increase awareness and subsequently increase demand for the service. Provision of Hard Waste services is moderately promoted through the Marion web page, waste calendar and information brochure, on hold messaging, and as noted within the letter drop used within the reduction of dumped rubbish initiative.
Resident Perspective	<ul style="list-style-type: none"> Customer Satisfaction Survey indicated 10% of surveyed residents preferred one 2m3 collection by volume per annum (compared to 73% indicating a preference for two 1m3 collections by volume per annum) Potential increased cost to residents
Implementation	<ul style="list-style-type: none"> As the volume allowance to residents is changed, this option could commence at the start of 2017/18, with consideration to adopting a 6 month trial period

Option	Option 3 – Reduction to the current service standard: Free Disposal of 1 Cubic Meter (1m3), with service provided as one only 1 m3 kerbside collection or one tip ticket; no additional services offered
Scenario	Residents are allocated a hard waste disposal allocation of 1m3 (one cubic meter) for each financial year: <ul style="list-style-type: none"> • 1 x 1m3 collection <u>only</u> • kerbside collection or tip ticket • inclusive of mattress/white goods • collection/service is linked to Residential Rated Property; not available to commercial/business generated waste
Budget Implications	<ul style="list-style-type: none"> • Reduction in volume of waste collected in short term (and therefore cost of disposal), saving in the order of \$10,000-20,000 pa. Actual savings will depend on where the reduction in collection events occurs.
Resourcing	<ul style="list-style-type: none"> • Resourcing for this service is provided by an internal kerbside collection team, an external collection contractor (mattresses and whitegoods kerbside collection), and waste transfer stations (tip tickets and general waste disposal)
Advantages	<ul style="list-style-type: none"> • Approx reduction of 2,240 collections per annum (20% of 2014/15 collection numbers based on the number of residents who received their full entitlement), with no impact on efficiency of the kerbside collection team • Provides for additional capacity within the kerbside collection team (to reduce existing waiting times for residents to receive the service or manage dumped rubbish, or to allow for future growth to be absorbed within kerbside collection team) • Potential reduction in waiting times for residents to receive the service
Disadvantages	<ul style="list-style-type: none"> • This service delivery model reduces disposal options for residents that would prefer two collections of 1m3 over one collection of 1m3. • As the allowance is linked to rated property to receive the hard waste service on an annual basis (financial year). With only one collection allowed this may disadvantage residents new to Marion where a collection has already been allocated to a property. • May result in a degree of additional illegal dumping.
Risk	<ul style="list-style-type: none"> • Change in service may disenfranchise residents resulting in increased complaints and a negative impact to Council reputation • A change in service will require the community be informed, which may increase awareness and subsequently increase demand for the service. • Provision of Hard Waste services is moderately promoted through the Marion web page, waste calendar and information brochure, on hold messaging, and as noted within the letter drop used within the reduction of dumped rubbish initiative.
Resident Perspective	<ul style="list-style-type: none"> • Reduction in potential annual volume of waste able to be disposed via the hard waste service at no cost
Implementation	<ul style="list-style-type: none"> • As the volume allowance to residents is changed, this option could commence at the start of 2017/18

Option	Option 3a – Reduction to the current service standard: Free Disposal of 1 Cubic Meter (1m3), with service provided as one only 1 m3 kerbside collection or one tip ticket; Additional services offered on a fee for service only (one kerbside collection, unlimited tip tickets)
Scenario	<ul style="list-style-type: none"> As per Option 3, plus additional collection service (one kerbside collection only, unlimited tip tickets) is offered on a fee for service basis at a cost to the resident The estimated calculated fee cost including overheads is estimated at \$40 GST inc for 1m3, to be accommodated by provision of a tip ticket (preferred) or kerbside collection. The fee will be subject to change in line with changes to costs of disposal. Payment to be received via the Customer Service Centre at time of booking. Consideration could be made to provide a concession to Pension Card holders for second collections to promote accessibility.
Budget Implications	<ul style="list-style-type: none"> Reduction in volume of waste collected in short term (and therefore cost of disposal) Cost recovery for additional service offered on fee for service basis.
Resourcing	<ul style="list-style-type: none"> Resourcing for this service is provided by an internal kerbside collection team, an external collection contractor (mattresses and whitegoods kerbside collection), and waste transfer stations (tip tickets and general waste disposal) Increased demand on Customer Service Centre to process fee for service payments
Advantages	<ul style="list-style-type: none"> Dependent on takeup of second kerbside collection: <ul style="list-style-type: none"> approx reduction of 2,240 collections per annum (20% of 2014/15 collection numbers based on the number of residents who received their full entitlement), with no impact on efficiency of the kerbside collection team provides for additional capacity within the kerbside collection team (to reduce existing waiting times for residents to receive the service or manage dumped rubbish, or to allow for future growth to be absorbed within kerbside collection team) reduction in waiting times for residents to receive the service Recovery of costs should a second or subsequent booking be requested.
Disadvantages	<ul style="list-style-type: none"> This service delivery model reduces disposal options for residents that would prefer two collections of 1m3 over one collection of 1m3. As the allowance is linked to rated property to receive the hard waste service on an annual basis (financial year). With only one collection allowed this may disadvantage residents new to Marion where a collection has already been allocated to a property. May result in a degree of additional illegal dumping.
Risk	<ul style="list-style-type: none"> Change in service may disenfranchise residents resulting in increased complaints and a negative impact to Council reputation A change in service will require the community be informed, which may increase awareness and subsequently increase demand for the service. Provision of Hard Waste services is moderately promoted through the Marion web page, waste calendar and information brochure, on hold messaging, and as noted within the letter drop used within the reduction of dumped rubbish initiative.
Resident Perspective	<ul style="list-style-type: none"> Reduction in potential annual volume of waste able to be disposed via the hard waste service at no cost.
Implementation	<ul style="list-style-type: none"> As the volume allowance to residents is changed, this option could commence at the start of 2017/18.

Option	Option 4: Reduction of service standard – Removal of mattress collection service
Scenario	<ul style="list-style-type: none"> • Council ceases to provide a mattress collection service.
Budget Implications	<ul style="list-style-type: none"> • Council save the current cost of mattress collection and disposal of approximately \$35,000 based on 2014/15 volumes (currently an external contractor). This is likely to be offset by an unquantifiable anticipated increase in illegal dumping of mattresses which council would continue to collect and dispose – if 40% of currently collected mattresses are illegally dumped, net cost savings could be in the order of \$20,000 pa. • In the order of 2,000 mattresses were collected under hard waste services in 2014/15
Resourcing	<ul style="list-style-type: none"> • Resourcing for this service is provided by an external collection contractor (mattresses and whitegoods kerbside collection) • Reliance on the external collection contractor would remain, as they are also engaged for the collection and disposal of illegally dumped mattresses
Advantages	<ul style="list-style-type: none"> • Budget savings which could be applied to an increase in service delivery via tip tickets.
Disadvantages	<ul style="list-style-type: none"> • Potential increase in illegally dumping of mattresses, which Council would pay for collection and disposal.
Risk	<ul style="list-style-type: none"> • Provision of Hard Waste services is moderately promoted through the Marion web page, waste calendar and information brochure, on hold messaging, and as noted within the letter drop used within the reduction of dumped rubbish initiative. Increase in advertising will flow on to an increase in demand and cost. A change in service will require that the community be informed which will increase awareness and subsequently increase demand for service. • Change in service may disenfranchise residents resulting in increased complaints and a negative impact to Council reputation.
Resident Perspective	<ul style="list-style-type: none"> • Impacts on accessibility to service by residents; increased cost to residents
Implementation	<ul style="list-style-type: none"> • Could be implemented promptly if required, however current promotional materials already distributed would be out of date (eg waste calendars). May be beneficial to implement at the start of 2017/18 to align with revised promotional material.

Option	Option 4a: Reduction of service standard – Provision of mattress collection service on fee for service basis only
Scenario	<ul style="list-style-type: none"> • Council ceases to provide a free mattress collection service, and provides the service on a fee for service basis only (unlimited) based on a fee per mattress. • The estimated calculated fee cost including overheads is estimated at \$25 GST inc. The fee will be subject to change in line with changes to costs of disposal. • Consideration could be made to provide a concession to Pension Card holders to promote accessibility.
Budget Implications	<ul style="list-style-type: none"> • Council save the current cost of mattress collection and disposal of approximately \$35,000 based on 2014/15 volumes (currently an external contractor). This is likely to be offset by an unquantifiable anticipated increase in illegal dumping of mattresses which council would continue to collect and dispose – if 40% of currently collected mattresses are illegally dumped, net cost savings could be in the order of \$20,000 pa • Cost recovery for service offered on fee for service basis. In the order of 2,000 mattresses were collected under hard waste services in 2014/15
Resourcing	<ul style="list-style-type: none"> • Resourcing for this service is provided by an external collection contractor (mattresses and whitegoods kerbside collection), and internal resources (Customer Services Centre and administration staff) to process payments and distribute booking information to residents. • Reliance on the external collection contractor would remain, as they are also engaged for the collection and disposal of illegally dumped mattresses
Advantages	<ul style="list-style-type: none"> • Budget savings which could be applied to an increase in service delivery via tip tickets.
Disadvantages	<ul style="list-style-type: none"> • Potential increase in illegally dumping of mattresses, which Council would pay for collection and disposal
Risk	<ul style="list-style-type: none"> • Provision of Hard Waste services is moderately promoted through the Marion web page, waste calendar and information brochure, on hold messaging, and as noted within the letter drop used within the reduction of dumped rubbish initiative. Increase in advertising will flow on to an increase in demand and cost. A change in service will require that the community be informed which will increase awareness and subsequently increase demand for service. • Change in service may disenfranchise residents resulting in increased complaints and a negative impact to Council reputation.
Resident Perspective	<ul style="list-style-type: none"> • Impacts on accessibility to service by residents; increased cost to residents
Implementation	<ul style="list-style-type: none"> • Could be implemented promptly if required, however current promotional materials already distributed would be out of date (eg waste calendars). May be beneficial to implement at the start of 2017/18 to align with revised promotional material.

**CITY OF MARION
GENERAL COUNCIL MEETING
25 OCTOBER 2016**

Originating Officer: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Recruitment of an Independent Audit Committee Member

Reference No: GC251016R08

REPORT OBJECTIVES:

To advise the Council of the resignation of Mr Lew Owens (Independent Member) of the Finance and Audit Committee and advise of the recruitment process for his replacement.

EXECUTIVE SUMMARY:

On the 12th October 2016, Mr Lew Owens (Independent Member) tendered his resignation from the Finance and Audit Committee (FAC) effective at the conclusion of the 15th December 2016 FAC Meeting. Mr Owens has served on the FAC for nearly seven (7) years and was appointed by the Council in February 2010. Mr Owens has been a valuable member of the Committee during this period.

Under the FAC's Policy and Terms of Reference, the FAC will comprise of five (5) members – two (2) elected members and three (3) expert members. Section 3.6 to 3.10 of the FAC Policy states the following:

External Expert Members

- 3.6 *External expert members will have senior business, legal, audit knowledge and experience, and be conversant with the local government environment.*
- 3.7 *At least one external expert member will have expertise and knowledge in financial management/reporting.*
- 3.8 *In accordance with sections 5.20 and 5.22 of the People and Culture Committee Terms of Reference, the People and Culture Committee will source and recommend to Council the appointment of the expert members on a Council committee.*
- 3.9 *Appointment of external representatives will be made by Council for a term to be determined by Council. To ensure succession planning for the Committee, the terms of appointment should be arranged on a rotational basis and continuity of membership despite changes to Council's elected representatives. Council may resolve to re-appoint an external expert member for consecutive terms.*
- 3.9 *If Council proposes to remove an expert member from the Committee, it must give written notice to the expert member of its intention to do so and provide that expert member with the opportunity to be heard at a Council meeting which is open to the public, if that expert member so requests.*
- 3.10 *Remuneration will be paid to each expert member of the Committee to be set by Council from time to time. At a minimum, the remuneration paid to an expert*

member will be reviewed within 12 months from the date of a Council (periodic) election. The basis will be a set fee per meeting, with an additional amount paid to the Chairperson.

The process for recruitment of an independent member is outlined within the People and Culture Committee's Terms of Reference which states the following:

(Section 5.20 and 5.21)

5.20 This Committee and the Chief Executive Officer will act as the selection panel for all expert members to section 41 Committees.

5.21 The process to be followed by the Committee is:

- Identification of potential candidates via an executive search rather than general advertisement.
- Short list candidates for interviews/discussion.
- Interviews with candidates to determine suitability for selection.
- Determine a preferred candidate and confirm their preparedness to be nominated for appointment.
- Make recommendation to Council on preferred candidate

The FAC has yet to determine its meeting schedule for 2017 but as a general guide the first meeting of the Committee is usually scheduled for late February. The following plan has been developed as a guide to provide the best opportunity to finalise the recruitment early in the new year.

Action	Due Date	Responsibility
Executive Search for candidates (list only)	Presented to People and Culture Committee 1 November 2016	Manager Corporate Governance
Short List discussion	1 November 2016	P&C Committee & CEO
Seek interest from Short Listed Candidates	November 2016	Manager Corporate Governance
Interviews	December 2016	P&C Committee & CEO
Recommendation to Council to appoint independent Member to Audit Committee	General Council Meeting 24 January 2017	Manager Corporate Governance

The processes for sourcing candidates is internal in nature and as such, will have minimal financial implications. Any costs associated with undertaking an executive search to identify potential candidates can be accommodated within the existing FAC budget.

RECOMMENDATIONS (2)

DUE DATES

That Council;

1. **Thanks Mr Owens for his 7 years of service on the Finance and Audit Committee and his valuable contributions.** **October 2016**
2. **Notes the process to be undertaken by the People and Culture Committee for recruitment of a third independent Member to the Finance and Audit Committee.** **October 2016**

**CITY OF MARION
GENERAL COUNCIL MEETING
25 OCTOBER 2016**

Originating Officer: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Section 41 Committee's Terms of Reference and Appointment of Expert Members

Reference No: GC251016R09

REPORT OBJECTIVES:

For Council to review and adopt the Terms of Reference for the section 41 committees and offer a further 12-month extension to expert members of certain committees.

EXECUTIVE SUMMARY:

At its meeting of 22 September 2015 (GC220915R07), Council adopted Terms of Reference for its new committee structure. The committees have been operational since February 2016 and are now due for review.

This report recommends minor changes to the Committee's Terms of Reference. Council is also requested to consider offering a further 12 month's extension to the expert members on certain Committees and consider the meeting schedule and sitting fees for 2017.

RECOMMENDATIONS (9)

DUE DATES

That Council;

- | | |
|---|--------------|
| 1. Adopts the Policy and Terms of Reference for the Finance and Audit Committee as provided in Appendix 1. | October 2016 |
| 2. Adopts the Terms of Reference for the People and Culture Committee as provided in Appendix 2. | October 2016 |
| 3. Adopts the Terms of Reference for the Strategy Committee as provided in Appendix 3. | October 2016 |
| 4. Adopts the Terms of Reference for the Infrastructure Committee as provided in Appendix 4. | October 2016 |
| 5. Adopts the Terms of Reference for the Urban Planning Committee as provided in Appendix 5. | October 2016 |
| 6. All Committee Terms of Reference will be reviewed within 12 months of the next general election (by November 2019), unless required earlier. | October 2016 |

- | | | |
|----|--|---------------------|
| 7. | Each of the Terms of Reference for the Committees is placed on the Council website. | October 2016 |
| 8. | Adopts the meeting schedule and sitting fees for the Committees as set out in Option 1 or 2 in Appendix 6 to this report. | October 2016 |
| 9. | Offers David Panter, Damian Scanlon and Christian Reynolds an extension to their role of Expert Member to their respective Committees until 31 January 2018 or until the relevant Committee is disbanded. | October 2016 |

BACKGROUND

At the General Council Meeting of 22 September 2015, Council adopted Terms of Reference for the following Committees established pursuant to section 41 of the *Local Government Act 1999*:

- Finance and Audit Committee
- People and Culture Committee
- Strategy Committee
- Infrastructure Committee
- Urban Planning Committee

These Committees commenced operating in February 2016 and Council agreed to review the Terms of Reference for the Committees by December 2016. Additionally, (with the exception of the Finance and Audit Committee Expert Members) Council resolved (GC190116R09) to appoint the expert members to each Committee until 31 January 2017 or until such time as the Committee is disbanded.

DISCUSSION

At its meeting of 9 August 2016 (GC090816M02) Council resolved “*That Committee positions and Deputy Mayor position be decided at our November Council meetings and that we endorse our current committee structure*”.

Based on this resolution the following has been prepared.

Finance and Audit Committee Policy and Terms of Reference (Appendix 1)

There is no change proposed to the Finance and Audit Committee Policy and Terms of Reference. It is recommended that the next review of these documents occur within 12 months of the next general election (by November 2019).

It is noted that a recruitment process for a new expert member to this Committee is proposed in a separate report Recruitment of Independent Audit Committee Member (GC251016R15).

People and Culture Committee, Strategy Committee and Infrastructure Committee (Appendices 2, 3 and 4)

Minor amendments have been made to these terms of reference which include:

- A review of the Committee’s performance to occur every two years.
- Clarity regarding the sitting fees for meetings and that informal sessions (i.e. coffee meetings, agenda preparation) is included as part of the meeting sitting fee. Any fees for additional workshops outside of the meeting schedule needs to be negotiated separately before the meeting occurs.

Urban Planning Committee (Appendix 5)

In addition to the amendments listed above, Urban Planning Committee has also removed the requirement for an expert member on this Committee.

Meeting Schedule and sitting fees:

Two proposed meeting schedules and sitting fees have been proposed in Appendix 6. Either options are viable but option 1 will require more resources due to additional meetings (even though the meetings are proposed for a short timeframe of 1.5 hours instead of 3 hours). There are also impacts for the expert member of the People and Culture Committee, who would be required to attend the Committee meeting monthly, instead of every second month.

Expert Members

The following expert members are currently appointed to each Committee:

- David Panter (People and Culture)
- Damian Scanlon (Strategy)
- Christian Reynolds (Infrastructure)
- Bryan Moulds (Urban Planning)

It is proposed that each of the expert members be re-appointed (with the exception of Urban Planning as this Committee will no longer have an expert member). Council may like to consider a further 12-month appointment till 31 January 2018 (or till the Committees are disbanded).

Financial Implications

Removing an independent member from the Urban Planning Committee, will result in a \$5,000 saving from the operational costs of the Committee.

The allowances for the Chairperson of a Committee is set by the Remuneration Tribunal. Section 3.3.1 of the Remuneration Tribunal Determination states *"the annual allowances for a councillor who is the deputy mayor or deputy chairperson, or the presiding member of a prescribed committee or more than one prescribed committees established by the council, will be equal to one and a quarter (1.25) times the annual allowance for councillors of that council."*

The cost of the Presiding Members has been included in the 2016/17 budget.

Please note that a separate report regarding the appointment of presiding members for the Committees is scheduled for the 22 November 2016 General Council Meeting.

CONCLUSION:

Committees can provide a mechanism for Council to focus in detail on specific areas which either requires more time for consideration and oversight or where specific technical expertise is required. They can be beneficial when issues are too complex and/or numerous to be handled by the entire Council. It is important for Council and the Committees to review performance to ensure they are adding value to the decision making of Council with the resident's interests at the core of the process.

FINANCE AND AUDIT COMMITTEE POLICY



1. Establishment

- 1.1 Pursuant to section 41 of the *Local Government Act 1999* (the Act) the Council has established a Finance and Audit Committee to operate as an independent and objective advisory Committee to Council.
- 1.2 Section 59 of the *Local Government Act 1999* provides that the role of members of Councils includes a responsibility to keep the council's:
 - Objectives and policies under review to ensure that they are appropriate and effective.
 - Resource allocation, expenditure and activities, and the efficiency and effectiveness of its service delivery under review.

2. Objectives

- 2.1 The primary objective of the Finance and Audit Committee is to add value through the provision of advice to ensure that the resources of the City of Marion are being used efficiently and effectively. It will assist Council accomplish its objectives by contributing to a systematic and disciplined approach to evaluating and improving the effectiveness of risk management, control and governance processes.
- 2.2 As part of Council's governance obligations to the community, Council has constituted the Finance and Audit Committee to facilitate:
 - 2.2.1 Oversight of relevant activities to facilitate achieving the City of Marion's objectives in an efficient and orderly manner.
 - 2.2.2 Enhancing the credibility and objectivity of internal and external financial reporting.
 - 2.2.3 Effective management of risk and the protection of Council assets.
 - 2.2.4 Compliance with laws and regulations as well as use of best practice guidelines.
 - 2.2.5 The effectiveness of the service reviews function and maintaining a reliable system of internal control.
 - 2.2.6 The provision of an effective means of communication between the external auditor, service reviews provider, management and Council.
 - 2.2.7 The City of Marion's ethical development.

3. MEMBERSHIP

3.1 The Finance and Audit Committee will comprise five members:

- (i) Two Elected Members (who are not the Mayor)
- (ii) Three external expert members.

Elected Member Representative

3.2 Ideally, the Elected Members on this Committee will have experience in business, legal, audit or financial management / reporting knowledge and experience.

3.3 Appointment of the Elected Members to this Committee will be made by Council on a rotational basis, as resolved from time to time. Council may resolve to re-appoint the Elected Members on this Committee for consecutive terms.

3.4 No additional allowance will be paid to the Elected Member representative over and above the allowance already received by the Elected Member.

3.5 If required, training and development will be sourced and provided to the Elected Member Representatives on matters/subjects within the Finance and Audit Committee Terms of Reference.

External Expert Members

3.6 External expert members will have senior business, legal, audit knowledge and experience, and be conversant with the local government environment.

3.7 At least one external expert member will have expertise and knowledge in financial management/reporting.

3.8 In accordance with sections 5.20 and 5.22 of the People and Culture Committee Terms of Reference, the People and Culture Committee will source and recommend to Council the appointment of the expert members on a Council committee.

3.9 Appointment of external representatives will be made by Council for a term to be determined by Council. To ensure succession planning for the Committee, the terms of appointment should be arranged on a rotational basis and continuity of membership despite changes to Council's elected representatives. Council may resolve to re-appoint an external expert member for consecutive terms.

3.10 If Council proposes to remove an expert member from the Committee, it must give written notice to the expert member of its intention to do so and provide that expert member with the opportunity to be heard at a Council meeting which is open to the public, if that expert member so requests.

3.11 s Remuneration will be paid to each expert member of the Committee to be set by Council from time to time. At a minimum, the remuneration paid to expert member will be reviewed within 12 months from the date of a Council (periodic) election. The basis will be a set fee per meeting, with an additional amount paid to the Chairperson.

4. BASIS FOR OPERATION

4.1 The Finance and Audit Committee is a formally constituted Committee of Council pursuant to Section 41 of the *Local Government Act 1999* and is responsible to Council. The Committee does not have any delegations or authority to implement actions in areas over which the Chief Executive Officer has responsibility. The Committee does not have any management functions and is therefore independent of management.

- 4.2 The Committee's role is to report to Council and provide appropriate advice and recommendations on matters relevant to this Policy and the Committee's Terms of Reference in order to facilitate decision-making by Council in relation to the discharge of its responsibilities.
- 4.3 The City of Marion considers that the ability of the Finance and Audit Committee to operate in a manner that adds value and also maintain independent judgement is vital. As such, the City of Marion has based this Policy on the ASX Principles of Good Corporate Governance and the Australian Standard AS 8000-2003 Good Governance Principles.
- 4.4 A Finance and Audit Committee Terms of Reference will outline the scope of the Committee's review activities. The Finance and Audit Committee Terms of Reference will be subject to Council adoption.
- 4.5 Council or the Chief Executive may refer any matter to the Finance and Audit Committee within its Terms of Reference.
- 4.6 The Chairperson of the Committee shall be appointed from the external representatives of the Committee by the Finance and Audit Committee. In the absence of the appointed Chairperson from a meeting, the meeting will appoint an acting Chairperson from the external members present.
- 4.7 A quorum shall be three members – 1 Elected Member and 2 expert members.
- 4.8 The Finance and Audit Committee, through the Chief Executive Officer, may seek information or obtain expert advice on matters of concern within the scope of its responsibilities.
- 4.9 The Chief Executive Officer will attend all meetings on an ex-officio basis, except when the Committee chooses otherwise. Other Elected Members or staff may be invited to attend at the discretion of the Committee to advise and provide information when required.
- 4.10 The Finance and Audit Committee will review its performance on a bi-annual basis to ensure the continual improvement to its performance.
- 4.11 Representatives of the external auditor will be invited to attend meetings at the discretion of the Committee, but must attend meetings at which there will be consideration of the annual financial report and results of the external audit.
- 4.12 The Finance and Audit Committee will meet with both the external auditor and service review provider without management present at least once a year.
- 4.13 The Chief Executive Officer will ensure appropriate support is provided to Committee.

Meetings

- 4.14 The Committee shall meet at least quarterly.
- 4.15 The time and place for the conduct of meetings will be determined by the Committee provided that all meetings will be held in a public environment within a City of Marion building.
- 4.16 The Committee will consider and determine its own meeting practice, processes and procedures within the parameters of the Local Government Act 1999 and the Local Government (Procedures at Meetings) Regulations 2000.

- 4.17 An annual schedule of meetings will be developed and agreed to by the Committee members. This schedule of meetings will include at least one joint workshop with the Council and the Committee.
- 4.18 Additional meetings shall be convened at the discretion of the Chairperson, or at the written request of Council or any member of the Committee, service review provider or external auditor.

Reporting

- 4.19 A copy of all agenda and reports forwarded to the Finance and Audit Committee will also be forwarded to Elected Members for information prior to the conduct of the Finance and Audit Committee meeting.
- 4.20 The minutes of each Finance and Audit Committee Meeting, shall be forwarded (as soon as practicable after the meeting) to a General Council meeting.
- 4.21 Where the Finance and Audit Committee makes a recommendation to Council on a matter within the scope of its Terms of Reference, the matter will be listed as a separate agenda item for consideration by Council at the next General Council meeting that is not being held on the same day as the Audit Committee meeting. An Elected Member Representative on the Committee will inform the Council during the Council meeting of the recommendation and any provide any relevant context.
- 4.22 Where the Council makes a decision relevant to the Committee's Terms of Reference, an Elected Member Representative will report the decision to the Committee at the next Committee meeting and provide any relevant context.
- 4.23 The Committee shall report annually to the Council summarising the activities of the Committee during the previous year.

Authority

- 4.24 The Committee is authorised to seek any information it requires from any employee of the Council (after advising the CEO) in order to perform its duties.
- 4.25 The Committee is authorised, at the Council's expense, (after consultation with the CEO) to obtain outside legal or other professional advice on any matter within its terms of reference.

5. RESPONSIBILITIES / COMMITMENT

Council:

- 5.1 Establish a Finance and Audit Committee to add value and improve the City of Marion's operations.
- 5.2 Appoint 2 Elected Members and 3 external experts as members of the Finance and Audit Committee.
- 5.3 Determine appropriate levels of remuneration to be paid to the external expert members on the Finance and Audit Committee.
- 5.4 Adopt the Terms of Reference of the Finance and Audit Committee.
- 5.5 Receive and review reports from the Finance and Audit Committee and monitor that effective controls have been implemented.
- 5.6 Periodically review the effectiveness of the Finance and Audit Committee.

Finance and Audit Committee:

- 5.7 Undertake all responsibilities as identified in the Finance and Audit Committee Policy and Terms of Reference with respect to financial management, risk management, internal controls, financial reporting and other accountability and governance processes.
- 5.8 Report to Council outcomes from Finance and Audit Committee meetings.
- 5.9 Make recommendations to Council regarding risk management and audit outcomes.

Elected Member Representatives

- 5.10 Act as a conduit of information between Council and the Committee, and the Committee and Council.
- 5.11 Raise matters (within the scope of the Audit Committee Terms of Reference) with the Audit Committee, on behalf of Council.
- 5.12 Provide a verbal report to Council on the key matters and recommendations within the Committee meeting, when the minutes and / or Committee recommendation reports, are presented to Council for adoption.
- 5.13 Provide a report to the Committee on any Council decisions or discussions that are relevant to the Committee's Terms of Reference.

Chief Executive Officer:

- 5.14 Ensure appropriate support is provided to the Finance and Audit Committee.

Adopted by Council:	25 October 2016
Next Review:	November 2019
Previous Version:	22 September 2015 (GC220915R07) 25 November 2014 (GC251114R06) 11 March 2013 (GC110314R02) 27 September 2011 (GC270911R09) 9 December 2008 (GC091208R18) 28 November 2006 (GC281106R05)
Owner:	Manager Corporate Governance
Applicable Legislation:	Local Government Act 1999
Other related References:	City of Marion Risk Management Policy (GC120313R01) City of Marion Finance and Audit Committee Terms of Reference Australian Standard AS 8000-2003 Good Governance Principles

FINANCE AND AUDIT COMMITTEE TERMS OF REFERENCE



OBJECTIVES

The primary objective of the Finance and Audit Committee is to add value through the provision of advice to ensure that the resources of the City of Marion are used efficiently and effectively. It will assist Council to accomplish its objectives by contributing to a systematic and disciplined approach to evaluating and improving the effectiveness of financial management, risk management, internal controls, and governance processes through the following activities:

1. External Audit

- 1.1 Review and recommend for endorsement by Council the engagement of the City of Marion's external auditor. The review should look to satisfy Council that the provider of external audit services can demonstrate adequate independence from the operations of the City of Marion.
- 1.2 Critically analyse and follow up any external audit report that raises significant issues relating to risk management, accounting, internal controls, financial reporting and other accountability or governance issues. Review management's response to, and actions taken as a result of, issues raised.
- 1.3 Liaise with the City of Marion's external auditor including discussion on:
 - a) The scope and planning of annual audits.
 - b) Any issues arising from audits, including any management letter issued by the auditor and the resolution of such matters.
- 1.4 Recommend to Council, if considered appropriate, that the external auditor, or some other person suitably qualified in the circumstances, examine and report on any matter related to financial management, or the efficiency and economy with which the City of Marion manages or uses its resources to achieve its objectives, that would not otherwise be addressed or included as part of the annual audit (under Div. 4 of Part 3 of Ch. 8 of the Act).

2 Internal Audit and Service Reviews

- 2.1 Review and recommend for endorsement by Council the engagement of the City of Marion's internal audit and service review provider. The review should look to satisfy Council that the provider of the services can demonstrate adequate independence from the operations of the City of Marion.
- 2.2 Review, and provide information relevant to, the scope of the internal audit and service review programs, including whether the program systematically addresses:
 - Internal controls over significant risk, including non-financial management control systems.
 - Internal controls over revenue, expenditure, assets and liability processes.

- The efficiency, effectiveness and economy of significant Council programs and activities.
 - Compliance with regulations, policies, best practice guidelines, instructions and contractual arrangements,
 - Whether employees have sufficient competencies (facilitated by up to date training) to enable them to fulfil their roles.
 - A review of the City of Marion's strategic management plans and annual business plans to ensure appropriate allocation of resources necessary to achieve the objectives of the plans.
- 2.3 Critically analyse and follow up any internal audit or service reviews report that raises significant issues and review management's response to, and actions taken as a result of issues raised.
- 2.4 Review the appropriateness of special assignments undertaken by the internal audit and service reviews provider at the request of the Chief Executive.
- 2.5 Review the level of resources allocated to service review and the scope of its services and authority.
- 2.6 Facilitate liaison between the internal audit/service review provider, and external auditor to promote compatibility, to the extent appropriate, between their programs.

3. Service Reviews

- 3.1 Review and provide advice on service reviews, and in particular:
- a) the scope of the review before it is commenced
 - b) input into the questions to be asked and the data to be collected and analysed
 - c) comment on all draft service review reports before the final report is presented to Council.

4. Financial Reporting and Prudential Requirements

- 4.1 Review Council's annual financial statements to ensure that they present fairly the state of affairs of the City of Marion, including focus on:
- Accounting policies and practices and any changes to them.
 - The process used in making significant accounting estimates.
 - Significant adjustments to the financial report (if any) arising from the audit process.
 - Compliance with accounting standards and other reporting requirements.
 - Significant variances from prior years.
- 4.2 Provide comment on the assumptions underpinning Council's Strategic Management Plans (Strategic Plan, Annual Business Plan, Budget and Long Term Financial Plan), the consistency between plans, and the adequacy of Council's plans in the context of maintaining financial sustainability.
- 4.3 Recommend adoption of the annual financial statements to Council. Review any significant changes that may arise subsequent to any such recommendation but before the financial report is signed.

- 4.4 Review the recommendations of business cases developed by Management in association with significant activities or major projects. Such reviews should have regard to the requirements of Section 41 of the *Local Government Act 1999* which relates to prudential requirements for certain activities.

5. Internal Controls and Risk Management Systems

- 5.1 Review the City of Marion's annual Risk Profile and monitor the risk exposure of Council. Review risk management processes and management information systems.
- 5.2 Review the adequacy of the accounting, internal control, reporting and other resource and financial management systems and practices of the City of Marion on a regular basis.

6. Other

- 6.1 Where Council has exempted a subsidiary from the requirement to have an audit committee, undertake the functions that would have been performed by the subsidiary's audit committee.
- 6.2 Monitor ethical standards and conflicts of interest by determining whether the systems of control are adequate.
- 6.3 Address issues brought to the attention of the Committee, including responding to requests from Council or the Chief Executive for advice that are within the parameters of this Terms of Reference.
- 6.4 Make recommendations to the Council to amend these Terms of Reference if the Committee forms the opinion that such amendments are necessary to improve its performance.
- 6.5 Review the Committee's performance on a bi-annual basis using performance indicators developed for that purpose.

Review Committee's Performance

- 6.6 Review the Committee's Performance on a bi-annual (every two years) basis using performance indicators developed for that purpose.

Adopted by Council:	25 October 2016
Next Review:	November 2019
Previous Version:	22 September 2015 (GC250915R07) 25 November 2014 (GC251114R06) 27 September 2011 (GC270911R09) 9 December 2008 (GC091208R18) 28 November 2006 (GC281106R05)
Owner:	Manager Corporate Governance
Applicable Legislation:	Local Government Act 1999
Other related References:	City of Marion Risk Management Policy (GC120313R01) City of Marion Finance and Audit Committee Policy Australian Standard AS 8000-2003 Good Governance Principles

PEOPLE AND CULTURE COMMITTEE TERMS OF REFERENCE



1. Establishment

- 1.1 Pursuant to section 41 of the *Local Government Act 1999* (the Act) the Council has established a People and Culture Committee.

2. Objectives

- 2.1 The Committee is established for the purpose of:
- 2.1.1 Reviewing, monitoring and recommending to Council relevant strategies regarding the organisation's culture and performance associated with the conduct of Elected Members, employees and volunteers.
 - 2.1.2 Sourcing and recommending to Council the appointment of expert members to Committees.
 - 2.1.3 Reviewing the performance of the Chief Executive Officer
 - 2.1.4 Recommending a process to Council for the recruitment of the Chief Executive Officer (as required).

3. Membership

- 3.1 Membership of the Committee will comprise:

- (i) the Mayor
- (ii) Three Elected Members
- (iii) one Expert Member

Membership of the People and Culture Committee continues for the term as resolved by Council.

Elected Member Representatives

- 3.2 The Presiding Member will be one of the Elected Member Representatives. This member will receive the allowance prescribed in accordance with the Local Government Remuneration Tribunal determination.
- 3.3 Appointment of the Elected Member representative will be made by Council on a rotational basis as resolved from time to time. Council may resolve to re-appoint an Elected Member representative for consecutive terms.
- 3.4 No additional allowance will be paid to the Elected Member representative over and above the allowance already received by the Elected Member.
- 3.5 If required, training and development will be sourced and provided to the Elected Member Representative on matters/subjects within the People and Culture Committee Terms of Reference.

Expert Member for People and Culture Committee

- 3.6 The external expert member will have senior business, organisational culture, development and human resource management experience.

- 3.7 Appointment of an expert member will be made by Council for a term to be determined by Council. Council may resolve to re-appoint an expert member for consecutive terms.
- 3.8 If Council proposes to remove an expert member from the Committee, it must give written notice to the expert member of its intention to do so and provide that external representative with the opportunity to be heard at a Council meeting which is open to the public, if that external representative so requests.
- 3.9 A sitting fee for each scheduled meeting ~~Remuneration~~ will be paid to the external representative of the Committee to be set by Council from time to time. At a minimum, the ~~remuneration-sitting fee~~ paid to external representatives will be reviewed within 12 months from the date of a Council (periodic) election. The basis will be a set fee per meeting.

3.10 Any fees for additional workshops and/or meetings outside of the meeting schedule must be negotiated separately before the meeting occurs.

4. Basis of Operation

- 4.1 The Committee does not have any delegated powers of Council, and all decisions of the Committee will constitute recommendations to Council.
- 4.2 For the purposes of Section 41(8) of the Local Government Act 1999, the Council does not impose any reporting and accountability requirements on the basis that all decisions of the Committee constitute recommendations to Council.
- 4.3 Committee meetings will take place at the City of Marion Administration Centre as required to undertake the responsibilities identified in these Terms of Reference and otherwise on such dates and at such times as the Presiding Member of the Committee or the Committee by resolution determines.
- 4.4 A quorum for a meeting of the Committee shall be three members of the Committee.
- 4.5 In the absence of the Presiding Member from a meeting, the members present will determine who will preside the meeting.
- 4.6 Each member present at a Committee meeting must, subject to a provision of the Local Government Act 1999 to the contrary, vote on a question arising for decision at that meeting.
- 4.7 Where the Local Government Act 1999, the Local Government (Procedures at Meetings) Regulations 2000 and these Terms of Reference do not prescribe procedures to be observed in relation to the conduct of a meeting of the Committee, the Committee may determine its own procedures.
- 4.8 Administrative support will be provided to the Committee as required.

5. Terms of Reference

- 5.1 Within the parameters of the Local Government Act 1999, and having regard to the powers, functions and responsibilities of the Chief Executive Officer, the Committee is charged with undertaking the following functions:

People and Culture

- 5.2 Monitor the development of key strategies, policies and budgets aimed at improving the organisation's culture and performance.
- 5.3 Monitor the organisation's direction regarding the efficient and effective delivery of strategic and operational human resource functions.
- 5.4 Ensure the organisation has appropriate employee wellbeing strategies;

5.5 Review and monitor other strategic initiatives associated with people and culture

Organisational Structure

5.6 Provide feedback to the Chief Executive Officer when being consulted regarding determining or changing to a significant degree:

- The organisation's structure
- The processes, terms or conditions that are to apply to the appointment of senior executive officers
- The appraisal scheme that is to apply to senior executive officers
- The appointment of a deputy to the Chief Executive Officer (if any)
- The appointment of an acting chief executive officer in the absence of the Chief Executive Officer

Elected Member & Council Professional Development

5.7 Oversee the implementation of the Elected Member Professional Development Policy

5.8 Develop and recommend to Council a process to assess Council's effectiveness and performance with a view to improve outcomes for the community.

CEO Employment Agreement and Performance Review

5.9 Arranging for the conduct of the Chief Executive Officer's annual performance review on an annual basis within the parameters of the Chief Executive Officer's Employment Agreement.

5.10 Reviewing the Chief Executive Officer's performance criteria within the parameters of the Chief Executive Officer's Employment Agreement.

5.11 Reviewing the Chief Executive Officer's remuneration package within the parameters of the Chief Executive Officer's Employment Agreement.

5.12 Reviewing any aspect of the Chief Executive Officer's Employment Agreement within the parameters of the Chief Executive Officer's Employment Agreement.

5.13 Recommending to Council the outcomes of the Chief Executive Officer's annual performance review.

5.14 Recommending to Council the Chief Executive Officer's remuneration package and performance criteria to be applied for the ensuing year

5.15 Providing feedback to the Chief Executive Officer on outcomes of the performance review, and in conjunction with the Chief Executive Officer, determining appropriate courses of action as required.

5.16 Recommending to Council any changes to the Chief Executive Officer's Employment Agreement.

Vacancy of the Office of the Chief Executive Officer

5.17 The Council will appoint a Chief Executive Officer.

5.18 In the event a vacancy in the office of the Chief Executive Officer, the Committee will develop and recommend to Council the necessary steps to fill the vacancy in accordance with the requirements the *Local Government Act 1999*.

- 5.19 The Committee will act as the selection advisory group and make recommendations to the Council in accordance with the process developed and adopted in accordance with section 5.18.

Process to Source Appointment of Expert Members to section 41 Committees

- 5.20 This Committee and the Chief Executive Officer will act as the selection panel for all expert members to section 41 Committees.

- 5.21 This panel will be supported by the Manager Governance.

- 5.22 The process to be followed by the Committee is:

- Identification of potential candidates via an executive search rather than general advertisement.
- Short list candidates for interviews/discussion.
- Interviews with candidates to determine suitability for selection.
- Determine a preferred candidate and confirm their preparedness to be nominated for appointment.
- Make recommendation to Council on preferred candidate.

Process to Source Appointment of Expert Members to the Development Assessment Panel (DAP)

- 5.23 This Committee and the Chief Executive Officer will act as the selection panel for all expert members to the Development Assessment Panel.

- 5.24 This panel will be supported by the Manager Development Services

- 5.25 The process to be followed by the Committee is:

- Identification of potential candidates via general advertisement.
- Short list candidates for interviews/discussion.
- Interviews with candidates to determine suitability for selection.
- Determine a preferred candidate and confirm their preparedness to be nominated for appointment.
- Make recommendation to Council on preferred candidate.

Review Committee's Performance

- 5.26 Review the Committee's Performance on a bi-annual (every two years) basis using performance indicators developed for that purpose.

Adopted by Council:	25 October 2016
Next Review:	November 2019
Previous Version:	22 September 2015 (GC220915R07)
Owner:	Manager Corporate Governance Manager Human Resources
Applicable Legislation:	Local Government Act 1999

Appendix 3

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STRATEGY COMMITTEE TERMS OF REFERENCE



1. ESTABLISHMENT

- 1.1 Pursuant to section 41 of the *Local Government Act 1999* (The Act) the Council has established a Strategic Issues Committee.

2. OBJECTIVES

- 2.1 The Committee is established for the purposes of:
- Providing advice to Council regarding matters of strategic importance
 - The development and monitoring of Council's strategic management plans as defined under section 122 of the Act:
 - Providing advice to Council on the changing and emerging nature of the community, region and area in which it operates, and specifically the public policy objectives of other councils, State and Commonwealth governments
 - Providing advice to council on the extent or levels of service required to be provided by the Council to achieve its long-term objectives

3. MEMBERSHIP

- 3.1 The membership of the Committee will comprise of:
- The Mayor
 - Three other elected members
 - One expert member who is independent of Council
- 3.2 The Membership, term of appointment and the presiding member will be determined by resolution of the Council.

Elected Member Representatives

- 3.3 The Presiding Member will be one of the Elected Member Representatives. This member will receive the allowance prescribed in accordance with the Local Government Remuneration Tribunal determination.
- 3.4 The Elected Member Representatives will change during the term of Council however Council may resolve to re-appoint an Elected Member representative for consecutive terms if this provides continuity for the Committee.

Expert Member

- 3.5 The expert member will have experience in strategic management covering areas including business strategy and planning; integration and alignment of strategic directions and policies; foresight and critical analysis and thinking; systems development; change management principles and practice; and monitoring performance and outcomes,

- 3.6 The appointment of the expert member will be made by the Council for a term to be determined by the Council. Council may resolve to re-appoint an expert member for consecutive terms.
- 3.7 If Council proposes to remove an expert member from the Committee, it must give written notice to the expert member of its intention to do so and provide the expert member with the opportunity to be heard at a council meeting which is open to the public, if the expert member so requests.
- 3.8 A sitting fee for each scheduled meeting ~~Remuneration~~ will be paid to the expert member of the Committee to be set by Council from time to time. At a minimum, the ~~remuneration~~ sitting fee paid to expert members will be reviewed within 12 months of a Council (periodic) election. The basis will be a set fee per meeting.
- 3.9 Any fees for additional workshops and/or meetings outside of the meeting schedule must be negotiated separately before the meeting occurs.

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Process to source Expert Members

- 3.83.9 In accordance with sections 5.20 and 5.22 of the People and Culture Committee Terms of Reference, the People and Culture Committee will source and recommend to Council the appointment of the expert members on a Council committee

4. BASIS FOR OPERATION.

- 4.1 The Committee does not have any delegated powers of Council, and all decision of the Committee will constitute recommendations to the Council.
- 4.2 For the purposes of section 41(8) of the Local Government Act 1999, the Council does not impose any reporting and accounting ability requirements on the basis that all decisions of the Committee constitute recommendations to Council.
- 4.3 The Committee will meet bi-monthly between February and November each year.
- 4.4 A quorum for a meeting of the Committee shall be three members of the Committee.
- 4.5 In the absence of the presiding member from a meeting, the members present will determine who will preside at the meeting.
- 4.6 Each member present at a Committee meeting must, subject to the provision of the Local Government Act 1999, vote on a question arising for decision at that meeting.
- 4.7 Where the Local Government Act 1999, the Local Government (Procedures at meetings) Regulations 2000 and these Terms of Reference do not prescribe procedures to be observed in relation to the conduct of a meeting of the committee, the Committee may determine its own procedures.
- 4.8 Administrative support will be provided to the Committee as requested.

5. TERMS OF REFERENCE

- 5.1 Within the parameters of the Local Government Act 1999, and having regard to the powers, functions and responsibilities of the Chief Executive Officer, the Committee is charged with undertaking the following:
- 5.1.1 To advise Council regarding the development, implementation and review of its strategic management plans.

- 5.1.2 To investigate and recommend to Council any boundary realignments required to benefit the community as a whole.
- 5.1.3 To develop a process for Council to conduct a representation review as required by the Local Government Act 1999.
- 5.1.4 To ensure that Council policy and strategies provide and promote Community 'wellbeing' through enhancing and sustaining economic, environmental and community development of the City of Marion.
- 5.1.5 To review any topic specific strategies or plans (not included within any other Committees Terms of Reference) prior to Council consideration and adoption.
- 5.1.6 To investigate opportunities for City of Marion to participate in benchmarking programs in pursuit of continuous improvement.
- 5.1.7 To investigate and recommend to Council opportunities for the City of Marion to enter into cost sharing or co-operative arrangements with other stakeholders.
- 5.1.8 To monitor the process for Council to assess the current and future extent and levels of services required to be delivered by Council.
- [5.1.9](#) To advise Council regarding opportunities for community advocacy and issues management, and monitor progress of programs put in place in this respect

[Review Committee's Performance](#)

- [5.1.10 Review the Committee's Performance on a bi-annual \(every two years\) basis using performance indicators developed for that purpose.](#)

Adopted by Council: 25 October 2016
 Next Review: November 2019
 Previous Version: 22 September 2015 (GC220915R07)
 Owner: Manager Corporate Governance
 Manager Innovation Strategy
 Applicable Legislation: Local Government Act 1999

INFRASTRUCTURE COMMITTEE TERMS OF REFERENCE



1. ESTABLISHMENT

- 1.1 Pursuant to section 41 of the *Local Government Act 1999* (The Act) the Council has established an Infrastructure Committee.

2. OBJECTIVES

- 2.1 The Committee is established for the purposes of:
- Providing advice and recommendations to Council regarding the strategic management council assets.
 - Monitoring of major Council Projects that are in excess of \$4 million and / or are of a nature which pose significant risk or high community impact.
 - Aligning Council's management of assets and infrastructure to its long term strategic objectives.

3. MEMBERSHIP

- 3.1 The membership of the Committee will comprise of:
- The Mayor
 - Three other elected members
 - One expert member who is independent of Council
- 3.2 The Membership, term of appointment and the presiding member will be determined by resolution of the Council.

Elected Member Representatives

- 3.3 The Presiding Member will be one of the Elected Member Representatives. This member will receive the allowance prescribed in accordance with the Local Government Remuneration Tribunal determination.
- 3.4 The Elected Member Representatives will change during the term of Council however Council may resolve to re-appoint an Elected Member representative for consecutive terms if this provides continuity for the Committee.

Expert Member

- 3.5 The expert member will have experience in Asset/Facilities Management, Project Management and/or Civil/Structural engineering.
- 3.6 The appointment of the expert member will be made by the Council for a term to be determined by the Council. Council may resolve to re-appoint an expert member for consecutive terms.
- 3.7 If Council proposes to remove an expert member from the Committee, it must give written notice to the expert member of its intention to do so and provide the expert

member with the opportunity to be heard at a council meeting which is open to the public, if the expert member so requests.

- 3.8 A sitting fee for each scheduled meeting Remuneration will be paid to the expert member of the Committee to be set by Council from time to time. At a minimum, the remuneration sitting fee paid to expert members will be reviewed within 12 months of a Council (periodic) election. The basis will be a set fee per meeting.

3.8 3.9 Any fees for additional workshops and/or meetings outside the meeting schedule must be negotiated separately before the meeting occurs.

Process to source Expert Members

- 3.9 3.10 In accordance with sections 5.20 and 5.22 of the People and Culture Committee Terms of Reference, the People and Culture Committee will source and recommend to Council the appointment of the expert members on a Council committee.

4. BASIS FOR OPERATION.

- 4.1 The Committee does not have any delegated powers of Council, and all decision of the Committee will constitute recommendations to the Council.
- 4.2 For the purposes of section 41(8) of the Local Government Act 1999, the Council does not imposes any reporting and accounting ability requirements on the basis that all decisions of the Committee constitute recommendations to Council.
- 4.3 The Committee will meet ~~met~~ ~~bi-monthly~~ as resolved by Council between February and November each year.
- 4.4 A quorum for a meeting of the Committee shall be three members of the Committee.
- 4.5 In the absence of the presiding member from a meeting, the members present will determine who will preside at the meeting.
- 4.6 Each member present at a Committee meeting must, subject to the provision of the Local Government Act 1999, vote on a question arising for decision at that meeting.
- 4.7 Where the Local Government Act 1999, the Local Government (Procedures at meetings) Regulations 2000 and these Terms of Reference do not prescribe procedures to be observed in relation to the conduct of a meeting of the Committee, the Committee may determine its own procedures.
- 4.8 Administrative support will be provided to the Committee as requested.

5. TERMS OF REFERENCE

- 5.1 Within the parameters of the Local Government Act 1999, and having regard to the powers, functions and responsibilities of the Chief Executive Officer, the Committee is charged with providing advice and recommendations to Council regarding:
- 5.1.1 The development and implementation of Council policy relating to the management and utilisation of Council assets and infrastructure.
- 5.1.2 The monitoring and potential implementation strategies for the sporting facilities priorities of the City of Marion.

- 5.1.3 The monitoring, development and implementation of Council's Strategic Asset Management Plans in accordance with Council's Asset Management Policy.
- 5.1.4 Opportunities to either acquire new assets or dispose of assets in accordance with Council's Disposal of Land and Assets Policy.
- 5.1.5 Monitoring of major projects of the City of Marion or within the City of Marion.
- 5.1.6 The opportunities to further develop strategic transport and integration of transport needs of the Community.

Review Committee's Performance

- 5.2 Review the Committee's Performance on a bi-annual (every two years) basis using performance indicators developed for that purpose.

Adopted by Council:	25 October 2016
Next Review:	November 2019
Previous Version:	22 September 2015 (GC220915R07)
Owner:	Manager Corporate Governance Manager Development Services
Applicable Legislation:	Local Government Act 1999 Local Government (Procedures at Meetings) Regulations 2013 Development Act 1993

URBAN PLANNING COMMITTEE TERMS OF REFERENCE



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1. ESTABLISHMENT

- 1.1 Pursuant to section 41 of the *Local Government Act 1999* (The Act) and Section 101A of the Development Act, the Council has established an Urban Planning Committee.

2. OBJECTIVES

- 2.1 The Committee is established for the purposes of:
- Reviewing the Development Plan for the City of Marion,
 - Addressing aggregated planning matters or concerns raised by the community,
 - Fulfilling Council's responsibilities pursuant to section 101A of the *Development Act 1993* regarding strategic planning and development policy for the City of Marion.

3. MEMBERSHIP

- 3.1 The membership of the Committee will comprise of:

- The Mayor
- Three other elected members
- ~~One expert member who is independent of Council~~

~~3.3.2~~ The Membership, term of appointment and the presiding member will be determined by resolution of the Council.

Elected Member Representatives

~~3.4.3~~ The Presiding Member will be one of the Elected Member Representatives. This member will receive the allowance prescribed in accordance with the Local Government Remuneration Tribunal determination.

~~3.5.4~~ The Elected Member Representatives will change during the term of Council however Council may resolve to re-appoint an Elected Member representative for consecutive terms if this provides continuity for the Committee.

Expert Member

~~5.0~~ ~~The expert member will have experience in urban planning, development, and/or placemaking.~~

~~6.0~~ ~~The appointment of the expert member will be made by the Council for a term to be determined by the Council. Council may resolve to re-appoint an expert member for consecutive terms.~~

~~7.0~~ ~~If Council proposes to remove an expert member from the Committee, it must give written notice to the expert member of its intention to do so and provide the expert~~

~~member with the opportunity to be heard at a council meeting which is open to the public, if the expert member so requests.~~

~~8.0 Remuneration will be paid to the expert member of the Committee to be set by Council from time to time. At a minimum, the remuneration paid to expert members will be reviewed within 12 months of a Council (periodic) election. The basis will be a set fee per meeting.~~

Process to source Expert Members

~~10.0 In accordance with sections 5.20 and 5.22 of the People and Culture Committee Terms of Reference, the People and Culture Committee will source and recommend to Council the appointment of the expert members on a Council committee.~~

11.4. BASIS FOR OPERATION.

11.14.1 The Committee does not have any delegated powers of Council, and all decision of the Committee will constitute recommendations to the Council.

11.24.2 For the purposes of section 41(8) of the Local Government Act 1999, the Council does not impose any reporting and accountability requirements on the basis that all decisions of the Committee constitute recommendations to Council.

11.34.3 The Committee will meet ~~bi-monthly~~ as resolved by Council, between February and November each year.

11.44.4 A quorum for a meeting of the Committee shall be three members of the Committee.

11.54.5 In the absence of the presiding member from a meeting, the members present will determine who will preside at the meeting.

11.64.6 Each member present at a Committee meeting must, subject to the provision of the Local Government Act 1999, vote on a question arising for decision at that meeting.

11.74.7 Where the Local Government Act 1999, the Local Government (Procedures at meetings) Regulations 2000 and these Terms of Reference do not prescribe procedures to be observed in relation to the conduct of a meeting of the Committee, the Committee may determine its own procedures.

11.84.8 Administrative support will be provided to the Committee as requested.

12.5. TERMS OF REFERENCE

12.15.1 Within the parameters of the Local Government Act 1999, and having regard to the powers, functions and responsibilities of the Chief Executive Officer, the Committee is charged with undertaking the following:

12.1.45.1.1 To provide advice to the Council in relation to the extent to which the Council's strategic planning and development policies accord with the Planning Strategy;

12.1.25.1.2 To develop and recommend to Council a revised Development Plan for the City of Marion that takes into consideration:

- Orderly and efficient development within the area of the council;

- High levels of integration of transport and land use planning;
- Relevant targets set out in the Planning Strategy within the City of Marion;
- The implementation of affordable housing policies set out in the Planning Strategy for the City of Marion.

[42.1.35.1.3](#) Broad resident planning matters causing problems within the community such as multiple complaints about the one subject matter unless that matter relates to a development application which must be delegated by the Council to the Development Assessment Panel or to staff;

[42.1.45.1.4](#) The consideration and recommendation to Council of any Development Plan Amendments

[42.1.55.1.5](#) To provide advice to the Council in relation to strategic planning and development policy issues where the council is preparing:

- A Strategic Directions Report;
- A Development Plan Amendment proposal either by the Council or by the Minister

[42.1.65.1.6](#) To conduct public meetings pursuant to Section 25 of the Development Act 1993 in relation to a Development Plan Amendment and to consider any representations made in relation to that DPA.

[42.1.75.1.7](#) The on-going review and monitoring of Council's Strategic Directions report.

[Review Committee's Performance](#)

[5.1.8](#) [Review the Committee's Performance on a bi-annual \(every two years\) basis using performance indicators developed for that purpose.](#)

Adopted by Council:	25 October 2016
Next Review:	November 2019
Previous Version:	22 September 2015 (GC220915R07)
Owner:	Manager Corporate Governance Manager Development and Regulatory Services
Applicable Legislation:	Local Government Act 1999 Development Act 1993

Appendix 6 – Meeting Schedule Option 1

Schedule of Committee Meetings 2017				
Date	Committee	Expert Member Meeting Sitting Fee	Time	Venue
Tuesday, 7 February	People and Culture	\$500	6.30 – 8 pm	Committee Rooms
	Urban Planning	\$500	8 – 9.30 pm	Committee Rooms
	Infrastructure	\$1000	6.30 – 9.30 pm	Council Chamber
Tuesday, 7 March	Urban Planning	\$500	6.30 – 8 pm	Committee Rooms
	People and Culture	\$500	8 – 9.30 pm	Committee Rooms
	Infrastructure	\$1000	6.30 – 9.30 pm	Council Chamber
Tuesday, 4 April	People and Culture	\$500	6.30 – 8 pm	Committee Rooms
	Urban Planning	\$500	8 – 9.30 pm	Committee Rooms
	Strategy	\$1000	6.30 – 9.30 pm	Council Chamber
Tuesday, 2 May	Urban Planning	\$500	6.30 – 8 pm	Committee Rooms
	People and Culture	\$500	8 – 9.30 pm	Committee Rooms
	Infrastructure	\$1000	6.30 – 9.30 pm	Council Chamber
Tuesday, 6 June	People and Culture	\$500	6.30 – 8 pm	Committee Rooms
	Urban Planning	\$500	8 – 9.30 pm	Committee Rooms
	Infrastructure	\$1000	6.30 – 9.30 pm	Council Chamber
Tuesday, 4 July	Urban Planning	\$500	6.30 – 8 pm	Committee Rooms
	People and Culture	\$500	8 – 9.30 pm	Committee Rooms
	Strategy	\$1000	6.30 – 9.30 pm	Council Chamber
Tuesday, 1 August	People and Culture	\$500	6.30 – 8 pm	Committee Rooms
	Urban Planning	\$500	8 – 9.30 pm	Committee Rooms
	Infrastructure	\$1000	6.30 – 9.30 pm	Council Chamber
Tuesday, 5 September	Urban Planning	\$500	6.30 – 8 pm	Committee Rooms
	People and Culture	\$500	8 – 9.30 pm	Committee Rooms
	Infrastructure	\$1000	6.30 – 9.30 pm	Council Chamber
Tuesday, 3 October	People and Culture	\$500	6.30 – 8 pm	Committee Rooms
	Urban Planning	\$500	8 – 9.30 pm	Committee Rooms
	Strategy	\$1000	6.30 – 9.30 pm	Council Chamber
Tuesday, 7 November	Urban Planning	\$500	6.30 – 8 pm	Committee Rooms
	People and Culture	\$500	8 – 9.30 pm	Committee Rooms
	Infrastructure	\$1000	6.30 – 9.30 pm	Council Chamber

Appendix 6 – Meeting Schedule Option s2

Schedule of Committee Meetings 2017				
Date	Committee	Expert Member Meeting Sitting Fee	Time	Venue
Tuesday, 7 February	People and Culture	\$1000	6.30 – 9.30 pm	Committee Rooms
	Infrastructure	\$1000	6.30 – 9.30 pm	Council Chamber
Tuesday, 7 March	Urban Planning	\$1000	6.30 – 9.30 pm	Committee Rooms
	Infrastructure	\$1000	6.30 – 9.30 pm	Council Chamber
Tuesday, 4 April	People and Culture	\$1000	6.30 – 9.30 pm	Committee Rooms
	Strategy	\$1000	6.30 – 9.30 pm	Council Chamber
Tuesday, 2 May	Urban Planning	\$1000	6.30 – 9.30pm	Committee Rooms
	Infrastructure	\$1000	6.30 – 9.30 pm	Council Chamber
Tuesday, 6 June	People and Culture	\$1000	6.30 – 9.30 pm	Committee Rooms
	Infrastructure	\$1000	6.30 – 9.30 pm	Council Chamber
Tuesday, 4 July	Urban Planning	\$1000	6.30 – 9.30 pm	Committee Rooms
	Strategy	\$1000	6.30 – 9.30 pm	Council Chamber
Tuesday, 1 August	People and Culture	\$1000	6.30 – 9.30 pm	Committee Rooms
	Infrastructure	\$1000	6.30 – 9.30 pm	Council Chamber
Tuesday, 5 September	Urban Planning	\$1000	6.30 – 9.30 pm	Committee Rooms
	Infrastructure	\$1000	6.30 – 9.30 pm	Council Chamber
Tuesday, 3 October	People and Culture	\$1000	6.30 – 9.30 pm	Committee Rooms
	Strategy	\$1000	6.30 – 9.30 pm	Council Chamber
Tuesday, 7 November	Urban Planning	\$1000	6.30 – 9.30 pm	Committee Rooms
	Infrastructure	\$1000	6.30 – 9.30 pm	Council Chamber

**CITY OF MARION
GENERAL COUNCIL MEETING
25 OCTOBER 2016**

Originating Officer: Elaine Delgado, Strategic Planner

Corporate Manager: Ann Gibbons, Acting Manager Innovation & Strategy

General Manager: Abby Dickson, General Manager City Development

Subject: Draft Open Space Policy

Report Reference: GC251016R10

REPORT OBJECTIVE AND EXECUTIVE SUMMARY

The purpose of this report is to seek endorsement for a draft Open Space Policy ('Policy') for community consultation.

The City of Marion's Open Space and Recreation Strategy 2006-2016 ('Strategy') has provided directions for the provision, development and management of open space. To progress a strategic approach a draft Open Space Policy has been developed as the first step in the development of an Open Space Plan.

RECOMMENDATIONS (3)

That Council:

- | | DUE DATES |
|---|------------------|
| 1. Endorses the draft Open Space Policy as provided in Appendix 1; | 25 October 2016 |
| 2. Endorses community consultation on the draft Open Space Policy; | 25 October 2016 |
| 3. Notes a final Open Space Policy will be presented for consideration by Council in December 2016. | 13 December 2016 |

BACKGROUND

The City of Marion has more than 300 open spaces comprising settings such as reserves, linear parks and sports grounds that make up the City of Marion's open space network. Council's [Open Space & Recreation Strategy 2006-2016](#) has provided directions relating to provision and sustainable development and management of open space. Key features of the Strategy were a Hierarchy (expressed as 'user catchment levels') and Classifications that were divided into the categories of Functional and Landscape/Environmental.

In reviewing the outcomes of the Strategy's implementation and exploring a way forward for planning for the future of open space Council has:

- Held a special meeting of Council's Strategic Directions Committee meeting on 11 August 2015 at which a status report was presented on the implementation of the Strategy's 138 actions. This report noted that the majority of actions were completed or in progress. Since this report almost all actions have been completed or are being addressed.

- Developed a City of Marion Business Plan 2016-2019 that identifies a number of open space projects and related initiatives to be progressed including: *'Priority open space developments based on our Open Space Plan, to meet the needs of a growing and changing community into the future'* (GC270916R03).
- Considered an initial draft Open Space Policy at the Elected Member Forum held on 13 September 2016, that outlined Council's position and included a revised Hierarchy and Classifications as the first step in planning for the future of open space in the City of Marion.

Draft Open Space Policy

Based on feedback from the Elected Member Forum, a draft Open Space Policy has been developed that includes a Vision, Principles, Scope, Hierarchy and Classifications.

The Vision and Principles set out Council's commitment to provide open spaces that are accessible and diverse and provide opportunities for community activation. To support accessibility, it is proposed open spaces be provided for the majority of people within 400 metres – 500 metres walking distance of their residence and/or workplace.

An open space planning framework comprising a Hierarchy and Classifications has been developed. The purpose of the Hierarchy is to assign a level based on use. Local, Neighbourhood and Regional levels have been defined for council-owned open space, together with a State level due to the significant amount of state government owned open space in the south. The purpose of Classifications is to identify open space character such as recreation, sport, linear parks, and conservation.

With endorsement of the Policy each open space will be assigned a Hierarchy level and one or more Classifications. The outcomes of this analysis, together with consideration of criteria such as demographics and potential higher density development locations, will enable identification of gaps and oversupply to inform an Open Space Plan that ensures accessibility to a diverse range of quality and diverse open spaces.

Consultation Period

Consultation will be undertaken with the community and key stakeholders from 31 October – 18 November 2016 to seek feedback on a draft Open Space Policy in accordance with Council's Community Consultation Policy.

Policy Implications

The Open Space Policy provides a Vision, high-level Principles and an open space planning framework that will guide the long-term provision and development of open spaces city-wide.

Council has a Community Garden Policy and a Memorial Policy that both relate to open space. With endorsement of this Open Space Policy as the principal public policy for open space, in conjunction with the Playspace Policy, there will no longer be a requirement for these policies which are procedural in nature. To strengthen the consistency of Council's public policies there is scope for these to be replaced by procedures to ensure these opportunities for our community continue.

CONCLUSION:

A draft Open Space Policy is presented to Council for endorsement for community and stakeholder consultation. It provides a Vision, Principles and open space planning framework comprising a Hierarchy and Classifications that will inform a long-term Open Space Plan of works.

Appendix 1 – Draft Open Space Policy

Open Space Policy



1. POLICY STATEMENT

City of Marion owns, develops and manages a network of open spaces to:

- Ensure their sustainable provision and management for current and future generations
- Enhance people's physical and mental health and wellbeing through open space that is accessible providing opportunities for active living and social interaction
- Improve the amenity of neighbourhoods and business/industrial precincts so they are attractive places to live and work
- Contribute to people's sense of place and connection with the character of a neighbourhood
- Mitigate and adapt to climate change impacts
- Provide sustainable and attractive natural environments

2. CONTEXT

Open spaces are highly valued by the community. They provide natural settings for a range of activities and enhance neighbourhood character that reflects the different eras of settlement and topography that exist in the north and south of the city. The City of Marion owns and maintains approximately 300 diverse open spaces comprising 346 hectares that cater for a wide range of recreational uses, and have significant public and environmental value. In addition, the City of Marion is home to large parcels of open space that include the state owned Hallett Cove Conservation Park, O'Halloran Hill Recreation Park and Marino Conservation Park, and privately owned open space at Glenthorne Farm and Sheidow Park.

The *Development Act 1993* sets out provisions for the acquisition of open space as a result of larger scale land divisions. In these instances Council can ensure that the land which adds the most community and environmental value to the open space network is allocated. This open space most commonly then becomes community land under Council's long-term ownership and management. In addition, the *30-Year Plan for Greater Adelaide*, as a volume of the state's planning strategy, outlines directions for land-use change and development in South Australia that includes policies and targets relating to open space.

The *South Australian Public Health Act 2011* requires Councils to ensure their built and natural environments, that include open space, contribute to the health and wellbeing of their community. This is to be achieved via the provision and management of sustainable environments that are connected, safe, support active living and healthy eating, and mitigate and adapt for climate change impacts.

This policy sets the principles and framework to guide the provision, development and management of accessible and diverse open spaces in order to improve sustainable environmental outcomes and our community's individual and collective health and wellbeing.

Open Space Policy



3. VISION

Council will provide accessible and diverse open spaces that are distributed across the City that contribute to neighbourhood character, provide opportunities for active living and community engagement, and protect and enhance natural environments.

4. PRINCIPLES

The following principles guide the provision, development and management of open space:

- **Accessibility and Amenity**
 - Access for the majority of people to at least one type of open space within 400 - 500 metres of their residence and/or work place
 - Design that enhances safe use of open spaces including good passive surveillance
 - Design that enhances the character and amenity of neighbourhoods
 - Well distributed open space to mitigate the urban heat island effect
 - Provides destinations that support the cycling network
 - Facilities and amenities to support the primary function of the open space
 - Contributes to the amenity and attractiveness of business precincts
- **Multi-functional and Adaptable**
 - Responds to demographic and land use changes so open space performs different roles in response to community needs
 - Encourages active living to promote health and wellbeing for everyone
 - Provides a diversity of accessible opportunities, settings and experiences for people of all ages, abilities and interests
 - Provides opportunities for gardening and growing food locally
 - Strengthens the cultural richness of communities through opportunities for cultural expression and interactions
 - Provides settings for commemoration
 - Provides outdoor settings that attract visitors and tourists
- **Environment Protection and Sustainability**
 - A focus on protecting, preserving and enhancing natural environments
 - Use of water sensitive urban design
 - Mitigation and adaptation to climate change impacts
 - Opportunities for people to connect with nature
- **Placemaking and Place Led-Development**
 - Communities are encouraged to be involved in the planning and activation of open spaces that are important to them

Open Space Policy

5. SCOPE

This Policy applies to the provision of Council owned open spaces and any other open spaces for which Council has a formal contract or agreement to develop and/or maintain.

6. OPEN SPACE FRAMEWORK

The open space framework comprises 2 elements – a Hierarchy and Classifications. These are described below.

Application of this framework across the open space network enables an assessment of what types of open space are required now and into the future to ensure accessibility and adequate diversity.

6.1 Hierarchy

The Hierarchy describes the level of use for each open space and potential types of facilities that may be included. The Hierarchy in Council's Playspace Policy will inform the level of playspace provision within open spaces.

Table 1 – Hierarchy of open space in the City of Marion

Local Level	
Categories	Description
Purpose	Local Level open spaces are less complex in design providing limited facilities that generally cater for a low density urban environment. They provide environmental value through urban heat mitigation, contributing to biodiversity, water management, and improving air quality.
Types of facilities	May include: <ul style="list-style-type: none"> > Minimal park furniture and amenities > Pathways for accessibility > Playspaces > Opportunities for community gardens > Natural shade

Open Space Policy

Neighbourhood Level	
Categories	Description
Purpose	Neighbourhood Level open spaces will be of a higher quality with a diversity of character in locations that cater for a higher density population. Due to the broader scale of facilities people can use these open spaces for extended periods of time. They provide similar environmental value as Local Level open spaces.
Types of facilities	May include: <ul style="list-style-type: none"> > Sporting and recreation facilities for unstructured sport > Park furniture and amenities > Pathways for accessibility > Playspaces > Opportunities for community gardens > Shelter and natural shade

Regional Level	
Categories	Description
Purpose	Regional Level open spaces are large, high quality destinations that have broad appeal and attract visitors and local community members alike. They can offer sporting facilities, and unique play and recreation opportunities. Environmental benefits are provided through the enhancement of natural landscapes.
Types of facilities	May include: <ul style="list-style-type: none"> > Sporting and recreation facilities for unstructured sport > Diverse opportunities for play for a range of ages > Play spaces > Park furniture and amenities including public toilets > Opportunities for community gardens > Shade and shelter > Pathways for accessibility > Public art > Off-road car parking

Open Space Policy

State Level	
Categories	Description
Purpose	Open space that is owned and managed by the state government
Types of facilities	May include: <ul style="list-style-type: none"> > Walking, cycling, mountain bike and horse riding trails > Shelters and barbecues > Specialist sporting areas > Nature play areas > Educational signage > Areas for protection and enhancement of wildlife

6.2 Classifications

Classifications describe the functional and environmental character of open space. Each open space is attributed one or more classifications to ensure a diversity of settings and experiences are provided across the open space network.

Open Space Policy

Table 2 – Classifications for open space in the City of Marion

Recreation – active	Designed for active informal recreation that can include facilities such as play spaces, grassed areas for ball games, multi-purpose courts, fitness equipment.
Recreation – non-active	Designed primarily for passive recreation activities such as relaxing, strolling, picnics, barbecues.
Play	Where a playspace is the dominant feature of the open space. Provision of play spaces is guided by the City of Marion's Playspace Policy (2016).
Sport	Where sport facilities are the principle purpose of the open space that are associated with club membership – usually competitive use. There can be community use outside of competitive sport schedules.
Dog park	Where a principle use of the open space is for dog off-leash exercise.
Community garden	Designed to include more formal recreation activities that may be restricted, such as community gardens.
Linear / linkage	Walking, cycling and other shared use off-road trails that are used for recreational and commuting purposes.
Cultural / heritage	Open space that is of special historic/cultural significance to indigenous and/or non-indigenous communities.
Nature conservation	Where the protection and/or improvement of biodiversity is of high value, including linking areas of remnant vegetation for passage of wildlife.
Wetland/watercourse	Where a wetland and/or watercourse is a key focus of the open space.
Coastal	Where open space is situated in a coastal setting and plays a role in protecting the coastal environment.
Road reservation	Road reserves that contribute to the open space network but its primary purpose is land banking for potential future changes to transport corridors.

7. DEFINITIONS

Open space

Open space refers to:

Parks and reserves – from pocket parks to large reserves that can include a range of facilities and amenities

Sport grounds – that have the capacity to be available for community use outside formal sporting use excluding sport related facilities such as clubrooms, storage sheds

Open Space Policy



Linear trails and greenways – shared use walking and cycling trails that can include river and rail corridors

Riparian zones – public areas adjacent to waterways

Active living

Active living is a way of life where people choose to be physically active in daily life through participation in activities such as sport, fitness and play, and also through incidental activity such as walking and cycling to destinations such as open spaces.

8. RELATED DOCUMENTS

The following key City of Marion policies and plans relate to open space:

- City of Marion Community Vision – Towards 2040
- City of Marion 10-Year Strategic Plan (under revision)
- City of Marion 3-Year Business Plan 2016-2019
- City of Marion Development Plan
- City of Marion Long Term Financial Plan
- Asset Management Plan
- Community Land Management Plans
- Irrigation Management Plan
- Remnant Vegetation Plan
- Playspace Policy
- Climate Change Policy
- Streetscape Policy
- Asset Management Policy
- Disposal of Land and Assets Policy
- Tree Management Policy
- Community Consultation and Engagement Policy
- Memorial procedure

9. REFERENCES

- Development Act 1993
- 30 Year Plan for Greater Adelaide
- South Australian Public Health Act 2011
- State Public Health Plan, South Australia: A Better Place to Live 2013
- Australian Government, Department of the Environment
[Built environment | In Brief | State of the Environment 2011 \(SoE 2011\)](#)
- Department of Environment, Water and Natural Resources
<http://www.environment.sa.gov.au/Home>
- Resilient South – Integrated Vulnerability Assessment Technical Report, April 2014

Open Space Policy

Policy Name and version no.	City of Marion Open Space Policy - V1.0
Last update	
Last Council review (report reference)	
Next review due	
Responsibility	Team Leader, Open Space and Recreation

DRAFT

**CITY OF MARION
GENERAL COUNCIL MEETING
25 OCTOBER 2016**

Originating Officer: Rhiannon Hardy, Policy Planner

Manager: Steve Hooper, Manager Development & Regulatory Services

General Manager: Abby Dickson, General Manager City Development

Subject: Liquor Licence Applications – Amendments to Governance Policy

Reference No: GC251016R11

REPORT OBJECTIVE AND EXECUTIVE SUMMARY

The purpose of this report is to seek Council's approval for amendments to Council's Liquor Licence Applications Policy to better clarify the framework for the consideration of applications and the provision of comment back to the Liquor and Gambling Commissioner.

RECOMMENDATIONS (2):

DUE DATES

That Council:

- | | |
|--|-----------------|
| 1. Adopts the Liquor Licence Applications Policy contained in Appendix 1, and the Liquor Licence Applications Policy Procedures contained in Appendix 2. | 25 October 2016 |
| 2. Resolves whether one or more of the additional public consultation procedures/exemptions detailed in Appendix 3 should be included in the Policy. | 25 October 2016 |

BACKGROUND

Section 52(2)(a)(i) of the Liquor Licensing Act 1997 (the Act) affords the Council the opportunity to consider and make comment on certain types of liquor licence applications to the Commissioner prior to the Commissioner making a decision on the matter.

The Act requires the following methods of public consultation to be undertaken by the applicant for any proposed liquor licence application (other than temporary or limited licenses):

- (a) written notice to the relevant council and the occupiers of land or premises adjacent to the subject premises; and
- (b) notice of the application by publication of an advertisement in a newspaper circulating generally throughout the State; and in another newspaper circulating in the area in which the licensed premises is situated; and in the Gazette; and
- (c) keep posted a notice of the application in a prominent position on the premises to which the application relates.

Council's Liquor Licence Applications Governance Policy (the Policy) was established to set up formal procedures for Council officers to follow in order to facilitate appropriate handling of

liquor licence applications prior to reporting to Council (if required), and to assist Elected Members in their consideration of the applications.

The Policy was implemented in 2007, which included provision for Council to undertake separate public consultation of liquor licence applications, exceeding the scope of public consultation undertaken under the Act.

The Policy was further reviewed and amended in 2009 and 2012.

DISCUSSION

Since the last amendments to the Policy in 2012, it has become apparent that the policy would benefit from a more streamlined layout and clearer wording. The layout has been amended to list the relevant assessment considerations chronologically, and to remove redundant wording and repetition. Furthermore, the Policy has been separated into two documents – the Policy and Procedures – in order to align with the new standard format for Council policies.

The policy has been amended to note the 13 licence types specified in the Act, whereas the current Policy lists only 11.

Furthermore, the suggested hours of operation listed in Section 7 of the Policy have been amended to acknowledge the recent changes to the Act which allow premises to provide entertainment until midnight without requiring consent of the licensing authority.

Public consultation

The public consultation section of the Policy has been modified to remove unnecessary wording and provide clearer direction as to whether public consultation is required. The proposed revised policy covers all licence types in Section 5 of the Policy, whereas currently 6 licence types are not specified in this section.

Currently, this section specifies that Restaurant, Club, Special Circumstance and variations to Hotel licences require public consultation unless:

- “(a) they relate to premises/facilities (including the building, and associated outdoor areas) which are located a distance of no less than 100 metres of a residential property and;*
- (b) the hours of operation are not proposed to be extended beyond those that currently exist for the premises.”*

It is proposed to include Residential, Hotel, Limited Club, Entertainment Venue and Small Venue classes within this clause (i.e. all remaining licences not exempted). This would have minimal effect on the function of the current policy, as this exemption is already applied to these licence types in the Procedures Table - Attachment 1 of the current Policy.

Furthermore, Administration seek the direction of Council as to whether additional exemptions should be introduced in order to:

- a) have regard only to whether the licensed premise is in proximity to a property in the “Residential Zone”, not just a “residential property” (as a residential property which exists in a non-residential zone ought not trigger the need for public consultation when a licence is proposed in an appropriate zone);
- b) eliminate repeated public consultation/notification when a land use has already been notified/will be notified as part of an associated development application;
- c) provide consistency with the number/scope of properties notified/consulted to align with the legislated public notification requirements under the Development Act 1993; and

- d) remove the need to notify variations to existing licences where the proposed variation does not increase the hours of operation and does not propose a new outdoor licensed area.

As such, “Option 2: Additional Exemptions” in Appendix 2 lists the following suggested additional clauses which could be inserted in Section 5 of the Procedures and the “Procedures Table” (Attachment 1) of the new Policy, if desired:

“Council will undertake public consultation for all other licence classes (including variations to an existing licence). However, public consultation is not required if any one of the following circumstances apply:

- the site of the subject licensed premises is not located adjacent to a property/properties located in the Residential Zone; or*
- the liquor licence relates to a development authorisation directly related to the proposed liquor licence, which was granted consent within the past 12 months and was subject to Category 2 or 3 public notification; or*
- the liquor licence directly relates to an associated Development Application that is being assessed concurrently with the proposed liquor licence, and that Development Application will undergo Category 2 or 3 public notification; or*
- the licence application relates to an existing liquor licence, where the proposed variation does not increase the hours of operation and does not propose a new outdoor licensed area.”*

In order to gain an understanding of the difference between the proposed consultation to “adjacent land” and the Policy’s current “100 metre radius”, an example of a subject land/premises is detailed in Figure 1. Figure 2 details the current scope of consultation (Option 1 policy), and Figure 3 details the adjacent land approach (Option 2 policy).



Figure 1. Aerial photograph illustrating an example subject land/premises



Figure 2. Properties notified under the current Liquor Licence Applications Policy

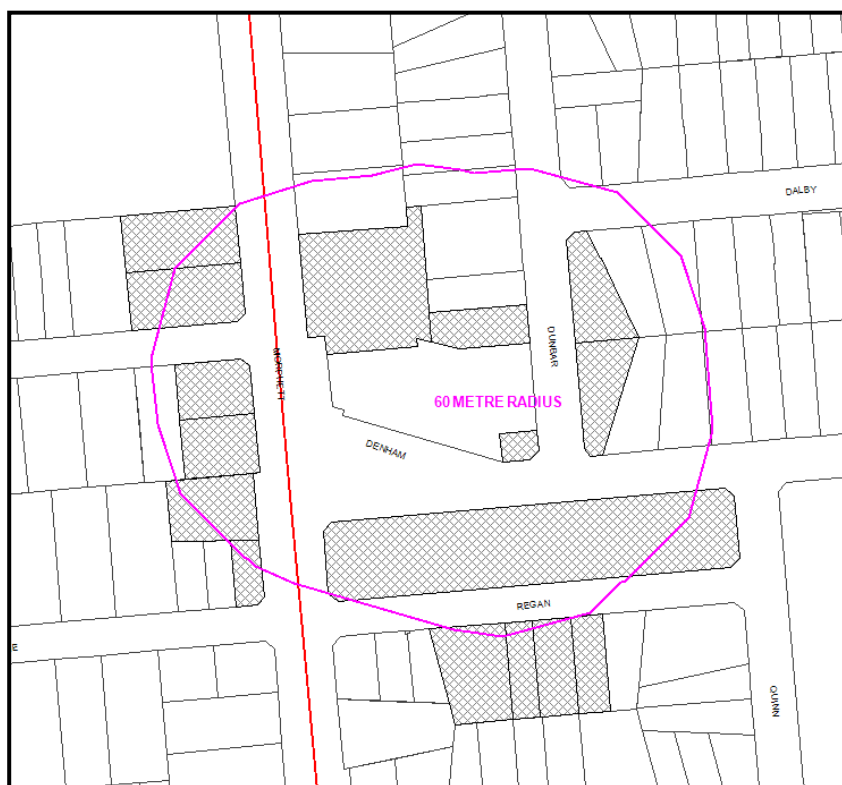


Figure 3. Properties notified as "adjacent land" under the Development Act 1993

If the Council resolves not to adopt the amended scope of consultation and additional exemptions, the revised Policy could be adopted as outlined in Option 1 (Appendix 1).

Consideration of applications

The Policy currently states that staff have authority to consider and provide comment on the following applications:

- “(When located within one of Council’s various Commercial, Centre or Industry Zones)*
- a. Restaurant Licence, pursuant to Section 34 of the Act (except where representations have been received as part of any public notification process undertaken by Council), or*
 - b. Retail Liquor Merchant’s Licence, pursuant to Section 37 of the Act; or*
 - c. Wholesale Liquor Merchant’s Licence, pursuant to Section 38 of the Act; or*
 - d. Producer’s Licence, pursuant to Section 39 of the Act; or*
- “(As above” but could also be located within one of Council’s Residential Policy Areas)*
- e. Direct Sales Licence, pursuant to Section 39A of the Act;*

All other types/classes of Licence where the following is the case

- (a) the application is exempt from public notification*
- (b) no representations are received as part of the public consultation process”*

For simplicity, it is proposed that only the second clause is maintained as follows:

“If the application is exempt from public notification, or if no representations/comments raising objections/concerns with the subject licence are received as part of the public consultation process, consideration of the subject application will be undertaken by a relevant member of Council’s Development Services and/or City Property staff.”

This change should not undermine the intent of the Policy, as the licences listed in the first clause of the current Policy are generally exempt from public consultation in any case. Furthermore, the impact of various licenses should be captured in the public consultation criteria. Applications which are notified and receive community objections/concerns will be reported to the Council.

INTERNAL/EXTERNAL ANALYSIS

Resource Impact:

The elimination of ambiguity should avoid licences being reported to the Council where it is unclear whether staff maintain authority to provide comment to the Commissioner. The additional “Option 2” public consultation criteria (to eliminate the need for public consultation for minor variations to existing licences, or when separate public consultation has already taken place) should considerably reduce costs in relation to staff time, stationery and postage resources for these types of applications.

Social / Cultural Impact:

Council’s Liquor Licence Policy results in the undertaking of public consultation with a wider cross-section of the community than would generally occur under the Liquor Licensing Act, and enables Council to gauge community opinion prior to providing comments to the Liquor and Gambling Commissioner. It is noted that several other Metropolitan Adelaide Councils do not undertake separate community consultation for liquor licences, any many rely upon public notification undertaken pursuant to the *Development Act 1993* when a liquor licence requires a separate Development Application (see *Appendix 5*).

CONCLUSION

Although generally working well, it has become apparent that the wording within the current Liquor Licence Applications Policy could be made clearer, as some areas are open to interpretation. Council’s approval is being sought for amendments to the Policy as detailed in

Appendices 1 and 2, to better clarify the framework for the consideration of applications. These documents do not incorporate any material changes to the current public consultation criteria.

If desired, the policy could be further amended to achieve consistency with the scope of public notification under the Development Act 1993 (i.e. notify “adjacent land” only), to avoid repeated public consultation when an associated Development Application also requires public notification, and to notify only variations to existing licences where hours of operation are increased, or a new outdoor area is proposed. These additional clauses are listed in Appendix 3 (“Option 2”).

It is requested that Council consider whether the general revisions to the Policy and Procedures as detailed in *Appendices 1 and 2* are appropriate, and furthermore, whether one or more of the additional “Option 2” clauses in Appendix 3 should be adopted into the Policy Procedures.

APPENDICES

- Appendix 1: Proposed new City of Marion Liquor Licence Applications Policy
- Appendix 2: Proposed City of Marion Liquor Licence Applications Procedures (with annotation of changes from previous policy)
- Appendix 3: Alternate “Option 2” public consultation criteria
- Appendix 4: Procedures Table of the current 2012 Liquor Licence Applications Policy
- Appendix 5: Comparison of other Councils’ consultation procedures

Liquor Licence Applications Policy



1. POLICY STATEMENT

This Policy provides a framework for the exercise of Council's powers pursuant to the Liquor Licensing Act 1997 ("the Act") including the:

- Consideration of liquor licence applications referred to the Council pursuant to the Act
- Assessment of concerns identified by the Council, including complaints made to the Council about particular premises.

Upon consideration of any matter pertaining to the Act, Council will attempt to act reasonably in the circumstances so as to ensure that the impacts of licenced premises do not unreasonably impact upon the amenity of residents in the Council area.

Council will also, however, act within the ambit of this Policy so as to encourage and promote licensed businesses in the Council area that act responsibly in respect of the sale and consumption of liquor.

2. OBJECTIVE

The City of Marion recognises the contribution and significant place of licensed premises within the range of business and recreation facilities in the council area. It also acknowledges the importance of addressing liquor-related issues to protect and enhance the amenity of the City for the benefit of its residents, workers and visitors. Licensed premises can impact on amenity in many ways.

The aim of this policy is to provide a framework for the assessment of liquor licence applications and the exercise of Council's powers under the Act to address detrimental impacts on the local amenity. This will ensure licence applications and responses to liquor-related matters are handled in an effective, timely and consistent manner.

3. SCOPE

This Policy provides guidance for managing the requirements of the Act, and establishes a framework to guide Council in managing liquor licence applications (including limited licence applications).

Consumer and Business Services (CBS) is responsible for administering the Liquor Licensing Act 1997 in South Australia. The purpose of the Act is to regulate and control the sale, supply and consumption of liquor for the benefit of related industries and the South Australian public.

The Liquor and Gambling Commissioner is the relevant authority for determining liquor licence applications and issuing relevant licences. The allocated Commissioner will base a decision on the cases presented by the applicant and any objectors. Council only provides comments to the Commissioner with regard to Liquor Licence applications.

This Policy acknowledges that Council may request the Commissioner to include conditions on liquor licences in relation to:

- noise, and other potential disturbances;
- proximity to residential properties;
- types and impacts of entertainment provided;
- the nature of any outdoor activities;
- proposed hours of operation;
- the location of areas where alcohol may be served;

- wine or other tastings or special circumstances/events where alcohol is served;
- obligations of the licensee (pursuant to the Liquor Licensing Act 1997); and,
- any other matters which are considered relevant under the Development Act 1993 and conditions of Development Approval.

Any conditions imposed on a liquor licence by the licensing authority or development approval by Council are intended to protect and enhance the amenity and character of the locality, while considering the interests of the different stakeholder groups involved, including residents, neighbouring businesses, the police, and the role of licensed premises in various areas of the Council.

4. PRINCIPLES

In supporting the responsible service of alcohol, harm minimisation practices and the protection of the City's amenity, the Council will:

1. Assess applications for liquor Licences using this policy, and the Development Plan where appropriate.
2. Exercise its rights of Objection, Intervention and Complaint under the Liquor Licensing Act 1997, where warranted.
3. Provide information to the public, where appropriate, which discourages the irresponsible service and consumption of alcohol.
4. Act as an advisory body to persons requiring advice and clarification on licensing and related planning issues as they relate to Council.

Council will have regard to this policy in assessing applications lodged with the Liquor and Gambling Commissioner for certain licence types. These include:

Licence Type	Description
Club	Clubs that want to supply liquor to members and the general public (e.g. sporting club, membership club, etc).
Direct Sales	A direct sales licence authorises the sale of liquor at any time where the purchaser orders the liquor by mail, telephone, Fax, internet and any other electronic communication.
Entertainment Venue	Allows licensees to sell liquor in the licensed premises for consumption on the licensed premises at a time when live entertainment is provided on the licensed premises (e.g. night clubs).
Hotel Licence	A hotel licence authorises the sale of liquor for consumption on and off the licensed premises.
Limited Club	A limited club licence authorises the sale of liquor to members and guests of members (e.g. sporting club, membership club, etc).
Limited Licence	To hold a one-off event, or a limited series of events, or to extend trading hours of an existing licence or authorisation for a special event.
Producers	A producer's licence authorises the sale of liquor produced by the licensee (e.g. cellar doors, microbreweries).
Residential	A residential licence authorises the sale of liquor on the licensed premises at any time to a lodger for consumption on or off the licensed premises (e.g. motels, hostels, caravan parks etc).
Restaurant	A restaurant licence authorises the sale and consumption of liquor on the premises at any time with or ancillary to a meal (e.g. cafe, restaurant).
Retail Liquor Merchant	To sell packaged liquor on a retail basis for people to consume away from the licensed premises (e.g. bottle shops).
Small Venue	For small bars, restaurants, art galleries and the like located in the central business district with a maximum capacity of 120 patrons.
Special Circumstances	When no other class of licence suits the proposed style of business (e.g. boats and vessels, caterers, limousines).
Wholesale Liquor Merchant	To supply alcohol on a wholesale basis to other licensees.

Where a Liquor Licence Application is associated with a development application seeking development approval, Council's Development Plan will be used as the basis of the assessment in accordance with the provisions of the Development Act 1993. The Licensing Authority will require a development approval prior to considering any application that does not already have an existing development approval.

Council may seek to have various conditions imposed on applications, but the determination on conditions imposed is a matter for the Licensing Authority only.

An objection may be made on one or more of the following grounds:

- That granting the application would not be consistent with the objects of the Act or this Policy;
- That, if the application were granted:
 - Undue offence, annoyance, disturbance or inconvenience would be likely to result to people who reside, work, play or worship in the vicinity of the premises or proposed premises to which the application relates;
 - The safety or welfare of a child dedicated facility, children attending kindergarten, primary school or secondary school in the vicinity of the premises or proposed premises to which the application relates are likely to be prejudiced; and/or
 - The amenity of the locality in which the premises or proposed premises to which the application relates would be adversely affected in some other way.

5. DEFINITIONS

For the purpose of this Policy the following definitions apply:

- **Act** - Liquor Licensing Act 1997
- **CEO** – refers to the Chief Executive Officer (including their delegate) of the Corporation of the City of Marion;
- **CBS** – Consumer and Business Services;
- **dB(A)** – unit of measurement relating to the level of sound exposure to humans;
- **Entertainment** – as defined by the Act is a dance, performance, exhibition or event (including a sporting contest) calculated to attract and entertain members of the public; a visual display but not if provided by means of a television screen the dimensions of which do not exceed 2 metres by 2 metres (specified by the Regulations);
- **EPA** - Environmental Protection Agency;
- **Intervention** - a council in whose area licenced premises or premises proposed to be licenced are situated may intervene in proceedings before a Licensing Authority for the purpose of introducing evidence, or making representations, on any question before the Authority;
- **Licence** - a liquor licence under the Liquor Licensing Act 1997. Definitions for the various forms of licences referred to within this policy can be found within section 4 of the Act;
- **Licensing Authority** - in relation to a matter that is to be decided by the Court under the Act – it is the Court. In relation to any other matter – it is the Liquor and Gambling Commissioner (via Consumer and Business Services);

- **Liquor** - for the purposes of the definition of liquor in Section 4 of the Act, alcohol based food essence and alcoholic ice confection are declared to be liquor for the purposes of the Act;
- **Live Entertainment** - means:
 - A dance or other similar event at which a person is employed or engaged to play music (live or pre-recorded)
 - A performance at which the performers, or at least some of them, are present in person
 - A performance of a kind declared by regulation to be live entertainment;
- **Objection** - if an application has been advertised under Part 4 of the Act, any person may, by notice in the prescribed form (by contacting OLGC) lodged with the Licensing Authority at least seven (7) days before the day appointed for the hearing of the application, object to the application.
- **SAPOL** – South Australian Police

RELATED DOCUMENTS

- Liquor Licence Applications Policy: Procedures
- Marion Council Development Plan
- Liquor Licensing Act 1997
- Development Act 1993 & Development Regulations 2008
- Environment Protection (Noise) Policy 2007
- City of Marion Community Vision: Towards 2040 (adopted 26 July 2016)
- City of Marion Business Plan, 2016 – 2019 (adopted 26 July 2016)

INFORMATION – COUNCIL CONTACT DETAILS

The contact officers of Council for information in relation to this policy are the Team Leader-Planning and/or the Senior Policy Planner who can be contacted by:

Telephone: 8375 6685, or
 Fax: 8375 6899, or
 Email: council@marion.sa.gov.au

Policy Name and version no.	City of Marion Liquor Licence Applications Policy - V1.0
Last update	October 2016
Last Council review (report reference)	GC251016RX
Next review due	October 2018
Responsibility	Manager - Development & Regulatory Services

Liquor Licence Applications Policy: Procedures



APPENDIX 2

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1. INTRODUCTION

These procedures relate to the associated City of Marion Liquor Licence Applications Policy.

2. ASSESSMENT PROCEDURE

The following procedures shall be undertaken by Council and its officers when considering a liquor licence application:

1. Determine the appropriate assessing department (City Property or Development Services) in accordance with Section 3 of this Procedures Policy.
2. Assess the application against the Assessment Criteria contained within Section 4 of this Policy by completing the relevant checklist in Attachments 3-4. If appropriate, seek additional information or amendment from the applicant (refer Attachment 2).
3. Consider whether the proposed liquor licence requires the lodgement of an associated Development Application under the Development Act 1993 for any change of land use/building class, extension of operating hours, building works or advertising signage.

Commented [RH1]: New section which outlines all chronological steps in the assessment process; modified from previous "matters for consideration".

4. Consider whether a deferral/adjournment of the liquor licence hearing date is required to enable the assessment process to be completed (may be necessary where a development application is required, or if the liquor licence requires public consultation).
5. If required by this Policy, undertake public consultation in accordance with Section 5 (refer Attachments 5 & 6). Take into consideration any feedback received.
6. If representations raising concern/objection are received throughout the public consultation process, seek comments from the South Australia Police regarding the proposed licence and whether the premises has been subject to any issues/complaints in the past (refer Attachment 7).
7. Examine the proximity of the site to any residential areas, with reference to the “Hours of Operation” table contained within Section 7 of this Policy, to ascertain appropriate operating times.
8. Consider the use of relevant conditions, where appropriate, particularly those recommended and contained within Section 8 of this Policy.
9. Determine the relevant assessment path in accordance with Section 6 of this Policy:
 - a) If representations/comments are received during the public consultation process which raise objections/concerns with the subject licence, prepare a report on the liquor licence application (including a summary of the comments/representations received) to present to the next available General Council meeting following the closure of the public notification period (refer Attachment 8).
 - b) If the application is exempt from public notification, or if no representations/comments raising objections/concerns with the subject licence are received as part of the public consultation process, staff will consider the subject application and formulate comments to the Liquor and Gambling Commissioner. Prior to any comment being provided, the staff member shall advise the relevant Ward Members of Council (via email) of the application and the staff member's proposed comments to the Commissioner on behalf of Council. The staff member will provide the relevant Ward Councillors with a minimum of 2 business days to respond to staff's draft comments to the Liquor and Gambling Commissioner (refer Attachment 9).
10. Forward Council's comments to the Liquor and Gambling Commissioner and/or the applicant who will forward comments to the Commissioner (refer Attachment 10).
11. Relevant staff, on behalf of Council, may intervene in proceedings before the licensing authority for the purpose of introducing evidence, making representations and negotiating on any question before the authority.

3. RELEVANT COUNCIL DEPARTMENT

Council receives liquor licence applications that relate to both Council-owned properties/facilities (sports clubs, community halls, reserves, etc.) and privately-owned properties/facilities (hotels, restaurants, etc). The process for considering applications that relate to Council-owned properties involves additional criteria to that considered for privately-owned properties.

3.1 Private Ownership

Liquor licence applications located on privately-owned land are to be processed by Council's Development Services staff and may involve the creation of a report for the consideration of Council.

3.2 Council Ownership

Liquor licence applications located on Council-owned land are to be processed by Council's City Property staff. As the application involves Council-owned land/facilities, any related Special Event conditions or licence/lease agreements and conditions of licence/lease require consideration by the City Property staff as part of the process. City Property staff may seek advice from Council's Development Services staff regarding any matter pertaining to the proposed licence. If a Council report is required, the report should incorporate comments from both departments.

4. ASSESSMENT CRITERIA

The following criteria, amongst others not specified that may also be relevant, should be considered/addressed by staff and/or Council when considering a liquor licence application and formulating comments to the Liquor and Gambling Commissioner:

- Whether the proposal requires a development authorisation under the Development Act, 1993 or alternatively is at variance (and therefore seeks to vary) with an existing development authorisation.
- Number and nature of complaints lodged with Council, SA Police and/or the Office of Liquor and Gambling Commissioner in relation to the licensed premises;
- Maximum number of people anticipated at the premises;
- Number of car parking spaces provided on site (where applicable);
- Proximity of premises to residential or other sensitive land uses;
- The extent to which the premise has been designed to minimise the impacts of its activities on adjacent residential development; i.e.
 - noise attenuation measures as recommended by an acoustic engineer and incorporated into the design and construction of premises
 - whether a buffer in the form of landscaping or fencing is provided between any car parking, service area, outdoor storage area and residential properties
 - any other acoustic buffer has been provided between any excessive noise generating part of the development and residential properties or other sensitive land uses.
- Location and operation of outdoor areas, including dining areas;
- Hours of operation;
- Operating hours of nearby licensed premises, to avoid setting a precedent for excessive operating hours;
- Level of security to be adopted by the licensed premises (internal and external).

5. PUBLIC CONSULTATION

In addition to the public consultation process required to be undertaken by the applicant as prescribed under Section 52(2) of the Liquor Licensing Act, Council may undertake separate and more extensive public consultation on certain types of liquor licence applications, in order to ascertain community views on the application.

5.1 Public consultation not required

Certain classes of liquor licence would generally result in minimal adverse impacts beyond the property/premises (where there is no liquor consumed on the proposed licensed premises or the licence is of a temporary nature only). For these reasons, public consultation will not be undertaken by Council for the following licence classes:

- Retail liquor merchant
- Wholesale liquor merchant
- Direct Sales
- Producers
- Limited (Temporary)
- Restaurant Licence - where the restaurant already exists, the hours of operation are not proposed to be extended and the licensed area is internal to the building

Commented [RH2]: Added in list for clarity (already exempted earlier in policy)

5.2 Public consultation required

Council will undertake public consultation for all other licence classes (including variations to an existing licence), unless both of the following circumstances apply:

- (a) the licensed area is not located within 100 metres of a residential property; and
- (b) there are no proposed extensions to the hours of operation.

Commented [RH3]: Previously only Restaurant, Club, Special Circumstance and variation to Hotel licences were specified here, however including all licences will remove ambiguity surrounding the remaining licences

Commented [RH4]: Wording simplified

5.3 Public Consultation Procedure

Public Consultation should not be undertaken until such time as the applicant has furnished Council with all relevant documentation relating to the application (as outlined in Attachment 2 – “Information required for liquor licence request”).

Written notice of an application is to be sent by Council to all owners and occupiers of residential properties within a 100 metre radius of the subject land. The scope of the consultation can be expanded where necessary to include residential properties adjacent to pedestrian routes to nearby car parking areas and other licensed premises. (If there are no residential properties within a 100-metre radius of the subject land, no public consultation will take place.)

Those persons notified will be given a minimum of ten (10) business days in which to provide comment to the Council in regards to the application.

Documentation (including plans) pertaining to the liquor licence application will be made available at the Development Services Counter of Council throughout the duration of the public consultation period.

6. ASSESSMENT PATHWAY

6.1 Consideration at a General Council meeting

If representations/comments are received during the public consultation process which raise objections/concerns with the subject licence, a report on the liquor licence application (including a summary of the comments/representations received) shall be presented to the next available General Council meeting following the closure of the public notification period.

Additionally, any liquor licence application that, in the opinion of the Manager – Development and Regulatory Services, is likely to create a high level of community interest shall be presented to a General Council meeting for consideration.

Commented [RH5]: New section; content was previously included in public consultation section

Commented [RH6]: New provision

6.2 Consideration by Council Staff

If the application is exempt from public notification, or if no representations/comments raising objections/concerns with the subject licence are received as part of the public consultation process, consideration of the subject application will be undertaken by a relevant member of Council's Development Services and/or City Property staff.

However, prior to any comment being provided, the staff member shall advise the relevant Ward Members of Council (via email) of the application and the staff member's proposed comments to the Commissioner on behalf of Council. The staff member will provide the relevant Ward Councillors with a minimum of 2 business days to respond to staff's draft response to the Liquor and Gambling Commissioner.

Commented [RH7]: This is proposed as the sole trigger for referral to Council. Previously, staff also had authority to assess Direct Sales, Producers, Restaurant, Retail Liquor Merchant and Wholesale Liquor Merchant Licences if located within a Commercial, Centre of Industry Zone. However, such licences are generally exempt from public consultation in any case, so this delegation to staff was superfluous

Commented [RH8]: Timeframe specified

7. HOURS OF OPERATION

The following hours of operation are guidelines only. Recommended times may vary according to the merit of the application when assessed against the relevant "Assessment Criteria" outlined in this Policy, and/or consideration of the impact on the local community, including feedback from any consultation undertaken with property owners and occupiers in the immediate area.

Standard Hours of Operation			
	Premises where there is little (if any) likelihood of noise disturbance to sensitive land uses	Premises where the locality is mixed and noise sensitive land uses may be some distance from the subject land (e.g. separated by heavily trafficked arterial road)	Premises in close proximity to residential or other sensitive land uses
Consumption of liquor on the premises (general public)	Monday – Thursday: 7am – 2 am Friday – Saturday: 7am – 3am Sunday: 8am – 1am	Sunday – Thursday: 8am – 12 midnight Friday – Saturday: 8am – 1am	Sunday - Thursday: 8am – 11pm Friday – Saturday: 8am – 12 midnight
Outdoor Dining (ending 1 hour prior to closing)	Monday – Thursday: 8am – 1am Friday – Saturday: 8am – 2am Sunday: 8am – 12 midnight	Sunday – Thursday: 8am – 11pm Friday – Saturday: 8am – 12 midnight Sunday (when the following Monday is a designated public holiday): 8am – 12 midnight	Sunday - Thursday: 9am – 10pm Friday – Saturday: 9am - 11pm
Entertainment (internal to the premise) (ending 1 hour prior to closing time)	Monday – Thursday: 10am – 1am Friday – Saturday: 10am – 2am Sunday: 10am – 12 midnight	Sunday –Thursday: 10am – 12 midnight Friday – Saturday: 10am – 12 midnight	Sunday - Thursday: 10am - 12 midnight Friday – Saturday: 10am - 12 midnight
<i>Note: Licensed premises can provide live entertainment between 11am and midnight without applying for consent from the licensing authority.</i>			

Commented [RH10]: Increased from 10pm to midnight given that the Liquor Licensing Act has enabled the provision of entertainment until midnight without requiring approval

Commented [RH9]: Increased from 11pm to midnight given that the Liquor Licensing Act has enabled the provision of entertainment until midnight without requiring approval

Commented [RH11]: Increased from 11pm to midnight given that the Liquor Licensing Act has enabled the provision of entertainment until midnight without requiring approval

8. CONDITIONS

The following conditions should be considered and included, where appropriate, in Council's comments to the Commissioner, along with any others not listed that are considered relevant to the particular application (any condition should be relevant to the type of application under consideration and consistent with the provisions of the Act and associated legislation).

8.1 Standard conditions

- The sale and supply of liquor on licensed premises shall be limited to the following times:
[refer to Hours of Operation Table]
- There shall be no entertainment on or in any balcony or outdoor area.
- There shall be no loudspeakers placed on or in the fascia of the premises, balcony or in any adjacent outdoor area or footpath.
- The Licensee shall at all times ensure that noise levels should be in accord with EPA Guidelines and the Liquor Licensing Regulations.
- All entertainment shall cease one hour prior to closing time.
- No loudspeakers shall be placed closer than four (4) metres from any entrance or exit from the premises and at all times any such loud speaker shall be directed away, from the entrance to, or exit from, the premises and into the premises or property.
- All external doors and windows are to be closed when the "in-house" sound system is in use (other than for playing low level background music), live entertainment is being undertaken or a jukebox is available for use.
- No garbage or refuse, including empty bottles and cans, is to be moved from inside the premises to outside storage bins or area between the hours of 11pm and 7am the following morning.
- Garbage or refuse, including empty bottles and cans, is not to be available for collection by waste disposal or similar operators (other than operators employed or organised by the City of Marion) between the hours of 11pm and 7:00 the following morning.
- The Licensee shall have display at all exits from the premises clearly visible signs in the form of: *"Please Leave These Premises As Quietly and Quickly As Possible to Reduce Disturbance to Nearby Residents"*

8.2 Restaurants

Commented [RH12]: New condition category

- The premises shall be used primarily as a licensed restaurant with food being available to patrons at all operating times. Any entertainment is to be ancillary to this prime use.
- Entertainment shall be limited such that music noise shall not be audible at the nearest sensitive location.
- Any entertainment provided shall not:
 - a) be advertised or promoted to the general public in any fashion which promotes the premises as an entertainment venue;
 - b) incur a door charge whereby monies are collected from persons as they enter the premises;
 - c) result in queuing at the front of the premises by persons waiting to gain entry.

8.3 Limited Licences (Events)

Commented [RH13]: New condition category

- An approved responsible person or an approved crowd controller shall be stationed and monitor the car park until 30 minutes after the premises is closed and all patrons have left the premises
- The areas where patrons can consume alcohol shall be clearly defined and/or signed during the entire course of the event to ensure no alcohol is consumed outside this area
- Adequate security, public toilets and measures shall be provided to protect the amenity of the surrounding area
- Alcohol must only be served in cans or plastic cups, and not in glass bottles or glasses
- Adequate waste management receptacles will be provided and monitored for the disposal of cans and plastic cups / bottles
- No more than four (4) alcoholic drinks will be supplied to any person at any one time.

8.4 Security

Commented [RH14]: New condition category

- The licensee shall engage and provide a security patrol service external to the licenced area, consisting of a minimum of one security guard on every night when the premises is open and trading beyond 11:00 pm and/or where the licenced area has live entertainment.
- The licensee shall ensure that security personnel are present at the subject premises for a minimum period of 1 hour following closure of the premises.
- The role of a security patrol service engaged by a licensee is to:
 - a) patrol the external grounds of the licenced premises and where appropriate, neighbouring streets surrounding the licenced premises.
 - b) monitor and record the behaviour of persons arriving at and departing from the licenced premises during the trading period.
 - c) take all reasonable steps necessary to act as a deterrent to any undue noise and disturbance created by those persons on the licenced premises or within the surrounding streets.
- The security service is to be deployed by the licensee from at least 11:00 pm until thirty (30) minutes after the premises closes or until a substantial number of patrons have left the immediate area to the reasonable satisfaction of Council.

8.5 Entertainment

Commented [RH15]: New condition category

- Doors and windows within the premises must be closed (but not locked in accordance with Building Code requirements) for the duration of the trading hours associated with entertainment (i.e. live music or amplified music).
- All entertainment shall cease by (time to be nominated) to minimise potential impacts on nearby properties and satisfy the requirements of the Environment Protection (Noise) Policy 2007.
- The entertainment noise level should not be at a level that is likely to cause undue offence to people who reside, work, play or worship in the vicinity of the premises.
- Loudspeakers must not be placed on the fascia of the premises, balcony or any other adjacent outdoor area, footpath or public space.

- Noise emanating from the licenced premises shall not be undue and unreasonable (e.g. above 8 dB(A)) above the ambient background noise level when measured in any octave, such measurement to be taken at the boundary of the nearest noise sensitive site.

8.6 Outdoor Activities

Commented [RH16]: New condition category

- Outdoor licenced areas will be required to cease trading at 11:00pm between Sunday and Thursday and at least one (1) hour prior to the closing time between Friday and Saturday to reduce the potential for impact on the surrounding environment and neighbouring properties.

9. OPPOSITION TO A PROPOSED LIQUOR LICENCE

Where the resolution of Council with respect to a Liquor Licence Application is to oppose the granting of the licence (or variation to an existing licence), Council staff shall (on behalf of Council) formally lodge a letter of opposition/representation to the Liquor and Gambling Commissioner.

Council staff shall then attend the hearing for the purpose of making a representation before the Commissioner pursuant to Council's delegated powers, functions and duties under the Liquor Licensing Act 1997.

10. ATTACHMENTS

Attachment 1: Liquor Licence Applications – Procedures Table

Attachment 2: Information required for liquor licence request – Form

Attachment 3: Assessment Checklist for Development Services

Attachment 4: Assessment Checklist for City Property

Attachment 5: Liquor Licence Public Consultation Letter – Template

Attachment 6: Confirmation of representation

Attachment 7: Email to SAPOL - Template

Attachment 8: General Council Meeting Report - Template

Attachment 9: Email to Ward Councillors - Template

Attachment 10: Letter to the Liquor and Gambling Commissioner – Template

Commented [RH17]: New attachments

Policy Name and version no.	City of Marion Liquor Licence Applications Policy - V1.0
Last update	September 2016
Last Council review (report reference)	GC251016R X
Next review due	September 2018
Responsibility	Manager - Development & Regulatory Services

Attachment 1: Liquor Licence Applications – Procedures Table

Licence Type (including new licence or variation to existing licence)	Public Consultation (by Council)	Consideration of Licence Application
Direct Sales	EXEMPT	STAFF with input from the relevant Ward Councillors Unless, in the opinion of the Manager – Development and Regulatory Services, the subject liquor licence is likely to result in a high level of community interest, in which case COUNCIL
Limited (Temporary)		
Producers		
Retail Liquor Merchant		
Wholesale Liquor Merchant		
Restaurant Licence - where the restaurant already exists, the hours of operation are not proposed to be extended and the licensed area is internal to the building		
Club	REQUIRED Unless: a) the licensed area is not located within 100 metres of a residential property; and b) there are no proposed extensions to the hours of operation.	COUNCIL Unless: a) the subject liquor licence is exempt from public consultation; or b) no objections/concerns are received as part of the public consultation process, in which case STAFF with input from the relevant Ward Councillors Unless, in the opinion of the Manager – Development and Regulatory Services, the subject liquor licence is likely to result in a high level of community interest, in which case COUNCIL
Limited Club		
Hotel		
Entertainment Venue		
Residential		
Restaurant (not captured in the above exemption)		
Small Venue		
Special Circumstances		

Information required for LIQUOR LICENCE REQUEST

Attachment 2: Applicant Form



A liquor licence can only be granted by the Liquor and Gambling Commissioner through Consumer and Business Services (CBS) www.cbs.sa.gov.au/licensing-and-registration/liquor/new-applicants/. However, in most circumstances, CBS will request that Council consent be obtained before the licence is considered by the Commissioner. This form should be completed in order to provide details of the proposed licence to Council so that Council can properly consider the proposed licence, undertake public consultation (if necessary), present the licence to a General Council meeting (if necessary), and provide advice to the Liquor and Gambling Commissioner. **This application does not constitute approval for a proposed liquor licence.**

APPLICANT DETAILS		
Contact Name:	Position:	
Group/Organisation/Business Name:		
Postal Address:		
Email:		
Phone:	Mobile:	
DETAILS OF PROPOSED LIQUOR LICENCE		
Type of Liquor Licence proposed: (please tick)	<input type="checkbox"/> Limited (Temporary) <input type="checkbox"/> Wholesale Liquor Merchant <input type="checkbox"/> Direct Sales <input type="checkbox"/> Entertainment Venue <input type="checkbox"/> Retail Liquor Merchant <input type="checkbox"/> Producers <input type="checkbox"/> Residential <input type="checkbox"/> Restaurant <input type="checkbox"/> Hotel <input type="checkbox"/> Special Circumstance <input type="checkbox"/> Club <input type="checkbox"/> Limited Club <input type="checkbox"/> Small Venue	
Address of proposed licenced area:		
Is the address of the proposed licenced area a Council owned building or land?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Don't Know	
Hours of operation:	Existing:	
	Proposed:	
	Hours of liquor consumption/availability:	
	Hours of entertainment (if applicable):	
Proposed licenced areas:		
Maximum number at event/venue:	Seats:	
	Persons:	
Number of car parks available:		
How will impacts to nearby properties be minimised?		
Will entertainment be provided? If so, specify the type of entertainment/sound system proposed:		
How will waste/refuse be managed and disposed?		
What toilet facilities will be provided/available?		
Will security personnel be present? <input type="checkbox"/> Yes <input type="checkbox"/> No		
In relation to limited/temporary liquor licence:	Name of event:	
	Date/s of event:	
	Will there be a cover charge or entrance fee for this event? <input type="checkbox"/> Yes <input type="checkbox"/> No	
INFORMATION REQUIRED		
<input type="checkbox"/> Form 1 (issued by CBS)	<input type="checkbox"/> Site plan, drawn to a minimum scale of 1:200, illustrating existing buildings on the land, car parking areas, waste storage areas, etc.	
<input type="checkbox"/> Map of proposed licensed area	<input type="checkbox"/> Floor plan, drawn to a minimum scale of 1:100, illustrating the internal layout of the premises	

Name: _____ Position: _____
(PRINT NAME) (PRINT POSITION)

Signature: _____ Date: ____/____/____

Completed form to be submitted to the City of Marion via one of the following methods:

Post: PO Box 21, Oaklands Park SA 5046

In Person: 245 Sturt Road, Sturt SA 5047

Fax: (08) 8375 6699

Email: council@marion.sa.gov.au

Liquor Licence Consent ASSESSMENT CHECKLIST

Attachment 3: Assessment Checklist for Development Services

The Development Services Team and City Property Team both receive notification of applications under *Liquor Licensing Act 1997*. This checklist is used to assess the proposed licence against Council's Liquor Licence Policy (2012). Always refer to the *Liquor Licence Application Policy* for full procedure, notification and consideration requirements.

ASSESSED BY:	Name:		
	Position:		
DATE APPLICATION RECEIVED:		BLUEPOINT REFERENCE:	
Applicant:			
Address of proposed licensed premises:			
Type of Liquor Licence proposed:			

Assessment Process

1. PRODECURAL CONSIDERATIONS	COMMENTS
Determine the appropriate assessing department (City Property or Development Services)	
Consider whether the proposed liquor licence requires the lodgement of an associated Development Application for any change of land use/building class, building works or advertising signage.	
Consider whether a deferral/adjournment of the liquor licence hearing date is required to enable the assessment process to be completed (may be necessary where a development application is required under the Development Act 1993, or if the liquor licence requires public consultation).	
2. CRITERIA FOR ASSESSMENT	COMMENTS
Number and nature of complaints lodged with Council, SA Police and/or the Office of Liquor and Gambling Commissioner in relation to the licensed premises	
Number of car parking spaces provided on site	
Maximum number of patrons/seats	
Location and operation of outdoor areas, including dining areas	
Proximity of premises to residential or other sensitive land uses	
The extent to which the premise has been designed to minimise the impacts of its activities on adjacent residential development:	
<ul style="list-style-type: none"> noise attenuation measures as recommended by an acoustic engineer and incorporated into the design and construction of premises whether a buffer in the form of landscaping or fencing is provided between any car parking, service area, outdoor storage area and residential properties any other acoustic buffer has been provided between any excessive noise generating part of the development and residential properties or other sensitive land uses. 	
Level of security to be adopted by the licensed premises (internal and external)	
Hours of operation	
Operating hours of nearby licensed premises, to avoid setting a precedent for excessive operating hours	
3. PUBLIC CONSULTATION	COMMENTS
Is public consultation required?	
Number of properties notified (attach map):	
Number of representations received:	
Summary of representations:	
Confirmation letter/email sent to representors (date):	
4. PREVIOUS COMPLAINTS	COMMENTS
Contact SAPOL to determine whether any previous complaints/issues have arisen in relation to the licensed premises, and whether SAPOL have any concerns with the proposed licence:	
Check CRMS and Bluepoint/Sharepoint whether any previous complaints/issues have arisen in relation to the subject premises:	

Liquor Licence Consent ASSESSMENT CHECKLIST



5. CONDITIONS		COMMENTS
Determine appropriate conditions as outlined in the Liquor Licence Policy:		
6. OPERATING HOURS		COMMENTS
Determine suitable hours of operation as detailed in the Liquor Licence Policy:		
7. ASSESSMENT PATHWAYS		COMMENTS
a) Consideration by staff Following consideration of the application by Council staff but prior to any comment being forwarded to the Liquor and Gambling Commissioner, the staff member shall advise the relevant Ward Members of Council (via email) of the application and the staff member's comments to the Commissioner.	Date Ward Councillors notified:	
	Summary of Ward Members' comments:	
b) Consideration at a General Council meeting A report to the next General Council meeting is required if representations were received as part of the public consultation process.	Date of meeting:	
	Council resolution:	
8. SUBMIT LETTER TO THE LIQUOR AND GAMBLING COMMISSIONER		COMMENTS
Date letter sent (and copy attached)		

LIQUOR LICENCE CONSENT - APPROVAL	NAME/POSITION	SIGNATURE	DATE
Name of Originating Officer			___/___/___
Approved by Team Leader			___/___/___

Liquor Licence Consent – Council Owned Property/Land

ASSESSMENT CHECKLIST

Land and Property

Attachment 4: Assessment Checklist for City Property

This checklist is to be completed by the Property Leasing Officer – Land & Property and reviewed by City of Marion management prior to Council's response being provided to the applicant and/or Liquor & Gambling Commission. The Development Services Team and Land and Property Team both receive notification of applications under *Liquor Licensing Act 1997*. This checklist is used to assess the proposed licence against Council's *Liquor Licence Application Policy (2012)* for Council owned property and land.

Always refer to Council's Liquor Licence Application Policy for full procedure, notification and consideration requirements and consult with the Development Services Team (if required).

REQUESTOR DETAILS					
Contact Name:	Position:				
Group/Organisation/Business Name:					
PROPOSED PROPERTY/LAND DETAILS					
Is the address of the proposed licenced are a Council owned property or land? <input type="checkbox"/> Yes <input type="checkbox"/> No (If no, the application should be directed to Council's Development Services Team)					
COUNCIL PROPERTY/LAND DETAILS					
Council Property/Land Name:					
Council Property/Land Address:					
If request is for Council owned property, is the property currently leased by the requestor? <input type="checkbox"/> Yes <input type="checkbox"/> No					
ASSESSED BY:		Name:		Position:	
DATE REQUEST RECEIVED		___/___/___		SHAREPOINT REFERENCE	
A)	INFORMATION OBTAINMENT	YES	NO	N/A	COMMENTS
1	Information Required for Liquor Licence Request Form is received and completed	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3	Save request to SharePoint	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4	Prepare and send Letter – Liquor Licence – Consent for Licence - Request Acknowledgement	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5	Is this a new request? If no, provide variation details	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6	Does the proposed licence comply with the permitted use of the property/land? Provide detail	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7	Type of proposed liquor licence: <input type="checkbox"/> Limited/Temporary <input type="checkbox"/> Wholesale Liquor Merchant <input type="checkbox"/> Direct Sales <input type="checkbox"/> Entertainment Venue <input type="checkbox"/> Hotel <input type="checkbox"/> Producers <input type="checkbox"/> Residential <input type="checkbox"/> Restaurant <input type="checkbox"/> Retail Liquor <input type="checkbox"/> Merchant <input type="checkbox"/> Special Circumstance <input type="checkbox"/> Club <input type="checkbox"/> Other, please provide detail:				
B) PRODECURAL CONSIDERATIONS					COMMENTS
Determine the appropriate assessing department (City Property or Development Services)					
Consider whether the proposed liquor licence requires the lodgement of an associated Development Application for any change of land use/building class, building works or advertising signage.					
Consider whether a deferral/adjournment of the liquor licence hearing date is required to enable the assessment process to be completed (may be necessary where a development application is required under the Development Act 1993, or if the liquor licence requires public consultation).					

Liquor Licence Consent – Council Owned Property/Land

ASSESSMENT CHECKLIST

Land and Property



B)	LIMITED LICENCE CONSIDERATIONS	YES	NO	N/A	COMMENTS
	Name of the event/activity:				
	Date/s of the event/activity:				
1	Has the requestor submitted a <i>Special Event Permit – Application Form</i> for this event/activity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Will there be a cover charge or entrance fee for this event/activity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Is the event/activity a promotional event? If yes, provide details	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2	Identified any current arrangements over facility by referring to the <i>Tenancy Schedule</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3	Is there a clause in the current lease/licence prohibiting the liquor licence? If yes, provide details	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Proposed hours of operation:				
	Existing:				
	Proposed:				
4	Hours of liquor consumption/availability				
	Hours of entertainment (if applicable):				
	Are the proposed hours of operation appropriate and comply with the current lease/licence? Refer to <i>Liquor Licence Application Policy</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5	Received a map of proposed licenced areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6	Is the proposed licenced areas indicated on the map appropriate?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7	Is the request based on the same plans which have been submitted to Council? If no, provide details	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8	Is the maximum number of persons to attend the event/venue appropriate?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9	Are there suitable car parks available at the event/venue?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
10	Is the proximity of property to residential or other sensitive land users appropriate?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11	Have suitable arrangements been made to minimise impact to nearby properties? Provide details	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
12	Are there nearby licenced premises? If yes, provide details including hours of operations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
13	Will entertainment be provided? If yes, provide details	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
14	Have suitable arrangements been made to dispose of waste/refuse? Provide details	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15	Will suitable toilet facilities be provided/available? Provide details	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
16	Will security personnel be present at the event/activity or venue? If yes, provide details e.g. level of security to be adopted (internal and external)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
C) CRITERIA FOR ASSESSMENT		COMMENTS			
Number and nature of complaints lodged with Council, SA Police and/or the Office of Liquor and Gambling Commissioner in relation to the licensed premises					
Number of car parking spaces provided on site					
Maximum number of patrons/seats					
Location and operation of outdoor areas, including dining areas					

Liquor Licence Consent – Council Owned Property/Land

ASSESSMENT CHECKLIST

Land and Property



Hours of operation		
The extent to which the premise has been designed to minimise the impacts of its activities on adjacent residential development: <ul style="list-style-type: none"> • noise attenuation measures as recommended by an acoustic engineer and incorporated into the design and construction of premises • whether a buffer in the form of landscaping or fencing is provided between any car parking, service area, outdoor storage area and residential properties • any other acoustic buffer has been provided between any excessive noise generating part of the development and residential properties or other sensitive land uses. 		
Level of security to be adopted by the licensed premises (internal and external)		
Operating hours of nearby licensed premises, to avoid setting a precedent for excessive operating hours		
Proximity of premises to residential or other sensitive land uses		
D) PUBLIC CONSULTATION		COMMENTS
Is public consultation required?		
Number of properties notified (attach map):		
Number of representations received:		
Summary of representations:		
Confirmation letter/email sent to representors (date):		
E) PREVIOUS COMPLAINTS		COMMENTS
Contact SAPOL to determine whether any previous complaints/issues have arisen in relation to the licensed premises, and whether SAPOL have any concerns with the proposed licence:		
Check CRMS and Bluepoint/Sharepoint whether any previous complaints/issues have arisen in relation to the subject premises:		
F) CONDITIONS		COMMENTS
Determine appropriate conditions as outlined in the Liquor Licence Policy:		
G) OPERATING HOURS		COMMENTS
Determine suitable hours of operation as detailed in the Liquor Licence Policy:		
H) ASSESSMENT PATHWAYS		COMMENTS
a) Consideration by staff Following consideration of the application by Council staff but prior to any comment being forwarded to the Liquor and Gambling Commissioner, the staff member shall advise the relevant Ward Members of Council (via email) of the application and the staff member's comments to the Commissioner.	Date Ward Councillors notified:	
	Summary of Ward Members' comments:	

Liquor Licence Consent – Council Owned Property/Land

ASSESSMENT CHECKLIST

Land and Property

**b) Consideration at a General Council meeting**

A report to the next General Council meeting is required if representations were received as part of the public consultation process.

Date of meeting:

Council resolution:

I)	CONSENT FOR REQUEST	YES	NO	N/A	COMMENTS	
1	Is it recommended to grant consent for the request for a liquor licence? If no, provide details	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
2	If recommendation is to grant consent, complete - <i>Letter - Liquor Licence - Consent for Licence – Granted</i> (include all relevant conditions)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
3	If recommendation to not grant consent, complete - <i>Letter - Liquor Licence - Consent for Licence – Not Granted</i> (include reasons why consent was not granted)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
CONSENT FOR REQUEST		NAME/POSITION		SIGNATURE	DATE	COMMENTS
Name of Originating Officer					___/___/___	
Reviewed by Team Leader					___/___/___	
Reviewed by Department Manager					___/___/___	
Reviewed and Letter signed by General Manager					___/___/___	

<<date>>

Attachment 5: Public consultation letter template

«Name»
«Address»
«Suburb»

Dear «To»

**Re: Application for a <<licence type>> Licence
at <<address of proposed licensed premises>>**

The City of Marion has been invited to provide comment with respect to an application by <<insert applicant name>> to the Liquor and Gambling Commissioner (Consumer and Business Services) for a <<describe proposed liquor licence and/or amendments to existing licence>> in respect of the premises located at <<address of proposed licensed premises>>.

The following is sought in the application:

- <<describe elements of the proposal>>

Sunday to Thursday	<<insert proposed hours>>
Friday to Saturday	
Days Preceding public holidays	

The application and certain documents and material (including plans) relevant to the application may be inspected without fee at:

- Consumer and Business Services located at Ground Floor (Street Level) 91 Grenfell Street, Adelaide - Monday to Friday 9:00 am to 5:00 pm
- The City of Marion Planning and Building Department, 245 Sturt Road, Sturt - Monday to Friday 8:30 am to 5:00 pm.

Enquiries with respect to the liquor licence application should be directed to Consumer and Business Services on 131 882.

Any comments you have to assist Council in its deliberations should be forwarded to Council's Planning Department no later than **5pm on <<insert date that public consultation period ends>>**.

Please note if you wish to lodge a formal submission with the Liquor and Gambling Commissioner (Consumer and Business Services (CBS)), you must lodge your submission with CBS directly. Any comments submitted to Council are purely to inform Council of your wishes when Council considers its position with regard to the application.

If you have any further queries, please do not hesitate to contact me on the details listed below.

Regards,

<<insert officer name>>
Development Officer – Planning

Telephone: 8375 6600
Email: council@marion.sa.gov.au

Attachment 6: Confirmation of representation

Dear <<insert name>>,

I wish to confirm receipt of your correspondence regarding the proposed <<insert licence type>> Licence at <<address>>

I confirm that your email was received within the specified public consultation period and has been recorded by Council.

The proposed Licence is due to be considered at the upcoming meeting of the General Council on Tuesday <<meeting date>>, held at Council's Administration Centre (245 Sturt Road, Sturt). The meeting commences at 6:30 pm and is open to the public. A copy of your response will be included in the meeting's Agenda.

Please note that Council is not the relevant authority for the granting of liquor licences. Council's role is to provide comment to Consumer and Business Services (CBS), and such comments are formulated/endorsed at the upcoming General Council meeting. The hearing date before the Commissioner is on <<hearing date>> OR Once CBS receives Council's comments, the application will be set down for hearing before the Liquor and Gambling Commissioner.

Thank you for your time in responding to Council.

Should you have any questions, please don't hesitate to contact me on the details below.

Kind regards,

<<officer name>>

**CITY OF MARION
GENERAL COUNCIL MEETING
<<INSERT MEETING DATE>>**

Attachment 7: Council report
template

Originating Officer: <<Officer Name>>, Development Officer – Planning
General Manager: <<Director Name>>, General Manager City Development
Subject: <<Licence Type>> Licence Application – <<Premises Name>>
Report Reference: GC<<DDMMYY>>

REPORT OBJECTIVES AND EXECUTIVE SUMMARY:

This report outlines an application made by the <<applicant>> for a <<licence type>> Licence at <<premises address>>.

The application has been referred to Council to enable Council to make comments to the Office of Liquor and Gambling.

RECOMMENDATIONS (2)

Date

That Council:

1. Endorse the submission contained in Appendix IV which recommends that Council advise the Liquor and Gambling Commissioner that it supports/does not support the liquor licence in its current form. <<meeting date>>
2. Provide the Liquor and Gambling Commissioner with a summary of the concerns residents have raised during the council public notification process. <<meeting date>>

BACKGROUND

An application has been made by the <<applicant>> for a <<Licence type>> Licence at <<premises address>> for the <<describe licence activities sought>>. An aerial photo of the subject land is contained in **Appendix 1**.

The <<licence type>> Licence being sought proposes the following operating hours:

- List hours

The licence would encompass the <<Describe licensed area>>. The proposed licensed area is illustrated on the accompanying 'Licence Plan.'

A copy of the request and supporting documentation is contained within **Appendix 2**.

The current hours of operations are as follows:

- Existing hours

The proposed licence has been set down for hearing before the Liquor and Gambling Commissioner on <date of hearing>.

Consultation

The Liquor and Gambling Commissioner undertakes the notification of any <licence type> Licence. Such notification requests that the applicant places a notice in a paper circulated in the immediate area, a notice on the front of the property and correspondence to adjacent property owners.

In accordance with the Council's Liquor Licence Applications Policy, Council undertook its own informal public consultation to all residential properties within 100 metres radius of the subject land.

The public notification period ended at 5:00 pm on <date consultation ended>. <Number of representations> letters were received by Council in relation to the subject application comprising <Number of objections> letters of objection and <Number in favour> in favour. Concerns raised by these residents include:

- <List issues raised by representations>

The South Australian Police have advised Council that <describe SAPOL's position>. The South Australian Police will independently advise the Liquor and Gambling Commissioner of their position.

Refer to **Appendix 3** for further details of representations received by Council.

ANALYSIS:

Describe subject land and locality

Describe what is proposed by the licence

CONCLUSION:

For the reasons outlined in the report, it is recommended that the Liquor and Gambling Commissioner and the applicant be advised that Council does not / does support the licence in its current form and suggest that the licence be amended such that <describe desired amendments>.

It is considered that if the licence was amended in this manner it would adequately address the concerns of residents. A letter to this effect is contained within **Appendix 4**.

APPENDICES:

Appendix 1: Locality Map

Appendix 2: Copy of the request and supporting documentation

Appendix 3: Copy of Representations

Appendix 4: Letter to the Liquor and Gambling Commissioner

Attachment 8: Email to Ward Councillors

Dear Councillors,

The City of Marion has been invited to provide comment with respect to an application by the <<applicant name>> to the Liquor and Gambling Commissioner for <<describe proposed licence>> in respect of the premises located at <<address of premises>>.

The following is sought in the application:

- Describe licenced area, activities, etc.
- The following operating hours:

Sunday to Thursday	
Friday & Saturday	
New Year's Eve	
Days Preceding other public holidays	

Please refer to the attached documentation submitted to Council, which details the full extent of the proposed licence.

As part of Council's internal policy regarding Liquor Licence applications, public consultation is required if a licensed area is located adjacent a property located in the Residential Zone. Accordingly, public notification was not required **OR** public notification of the application has been undertaken for a period of 2 weeks, and concluded on 5pm <<date consultation concluded>>. <<number of representations>> responses were received by Council, which advised that they have no objections to the proposed licence.

The application has been set down for hearing at before the Liquor and Gambling Commissioner on <<date of hearing>>.

In accordance with Council's Liquor Licence Policy, Council staff are required to advise the relevant Ward Members of the application and the staff member's comments to the Commissioner prior to any comment being forwarded to Consumer and Business Services.

Council staff intend to advise the Commissioner that Council raises **no objection/objection** to the proposed licence, for the following reasons:

- List reasons for support/objection

Staff also wish to recommend that the following conditions be imposed on the licence:

1. List recommended conditions

Should you wish to provide any comments regarding the proposed licence, please advise me via return email by close of business on **<<2 business days from date of email>>**.

Should you have any questions, please don't hesitate to contact me on the details below.

Kind regards,

<<officer name>>

SAPOL
Licencing Enforcement Branch
sapol.leb@police.sa.gov.au

**Attachment 9: Email to
SAPOL**

Dear Sir/Madam

Re: Proposed <<Licence type>> Licence at <<address of premises>>

The City of Marion has been invited to provide comment with respect to an application by the <<applicant name>> to the Liquor and Gambling Commissioner for a <<describe proposed licence>> Licence in respect of the premises located at <<address of premises>>.

Please find attached a copy of the application documentation, for your reference.

Before Council provides comment, we wish to seek confirmation whether SAPOL has received any complaints regarding previous activities/events at the proposed licensed premises. We also welcome any comments SAPOL wishes to provide regarding the proposed licence.

Thank you in advance for your time and assistance.

Should you have any questions, please don't hesitate to contact me on the details below.

Kind regards,

<<Officer Name>>

<<date>>

Attachment 10: Letter to Liquor and Gambling Commissioner

Consumer & Business Services
GPO Box 1719
Adelaide SA 5001

Dear Sir/Madam

Re: Proposed <<Licence type>> Licence at <<address of premises>>

Please be advised that Council raises **no objection / the following objections** to the proposed <<licence type>> Licence, based upon the following considerations:

-

Should the Liquor and Gambling Commissioner resolve to approve the proposed licence, Council recommends that the following conditions be imposed on the licence:

1. List conditions

Should you have any questions, please don't hesitate to contact me on the details below.

Kind regards,

<<Officer Name>>

<<Title>>

Phone: 8375 6600
Email: council@marion.sa.gov.au

Cc: applications@agd.sa.gov.au
<<applicant's email address>>

APPENDIX 3

“Option 2”: Alternate criteria for public consultation – could be inserted into Section 5.2 of the Policy Procedures (Appendix 2)

5.2 Public consultation required

Council will undertake public consultation for all other licence classes (including variations to an existing licence), unless any one of the following circumstances apply:

- the site¹ of the subject licensed premises is not located adjacent² to a property/properties located in the Residential Zone; or
- the liquor licence relates to a development authorisation directly related to the proposed liquor licence, which was granted consent within the past 12 months and was subject to Category 2 or 3 public notification; or
- the liquor licence directly relates to an associated Development Application that is being assessed concurrently with the proposed liquor licence, and that Development Application will undergo Category 2 or 3 public notification; or
- the application relates to an existing liquor licence that is proposed to be varied, where the variation does not increase the hours of operation and does not expand the licensed area to include a new outdoor area.

¹ *site* means the area of land (whether or not comprising a separate or entire allotment) on which the subject licensed premises is located, including the curtilage of the premises.

² *adjacent land* in relation to other land, means land—

- (a) that abuts on the other land; or
- (b) that is no more than 60 metres from the other land and is directly separated from the other land only by—
 - (i) a road, street, footpath, railway or thoroughfare; or
 - (ii) a watercourse; or
 - (iii) a reserve or other similar open space.

“Option 2”: Alternate Procedures Table
--

Licence Type (including new licence or variation to existing licence)	Public Consultation (by Council)	Consideration of Licence Application
Direct Sales	EXEMPT	STAFF with input from the relevant Ward Councillors Unless, in the opinion of the Manager – Development and Regulatory Services, the subject liquor licence is likely to result in a high level of community interest, in which case COUNCIL
Limited (Temporary)		
Producers		
Retail Liquor Merchant		
Wholesale Liquor Merchant		
Restaurant Licence - where the restaurant already exists, the hours of operation are not proposed to be extended and the licensed area is internal to the building		
Club	REQUIRED Unless: <ul style="list-style-type: none"> the site³ of the subject licensed premises is not located adjacent⁴ to a property/properties located in the Residential Zone; or the liquor licence relates to a development authorisation directly related to the proposed liquor licence, which was granted consent within the past 12 months and was subject to Category 2 or 3 public notification; or the liquor licence directly relates to an associated Development Application that is being assessed concurrently with the proposed liquor licence, and that Development Application will undergo Category 2 or 3 public notification; or the application relates to an existing liquor licence that is proposed to be varied, where the variation does not increase the hours of operation and does not expand the licensed area to include a new outdoor area. 	COUNCIL Unless: a) the subject liquor licence is exempt from public consultation; or b) no objections/concerns are received as part of the public consultation process, in which case STAFF with input from the relevant Ward Councillors Unless, in the opinion of the Manager – Development and Regulatory Services, the subject liquor licence is likely to result in a high level of community interest, in which case COUNCIL
Limited Club		
Hotel		
Entertainment Venue		
Residential		
Restaurant (not captured in the above exemption)		
Small Venue		
Special Circumstances		

³ *site* means the area of land (whether or not comprising a separate or entire allotment) on which the subject licensed premises is located, including the curtilage of the premises.

⁴ *adjacent land* in relation to other land, means land—

(a) that abuts on the other land; or

(b) that is no more than 60 metres from the other land and is directly separated from the other land only by—

(i) a road, street, footpath, railway or thoroughfare; or

(ii) a watercourse; or

(iii) a reserve or other similar open space.

Appendix 4: Current Procedures Table

City of Marion Liquor Licence Applications – Procedures

Licence Type	Public Notification (by Council)		Consideration of Licence Application	
	Required	Exempt	Council	Staff
Club Licence (or variation to existing licence)	REQUIRED	EXEMPT if licensed area is not located within 100 metres of a residential property and there are no proposed extensions to the hours of operation	COUNCIL (unless exempt from public notification or no objections received as part of public consultation process – in which case = STAFF)	
Direct Sales Licence (or variation to existing licence)		EXEMPT		STAFF if located within a Residential, Commercial, Centre or Industry Zone
Entertainment Venue Licence (or variation to existing licence)	REQUIRED	EXEMPT if licensed area is not located within 100 metres of a residential property and there are no proposed extensions to the hours of operation	COUNCIL (unless exempt from public notification or no objections received as part of public consultation process – in which case = STAFF)	
Hotel Licence	REQUIRED	EXEMPT if licensed area is not located within 100 metres of a residential property and there are no proposed extensions to the hours of operation	COUNCIL (unless exempt from public notification or no objections received as part of public consultation process – in which case = STAFF)	
Hotel Licence - variation to existing licence	REQUIRED	EXEMPT if licensed area is not located within 100 metres of a residential property and there are no proposed extensions to the hours of operation	COUNCIL (unless exempt from public notification or no objections received as part of public consultation process – in which case = STAFF)	
Limited/Temporary Licence		EXEMPT		STAFF

Producers Licence (or variation to existing licence)		EXEMPT		STAFF if located within a Commercial, Centre or Industry Zone
Residential Licence (or variation to existing licence)	REQUIRED	EXEMPT if licensed area is not located within 100 metres of a residential property	COUNCIL (unless exempt from public notification or no objections received as part of public consultation process – in which case = STAFF)	
Restaurant Licence (or variation to existing licence)	REQUIRED	EXEMPT if restaurant already exists and there are no proposed extensions to the hours of operation EXEMPT if licensed area is not located within 100 metres of a residential property and there are no proposed extensions to the hours of operation		STAFF if located within a Commercial, Centre or Industry Zone
Retail Liquor Merchant's Licence (or variation to existing licence)		EXEMPT		STAFF if located within a Commercial, Centre or Industry Zone
Special Circumstances Licence (or variation to existing licence)	REQUIRED	EXEMPT if licensed area is not located within 100 metres of a residential property and there are no proposed extensions to the hours of operation	COUNCIL (unless exempt from public notification or no objections received as part of public consultation process – in which case = STAFF)	
Wholesale Liquor Merchant's Licence (or variation to existing licence)		EXEMPT		STAFF if located within a Commercial, Centre or Industry Zone (and Residential Zone – if an exemption from the requirement to dispatch liquor from the licensed premises is applied for – making the operation of the business fundamentally "Direct Sales" only)

APPENDIX 5: COMPARISON OF OTHER COUNCIL CONSULTATION PROCEDURES
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Council	Public Consultation Criteria	Scope of consultation
Adelaide City	Not undertaken	-
Adelaide Hills	Not undertaken	-
Charles Sturt	<ul style="list-style-type: none"> Where a Liquor Licence application requires development approval, consultation may or may not be conducted, according to the notification requirements under the Development Act. Where the Development Act does not apply or does not require consultation, the consultation requirements of the Liquor Licensing Policy will apply. Public consultation will not be undertaken where an application is in line with Council's policy, or it is for a Limited Licence, unless particular issues have been previously identified and require attention (e.g. for licensed premises located in a residential zone and adjacent to land which is in a residential zone, public consultation may not undertaken if operating hours are within Sunday to Thursday inclusive, between 8 am and 11 pm Friday and Saturday, between 8 am and midnight) 	<ul style="list-style-type: none"> The scope of the consultation will include adjoining residences and businesses, and where necessary, properties along pedestrian routes to nearby car parking and other licensed premises. Because of the short lead time available to process the majority of licences, telephone surveys may be appropriate.
Holdfast Bay	<ul style="list-style-type: none"> Where an application affecting a licensed premises requires Development Approval, consultation will be conducted by the Council in accordance with the requirements of the Development Act 1993. All liquor licensing applications referred to the Council that do not accord with the terms of their Policy are subject to a consultation process to be undertaken by the Council (i.e. For licensed premises located within 100 metres of the boundary of any property used for residential purposes, public consultation may be not required if the operating hours are within: Monday to Thursday 8:00am and 12 midnight the same day; Friday and Saturday 8:00am and 1:00am the following day; and Sunday between 11.00am and 12 midnight the same day.) Community consultation is generally not undertaken in respect of a Limited License application, unless the Council considers that consultation is necessary. 	<ul style="list-style-type: none"> Written notification distributed by the Council to all residents and businesses immediately adjoining the relevant licenced premises or proposed licensed premises. Council arranges for an advertisement to be placed in the Public Notices section of the local Messenger press Notification placed on the Council's website; Persons given twenty one (21) days (including weekends and public holidays) to make comment from receipt of the circular or from the day the Notice is placed in the Messenger.

Mitcham	<p>Public consultation undertaken for:</p> <ul style="list-style-type: none"> • an application for a new liquor or entertainment licence • application to extend/vary liquor licence trading hours, and the conditions of the application would in all probability materially aggravate existing problems relating to noise, traffic, car parking or behaviour 	<p>Council-owned premises</p> <ul style="list-style-type: none"> • Publicise the application in the local papers. • Letter box residents and organisations (two weeks to reply). <p>Non Council-owned premises</p> <ul style="list-style-type: none"> • Undertake a letterbox drop to all ratepayers within a radius of 200m advising that it is their responsibility to lodge a submission with the Liquor Licensing Commission, if they so wish.
Playford	Not undertaken	-
Prospect	<ul style="list-style-type: none"> • Consultation will be undertaken for licences which permit the consumption of liquor on the premises, including Club Licence, Limited Club Licence, Entertainment Venue Licence, Hotel Licence or Restaurant Licence (including variation to an existing). • No consultation will occur in respect of an application for a new licence or a variation to an existing licence that does not permit the consumption of liquor on the premises, including Wholesale Liquor Merchant's Licence, Retail Liquor Merchant's Licence, Producer's Licence or Direct Sales Licence. • Limited Licenses subject to assessment. 	Council will notify nearby property owners and occupiers in writing.
Walkerville	Not undertaken	-

**CITY OF MARION
GENERAL COUNCIL MEETING
25 OCTOBER 2016**

Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Review of the How We Work Together Policy

Report Reference: GC251016R12

REPORT OBJECTIVES

Council to review and adopt the revised version of the How We Work Together Policy and Procedure (Appendix 1 and 2)

EXECUTIVE SUMMARY

At the People and Culture Committee on 5 July 2016 (PCC050716R7.3) and 6 September 2016 (PCC060916R7.2), the Committee considered a report on Elected Member and Staff communication. This included a review of the How We Work Together Policy. The comments noted within the minutes for the 5 July 2016 stated:

The Committee noted that the How We Work Together Policy needs to be re-written as it was adopted by Council prior to the commencement of the mandatory Code of Conduct for Council Members. The Committee suggested that two page policy be drafted that addresses core behaviours, the City of Marion values and the relevant Work Health Safety obligations.

The Committee also provided the following comments:

- *The Policy and Procedure should be separate documents*
- *The Policy should reflect the importance of staff and elected member interactions.*
- *The Policy should note the importance of timely and accurate information/communication between staff and elected members (and vice versa).*
- *Elected Member and staff communications such as email, Elected Member extranet, etc. could be reflected in the procedure at a high level to provide guidance. The procedure should reflect that some staff discretion would be required in some circumstances. The Committee did suggest that the extranet is not as easy to access as emails, hence important information should be sent via email and/or phone call.*
- *The Committee did note that sometimes Elected Members require matters of significance or urgency to be brought to their attention via phone.*

Following this, a revised How We Work Together Policy (Appendix 1) and Procedure (Appendix 2) were presented to the Committee for consideration. The Committee resolved the following:

The People and Culture Committee recommends that the 'How We Work Together Policy and Procedure' be presented to Council for adoption with the option of defining behaviours to be included within the body of the report to Council.

If Council wishes to define the behaviours within the Policy, the following could be added to the resolution as part 2.

"That the following section be added to the How We Work Together Policy:

DEFINING BEHAVIOURS

Council's Codes of Conduct describes acceptable behaviours for Councillors and Employees.

Acceptable and Professional Behaviour

In addition to the Codes of Conducts and Councils values, acceptable and professional behaviour requires:

- *Treating everyone with respect, courtesy and dignity*
- *Open and balanced communication*
- *Respecting the roles of the other person*
- *Remembering the basic courtesies*
- *Including people rather than excluding people because of prejudice*
- *Moving from blame to problem solving to deal with differences of opinion.*

Unacceptable Behaviours

The following behaviours have been defined as minor, moderate and serious levels of unacceptable behaviour:

- *Employees unreasonably refusing to give information to a councillor that relates to a matter before Council, is lawfully available to other persons or other councillors, or that is publicly available information*
- *Councillors or employees demanding, without appropriate notice, access to information in a way that is not respectful of the position or time constraints of the other*
- *Displaying confronting behaviour such as abusive language, rudeness and aggression*
- *Councillors and employees making personal attacks in a public forum*
- *Behaviour such as, threats or intimidation*
- *Racist, misogynistic, homophobic or sexual slurs*
- *Employees, outside of their contractual responsibility, becoming directly involved in Council business*
- *Councillors direct involvement with, or investigation of, employee related matters (except for the CEO)*
- *Intimidation or use of perceived position of power to coerce others by fear, reprimand, humiliation or other threats*
- *Psychological or physical harassment including bullying or psychological threats*
- *Violence and assault of another."*

RECOMMENDATION (1)

DUE DATE

That Council:

- 1. Adopts the How We Work Together Policy and Procedure.**

25 October 2016

How We Work Together Policy



1. RATIONAL

The *How We Work Together Policy* has been developed to provide a framework to all people who operate in the City of Marion workplace to ensure all communications and interactions are constructive, in line with organisational values and our legislative obligations.

2. POLICY STATEMENT

The achievement of strategic outcomes for the City of Marion comes from all levels of the organisation. Positive interactions between employees, elected members, contractors and volunteers is required to deliver optimal outcomes for our community. To provide clarity for behavioural expectations that makes for a positive environment, the City of Marion has adopted a set of organisational values to position the Council to deliver now and into the future.

The City of Marion Values include:

- Respect (treating everyone as we want to be treated, where all contributions are valued)
- Achievement (enhancing our knowledge and performance to reach our shared goals, while being dedicated to supporting one another)
- Integrity (fostering trust and honesty in all of our interactions)
- Innovation (Encouraging new ideas, and learning from our experience to do things better).

The values are delivered with the community and safety at the forefront of everything we do. This Policy confirms Council intent that all people in the workplace work, interact and communicate collaboratively in undertaking their respective functions. This will occur in various ways such as face to face meetings, over the phone, email, reports, briefings, social media, extranet/intranet and the website.

3. OBJECTIVES

The objective of this Policy is to provide a framework for people operating in the City of Marion to ensure everyone acts in a manner that:

- Fosters the organisations values
- Recognises the importance of different roles and perspectives of all people in the workplace
- Complies with the requirements of the Local Government Act 1999, the Codes of Conduct (for employees and Council Members) and the Work Health Safety Act 2012
- Ensures that all people in the workplace have access to advice, information and documentation to assist them perform their roles and responsibilities in an effective manner.
- Protects all persons against harm to their health, safety and welfare through the elimination or minimisation of risk arising from within the workplace.

How We Work Together Policy



4. SCOPE

This Policy applies to all people in the City of Marion workplace.

Elected Members:

The Act states that Elected Members are entitled at any reasonable time, in connection with the performance and discharge of the functions and duties of a member, to have access to any relevant council documents. This is necessary to ensure that Elected Members are appropriately informed and make optimal decisions that adds public value.

A request for information and any relevant documentation should be directed to the CEO or their delegate. For the purposes of this Policy, the CEO delegate's include the Executive Leadership Team, the Senior Leadership Team, the Unit Manager Governance and Records and the Unit Manager Communications. The request should provide enough detail so the context is understood by the person receiving it.

Elected Members acknowledge that these requests will be made in accordance with sections 2.11, 2.12, 2.13 and 2.14 of the Code of Conduct for Council Members.

Elected Members acknowledge that this information may be provided in various forms such as via email, the Elected Member Extranet, Elected Member Briefings or Council reports. The form in which it is delivered will depend on the urgency, priority and impact of decision making for the elected member.

This Policy does not prevent Elected Members for meeting with other staff within the organisation where necessary (such as Ward Briefings).

Employees

Employees acknowledge that Elected Members are required to make informed and responsible decisions in the interest of the community. To do this, they must effectively interact and communicate with staff. Staff will respond to all reasonable requests from Elected Members in a responsive, time and accurate manner that is in accordance with this Policy and the How We Work Together Procedure.

Non-Compliance:

In the event that a person in the workplace believes that this Policy is not being complied with, they should refer to How We Work Together Procedure for guidance.

5. DEFINITIONS (in the context of this policy)

The Act refers to the Local Government Act 1999

Elected Member refers to the principal member and councillors as defined by the Act

CEO refers to the Chief Executive Officer

Executive Leadership Team (ELT) includes the CEO and all General Managers

Senior Leader Team (SLT) refers to all third level managers

Workplace is defined by the section 8 of the Work Health Safety Act 2012 that states workplace is a place where work is carried out for a business or undertaking and includes any place where a worker goes, or is likely to be, while at work.

How We Work Together Policy



6. REFERENCES

This Policy should be read in conjunction with the:

- Code of Conduct for Employees
- Code of Conduct for Council Members
- Local Government Act 1999
- Work Health Safety Act 2012
- Independent Commissioner Against Corruption Act 2012
- Informal Gatherings Policy
- How We Work Together Procedure

7. REVIEW

This Policy will be reviewed within 12 months of a City of Marion general election.

How We Work Together Procedure



1. RATIONALE

The purpose of this procedure is to support the How We Work Together Policy and provide guidance to all persons in the City of Marion workplace regarding interactions and communications.

2. OBJECTIVES

Interactions between people in the work place will occur in a number of different ways. It is recognised that one of the most common interactions within the City of Marion is between employees and elected members. Through these interactions, requests for information/documentation will come via phone, email, ward briefing, council meetings, etc. All requests should be made in accordance with the How We Work Together Policy and Procedure. This Procedure provides guidance to employees and elected members regarding how these interactions will be managed.

3. PROCEDURE

Council Reporting

Information and advice is provided to elected members for formal decision making via reports within Council and Committee meetings. The intent of these reports is to provide the Council with enough information for elected members to make informed decisions that adds value to the community. Reports will be written using the Council Report template and will be easily understood by all.

Questions Taken on Notice

From time to time, questions are raised within Council meetings that cannot be answered at the time. When this occurs, staff will indicate that the question will be 'taken on notice' and responded to via email. A log of all questions taken on notice during Council meetings will be retained on the Elected Member Extranet.

Draft Agenda for General Council Meetings:

All Elected Members will be issued a draft agenda and where ever possible draft reports at least 10 clear days before the meeting.

Elected Members are requested to consider the following points when reviewing the draft agenda:

- Review the size of the agenda (is the agenda too large or small based on the number and complexity of reports? Is there any reports missing that should be presented?)
- Review the information contained within the reports (do I have all required information to make a decision? Is the information easy to understand? Is the information relevant? Could it be presented in a different format (i.e. options paper))

Any feedback on the draft reports should be provide to the relevant Senior Leader Team (SLT) Manager or General Manager as soon as practical for consideration.

In accordance with the Act, it is important the draft reports are not debated or decisions are made outside of a formal Council meeting.

As the draft agenda and reports are still working documents, they may change between the distribution of the draft and final agenda due to matters such as late items, motions and question on notice,

How We Work Together Procedure



accuracy of information not being available at the time when the draft is issued. As such, it is essential that employees and elected members do not distribute these publically until they are officially published.

Face to Face Meetings

All people in the workplace will be required to undertake face to face meetings at times to work through issues/matters. This includes employees and elected members. If an elected member wishes to meet with an employee, it is appropriate to request a meeting through the relevant SLT Manager or General Manager or request a meeting through the Unit Manager Governance and Records who can arrange the meeting on their behalf. The meeting will be arranged through the corporate calendar on outlook.

If an employee wishes to meet with an elected member, they should discuss this with their SLT Manager in the first instance and then request a meeting with the Elected Member.

It is important for employees and elected members to be clear on their respective roles in a face to face meeting. In accordance with section 59(3) of the Act an elected member has no direct authority over an employee with respect to the way in which the employee performs his or her duties.

External Liaison

Both employees and elected members work with external groups. It is important that both elected members and employees are kept informed of what the other is doing and work together to maintain these relationships. Keeping in mind the roles of employees and elected members, operational matters should be managed by Council employees whilst elected members undertake a representative role. When undertaking community consultation for specific projects there should be one central point of contact. Elected Members will be informed of any upcoming consultation activities and can have a role in promoting engagement opportunities to external groups. Elected Members can provide feedback they receive from external groups through the consultation process/staff member. Elected Members will then be presented with the consultation findings from the staff member to inform their decision making.

Elected Members are also appointed as Council Liaisons with various groups such as community groups, sporting groups and schools. These roles are structures such that the nominated Elected Member assists in communication and exchange of information between the Council and the external body. Elected Members are not appointed as members of the external body and do not have any voting rights when matters are brought before the body for decision. The purpose of the liaison role is:

- To act as a point of contact for Council
- Observe and participate in discussions at a meeting of the external body (but not vote when a matter is decided upon)
- Act as an information provider from Council to the external body and vice-versa
- Act as an advisor, mentor, coach and support for the external body.

Ward Briefings

Ward briefings are internal interactions between elected members of individual ward, or a combination of wards and key employees of the City of Marion. The aim of ward briefings is to focus on operational issues within the ward or wards that are useful for the elected members to be aware of as part of their representational role within the community. The ward briefings are not decision making forums and are captured by Councils Informal Gatherings Policy. Ward briefings are informal but briefing notes will be retained. These notes will be distributed by staff to Elected Members at least 4 days before the meeting.

How We Work Together Procedure



Elected Member Extranet

The Elected Member Extranet is a password protected website which provides information to elected members from any computer that has internet access. It has been tailored to meet elected members' requirements and includes news, information, important documents, and links to the public website. Its aim is to provide information in an efficient manner in order to reduce emails, and ultimately, excessive print-outs. All agendas and reports are placed on the Elected Member Extranet weekly.

Emails

Email is one of the most common forms of communication and interactions between employee and elected members. These interactions must occur in accordance with the Council's Policies for internet and email access and usage.

The types of matters where elected members and employees will use email are:

- Notification of a matter/incident
- Consultation/feedback from elected members on certain matters
- Distribution of briefing notes, minutes and agendas

If matters are urgent or require discussion, employees will phone elected members rather than email.

4. RELATIONSHIP WITH OTHER POLICIES

It is noted that a number of the interactions and communications between employees and elected members fall within the parameters of the Informal Gatherings Policy. This Policy outlines that elected members can conduct planning sessions, hold informal briefings and educational sessions, and convene other informal gatherings without prejudicing the requirements for openness and transparency as required by the *Local Government Act 1999* (the Act).

Section 90(8) of the Act allows informal gatherings to be held provided that the discussion does not lead to a decision, or effectively obtain a decision, on a matter that would ordinarily be dealt with at a meeting of Council. This policy reflects the intention of the legislation for informal gatherings to be used for briefing, planning and educational sessions and is aimed at avoiding any perception that informal gatherings will be used to build consensus for council agenda items and decision making.

Section 90 (8) of the Local Government Act 1999 provides the following:

The duty to hold a meeting of a council or council committee at a place open to the public does not in itself make unlawful informal gatherings or discussion involving—

- (a) members of the council or council committee; or*
- (b) members of the council or council committee and staff,*

provided that a matter which would ordinarily form part of the agenda for a formal meeting of a council or council committee is not dealt with in such a way as to obtain, or effectively obtain, a decision on the matter outside a formally constituted meeting of the council or council committee.

How We Work Together Procedure



5. COMPLAINTS

In the event that a person feels that the How We Work Together Policy and/or Procedure has been breached, individuals are requested in the first instance to try and resolve the matter using the organisational values and by approaching the individual directly notifying them of the potential breach and seeking appropriate resolution of the matter.

In the event that the individual does not feel comfortable directly addressing the breach or the breach sits within either the Code of Conduct for Council Employees or Code of Conduct for Council Members, the procedures within these codes and associated procedure will apply.

6. REFERENCES

This Procedure should be read in conjunction with the:

- Code of Conduct for Employees
- Code of Conduct for Council Members
- Local Government Act 1999
- Work Health Safety Act 2012
- Independent Commissioner Against Corruption Act 2012
- Informal Gatherings Policy
- How We Work Together Procedure
- Addressing Employee Performance and/or Conduct Procedure
- Elected Member Code of Conduct - Procedure for Investigating Complaints

7. REVIEW

This procedure will be reviewed in conjunction with the How We Work Together Policy, 12 months after a Council General Election.

**CITY OF MARION
GENERAL COUNCIL MEETING
25 OCTOBER 2016**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Review of Elected Member Records Management Policy

Report Reference: GC251016R13

REPORT OBJECTIVES:

The purpose of this report is for Council to review and adopt the proposed *Elected Members Records Management Policy (Appendix 2)*.

EXECUTIVE SUMMARY:

At the People and Culture Committee meeting on 6 September 2016 a draft Elected Member Records Management Policy and Procedure Diagram were presented for discussion. The Committee requested that legal advice be obtained to clarify wording in the policy.

As recommended by the People and Culture Committee, this report provides the Council with a copy of the legal advice obtained and marked up copies of the Elected Member Records Management Policy and Procedure Diagram for adoption.

RECOMMENDATIONS (3)

DUE DATES

That Council:

- | | |
|---|----------|
| 1. Notes legal advice obtained regarding the 'Elected Member Records Management' Policy attached as Appendix 1. | Oct 2016 |
| 2. Adopts the 'Elected Member Records Management' Policy as attached as Appendix 2. | Oct 2016 |
| 3. Notes the 'Elected Member Records Management' Procedure diagram as attached as Appendix 3. | Oct 2016 |

BACKGROUND

Under Section 5 of the *State Records Act 1997* Council 'must ensure that official records of enduring evidential or informational value are preserved for future reference'. This Section also applies to Elected Member records such as emails, correspondence and text messages both sent and received as council business.

On 5 July 2016 the People and Culture Committee (the Committee) considered the report "Review of Elected Member and Staff Protocols for Communication" (PCC050716R7.3). This

report provided the Committee with details regarding the current Elected Member and Staff communication practices, information on reviewing the 'How We Work Together' Policy and a draft Elected Member Records Management Policy. The draft Elected Member Records Management Policy was then revised, taking into consideration the feedback of the Committee, and presented again at the following Committee meeting on 6 September 2016 (PCC060916R7.3).

DISCUSSION:

In reviewing the revised draft Elected Member Records Management Policy on 6 September 2016 the Committee requested clarity on the following points:

- *If a document is captured on the server (i.e. an email), does this satisfy the requirements of the State Records Act?*
- *Can the Policy can refer to words such as 'encourage' instead of must? Would this met the obligations of the State Records Act? The Committee suggested that legal advice be sought to clarify.*
- *Can the Policy include mechanisms regarding what an Elected Member should do with confidential records?*

The Committee suggested that the definition of medium and public servant be removed. It was also suggested that the word 'especially' could be removed from the definition of document.

At this meeting on 6 September 2016 it was resolved that the People and Culture Committee:

1. *Notes the report and discussion on the 'Elected Member Records Management' Policy.*
2. *Notes the report and discussion on the 'Elected Member Records Management' Procedure diagram.*
3. *Recommends that the 'Elected Member Records Management' Policy be presented to Council for adoption with the legal advice requested by the Committee.*

Legal advice was requested from Minter Ellison Lawyers to respond to the queries raised by the Committee. A copy of this advice is attached as Appendix 1.

The draft Elected Member Records Management policy has been revised taking into account this legal advice and a "marked-up" version is attached as Appendix 2 for adoption.

The Elected Member Records Management Procedure in diagram form is attached as Appendix 3. Note as part of the procedure a specific email address will be set up, namely FilingEM@marion.sa.gov.au, for Elected Members to forward their official records to. This email address would be managed confidentially by the Records Department. This unique email address would make it clearer to the Records staff that the documents are purely being provided for capture and no further action is required by staff.

A one-page guidance note has also been created to assist Elected Members determine whether a record is an Official Record (which therefore requires capture) or a Temporary / Transitory Record. Elected Members are encouraged to contact the Unit Manager Governance and Records if they require any assistance in determining the type of record. This document is attached as Appendix 4.

CONCLUSION:

Adequate records management is required as an obligation under the State Records Act 1997, and is also necessary to fulfil Council's responsibilities under other Acts such as the Freedom of Information Act 1991 or legal processes such as discovery or subpoenas. Royal Commissions, the Ombudsman, auditors, the courts etc may also require Council records. Good records management contributes to the transparency, accountability and security of Council as it establishes the history, corporate memory, build context and is required to meet legislative obligations.

6 October 2016

BY EMAIL: Jaimie.Thwaites@marion.sa.gov.au

Jaimie Thwaites
City of Marion
PO Box 21
OAKLANDS PARK SA 5046

Dear Jaimie

Review of Elected Member Records Management Policy

You have asked us to provide advice on the following queries as noted in the minutes from the City of Marion Council's People & Culture Committee (**Committee**) Meeting on Tuesday 6 September 2016:

- If a document is captured on the Council server (i.e. an email), does this satisfy the requirements of the *State Records Act 1997* (SA) (**State Records Act**);
- Can the Elected Member Records Management Policy (**Policy**) refer to words such as 'encourage' instead of 'must'? Would this meet the obligations of the State Records Act?
- Can the Policy include mechanisms regarding what an Elected Member should do with confidential records?

(together, **Council's queries**).

Our response to each of Council's queries along with a brief overview of Council's legislative obligations relating to records management is set out below.

1. Council queries

1.1 *If a document is captured on the Council server (i.e. an email), does this satisfy the requirements of the State Records Act?*

We have assumed that 'captured' means sent or received on an email platform only, eg Microsoft Outlook, and that the email is not subject to any further filing or saving within the Council server or document management system. If we are incorrect with that assumption, please advise us as our advice may change.



Response

If a document, ie an email, is captured on Council's server, if that document/ email is an official record¹ and provided Council's server ensures those documents (ie official records) are maintained in good order and condition, then yes, the requirements of the State Records Act will be satisfied.

In our view however, it is unlikely that capturing (in the context referred to above) an email on the server will enable Council to completely comply with its legislative obligations, not only under the State Records Act, but also under other legislation.

It important to note that the State Records Act has no application to documents (including emails) that are not *official records* within the meaning of that Act, however, the CEO of Council has the obligation under section 99(i)(b) of the LG Act to ensure that records required under the LG Act or another Act are properly kept and maintained.

Discussion

Council's principal legal obligation with respect to records management is expressed in section 13 of the State Records Act as follows:

...every agency must ensure that the official records in its custody are maintained in good order and condition.

It is clear that once a document is captured on the Council's server, it will be considered to be in the Council's custody. It is those official records that then need to be maintained in good order and condition.

What constitutes maintaining official records in good order and condition? It is necessary to consider the objects and purposes of the State Records Act, as well as Council's legislative obligations more broadly.

Section 5 of the State Records Act lists its objects to include to ensure that official records of enduring evidential or informational value are preserved for future reference. This infers that 'good order and condition' means, at the least, that records are preserved for possible future use for example, for ordinary Council business, in response to an FOI Act application, complying with disposal obligations of official records under the State Records Act itself², or by way of fulfilling other legal processes such as legal discovery and subpoenas.

It is unlikely in our view that the mere capture of an email on the server would therefore support or enable Council (and the CEO) to discharge its administrative functions and legislative obligations efficiently and effectively, if at all. For example, the server cannot differentiate between official records and records and then "order" (i.e. file) them for future use. Does the server enable the Council to comply with its obligations around maintaining records or does the server automatically delete emails that have not been filed, after a certain amount of time?

We note that Council's current Policy provides for additional actions to be taken to facilitate compliance with section 13 of the State Records Act, enabling Council to

¹ Section 3 State Records Act

² Section 19 State Records Act

discharge other legislative obligations. For example, the proposed Policy requires Elected Members to determine if a document they receive or created is an official record as per the State Records Act and then to forward these official records to FilingEM@marion.sa.gov.au. Provided Elected Members are prepared to accurately make that differentiation, understanding that it is an offence under the State Records Act to, knowing that he or she does not have proper authority to do so, intentionally damage, alter or dispose of an official record, the current policy supports compliance.

Whilst the query refers to documents (specifically emails), it would be remiss not to mention that Council should not just rely on the Council's server to satisfy its entire obligations under the State Records Act (and other Acts) as the definition of 'record' under that Act includes non-electronic documents such as written, graphic, pictorial matters, disks, tapes, films or other hard copy objects that contain information made or received by Council in the conduct of its business. An official record (e.g. a letter received by an Elected Member), will also need to be maintained in good order and condition.

1.2 *Can the Policy refer to words such as 'encourage' instead of 'must'? Would this meet the obligations of the State Records Act?*

Response

As the current Policy makes the Elected Members the determinants as to whether the records are official records as per the definition under the State Records Act, and Council's server is storing these official records, then to ensure Council's obligations under the State Records Act are completely being adhered to, Elected Members would be required to comply with all directions in the Policy and therefore, subject to the paragraph below, in the Policy the word 'encourage' should be replaced with 'must' or 'required' (whichever is applicable).

The use of the word 'encourage' in the second dot point in clause 2 (Policy Statement) however, does not need to be replaced.

1.3 *Can the Policy include mechanisms regarding what an Elected Member should do with confidential records?*

Response

Yes, the Policy can and in our view should include mechanisms regarding what an Elected Member should do with confidential records. If under the current Policy an Elected Member believes that a record that they forward to FilingEM@marion.sa.gov.au is of a sensitive or confidential nature, he or she should advise the Records Department (or whomever is managing the official documents) of that view.

It is important to note however, that notwithstanding an elected member may refer a document having determined it to be confidential or sensitive, the document may itself be publicly accessible. For example, if that document is subject to an FOI Act request (either directly or because of the scope of the request), it may not necessarily be able to be kept confidential if it does not meet the prescribed criteria in that Act.

2. Other observations

In general, it is our view that definitions in the Policy should mirror the definitions in the State Records Act where applicable so as to prevent any ambiguity in the Policy for

example, both 'Official Record' and 'Record' should have the same meaning as they do in the State Records Act. Further, the word 'record' in the definition of 'Official record' should be amended so the first letter is capitalised i.e. 'Record'.

The Policy also refers to the City of Marion Information Technology Policy. We have not accessed or reviewed this Policy for the purposes of this advice. This policy doesn't seem to be listed on Council's website.

Further, the flowchart attached to the Policy incorrectly differentiates between 'official records' and temporary/transitory records.' The term 'temporary/transitory records' stems from the Local Government General Disposal Schedule (**GDS 20**) which was issued as a determination under section 23 of the State Records Act. For the purpose of GDS 20, temporary/transitory records are official records that are transitory or temporary in nature if it is of little no continuing value to the Council and only needs to be kept for a limited or short period of time, such as a few hours or a few days and can be exposed in accordance with the Normal Administrative Practice as that term is defined in GDS 20. There are two broad categories of information received or created by Council which includes official records and non-official records. If a record is a non-official record, it can be destroyed. Official records must only be disposed of in accordance with GDS 20 which provides, amongst other things that official records that are 'transitory or temporary' in nature may be destroyed in accordance with Normal Administrative Practice.

If you have any queries or would to discuss any aspect of this advice, please call or email Susie Inat or Melissa Davies.

Yours sincerely



Susie Inat

Special Counsel

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OUR REF: MWD | 25653 | 230046

Elected Member Records Management Policy



1. RATIONALE

To provide for the capture, storage and maintenance of official **Records** that document council business activities and transactions to/from Elected Members.

2. POLICY STATEMENT

To ensure that official **Records** of Elected Members are captured, stored and maintained to;

- comply with legislative responsibilities,
- encourage transparency and accountability,
- meet the expectations of other external 'reviewing' agencies regarding access to corporate records/information upon council business activities and transactions as a public authority.

3. PRINCIPLES

This policy ~~encourages~~ requires Elected Members to provide official **Records** that document council business activities and transactions to be captured, stored and maintained within the City of Marion's record keeping software program. This policy is based upon the principles of good governance, transparency and mutual trust.

4. POLICY SCOPE AND IMPLEMENTATION

This policy incorporates official **Records** (regardless of the medium the **Record** takes) to/from Elected Members in their role as public servants and representative of the constituents of the City of Marion.

Official **Records** to/from Elected Members are required to be provided to the Records Management Unit in accordance with this policy and, as such will be;

- recorded in the City of Marion's record keeping software program.
- the property of the City of Marion.
- subject to the provisions of legislative responsibilities in accordance with the *State Records Act 1997* (SA), *Freedom of Information Act 1991* (SA), *Local Government Act 1999* (SA).
- Securely stored and not intentionally deleted, destructed or altered unless the **Record/s** in question adhere to provisions in the *State Records Act 1997* (SA).

Official **Records** provided for capture are confidential and should not be interpreted, acted on or responded to by staff.

Temporary or transitory **Records** are not required to be forwarded for capture and may be deleted under Normal Administrative Practice (NAP) in accordance with the Local Government General Disposal Schedule (GDS 20).

Elected Members may, at any time may seek clarification or assistance to any records captured in accordance with this policy, by request to the Unit Manager Governance and Records.

5. DEFINITIONS (in the context of this policy)

Access: means of finding, using or retrieving information/record.

Council

business/activity/transaction: any dealings, communication, proceeding or discussion that involve council.

Elected Member Records Management Policy



Official ~~r~~Record:

means a record made or received by an agency in the conduct of its business, but does not include—

- (a) a record made or received by an agency for delivery or transmission to another person or body (other than an agency) and so delivered or transmitted; or
- (b) a record made by an agency as a draft only and not for further use or reference; or
- (c) a record received into or made for the collection of a library, museum or art gallery and not otherwise associated with the business of the agency; or
- (d) a Commonwealth record as defined by the *Archives Act 1983* of the Commonwealth, as amended from time to time, or an Act of the Commonwealth enacted in substitution for that Act; or
- (e) a record that has been transferred to the Commonwealth;

~~a rRecord made or received in the conduct of council business regardless of the medium the rRecord takes.~~

Document:

an item ~~especially~~ of a factual or informative nature which can take the form of a letter, email, tape recording, video, audio, transcript etc.

Elected Member:

a person appointed or elected as a councillor or mayor of council as described within the Local Government Act 1999.

~~**Medium:** a means or channel of communication.~~

Normal Administrative Practice: Normal Administrative Practice provides for the routine destruction of drafts, duplicates and publications, with the test that it is obvious that no information of more than transitory or temporary value to the Council will be destroyed. Material that can be disposed of under Normal Administrative Practice comprises items of a temporary or transitory nature created, acquired or collected by Council staff or Council Members in the course of their official duties. Such material has no ongoing value and is not usually incorporated into the Council's record management system.

Public access:

means of finding, using or retrieving information by the general public.

~~**Public servant:** person holding government office or job by election or appointment including Elected Members.~~

Record: (a) written, graphic or pictorial matter; or

Elected Member Records Management Policy



(b) a disk, tape, film or other object that contains information or from which information may be reproduced (with or without the aid of another object or device);

~~a written, graphic or pictorial matter, a disk, film, tape or any other object that contains information or from which information may be reproduced.~~

Temporary/Transitory Record: A ~~R~~Record is transitory or temporary in nature if it is of little or no continuing value to the Council and only needs to be kept for a limited or short period of time, such as a few hours or a few days.

6. REFERENCES

Please read this policy in conjunction with the following references;

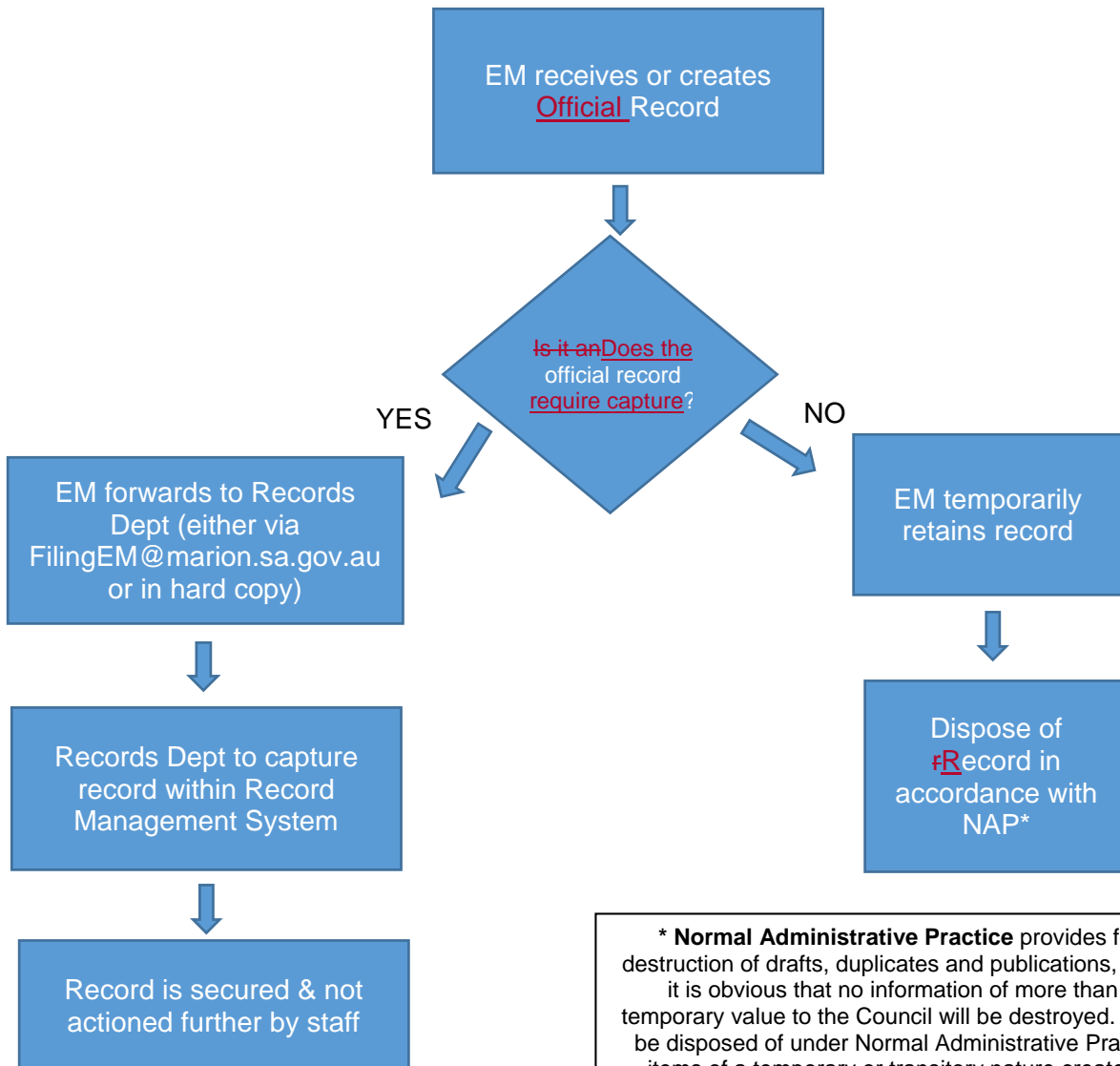
- *State Records Act 1997 (SA)*
- *Freedom of Information Act 1991 (SA)*
- *Local Government Act 1999 (SA)*
- ~~*City of Marion Information Technology Policy*~~ Information Technology - Provision And Use Of Equipment (Elected Members) Policy

7. REVIEW AND EVALUATION

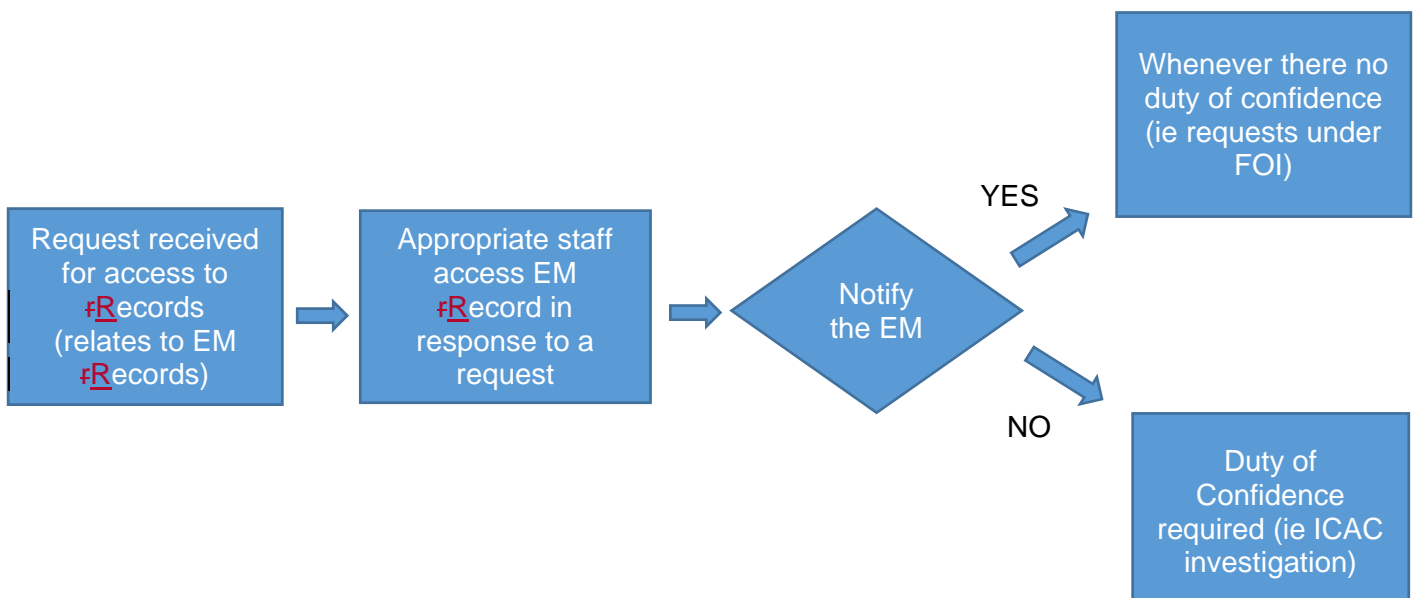
This policy terminates at the end of the 2014 Council term (2018) and will be reviewed and evaluated by the Manager Governance in December 2018..

Revision Ref. No.	Approved/ Amended/ Rescinded	Ratified Date	Evaluation Date	Council Committee EMG	Resolution Number	Document Reference
		ddmmyy	ddmmyy			
Manager Governance, Governance Department						

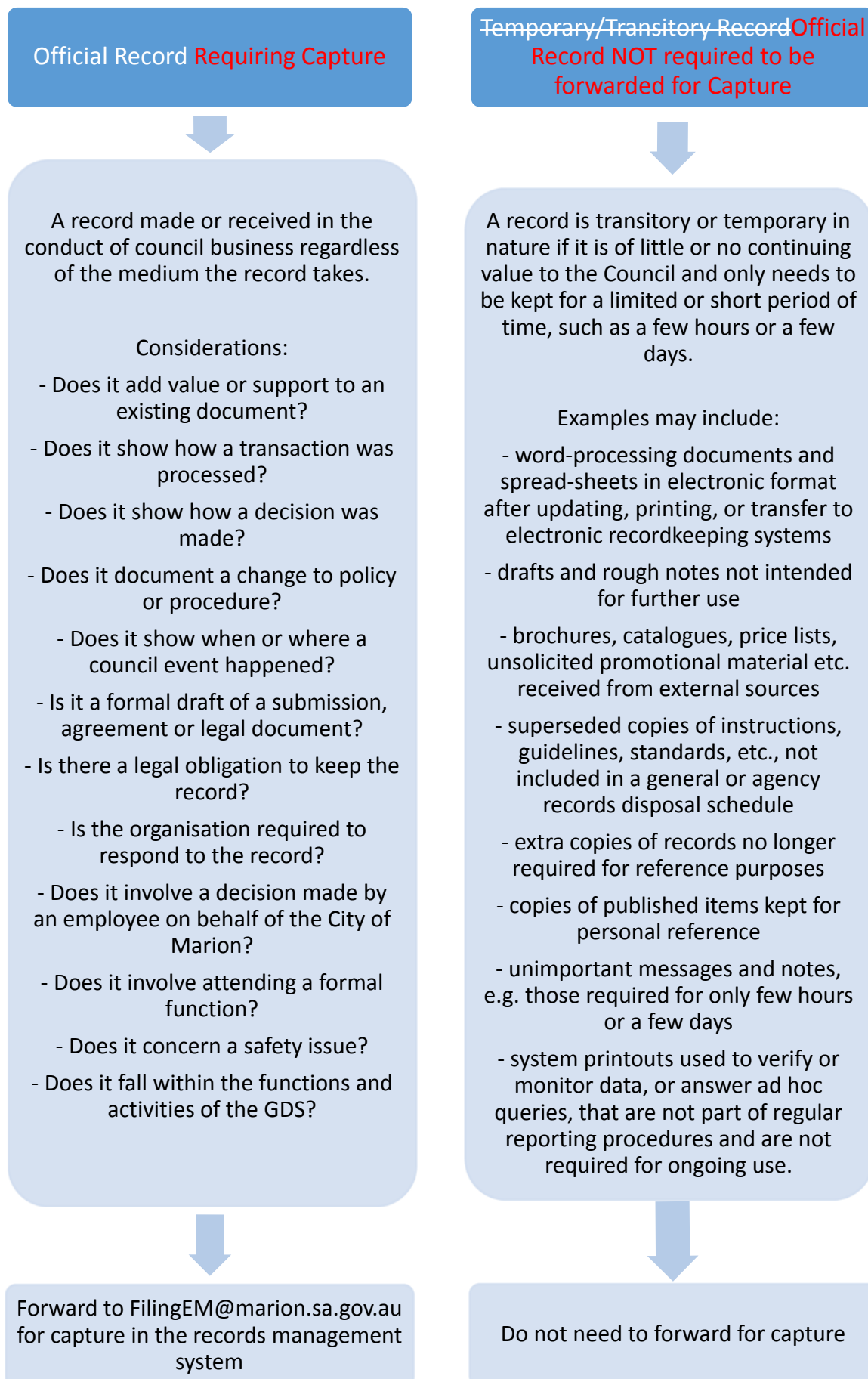
Elected Member Record Management Procedure



* **Normal Administrative Practice** provides for the routine destruction of drafts, duplicates and publications, with the test that it is obvious that no information of more than transitory or temporary value to the Council will be destroyed. Material that can be disposed of under Normal Administrative Practice comprises items of a temporary or transitory nature created, acquired or collected by Council staff or Council Members in the course of their official duties. Such material has no ongoing value and is not usually incorporated into the Council's record management system.



Records Management Guidance Note



**CITY OF MARION
GENERAL COUNCIL MEETING
25 OCTOBER 2016**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Code of Practice, Procedures at Meetings 2016

Report Reference: GC251016R14

REPORT OBJECTIVE:

The purpose of this report is for Council to review and adopt the proposed *Code of Practice, Procedures at Meetings 2016 (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.

The current *Code of Practice, Procedures at Meetings 2015* was adopted by Council in November 2015. As required by the Regulations this Code of Practice is required to be reviewed once every financial year.

RECOMMENDATION (1)

DUE DATE

1. That Council adopts the amended 'Code of Practice – Procedures at Council Meetings 2016' provided at Appendix 1 to this report, subject to the inclusion of identified changes.

25 October 2016

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

Council last considered and adopted a Code of Practice, Procedures at Meetings (the Code) at the 10 November 2015 General Council meeting (Report Reference: GC101115R07). This Code is attached as Appendix 1 with marked-up changes to reflect the minor variation as follows:

- The Code has been updated to include Regulation 21 of the *Local Government (Procedures at Meetings) Regulations 2013* (the Regulations).

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 2017/2018 financial year.

APPENDIX 1



CODE OF PRACTICE

Procedures at Council Meetings

~~2015~~2016

Adopted by Council: ~~10 November 2015~~25 October 2016

To be review: 20~~16~~/17/18

CODE OF PRACTICE – PROCEDURES AT COUNCIL MEETINGS

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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 adjourned¹;

"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.

¹ 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 9.30pm, 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 Elected Member Verbal Communications

Elected Member has the right to speak for up to three minutes in the second meeting of Council during the months of February, April, June, August, October and the single December meeting.

1.5 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.

1.6 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

Regulation 8

- 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

Regulation 9

- 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

Regulation 11

- 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

Regulation 12

- 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

Regulation 16

- 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

Regulation 17

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 directly before the Corporate Reports at a subsequent meeting.

15. Short-term Suspension of Proceedings

Regulation 20

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.

Regulation 21**16. Chief executive officer may submit report recommending revocation or amendment of council decision**

16.1 The chief executive officer may submit a report to the council recommending the revocation or amendment of a resolution passed since the last general election of the council.

16.2 The chief executive officer must ensure that the report is placed on the agenda for the meeting at which the report is to be considered.

16.17. Points of Order**Regulation 28**

16.17.1 The presiding member may call to order a member who is in breach of the Act or these regulations.

16.17.2 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.

16.17.3 A point of order takes precedence over all other business until determined.

16.17.4 The presiding member will rule on a point of order.

16.17.5 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.

16.17.6 The presiding member is entitled to make a statement in support of the ruling before a motion under 16.17.5 is put.

16.17.7 A resolution under 16.17.5 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.

17.18. Interruption of Meetings by Members

Regulation 29

~~17.4~~18.1 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~~18.2 Clause 1~~8~~7.1(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~~18.3 If the presiding member considers that a member may have acted in contravention of Clause 1~~8~~7.1, the member must be allowed to make a personal explanation.

~~17.4~~18.4 Subject to complying with Clause 1~~8~~7.3, the relevant member must leave the meeting while the matter is considered by the meeting.

~~17.5~~18.5 If the remaining members resolve that a contravention of Clause 1~~8~~7.1 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~~18.6 A member who-

- (a) refuses to leave a meeting in contravention of Clause 1~~8~~7.4;
or
- (b) enters a meeting in contravention of a suspension under Clause 1~~8~~7.5,

is guilty of an offence and the Maximum penalty is \$1,250

18-19. Interruption of Meetings by Others

Regulation 30

18-19.1 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 <u>25 October 2016</u>
Next Review:	October 201 <u>7</u> 6
Previous Version:	12 February 2013 <u>10 November 2015</u>
Owner:	Manager <u>Corporate</u> Governance
Applicable Legislation:	Local Government Act 1999 Local Government (Procedures at Meetings) Regulations 2013

**CITY OF MARION
GENERAL COUNCIL MEETING
25 OCTOBER 2016**

Originating Officer: David Harman, Financial Accountant

Corporate Manager: Ray Barnwell, Manager Finance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Finance Report – September 2016

Report Reference: GC251016R15

REPORT OBJECTIVES AND EXECUTIVE SUMMARY:

This report provides Council with information relating to the management of financial resources under its control as at September 2016. This report is one of a series of reports designed to assist Council in achieving and maintaining a financially sustainable position. Other reports assisting in this process include the Quarterly Budget Reviews and the Long Term Financial Plan.

It is considered appropriate that financial information regarding Major Projects be presented on a monthly basis in this report. Financial information regarding Major Projects will also be summarised in the quarterly Major Project reports. The principles used for assessment of reportable projects are according to the following criteria:

- Council has agreed to proceed with the project and approved a Section 48 Prudential Report.
- The Whole-of-Life Cost is greater than \$4 million dollars (including grant assisted projects).
- Has a project life of more than 12 months.

RECOMMENDATION (1)

DUE DATES

That Council:

1. Receives the report “Finance Report – September 2016”. **25 October 2016**

BACKGROUND

This report is presented on a monthly basis to provide Elected Members with key financial information to assist in monitoring Council's financial performance.

DISCUSSION:

Appendix 1 contains a financial report to identify Council's performance against budget utilising a "Funding Statement". It provides a review against all of the elements contained within the Statement of Comprehensive Income and Statement of Financial Position that are adopted as part of the Annual Budget Report.

The following reports are included:

(1) Major Projects

Section 48 approved Projects

- (a) Edwardstown Oval Soldiers Memorial Recreation Ground
- (b) Mitchell Park Sports & Community Centre

(2) Funding Statement – Actual versus Budget (Appendix 1)

(3) Debtors Reports for Sundry Debtors and Rates Debtors (Appendix 2)

(1) Major Projects

Council currently has no major projects budgeted for in the 2016/17 financial year that meet the qualifying criteria. There are two future projects scheduled that are both subject to grant funding which will meet these criteria and are listed in the following table:

Project	Commencement subject to grant funding	Budget
Edwardstown Oval Soldiers Memorial Recreation Ground	2017/18	\$8.0m
Mitchell Park Sports & Community Centre	2018/19	\$20.0m

Reporting on these project budgets will be included as work commences.

INTERNAL ANALYSIS

Financial Implications:

This report is an information report only and has no direct financial implications.

CONCLUSION:

The main monthly reporting focus is to report the “Actual versus Budget” position to enable regular monitoring of Council’s financial performance. Major Projects require regular reporting and monitoring by Council to ensure prudent financial management is maintained.

APPENDICES

Appendix 1: Funding Statement & Graphs – Actual versus Budget

Appendix 2: Sundry Debtors & Rates Debtors Report

APPENDIX 1

(2) Funding Statement – Actual versus Budget

The Funding Statement provides a view of Council's financial performance against the approved budget and is consistent with the information provided at budget reviews. It provides a review against all of the elements contained within the Statement of Comprehensive Income and the Statement of Financial Position that are adopted as part of the Annual Budget Report. It details Council's:

Statement of Comprehensive Income -

The operating result is recognised as one of Council's key financial indicators. The budget framework includes a commitment to its ongoing Financial Sustainability maintaining an Operating Surplus Ratio of between 0% and 5%, on average over each five year period, which for 2016/17 means a targeted operating surplus of between \$0 and \$4.262m.

Comment: Council currently has a net operating deficit result of (\$0.108m) before capital revenues, against a year to date forecast budget of \$0.476m surplus. This position is detailed in the attached Funding Statement and variation notes.

Capital Budget -

The Capital Budget is linked to Council's key financial indicator – "Asset Sustainability Ratio" and an actual to budget comparison reflects Council's progress in achieving its Capital program.

Comment: The actual to budget position reveals that 38.66% of the year to date Capital Renewal Budget has been spent or committed.

The actual progress to date of Council's full Capital New and Renewal Expenditure program is detailed by asset class in the attached graphs, with the exception of major projects which have previously been detailed in this report.

Loans -

The loans component of the Funding Statement identifies any new proposed loan receipts or principal payments. Council's borrowings are included in Council's key financial indicator – "Net Financial Liabilities" which reflects Council's total indebtedness.

Comment: No new borrowings are included in the 2016/17 budget and principal repayments of \$1.126m mean that the overall loan liability balance is forecast to decrease by \$1.126m.

Reserves & Cash -

Various fund movements such as surplus budget review results, unspent grants and carryover projects at year end are reflected as transfers to reserves, whilst utilisation of reserve funds are recognised as transfers from reserves.

Cash may be utilised to fund expenditure within the context of Treasury Management to ensure loans are not drawn down where temporary cash holdings are available.

Comment: Major movements in Net Transfers from Reserve of \$3.769m include the following:

Transfers to Reserve

Open Space Reserve	\$ 20k
Asset Sustainability Reserve – General	\$ 240k
Asset Sustainability Reserve – CFPP*	\$ 1,900k
Grants & Carryover Reserve	\$ 926k

Transfers from Reserve

Asset Sustainability Reserve – CFPP*	(\$ 127k)
Grants & Carryover Reserve	(\$ 6,728k)

The 2016/17 1st budget review forecasts a net cash surplus of \$328k.

*CFPP: Community Facilities Partnership Program

**Funding Statement
per First Budget Review
as at 30th September 2016**

Original Adopted Budget \$'000		YTD Actual + Committ \$'000	YTD Budget \$'000	YTD Variance \$'000		Annual Budget \$'000	Note
	Operating Revenue						
72,457	Rates	18,610	18,582	28	F	72,520	
1,751	Statutory Charges	725	748	(23)	U	1,714	
1,599	User Charges	279	266	13	F	1,621	
7,211	Operating Grants & Subsidies	1,246	1,818	(572)	U	7,497	A
265	Investment Income	1	126	(125)	U	504	B
619	Reimbursements	106	203	(97)	U	645	
384	Other Revenues	284	110	174	F	414	C
324	Net gain - SRWRA	-	-	-	-	324	
84,610		21,251	21,853	(602)	U	85,239	
	Operating Expenses						
33,021	Employee Costs	7,023	7,531	508	F	33,410	D
16,886	Contractual Services	6,622	6,166	(456)	U	17,199	E
5,193	Materials	1,107	1,566	459	F	5,307	F
948	Finance Charges	-	-	-	-	613	
14,020	Depreciation	4,330	4,251	(79)	U	17,003	
6,889	Other Expenses	2,277	1,863	(414)	U	6,496	G
76,957		21,359	21,377	18	F	80,028	
7,653	Operating Surplus/(Deficit) before Capital Revenues	(108)	476	(584)	U	5,211	
	Capital Revenue						
-	Capital Grants & Subsidies	2,020	2,000	20	F	2,000	
1,500	Contributed Assets	-	-	-	U	1,500	
-	Gain/(Loss) on Asset Disposal	37	-	37	F	-	
1,500		2,057	2,000	57	F	3,500	
9,153	Net Surplus/(Deficit) resulting from operations	1,949	2,476	(527)	U	8,711	
14,020	add Depreciation	4,330	4,251	79		17,003	
(324)	less Share of Profit SRWRA (excluding dividend)	-	-	-		(324)	
22,849	Funding available for Capital Investment	6,279	6,727	(448)	U	25,390	
	Capital						
13,673	less Capital Expenditure - Renewal	1,574	4,071	2,497	F	16,230	H
4,925	less Capital Expenditure - New	2,101	2,687	586	F	9,975	I
1,500	less Capital - contributed assets	-	-	-	U	1,500	
2,751	Net Overall lending/(borrowing)	2,604	(31)	2,635	F	(2,315)	

Original Adopted Budget \$'000		YTD Actual + Committ \$'000	YTD Budget \$'000	YTD Variance \$'000	Annual Budget \$'000	Note
Funded by						
	Loans					
-	Loan Principal Receipts (Net)	-	-	-	-	
-	Loan Receipts/(Payments) from Sporting Clubs (Net)	-	-	-	-	
1,400	less Loan Principal Repayments	-	-	-	1,126	
(1,400)	Loan Funding (Net)	-	-	-	(1,126)	
Movement in level of cash, investments and accruals						
	Cash Surplus/(Deficit) funding requirements					
(680)		6,300	3,795	2,505	328	
(2,031)	less Reserves (Net)	3,696	3,826	(130)	3,769	
1,351	Cash/Investments/Accruals Funding	2,604	(31)	2,635	(3,441)	
(2,751)	Funding Transactions	(2,604)	31	(2,635)	F 2,315	J

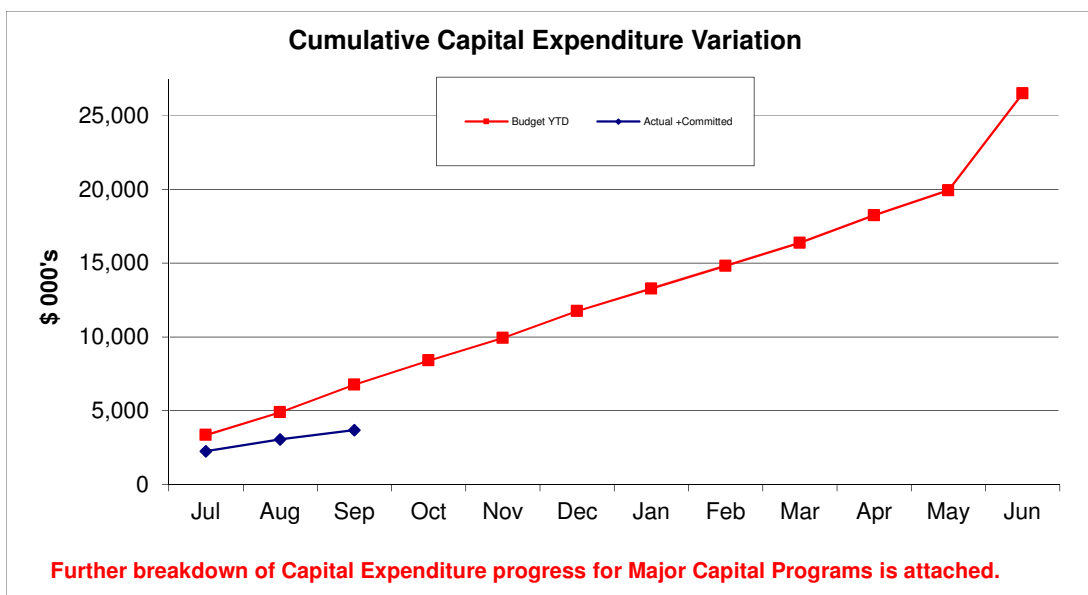
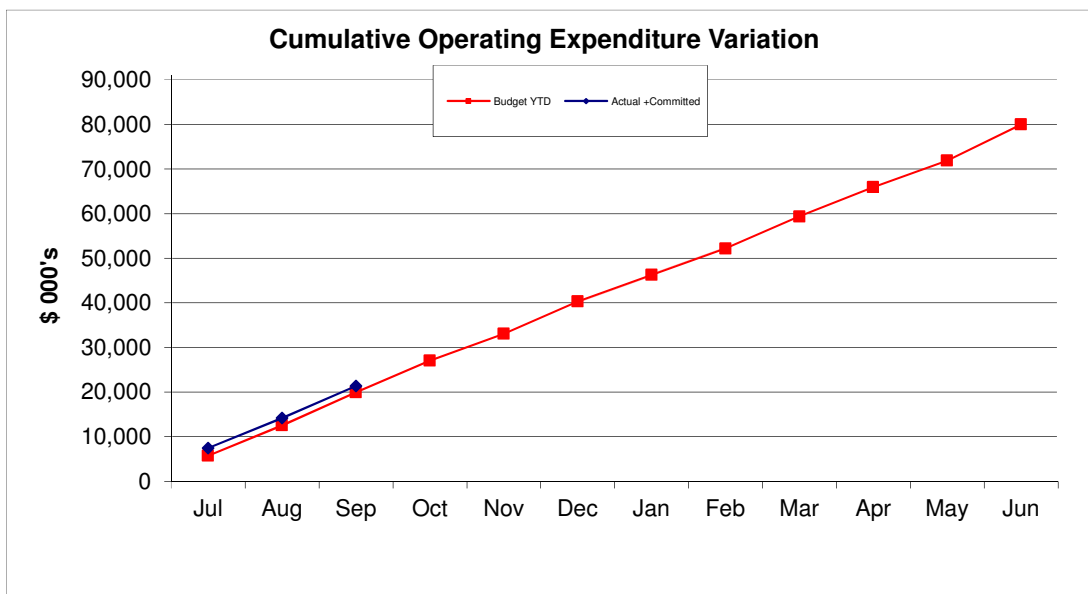
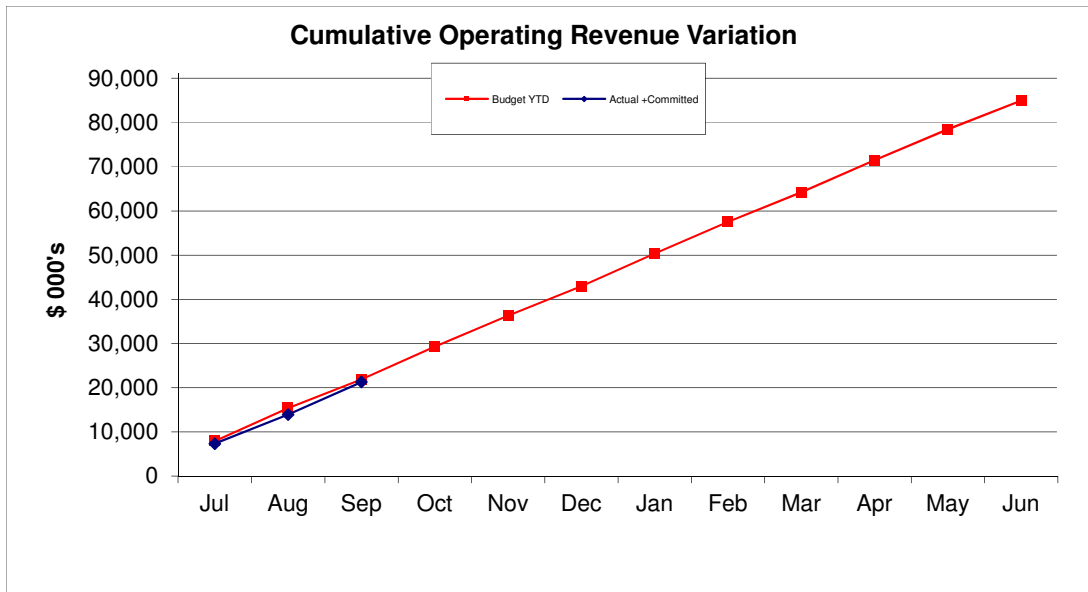
Variation Notes

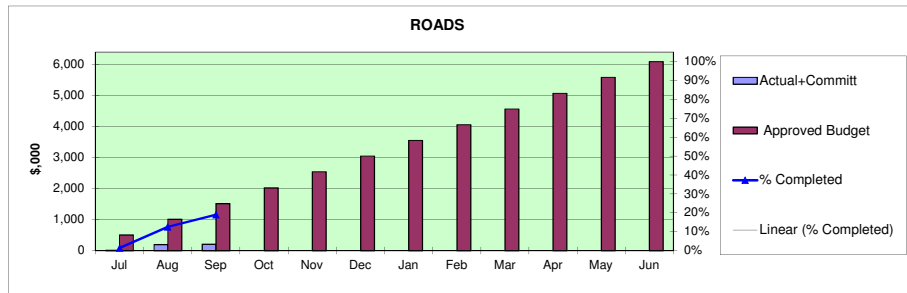
A	Operating Grants & Subsidies	Unfavourable \$572k	Reflects budget timing variations with regards to receipt of Roads 2 Recovery funding.
B	Investment Income	Unfavourable \$125k	Reflects budget timing variations with regards to interest on term deposits.
C	Other Revenues	Favourable \$174k	Predominantly reflects unbudgeted developer contributions for open space.
D	Employee Costs	Favourable \$508k	Predominantly reflects budget timing variations including leave taken.
E	Contractors	Unfavourable \$456k	Predominantly reflects budget timing variations with regards to Maintenance Agreements (\$454k).
F	Materials	Favourable \$459k	Predominantly reflects budget timing variations with regards to Electricity (\$260k) and water (\$242k)
G	Other Expenses	Unfavourable \$414k	Predominantly reflects budget timing variations with regards to the NRM levy (\$245k) and Insurance Premiums (\$178k).
H	Capital Expenditure (Renewal)	Favourable \$2,497k	Predominantly reflects budget timing variations with regards to road reseals due to invoicing delays (\$1,443k), Drainage Construction (\$272k), Reserve Development projects (\$212k) and fleet replacement (\$444k).
I	Capital Expenditure (New)	Favourable \$586k	Predominantly reflects budget timing variations with regards to Glandore Laneways.
J	Funding Transactions	Favourable \$2,635k	The variance in cash/investments/accruals funding is attributable to the corresponding net overall lending/(borrowing) position.

The above comments referring to budget timing variations are where some monthly budget estimates are not reflective of the actual expenditure patterns as at the reporting date.

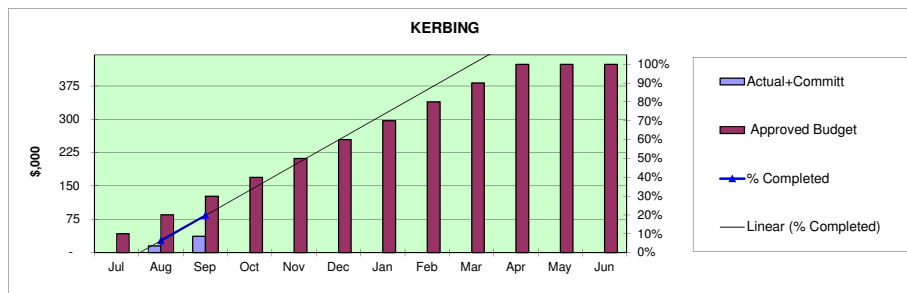
Note: The progress to date of Capital Expenditure programs (New and Renewal) is detailed in the attached graphs, noting that where no budget exists in the initial months this is primarily due to certain types of capital works that cannot be carried out during periods of inclement weather.

Funding Statement Cumulative Position - 2016/17

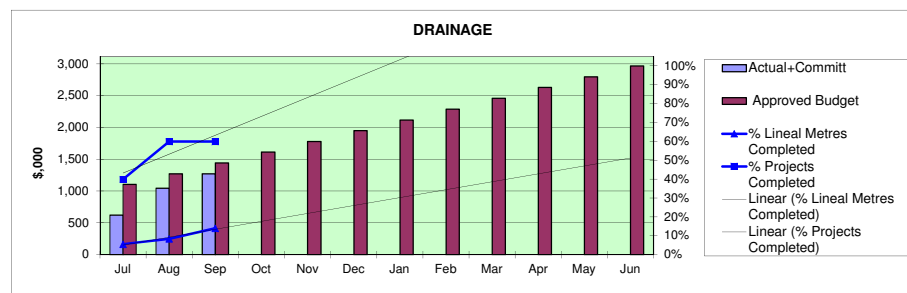




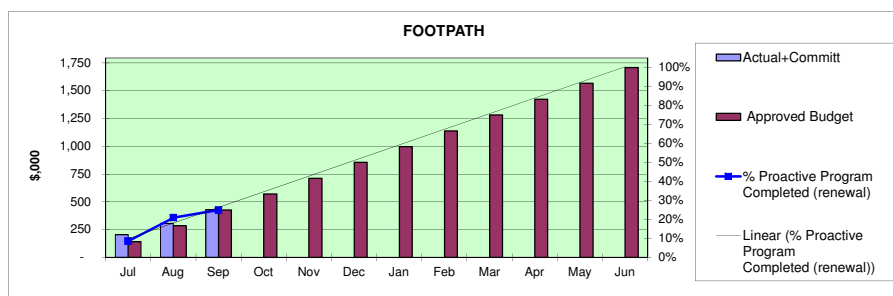
Program commenced, 19% complete.
- Supplier have updated software systems for the year and have not yet currently been able to issue invoices



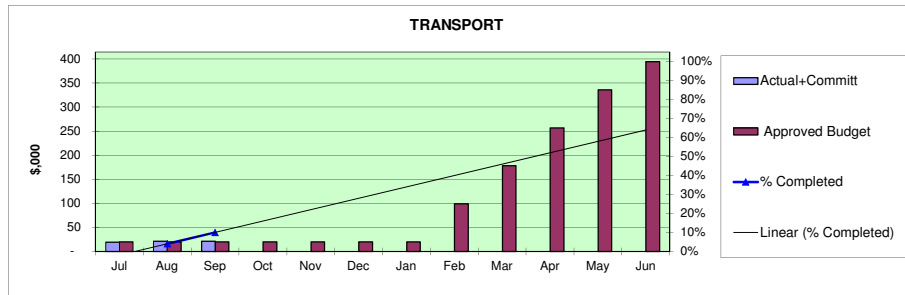
Program commenced, 20% complete.



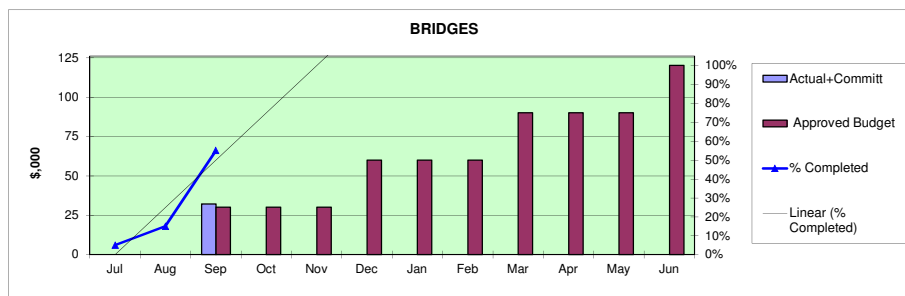
Linear metre program: 14% complete.
Keen Avenue complete.
Drainage projects: 60% complete.
Maxwell Terrace, Hammersmith and Towers Terrace complete.



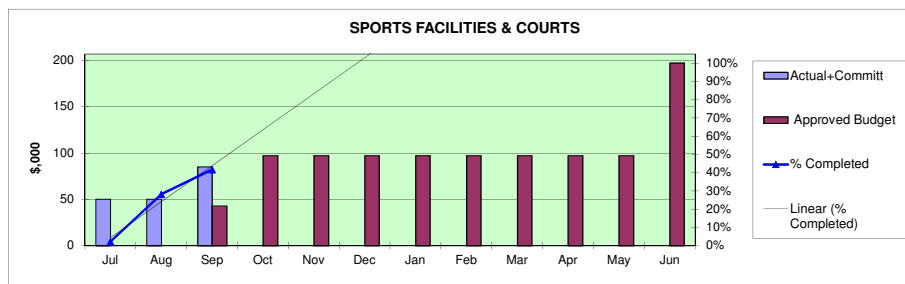
Program commenced, 25% complete.



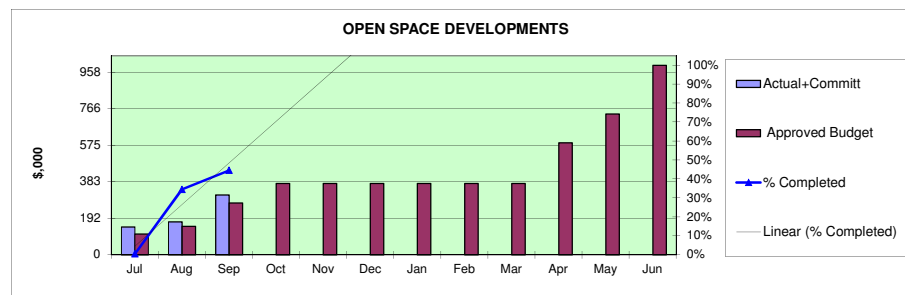
Program commenced, 10% complete.
- Ramrod Avenue Traffic Control Device - liaising with DPTI for approvals, construction to commence in February 2017.



Program commenced, 55% complete.
- Warriparinga Footbridge completed, Barramundi Drive investigations commenced.



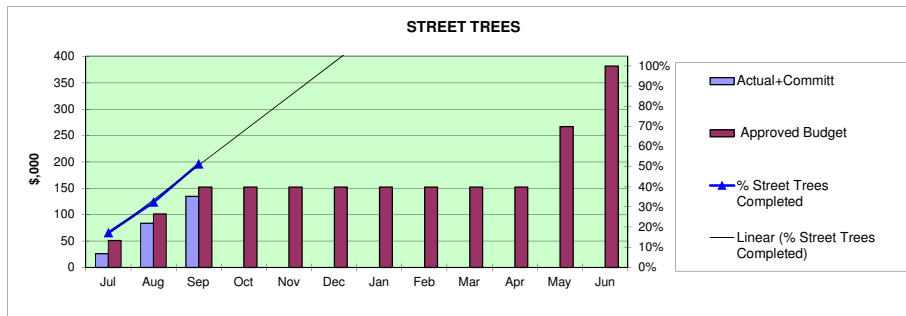
Program commenced, 42% complete.
- Edwardstown Sporting Club tight works in progress, commenced in 2015/16.
- Budget in June is for Sports Courts pending outcome of review.



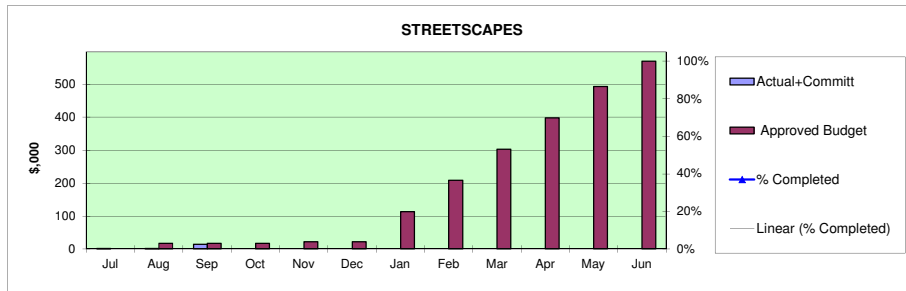
Program commenced, 44% complete.

Completed
Trott Park Dog Park

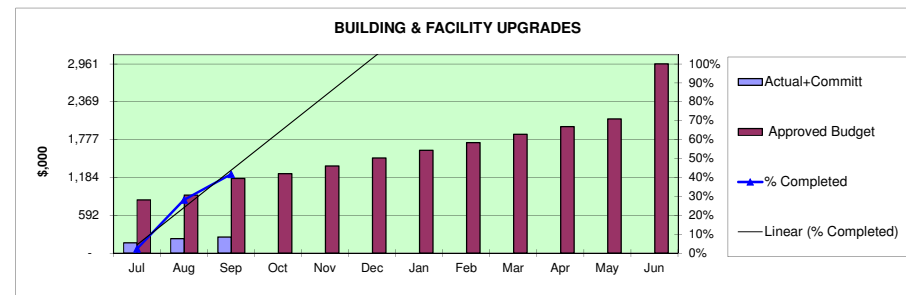
In progress
Hallett Cove Foreshore Stage 4 & 5 Detail Design
Inclusive Playspace Concept
Edwardstown Oval Southern Landscaping
Reserve Signage (15)
Hazelmere Reserve Shade sails
Design services procured for Gully Road, Clare Avenue, Sixth Avenue
and YMCA Breakout Creek playspace concepts.



Program commenced, 51% complete.
- No planting is scheduled over the Summer months due to nature of works.



Program commenced - includes additional funding for Streetscape policy works.



Program commenced, 42% complete.

Completed

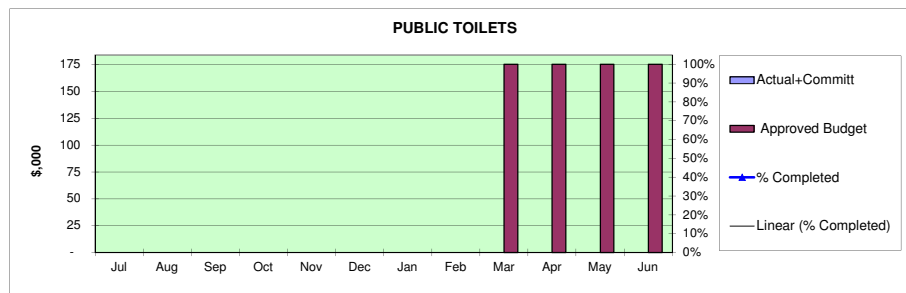
Coastal Walkway Handrail upgrade
Coastal Walkway Asset renewal
Admin/ Coolinda Signs
Swim Centre Refurbish storeroom

In Progress

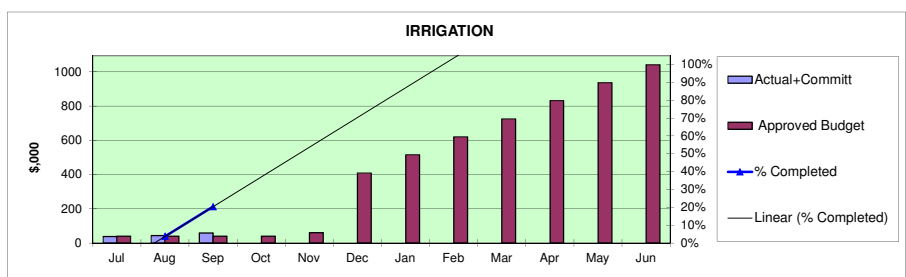
Trott Park Neighbour. Centre Windows & Doors
Trott Park Neighbour. Centre Accessible toilet
Edwardstown Senior Citizens Asbestos removal
Marion Community House Asbestos removal

In Progress (continued)

Marion Cultural Centre Upgrade plaza amenity
Administration Customer service upgrade
Administration CR1&2 doors and painting
Outdoor Swim Centre Sign
Administration Accommodation refit
Glandore Laneways Site Works
Solar Panels for Administration Building, City Services Depot, Cove Civic Centre,
Glandore Community Centre, Marion Cultural Centre, Marion Outdoor Swimming
Centre, Park Holme Library and Trott Park Neighbourhood Centre tender package
ready to be sent out to approved selected tenderers



Reserve Street Reserve to follow community evaluation of Dog Park.



Program commenced, 20% complete.

Sundry Debtors Report - Aging report as at 30 September 2016

Debtor	Total Balance	Current	30 Days	60 Days	90 Days	90+ Days	Percentage of total 90+ day balance	Comments for 90+ Day balances
General Total	2,185.09	534.84	.00	.00	.00	1,650.25	5%	Made up of 5 out of 6 debtors.
Hire of Council Facilities Total	5,754.00	.00	875.00	250.00	1,690.00	2,939.00	8%	Made up of 8 out of 14 debtors in this category, with none individually significant.
Land Clearing Total	2,402.54	.00	.00	.00	.00	2,402.54	7%	Made up of 3 debtors.
Sporting Clubs & Other Leases Total	50,254.45	33,946.64	5,203.31	416.70	9,128.27	1,559.53	5%	Made up of 3 out of 33 debtors in this category. One of these accounts is on a payment plan however the last two month's instalments have not been received - being followed up by City Property.
Extra Works Total	41,962.50	15,115.00	4,130.00	2,680.00	5,895.00	14,142.50	41%	Made up of 11 out of 28 debtors in this category, with 3 of these totalling \$3,490.00 relating to works not commenced, awaiting payment.
Swim Centre Debtors Total	637.50	.00	.00	.00	.00	637.50	2%	Made up of 5 debtors, with none individually significant.
Grants & Subsidies Total	94,553.00	51,009.00	.00	42,719.00	.00	825.00	2%	Made up of 1 out of 6 debtors.
Environmental Health Total	12,115.70	5,461.90	.00	298.00	369.00	5,986.80	17%	Made up of 54 out of 111 debtors in this category, with none individually significant.
Regulatory Services Total	900.07	765.07	.00	.00	.00	135.00	0%	Made up of one debtor.
Tree Funds Total	4,523.84	.00	1,100.00	.00	164.00	3,259.84	9%	Made up of 10 out of 12 debtors in this category, with none individually significant.
Living Kurna Cultural Centre Total	6,857.02	5,411.02	220.00	.00	130.00	1,096.00	3%	Made up of 5 out of 17 debtors, with none individually significant.
Environmental Health Testing Total	346.50	346.50	.00	.00	.00	.00	0%	
Local Government Total	43,134.35	43,134.35	.00	.00	.00	.00	0%	
Marion Cultural Centre Total	7,822.64	4,402.14	3,091.00	.00	329.50	.00	0%	
Total	273,449.20	160,126.46	14,619.31	46,363.70	17,705.77	34,633.96		
Total Aging Profile		59%	5%	17%	6%	13%		

Category	Description
General	Anything that does not fit into one of the below categories.
Hire of Council Facilities	For hire of rooms in Neighbourhood Centres, etc - usually charged out at an hourly rate. Also includes cultural workshops and tours.
Land Clearing	Relates to the clearing of vacant land
Sporting Clubs & Other Leases	Rent, electricity, water, maintenance, etc charged out to lessees.
Extra Works	For repairs or modifications to infrastructure (footpaths, kerbs, driveway inverts). Can be at resident request.
Swim Centre Debtors	Outdoor Swimming Centre - used for lane hire, school visits, etc
Grants & Subsidies	Government grants and subsidies
Environmental Health	Food inspection fees
Regulatory Services	Used for Vehicle Impoundment fees and other regulatory services.
Tree Funds	Includes contribution from residents and/or developers for the removal and/or replacement of Council Street Trees and significant trees.
Living Kurna Cultural Centre	Relates to programs run through the LKCC
Environmental Health Testing	Environmental testing fees
Local Government	For invoices sent to other Local Government corporations.
Marion Cultural Centre	For invoices relating to the Marion Cultural Centre

Rates Report - Collection of Rates to 30 September 2016

ANALYSIS OF OUTSTANDING RATES AS AT 30 SEPTEMBER 2016

	<u>Note</u>		% of Total Annual Rates
CURRENT	1	\$ 47,760,767	65.9%
OVERDUE	2	\$ 943,171	1.3%
ARREARS	3	\$ 1,511,364	2.1%
POSTPONED	4	\$ 147,548	0.2%
LEGALS	5	\$ 23,555	0.0%
		\$ 50,386,405	69.5%
TOTAL ANNUAL RATES FOR 2016/17		\$ 72,519,891	

Note 1: Current

Current rates represent the total amount of rates levied in the current financial year that are not yet due for payment. For example at 1st January this represents Quarter 3 & Quarter 4 rates unpaid.

Note 2: Overdue

Overdue rates represent rates levied in the current financial year that remain unpaid past their due payment date. For example on 1st January, this represents rates from Quarter 1 and Quarter 2 that remain unpaid.

Note 3: Arrears

Rates in arrears represent rates and charges levied in previous financial years that remain unpaid .

Note 4: Postponed

Postponed rates represent any rates amount due by seniors that have been granted a deferral, until the eventual sale of their property, as allowable under the Local Government Act. Interest is charged on these deferred rates and is recoverable when the property is sold.

Note 5: Legals

Legals represent any legal fees, court costs that have been incurred by Council in the collection of rates in the current financial year. These amounts represent costs that have been on-charged to the defaulting ratepayers and are currently outstanding.

**CITY OF MARION
GENERAL COUNCIL MEETING
25 OCTOBER 2016**

Originating Officer: Sherie Walczak, Unit Manager Risk

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Monthly WHS Performance Report

Report Reference: GC251016R16

REPORT OBJECTIVES:

The objective of this standing monthly report is to provide Council with assurance that the City of Marion has effective strategies in place to meet its legal obligations as outlined in the Work Health and Safety Act (SA) 2012 and monitor Council's 2016/17 target of a 25% reduction of the Lost Time Injury Frequency Rate (LTIFR) on the previous year.

EXECUTIVE SUMMARY:

The Think Safe Live Well program's vision is “**Zero harm with enhanced wellbeing**” and focuses on further developing our existing leadership styles, organisation culture and WHS systems by:

- Embedding a culture of safety and wellbeing as a part of normal business practice
- Developing our people to lead the change across the City of Marion
- Reviewing our WHS systems to identify best practice and opportunities for improvement



Targets and indicators have been established in order to measure the continual improvement of the program and performance against these measures are reported to the Executive Leadership Team via the WHS Committee at its bi-monthly meetings.

RECOMMENDATION (1)

DUE DATE

That Council:

1. Notes the report and statistical data contained therein.

25 October 2016

PERFORMANCE RESULTS – AUDIT RESULTS

City of Marion is subject to annual audits conducted by the Local Government Association Workers Compensation Scheme (LGAWCS). The intent of these audits is to test Council's WHS Management System against Return to Work (RTW) SA's Performance Standards for Self Insured (PSSI) Employers. Conformance against the PSSI is a requirement for all self insured employers under RTW SA's self-insured employers Code of Conduct. Each year a sample of the sub-elements within the Performance Standards for Self Insurers is audited. Council sets an action plan outlining its commitments to address any non-conformance identified and improve its WHS Management System. Council was successful in closing out 98% of the actions from the 2014 Audit. This year, we are currently on track to complete 100% of the actions from the 2015 Audit by 31 October. As at 30 September 2016, 89% of actions are complete.

PERFORMANCE RESULTS – LOST TIME INJURIES

In order to measure improvement, safety indicators are measured and monitored against our industry counterparts being Group A Councils (¹GaC). Two important safety indicators measured are Lost Time Injuries (²LTIs), outlined in Table 2 from internal incident reporting data, and Lost Time Injury Frequency Rate (³LTIFR) from the LGA's Claims Analysis Portal data, outlined in Figure 1. Table 1 provides for comparison against FY2015-16 results.

Table 1: Number of LTIs per month - Financial Year 2015-16

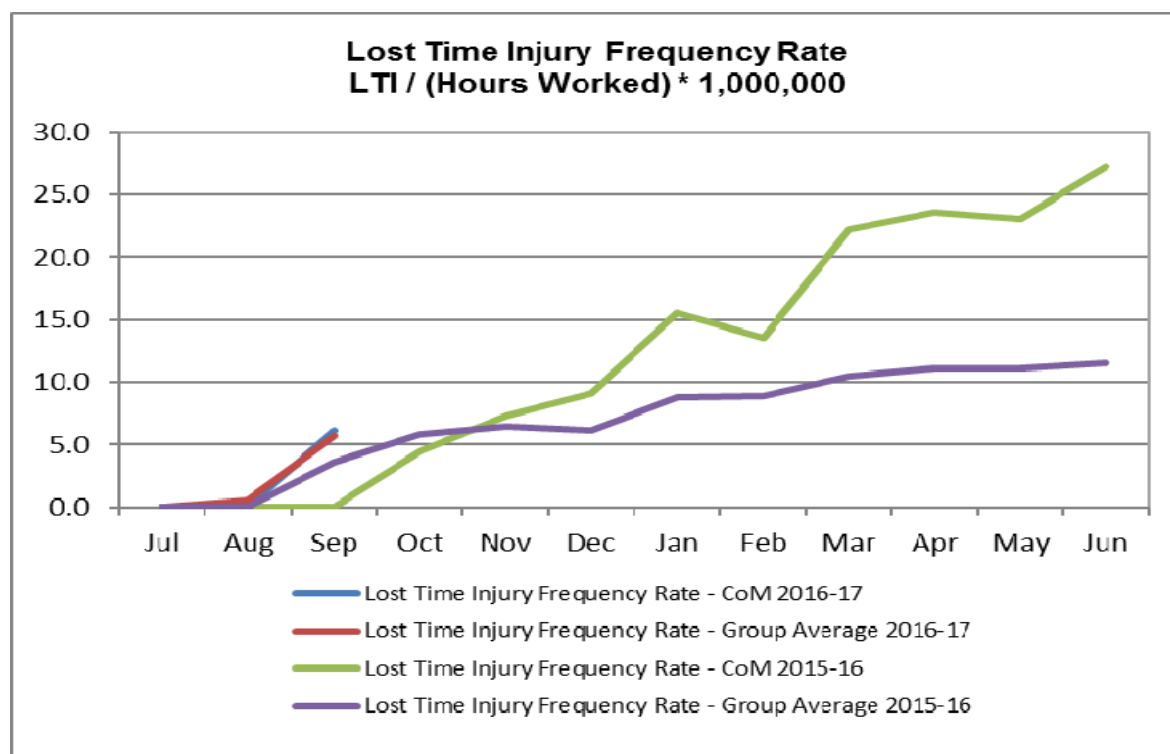
Jul-15	Aug-15	Sep-15	Oct-15	Nov-15	Dec-15	Jan-16	Feb-16	Mar-16	Apr-16	May-16	Jun-16	Total
0	1	4	2	2	0	3	1	2	1	2	0	18

Table 2: Number of LTIs per month - Financial Year 2016-17

Jul-16	Aug-16	Sep-16	Oct-16	Nov-16	Dec-16	Jan-17	Feb-17	Mar-17	Apr-17	May-17	Jun-17	Total
0	1	1										2

During September 2016, Council recorded one LTI which means, as at 30 September, it was six days since the last LTI.

Figure 1: LTIFR per month – Financial Year comparison against Group A Councils



Although we have recorded two LTIs as at the end of September, for which claims have been lodged with the LGAWCS, the LGAWCS claims data reports an LTIFR of 6.2. This figure is only representative of one LTI due to the second LTI occurring towards the end of the month, and fortnightly payroll data for time lost not yet having been processed.

¹ Group A Councils (GaC) are those metropolitan councils that have more than 300 workers ie Marion, Adelaide, Charles Sturt, Onkaparinga, Playford, Port Adelaide Enfield, Salisbury and Tee Tree Gully

² Lost Time Injuries (LTI's) are those injuries where a whole work day or more has been lost due to a workplace injury

³ Lost Time Injury Frequency Rate (LTIFR) is an industry standard measurement tool for measuring LTI's within a given accounting period relative to the number of full-time equivalent workers and the total number of hours worked in the same accounting period which enables comparison to other organisations for the purpose of benchmarking.

HAZARD PREVENTION

Hazard Prevention Strategies being implemented include the ongoing review of the organisation's Hazard Register including provision of documented Safe Work Method Statements, Safe Work Procedures or Safe Operating Procedures for all hazardous tasks.

Health and Safety Representative training has been provided for new staff who nominated to represent their workgroups.

Formal consultation has occurred in relation to the introduction of new Return to Work strategies and the revised procedures are being presented to the WHS Committee during October for endorsement. Primary changes include:

- CoM representation (Manager, Internal RTW Coordinator or other person) to offer to attend the medical appointment to provide early return to work information to the Medical Practitioner (this can be refused by an employee)
- Provision of documents provided to the Medical Practitioner including;
 - Early Return to Work letter to treating doctor
 - Sample RTW Light Duties Register
 - Sample Job Dictionary – Task Analysis
- CoM to provide a small panel of preferred Medical Practitioners who specialise in workplace injuries - to assist injured employees whose family doctor may not have experience in workplace injuries or those who cannot provide short-term availability of appointment times

There are many benefits for staff associated with an early return to work:

- return to work in a timely and safe manner
- less disruption to family, work and social life
- improved employment and financial security
- less time spent recovering from injury
- reduced level of impairment

The City of Marion benefits from an early return of staff to work through:

- increased productivity
- reduction in Lost Time Injuries
- reduced staff turnover
- improved staff morale and workplace industrial relations
- minimisation of back-fill and retraining expenses
- reduction in claims costs and impact on premium

To support our People Leaders in the implementation of these new procedures, training has been booked for the end of October.

CONCLUSION

The ongoing work and additional strategies will provide an increased focus on returning workers to work within their medically certified capacity, as well as providing suitable duties immediately following an injury. These strategies aim to reduce the number of LTIs to achieve Council's revised KPI of a 25% reduction in the LTIFR for the 2016-17 reporting period which also aligns with the The Think Safe Live Well program's vision of **"Zero harm with enhanced wellbeing"**.

**CITY OF MARION
GENERAL COUNCIL MEETING
25 OCTOBER 2016**

Question Received from: Mayor Kris Hanna

Subject: Pre-school sites owned by Marion Council

Reference No: GC251016Q01

QUESTION:

"What are Department of Education plans for pre-school sites owned by Marion Council?"

COMMENTS: Mayor Kris Hanna

"Pre-school education is a State responsibility, not a Council responsibility. Despite this, Council owns numerous pre-school sites which it rents, at well below market rates, to the State Government. West Torrens Council recently offered to sell their pre-school sites to the State Government. West Torrens was told that DECD wanted to continue leasing the sites but with a clause allowing DECD to break the lease early because there were plans to relocate preschools to Primary School sites."

COMMENTS: Carol Hampton, Manager City Property

Earlier this year Council staff met with the Department for Education and Child Development (DECD) representatives to discuss the current kindergarten lease arrangements which expire mid-2017, their future plans for the facilities, potential terms for new leases and the option to purchase the facilities. DECD representative advised that they would not seek to purchase facilities but could consider taking on additional maintenance and renewal responsibilities.

DECD advised that all kindergartens are operating at their licensed numbers and enrolments have been consistent. It is DECD policy, where possible, to co-locate kindergartens on school sites, however at this stage there are no plans to relocate any of the kindergartens within the City of Marion and as such they would seek to continue to renew leases on all facilities.

DECD are investing in upgrading the building and outdoor learning area at the Oaklands Estate kindergarten, they have sought Landlord Approval to undertake this work which is estimated to be in the vicinity of \$380,000 (this request will be considered at the General Council meeting on 25 October 2016).

**CITY OF MARION
GENERAL COUNCIL MEETING
25 OCTOBER 2016**

Notice Received from: Councillor Telfer
Subject: Glenthorne National Park
Ref No: GC251016M04

MOTION:

The City of Marion applauds the principle of the establishment of a state national park which includes Glenthorne Farm, Field River Valley, Hallett Cove Conservation Park, Marino Conservation Park and O'Halloran Hill Recreation Park. This proposed state national park will permit biodiversity corridors for native flora and fauna, as well as conservation of natural and built heritage.

COMMENTS: Councillor Telfer

Nil

COMMENTS: Abby Dickson, General Manager City Development

The State Liberal Party announced on 16 October 2016 an election commitment to create a 1500ha national park in the southern suburbs of Adelaide should the Liberal Party govern after the 2018 State Election.

The new national park will seek to connect O'Halloran Hill Recreation Park, Marino Conservation Park, Hallett Cove Conservation Park and the Field River valley. It also seeks to provide access to areas which are currently not open to the public including Happy Valley Reservoir and Glenthorne Farm.

The announcement aligns to the following resolution passed by Council at the 27 September 2016 General Council meeting where Council reaffirmed:

strong support for Glenthorne Farm to be preserved for future generations as a site for revegetation, open space, heritage interpretation, and related public uses consistent with the Friends of Glenthorne vision document (GC270916R04)