

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 24 January 2017

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 purple ink, appearing to read "Adrian Skull", is placed above the printed name and title.

Adrian Skull
CHIEF EXECUTIVE OFFICER

19 January 2017

**CITY OF MARION
GENERAL COUNCIL AGENDA
FOR MEETING TO BE HELD ON
TUESDAY 24 JANUARY 2017
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

Confirmation of the Minutes for the General Council meeting held on 13 December 2016....5

6. DEPUTATIONS

Nil

7. PETITIONS

Petition – Preservation of the Nannigai Reserve Playspace and Tennis Court
Report Reference: GC240117P0150

8. COMMITTEE RECOMMENDATIONS

Confirmation of the Minutes for the Finance and Audit Committee Meeting held
on 15 December 2016
Report Reference: GC240117R0178

9. WORKSHOP / PRESENTATION ITEMS

Nil

10. CORPORATE REPORTS FOR DECISION

Final Draft Open Space Policy
Report Reference: GC240117R0288

Asset Optimisation of Council Property Report Reference: GC240117R03.....	99
Playspace Framework Report Reference: GC240117R04.....	164
Oaklands Round House Demolition Costs Report Reference: GC240117R05.....	176
Liquor Licence Applications – amendments to Governance Policy Report Reference: GC240117R06.....	179
Southern Regional Football Facility (*Late Item) Report Reference: GC240117R07.....	204
Complaints and Grievance Policy Review Report Reference: GC240117R08.....	211
Elected Member Liaison on External Bodies Report Reference: GC240117R09.....	225
11. CORPORATE REPORTS FOR INFORMATION/NOTING	
WHS Report – November and December 2016 Report Reference: GC240117R10.....	231
Finance Report – December 2016 Report Reference: GC240117R11.....	234
MATTERS RAISED BY MEMBERS	
12. Questions with Notice	
Hendrie Street – Touched by Olivia Foundation (TBOF) Report Reference: GC240117Q01.....	247
Obesity Prevention and Lifestyle (OPAL) Program Costs Report Reference: GC240117Q02.....	252
Developer Bonds Report Reference: GC240117Q03.....	254
13. Motions with Notice	
Travers Reserve Land Division Report Reference: GC240117M01	255
Developer Bonds Report Reference: GC240117M02	257
14. Questions without Notice	

15. Motions without Notice

16. CONFIDENTIAL ITEMS

Finance & Audit Committee Confidential Minutes
Report Reference: GC240117F01259

Marion Outdoor Swimming Pool - Service Review
Report Reference: GC240117F02264

17. LATE ITEMS

18. 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 13 DECEMBER 2016**



PRESENT

His Worship the Mayor Kris Hanna

Councillors

Coastal Ward

Ian Crossland
Tim Gard

Mullawirra Ward

Jason Veliskou
Jerome Appleby

Southern Hills

Janet Byram
Nick Westwood (from 6.37pm)

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 Kate McKenzie
Ms Jaimie Thwaites

Chief Executive Officer
General Manager Corporate Services
General Manager City Development
General Manager Operations
Manager Corporate Governance
Unit Manager Governance and Records

COMMENCEMENT

The meeting commenced at 6.30pm.

KAURNA ACKNOWLEDGEMENT

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

DISCLOSURE

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

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.

- Councillor Pfeiffer declared a conflict of interest in the item 'George Street & Dwyer Road – Traffic Control' (Report Reference: GC131216R04) as a work colleague lives in the location discussed in the report.
- Councillor Hutchinson – declared a conflict of interest in the item 'Nominations sought for the South Australian Local Government Grants Commission (SALGGC)' (Report Reference: GC131216R13) as there is a potential pecuniary benefit associated with the item.

CONFIRMATION OF MINUTES

6.32pm Moved Councillor Telfer, Seconded Councillor Hutchinson that the minutes of the General Council Meeting held on 22 November 2016 taken as read and confirmed.

Carried Unanimously

ADJOURNED ITEMS

6.33pm Petition – Irrigation of Parsons Grove Reserve
Report Reference:131216P01

Adjourned Motion:

Moved Councillor Veliskou, Seconded Councillor Westwood that Council:

1. Notes the petition and comments provided by Administration.
2. Alters the irrigation scoring for Parsons Grove Reserve to a public value of 4 and a total score of 12.
3. Advises the head petitioner that Council has noted the petition.

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

1. Notes the petition and comments provided by Administration
2. Requests Administration to connect the Parsons Grove Reserve to the Oaklands Recycled Water Distribution Network in 2016/17 (i.e. one year earlier than currently scheduled).

6.37pm Councillor Westwood entered the meeting

Carried Unanimously

6.38pm Appointment of Presiding Member of the Infrastructure and Strategy Committee
Report Reference: GC131216R01

The Chair sought and was granted leave of the meeting to consider the item after the ballot was conducted and counted.

COMMITTEE RECOMMENDATIONS

6.42pm Confirmation of the Minutes for the Special People and Culture Committee Meeting held on 29 November and 6 December 2016 Report Reference: GC131216R02

Moved Councillor Hutchinson, Seconded Councillor Telfer that Council:

1. Receives and notes the minutes of the People and Culture Committee meeting of 29 November 2016 (Appendix 1).
2. Receives and notes the minutes of the People and Culture Committee meeting of 6 December 2016 (Appendix 2).

Carried Unanimously

WORKSHOP / PRESENTATION ITEMS

Nil

CORPORATE REPORTS FOR DECISION

6.43pm Review of Confidential Orders 2016 - Overview Report Reference: GC131216R03

Moved Councillor Veliskou, Seconded Councillor Byram that the reports GC131216R03 – (1) to (63) be moved as printed 'en bloc' with the exception of item 'Review of Confidential Order for the Item: Chief Executive Officer's Employment Contract SGC190215F02 (Ref No: GC131216R03 – (1) Appendix 40)' to be moved as follows:

that:

1. The confidentiality order pertaining to the report *Chief Executive Officer's Employment Contract SGC190215F02* and the Minutes be revoked.
2. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the deed relating to this report *Chief Executive Officer's Employment Contract SGC190215F02* distributed at the meeting be kept confidential and not available for public inspection on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the former Chief Executive Office of the Council (Section (3)(a)), and to ensure Council does not breach any duty of confidence or other legal obligation or duty (Section 90(3)(g)).

This order is to remain in force until such time as the former Chief Executive Officer retires from gainful employment.

3. This confidential order be reviewed at the December 2017 meeting of Council.

Carried

Moved Councillor Veliskou, Seconded Councillor Byram that Council:

1. That Council notes the report, 'Review of Confidential Orders 2016 - Overview'.

Carried

Review of Confidential Order for the Item: Personnel Matter – CEO Performance and Remuneration Review 2009-2010, GC110510F01
Ref No: GC131216R03 – (01) Appendix 1

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. The confidentiality order pertaining to the Report, "Personnel Matter – CEO Performance and Remuneration Review 2009-2010, GC110510F01" together with all annexure and the minutes be revoked.

Carried

Review of Confidential Order for the Item: Personnel Matter – CEO Performance and Remuneration Review 2009-2010, CRC170810F01
Ref No: GC131216R03 – (1) Appendix 2

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. The confidentiality order pertaining to the Report, '*Personnel Matter – CEO Performance and Remuneration Review 2009-2010, GC170810F01*' together with all annexure and the minutes arising from the report be revoked.

Carried

Review of Confidential Order for the Item: Personnel Matter – CEO Performance and Remuneration Review 2009-2010, GC240810F01
Ref No: GC131216R03 – (1) Appendix 3

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. The confidentiality order pertaining to the report, '*Personnel Matter – CEO Performance and Remuneration Review 2009-2010, GC240810F01*' together with all annexure and the minutes arising from the report be revoked.

Carried

Review of Confidential Order for the Item: Personnel Matter - CEO Performance Criteria 2010-2011, GC140910F01
Ref No: GC131216R03 – (1) Appendix 4

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. The Confidentiality order pertaining to the report, '*Personnel Matter – CEO Performance Criteria 2010-2011, GC140910F01*' together with all annexure and the minutes arising from the report be revoked.

Carried

Review of Confidential Order for the Item: CEO Performance & Remuneration Review 2010-2011, CRC251011F01

Ref No: GC131216R03 – (1) Appendix 5

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. The confidentiality order pertaining to the report, '*CEO Performance & Remuneration Review 2010-2011, CRC251011F01*' together with all annexure and the minutes be revoked.

Carried

Review of Confidential Order for the Item: Draft CEO Review Committee Meeting Minutes, GC081111F01

Ref No: GC131216R03 – (1) Appendix 6

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. The confidentiality order pertaining to the report, '*Draft CEO Review Committee Meeting Minutes, GC081111F01*' together with all annexure and the minutes arising from the report be revoked.

Carried

Review of Confidential Order for the Item: Draft CEO Review Committee Meeting Minutes, GC131211F01

Ref No: GC131216R03 – (1) Appendix 7

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. The confidentiality order pertaining to the report *Draft CEO Review Committee Meeting Minutes, GC131211F01* and associated appendices and the minutes arising from this report be revoked.

Carried

Review of Confidential Order for the Item: CEO Performance Review 2010 – 2011 & Employment Agreement Review, CRC140212F01

Ref No: GC131216R03– (1) Appendix 8

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. The confidentiality order pertaining to the report *CEO Performance Review 2010-2011 & Employment Agreement Review, CRC140212F01* and the minutes arising from this report be revoked.

Carried

Review of Confidential Order for the Item: Personnel Matter – CEO Performance and Employment Agreement Review, SGC270212F02

Ref No: GC131216R03 – (1) Appendix 9

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. The confidentiality order pertaining to the report *Personnel Matter – CEO Performance and Employment Agreement Review*, SG270212F02 and the minutes arising from this report be revoked.

Carried

Review of Confidential Order for the Item: Personnel Matter – CEO Performance and Employment Agreement Review, CRC060312F01
Ref No: GC131216R03 – (1) Appendix 10

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. The confidentiality order pertaining to the report *CEO Performance Review 2010-2011 and Employment Agreement Review*, CRC060312F01 and the minutes arising from this report be revoked.

Carried

Review of Confidential Order for the Item: Confirmation of Minutes, GC130312F01
Ref No: GC131216R03 – (1) Appendix 11

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. The confidentiality order pertaining to the report *Confirmation of Minutes*, GC130312F01 and the minutes arising from this report be revoked.

Carried

Review of Confidential Order for the Item: Personnel Matter – CEO Performance Review 2010-2011 and Employment Agreement Review, SGC050412F01
Ref No: GC131216R03 – (1) Appendix 12

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. The confidentiality order pertaining the report *CEO Performance and Employment Agreement Review - CRC060312F01* and minutes arising from this report be revoked.

Carried

Review of Confidential Order for the Item: CEO Performance & Remuneration Review, CRC160412F01
Ref No: GC131216R03 – (1) Appendix 13

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. The confidentiality order pertaining to the report *CEO Performance & Remuneration Review*, CRC160412F01, appendices and the minutes arising from this report be revoked.

Carried

Review of Confidential Order for the Item: Minutes of the CEO Review Committee Meeting Held 16 April 2012, GC240412F02
Ref No: GC131216R03 – (1) Appendix 14

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. The confidentiality order pertaining to the report *Minutes of the CEO Review Committee Meeting held 16 April 2012, GC240412F02* and the minutes arising from this report be revoked.

Carried

Review of Confidential Order for the Item: Personnel Matter – CEO Performance and Remuneration Review 2010-2011 CRC120612F01
Ref No: GC131216R03 – (1) Appendix 15

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. The confidentiality order pertaining to the report *Personnel Matter – CEO Performance and Remuneration Review 2010-2011 CRC120612F01* and the minutes arising from this report be revoked.

Carried

Review of Confidential Order for the Item: Personnel Matter CEO Performance & Remuneration Review 2010-2011, GC260612F01
Ref No: GC131216R03 – (1) Appendix 16

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. The confidentiality order pertaining to the report *Personnel Matter CEO Performance & Remuneration Review 2010-2011, GC260612F01* and the minutes arising from this report be revoked.

Carried

Review of Confidential Order for the Item: Personnel Matter – CEO Performance and Remuneration Review 2011-2012, CRC210812F01
Ref No: GC131216R03 – (1) Appendix 17

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. The confidentiality order pertaining to the report, *Personnel Matter – CEO Performance and Remuneration Review 2011-2012, CRC210812F01* together with all annexure and the minutes arising from the report be revoked.

Carried

Review of Confidential Order for the Item: Confirmation of Minutes of CEO Review Committee Meeting held 21 August 2012, GC280812F01
Ref No: GC131216R03 – (1) Appendix 18

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. The confidentiality order pertaining to the report *Confirmation of Minutes of CEO Review Committee Meeting held 21 August 2012, GC280812F01* and the minutes arising from this report be revoked.

Carried

Review of Confidential Order for the Item: Personnel Matter – CEO Professional Development Update, CRC021012F01
Ref No: GC131216R03 – (1) Appendix 19

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. The confidentiality order pertaining to this report *Personnel Matter – CEO Professional Development Update*, and the minutes arising from this report be revoked.

Carried

Review of Confidential Order for the Item: Personnel Matter – 2011/2012 CEO Performance & Remuneration Review, CRC021012F02
Ref No: GC131216R03 – (1) Appendix 20

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. The confidentiality order pertaining to this report *Personnel Matter – 2011/2012 CEO Performance & Remuneration Review* and the minutes arising from this report be revoked.

Carried

Review of Confidential Order for the Item: Confirmation of Minutes of CEO Review Committee Meeting held 2 October 2012, GC091012F02
Ref No: GC131216R03 – (1) Appendix 21

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. The confidentiality order pertaining to the report *Confirmation of Minutes of CEO Review Committee Meeting held 2 October 2012, GC091012F02*, and the minutes arising from this report be revoked.

Carried

Review of Confidential Order for the Item: Personnel Matter – CEO Professional Development Update, CRC201112F01
Ref No: GC131216R03 – (1) Appendix 22

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. The confidentiality order pertaining to this report *Personnel Matter – CEO Professional Development Update, CRC201112F01* and the minutes arising from this report be revoked.

Carried

Review of Confidential Order for the Item: Personnel Matter – CEO Performance and Remuneration Review 2011 – 2012, CRC201112F02
Ref No: GC131216R03 – (1) Appendix 23

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. The confidentiality order pertaining to the report *Personnel Matter – CEO Performance and Remuneration Review 2011 – 2012, CRC201112F02* and minutes arising from this report be revoked.

Carried

**Review of Confidential Order for the Item: Confirmation of Minutes of CEO Review Committee Meeting held 20 November 2012, GC271112F02
Ref No: GC131216R03 – (1) Appendix 24**

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. The confidentiality order pertaining to the report Confirmation of Minutes of CEO Review Committee Meeting held 20 November 2012, GC271112F02 and the minutes associated with the report be revoked.

Carried

**Review of Confidential Order for the Item: Personnel Matter – CEO Performance Criteria 2012 – 2013, CRC020413F01
Ref No: GC131216R03 – (1) Appendix 25**

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. The confidentiality order pertaining to the report *Personnel Matter – CEO Performance Criteria 2012 – 2013, CRC020413F01* and minutes arising from this report be revoked.

Carried

**Review of Confidential Order for the Item: Personnel Matter – CEO Performance Criteria 2012 – 2013, GC090413F01
Ref No: GC131216R03 – (1) Appendix 26**

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. The confidentiality order pertaining to the report *Personnel Matter – CEO Performance Criteria 2012 – 2013, GC090413F01* and minutes arising from this report be revoked.

Carried

**Review of Confidential Order for the Item: Personnel Matter – 2012/13 CEO Performance and Remuneration Review, GC130813F02 / GC270813F01
Ref No: GC131216R03 – (1) Appendix 27**

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. The confidentiality order pertaining to the report *Personnel Matter – 2012/13 CEO Performance and Remuneration Review, GC130813F02 / GC270813F01* and minutes arising from this report be kept confidential revoked.

Carried

**Review of Confidential Order for the Item: Personnel Matter – CEO Performance and Remuneration Review 2012 – 2013, CRC170913F01
Ref No: GC121316R03 – (1) Appendix 28**

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. The confidentiality order pertaining to the report *Personnel Matter – CEO Performance and Remuneration Review 2012 – 2013, CRC170913F01* and minutes arising from this report be revoked.

Carried

**Review of Confidential Order for the Item: Confirmation of Minutes of CEO Review Committee Meeting held 17 September 2013, GC240913F02
Ref No: GC131216R03 – (1) Appendix 29**

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. The confidentiality order pertaining to the report *Confirmation of Minutes of CEO Review Committee Meeting held 17 September 2013, GC240913F02* and minutes arising from this report be revoked.

Carried

**Review of Confidential Order for the Item: Personnel Matter – CEO Performance and Remuneration Review 2012 – 2013, CRC251113F01
Ref No: GC131216R03 – (1) Appendix 30**

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. The confidentiality order pertaining to the report *Personnel Matter – CEO Performance and Remuneration Review 2012 – 2013, CRC251113F01* and minutes arising from this report be revoked.

Carried

**Review of Confidential Order for the Item: Personnel Matter - CEO Performance and Remuneration Review 2012-2013, GC101214F03
Ref No: GC131216R03 – (1) Appendix 31**

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. The confidentiality order pertaining to the report *Personnel Matter - CEO Performance and Remuneration Review 2012-2013, GC101214F03* and minutes arising from this report be revoked.

Carried

**Review of Confidential Order for the Item: Personnel Matter - CEO Performance 2012-2013 – Feedback re Outcomes GC110314F02
Ref No: GC131216R03 – (1) Appendix 32**

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. The confidentiality order pertaining to the report *Personnel Matter - CEO Performance 2012-2013 – Feedback re Outcomes, GC110314F02* and minutes arising from this report be revoked.

Carried

Review of Confidential Order for the Item: 2013-2014 CEO Performance and Remuneration Review, GC 080714F01
Ref No: GC131216R03 – (1) Appendix 33

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. The confidentiality order pertaining to the report *2013-2014 CEO Performance and Remuneration Review, GC080714F01* and Appendix to this report be revoked.

Carried

Review of Confidential Order for the Item: CEO Performance and Remuneration Review, CRC120814F01
Ref No: GC131216R03 – (1) Appendix 34

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. The confidentiality order pertaining to the report *CEO Performance and Remuneration Review, CRC120814F01*, minutes arising from this report and any Appendix to this report be revoked.

Carried

Review of Confidential Order for the Item: CEO Performance and Remuneration Review, GC260814F01
Ref No: GC131216R03 – (1) Appendix 35

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. The confidentiality order pertaining to the report *CEO Performance and Remuneration Review, GC260814F01* minutes arising from this report and any Appendix to this report be revoked.

Carried

Review of Confidential Order for the Item: Personnel Matter - CEO Performance and Remuneration Review, 2014-2015 GC051214F01
Ref No: GC131216R03 – (1) Appendix 36

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. The confidentiality order pertaining to the report *personnel Matter - CEO Performance and Remuneration Review 2014-2015, GC051214F01* and minutes arising from this report be revoked.

Carried

Review of Confidential Order for the Item: Recommendations of the 5 December 2014 CEO Review Committee Meeting Minutes GC091214F02
Ref No: GC131216R03 – (1) Appendix 37

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. The confidentiality order pertaining to the report *Recommendations of the 5 December 2014 CEO Review Committee Meeting Minutes GC091214F02* and any appendices to this report be revoked.

Carried

Review of Confidential Order for the Item: Personnel Matter – CEO Key Performance Indicators – Appointment of and External Consultant CRC 230115F01
Ref No: GC131216R03 – (1) Appendix 38

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. The confidentiality order pertaining to the report *CEO Key Performance Indicators – Appointment of and External Consultant CRC 230115F01* and minutes arising from this report be revoked.

Carried

Review of Confidential Order for the Item: Recommendations of the 23 January 2015 CEO Review Committee Meeting Minutes - GC270115F03
Ref No: GC131216R03 – (1) Appendix 39

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. The confidentiality order pertaining to the report *Recommendations of the 23 January 2015 CEO Review Committee Meeting Minutes - GC230115F01* and any appendices to this report be revoked.

Carried

Review of Confidential Order for the Item: Chief Executive Officer's Employment Contract SGC190215F02
Ref No: GC131216R03 – (1) Appendix 40

Moved Councillor Veliskou, Seconded Councillor Byram that:

4. The confidentiality order pertaining to the report *Chief Executive Officer's Employment Contract SGC190215F02* and the Minutes be revoked.
5. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the deed relating to this report *Chief Executive Officer's Employment Contract SGC190215F02* distributed at the meeting be kept confidential and not available for public inspection on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the former Chief Executive Office of the Council (Section (3)(a)), and to ensure Council does not breach any duty of confidence or other legal obligation or duty (Section 90(3)(g)).

This order is to remain in force until such time as the former Chief Executive Officer retires from gainful employment.

6. This confidential order be reviewed at the December 2017 meeting of Council.

Carried

Review of Confidential Order for the Item: Marion South Plan – Etiria No 25 Pty Ltd Deed (Makris Group), SGC161104F02
Ref No: GC131216R03 - (02)

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. The confidentiality order pertaining to the report, '*Marion South Plan – Etiria No 25 Pty Ltd Deed (Makris Group)*, SGC161104F02' together with all annexure and the minutes arising from the report be revoked.

Carried

**Review of Confidential Order for the Item: Marion South Plan – Craven & Etiria Deeds, GC260405F01
Ref No: GC131216R03 - (03)**

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. The confidentiality order pertaining to the report, '*Marion South Plan – Craven & Etiria Deeds, GC260405F01*' together with all annexure and the minutes arising from the report be revoked.

Carried

**Review of Confidential Order for the Item: Marion South Plan – Etrira Deed, GC130307F01
Ref No: GC131216R03 - (04)**

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. The confidentiality order pertaining to the report, '*Marion South Plan – Etrira Deed, GC130307F01*' together with all annexure and the minutes arising from the report be revoked.

Carried

**Review of Confidential Order for the Item: Legal Advice, GC100712F02
Report Reference: GC131216R03 – (05)**

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. The confidential order pertaining to the report *Legal Advice, GC100712F02*, be revoked and the item be released with any reference to a staff member's name or position, with the exception of the former CEO, redacted and the name of the complainant redacted.

Carried

**Review of Confidential Order for the Item: City Services Redevelopment – Section 48 Prudential Report, AC190511R6.1
Ref No: GC131216R03 - (06)**

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. That the confidentiality order pertaining to the Report "*City Services Redevelopment - Section 48 Prudential Report, AC190511R6.1*" together with the minutes arising from the report be revoked.

Carried

**Review of Confidential Order for the Item: City Services Redevelopment – Cost Estimate, GC110912F01
Report Reference: GC131216R03 – (07)**

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. The confidentiality order pertaining to the report *City Services Redevelopment – Cost Estimate, GC110912F01* and the minutes arising from this report be revoked.

Carried

Review of Confidentiality Order: City Services Redevelopment – Update, GC290113F01
Report Reference: GC131216R03 – (08)

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. The confidentiality order pertaining to the appendices to the report '*City Services Redevelopment – Update*', *GC290113F01* be revoked.

Carried

Review of Confidentiality Order: City Services Redevelopment, AC140313F01
Report Reference: GC131216R03 – (09)

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. The confidentiality order pertaining to the Report '*City Services Redevelopment*', *AC140313F01*, Appendices and the Minutes arising from this report be revoked.

Carried

Review of Confidentiality Order: Draft Confidential Minutes from March 2013 Audit Committee Meeting, GC260313F01
Report Reference: GC131216R03 – (10)

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. The confidentiality order pertaining to the Report *Draft Confidential Minutes from March 2013 Audit Committee Meeting, GC260313F01* and any appendices to the report be revoked

Carried

Review of Confidentiality Order: City Services Redevelopment GC260313F03, SGC020413, SGC090413
Report Reference: GC131216R03 – (11)

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. The confidentiality order pertaining to the appendices to the report *City Services Redevelopment GC260313F03, SGC020413, SGC090413* be revoked.

Carried

Review of Confidentiality Order: City Services Redevelopment Award of Construction Tender, SGC190814F01
Report Reference: GC131216R03 – (12)

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. The confidentiality order pertaining to the report *City Services Redevelopment Award of Construction Tender, SGC190814F01* be revoked and the item be released with the confidential commercial information redacted.

Carried

**Review of Confidentiality Order: Hallett Cove Library Building, GC140715F01
Report Reference: GC131216R03 – (13)**

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. The confidentiality order pertaining to the report *Hallett Cove Library Building, GC140715F01*, appendices and the minutes arising from this report be revoked.

Carried

**Review of Confidentiality Order: Former Hallett Cove Library and Youth Services Building, GC241115F01
Report Reference: GC131216R03 – (14)**

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. The confidentiality order pertaining to the report *Former Hallett Cove Library and Youth Services Building, GC241115F01*, appendices and the minutes arising from this report be revoked.

Carried

**Review of Confidentiality Order: Former Hallett Cove Library and Youth Services Building, SGC100516F01
Report Reference: GC131216R03 – (15)**

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. The confidentiality order pertaining to the report *Former Hallett Cove Library and Youth Services Building, SGC100516F01*, appendices and the minutes arising from this report be revoked and the item be released with the names of companies whose offer was unsuccessful redacted.

Carried

**Review of Confidential Order for the Item: Soccer Facilities in Southern Marion, GC240516F02
Ref No: GC131216R03 - (16)**

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. The confidentiality order pertaining to the report *Soccer Facilities in Southern Marion, GC240516F02*, appendices and the minutes arising from this report be revoked.

Carried

**Review of Confidential Order for the Item: BMX Facility, GC140616F01
Ref No: GC131216R03 - (17)**

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. The confidentiality order pertaining to the report *BMX Facility, GC140616F01*, appendices and the minutes arising from this report be revoked.

Carried

**Review of Confidentiality Order: Marion Leisure and Fitness Centre, GC270115F01
 Report Reference: GC131216R03 – (18)**

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the report *Marion Leisure and Fitness Centre, GC270115F01* and minutes arising from this report having been considered in confidence under Section 90(2) and (3)(d) of the Act be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting, as the information relates to information of a commercial nature (not being a trade secret, the disclosure of which could reasonably be expected to prejudice the commercial position of a person who supplied the information or to confer a commercial advantage on a third party, and the disclosure of this information would, on balance, be contrary to the public interest as it could prejudice Council's ability to be able to negotiate a cost effective proposal for the benefit of the Council and the community.

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. Council delegates the power to revoke this order of confidentiality to the Chief Executive Officer, 7 days after the execution of the lease for the Marion Leisure and Fitness Centre stadium areas and wellness program area
3. Unless revoked prior, this confidential order be reviewed at the December 2017 meeting of Council.

Carried

**Review of Confidentiality Order: Marion Leisure and Fitness Centre Lease to CASA Leisure Pty Ltd, SGC190215F01
 Report Reference: GC131216R03 – (19)**

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the Report, '*Marion Leisure and Fitness Centre - Lease to CASA Leisure Pty Ltd*' (Report Reference SGC190215F01) and the Minutes arising from this report having been considered in confidence be kept confidential under Sections 90(2), (3)(b) and (3)(k) of the Act and not be available for public inspection for a period of 12 months from the date of this meeting or until such time as the tender process regarding the provision of future services and works in respect of the Centre is complete.

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. Council delegates the power to revoke this order of confidentiality to the Chief Executive Officer, 7 days after the execution of the lease for the Marion Leisure and Fitness Centre stadium areas and wellness program area.
3. This confidential order be reviewed at the Dec 2017 meeting of Council.

Carried

Review of Confidentiality Order: Marion Leisure and Fitness Centre Lease to CASA Leisure Pty Ltd, GC091214F01
Report Reference: GC131216R03 – (20)

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, 'Marion Leisure and Fitness Centre - Lease to CASA Leisure Pty Ltd' (Report Reference GC09121401), all appendices and the minutes arising from this report having been considered in confidence be kept confidential under Sections 90(2), (3)(d) and (3)(k) of the Act and not be available for public inspection for a period of 12 months from the date of this meeting or until such time as the tender process regarding the provision of future services and works in respect of the Centre is complete.

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. Council delegates the power to revoke this order of confidentiality to the Chief Executive Officer, 7 days after the execution of the lease for the Marion Leisure and Fitness Centre stadium areas and wellness program area
3. Unless revoked prior, this confidential order be reviewed at the December 2017 meeting of Council.

Carried

Review of Confidentiality Order: Marion Leisure and Fitness Centre Lease to CASA Leisure Pty Ltd, GC240315F01
Report Reference: GC131216R03 – (21)

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, 'Marion Leisure and Fitness Centre - Lease to CASA Leisure Pty Ltd' (Report Reference GC240315F01), appendices and minutes arising from this report having been considered in confidence be kept confidential under Sections 90(2), (3)(b) and (3)(k) of the Act and not be available for public inspection for a period of 12 months from the date of this meeting or until such time as the tender process regarding the provision of future services and works in respect of the Centre is complete.

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. Council delegates the power to revoke this order of confidentiality to the Chief Executive Officer, 7 days after the execution of the lease for the Marion Leisure and Fitness Centre stadium areas and wellness program area

3. Unless revoked prior, this confidential order be reviewed at the December 2017 meeting of Council.

Carried

**Review of Confidentiality Order: Marion Leisure and Fitness Centre Lease to CASA Leisure Pty Ltd, GC140415F01 (adjourned from GC240315F01)
Report Reference: GC131216R03 – (22)**

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, '*Marion Leisure and Fitness Centre - Lease to CASA Leisure Pty Ltd*' (Report Reference GC240315F01), appendices and minutes arising from this report having been considered in confidence be kept confidential under Sections 90(2), (3)(b) and (3)(k) of the Act and not be available for public inspection for a period of 12 months from the date of this meeting or until such time as the tender process regarding the provision of future services and works in respect of the Centre is complete.

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. Council delegates the power to revoke this order of confidentiality to the Chief Executive Officer, 7 days after the execution of the lease for the Marion Leisure and Fitness Centre stadium areas and wellness program area
3. Unless revoked prior, this confidential order be reviewed at the December 2017 meeting of Council.

Carried

**Review of Confidentiality Order: Marion Leisure and Fitness Centre Lease to CASA Leisure Pty Ltd, GC280415F01
Report Reference: GC131216R03 – (23)**

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, '*Marion Leisure and Fitness Centre - Lease to CASA Leisure Pty Ltd*' (Report Reference GC280415F01), appendices and minutes arising from this report having been considered in confidence be kept confidential under Sections 90(2), (3)(b) and (3)(k) of the Act and not be available for public inspection for a period of 12 months from the date of this meeting or until such time as the tender process regarding the provision of future services and works in respect of the Centre is complete.

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. Council delegates the power to revoke this order of confidentiality to the Chief Executive Officer, 7 days after the execution of the lease for the Marion Leisure and Fitness Centre stadium areas and wellness program area

3. Unless revoked prior, this confidential order be reviewed at the December 2017 meeting of Council.

Carried

**Review of Confidentiality Order: Marion Leisure and Fitness Centre, GC250815F01
Report Reference: GC131216R03 – (24)**

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that all valuation information and all of Section 2 'Management Agreement with the YMCA' contained in the report, '*Marion Leisure and Fitness Centre*, GC250815F03), having been considered in confidence be kept confidential under Section 90(3)(d) of the Act and not be available for public inspection for a period of 12 months from the date of this meeting.

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. Council delegates the power to revoke this order of confidentiality to the Chief Executive Officer, 7 days after the execution of the lease for the Marion Leisure and Fitness Centre stadium areas and wellness program area
3. Unless revoked prior, this confidential order be reviewed at the December 2017 meeting of Council.

Carried

**Review of Confidentiality Order: Marion Leisure & Fitness Centre: Future Options Review, GC241115F02
Report Reference: GC131216R03 – (25)**

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that this report, '*Marion Leisure & Fitness Centre: Future Options Review*, GC241115F02 and appendix to this report having been considered in confidence under Section 90 (3)(b) of the Act shall be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting.

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. Council delegates the power to revoke this order of confidentiality to the Chief Executive Officer, 7 days after the execution of the lease for the Marion Leisure and Fitness Centre stadium areas and wellness program area
3. Unless revoked prior, this confidential order be reviewed at the December 2017 meeting of Council.

Carried

**Review of Confidentiality Order: Marion Leisure & Fitness Centre Tender, GC220316F01
Report Reference: GC131216R03 – (26)**

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that this report, Marion Leisure and Fitness Centre Tender outcomes and the minutes arising from this report having been considered in confidence under Section 90(2) and (3) (b) of the Act shall, except when required to effect or comply with Council's resolution(s) regarding this matter, be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting.

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. Council delegates the power to revoke this order of confidentiality to the Chief Executive Officer, 7 days after the execution of the lease for the Marion Leisure and Fitness Centre stadium areas and wellness program area
3. Unless revoked prior, this confidential order be reviewed at the December 2017 meeting of Council.

Carried

**Review of Confidentiality Order: Marion Leisure & Fitness Centre, GC260416F02
 Report Reference: GC131216R03 – (27)**

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report *Marion Leisure & Fitness Centre, GC260416F02*, appendix and minutes having been considered in confidence under Section 90(2) and (3) (b) of the Act shall, except when required to effect or comply with Council's resolution(s) regarding this matter, be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting. This confidentiality order will be reviewed at the General Council Meeting in December 2016.

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. Council delegates the power to revoke this order of confidentiality to the Chief Executive Officer, 7 days after the execution of the lease for the Marion Leisure and Fitness Centre stadium areas and wellness program area
3. Unless revoked prior, this confidential order be reviewed at the December 2017 meeting of Council.

Carried

**Review of Confidentiality Order: Marion Leisure & Fitness Centre, GC240516F01
 Report Reference: GC131216R03 – (28)**

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that this report, Marion Leisure and Fitness Centre Tender outcomes and the minutes arising from this report having been considered in confidence under Section 90(2) and (3) (b) of the Act shall, except when required to effect or comply with Council's resolution(s) regarding this matter, be kept

confidential and not available for public inspection until 7 days after the execution of the lease for the Marion Leisure and Fitness Centre stadium areas and wellness program area.

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. Council delegates the power to revoke this order of confidentiality to the Chief Executive Officer, 7 days after the execution of the lease for the Marion Leisure and Fitness Centre stadium areas and wellness program area
3. Unless revoked prior, this confidential order be reviewed at the December 2017 meeting of Council.

Carried

**Review of Confidential Order for the Item: Living Kurna Cultural Centre, GC250105F02
 Ref No: GC131216R03 (29)**

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, '*Living Kurna Cultural Centre, GC250105F02*' together with the minutes arising from the report be kept confidential and not available for public inspection on the basis that the report contains information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead) (Section 90(3)(a) of the *Local Government Act 1999*) and may affect the security of Council and safety of members, employees of the Council, and other persons (Section 90(3)(e)), of the *Local Government Act 1999*.

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. This confidential order be reviewed at the December 2017 meeting of Council.

Carried

**Review of Confidential Order for the Item: Living Kurna Cultural Centre, GC220305F01
 Ref No: GC131216R03 (30)**

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, '*Living Kurna Cultural Centre, GC250105F02*' together with the minutes arising from the report be kept confidential and not available for public inspection on the basis that the report contains information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of persons (Section 90(3)(a)), and may affect the security of Council and safety of members, employees of the Council, and other persons (Section 90(3)(e)), of the *Local Government Act 1999*.

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. This confidential order be reviewed at the December 2017 meeting of Council.

Carried

Review of Confidential Order for the Item: Kerbside Waste & Recycling Collection Contract 2005, SGC210605F01
Ref No: GC131216R03 - (31)

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. Pursuant to Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the Report, “*Kerbside Waste & Recycling Collection Contract 2005, SGC210605F01*” together with the appendices and minutes arising from the report be kept confidential on the basis that it deals with information concerning tenders for the supply of goods, the provision of services or the carrying out of works (Section 90(3)(k) and contains confidential commercial information which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or confer an advantage on a third party and on balance the disclosure would be contrary to the public interest (Section 90(3)(d)).

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. This confidential order be reviewed at the December 2017 meeting of Council.

Carried

Review of Confidential Order for the Item: Provision of Advertising Bus Shelters to the City of Marion, GC270207F01
Ref No: GC131216R03 - (32)

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. Pursuant to Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the Report, annexure and minutes titled “*Provision of Advertising Bus Shelters to the City of Marion, GC270207F01*” be kept confidential on the basis that the matter relates to commercial information of a confidential nature (Section 90(3)(d) of the *Local Government Act 1999*).

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. This confidential order be reviewed at the December 2017 meeting of Council.

Carried

Review of Confidential Order for the Item: Oaklands Regeneration Project, State Aquatic Centre, SGC300608F01
Ref No: GC131216R03 - (33)

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the Appendix 1 to the report, ‘*Oaklands Regeneration Project, State Aquatic Centre, SGC300608F01*’ be kept confidential and not available for public inspection on the basis that the report contains information the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party and would, on balance, be contrary to the public interest (Section 90(3)(d)), and to ensure Council does not breach a duty of confidence (Section (3)(g)).

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. This confidential order be reviewed at the December 2017 meeting of Council.

Carried

**Review of Confidential Order for the Item: Program Evaluation and Business Improvement Service Provisions, AC100810F01
 Ref No: GC131216R03 (34)**

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. Pursuant to Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the Appendix 4 of the report, "*Program Evaluation and Business Improvement Service Provisions, AC100810F01*" be kept confidential on the basis that they contain information the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party, and would, on balance, be contrary to the public interest (Section 90(3)(d) of the *Local Government Act 1999*)

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. This confidential order be reviewed at the December 2017 meeting of Council.

Carried

**Review of Confidential Order for the Item: Personnel Matter – CEO Performance Review – Appointment of External Consultant, CRC291111F01
 Ref No: GC131216R03 – (35)**

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. The confidentiality order pertaining to the report, *Personnel Matter – CEO Performance Review – Appointment of External Consultant, CRC291111F01* and the minutes arising from the report be revoked.
2. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the annexure of the report, *Personnel Matter – CEO Performance Review – Appointment of External Consultant, CRC291111F01* having been considered in confidence be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting as the information relates to commercial arrangements, the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or confer a commercial advantage to a third party, and that on balance disclosure would be contrary to the public interest (Section 90(2) and (3)(d) of the Act).

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

3. This confidential order be reviewed at the December 2017 meeting of Council.

Carried

**Review of Confidential Order for the Item: Commercial Arrangements, GC240112F01
 Report Reference: GC131216R03 (36)**

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the report *Commercial Arrangements, GC240112F01*, the minutes arising from this report and any other information distributed at the meeting having been considered in confidence under Section 90(2) and (3)(d) of the Act be kept confidential and not available for public inspection on the basis that it relates to proposed commercial arrangements which could reasonably be expected to prejudice the commercial position of the person who supplies the information, or to confer a commercial advantage to a third party, and the release would, on balance, be contrary to the public interest.

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. This confidentiality order will be reviewed at the General Council meeting in December 2017.

Carried

**Review of Confidential Order for the Item: External Audit – Tender for Services, AC070212F6.1
 Report Reference: GC131216R03 – (37)**

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the report *External Audit – Tender for Services, AC070212F6.1*, the minutes arising from this report and any other information distributed at the meeting having been considered in confidence under Section 90(2) and (3)(d) and (3)(k) of the Act be kept confidential and not available for public inspection on the basis it contains information relating to the tender for the provision of external audit services and is of a confidential commercial nature, and the release would, on balance, be contrary to the public interest.

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. This confidentiality order will be reviewed at the General Council meeting in December 2017.

Carried

**Review of Confidential Order for the Item: External Audit Tender, GC140212F01
 Report Reference: GC131216R03 – (38)**

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that Appendix 1 to the report *External Audit Tender, GC140212F01*, having been considered in confidence under Section 90(2) and (3)(d) and (k) of the Act, be kept confidential and not available for public inspection on the basis the information is of a commercial nature, and disclosure would on balance be contrary to the public interest.

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. This confidentiality order will be reviewed at the General Council meeting in December 2017.

Carried

**Review of Confidential Order for the item: Kerbside Waste Collection Contract, GC120612F01
 Report Reference: GC131216R03 - (39)**

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that this report, *Kerbside Waste Collection Contract, GC120612F01* and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(d) of the Act be kept confidential and not available for public inspection on the basis it relates to commercial information of a confidential nature the disclosure of which would on balance be contrary to the public interest.

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. This confidential order be reviewed at the December 2017 meeting of Council.

Carried

**Review of Confidential Order for the Item: Commercial Arrangements, GC240712F01
 Report Reference: GC131216R03 (40)**

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the report *Commercial Arrangements, GC240712F01*, the minutes arising from this report and any other information distributed at the meeting having been considered in confidence under Section 90(2) and (3)(d) of the Act be kept confidential and not available for public inspection on the basis that it relates to proposed commercial arrangements which could reasonably be expected to prejudice the commercial position of the person who supplies the information, or to confer a commercial advantage to a third party, and the release would, on balance, be contrary to the public interest.

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. This confidentiality order will be reviewed at the General Council meeting in December 2017.

Carried

**Review of Confidential Order for the Item: Public Trustee Land - Glandore Laneways,
 Certificates of Title Volume 5658 Folio 602 and Volume 5992 Folio 848, GC290113F02
 Ref No: GC131216R03 - (41)**

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. Pursuant to Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the Report, "Public Trustee Land - Glandore Laneways, Certificates of Title Volume 5658 Folio 602 and Volume 5992 Folio 848 ", minutes and the minutes arising from the report be kept confidential on the basis that they contain information, the disclosure of which could reasonably be expected to confirm 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 would be contrary to the public interest (*Section 90(3)(b), and (d) of the Local Government Act 1999*).

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. This confidential order be reviewed at the December 2017 meeting of Council.

Carried

**Review of Confidential Order for the Item: Commercial Arrangements, GC260313F02
 Ref No: GC131216R03 - (42)**

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that this report, appendices and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(d) and (k) of the Act be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting as the information relates proposed tender and commercial arrangements, the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or confer a commercial advantage to a third party, and that on balance disclosure would be contrary to the public interest.

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. Unless revoked prior, this confidential order be reviewed at the December 2017 meeting of Council.

Carried

**Review of Confidentiality Order: Hallett Cove Library and Community Centre Award of
 Construction Tender, GC270813F02
 Report Reference: GC131216R03 – (43)**

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the Report 'Hallett Cove Library and Community Centre Award of Construction Tender' GC270813F02, together with all appendices and minutes be kept confidential and not available for public inspection as the information relates to the tender for the carrying out of works and disclosure of 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, and the disclosure of this information would, on balance, be contrary to the public interest as it could prejudice Council's ability to be able to negotiate a cost effective proposal for the benefit of the Council and the community (S 90(2) and (3)(b) and (3)(k) of the Act)

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. This confidentiality order will be reviewed at the General Council meeting in December 2017.

Carried

**Review of Confidential Order for the Item: Cove Civic Centre – Cost and Programme Management, GC240215F01
 Ref No: GC131216R03 (44)**

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the report, 'Cove Civic Centre – Cost and Programme Management, GC240215F01' together with all annexure and the minutes arising from the report be kept confidential and not available for public inspection on the basis that the report contains information the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party, and would, on balance, be contrary to the public interest (*Section 90(3)(b) of the Local Government Act 1999*) and would breach a duty of confidence (*Section 90(3)(g)*).

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. This confidentiality order be reviewed at the December 2017 meeting of Council.

Carried

**Review of Confidentiality Order: Surplus Land associated with City Services Redevelopment, GC240315F02
 Report Reference: GC131216R03 – (45)**

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that report *Surplus Land associated with City Services Redevelopment, GC240315F02* having been considered in confidence under Section 90(2) and (3)(b) and (3)(d) of the Act be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting as the disclosure of 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, and the disclosure of this information would, on balance, be contrary to the public interest as it could prejudice Council's ability to be able to negotiate effectively for the benefit of the Council and the community.

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. This confidentiality order will be reviewed at the General Council meeting in December 2017.

Carried

Review of Confidential Order for the Item: Signatures Cafe, GC240315F03

Ref No: GC131216R03 - (46)

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report *Signatures Cafe, GC240315F03*, appendices and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(d) of the Act be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting as the information relates proposed tender and commercial arrangements, the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or confer a commercial advantage to a third party, and that on balance disclosure would be contrary to the public interest.

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. Unless revoked prior, this confidential order be reviewed at the December 2017 meeting of Council.

Carried

Review of Confidential Order for the Item – Internal Audit and Service Reviews - Tender Assessment, AC180815F8.2
Report Reference: GC131216R03 – (47)

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Committee orders that the report *Internal Audit and Service Reviews – Tender Assessment, AC180815F8.2*, appendices to the report and minutes arising from this report having been considered in confidence under Section 90(2) and (3)(d) and (3)(g) of the Act be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting, on the basis that it contains information relating to a tender assessment for the provision of services that is commercial in confidence, and the release would, on balance, be contrary to the public interest, and to ensure Council does not breach any duty of confidence.

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. This confidentiality order will be reviewed at the December 2017 Council meeting.

Carried

Review of Confidential Order for the Item: Glandore Laneways, GC250815F01
Ref No: GC131216R03 - (48)

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. Pursuant to Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the Report, “*Glandore Laneways, GC280515F01*,” minutes and the minutes arising from the report be kept confidential on the basis that they contain information, the disclosure of which could reasonably be expected to confirm 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 would be contrary to the public interest (*Section 90(3)(b), and (d) of the Local Government Act 1999*).

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. This confidential order be reviewed at the December 2017 meeting of Council.

Carried

**Review of Confidential Order for the Item: Cove Civic Centre, GC250815F02
 Report Reference: GC131216R03 – (49)**

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the report *Cove Civic Centre, GC250815F02* and minutes arising from this report having been considered in confidence under Section 90(2), (3)(b) and (d) of the Act be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting, as the report contains information that could confer a commercial advantage to a third party and prejudice the commercial position of the Council, and the release would on balance be contrary to the public interest.

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. This confidentiality order will be reviewed at the General Council meeting in December 2017.

Carried

**Review of Confidential Order for the Item – Internal Audit and Service Review Tender, GC250815F04
 Report Reference: GC131216R03 – (50)**

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* Council orders that Appendix A to the report *Internal Audit and Service Review Tender, GC250815F04* having been considered in confidence under Section 90(2) and (3)(d) and (3)(g) of the Act be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting, on the basis that it contains information relating to a tender assessment for the provision of services that is commercial in confidence, and the release would, on balance, be contrary to the public interest, and to ensure Council does not breach any duty of confidence.

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. This confidentiality order will be reviewed at the December 2016 Council meeting.

Carried

**Review of Confidentiality Order: Investigation, GC250815F05
 Report Reference: GC131216R03 – (51)**

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the report, '*Investigation, GC250815F05*' together with all annexure and the minutes arising from the report be kept confidential and not available for public inspection on the basis that the report contains information over which Council has a duty of confidence or other legal obligation (Section 90(3)(g)).

This order is to remain in force until such time as the Council no longer has a duty of confidence.

2. This confidential order be reviewed at the December 2017 meeting of Council.

Carried

**Review of Confidential Order for the Item: Signatures Cafe, GC080915F01
Ref No: GC131216R03 - (52)**

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the report *Signatures Cafe, GC080915F01*, appendices and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(d) of the Act be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting as the information relates proposed tender and commercial arrangements, the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or confer a commercial advantage to a third party, and that on balance disclosure would be contrary to the public interest.

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. Unless revoked prior, this confidential order be reviewed at the December 2017 meeting of Council.

Carried

**Review of Confidentiality Order: Investigation, GC080915F03
Report Reference: GC131216R03 – (53)**

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the report, '*Investigation, GC080915F03*' together with all annexure and the minutes arising from the report be kept confidential and not available for public inspection on the basis that the report contains information over which Council has a duty of confidence (Section 90(3)(g)).

This order is to remain in force until such time as the Council no longer has a duty of confidence.

2. This confidential order be reviewed at the December 2017 meeting of Council.

Carried

Review of Confidential Order for the Item: Cove Civic Centre, GC220915F01
Ref No: GC131216R03 (54)

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the report, 'Cove Civic Centre, GC220915F01' together with all annexure and the minutes arising from the report be kept confidential and not available for public inspection on the basis that the report contains commercial information of a confidential nature and would, on balance, be contrary to the public interest (Section 90(3)(d)) and would breach a duty of confidence (Section 90(3)(g)).

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. This confidential order be reviewed at the December 2017 meeting of Council.

Carried

Review of Confidential Order for the Item: Telecommunication Facilities Morphetville, GC131015R01
Ref No: GC131216R03 - (55)

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that Appendix 3 to the report, 'Telecommunication Facilities Morphetville, GC131015R01' be kept confidential and not available for public inspection on the basis that the report contains legal advice (Section 90(3)(h)).

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. This confidential order be reviewed at the December 2017 meeting of Council.

Carried

Review of Confidential Order for the Item: Glandore Laneways Project, GC230216F01
Ref No: GC131216R03 - (56)

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. Pursuant to Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the Report, "Glandore Laneways Project, GC230216F01," minutes and the minutes arising from the report be kept confidential on the basis that they contain information, the disclosure of which could reasonably be expected to confirm 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 would be contrary to the public interest (Section 90(3)(b), and (d) of the *Local Government Act 1999*).

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. This confidential order be reviewed at the December 2017 meeting of Council.

Carried

**Review of Confidential Order for the Item: Signatures Cafe, GC260416F01
 Ref No: GC131216R03 - (57)**

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report *Signatures Cafe, GC260416F01*, appendices and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(d) of the Act be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting as the information relates to commercial arrangements, the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or confer a commercial advantage to a third party, and that on balance disclosure would be contrary to the public interest.

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. Unless revoked prior, this confidential order be reviewed at the December 2017 meeting of Council.

Carried

**Review of Confidential Order for the Item: CEO Interim Performance Review, GC240516F03
 Ref No: GC131216R03 – (58)**

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the report *CEO Interim Performance Review, GC240516F03* minutes arising from this report and any Appendix to this report be kept confidential and not available for public inspection on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer of the Council (Section 90(2) and (3)(a) of the *Local Government Act 1999*).

This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.

2. This confidential order be reviewed at the December 2017 meeting of Council.

Carried

**Review of Confidential Order for the Item: Glenthorne Farm, GC280616F01
 Ref No: GC131216R03 - (59)**

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report *Glenthorne Farm, GC280616F01*, appendices and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(d) of the Act be kept confidential

and not available for public inspection for a period of 12 months from the date of this meeting as the information relates to commercial information of a commercial nature (not being a trade secret) the disclosure of which (i) could reasonably be expected to prejudice the commercial position of a person who supplied the information, or to confer a commercial advantage on a third party; and (ii) would, on balance, be contrary to the public interest.

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. Unless revoked prior, this confidential order be reviewed at the December 2017 meeting of Council.

Carried

Review of Confidential Order for the Item: Signatures Cafe, GC260716F01
Ref No: GC131216R03 - (60)

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report *Signatures Cafe, GC260716F01*, appendices and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(d) of the Act be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting as the information relates proposed tender and commercial arrangements, the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or confer a commercial advantage to a third party, and that on balance disclosure would be contrary to the public interest.

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. Unless revoked prior, this confidential order be reviewed at the December 2017 meeting of Council.

Carried

Review of Confidential Order for the Item: Local Government Association Membership, SGC010816F01
Ref No: GC131216R03 - (61)

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. In accordance with s 91(7) and (9) of the *Local Government Act 1999*, orders that this report and Appendix 1 (*Local Government Association Membership SGC010816F01*) to this report, having been considered in confidence under s 90(2) and (3)(g) and (h) of the Act, be kept confidential and not made available for public inspection for a period of 12 months from the date of this meeting.

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. Unless revoked prior, this confidential order be reviewed at the December 2017 meeting of Council.

Carried

Review of Confidential Order for the Item: Internal Audit Program, FAC160816R7.8
Ref No: GC131216R03 – (62)

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act* 1999 the Council orders that the Appendix to the report, '*Internal Audit Program, FAC160816R7.8*' and the minutes be kept confidential and not available for public inspection on the basis that the Appendix and minutes contains information the disclosure of which could reasonably be expected to affect the security of Council property (Section 90(3)(e) of the *Local Government Act* 1999).

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. This confidential order be reviewed at the December 2017 meeting of Council

Carried

Review of Confidential Order for the Item: Finance and Audit Committee Confidential Minutes, GC230816F01
Ref No: GC131216R03 – (63)

Moved Councillor Veliskou, Seconded Councillor Byram that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act* 1999 the Council orders that the Appendix to the report, '*Finance and Audit Committee Confidential Minutes, GC230816F01*' be kept confidential and not available for public inspection on the basis that the Appendix to the Report contains information the disclosure of which could reasonably be expected to affect the security of Council property (Section 90(3)(e) of the *Local Government Act* 1999).

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. This confidential order be reviewed at the December 2017 meeting of Council

Carried

6.55pm Appointment of Presiding Member of the Infrastructure and Strategy Committee
Report Reference: GC131216R01

Moved Councillor Westwood, Seconded Councillor Crossland that Council:

1. Appoints Councillor Byram as the Presiding Member of the Infrastructure and Strategy Committee for a 12 month term 1 January 2017 to 31 December 2017.

Carried Unanimously

6.56pm George Street & Dwyer Road – Traffic Control
Report Reference: GC131216R04

Councillor Pfeiffer declared a conflict of interest in the item as a work colleague lives in the location discussed in the report and he left the meeting.

6.56pm Councillor Pfeiffer left the meeting

Moved Councillor Telfer, Seconded Councillor Hutchinson that Council:

1. Notes the report.
2. Endorses the construction of the raised Junction Treatment of Dwyer Road and Boyle Street as per Appendix 3.
2. Monitors the change to vehicular traffic in George St, Dwyer Road, Boyle Street and Nixon Street before and after construction.
3. Assesses the impact of the installation at Dwyer Road and Boyle Street, before consideration of the construction at Crew St and Diagonal Way as per Appendix 2.
4. Not proceed with the raised pavement solution as per Appendix 4 at the corner of Finnis St and George, due to the cost of drainage that would be incurred by this solution.
5. In developing a plan for the street-scaping of Finnis Street (from Marion Road to Township Road) after 1 July 2017, include the aspect of the deterrence of vehicular traffic from Finnis Street into George Street.

Lost

Councillor Hull called for a division:

Those for: Councillors Telfer, Hutchinson, Hull, Westwood and Veliskou

Those Against: Councillors Prior, Byram, Appleby, Gard and Crossland

The vote was **Tied**

The Mayor gave his casting vote and voted against the motion

Lost

Moved Councillor Crossland, Seconded Councillor Byram that:

1. Accepts the existing road conditions along George Street and Dwyer Road and takes no further action regarding traffic volumes until the Oaklands Crossing project is implemented.

The vote was **Tied**

The Mayor gave his casting vote and voted against the motion

Lost

7.24pm Councillor Pfeiffer re-entered

7.24pm Glade Crescent Wetlands – Staged Implementation
Report Reference: GC131216R05

Moved Councillor Byram, Seconded Councillor Gard that Council:

1. Notes the Report and the current project status.
2. Notes the funding opportunities and endorses Council staff to further investigate funding as and when they arise.

3. Endorses the strategy to undertake the urgent repairs to the eroded embankment within the Glade Crescent Reserve.
4. Approves utilising up to \$325,000 from the Asset Sustainability Reserve to fund urgent repairs to the embankment.
5. Endorses the construction of Stage 3 as part of the 2017/2018 capital work budget, utilising existing funding in the Long Term Financial Plan.
6. Endorses an increase in maintenance costs from the current \$15,000 p/a to the planned \$25,000 p/a on the completion of the Stage 3 works.

Carried

7.28pm Options for the Supply of Water into Tonsley
Report Reference: GC131216R06

Moved Councillor Hutchinson, Seconded Councillor Crossland that Council:

1. Notes the report.
2. Requests further investigation into possible recycled water supply options for Tonsley.
3. Receives a report outlining the results of the investigation for possible recycled water supply options for Tonsley.
4. Receives a report on the opportunities to use Oaklands recycled water.

Carried Unanimously

7.29pm Tennis and Netball Progress Report
Report Reference: GC131216R07

Moved Councillor Veliskou, Seconded Councillor Telfer that Council:

1. Notes the report.
2. Provides in principle support to a joint school, club and Council facility being developed at Seaview High School and closing the Tarnham Road courts subject to the Seaview High School Courts proceeding.
3. Requires a further report to be brought to Council detailing the concept plan, costings and potential funding arrangements for the Seaview High School Courts.
4. Requires a further report to be brought to Council in relation to progress and options for the Morphettville Netball Club facilities with possible sites, costings and potential funding arrangements.
5. Requires a further report to be brought to Council regarding the progress in relation to the Ascot Park Tennis Club facilities that includes further assessment of possible site options, costings and potential funding arrangements.
6. Requires a further report be brought to Council regarding the progress in relation to Ballara Park Tennis Club and Stanley Street Tennis Club sharing one location.

7. Requires a further report to be brought back to Council on community feedback regarding Ballara Park and Stanley Street courts and grounds.

Councillor Hull declared a conflict of interest in the item as his daughter is enrolled to attend Seaview High School in 2017 and he left the meeting.

7.34pm Councillor Hull left the meeting

Carried Unanimously

7.36pm Councillor Hull re-entered

7.36pm Streetscape Project – Program of Works Progress Report
Report Reference: GC131216R08

Moved Councillor Telfer, Seconded Councillor Gard that Council:

1. Notes a report will be presented to Council in February 2017 on a draft Streetscape Program of Works.
2. Endorses the development of a streetscape design for Alawoona Avenue, Mitchell Park.

Carried

7.39pm Streetscape Project – Draft Design Guidelines
Report Reference: GC131216R09

Moved Councillor Gard, Seconded Councillor Hutchinson that Council:

1. Adopts the draft City of Marion Streetscape Design Guidelines as a reference manual to guide the beautification of streetscapes city-wide.

Moved Councillor Prior, Seconded Councillor Hull that the item be deferred until the 21 January 2017 General Council meeting.

Motion to defer the item was **Lost**

Amendment:

Moved Councillor Crossland, Seconded Councillor Pfeiffer that:

1. Adopts the draft City of Marion Streetscape Design Guidelines as a reference manual to guide the beautification of streetscapes city-wide, subject to the Tree Management Framework.

7.53pm Councillor Veliskou left the meeting

The amendment was **Carried**
 The motion as amended was **Carried**

7.58pm Recreation/Community Development Plan Amendment – Draft for Consultation
Report Reference: GC131216R10

Moved Councillor Prior, Seconded Councillor Telfer that:

1. Endorses the Recreation/Community DPA for public and agency consultation purposes.

2. Requests that the Urban Planning Committee conduct the public hearing (if required) at a specially convened meeting to be held approximately 4 weeks after the closure of the consultation period.

7.59pm Councillor Veliskou re-entered the meeting

Carried Unanimously

The Chair sought and was granted leave of the meeting to consider the following items relating to Maesbury Circuit Reserve Irrigation:

- **Deputation – Maesbury Circuit Reserve Irrigation (Report Reference: GC131216D01)**
- **Petition – Maesbury Circuit Reserve Irrigation (Report Reference: GC131216P02)**
- **Maesbury Circuit Reserve Irrigation (Report Reference: GC131216M01)**

DEPUTATIONS

8.00pm Deputation – Maesbury Circuit Reserve Irrigation

Mr Ian Grant

Report Reference: GC131216D01

Mr Grant provided a deputation to Council on reinstating the irrigation for Maesbury Circuit Reserve.

PETITIONS

8.09pm Petition – Maesbury Circuit Reserve Irrigation

Report Reference: GC131216P02

Moved Councillor Hutchinson, Seconded Councillor Telfer that Council:

1. Notes the petition and comments provided by Administration.

Carried Unanimously

Motion with Notice – Related to Petition

8.10pm Maesbury Circuit Reserve Irrigation

Report Reference: GC131216M01

Moved Councillor Telfer, Seconded Councillor Hutchinson that Council:

1. Notes that on 16th November 2016 about 30 residents of Maesbury Circuit, Sturt, (a street of 37 residences) met with Cr Telfer to advocate for the continued irrigation of Maesbury Circuit Reserve;
2. Alters the public value of the Maesbury Circuit reserve to 4;
3. Advises the residents of Maesbury Circuit of this resolution.

Carried

Councillor Crossland called for a division:

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

Those Against: Councillors Byram, Appleby and Crossland

Carried

**8.21pm Cove Tigers Netball Club and Hallett Cove Netball Club – Rescission Motion
 Report Reference: GC131216R11**

8.22pm Councillor Westwood left the meeting

Moved Councillor Crossland, Seconded Councillor Byram that Council:

1. Amends the resolution of 27 September 2016 that states:

Endorses the allocation of up to \$65,000 from the Asset Sustainability Reserve – Community Facilities Partnership Program (CFPP) towards the resurfacing of the netball courts at the Cove Sports and Community Club subject to the Club securing \$25,000 additional funding.

to the following new resolution:

Endorses the allocation of up to \$40,000 from the Asset Sustainability Reserve – Community Facilities Partnership Program (CFPP) towards the resurfacing of the netball courts at the Cove Sports and Community Club.

Carried Unanimously

**8.23pm Morphetville Park Sporting Club Incorporated Landlords approval for Club Facility
 Upgrade Works
 Report Reference: GC131216R12**

Moved Councillor Veliskou, Seconded Councillor Appleby that Council:

1. Grants Landlord's consent for Club Facility Upgrade Works at Morphetville Park Sporting Club, Denham Avenue, Morphetville, Certificate of Title Volume 5888 Folio 045.
2. Delegates to the Manager City Property approval to authorise any relevant documents necessary to facilitate the construction of the club facility upgrade works.
3. Advises that the Morphetville Park Sporting Club that they will be responsible for any project related cost overruns and all future maintenance and repairs associated with the facility upgrade works are as set out in their licence.
4. Landlord Approval will be subject to successful grant application.
5. Landlord Approval will be subject to Development Approval and Building Rules Consent.

Carried Unanimously

8.25pm Nominations sought for the South Australian Local Government Grants Commission (SALGGC)
Report Reference: GC131216R13

Councillor Hutchinson declared a conflict of interest in the matter as there is a pecuniary benefit if he is re-elected to the South Australian Local Government Grants Commission and he left the meeting

8.26pm Councillor Hutchinson left the meeting

8.26pm Councillor Westwood re-entered

Moved Councillor Crossland, Seconded Councillor Gard that Council:

1. Council notes the report 'Nominations sought for the South Australian Local Government Grants Commission (SALGGC)'.
2. Council nominates Councillor Luke Hutchinson as a Member to the South Australian Local Government Grants Commission (SALGGC).
3. Administration forwards the above nominations to the Local Government Association by close of business on Monday 16 January 2017.

Carried Unanimously

8.27pm Moved Councillor Telfer, Seconded Councillor Prior that the items GC131216R14 to GC131216R16 be moved en bloc.

Carried Unanimously

Appointment of Expert Member – Infrastructure and Strategy Committee
Report Reference: GC131216R14

Moved Councillor Telfer, Seconded Councillor Prior that Council:

1. Appoints Mr Christian Reynolds as the Expert Member of the Infrastructure and Strategy Committee for a period of one (1) year from 1 January 2017 to 31 December 2017.

Carried Unanimously

Appointment of Expert Member – Finance & Audit Committee
Report Reference: GC131216R15

Moved Councillor Telfer, Seconded Councillor Prior that Council:

1. Appoints Ms Emma Hinchey as the Expert Member of the Finance and Audit Committee to commence for a period of 1 January 2017 to 30 November 2018.

Carried Unanimously

SRWRA Audit Committee Reappointment
Report Reference: GC131216R16

Moved Councillor Telfer, Seconded Councillor Prior that Council:

1. Reappoints Mr Greg Connor to the Southern Region Waste Resource Authority Audit Committee for a period from February 2017 to February 2019.

Carried Unanimously

8.28pm Progress Report - Inclusive Playspace, Hendrie Street Reserve
Report Reference: GC131216R17

8.35pm Councillor Prior left the meeting
 8.37pm Councillor Prior re-entered the meeting
 8.38pm Councillor Telfer left the meeting
 8.41pm Councillor Telfer re-entered the meeting

Moved Councillor Crossland, Seconded Councillor Gard that Council:

1. Take no further action in relation to the Inclusive Playspace until the Touched by Olivia Foundation has paid \$400,000 to the City of Marion in accordance with the Memorandum of Understanding which was signed on behalf of both parties in June 2014 and revised in September 2015.

8.42pm Councillor Telfer re-entered the meeting

Lost

Moved Councillor Veliskou, Seconded Councillor Hull that:

1. Notes the progress report.
2. Notes the Consultation Report findings and Final Draft Concept Design as provided in Appendices 1 & 2.
3. Receives a further report to seek endorsement of the Final Concept Design, Detailed Design and financial/funding information in May 2017.

Carried Unanimously

9.08pm Energy Efficient and Solar Buildings Project
Report Reference: GC131216R18

9.08pm Councillors Appleby and Crossland left the meeting

Moved Councillor Prior, Seconded Councillor Telfer that Council:

1. Notes the 'Marion City Council Energy Efficient Council Buildings – Stage 3 – Report' prepared by The Energy Project (Appendix 1);
2. Allocates \$89,100 from the remaining \$119,000 from the budget allocated at the 23 February 2016 Council meeting to install solar infrastructure and energy efficiency measures at the three council operated sites; Glandore Community Centre, the Living Kaurna Cultural Centre and Cooida Neighbourhood Centre;
3. Allocates up to \$10,000 from the remaining \$119,000 from the budget allocated at the 23 February 2016 Council meeting for specialist technical advice to support the procurement process required to progress the works described in Recommendation 2;

4. Allocates up to \$3,500 from the remaining \$119,000 from the budget allocated at the 23 February 2016 to engage a consultant to assess the potential for solar infrastructure and energy efficiency measures at the Marion Leisure and Fitness Centre;
5. Allocates funding of \$255,600 + CPI in the 2017/18 budget for the installation of solar infrastructure and energy efficiency measures at the five council owned and leased sites; Marion Sports – Club Marion facility, Morphetville Park Sports Club Facility, Plympton Oval Clubhouse, Cove Sports and Community Club facility, Glandore Oval Sports Clubrooms;
6. Notes that Council will receive a report on the assessment of Marion Leisure and Fitness Centre by December 2017.
7. Notes that an assessment of the potential for solar infrastructure at Edwardstown Soldiers Memorial Oval facility will be conducted as part of the detailed design phase of the project and will be presented to Council for consideration as part of that project.

Carried Unanimously

9.09pm Options to Increase Wi-Fi Access to all Neighbourhood Centres
Report Reference: GC131216R19

Moved Councillor Veliskou, Seconded Councillor Westwood that Council:

1. Notes this report.
2. Approves the exploration of partnerships with 3rd party organisations for optic fibre solutions for the Glandore and Trott Park Neighbourhood Centres, as and when they present.

9.11pm Councillors Appleby and Crossland re-entered the meeting

Carried Unanimously

9.11pm Leasing and Licensing of Council Owned Facilities Policy
Report Reference: GC131216R20

Moved Councillor Hutchinson, Seconded Councillor Westwood that Council:

1. Adopts the draft Leasing and Licencing of Council Owned Facilities Policy for community consultation and requires a report to be provided to Council on the outcome of the consultation in February 2017.

Carried

9.12pm Natural Landscaping Guide
Report Reference: GC131216R21

Moved Councillor Crossland, Seconded Councillor Telfer that Council:

1. Notes that the “Biophilic Landscape Plan” (GC140616R18) will be developed as a “Natural Landscaping Design and Maintenance Guidelines” in line with the new directions of the City of Marion Business Plan 2016-2019.

2. Notes the chart in Appendix 1 highlighting how the proposed Natural Landscaping Design and Maintenance Guidelines links to current strategic and operational directions in open space management.
3. Notes that implementation of the Natural Landscaping Design and Maintenance Guidelines will occur through the development and implementation of the long-term Open Space Plan of works.
4. Uses the \$20,000 of funding allocated for the Biophilic Landscape Plan in the 2016/17 Annual Budget (GC140616R18) to engage a contractor to develop a Natural Landscaping Design and Maintenance Guideline.
5. Notes that the draft Natural Landscaping Design and Maintenance Guidelines will be presented to Council for consideration in June 2017.

Carried

**9.13pm Section 270 Review – Removal of Playspace (Resolute Crescent, Hallett Cove) Report
 Reference: GC131216R22**

Moved Councillor Crossland, Seconded Councillor Westwood that Council:

1. Notes the grievance received regarding the removal of a playspace (Resolute Crescent, Hallett Cove).
2. Notes that the resolution of Council on 27 September 2016 (Review of Playspace Strategy Ref: GC270916R07) was as follows:
 1. *Affirms in principle support for the playspace framework which incorporates:*
 - a. *Policy (including hierarchy)*
 - b. *Service Levels*
 - c. *Prioritised Works List*
 - d. *Project Methodology (including Community Engagement Approach).*
 2. *Refer the matter for further discussion at a future forum to progress the policy, discuss spatial layout of hierarchy and budget implications over the life of the long term financial plan.*
 3. *Endorse the removal of the 11 additional playspaces listed in this report*
 4. *Start an investigation into a suitable site for a neighbourhood play space in Hallett Cove Heights.*
3. Adopts option 1 (internal review panel) to undertake the Section 270 Review for the Removal of Playspace (Resolute Crescent, Hallett Cove).
4. That the matter be reported back to Council at its meeting of 14 February 2017.
5. The complainant be advised of the Petition Process if they wish to object to the decision to remove the playspace.

Carried Unanimously

MATTERS RAISED BY MEMBERS

Questions with Notice

Nil

Motions with Notice

9.16pm LGA Value Seminar Report Reference: GC1312116M02

Councillor Hutchinson declared a conflict of interest in the item as he is a nominee to the LGA for the SA Local Government Grants Commission and he left the meeting

9.16pm Councillor Hutchinson left the meeting

Moved Councillor Telfer, Seconded Councillor Veliskou that:

1. The motion be deferred until after the draft cost benefit analysis has been presented to an Elected Member forum.

The vote was **Tied**
 The Mayor gave his casting vote and voted in favour of the motion
Carried

9.21pm Councillor Hutchinson re-entered the meeting

9.21pm Coastal Walking trail through Hallett Cove Report Reference: GC1312116M03

Moved Councillor Crossland, Seconded Councillor Gard that:

1. A report is brought to Council with options for reinstatement of the coastal walking trail through Hallett Cove including an estimate of cost by 28th February 2017.

Carried Unanimously

Questions without Notice

Nil

Motions without Notice

Nil

CONFIDENTIAL ITEMS

Nil

CLOSURE - Meeting Declared Closed at 9.23pm.

CONFIRMED THIS 24 JANUARY 2017

.....

CHAIRPERSON

**CITY OF MARION
GENERAL COUNCIL MEETING
24 JANUARY 2017**

Originating Officer: Carol Hampton, Manager Land and Property
General Manager: Abby Dickson, General Manager City Development
Subject: Petition – Preservation of the Nannigai Reserve Playspace and Tennis Court
Reference No: GC251016P01

PETITION FROM: Mr Trevor Zwar

NO OF SIGNATORIES: 384

DATE PETITION RECEIVED: 9 January 2017

CORRESPONDENCE:

The petition of Residents of Hallett Cove draws the attention of the proposal to remove the tennis court playground from Nannigai Reserve and consolidating it with the facilities at Capella Reserve, Hallett Cove. We oppose this action, and wish for the playground and tennis court to remain for the continued enjoyment of the community.

The City of Marion's proposal has several negatives for local residents and users of these facilities. The playspace at Capella Reserve is over 700 m from Nannigai Reserve, and has very poor pedestrian access from the north, particularly for children in prams and on bicycles, with steep inclines and limited paved pathways, Capella Reserve is frequented by dog owners who allow their dogs to run off-lead on the soccer pitch adjacent and en-route to the playspace, which can often be affronting to other users of the reserve, especially children.

The tennis court and playspace at Nannigai Reserve have been enjoyed by the local community for many years and are an asset to the neighbourhood, and we wish for them to stay as they are.

The petitioners therefore request that the Council do not remove or demolish the playspace or tennis court from Nannigai Reserve, Hallett Cove and that the facilities be kept and maintained for the continued enjoyment of the community.

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

COMMENTS: Carol Hampton, Manager Land and Property

Please note that the matter will be considered at the General Council Meeting scheduled on Tuesday 28 February 2017 along with Mr Trevor Zwar providing a Deputation on the evening.

Nannigai Playspace

The Playspace Strategy is currently under review with a new framework that aims at providing a guiding framework that will enable delivery of quality and sustainable play spaces through a flexible and informed approach.

On the 27 September 2016, Council considered a report on the Playspace Strategy and the resolutions passed included:

3. *Endorse the removal of the 11 additional playspaces listed in this report (Report Reference GC270916R07)*

As resolved in Item 3, the 11 additional playspaces proposed for removal (without replacement) included Nannigai Reserve, Hallett Cove.

The analysis and review of the Playspace Strategy Implementation Plan has suggested that there is generally a good level of play provision across the City. However, there are some opportunities for improvement; in addressing areas of oversupply, revising reserve hierarchy levels and considering opportunities for new or additional play facilities into the future.

The playspace previously located and now removed at Capella Reserve was located approximately 430m from Nannigai Reserve. The proposed play space at Capella is part of a yet to be endorsed draft Playspace Framework and a potential location has not been confirmed.

If Council's preference is to retain a playspace at Nanningai Reserve the proposed new playspace at Capella will need to be reviewed.

Nanningai Tennis Facilities

Council considered Nannigai Tennis Courts as part of a report on Tennis and Netball facilities across the city. The resolutions passed in response to this report included:

4. *Undertakes further assessment of directions for courts at Mc Connell Reserve, Nannigai Reserve, Roy Lander Reserve, Hamilton Park, Glandore Oval and Yanyarrie Reserve to identify appropriate scopes and budgets. (Report Reference GC111016R06)*

The City of Marion Tennis and Netball Review has identified that a strategic approach is needed to the provision, management and resourcing of tennis and netball facilities to strive towards the vision of providing better facilities and improved access for the community.

This vision has been adopted to encourage sustainable strategic tennis and netball court facilities. As part of this vision, some courts will be upgraded and some will be removed to ensure that:

- Current and future courts are renewed at appropriate times to ensure safety of the community.
- Courts are in an accessible location – this may include removal of courts due to oversupply in a particular area. Additionally, it may include, proposed upgrades or further communication to improve community access.
- Council resources are used appropriately.

A number of community courts including Nannigai Reserve have been identified that may potentially be underused, in poor condition and/or duplicate facilities offered at other locations which require further consultation to ensure the concerns and aspirations of the community are considered and understood before decisions are finalised and implemented.

As resolved in Item 4, community consultation commenced in December 2016 for a number of sites and facilities across the City. A completed report on the outcomes of the community consultation will be provided to Council on 28 February 2017 which will include all the information collated for Nannigai Reserve.

Prior to April 2013 the tennis courts at Nannigai Reserve were leased by South Bank Tennis Club and not open for general community use. At the time of the lease renewal the Club indicated that the courts were no longer required for club use and at the General Council meeting held 9 April 2013 Council resolutions included:

3. *Approve that the tennis courts at Nannigai Drive Reserve are reverted to and opened as community use courts.*
(Report Reference: GC090413R03)

The courts have been open for general community use since April 2013.

Nannigai Toilet Block

It is noted that the petition does not object to the toilet block removal. The toilet block onsite was recommended for removal in June 2016 (GC140616R12) due to age and condition. This toilet block is surplus to requirements with the club that held a lease for the courts onsite no longer using the site. It is recommended that these toilets are demolished as programmed for the 2016/17 financial year.

RECOMMENDATIONS

DUE DATES

That Council:

- | | |
|--|-------------|
| 1. Notes the petition and comments provided by Administration. | 24 Jan 2017 |
| 2. Requests the head petitioner be advised that Council has noted the petition. | 30 Jan 2017 |
| 3. Requests for a potential Playspace at Nannigai Reserve and/or Capella Reserve be considered in the review of the Playspace Strategy. | 24 Jan 2017 |
| 4. Notes further consideration to directions for the tennis courts at Nannigai Reserve will occur at the 28 February 2017 General Council meeting. | 28 Feb 2017 |
| 5. Proceed with the demolition of the toilet block at Nannigai Reserve. | 30 Jun 2017 |

Appendix 1: Petition

APPENDIX 1

9 January 2017

Trevor Zwar
19 Capella Drive, Hallett Cove
0418 737 447
trevor.zwar@gmail.com

To His Worship the Mayor and Councillors of the City of Marion,

RE: Nannigai Reserve, Hallett Cove: Community Consultation

I present for your attention a written petition with 343 signatures and an online petition¹ with 41, signatures requesting that the playspace and tennis courts remain in Nannigai Reserve, Hallett Cove.

I spoke with many members of the community surrounding Nannigai Reserve while collecting signatures for this petition and there was no support for your proposal to move all facilities from the reserve and a strong opinion that it should remain a space to be used by families and the community.

Playspace

From those I spoke with it was unanimously agreed that a playspace for children is a vital element in making Nannigai Reserve a family oriented space. Whilst the existing playspace may be modest and dated by some standards and an update would be welcome, the swing set, slide and flying fox at Nannigai Reserve are in good condition and are sufficient to be a real escape and creative outlet for children. We would be devastated to lose these facilities for our children.

Further, we feel strongly that relocating the playspace from Nannigai Reserve to Capella Reserve as proposed would not adequately serve our local community. There are several reasons that we rarely visit the playspace at Capella Reserve and consider it a poor alternate.

- The playspace on Capella Reserve is several hundred metres from Nannigai Reserve and could barely be considered "walking distance".
- Capella Reserve has very poor pedestrian access from the northern side with limited paved footpaths and steep inclines and stairs. Access is particularly difficult with prams or children on bicycles or scooters.
- Capella Reserve is regularly used by dog owners to exercise their dogs off-lead on the soccer pitch. Dogs are often poorly controlled and unwelcomely approach others using the playspace or grassed areas.
- The playspace on Capella Reserve has no shade.

Please do not remove the playspace from Nannigai Reserve.

Tennis Courts

The tennis court is a great space for the community to exercise through sport and for children to play. We request that the courts remain on Nannigai Reserve and be made openly accessible to the community.

¹ <https://www.gopetition.com/petitions/save-nannigai-reserve-tennis-court-playground.html>

Several of the locals I spoke with did acknowledge that the courts are in need of some repair, and that, without an active club, can be expensive to maintain. There was therefore some division in what the future of the courts should be, but it was unanimous that it should be kept a space for use by the community and that "shrub plantings" or "landscape treatments" did not inspire community involvement or passion and would be an undesirable outcome. Given that the site has water, electricity and a lockable shed, there are alternate uses or additions that were suggested that could serve the community well.

- Community vegetable garden
- BBQ and picnic facilities
- Irrigated grassed areas
- A scooter or bicycle track for young riders

There are precedents for reusing tennis courts for community gardens, and there are passionate individuals in the local community that could make this an engaging and productive alternate use for this space.

Toilets

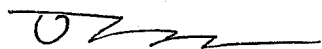
Community opinion was divided on the desirability and future need for a toilet block on Nannigai Reserve.

Other Spaces

Nannigai Reserve has a mix of grassed and wooded areas. The grassed areas, while sometimes poorly kept, provide a good space for children to run and play ball games and we would like these kept for future use. Installation of an irrigation system to keep the grass green in the drier months and regular mowing would also be desirable. The wooded areas provide excellent shade over the playspace in the afternoon and are home to an array of bird life, including the yellow-tailed black cockatoos which visit during the year. The shade and bird life provided by the trees is a lovely element of the reserve which immerses visitors in nature and gives children a great "nature play" experience.

Please recognise the strong community support to keep the playspace and tennis courts on Nannigai Reserve and consider our feedback in your plans for its development.

Sincerely,



Trevor Zwar

Office Use Only:
Date Petition Received:

CITY OF MARION

PETITION

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

Petition Contact Person: Trevor Zwar.....
 Telephone Number: 0418 737 447.....
 Address: 19 Capella Drive, Hallett Cove, SA 5158.....

 Date Petition Initiated: 13 December 2016.....

The petition of *(identify the individuals or group, eg residents of the City of Marion)*

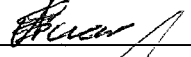

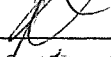
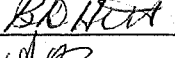

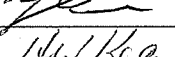
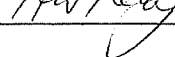
Residents of the City of Marion.....

draws the attention of the Council *(identify the circumstances of the case)*

Preservation of the Nannigai Reserve playspace and tennis court.....

The petitioners therefore request that the Council*(outline the action that the Council should or should not take)*

We request that the Council does not move or demolish the playspace or...
 tennis court from Nannigai Reserve, Hallett Cove and that these facilities...
 be kept and maintained for the enjoyment of the community.....

Name	Address	Signature
Natalie Zwar	19 Capella Drive ^{Hallett Cove}	
Trevor Zwar	19 Capella Drive	
Chris Dwyer	8 Nannigai Dr	
Bes Steel	6 Nannigai Dr	
Anne Milani	4 Nannigai Dr	
FRANK MILANI	4 NANNIGAI DR	
NW Keay	31 CAPPELLA DR	

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.

(Identify the details of the petition on each page)

...We request that the Council does not move or demolish the playspace or...
...tennis court from Nannigai Reserve, Hallett Cove and that these facilities...
...be kept and maintained for the enjoyment of the community.....

Name	Address	Signature
W. & M. ILS	23 CAPELLA DR	[Signature]
A. MARTIN	21 CAPELLA	[Signature]
A. Coleshill	21 Capella	[Signature]
V. Lewis	21 Capella	[Signature]
A. Vernon	15 Capella	[Signature]
K THOMSON	7 CAPELLA DRIVE	[Signature]
M THOMSON	9A STANLEY ST Lymington	[Signature]
L Thomson	7 Capella Dr	[Signature]
S Thomas	1 Abbaron Court	[Signature]
T Martin	10 Nannigai Drive	[Signature]
K Patzel	37 Wanda Cres Hallett Cove	[Signature]
T Benton	19 Nannigai Dr	[Signature]
C. Ramsay	16 Nannigai	[Signature]
K RAMSAY	16 Nannigai DR.	[Signature]
M. TAYLOR	18 NANNIGAI DR.	[Signature]
K. MUMFORD	22 NANNIGAI DR	[Signature]
C. Benz	24 Nannigai DR.	[Signature]
A DON STAUKE	26 MIRABOOKA CRES	[Signature]
Angus Stewart-Jones	24 Mirrabooka Cres	[Signature]
Ann Stewart Jones	24 Mirrabooka Cres	[Signature]
Chris Miller	13 Nannigai Drive.	[Signature]
Jo Miller	13 Nannigai Drive	[Signature]
Bruce Wark	18 CAPELLA DRIVE Hallett Cove	[Signature]
Amber Hartmann-dark	15 Nannigai Dr. Hallett Cove	[Signature]
		Attach additional sheets if required

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Name	Address	Signature
Rachael Carvalho	114 Perry Barr Rd	R Carvalho
Adam Carvalho	" " " "	A Carvalho
JOHN HUNNISON	112 PERRYBARR	
Lynne Hunnison	112 PERRYBARR	
PHILIP ELISS	110 PERRYBARR RD	
Brian ROCCAS	108 PERRYBARR RD	Brian
Gaz Zeff	104 " "	
C. Hunnerscheidt	7 Moor Crescent	CH
B Hunnerscheidt	7 Moor Cres	BH
K Hunnerscheidt	7 Moor Cres	KH
Ch. Talleh	98 Perry Barr Rd	Ch
C. Doester	98 Perry Barr Rd	Doester
CRAIG STIMPOR	4 KANOWNA ST	
Robert Depold	2 Mirrabooka Cres	
Chris Smith	27A MACQUARIE ST	
Peter Smith	" "	
John Depold	2 Mirrabooka Cres	
Brad Ayford	4 Mirrabooka Cres	BA
Cheryl Ayford	4 Mirrabooka Cres	
WAINE AYFORD	4 MIRRABOOKA CRES	
Russell Stone	10 KANOWNA ST	
Lyn Stone	" " "	
MICHAEL WARGREN	7 KANOWNA ST 4/cole	
H M COOK	" KANOWNA ST	
		Attach additional sheets if required

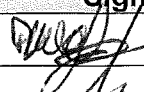



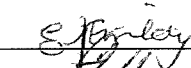
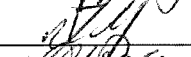
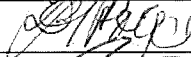
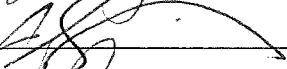




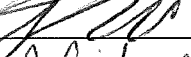
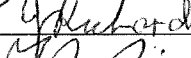
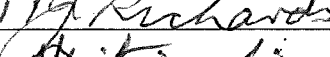
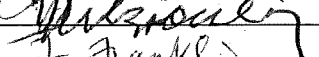
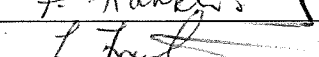
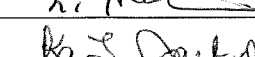
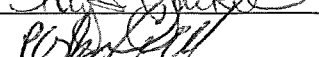
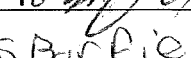
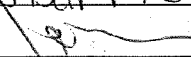



TALLIAH HOWLANDS 17 KANOWNA ST T Howland

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PTD

(Identify the details of the petition on each page)

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 ...tennis court from Nannigai Reserve, Hallett Cove and that these facilities...
 ...be kept and maintained for the enjoyment of the community.....

Name	Address	Signature
Phil W	25 NEDANGARRA CDB	
CNAIG N	2 TAKARI COURT	
S. HUREM	3 TAKARI COURT	
K HUREM	3 TAKARI COURT	
B. Finlay	4 Takari Court	
D FINLAY	4 TAKARI COURT	
D PRYOR	6 INALI CRT	
T SYRIANDIS	44 NEEANGARRA	
L. Reynolds	46 NEEANGARRA	
G REYNOLDS	46 NEEANGARRA CRT	
B. Parker	14 KANOWNA ST	
M Backley	14 KANOWNA ST	
G. KANOWNA	18 KANOWNA ST	
S RICHARDS	20 KANOWNA ST	
M.J. RICHARDS	20 KANOWNA ST	
D.S. MITCHELL	22 KANOWNA ST	
F. FRANKLIN	24 KANOWNA ST	
L. FRANKLIN	24 KANOWNA ST	
K. Garkal	16 TAKARI CT	
P Barfield	21 FARMING CRESC	
S Barfield	21 farming CRESC	
SIMPSON	1 TAKARI COURT	
M Simpson	1 Takari Ct HC	
S. COPELAND	45 NEEANGARRA Crescent	
		Attach additional sheets if required

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Name	Address	Signature
George Moore	18 Cormorant Ave	George Moore
HARRY PRINGLE	5 BOONY ROAD	H Pringle
ASH KWHZE	10 KILICK RD	AKWHZE
Ryan hanks	32 Highland Ave	Ryan hanks
Olivia Windsor	Carnegie, Melbourne VIC	Olivia Windsor
Chamari Jay	3 Scot Demarcourt	Chamari Jay
Don Grunwardena	3 Scot Rd, Demarcourt	Don Grunwardena
deborah higgs	12 Nannigai Dve	deborah higgs
RON PLANE	18 Planters Drive	R Plane
John Cook	40 Capella Drive	J Cook
Teresa Howeling	63 Capella Dr.	Teresa Howeling
DOUG ADEY	19 NEERANGARRA CREST	D Adey
PRINCE KRAMERY	10 CHALANI CRS	PRINCE KRAMERY
MELISSA WILLIAMSON	13 TAKARI CRT	M. S. Williamson
TOM PEACOCK	7 MIRABOOKA CRES	Tom Peacock
DAVID TOLMAY	13 KANOWNA ST	David Tolmay
KARIN TOLMAY	13 KANOWNA ST	K. Tolmay
PARADISE HOWES	2 FAIRHILL ST.	Paradise Howes
David Tolmay	13 KANOWNA ST	David Tolmay
DANIELLE NAEVEY	" " "	D. Naevey
DEVLIN NAEVEY	" " "	Devlin Naevey
BRENDAN SMITH	15 KANOWNA ST	B. Smith
LISLE GRAHAM	19 KANOWNA ST	L. Graham
Jankowitsch	118 PERRY ROAD	Jankowitsch
		Attach additional sheets if required

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We request that the Council does not move or demolish the playspace or tennis court from Nannigai Reserve, Hallett Cove and that these facilities be kept and maintained for the enjoyment of the community.

Name	Address	Signature
Ben Tander	Neeangarra Cres	Ben Tander
Saint Tah	6 Neeangarra Cres	Saint Tah
Sebastian Goh	6 Neeangarra Cres	Sebastian Goh
Alexander Arvan	6 Neeangarra Cres	Alex Arvan
Lynsey King	5 Neeangarra Cres	Lynsey King
Jon King	5 Neeangarra Cres	Jon King
Zsuzsanna Janics	3 Neeangarra Cres	Zsuzsanna Janics
Armin Soleymani	21 Neeangarra Cres	Armin Soleymani
Samira Tajbakhsh	21 Neeangarra Cres	Samira Tajbakhsh
James Raymond	51 Neeangarra Cres	James Raymond
Thomas Buswold	116 PERRY BARR RD	Thomas Buswold
O. H. Buswold	116 PERRY BARR RD	O. H. Buswold
LEE KELLEN	117 PERRY BARR RD	LEE KELLEN
MARK	119 " " "	MARK
M. Marsh	119 " " "	M. Marsh
N. LEONG	112, Perry Barr Rd	N. LEONG
W. Whitburn	126 Perry Barr Rd	W. Whitburn
Wayne Whitburn	126 Perry Barr Rd	Wayne Whitburn
Barb. Wolfenden	126 Perry Barr Rd	Barb. Wolfenden
Jim Shepp	128 PERRY BARR RD	Jim Shepp
Courtney Rixley	128 Perry Barr Rd	Courtney Rixley
NIGEL TOSTON	129 PERRY BARR RD	NIGEL TOSTON
Deborah Cutting	131 Perry Barr Rd	Deborah Cutting
J. Jenner	216 BARRITT AVE ST MARIS	J. Jenner
		Attach additional sheets if required

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...be kept and maintained for the enjoyment of the community.....

Name	Address	Signature
G. Edwards	40 Neerangarra	G Edwards
Ally Edwards	"	Ally Edwards
Ashleigh Brain	36 Neerangarra	A Brain
Geri McLareri	34 Neerangarra Cres	Geri McLareri
Philip Matthews	"	Philip Matthews
Anna Reichstein	32 Neerangarra Cres	Anna Reichstein
Steve Reichstein	" "	Steve Reichstein
Caroline Fades	30 Neerangarra Cres	Caroline Fades
Acacia Fades	30 Neerangarra Cres	Acacia Fades
Rachel Lapins	24 Neerangarra Cres	Rachel Lapins
Cran Almond	22 NEERANGARRA CRES	Cran Almond
Julie Bloom	" "	Julie Bloom
June Almond	" "	June Almond
Denise Ogilvie	20 " "	Denise Ogilvie
Craig Ogilvie	20 " "	Craig Ogilvie
Jackie Mayle	17 Neerangarra	Jackie Mayle
Stoff Mayle	" " "	Stoff Mayle
K Hattersley		K Hattersley
A Marshall	12 NEERANGARRA	A Marshall
D. Foster	10 NEERANGARRA	D Foster
Shoobel	"	Shoobel
Berry Rendell	11 NEERANGARRA	Berry Rendell
Berry Rendell	11 Neerangarra	Berry Rendell
Alex Azlan	6 Neerangarra	Alex Azlan
		Attach additional sheets if required

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...tennis court from Nannigai Reserve, Hallett Cove and that these facilities...
...be kept and maintained for the enjoyment of the community.....

Name	Address	Signature
Matthew Drebsch	24 Lervinnave	
Zihan Zhao	24 Lervinnave	
Sozy Coleman	31 Lerunna	
Julie Bynne	26 Lerunna	
Same Jalleh	35 Lerunna Ave	
Beth Jalleh	35 Lerunna Ave	
Jodi Hornhardt	18 Chalani Cres	
John Hornhardt	18 Chalani Cres	
Matthew Hornhardt	" " "	
Rae Penniford	4 Chalani Cres	
Mark Penniford	4 Chalani Cres	
Doug Aley	19 Neeangarra Crest	
	19 Neeangarra Crest	
Ann Evans	23 Neeangarra Cres	
Mindy	29 Neeangarra Cres	
Paul Champion	31 Neeangarra Cres	
John Alder	33 Neeangarra Cres	
Leesa Stevens	35 Neeangarra Cr	
Jess Stevens	35 Neeangarra cr	
Sandra Holberton	39 NEEANGARRA CRES	
Don Holberton	39 Neeangarra Cres	
Valma	41 Neeangarra	
Marg Lien	43 Neeangarra Cres	
Tara Heane	42 Neeangarra Cres	
		Attach additional sheets if required

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 ...tennis court from Nannigai Reserve, Hallett Cove and that these facilities...
 ...be kept and maintained for the enjoyment of the community.....

Name	Address	Signature
Lyn Hill	21 Lepena Cres Hallett Cove	L Hill
Bryan Thomson	3 Lerunna Ave	BK
Glenys Thomson	" " "	G
Christine Fress	9 Lerunna Ave, H/C	C Fress
DAVE LAWRENCE	11 LERUNNA AVE H/C	Dave
VIV LAWRENCE	" "	Viv
Mitchell Bosence	8 Lerunna Ave	M Bosence
Amy Bosence	" "	Amy
Joanna Bosence	146 Lurham St	Joanna
Ron Jensen	13 Lerunna Ave	Ron
David Lamb	10 Lerunna Ave	D Lamb
MEL WORRALL	14 LERUNNA AVE	M. Worrall
CHRIS WORRALL	"	Chris
Libby Worrall	"	Libby
Kieran Worrall	"	K. Worrall
Alice Worrall	"	Alice
Chris Bartlett	18 LERUNNA Hallett Cove	Chris
Kyberly Bartlett	18 LERUNNA	Kyberly
Sharon Lam	16 Lerunna Ave	Sharon
CHARS GIMMIE	23 LERUNNA AVE	Chas
Sam Speaight	29 Lerunna Ave	Sam
Felicity Drabsch	24 Lerunna Ave	Felicity
Adrian Drabsch	24 Lerunna Ave	Adrian
Hayley Drabsch	24 Lerunna Ave	Hayley
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 ...be kept and maintained for the enjoyment of the community.....

Name	Address	Signature
Joe Luthi	264 Lepena Cres.	[Signature]
Matthew Rowlandson	26 Lepena Cres	[Signature]
LAUREN MATHIAS	24 LEPENA CRES	[Signature]
VALERIE BYRNE	22 Lepena Cres	[Signature]
Colby Sanford	18 Lepena Cres	[Signature]
Trena Sander	16 Lepena Cres	[Signature]
Guy Sander	16 Lepena Cres	[Signature]
Caleb Sander	16 Lepena Cres	[Signature]
Georgia Sander	16 Lepena Cres	[Signature]
Allan Ford	14 Lepena Cres	[Signature]
Kylie Armstrong	12 Lepena Cres	[Signature]
USEL BUCKLEY	12 Rymill Ave.	[Signature]
MARK WILKINSON	6 LEPENA CRES	[Signature]
Phil Cate	4 LEFEBRO CRES	[Signature]
N. Poly.	2 LEPENA	[Signature]
Robbie Sandling	1 Lepena Crescent	[Signature]
Jane Mackenzie	3 Lepena Cres	[Signature]
Tonia Jarvis	5 Lepena Cres	[Signature]
ERENDA REID	9 LEPENA CRES.	[Signature]
H Richards	11 LEPENA CRES	[Signature]
L M'Comb	13 Lepena Cres.	[Signature]
ENARREYNAH	17 LEPENA CRES	[Signature]
M. Noolu	17 Lepena Cres.	[Signature]
K. Hoff	17 Lepena Cres.	[Signature]
		Attach additional sheets if required

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...be kept and maintained for the enjoyment of the community.....

Name	Address	Signature
ALISTAIR KEER	9 KANDIWA ST	AK
Paul Wilson	6 Elmood Dr	h
Joel Wilson	" "	Joel Wilson
Guy Wallace	Skinner close	
Tamith Clark	Skinner close	
Bridie Wallace	Skinner close	
Bill Wallace	Skinner close	BW
Julie Martinsen	36 Lepena Cres	J Martinsen
LUCAS KONOPKA	38 LEPENA CRES	
Kristal Heritage	38 Lepena Cms	Kristal Heritage
Ella Konopka	38 Lepena Cms	ekf
Lilly Konopka	38 Lepena Cms	Lillyk
Lainie Konopka	38 Lepena Cms	Lainie
Roger Nash	36 Lepena Cres	
SELGE FRAGGIORATO	32 LEPENA CRES	
ALEX FRAGGIORATO	32 " "	
Rhyn Fraggiarato	As ABOVE	
B. Gurni	30 Lepena Crest	
Tristi Carrie	" "	
Cecely O'Brien	" "	
Andrew Kenyon	28 Lepena Crest	
Trish Kenyon	" "	P Kenyon
Jenny Orville	6 Middle Gully Ave	J Orville
Molly Orville	" "	M. Orville
		Attach additional sheets if required

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Date Petition Received:

CITY OF MARION

PETITION

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

Petition Contact Person: Trevor Zwar

Telephone Number: 0418 737 447

Address: 19 Capella Drive, Hallett Cove, SA 5158

Date Petition Initiated: 13 December 2016

The petition of (identify the individuals or group, eg residents of the City of Marion)

Residents of the City of Marion

draws the attention of the Council (identify the circumstances of the case)

Preservation of the Nannigai Reserve playspace and tennis court.

The petitioners therefore request that the Council (outline the action that the Council should or should not take)

We request that the Council does not move or demolish the playspace or...
tennis court from Nannigai Reserve, Hallett Cove and that these facilities...
be kept and maintained for the enjoyment of the community.....

Name	Address	Signature
Kira S	49 Neeangarra Cres	Kira S
Lydon S	49 Neeangarra Cres	Lydon S
Billy O	49 Neeangarra Cres	Billy O
Rebecca N	49 Neeangarra Cres	Rebecca N
W. Sandersen	49 Neeangarra Cres	W. Sandersen

SELWYN O

49 NEEANGARRA

Selwyn

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Name	Address	Signature
DIANNE DUNCAN	41 WARILDA CRES H/COVE	
Jenna Duncan	41 warilola cres H/COVE	
Harley Duncan	41 warilola cres H/cae	
Claudia Benham	38 Coningle Cres H/cove	
Claudine Flach	17 Capella Drive H/c	
Paul Flach	17 Capella Dr Hallett Cove	

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 ...be kept and maintained for the enjoyment of the community.....

Name	Address	Signature
y HOLLAND	19 NANNIGAI DR	y Holland
Eddie Howlett	19 Mirrabooka Pres.	Eddie Howlett
Clare Weston	8 Takari Ct	Clare Weston
Kerry Zimmerman	7 Takari Ct	Kerry Zimmerman
Udo Zimmerman	7 Takari Ct	Udo Zimmerman
Peter Longbottom	5 TAKARI CT	Peter Longbottom
Karoline Fisher	5 TAKARI CT	Karoline Fisher
DAN LEAR	13 TAKARI CT	D. B. Lear
Jerry Eickhoff	14 Takari crt	Jerry Eickhoff
Steve Windsor	" "	Steve Windsor
Matt Young	16 Kanowna St	Matt Young
ASTON YOUNG	" "	Aston Young
Caelum Young	" "	Caelum Young
Jenny Diers	15 TAKARI COURT	Jenny Diers
KEN JAEKEL	16 TAKARI CRT	Ken Jaekel
PETER WILLIAMSON	13 TAKARI CRT	Peter Williamson
		Attach additional sheets if required

040 797 5533

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.. tennis court from Nannigai Reserve, Hallett Cove and that these facilities ..
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[illegible]

* Copy of question
* Why were we not EVER told where the key is
* Why did not get the survey, why not.

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Name	Address	Signature
GRHAM SALIBA	24 Quail Ave, Hallett Cove	GRHAM
Christian Saliba	24 Quail Ave, Hallett Cove	Christian
Robert Trento	30 Capella Dr H/Cove	Robert
Gordana Trento	30 Capella Dr H/Cove	Gordana
M. MEANEY	71 Perry Barr Rd H/C	M. Meaney
Placido R. M.	66 Perry Barr Rd	Placido
Tahereh Nowrouzi	66 Perry Barr Rd	Tahereh
Philip Bartholomew	58 Perry Barr Rd	Philip
Mark Jennings	52 "	Mark

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 ...tennis court from Nannigai Reserve, Hallett Cove and that these facilities...
 ...be kept and maintained for the enjoyment of the community.....

Name	Address	Signature
N OLIVER	6 Barramundi Drive	[Signature]
J. CARLISLE	8 Barramundi Drive	[Signature]
M Battista	18 Barramundi Drive	[Signature]
Joy VICK	31 Barramundi Drive	[Signature]
H S. VICK	" " "	[Signature]
Helen Hayes	12 Porokka Cres	[Signature]
Greg Hayes	✓	[Signature]
J Hanna	33 Barramundi	[Signature]
C. Roy	43. Barramundi Dr	[Signature]
K BUTLER	34 Barramundi Dr	[Signature]
T BIRD	1/34 Barramundi Drive	[Signature]
D. Vick	28 Barramundi Drive	[Signature]
H. Aschmoneit	29 Barramundi DR	[Signature]
Keith Reid	27 Barramundi Drive	[Signature]
Tracy cleaver-Smith	23, Barramundi drive	[Signature]
Thomas cleaver-Smith	23, Barramundi drive	[Signature]
Mike cleave-Smith	" " "	[Signature]
S DOFFY	3 GOROKE ST	[Signature]
Tuliet Walters	19 Barramundi drive	[Signature]
B JESSON	13 BARRAMUNDI DR	[Signature]
M. Allen	29 Warilda Cres.	[Signature]
Chris Allen	29 Warilda Cres	[Signature]
Pauline Bird	21 Warilda Cres H/C	[Signature]
Jane Green	32 WARILDA CRES	[Signature]
		Attach additional sheets if required

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...tennis court from Nannigai Reserve, Hallett Cove and that these facilities...
...be kept and maintained for the enjoyment of the community...

Name	Address	Signature
A. RZEPIAS	48 Perry Barr Rd	[Signature]
M. COLLON	2146 PERRY BARR RD	[Signature]
K. AGER	44 PERRY BARR RD	[Signature]
G. Guderzian	6 Fairhill St.	[Signature]
A. Radtke	" "	[Signature]
D. Tolmay	2 FAIRHILL ST	[Signature]
A. GRAZIANI	3 FAIRHILL ST	[Signature]
J. Byrne	4 Woodsmans Cope	[Signature]
C. LAKE	6 WOODSMANS	[Signature]
S. LAKE	6 Woodsmans Cope	[Signature]
G. Laidoudis	5 Fairhill st.	[Signature]
Ron Karas	5 Fairhill st	[Signature]
Grace Karas	5 Fairhill st	[Signature]
Steve Schmidt	2 Capella DR	[Signature]
LARRY SUMER	74 PERRY-BARR RD Hallett Cove	[Signature]
J. RIDING	10A WOODSMANS COPE	[Signature]
S. RIDING	" "	[Signature]
B. DUFFY	9 Takari Court	[Signature]
S. Grzechowski	9 Takari Court	[Signature]
T. DUFFY	9 Takari Court	[Signature]
Emma Smith	8 Roes street	[Signature]
Pamela Steinberg	222/9 Happy Valley Drive	[Signature]
Damien Palazzo	2 Barramundi Drive	[Signature]
MARIANNA PATALOUA	2 BARRAMUNDI DR	[Signature]
		Attach additional sheets if required

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Save Nannigai Reserve Tennis Court & Playground

<https://www.gopetition.com/petitions/save-nannigai-reserve-tennis-court-playground.html>

We, the undersigned, request that the City of Marion does not remove or demolish the playspace or tennis court from Nannigai Reserve, Hallett Cove and that these facilities be kept and maintained for the continued enjoyment of the community.

#	Title	Name	Email	Address	Town/City	S/C/P	Region	Zip/PC	Comment	Date	IP
41	N/C	Angus stewart-jones	anguss-j@hotmail.com	N/C	Hallett cove	SA	Australia	N/C	N/G	Dec 30, 2016	1.124.49.1
40	N/C	Jill Sloane	jandtsloane@gmail.com	N/C	Hallett Cove	SA	Australia	N/C	N/G	Dec 30, 2016	49.178.2.66
39	N/C	Michael Chaffey	michael.chaffey@sa.gov.au	N/C	Hallett Cove	South Australia	Australia	N/C	N/G	Dec 29, 2016	1.125.48.1
38	N/C	Andrew Newsham	anewsham21@gmail.com	N/C	Adelaide	SA	Australia	N/C	N/G	Dec 28, 2016	111.220.32.51
37	N/C	Rebecca Newsham	rebecca_sanderson@hotmail.com	N/C	Adelaide	SA	Australia	N/C	N/G	Dec 28, 2016	111.220.32.51
36	N/C	JONATHON WESTON	westonjj@internode.on.net	N/C	Hallett Cove	SA	Australia	N/C	N/G	Dec 28, 2016	118.210.162.97
35	N/C	Nicole Chaffey	nic01@live.com.au	N/C	Adelaide	SA	Australia	N/C	View	Dec 28, 2016	1.125.48.182
34	N/C	Clare Weston	clarepenelope@gmail.com	N/C	Hallett Cove	South Australia	Australia	N/C	View	Dec 28, 2016	118.210.162.97
33	N/C	Lorraine stanton	splitchick@hotmail.com	N/C	Hallett cove	South Australia	Australia	N/C	N/G	Dec 28, 2016	1.125.48.223
32	N/C	tanya stanton	tanyastanton@yahoo.com.au	N/C	Hallett Cove	South Australia	Australia	N/C	N/G	Dec 28, 2016	1.125.48.223
31	N/C	Harry Brain	harrybrain1@hotmail.com	N/C	Adelaide	Hallett	Australia	N/C	N/G	Dec 28, 2016	49.178.32.166

Cove

30	N/C	Bob Pipsandpaddleopsokopoulos	billyolsen14@gmail.com	N/C	Hallett Cove	South Australia	Australia	N/C	N/G	Dec 23, 2016	111.220.32.51
29	N/C	Billy Olsen	billyakathesus@live.com.au	N/C	Hallett Cove	South Australia	Australia	N/C	N/G	Dec 23, 2016	111.220.32.51
28	N/C	Wendy Sanderson	wendysanderson22@hotmail.com	N/C	Hallett Cove	South Australia	Australia	N/C	N/G	Dec 23, 2016	111.220.32.51
27	N/C	peter williamson	peter.williamson3@gmail.com	N/C	Hallett Cove Adelaide	South Australia	Australia	N/C	View	Dec 21, 2016	118.211.71.229
26	N/C	Simom Gorzechowski	simon.gorz@hotmail.com	N/C	Hallett cove	South Australia	Australia	N/C	View	Dec 20, 2016	114.198.126.14
25	N/C	Arnold Nacov	aml123@aapt.net.au	N/C	Hallett Cove	SA	Australia	N/C	N/G	Dec 20, 2016	49.178.45.197
24	N/C	Kerry Zimmermann	ukzed@primus.com.au	N/C	Adelaide	SA	Australia	N/C	View	Dec 20, 2016	211.27.211.133
23	N/C	Geraldine Mcmillan	gkmc2845@yahoo.com.au	N/C	Adelaide	South Australia	Australia	N/C	N/G	Dec 19, 2016	114.198.122.152
22	N/C	Kurt Becker	kurtbeck1@gmail.com	N/C	Adelaide	South Australia	Australia	N/C	N/G	Dec 19, 2016	114.198.122.152
21	N/C	Alex Pehi	queenbiancadanielle@gmail.com	N/C	Hallett Cove	SA	Australia	N/C	N/G	Dec 19, 2016	42.241.87.130
20	N/C	Bianca Pehi	biancabubblegum@gmail.com	N/C	Hallett Cove	SA	Australia	N/C	N/G	Dec 19, 2016	42.241.87.130
19	N/C	Helen Somerford	helenandpatrick@optusnet.com.au	N/C	Hallett Cove	SA	Australia	N/C	View	Dec 19, 2016	42.241.87.130

18	N/C	Millie Bird	cjb202@hotmail.com	N/C	Adelaide	SA	Australia	N/C	View	Dec 19, 2016	123.2.83.84
17	N/C	Connor Miller	ryukai123@hotmail.com	N/C	Adelaide	South Australia	Australia	N/C	N/G	Dec 19, 2016	49.178.11.120
16	N/C	Sudhir Murray	ssmurray69@gmail.com	N/C	Hallett Cove	South Australia	Australia	N/C	View	Dec 17, 2016	172.198.127.239
15	N/C	Julie Obst	julianneobst@gmail.com	N/C	Kingston SE	SA	Australia	N/C	N/G	Dec 15, 2016	1.124.48.7
14	N/C	Jody Zander	jody_zander@gmail.com	N/C	Adelaide	South Australia	Australia	N/C	N/G	Dec 15, 2016	121.45.113.70
13	N/C	Sandra Alderman	salderman@bigpond.com	N/C	Mount Gambier	South Australia	Australia	N/C	View	Dec 14, 2016	1.125.48.8
12	N/C	Stan Cliffe	siandcliffe@gmail.com	N/C	Adelaide	SA	Australia	N/C	N/G	Dec 14, 2016	59.102.90.177
11	N/C	Ross Forgone	rossforgoneaus@gmail.com	N/C	Mounto Baarkao	SA	Australia	N/C	N/G	Dec 14, 2016	124.181.64.38
10	N/C	Ben Reynolds	benreynolds706@gmail.com	N/C	Strathalbyn	South Australia	Australia	N/C	View	Dec 14, 2016	121.45.120.249
9	N/C	Emily Brooks	emjbrks@gmail.com	N/C	Naine	South Australia	Australia	N/C	N/G	Dec 14, 2016	49.239.69.41
8	N/C	Daniele Presser	ocpcw@yahoo.com	N/C	hallett cove	SA	Australia	N/C	N/G	Dec 14, 2016	118.210.26.153
7	N/C	Megan Crabb	missmeganjarvis@hotmail.com	N/C	Adelaide	Sa	Australia	N/C	N/G	Dec 14, 2016	122.49.137.198
6	N/C	Annette Zwar	donaldzwar@bigpond.com	N/C	Wirrabara	South Australia	Australia	N/C	View	Dec 13, 2016	1.124.48.34

5	N/C	Heather Nowak	heather.nowak@bigpond.com	N/C	Mount Barker	S.Aust	Australia	N/C	View	Dec 13, 2016	1.124.48.5
4	N/C	Danielle Nowak	danielle.nowak220@gmail.com	N/C	Mt Barker	South Australia	Australia	N/C	View	Dec 13, 2016	1.125.49.101
3	N/C	Davina Zwar	rdzwar@activ8.net.au	N/C	Wirrabara	South Australia	Australia	N/C	N/G	Dec 13, 2016	116.251.38.169
2	N/C	Natalie Zwar	nataliezwar@gmail.com	N/C	Hallett Cove	South Australia	Australia	N/C	View	Dec 13, 2016	1.125.48.188
1	N/C	Trevor Zwar	trevor.zwar@gmail.com	N/C	Hallett Cove	South Australia	Australia	N/C	N/G	Dec 13, 2016	103.246.36.104

**CITY OF MARION
GENERAL COUNCIL MEETING
24 JANUARY 2017**

Originating Officer: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Finance and Audit Committee - Confirmation of Minutes of Meeting held on 15 December 2016

Report Reference: GC240117R01

DISCUSSION:

The purpose of this report is to facilitate the receiving and noting of the minutes from the 15 December 2016 Finance and Audit Committee meeting.

A summary of the items considered are noted below.

- Elected Members Report
- Refined 2017/18 Annual Business Plan and Budget
- Finance and Audit Committee Improvement Plan
- Policy Framework
- Ombudsman SA Annual Report 2015/16
- WHS Interim Risk Report
- External Audit Tender
- Internal Audit Program Status Report
- Organisational Service Reviews
 - Council Reporting and Elected Member Support
 - Recruitment
 - Marion Swim Centre (Confidential item)
- Internal Audit Contract (Confidential item)

RECOMMENDATIONS

DUE DATES

That Council:

- | | |
|--|-----------------|
| 1. Receives and notes the minutes of the Finance and Audit Committee meeting of 15 December 2016 (Appendix 1). | 24 January 2017 |
| 2. Notes that separate reports will be brought to Council for consideration of any recommendations from the Finance and Audit Committee. | 24 January 2017 |

**MINUTES OF THE FINANCE AND AUDIT COMMITTEE MEETING
HELD AT THE ADMINISTRATION CENTRE
245 STURT ROAD, STURT
ON TUESDAY 15 DECEMBER 2016**



PRESENT

Mr Greg Connor, Ms Kathryn Presser, Mr Lew Owens, Councillor Raelene Telfer

In Attendance

Mr Adrian Skull	Chief Executive Officer
Mr Vincent Mifsud	General Manager Corporate Services
Ms Abby Dickson	General Manager City Development
Mr Tony Lines	General Manager Operations
Ms Kate McKenzie	Manager Corporate Governance
Mr Ray Barnwell	Manager Finance
Ms Deborah Horton	Unit Manager Performance & Improvement

1. OPEN MEETING

The meeting commenced at 3.03 pm. The Chair welcomed all those present to the meeting.

2. KAURNA ACKNOWLEDGEMENT

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

3. MEMBERS DECLARATION OF INTEREST

The Chair asked if any Member wished to disclose an interest in relation to any item being considered at the meeting. No interests were disclosed.

4. CONFIRMATION OF MINUTES

**4.1 Confirmation of Minutes for the Finance and Audit Committee held 4 October 2016
Report Reference: FAC151216R4.1**

3.04 pm

Moved Councillor Telfer, Seconded Mr Owens that the minutes of the Finance and Audit Committee meeting held on 4 October 2016 is confirmed as a true and correct record of proceedings noting that last paragraph in item 7.8 should read complementary instead of complimentary.

Carried

5. BUSINESS ARISING

5.1 Review of the Business Arising from previous meetings of the Finance and Audit Committee

3.07 pm

Report Reference: FAC151216R5.1

The statement identifying business arising from the previous meetings of the Committee was reviewed and progress achieved against identified actions was noted. The Committee noted and queried the following:

- Item 2 - surplus land at City Services is now being further considered by the Infrastructure and Strategy Committee. The Committee noted that if further advice is required regarding the financial analysis or prudential requirements, it may be useful for the Finance and Audit Committee to have oversight of the matter at a later stage.
- Item 3 - project management report is progressing with a large amount of work being invested on work area plans, upfront planning, items in the business plan and key initiatives. New reporting was tested in November 2016 and is currently being analysed. It has been identified that we may have a skills gap/lack of resources in project management and program management. This is being addressed by a business case for a Program/Project Management Officer position. It was noted that the work progressed by Erika Comrie has also been a good support on this matter. The Committee noted that a report would be brought to the February 2017 meeting to address this. It is anticipated that it will be Project Management Framework and how City of Marion will manage project management across the organisation.
- Item 5 – Treasury Management Policy and Reserves Funds Policy will be brought back to the Committee in February 2017.
- Item 7 – the information requested as part of the Debtors Reports had been circulated via email. It was noted that management was looking at different ways of addressing debt management.

6. ELECTED MEMBER REPORT

6.1 Elected Member's Report Report Reference: FAC151216R6.1

3.20 pm

The Committee noted the report. Councillor Telfer provided an overview of the report noting that Elected Members had spent considerable time developing the KPI's outlined on page 20 and 21 of the agenda. It was noted that although KPI 7 (Loss Time Injury Frequency Rate) was not achieved for the 2015/16 financial year, work is progressing to improve Work Health Safety as a whole and how the organisation manages work place injuries.

Other matters of significance include the progress of the Glenthorne Farm community engagement and the signing of the deed for the Edwardstown Oval redevelopment.

The Committee noted that the funding source for Mitchell Park Community Centre was no longer available and Council was progressing with opportunities for other potential funding such as the state election in March 2018.

The appointment of Emma Hinchey to the Finance and Audit Committee was noted along with Greg Connors reappointment to the SRWRA Audit Committee.

7. REPORTS

7.1 Finance & Audit Committee Work Program & Meeting Schedule for 2017 Reference No: FAC151216R7.1

3.24 pm

The Committee reviewed the report and confirmed the meeting dates for 2017. The Committee requested that the following matters be added to the February 2017 meeting:

- Local Government Association Cost Benefit Analysis
- Project Management Update
- Treasury Management Policy and Reserve Funds Policy.

Moved Kathryn Presser, Seconded Councillor Telfer that the Finance and Audit Committee:

1. Notes the proposed work program for 2017 identified at Appendix 1 to the report.
2. Adopts the following schedule of meetings for 2017;
 - a. TUESDAY, 28 February 2017 (9.30am – 12.30 pm)
 - b. TUESDAY, 30 May 2017 (9.30am – 12.30 pm)
 - c. TUESDAY, 15 August 2017
(4.00 – 6.00 pm, followed by joint workshop with Council from 7.00 – 9.00 pm)
 - d. TUESDAY, 10 October 2017 (9.30am – 12.30 pm)
 - e. TUESDAY 12 December 2017 (9.30am – 12.30 pm)

Carried

7.2 Refined 17-18 Annual Business Plan and Budget Process

Reference No: FAC151216R7.2

3.25 pm

The Manager Finance provided an overview of the report highlighting that the refined processes focuses on planning up front to ensure that all key inputs are analysed in the early stages. The refined process has early engagement with Elected Members and has been developed in conjunction with the Strategy and Innovation Department to ensure all matters within the Work Area Plans are fully integrated into the budget.

The refined process includes the work areas using actual figures from previous financial years rather than the previous year budget. The finance department will undertake more development work up front prior to review by the responsible managers, who will still be accountable for their departmental budgets.

It is anticipated that a high level budget document will be prepared early in 2017 for discussion with Elected Members and public consultation will commence in April. It is expected that all senior leaders will present their budgets to the Executive Leadership Team (ELT).

The Committee congratulated staff on the improved process and indicated that it was a smart way to move forward. The number of touch points with Elected Members is an improvement on previous years and will assist the process moving forward.

The Committee also noted that software has been procured to assist in the budgeting and Long Term Financial Plan process. This product is being used by many eastern state Councils. The software will assist the Council to work through different scenarios to see the impact on the bottom line. It is anticipated that it will be worked through over the Christmas period to be able to demonstrate to Elected Members in January 2017.

The Committee noted the report.

7.3 Finance and Audit Committee Improvement Plan

Reference No: FAC151216R7.3

3.34 PM

The Committee noted the improvement plan and agreed it was a reasonable approach to improving the Committee's operations. The Committee noted that induction process for the new independent member would occur, including an opportunity for the Chair to meet her. The key actions would also be noted within the indicative work program.

The Committee also noted that majority of the actions would be delivered in 2017 and further review of the Committees' operations would occur in 2018.

7.4 Policy Framework

Reference No: FAC151216R7.4

3.38 pm

The Manager Corporate Governance provided an overview of the report highlighting that progress was occurring with the development of a Policy Framework to provide a more structured approach for policy development and management. The Policy Framework will provide a strategic overview regarding what policies are required for the Council to meet its strategic objectives (public policies) and what policies are required to deliver administrative outcomes (governance policy). Part of the framework will include a review of the current policy suit and make recommendations regarding what policies must remain, could be consolidated or what can be removed. The Framework will also provide guidance regarding the approval, implementation and monitoring of policies.

The Committee noted that certain policies at City of Marion should be reviewed more regularly and the framework will assist. The Committee also noted that it needs to be simple and ensure that it doesn't become further red tape, rather than adding value. The Committee noted that the development of the Policy Framework will be a large body of work up front, but will assist the Council to determine how they want to set policies into the future.

7.5 Ombudsman SA Annual Report 2015/16

Reference No: FAC151216R7.5

3.46 pm

The Unit Manager Performance and Improvement provided an overview of the report highlighting that it is developed based on two reports received each year (one every six months) from the Ombudsman office. The Committee noted that the number of complaints were down in comparison to the previous year. The Committee also queried how the complaints were managed noting that 24 complaints were received by the Ombudsman about the City of Marion. The Committee was advised that four (4) complaints were referred to other agencies (e.g. Telstra), three (3) complaints did provide outcomes or details for further investigation, five (5) complaints were refused to be investigated by the Ombudsman and 12 complaints were referred back to the City of Marion (noting that of these 12 complaints, 4 complainants had complained twice). In some instances, the report from the Ombudsman is the first notification that Council may receive regarding a complaint. All complaints listed on the Ombudsman Report are followed up to ensure the matter has been resolved.

The Committee commented that the City of Marion has improved with a reduction of complaints to the Ombudsman but queried if there was anything that the Council could have improved.

The Manager Corporate Governance advised that there had been learnings from some of the reviews and these had been addressed via improvements to process or services.

The Committee noted the report and suggested that Marion approach both Campbelltown and Prospect Councils to see if any improvements ideas can be obtained, as these Councils demonstrate the lowest number of complaints per population

ACTION: That contact is made with both the City of Campbelltown and City of Prospect regarding their complaint management processes.

7.6 WHS Interim Risk Report

Reference No: FAC151216R7.6

3.58 pm

The Manager Corporate Governance provided an overview of the report highlighting that the Local Government Association Workers Compensation Scheme (LGA WCS) had recently completed its annual audit with the Council noting that the audit focus will change year on year. The purpose of the Audit is to test conformance of the Council's WHS Management System against the Return to Work SA Code of Conduct for self insurance. It was noted that although the audit results do not reflect it, significant improvement had been made from the previous year's audit. To achieve a conformance, Council must demonstrate that all elements have been fulfilled and hence items that have been significantly progressed may still be reported as non-conforming. The Committee noted that work had progressed on the WHS Management Systems which was being monitored by the Executive Team on a monthly basis. It was also noted that although the Lost Time Injury Rate was still high, change to process had occurred to better support the workers return to work.

The Committee thanked management for the report noting that further work is still required regarding the management of lost time injuries and that Marion was still tracking much higher than the group average. The Committee queried the table and the graph provided on page 45 and asked if management can review how the data is presented. It was suggested that the data doesn't match the graph. Management agreed to review the information highlighted in the table.

The Committee also queried how the rebate was calculated and was advised it was based on claims performance and audit outcomes. It was agreed that the formula would be provided to the Committee.

The Committee noted that the premiums work out to approximately 2.8% of the total salaries for the City of Marion which is a good result for the Council. The Committee advised that other sectors such as the resource sector would normally expect about 4%.

The Committee noted the report, indicating that improvement was being demonstrated but WHS should remain a key focus area for the organisation. It was also suggested that some lead indicators should also be tracked such as hazard management.

ACTION:

- 1. Provide details to the Committee regarding how the LGA WCS rebate is calculated.**
- 2. Review how the data is presented on the graph and table on page 45 of the agenda.**

7.7 External Audit Tender - Update

Reference No: FAC151216R7.7

4.09 pm

The Manager Finance updated the Committee on the progress of the External Audit Tender noting that the City of Marion was progressing with a select tender with four (4) firms. The tender closes on the 17th January 2017 and a report will be presented to the 28th February 2017 Finance and Audit Committee meeting.

It was agreed by the Committee that the Chair would form part of the Tender Review Committee.

The Committee noted the progress made to date on the external Audit Tender.

7.8 Internal Audit Program Status Report **Reference No: FAC061216R7.8**

4.11 pm

The Unit Manager Performance and Improvement provided an overview of the report noting that no reviews were finalised in time for the distribution of the Finance and Audit Committee agenda.

Significant work had progressed on the following reviews:

- IT Cyber Security
- Accounts Receivable
- Purchase Cards.

It is anticipated that these final reports will be presented to the Committee at its February 2017 meeting.

It was also highlighted that the field work on the Corporate Performance Review was due to commence and management was currently trying to schedule some dates with KMPG.

The Committee queried the overdue actions relating to payroll and it was noted that these were process improvements (e.g. online leave request) rather than issues with internal controls. The Committee also queried the outstanding Cash Handling recommendations noting that these were on track to be delivered by the end of December.

The Committee noted the update provided.

7.9 Organisational Service Reviews Qtr 1 2016/17 Recommendations **Reference No: FAC151216R7.9**

4.18 pm

Council Reporting and Elected Member Support

The Manager Corporate Governance provided an overview of the Council Reporting and Elected Member Support review highlighting that the review had provided some estimated costs for the delivery of Council and Committee Meetings and Ward Briefings. It had also highlighted the manual nature of how the service is delivered and that the implementation of software would provide efficiency and reduce the risk of human error in the process.

The Committee queried how the draft agenda process worked noting that Council was provided with the draft agenda and reports and then again when the agenda and reports are published publically. It was queried if this was good governance as it seemed to be a duplicate process for both management and elected members (as members were required to read the agenda twice). Councillor Telfer advised that it was beneficial for complex reports to help Elected Members understand the issues early. The Committee noted that in some cases, a debrief on complex matters would be required but the Committee would recommend that this process is done properly once, rather than duplicating.

The Committee also noted the high number of meetings and reports suggesting that further work be completed regarding what matters are reported to Council and why. The Committee also queried if there was a better way to structure the Council meetings. For example, could the first meeting of the month be focused on operational matters and the second be focused on strategy.

The Committee queried the figures on page 65 of the report and noted that the difference related to the cost of the independent committee members. The costs under the Council meetings do not reflect the Elected Member Allowance as the allowance is provided for their full duties, not just attendance at meetings.

The Committee agreed that the automation of agendas and reports should be progressed and requires further work. The Committee noted that a short term resource would assist the sourcing and implementation of a system.

The Committee noted the review and that further work on the implementation was required in conjunction with key stakeholders.

Recruitment

The Unit Manager Performance and Improvement provided an overview of the report highlighting that the service review had demonstrated there is limited capacity for this service to be delivered at a lower cost and was being managed well.

The review had demonstrated that recruitment was an essential function of the Council and the costs had been reduced in recent years as the recruitment had been moved internally.

The Committee noted the recommendations and suggested further analysis could be beneficial regarding the following items:

- As recruitment is now undertaken online, rather than general advertising, it may be worthwhile to complete an assessment of online vs general advertising and which process produces a better recruitment outcome. It may be that different approaches could be tailored to the recruitment needs.
- It was noted that job descriptions and adverts are prepared by unit managers or managers. This has reduced the cost of consultancy but is now a hidden cost as the process is consumed within management responsibilities. The impact on manager's times has not been assessed. It may be an opportunity to review how this is undertaken and potentially to be moved as a defined function within Human Resources
- Further analysis of the recruitment process could be undertaken to test the outcome of recruitment. For example, reviewing staff who have been recruited through a consultant vs those who have been recruited by management. Does one or the other produce a better outcome. Matters such as performance, tenure, promotion, etc. could be assessed to determine if one process produces a better outcome.
- Further analysis on poor recruitment (e.g. if employment contracts are terminated at the end of probation periods) to assess what went wrong and learn from any mistakes.
- Understanding how the City of Marion is viewed within the market place and potential perceptions about City of Marion as an employer is important to understand. The ability to attract the right people to vacant positions is important.
- Implementation of exit interviews should be investigated.

8. CONFIDENTIAL ITEMS

Organisational Service Reviews Qtr 1 2016/17

Reference No: FAC151216F01

5.04 pm

Marion Swim Centre

Moved Councillor Telfer, Seconded Mr Owens that pursuant to Section 90(2) and (3)(d) of the *Local Government Act 1999*, the Finance & Audit Committee orders that all persons present, with the exception of: Councillor Jason Veliksou, Adrian Skull Chief Executive Officer, Vincent Mifsud General Manager Corporate Services, Abby Dickson General Manager City Development, Tony Lines General Manager Operations, Ray Barnwell Manager Finance, Kate McKenzie Manager Corporate Governance, Carol Hampton Manager City Property, Deborah Horton Unit Manager Performance & Improvement & Melissa Nottle-Justice Business Improvement Officer be excluded from leaving the meeting

as the Committee receives and considers information relating to the City of Marion Outdoor Swim Centre, upon the basis it 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 on the grounds that the report contains information relating to commercial information of a commercial nature (not being a trade secret) the disclosure of which (i) could reasonably be expected to prejudice the commercial position of a person who supplied the information, or to confer a commercial advantage on a third party; and (ii) would, on balance, be contrary to the public interest.

Carried

4.58 pm the meeting went into confidence

Moved Mr Owens, Seconded Ms Presser that in accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that this report, City of Marion Outdoor Swim Centre Service Review 2016 and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(d) of the Act, be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting. This confidentiality order will be reviewed at the General Council Meeting in December 2017.

Carried

5.22 the meeting came out of confidence

Internal Audit Contract Reference No: FAC151216F02

5.22 pm

Moved Mr Owens, Seconded Councillor Telfer that pursuant to Section 90(2) and (3)(d) of the Local Government Act 1999 the Committee orders that all persons present, with the exception of the following persons Councillor Jason Veliskou, Adrian Skull Chief Executive Officer, Vincent Mifsud General Manager Corporate Services, Kate McKenzie Manager Corporate Governance, Abby Dickson General Manager City Development, Tony Lines General Manager Operations be excluded from the meeting as the Committee receives and considers information relating to contract for the provision of Internal Audit Services upon the basis that the Committee is satisfied that the requirement for the meeting to be conducted in a place open to the public has been outweighed by the need to keep consideration of the matter confidential given the information relates commercial information that could reasonably be expected to prejudice the commercial position of the person who supplied the information.

Carried

5.23 pm the meeting went into confidence

Moved Mr Owens, Seconded Councillor Telfer that in accordance with Section 91(7) and (9) of the Local Government Act 1999 the Committee orders that this report, the minutes arising from this report and any other information distributed at the meeting having been considered in confidence under Section 90 (2) and (3) (k) of the Act be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting. This confidentiality order will be reviewed at the December 2017 Council Meeting.

Carried

5.31pm the meeting came out of confidence

9. ANY OTHER BUSINESS

- The Committee noted that Ms Erika Comrie had completed her 16 weeks at City of Marion and has identified \$1.4m of savings across the organisation. It was a valuable project and she has delivered good outcomes for the Council.
- The Chair thanked Mr Owens for his 7 years of service on the Committee. It was noted that his contribution has been invaluable and everyone has learnt a lot from his experience, skills and input. The Committee noted that Emma Hinchey will be commencing at the February 2017 meeting.

Mr Owens congratulated the City of Marion on the growth of the Council over the past 7 years and thanked staff for their support during this period.

10. MEETING CLOSURE

The meeting was declared closed at 5.36 pm

11. NEXT MEETING

The next meeting of the Finance and Audit Committee is scheduled to be held on:

General Meeting of the Finance and Audit Committee

Time: 9.30 am – 12.30 am

Date: 28 February 2017

Venue: Chamber, Administration Building

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CHAIRPERSON

/ /

**CITY OF MARION
GENERAL COUNCIL MEETING
24 JANUARY 2017**

Originating Officer: Elaine Delgado, Strategic Planner

Manager: Fiona Harvey, Manager Innovation & Strategy

General Manager: Abby Dickson, General Manager City Development

Subject: Final Draft Open Space Policy

Report Reference: GC240117R02

REPORT OBJECTIVE AND EXECUTIVE SUMMARY

A draft Open Space Policy was presented to Council (SGC011116R02) and placed on Council's website for a 21-day community consultation period during November 2016.

A final Open Space Policy is now presented to Council for adoption. This policy will provide the context for the development of an Open Space Plan.

RECOMMENDATION

DUE DATE

That Council:

- | | |
|---|------------------------|
| <ol style="list-style-type: none"> 1. Adopts the final Open Space Policy as provided in Appendix 1. | 24 January 2017 |
|---|------------------------|

BACKGROUND

In response to the review of the Open Space and Recreation Strategy 2006-2016 Council recognised the need for an Open Space Policy and Plan.

At the 1 November 2016 Special General Council meeting (SGC011116R02) it was resolved that Council:

1. *Endorses the draft Open Space Policy as provided in Appendix 1;*
2. *Endorses community consultation on the draft Open Space Policy;*
3. *Notes a final Open Space Policy will be presented for consideration by Council in January 2017.*

A draft Open Space Policy was developed that provides overarching principles and a framework comprising a hierarchy and classifications. An assessment of open spaces is being undertaken by assigning a hierarchy level and one, or more, classifications to each open space to determine any gaps or oversupply in provision and types of open spaces.

The outcomes of this process will inform the development of an Open Space Plan, that is an initiative in Council's Business Plan 2016-2019, to ensure the best possible outcomes for the community are achieved.

The final Open Space Policy for Council's consideration and adoption is provided in Appendix 1. This policy includes the following amendments to the classifications:

Classification	Comments
Wetland/watercourse/stormwater	'Stormwater' has been added to reflect open spaces where stormwater management is a priority, such as Rosedale Avenue Reserve, Morphettville
Formal garden	This will enable the value of formal gardens to be recognised, such as Edwardstown Oval rose garden, and the Japanese Garden at Oaklands Estate Reserve
Natural landscaping area	This will enable the value of reserves where open space is managed for general enhancement of natural amenity and passive recreation to be recognised

ANALYSIS

Consultation

Community consultation was undertaken from 27 October to 18 November 2016 in accordance with Council's Community Consultation Policy. Feedback on the draft Open Space Policy was sought via Council's website through *Making Marion* and social media posts, and the Messenger's What's Happening column. Opportunities were provided to respond to poll questions: 'Tell us what you think of the Open Space Policy?', and 'Overall, do you support what is in the Policy'. Comments could also be provided via an online comment form.

The following were advised of the opportunity to provide feedback:

- The Department of Planning, Transport and Infrastructure
- Department of Environment, Water and Natural Resources
- SA Health
- The Cities of Onkaparinga, Holdfast Bay, Mitcham and West Torrens
- Environmental groups via the *Green Thymes* environmental e-newsletter

Community feedback statistics

The feedback received from the community on the draft Open Space Policy was:

- A total of 79 people visited the Making Marion website and 7 people downloaded the document
- 2 written responses were received and 4 people completed the online Poll indicating their level of support for the Plan
- A Facebook post was published on 18 November 2016 reaching 719 people with 5 shares and likes and 1 comment received stating 'nature play and flying foxes'
- A twitter post was published on 18 November 2016 with 1 re tweet and 3 likes.

Quick Poll response

100% of the 4 people who participated in the Online Poll indicated they strongly support what is in the Policy.

Specific feedback

The specific feedback received and our proposed responses are summarised in the table below. The draft Policy (Appendix 1) has been revised taking into consideration the comments and responses.

Feedback received		Response
1.	<p>This Open Space Policy provides a suitably diverse range categories and classifications as it relates to the purpose of open space within the community and environment.</p> <p>It is good to see that State managed open space has been identified within the policy as these areas are valued by the community and contribute to the amenity of the council area and community wellbeing. The policy is consistent with the Department of Environment, Water and Natural Resources objectives for managing state land within this council area.</p> <p>Department of Environment, Water and Natural Resources</p>	Positive to note.
2.	<p>I live near the Stanley street tennis courts and park and our local play area is so dismal compared to new exciting parks around. I'd love to see something done there, it's a great space to do something special and Brighton up Glengowrie.</p> <p>Life Skills for School Leavers</p>	<p>This response forwarded to the:</p> <ul style="list-style-type: none"> - Project team that will apply the open space hierarchy and classifications to develop an Open Space Plan - Project team currently coordinating the Tennis and Netball review to inform their community feedback process
3.	<p>Thank you for the opportunity to provide feedback on the City of Marion's Open Space Policy Review. As you outline in your draft policy, access to open space is key to the amenity of our local communities and is an important environmental and recreational asset that must be considered in existing and new developments.</p> <p>I have taken the opportunity to provide specific comment about an area of Hallett Cove, which I believe has been poorly serviced in terms of the amenity of its open space.</p> <p>It is my opinion that Hallett Cove Heights has not been well planned in this regard and that access to usable and enjoyable open space in this area needs to be improved as a matter of priority. This sub-development is rapidly expanding, seemingly with very little thought as to providing appropriate facilities and amenities to its residents.</p>	<p>This response was forwarded to the:</p> <ul style="list-style-type: none"> - Project team that will apply the open space hierarchy and classifications to develop an Open Space Plan - Engineering and Field Services to advise of offer to 'work alongside' council on traffic/transport matters relating to the Hallett Cove subdivision - Open Space Planning team as input into the Playspace strategy review and works programming

Feedback received	Response
<p>This is in stark contrast to the more established Hallett Cove/ which has a conservation park, the foreshore and a broad variety open spaces all throughout the suburb. This is particularly disappointing given the large number of families in the area.</p> <p>While there are some small patches of open space throughout Hallett Cove Heights, there are very little facilities and amenities, leaving families who want to take their children to a playground with no choice but to use the ageing playground in the Cove Sports Precinct or walk a long distance to facilities on the west side of Lonsdale Road. I believe playgrounds are needed as well as shade areas and BBQ facilities to ensure that this suburb has appropriate open space areas both for its current and future residents.</p> <p>I also reiterate my previous offers to work alongside you on other matters relating to this subdivision including traffic, pedestrian and public transport issues.</p> <p>David Spiers MP – Member for Bright</p>	

Financial Implications

The Open Space Policy will provide the context for the development of an Open Space Plan. This will have on-going financial and asset management implications for Council that are yet to be determined.

Policy Implications

The Open Space Policy provides a vision, high-level principles and a scope to guide a city-wide approach to the development of a long-term program of capital and renewal works.

CONCLUSION

The adoption of an Open Space Policy sets the high level vision and principles for ongoing development, upgrade and management of open spaces across the City.

Appendix 1: Draft Open Space Policy

Open Space Policy

APPENDIX 1
GC240117R02

1. RATIONALE

The City of Marion owns, develops and manages a network of open spaces ranging from small parks to large reserves 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. POLICY STATEMENT

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.

3. 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.

Open Space Policy

APPENDIX 1
GC240117R02



4. 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.

5. 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 Community Involvement**
 - Communities are encouraged to be involved in the planning and activation of open spaces that are important to them

Open Space Policy

6. 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.

7. 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

APPENDIX 1
GC240117R02

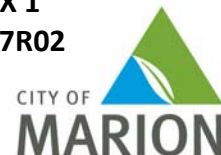


Neighbourhood Level	
Categories	Description
Purpose	Neighbourhood Level open spaces will be of a higher quality with a diversity of character in locations that cater for a higher density population. Due to the broader scale of facilities people can use these open spaces for extended periods of time. 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 > 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"> > Significant sporting and recreation facilities > Diverse opportunities for play for a range of ages > Playspaces > 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

APPENDIX 1
GC240117R02



State Level	
Categories	Description
Purpose	Open space managed for public benefit under a State or Federal Government management plan
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 local native flora and fauna

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

APPENDIX 1
GC240117R02

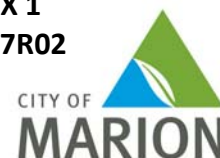


Table 2 – Classifications for open space in the City of Marion

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 principal use of the open space is for dog off-leash exercise.
Formal garden	Where a formal garden is a feature that may have historic and/or cultural significance.
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.
Natural landscaping area	Open space managed for general enhancement of natural amenity and passive recreation.
Wetland/watercourse/stormwater	Where a key focus is for a wetland, watercourse, and/or stormwater management.
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.

Open Space Policy

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 Garden Policy
- 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

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

Policy Name and version no.	City of Marion Open Space Policy - V1.0
Last update	Not applicable
Last Council review (report reference)	Not applicable
Next review due	To be aligned with the timeframe for the Open Space Plan
Responsibility	Team Leader, Open Space and Recreation

**CITY OF MARION
GENERAL COUNCIL MEETING
24 JANUARY 2017**

Originating Officer: Heather Michell, Land Asset Officer

Manager: Carol Hampton, Manager City Property

General Manager: Abby Dickson, General Manager City Development

Subject: Asset Optimisation - Vacant Land

Report Reference: GC240117R03

REPORT OBJECTIVES

To provide Council with the outcomes of the assessment undertaken to date on four parcels of vacant land to considered for potential disposal as part of Council's asset optimisation strategy.

EXECUTIVE SUMMARY

Council has expressed a desire to pursue opportunities for asset consolidation, to maximise use of community facilities and ensure public value is delivered through its assets.

On 24 January 2017 (GC240117R02) Council will consider the draft Open Space Policy for adoption. The purpose of the development of the Open Space Policy is to progress a strategic approach to the development of an Open Space Plan. The vision and principles within this policy 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.

In line with the Open Space Policy a number of reviews are being undertaken regarding Council owned land and facilities. One of the reviews includes identifying vacant land which may be potentially underutilised. Initial investigations have been undertaken on the following four properties.

Name of Reserve	Suburb	Other reserves in close proximity	Appendix No.
Ranger Street Reserve	Hallett Cove	Shamrock Road Reserve, Gretel Crescent Reserve, Pavana Reserve Columbia Crescent Reserve and Cove Sports	Appendix 1
Oliphant Avenue Reserve (small) (portion)	Oaklands Park	Kenton Avenue Reserve, Dwyer Road Reserve, Jacaranda Grove Reserve - Peppertree Reserve and George Street Reserve	Appendix 2
Luke Court Reserve	O'Halloran Hill	Peter Court Reserve, Matthew Street Reserve, South Road Reserve 2 and Christopher Grove Reserve.	Appendix 3
Louise Avenue Reserve	Warradale	Ballara Park Reserve, Hamilton Park Reserve, Dwyer Road Reserve, Rajah Street Reserve and Bowker Street Oval (in the City of Holdfast Bay)	Appendix 4

The attached Property reports (Appendices 1 to 4) include maps of the areas and distances from other reserves.

All four parcels of land are classified as Community Land and should Council wish to pursue disposal their classification must be revoked pursuant to Section 194 of the Local Government Act 1999.

Community consultation has been undertaken to ascertain the use and value of the reserves by the community. A summary of the feedback is attached (Appendix 5). Consultation has also been undertaken with Ward Councillors. It is acknowledged that the feedback received comprises both support for retention and for disposal of the land. Further engagement will be undertaken should Council decide to dispose of these properties.

To consider disposal of the properties, Council needs to consider that the retention of the land does not contribute to Council's strategic objectives and that the land is surplus to Council's requirements. The criteria for disposal of land is set out in Council's Disposal of Land and Assets Policy and this has formed the basis of the assessments undertaken to date on the four properties.

Should Council resolve to dispose of the vacant land, subject to Ministerial approval, the net sale proceeds will be paid to the Open Space Reserve Fund for the development of open space facilities as approved by Council.

RECOMMENDATIONS

DUE DATES

That Council:

1. Declares that the retention of the land known as:

**24 January
2017**

- Luke Court Reserve at Allotment 58 in Deposited Plan 10466, Certificate of Title Volume 5552 Folio 397.
- Louise Avenue Reserve at Allotment 31 in Deposited Plan 6514, Certificate of Title Volume 2284 Folio 135.
- Ranger St Reserve at Allotment 535 in Deposited Plan 9597, Certificate of Title Volume 5110 Folio 876.

do not contribute to Council's strategic objectives and are surplus to Council's requirements and subject to Ministerial approval, the net sale proceeds will be paid into the Open Space Reserve Fund.

2. Endorses an allocation of up to \$30,000 for Administration to undertake further site investigations by a qualified consultant into the potential contamination of the land known as

**24 January
2017**

- Luke Court Reserve at Allotment 58 in Deposited Plan 10466, Certificate of Title Volume 5552 Folio 397.
- Louise Avenue Reserve at Allotment 31 in Deposited Plan 6514, Certificate of Title Volume 2284 Folio 135.
- Ranger St Reserve at Allotment 535 in Deposited Plan 9597, Certificate of Title Volume 5110 Folio 876.
- Oliphant Court Reserve at Allotment 23 in Deposited Plan 5712, Certificate of Title Volume 2652 Folio 17.

- | | |
|--|-------------------------------|
| <p>3. Endorses an allocation of up to \$7,800 for Administration to undertake consultation and bring a report to Council for consideration of the outcome of the public consultation under Section 194(2)(b) of the Local Government Act 1999 for the potential disposal of:</p> <ul style="list-style-type: none"> - Luke Court Reserve at Allotment 58 in Deposited Plan 10466, Certificate of Title Volume 5552 Folio 397 - Louise Avenue Reserve at Allotment 31 in Deposited Plan 6514, Certificate of Title Volume 2284 Folio 135 - Ranger St Reserve at Allotment 535 in Deposited Plan 9597, Certificate of Title Volume 5110 Folio 876. | <p>11 April 2017</p> |
| <p>4. Resolves to allocate additional funds of up to \$37,800 required for site investigations and community consultation through the 2016/17 second budget review process, noting that these additional costs will be offset should the sale of properties proceed.</p> | <p>24 January 2017</p> |
| <p>5. Requires Administration to bring a report to Council for consideration of disposal subject to the outcome of potential soil contamination of Oliphant Court Reserve at Allotment 23 in Deposited Plan 5712, Certificate of Title Volume 2652 Folio 17.</p> | <p>11 April 2017</p> |

DISCUSSION

On 24 January 2017 (GC240117R02) Council will consider the draft Open Space Policy for adoption. The purpose of the development of the Open Space Policy is to progress a strategic approach to the development of an Open Space Plan. The Vision and Principles set out in this policy state 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.

The attached Property reports (Appendices 1 to 4) include maps of the areas and distances from other reserves.

The following reserves have been identified for investigation:

Ranger Street Reserve	Hallett Cove
Oliphant Avenue Reserve (small) (portion)	Oaklands Park
Luke Court Reserve	O'Halloran Hill
Louise Avenue Reserve	Warradale

Investigations have been made with regard to items such as:

- Ownership history
- Easements and encumbrances
- Community land status
- Demographics
- Planning, including Housing Diversity Development Plan Amendment, land use and zoning
- Council and Utilities owned infrastructure
- Nearby reserves

There are a number of other matters that Council needs to take into consideration should they consider disposing of land:

- City of Marion Community Vision and Business Plan 2016-2019
- Open Space Policy – draft
- Health Data
- Draft 30-Year Plan for Greater Adelaide

Further detail on these areas is provided in Appendix 6.

It should be noted that the Community Land classification must be revoked pursuant to Section 194 of the Local Government Act 1999 before any of the following properties can be sold. This includes consultation with the community.

A summary of the properties is provided below and detailed assessments of each property is provided as appendices to this report. The assessments undertaken are in line with the criteria for disposal of land as set out in Council's Disposal of Land and Assets Policy. In addition, the open space framework comprises 2 elements – a Hierarchy and Classifications which have been included in the review.

The four reserves have the following framework characteristics

Reserve	Hierarchy (Open Space & Recreation Strategy 2006-2016)	Classification (Open Space & Recreation Strategy 2006-2016)
Ranger Street Reserve	Local	Recreation – non active
Oliphant Ave Reserve	Local	Natural landscaping area
Luke Court Reserve	Local	Natural landscaping area
Louise Avenue reserve	Local	Natural landscaping area

The principles of access and amenity set out in the draft Open Space Policy provide the following guide:

- 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

1. Ranger Street Reserve

There are no easements over the land. A tap and reserve seat are located on the reserve. This open space sits within an area of a larger area of open space within an open space network at Hallett Cove. Refer Appendix 1 for further details.

There are two regulated non-indigenous trees within the Reserve. One is within 10 metres of a dwelling and therefore loses any regulated tree status. The other is in the middle of the

Reserve and is unlikely to satisfy any of the planning criteria and could potentially be removed subject to Planning Approval.

The current land use is Developed Reserve. The zoning is Residential. A Development Application for a dwelling or dwellings would require a change of land use.

Nearby open space includes:

Reserve	Approx distance from Ranger Street	User Catchment (Open Space & Recreation Strategy 2006-2016)	Function Classification (Open Space & Recreation Strategy 2006-2016)	Amenities
Shamrock Road Reserve	300m	Neighbourhood	Recreation – structured, physically active	Lawned area, playground equipment, cricket practice nets and a variety of seats.
Columbia Crescent Reserve	525m	Local	Recreation – unstructured, physically active	Playground equipment, a seat and a picnic setting
Cove Sport	270m	Regional	Recreation – structured, physically active	Clubrooms and associated structures, shelters and playground equipment
Gretel Crescent Reserve	440m	Neighbourhood	Visual amenity / environmental	Trees and a lawned area
Pavana Avenue Reserve	610m	Neighbourhood	Recreation – unstructured, physically active	Lawned area, Exeloo toilet, playground equipment, fitness equipment, a shelter and a variety of park benches.

The above table demonstrates that the nearby reserves have a higher level of amenity to the Ranger Street Reserve. It is on this basis that Council may wish to consider Ranger Street Reserve as being surplus to Council's requirements.

2. Oliphant Avenue Reserve (portion)

A portion of Oliphant Avenue reserve is comprised in one allotment. Council's records indicate that the land may be contaminated. There is a suggestion that the site may potentially have been an old refuse tip or fill site. It is recommended that a soil test be undertaken to inform Council as to appropriate land uses. Further information on this site is provided in Appendix 2.

A dial before you dig indicates that SA Power Networks and Telstra own infrastructure over the land. It is anticipated that an easement may need to be registered on the title, notwithstanding that SA Power Networks have statutory rights regardless of registration.

An easement of 3 metres wide would not significantly impact on the future development of the land.

There are two regulated lemon scented gums at the front of the reserve. The tree protection zone for the eastern regulated tree is a 9 metre radius from the centre of the trunk and an 8.4 metre radius for the western regulated tree. The western regulated tree is less than 10 metres from a dwelling and therefore loses any regulated tree status. Any development of the land

would be subject to ensuring no ill health to the established trees Therefore, it is unlikely that the trees would impact on being able to put a dwelling on the property.

The current land use is for Parks and Gardens including picnicking – Res. The zoning is Residential. A Development Application for a dwelling or dwellings would be required for a change of land use.

Nearby open spaces include:

Reserve	Approx distance from Oliphant Ave	User Catchment (Open Space & Recreation Strategy 2006-2016)	Function Classification (Open Space & Recreation Strategy 2006-2016)	Amenities
Jacaranda Grove reserve – Peppertree Reserve	150m	Local	Recreation – unstructured, passive	Lawned area
Dwyer Road Reserve	575m	Local	Recreation – unstructured, physically active	Playground equipment, a mini basketball area and a seat
George Street Reserve	450m	Neighbourhood	Recreation – unstructured, physically active	Exeloo toilet, modular steel play and fitness equipment, seating, a picnic setting and a shelter
Kenton Avenue Reserve	400m	Neighbourhood	Recreation – unstructured, physically active	playground equipment, seats and a picnic setting

The above table demonstrates that the nearby reserves have a higher level of amenity to Oliphant Avenue Reserve. It is on this basis that Council may wish to consider Oliphant Avenue Reserve as being surplus to Council's requirements.

3. Luke Court Reserve

The reserve is comprised in one allotment. There are no regulated or significant trees on the reserve.

The current land use is for Parks and Gardens including picnicking – Res. The Zoning is Residential. A Development Application for a dwelling or dwellings would be required for a change of land use. Further information on the site is provided in Appendix 3.

Nearby open spaces include:

Reserve	Approx distance from Luke Court	User Catchment (Open Space & Recreation Strategy 2006-2016)	Function Classification (Open Space & Recreation Strategy 2006-2016)	Amenities
Matthew Street Reserve	140m	Local	Visual amenity / environmental	Large trees and shrubbery
Peter Court Reserve	220m	Not stipulated		Partially cleared

South Road Reserve 2	300m	Not stipulated		Large trees and shrubbery
Christopher Grove Reserve	170m	Local	Recreation – unstructured, physically active	Playground equipment and a seat

The above table demonstrates that there are multiple nearby reserves in very close proximity to each other. It is on this basis that Council may wish to consider Luke Court Reserve as being surplus to Council's requirements.

4. Louise Avenue Reserve

The reserve is comprised in one allotment. SA Power Networks (SAPN) have a low voltage underground cable through the reserve. The location of these cables will not inhibit development of the land. Relocation of the SAPN infrastructure will have to be negotiated between the owner, neighbouring properties and SAPN.

There are no regulated or significant trees on the reserve.

The current land use is Undeveloped Reserve. The zoning is Residential. A Development Application for a dwelling or dwellings would be required for a change of land use. Further information on the site is provided in Appendix 4.

Nearby open spaces include:

Reserve	Approx distance from Louise Ave	User Catchment (Open Space & Recreation Strategy 2006-2016)	Function Classification (Open Space & Recreation Strategy 2006-2016)	Amenities
Ballara Park Reserve	285m	Neighbourhood	Recreation – unstructured, physically active	Playground equipment, mini basketball area, a shelter and a picnic setting
Hamilton Park Reserve	660m	Neighbourhood	Recreation – structured, physically active	Clubrooms, a shelter, tennis courts, playground equipment, seats, a barbecue and a mini basketball area
Dwyer Road Reserve	970m	Local	Recreation – unstructured, physically active	Playground equipment and a mini basketball area
Rajah Street Reserve	940m	Neighbourhood	Recreation – unstructured, physically active	Bitumen courts, playground equipment, a barbecue and fitness equipment
Bowker Street Oval	380m	City of Holdfast Bay	City of Holdfast Bay	Clubrooms, sports grounds, tennis courts, playground equipment, a shelter, park furniture and a barbecue

The above table demonstrates that the nearby reserves have a higher level of amenity to Louise Avenue Reserve. It is on this basis that Council may wish to consider Louise Avenue Reserve as being surplus to Council's requirements

Any potential use of the above parcels of land would be subject to Development Approval.

Consultation

Community consultation was undertaken to ascertain the level of use and value of the land by the local community. Community consultation was undertaken in December 2016 / January 2017 which comprised of a direct mail out to residents within a 300m radius of each parcel of land.

Name of Reserve	Number of letters distributed	Number of responses received
Ranger Street Reserve	216	22
Oliphant Avenue Reserve	506	45
Luke Court Reserve	111	12
Louise Avenue Reserve	400	49

A summary of the current usage is below:

Name of Reserve	Daily	Weekly	Twice a Week	Monthly	Less than Monthly	Never
Ranger Street Reserve	1	1	1	1	13	4
Oliphant Avenue Reserve	4	9	8	6	15	3
Luke Court Reserve	1	3	0	2	4	2
Louise Avenue Reserve	5	6	8	1	14	15

What is your main purpose for using the reserve?						
Name of Reserve	Walking or Exercise	Value the Space Without Accessing	To Exercise Pets	Other	Open Play Space, Running, ball Sports	Activities with Children
Ranger Street Reserve	1	4	2	3	1	5
Oliphant Avenue Reserve	16	24	13	5	8	24
Luke Court Reserve	3	6	5	1	1	6
Louise Avenue Reserve	15	14	11	2	6	14

The feedback received comprises both support for retention and for disposal of the land.

The comments in Appendix 5 indicate there would be some community dissatisfaction with residents who are currently using the reserves should Council pursue disposal. Response rates to the direct mail out are low (10.5%) and this may be an indicator that community use of the reserves is relatively low.

Although the purpose of the engagement was to seek feedback regarding the current use of the reserve, some respondents have identified that the reserves could potentially be used for community gardens, open space / biodiversity, barbecue areas, nature play, dog parks and basketball rings.

Should Council decide to progress with potential disposal, further community consultation will be undertaken in accordance with the legislative requirements. This consultation would be specifically around the disposal of the land.

A full summary of the responses received is attached (Appendix 5).

Contamination

Under the Environment Protection Act 1993, Council may be held liable for site contamination as the occupier or person in charge of the land, regardless of whether there has been a change of ownership. Should Council consider alternative uses of the site it is recommended that soil tests be undertaken to determine whether the land is contaminated, what remediation works are required and to prepare a risk management plan if it is deemed necessary.

Soil tests will be undertaken concurrently with the community consultation pursuant to Section 194 of the Local Government Act.

Contamination investigations would be in the vicinity of \$7,000 per site.

Financial

There will be costs associated with soil assessments should Council decide to pursue disposal. This will be in the order of \$7,000 per site and would be offset by the sale of the property.

The costs associated with the Community Land Classification Revocation would be in the vicinity of \$2,600 per site as detailed below:

Site sign	\$220
Distribution of flyers to residents	310
Advertising – Messenger, The Advertiser and the Government Gazette	1,600
Lands Titles Office fees	160
Distribution of flyers to residents providing an update on the process	310
TOTAL	\$2,600

CONCLUSION

Investigations undertaken to date indicate that the four parcels of land considered in this report are not contributing to council's strategic objectives and the land is surplus to Council's requirements, on the basis that there are multiple reserves in close vicinity which provide a higher level of amenity to the community.

Community consultation was undertaken to ascertain the level of use and value of the land by the local community. It is acknowledged that the feedback received comprises both support for retention and for disposal of the land. Further engagement will be undertaken should Council endorse pursuing potential disposal of these properties.

It is recommended that before making any decisions regarding potential disposal of Oliphant Avenue reserve a full contamination assessment is undertaken given the sites past usage as it may not be suitable for residential purposes.

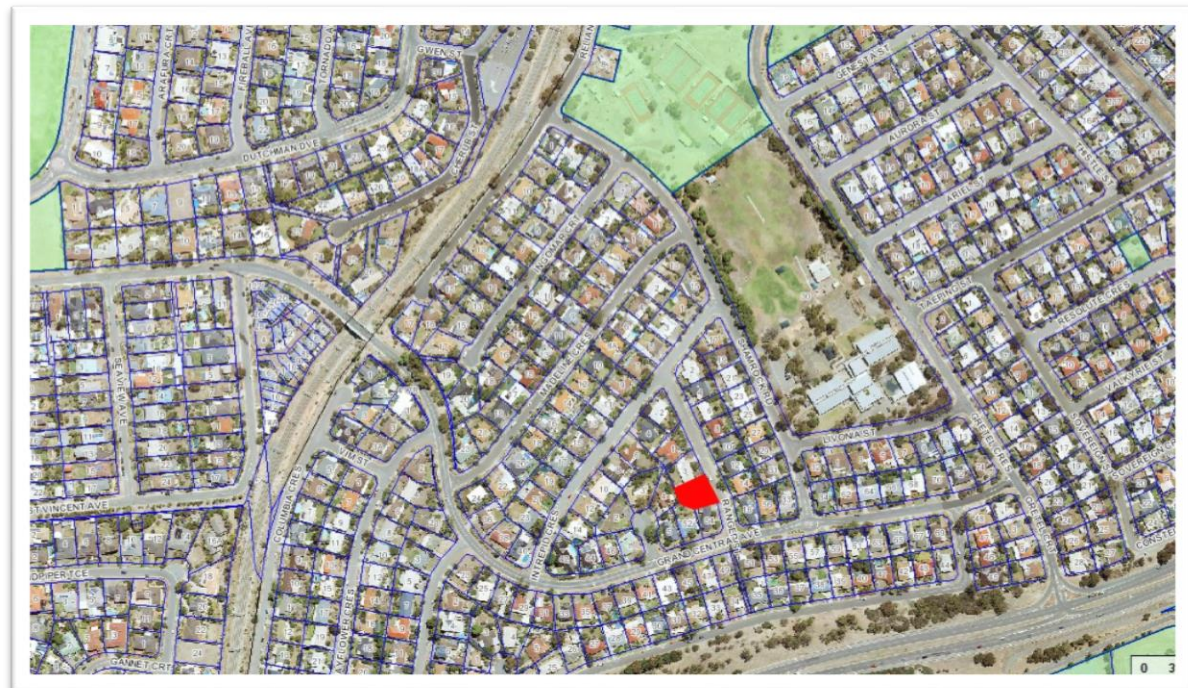
APPENDICES

Appendix 1	Ranger Street Reserve
Appendix 2	Oliphant Avenue Reserve (portion)
Appendix 3	Luke Court Reserve
Appendix 4	Louise Avenue Reserve
Appendix 5	Community Feedback (not included in Elected Member Draft)
Appendix 6	Disposal Considerations

Ranger Street Reserve

Total Area 696 m²

COMMON NAME	ADDRESS	ASSET SPECIFIC	CERTIFICATE OF TITLE	PLAN	PARCEL	REGISTERED PROPRIETOR	ZONING
Ranger Street Reserve	5 Ranger Street Hallett Cove	Reserve	CT 5110/876	DP 9597	Allotment 535	Corporation of the City of Marion	Residential (Southern)





Ward

Coastal

Description

The land is described as a sloping, irregular shaped allotment with frontage to Ranger Street.

Ownership History

The reserve vested in Council pursuant to a plan of division in 1973.

Encumbrances

Nil

Easements

Nil

Community Land

The land is classified as Community Land and is contained in Community Land Management Plan 10 – General Reserves.

Demographics

The population of Hallett Cove as determined by the Australian Bureau of Statistics, Census of Population and Housing in 2011 was as follows:

Hallett Cove	
Total persons (Usual residence) 2011	
Age Groups	Number
to 24 years	3,964
25 to 49 years	3,882
50 to 69 years	3,454
70 years and over	869
Total population (2011)	12,169

The official population of Hallett Cove in 2015 was 12,888. This is a population growth of 719 over the four years from 2011 to 2015.

Housing Diversity Development Plan Amendment

Council's proposed Housing Diversity Development Plan Amendment (DPA) seeks the following directions for housing growth in Hallett Cove:

- Provide opportunities for increased housing density and diversity in Hallett Cove, for those areas located within convenient walking distance of the District Centre and Hallett Cove and Hallett Cove Beach railway stations, having regard to land gradient.
- Review frontage widths in the Southern Policy Area 18 to facilitate opportunities for higher densities in Trott Park, O'Halloran Hill, Sheidow Park and Hallett Cove.

Draft Open Space Policy

On 24 January 2017 (GC240117R0) Council will consider the draft Open Space Policy for adoption. The purpose of the development of the Open Space Policy is to progress a strategic approach to the development of an Open Space Plan.

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.

The attached map (Appendix 1) shows the 400m and 500m from nearby reserves. The houses outside the radius lines falls outside this criteria.

Trusts, Dedications or Restrictions on the Land

None that Council is presently aware of.

Heritage Listing

The land is not on the South Australian Government Heritage Places Database.

Aboriginal Heritage

The Aboriginal Heritage Act 1988 protects any Aboriginal site or object on the land. Information will be provided on the Property Interest Report (Section 7 search). Details of any such site or object may be sought from the "traditional owners" as defined in the Aboriginal Heritage Act.

Contamination

Council does not have any records that indicate that the land is contaminated.

Further information can be obtained if required, from the Environment Protection Authority.

Lease / Licence

The property is not subject to any leases or licences.

Valuation - 2016

The Valuer General's value is listed at \$210,000.

Land Use /Zoning

Land use – Developed Reserve

Zoning – Residential

It is likely that Development Approval is required for a change of land use.

Drainage and other Council Infrastructure on the Land

Council's records indicate that there is no Council owned infrastructure on this land.

Dial Before You Dig

A Dial Before You Dig indicates that there are no services over this land.

Statutory Easements

SA Power Networks may have infrastructure over this land which protected by a statutory easement.

A statutory easement is not generally registered on the title for the land.

A Dial Before You Dig search indicates that SA Power Networks do not have any services over this land.

Trees

There are two regulated non-indigenous trees within the Reserve. One is within 10 metres of a dwelling and therefore loses any regulated tree status. The other is in the middle of the Reserve and is unlikely to satisfy any of the planning criteria for retention and could potentially be removed subject to Planning Approval.



Sale of the Land

The Community Land classification must be revoked pursuant to Section 194 of the Local Government Act 1999 before the land can be sold.

Other Comments

The tap and reserve seat are on the reserve.

Open Space sits within an area of large area of open space within open space network at Hallett Cove.

Shamrock Reserve and Pavana Reserve are within a 400-500 metre radius (Appendix 1).

Potential to investigate future alternative use.

Council Policies

A lease of the asset or portion thereof, must be in accordance with Council's Leasing/Licensing of Council Owned Facilities Policy.

A sale of the asset must be in accordance with Disposal of Land and Assets Policy.

Disclaimer

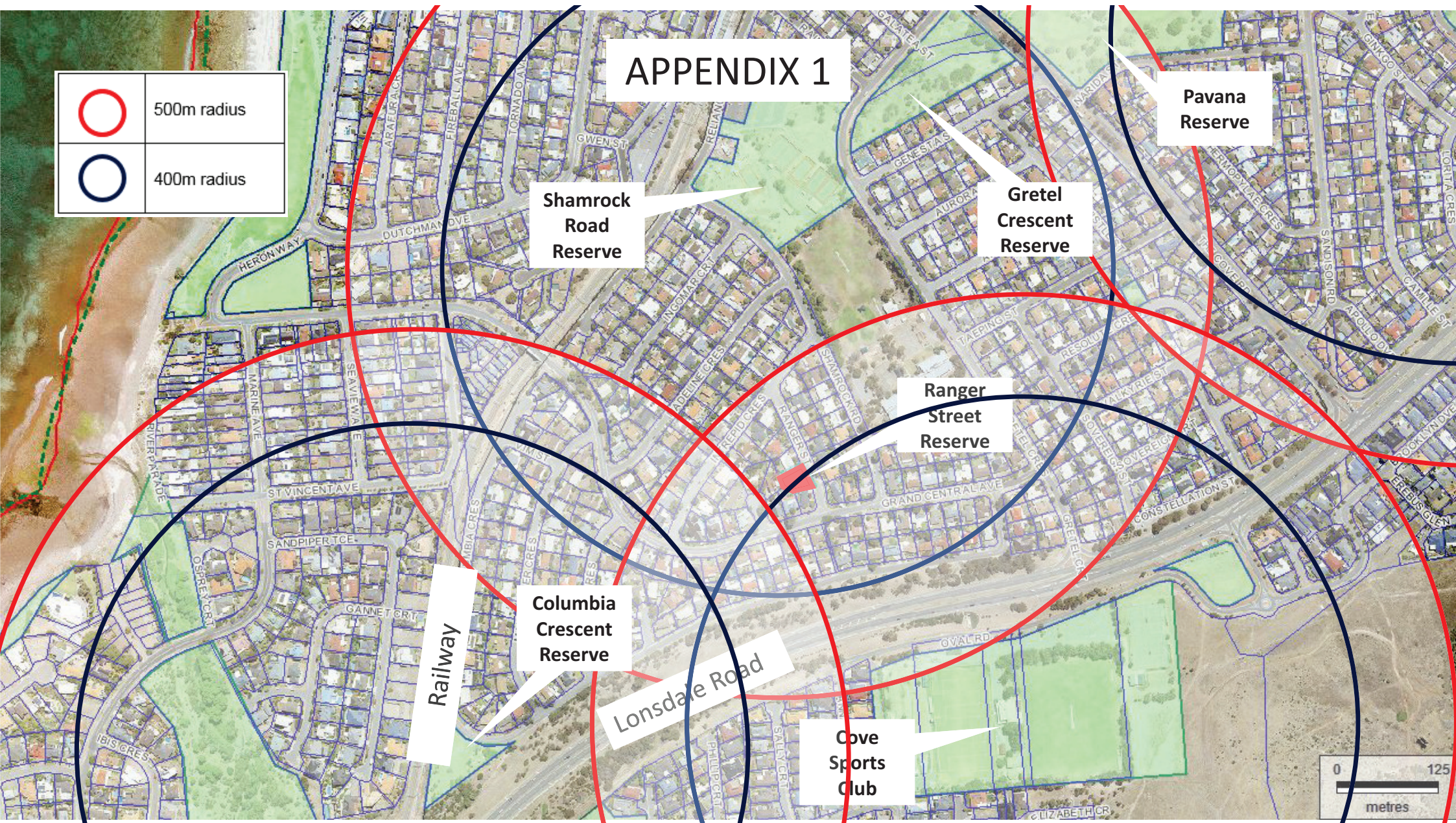
Any purchaser or prospective purchaser of the land cannot rely on the information provided by the City of Marion and will need to make their own investigations.

Conclusion

There are no easements over the land and a Dial Before You Dig indicates that there are no services over the land.

The reserve sits within an area of large area of open space within open space network at Hallett Cove.

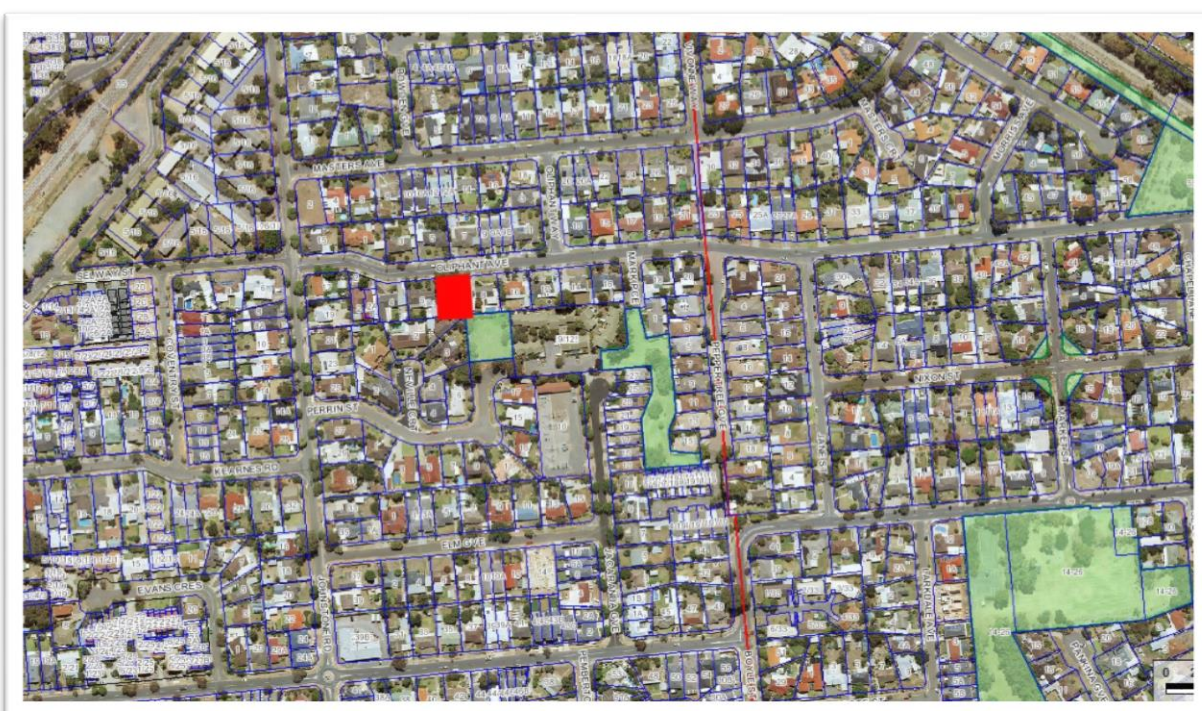
There are two regulated exotic trees within the Reserve. One is within 10 metres of a dwelling and therefore loses any regulated tree status. The other is in the middle of the Reserve and is unlikely to satisfy any of the planning criteria for retention and could potentially be removed subject to Planning Approval.



Portion of Oliphant Avenue Reserve

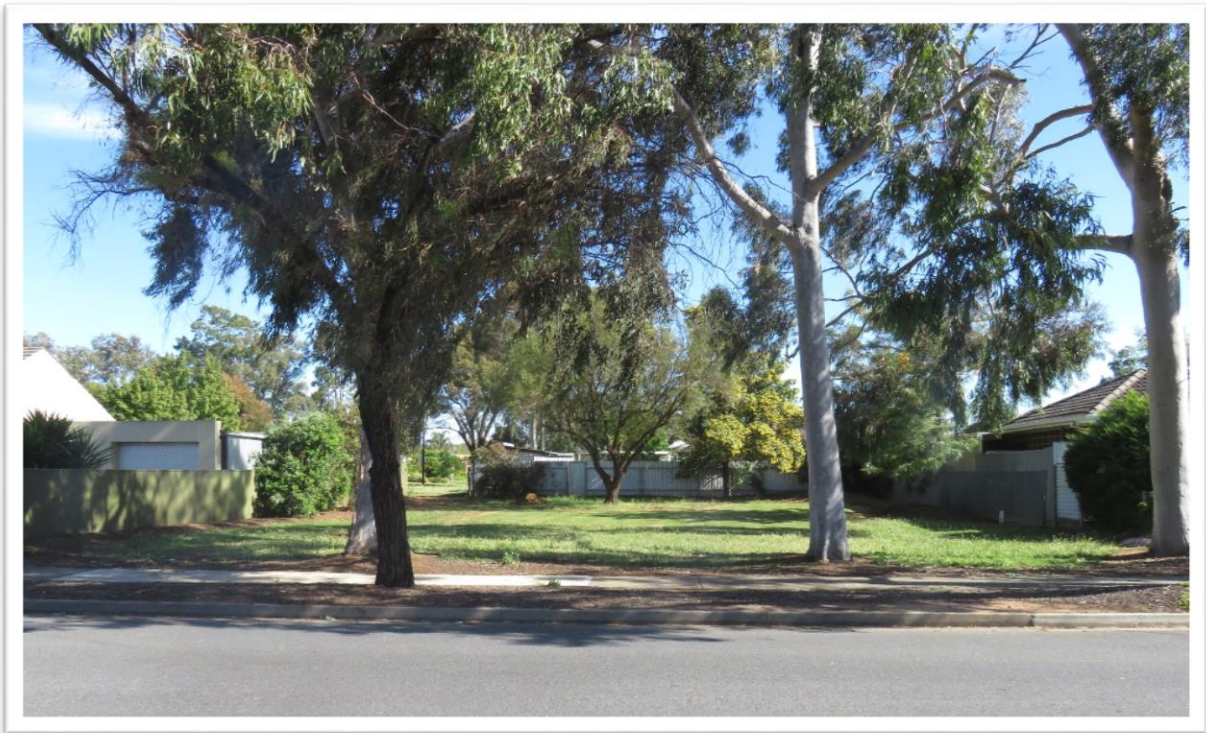
Total Area 681 m²

COMMON NAME	ADDRESS	ASSET SPECIFIC	CERTIFICATE OF TITLE	PLAN	PARCEL	REGISTERED PROPRIETOR	ZONING
Oliphant Avenue Reserve B	Oliphant Avenue Oaklands Park	Reserve	CT 2652/17	DP 5712	Allotment 23	Corporation of the City of Marion	Residential (Northern)



Portion of Oliphant Avenue Reserve

Total Area 681 m²



Ward

Warracowie

Description

The land is described as a rectangular shaped allotment with road frontage to Oliphant Avenue. Irrigation equipment is on the land.

Ownership History

Vested in Council pursuant to a plan of division in 1959.

Encumbrances

Nil

Easements

Nil

Community Land

The land is classified as Community Land and is contained in Community Land Management Plan 9 – Principal Reserves.

Demographics

The population of Oaklands Park as determined by the Australian Bureau of Statistics, Census of Population and Housing in 2011 was as follows:

Portion of Oliphant Avenue Reserve

Total Area 681 m²

Oaklands Park	
Total persons (Usual residence) 2011	
Age Groups	Number
0 to 24 years	1,115
25 to 49 years	801
50 to 69 years	731
70 years and over	659
Total population (2011)	3,306

The official population of Oaklands Park in 2015 was 3,623. This is a growth in the population of 208 over the four years from 2011 to 2015.

Housing Diversity Development Plan Amendment

Council's proposed Housing Diversity Development Plan Amendment (DPA) seeks the following directions for housing growth in Oaklands Park:

- Encourage higher density development and increased housing diversity on properties adjacent to the Seaford Railway Line in Ascot Park, Marion, Oaklands Park and Warradale.
- Explore opportunities to implement a higher density corridor for properties adjacent Morphett Road in Glengowrie, Warradale, Oaklands Park, Morphettsville, Dover Gardens and Seacombe Gardens. Potential zoning as an Urban Corridor Zone, Suburban Activity Node Zone or similar.
- Explore opportunities to implement a higher density corridor for properties adjacent Diagonal Road (in Glengowrie, Oaklands Park, Sturt and Warradale). Potential zoning as an Urban Corridor Zone, Suburban Activity Node Zone or similar.
- Facilitate increased housing diversity and density for properties adjacent to the Regional Centre Zone (in Oaklands Park, Seacombe Gardens and Warradale). Potential zoning as Urban Core Zone or similar.
- Investigate the establishment of a low density policy area in the suburbs of Oaklands Park, Glengowrie, Sturt and Warradale (except those parts of the suburbs adjacent arterial roads and the railway corridor) to negate further adverse impacts on existing streetscapes arising from ad hoc infill development. Review minimum allotment dimensions and density criteria with potential for increased frontage widths and discourage hammerhead allotments
- Review housing diversity within the existing Residential Character Policy Area in the suburb of Marion known as "Oaklands Estate".

Draft Open Space Policy

On 24 January 2017 (GC240117R0) Council will consider the draft Open Space Policy for adoption. The purpose of the development of the Open Space Policy is to progress a strategic approach to the development of an Open Space Plan.

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.

Portion of Oliphant Avenue Reserve

Total Area 681 m²

The attached map (Appendix 1) shows the 400m and 500m from nearby reserves. The houses outside the radius lines falls outside this criteria.

Trusts, Dedications or Restrictions on the Land

None that Council is presently aware of.

Heritage Listing

The land is not on the South Australian Government Heritage Places Database.

Aboriginal Heritage

The Aboriginal Heritage Act 1988 protects any Aboriginal site or object on the land. Information will be provided on the Property Interest Report (Section 7 search). Details of any such site or object may be sought from the "traditional owners" as defined in the Aboriginal Heritage Act.

Contamination

Council's records that indicate that the land may be contaminated. The land is listed as "Potential" contamination.

There is a suggestion that the site may potentially have been an old refuse tip or fill site.

It is recommended that a soil test be undertaken to inform Council as to appropriate land uses and sale.

Valuation - 2016

The Valuer General's value is listed at \$339,000.

Zoning / Land Use

Land use – Parks and gardens including picnicking - Res

Zoning – Residential

It is likely that Development Approval is required for a change of land use.

Drainage and other Council Infrastructure on the Land

Council's records indicate that there is no Council owned infrastructure on this land.

Dial Before You Dig

A dial before you dig indicates that SA Power Networks and Telstra own infrastructure over the land.

SA Power Networks have a low voltage underground cable through the reserve.

Statutory Easements

SA Power Networks may have infrastructure over this land which protected by a statutory easement.

A statutory easement is not generally registered on the title for the land.

A Dial Before You Dig search indicates that SA Power Networks have a low voltage cable through the reserve.

Portion of Oliphant Avenue Reserve

Total Area 681 m²

Trees

There are two regulated Lemon Scented Gums at the front of the reserve.

The tree protection zone for the eastern regulated tree is a 9 metre radius from the centre of the trunk and an 8.4 metre radius for the western regulated tree. The western regulated tree is less than 10 metres from a dwelling and therefore loses any regulated tree status.



Sale of the Land

The Community Land classification must be revoked pursuant to Section 194 of the Local Government Act 1999 before the land can be sold.

Other Comments

The reserve is comprised of two separate allotments. Only the smaller of these allotments are considered for disposal.

Playground equipment removed in 2016.

Council Policies

A lease of the asset or portion thereof, must be in accordance with Council's Leasing/Licensing of Council Owned Facilities Policy.

A sale of the asset must be in accordance with Disposal of Land and Assets Policy.

Disclaimer

Any purchaser or prospective purchaser of the land cannot rely on the information provided by the City of Marion and will need to make their own investigations.

Portion of Oliphant Avenue Reserve

Total Area 681 m²

Conclusion

This portion of Oliphant Avenue Reserve is comprised in one allotment.

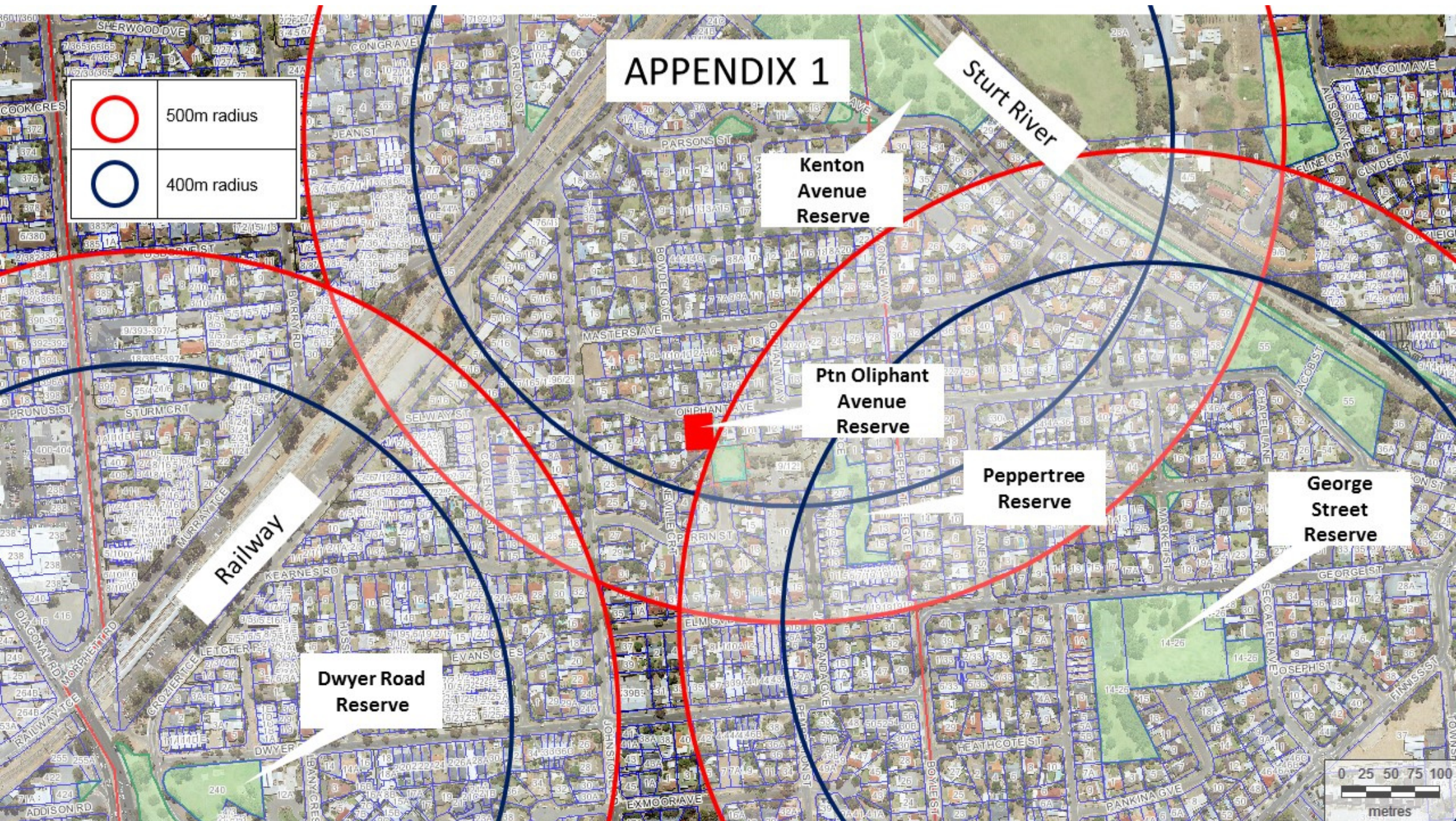
Council's records that indicate that the land may be contaminated. There is a suggestion that the site may potentially have been an old refuse tip or fill site. Depending on the proposed use of the land, a soil test may be required.

A dial before you dig indicates that SA Power Networks and Telstra own infrastructure over the land.

There are two regulated Lemon Scented Gums at the front of the reserve. There is potential for the development of the reserve, subject to ensuring no ill health to the established street trees and subject to Development Approval.

The playground equipment has been removed.

It is recommended that the reserve be considered for disposal, subject to the outcome of further investigations by a qualified consultant into the potential contamination of the reserve.



Luke Court Reserve
Total Area 1,538 m²

COMMON NAME	ADDRESS	ASSET SPECIFIC	CERTIFICATE OF TITLE	PLAN	PARCEL	REGISTERED PROPRIETOR	ZONING
Luke Court Reserve	Luke Court O'Halloran Hill	Reserve	CT 5552/397	DP 10466	Allotment 58	Corporation of the City of Marion	Residential (Southern)





Ward

Southern Hills

Description

The land is described as an irregular shaped allotment with frontage to Mark Court and Luke Court. Irrigation equipment is on the land.

Ownership History

The reserve vested in Council pursuant to a plan of division in 1975.

Encumbrances

Nil

Easements

Nil

Community Land

The land is classified as Community Land and is contained in Community Land Management Plan 9 – Principal Reserves.

Demographics

The population of Trott Park - O'Halloran Hill as determined by the Australian Bureau of Statistics, Census of Population and Housing in 2011 was as follows:

Trott Park – O'Halloran Hill	
Total persons (Usual residence) 2011	
Age Groups	Number
0 to 24 years	1,328
25 to 49 years	932
50 to 69 years	774
70 years and over	249
Total population (2011)	3,283

The official population of Trott Park - O'Halloran Hill in 2015 was 3,283. This is a reduction in the population of 90 over the four years from 2011 to 2015.

Housing Diversity Development Plan Amendment

Council's proposed Housing Diversity Development Plan Amendment (DPA) seeks the following directions for housing growth in Trott Park - O'Halloran Hill:

- Review frontage widths in the Southern Policy Area 18 to facilitate opportunities for higher densities in Trott Park, O'Halloran Hill, Sheidow Park and Hallett Cove.

Draft Open Space Policy

On 24 January 2017 (GC240117R0) Council will consider the draft Open Space Policy for adoption. The purpose of the development of the Open Space Policy is to progress a strategic approach to the development of an Open Space Plan.

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.

The attached map (Appendix 1) shows the 400m and 500m from nearby reserves. The houses outside the radius lines falls outside this criteria.

Trusts, Dedications or Restrictions on the Land

None that Council is presently aware of.

Heritage Listing

The land is not on the South Australian Government Heritage Places Database.

Aboriginal Heritage

The Aboriginal Heritage Act 1988 protects any Aboriginal site or object on the land. Information will be provided on the Property Interest Report (Section 7 search). Details of any such site or object may be sought from the "traditional owners" as defined in the Aboriginal Heritage Act.

Luke Court Reserve

Total Area 1,538 m²

Contamination

Council does not have any records that indicate that the land is contaminated.

Further information can be obtained if required, from the Environment Protection Authority.

Valuation - 2016

The Valuer General's value is listed at \$82,000.

Land Use /Zoning

Land use – Parks and Gardens including picnicking - Res

Zoning – Residential

It is likely that Development Approval is required for a change of land use.

Drainage and other Council Infrastructure on the Land

Council's records indicate that there is no Council owned infrastructure on this land.

Dial Before You Dig

A Dial Before You Dig indicates that there are no services on the land.

Statutory Easements

SA Power Networks may have infrastructure over this land which protected by a statutory easement.

A statutory easement is not generally registered on the title for the land.

A Dial Before You Dig search indicates that SA Power Networks do not have any services over this land.

Trees

There are no regulated or significant trees on the Reserve.

Sale of the Land

The Community Land classification must be revoked pursuant to Section 194 of the Local Government Act 1999 before the land can be sold.

Other Comments

Potential to investigate alternative future use.

Council Policies

A lease of the asset or portion thereof, must be in accordance with Council's Leasing/Licensing of Council Owned Facilities Policy.

A sale of the asset must be in accordance with Disposal of Land and Assets Policy.

Disclaimer

Any purchaser or prospective purchaser of the land cannot rely on the information provided by the City of Marion and will need to make their own investigations.

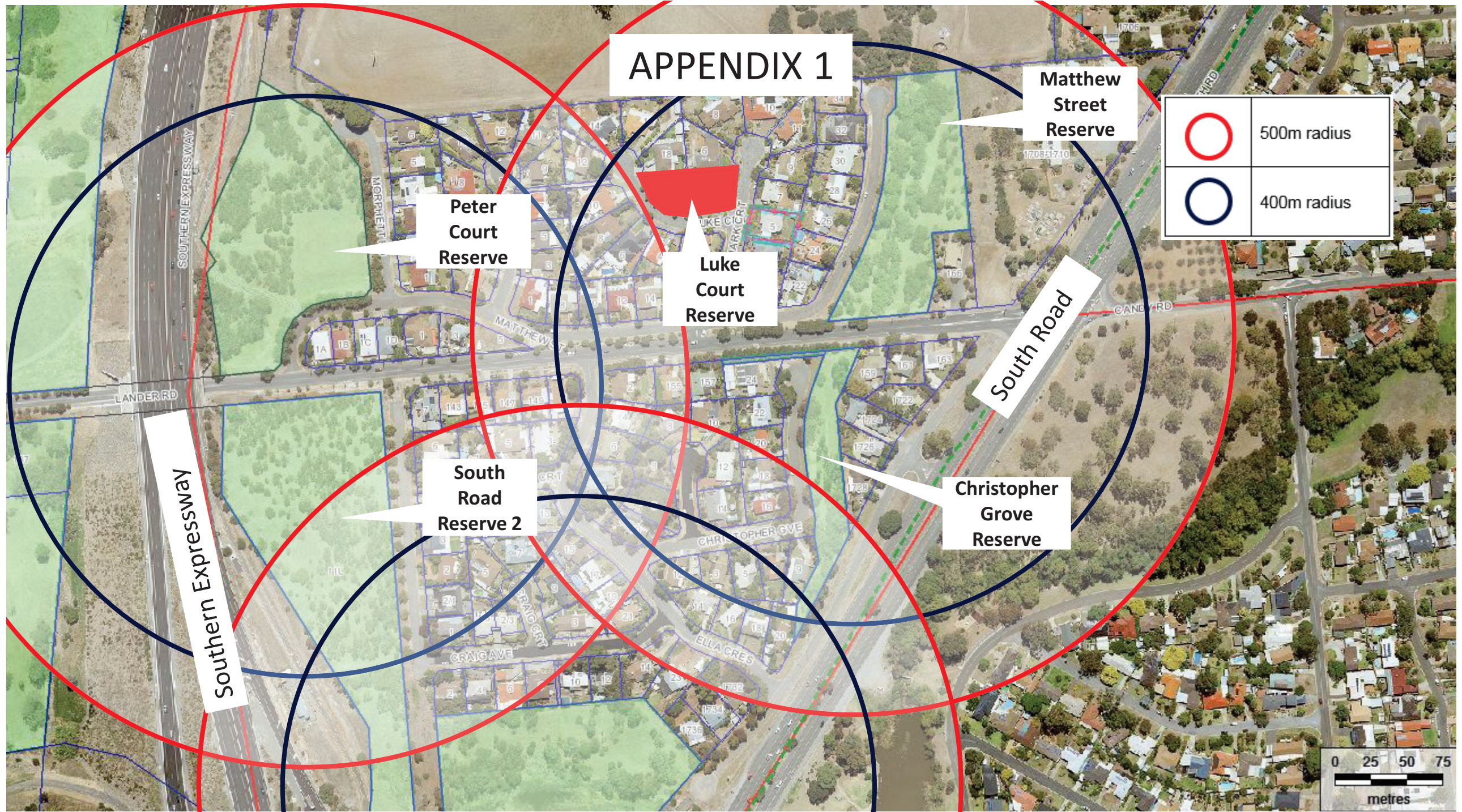
Conclusion

The reserve is comprised in one allotment.

A Dial Before You Dig indicates that there are no services on the land.

There are no regulated or significant trees on the Reserve.

It is recommended that the Reserve be considered for disposal.



Total Area 1,163 m²

[illegible]

Louise Avenue Reserve

Total Area 1,163 m²



Ward

Warracowie

Description

The land is described as a “Rectangular shaped allotment with road frontage to Louise Avenue with”

- Stone wall with height of approximately 30cm.
- Irrigation for the site.”

Ownership History

The land vested in council pursuant to a plan of division in 1959.

The owners at the time of the division, although they were beneficiaries of a deceased estate, were holding in their own right and independently of the estate.

There is no clear evidence that the land was divested in Council as part of the deceased estate.

Encumbrances

Nil

Easements

Nil

Community Land

The land is classified as Community Land and is contained in Community Land Management Plan 10 – General Reserves.

Louise Avenue Reserve

Total Area 1,163 m²

Contamination

Council does not have any records that indicate that the land is contaminated.

Further information can be obtained if required, from the Environment Protection Authority.

Demographics

The population of Warradale as determined by the Australian Bureau of Statistics, Census of Population and Housing in 2011 was as follows:

Warradale Total persons (Usual residence) 2011	
Age Groups	Number
0 to 24 years	1,578
25 to 49 years	1,197
50 to 69 years	1,136
70 years and over	784
Total population (2011)	4,695

The official population of Warradale in 2015 was 5,162. This is an increase in the population of 323 over the four years from 2011 to 2015.

Housing Diversity Development Plan Amendment

Council's proposed Housing Diversity Development Plan Amendment (DPA) seeks the following directions for housing growth in Warradale:

- Encourage higher density development and increased housing diversity on properties adjacent to the Seaford Railway Line in Ascot Park, Marion, Oaklands Park and Warradale.
- Explore opportunities to implement a higher density corridor for properties adjacent Morphett Road in Glengowrie, Warradale, Oaklands Park, Morphettville, Dover Gardens and Seacombe Gardens. Potential zoning as an Urban Corridor Zone, Suburban Activity Node Zone or similar.
- Explore opportunities to implement a higher density corridor for properties adjacent Diagonal Road (in Glengowrie, Oaklands Park, Sturt and Warradale). Potential zoning as an Urban Corridor Zone, Suburban Activity Node Zone or similar.
- Explore opportunities to implement a higher density corridor for properties adjacent Sturt Road in Marion, Dover Gardens, Seacombe Gardens, Sturt and Warradale. Potential zoning as an Urban Corridor Zone, Suburban Activity Node Zone or similar.
- Facilitate increased housing diversity and density for properties adjacent to the Regional Centre Zone (in Oaklands Park, Seacombe Gardens and Warradale). Potential zoning as Urban Core Zone or similar.

Louise Avenue Reserve

Total Area 1,163 m²

- Investigate the establishment of a low density policy area in the suburbs of Oaklands Park, Glengowrie, Sturt and Warradale (except those parts of the suburbs adjacent arterial roads and the railway corridor) to negate further adverse impacts on existing streetscapes arising from ad hoc infill development. Review minimum allotment dimensions and density criteria with potential for increased frontage widths and discourage hammerhead allotments.

Draft Open Space Policy

On 24 January 2017 (GC240117R0) Council will consider the draft Open Space Policy for adoption. The purpose of the development of the Open Space Policy is to progress a strategic approach to the development of an Open Space Plan.

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.

The attached map (Appendix 1) shows the 400m and 500m from nearby reserves. The houses outside the radius lines falls outside this criteria. Add text about the quality of nearby reserves

Trusts, Dedications or Restrictions on the Land

None that Council is presently aware of.

Heritage Listing

The land is not on the South Australian Government Heritage Places Database.

Aboriginal Heritage

The Aboriginal Heritage Act 1988 protects any Aboriginal site or object on the land. Information will be provided on the Property Interest Report (Section 7 search). Details of any such site or object may be sought from the "traditional owners" as defined in the Aboriginal Heritage Act.

Contamination

Council does not have any records that indicate that the land is contaminated.

Further information can be obtained if required, from the Environment Protection Authority.

Valuation - 2016

The Valuer General's value is listed at \$440,000.

Land Use /Zoning

Land use - Undeveloped Reserve

Zoning – Residential

It is likely that Development Approval is required for a change of land use.

Drainage and other Council Infrastructure on the Land

Council's records indicate that there is no Council owned infrastructure on this land.

Louise Avenue Reserve

Total Area 1,163 m²

Dial Before You Dig

SA Power Networks have a low voltage underground cable through the reserve. Relocation of the electricity infrastructure will have to be negotiated between the owner, neighbouring properties and SAPN.

Statutory Easements

SA Power Networks may have infrastructure over this land which protected by a statutory easement.

A statutory easement is not generally registered on the title for the land.

A Dial Before You Dig search indicates that SA Power Networks do not have any services over this land.

Trees

There are no regulated or significant trees on the Reserve.

Sale of the Land

The Community Land classification must be revoked pursuant to Section 194 of the Local Government Act 1999 before the land can be sold.

Other Comments

Playground has been removed in 2015/16.

Potential to investigate alternative future use.

Located near the Bowker Street oval (Holdfast Bay).

Council Policies

A lease of the asset or portion thereof, must be in accordance with Council's Leasing/Licensing of Council Owned Facilities Policy.

A sale of the asset must be in accordance with Disposal of Land and Assets Policy.

Disclaimer

Any purchaser or prospective purchaser of the land cannot rely on the information provided by the City of Marion and will need to make their own investigations.

Conclusion

The reserve is comprised in one allotment.

SA Power Networks have a low voltage underground cable through the reserve.

There are no regulated or significant trees on the Reserve.

It is recommended that the reserve be considered for disposal.

APPENDIX 1



**City of Marion Vacant land
Community Engagement Outcomes January 2017**

Community consultation was undertaken from 13 December 2016 to 9 January 2017. Feedback on the use of vacant land at Ranger Street Hallett Cove, Oliphant Avenue Oaklands Park, Luke Court O'Halloran Hill and Louise Avenue Warradale was sought via a mail out inviting people to provide feedback.

The mail out was distributed within a 300m radius from each reserve.

The engagement asked people to respond to four questions:

1. How often would you access the site?

- ☐ *Daily*
- ☐ *Twice a week*
- ☐ *Weekly*
- ☐ *Monthly*
- ☐ *Less than monthly*

2. What is your main purpose for using the reserve? Tick as many boxes as apply to you

- ☐ *Activities with children*
- ☐ *Walking or exercise*
- ☐ *I value the space without accessing (e.g. walking or driving past)*
- ☐ *Open play space, running, ball sports*
- ☐ *To exercise pets*
- ☐ *Other – please provide details*

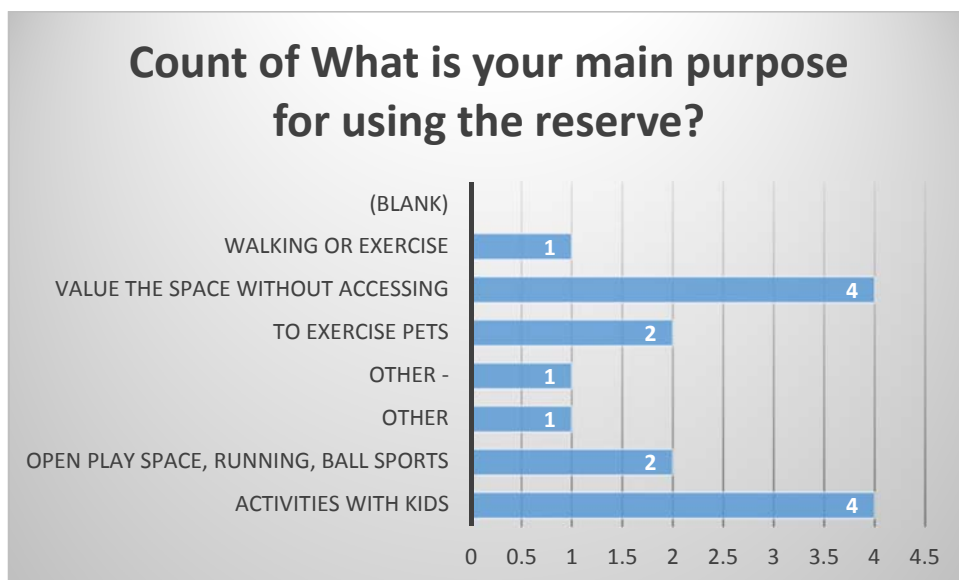
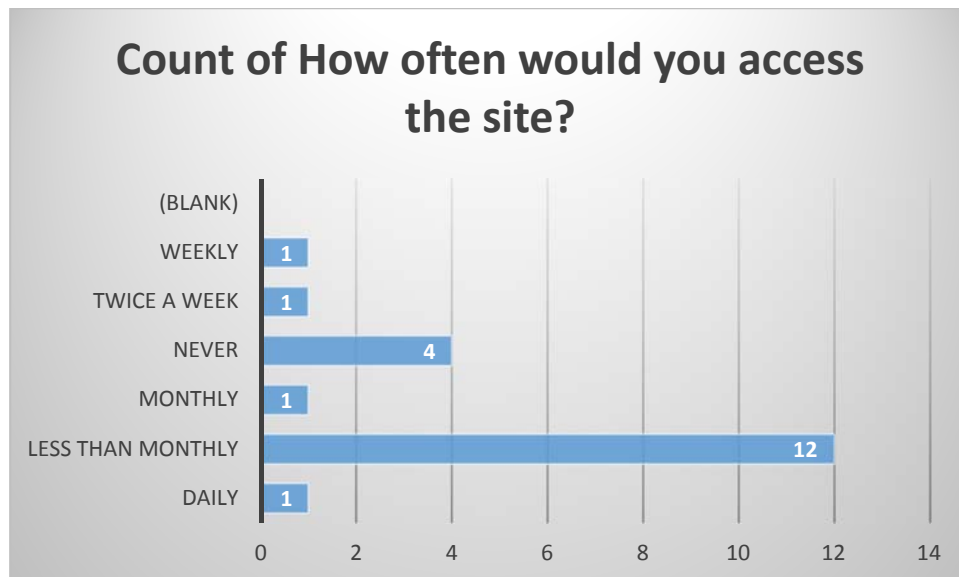
3. Do other members of your family use the reserve - if so, what for?

4. What do you value about the Ranger Street reserve?

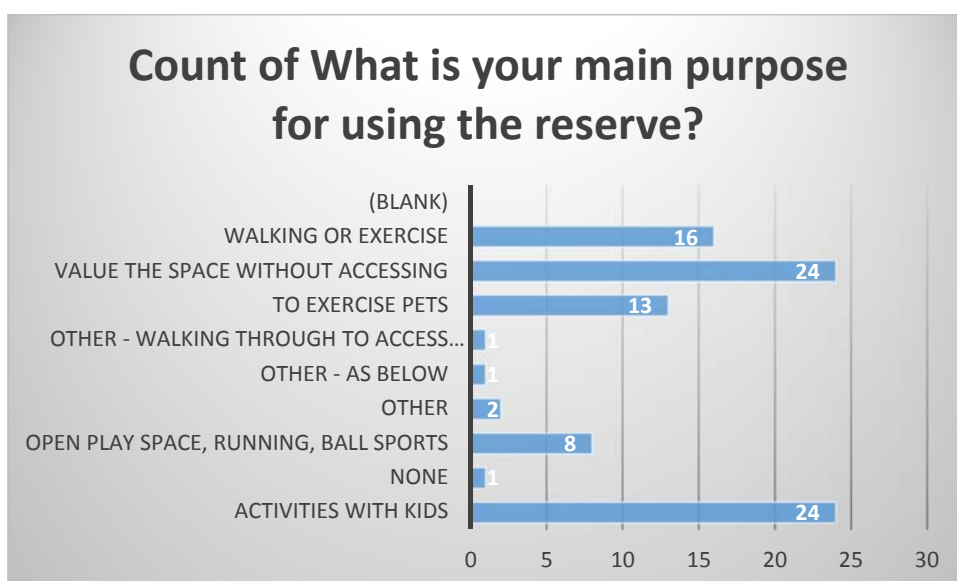
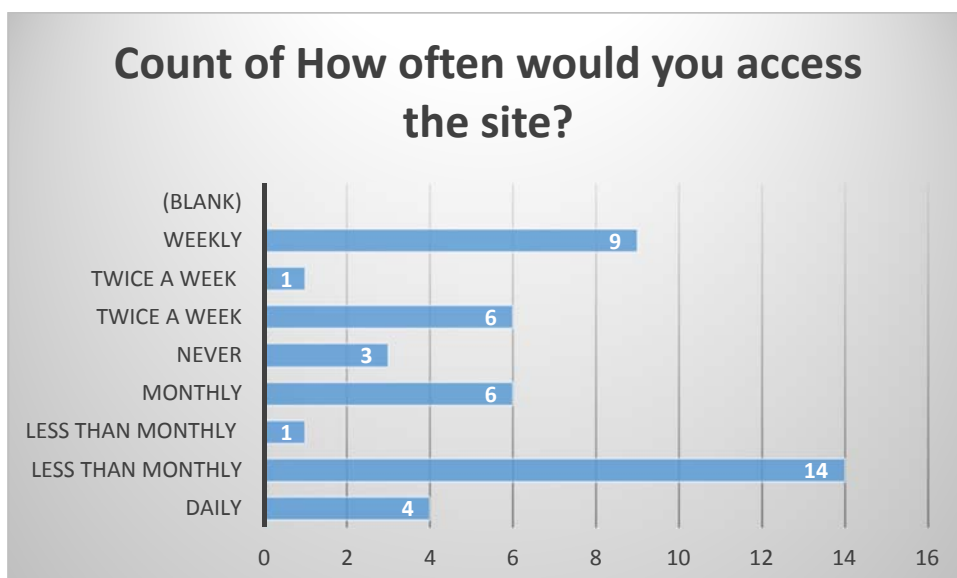
Community feedback statistics

The feedback received from the community on the vacant land survey.

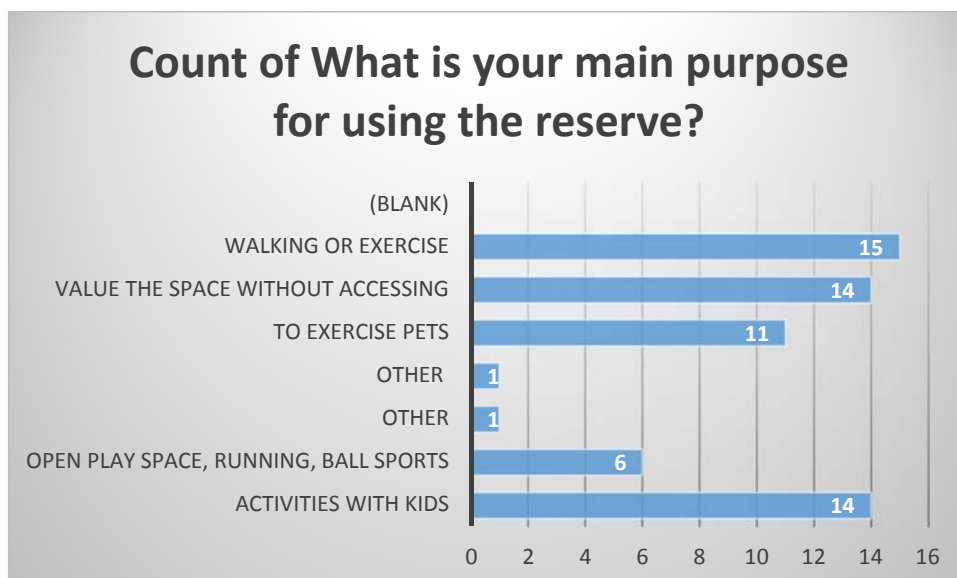
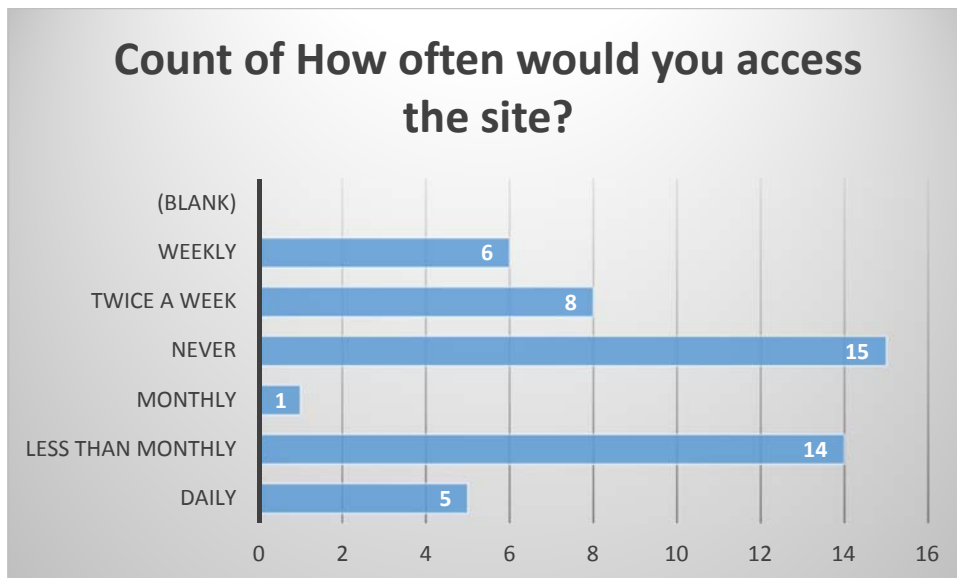
Ranger Street Reserve – 216 flyers delivered and 20 responses received (plus one response received after the consultation was closed)



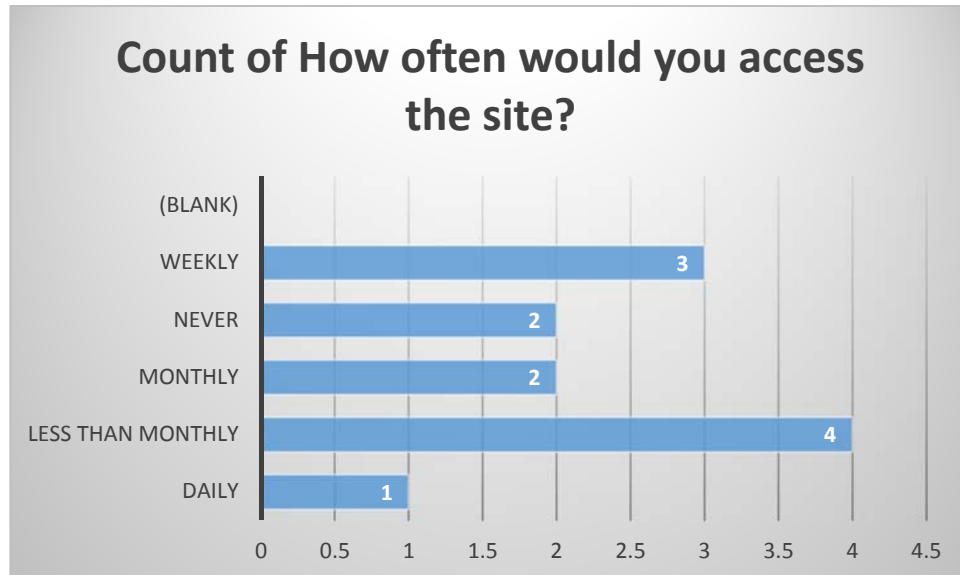
Oliphant Avenue Reserve – 506 flyers delivered and 44 responses received (plus one response received after the consultation was closed)



Louise Avenue Reserve – 400 flyers delivered and 49 responses received



Luke Court Reserve – 111 flyers delivered and 12 responses received



Specific feedback

The specific feedback received from the mail out is summarised in the table below.

Ranger Street Reserve

How often would you access the site?	What is your main purpose for using the reserve?	Do other members of your family use the reserve - if so, what for?	What do you value about the Ranger Street Reserve?
Less than monthly		We have used it once - but its too small and lacks any modern activity space for young children.	It's a green space in an otherwise [boringly] normal street. That said it is a valuable space considering its size and lack of any amenities - why would people use it? Other than locals who live on the street.
Less than monthly	Value the space without accessing	No	
Never			Sorry, I did not even know about that Reserve. I live in Grand Central Avenue Hallett Cove and will hardly use it. Thank you.
Never			My daughter and I would use the reserve when she was a toddler and as a "way stop" on our walks. She enjoyed it very much. I was unhappy to see in its current state when I walked past recently. Don't deny present and future generations this pleasant amenity.
Less than monthly		No	Nothing
Less than monthly	Value the space without accessing		In the 25 years of living next to the reserve, I have appreciated seeing others enjoying the open space. As I am now in my late eighties, I obviously don't use the reserve. With the play equipment removed, there is very little to attract children, but a shady piece of nature is so welcome.
Less than monthly	Other -	No	Never. Maybe used the swings for kids 20+ years ago Very little - better to spend the money on a larger reserve nearby.
Never	N/A	No	Nothing

How often would you access the site?	What is your main purpose for using the reserve?	Do other members of your family use the reserve - if so, what for?	What do you value about the Ranger Street Reserve?
Never		No	To me - no value. To folks with young children - probably high value.
Less than monthly	Activities with kids	No	Not a lot, I guess with H/Cove full of houses it nice to see some empty space sometimes for the children.
Monthly	Activities with kids	No - just my grandchildren when they come to visit.	I prefer to use the park at the Cove - well - not me personally. My grandchildren love it. I'm happy for land use to be changed and for the land to be sold. If this were to happen it would be good to have the proceeds of sale to be invested in our local community.
Less than monthly	Other	No, never	Never been there
Less than monthly	Walking or exercise		It's environmentally valuable to have as many 'green' areas as possible.
Less than monthly	Value the space without accessing	No, all adults and have left the area	Currently - it has very little value. It appears to be a burden on council to maintain. Now is possibly a good time to sell it off as a housing allotment.
Daily	To exercise pets	Dog walking	It's off a main road area. Having it on a suburban street means it's a safe place to be.
Less than monthly	Have you had a good look at this PARK lately???		To whom it may concern.The Reserve on Ranger Street, has been neglected, for so many years.In 1996 when our grandchildren were younger, we all enjoyed the park, but gradually the equipment was removed, the park became useless, a place not to be enjoyed.WHY DID YOU LET THIS HAPPEN??Surely the residents and especially the children deserve better. Spend some time and money and make it a nicer place to be - you've just remembered it is there!!!
Less than monthly	To exercise pets	Not known	Limit value - Small parcel of land with limited use to anyone that doesn't live in Ranger Street. Not accessible to the broader public that would normally by-pass this street. Ie would not know it exists.

How often would you access the site?	What is your main purpose for using the reserve?	Do other members of your family use the reserve - if so, what for?	What do you value about the Ranger Street Reserve?
Less than monthly	Value the space without accessing	No	I just drive past
Twice a week	Activities with kids Open play space, running, ball sports	I live in Ranger Street and have been here for over 20 years. My children grew up in that playground and then my grandchildren. Shamrock Reserve and Gretel Crescent Reserve don't have play equipment.	When there was a playground now less than monthly - now there's unsightly weeds, broken fences and yellow mushrooms - very unappealing. Activities with children - when there was a playground - great community space where local kids played together. This space has held Ranger Street get togethers and picnics but not since the playground became run down and then removed. We would love to see it preserved as a functional community space eg. a community garden or a pretty garden with walkways and seating or a half basketball court, or exercise equipment and space.
Weekly	Activities with kids Open play space, running, ball sports	Yes they do too. My little children remember fondly the see-saw that was taken away they had been playing with it since they were born, and loved it and there aren't many see-saws around in playgrounds any more. That play space is the nearest public playground to my family, we are all sad to see the playground go.	The proximity to my living space, my 2 children (4 yrs & 20 mths) can just walk over to have a swing, play ball or see-saw, & that it is not along a main road, there isn't the big concern of having constant traffic & watching my kids worrying that there is going to have heavy traffic. I'm sorry this reply came in late to you, but as a family, we are really sad that play space is gone now, & hopefully our reply can give you some ideas of how it was used, & that something positive can come of it again. Thank you.

Ranger Street Reserve feedback received after 9 January 2017

How often would you access the site?	What is your main purpose for using the reserve?	Do other members of your family use the reserve - if so, what for?	What do you value about the Ranger Street Reserve?
Less than monthly	Activities with kids Other	Yes and similar to myself	<p>Other - Sitting and reading in a quiet place.</p> <p>I used to use the Ranger Street Reserve a lot more but slowly the play equipment and the upkeep fell away. It is the only place near enough for me (I am in my 70's) that I can walk to, to enjoy some resemblance of the outdoors.</p> <p>I believe that the City of Marion has allowed this reserve to downgrade so no one will use it so they can sell it off.</p> <p>Not good enough for your rate payers who live near to it.</p> <p>It is too far for us oldies who live on the other side of Grand Central Ave to walk to Shamrock etc and in case you are unaware Hallett Cove is not flat.</p>

Oliphant Avenue Reserve

How often would you access the site?	What is your main purpose for using the reserve?	Do other members of your family use the reserve - if so, what for?	What do you value about the Oliphant Avenue Reserve?
Twice a week	Activities with kids Open play space, running, ball sports To exercise pets	Our whole family loved the playspace. We have young children and the play equipment was fantastic. We were extremely disappointed when the equipment was removed.	When the play equipment was there We value the natural look of the space. Love the big gum trees and plants scattered. I hope in the future you will replace the play equipment as I emailed before it was taken down. If not I hope it stays with as many trees as possible. Living so close we notice the amount of children using the playground and am still unsure on the councils reason for removing it.
Less than monthly	None	No	Open space - we need all we can get! NB: When I had younger grandchildren I used this park all the time. They all loved the swing, the digger & the little make believe shop.
Never			I am 70 years of age, live on my own, do not have a dog to walk to parks etc like some do. I personally do not have a reason to [enter] use these facilities. However, I do see the need and value for them so others and children can enjoy them. The more the better as far as I'm concerned. And so long as they are properly maintained and watered and graffiti quickly removed.
Weekly	Activities with kids	Children often come here	Close to our house, and it had a play gym that children enjoyed.
Less than monthly	Activities with kids Walking or exercise Value the space without accessing Open play space, running, ball sports	As above	The recreational space.
Less than monthly	Value the space without accessing	No	It's nice to have space without every bit being used for something other than peace and tranquillity.
Twice a week	Other	Yes, we live at XX Perrin Street Oaklands Park, we use it as a shortcut through to Oliphant Avenue.	I use it as a shortcut to Oliphant Avenue The fact that it cuts straight through to Perrin Street.

How often would you access the site?	What is your main purpose for using the reserve?	Do other members of your family use the reserve - if so, what for?	What do you value about the Oliphant Avenue Reserve?
Never	Activities with kids	No	Never now play equipment is gone.
Less than monthly	Activities with kids	They do, when visiting from interstate.	It provides open space in the area: unlike councils current policy of bulldozing a property and allowing several townhouses/flats to be erected on a single allotment!
Twice a week	Activities with kids Value the space without accessing Open play space, running, ball sports		Close to where I live.
Monthly	Activities with kids Value the space without accessing	Grandchildren and great grandchildren are very disappointed with the removal of the SAFE playground equipment.	The fact that I have lived in Oliphant Avenue for 50+ years and the space was sell used by original families and continued to be valued by the succeeding families. I do not understand why the play equipment was removed.
Never	Value the space without accessing	No	It was great with young grandchildren but have outgrown it now.
Less than monthly	Activities with kids Walking or exercise Value the space without accessing Open play space, running, ball sports	No - we find it boring. It's a good shortcut when out walking.	Not much - we went some times when I was 3 but the playground needs to have more bushes to play in and it needs a toilet. We went there often when our child was pre-schooler because we don't have a swing set. We used to take visitors there. We would be interested in being part of the establishment of a community garden in the space. I think it's a pity that the play equipment was removed. It must be less than 11 years old. We have lots of happy memories there, playing shops, digging in the bark, bounding on the seesaw with our child's imaginary friend, swinging, meeting neighbours. Also, look a t the design of Alf Smedley Reserve, ANZAC HIGHWAY near 6th Avenue, for a long piece of land. Could be adapted for both bits of Oliphant Avenue Reserve
Less than monthly		No	It was too small. We use Kenton Reserve or Dwyer Road Reserve. It is more beneficial to improve these 2 sites with more play equipment.

How often would you access the site?	What is your main purpose for using the reserve?	Do other members of your family use the reserve - if so, what for?	What do you value about the Oliphant Avenue Reserve?
Less than monthly	Value the space without accessing	No. Used when children were smaller.	Green space is important - biodiversity, cooler in summer, antidote to the ghastly new housing being built recently - square boxes are toxic to the eye and their blandness and lack of character is depressing.
Daily	Activities with kids Value the space without accessing To exercise pets	My grandchildren	Peace and quiet away from the screams coming from the flats.
Monthly	Activities with kids		It was a quiet, safe play area just perfect for young children. Why was it demolished before you asked for community consultation.
Weekly	Activities with kids Value the space without accessing	Visiting families take their youngsters to the park for a bit of outside fun.	We take grandchildren for a play and a picnic. The children were very disappointed to find the equipment removed.
Monthly	Activities with kids Walking or exercise Open play space, running, ball sports	Grandchildren playing etc. Ball games	There are so few open spaces. I feel it would be a shame to lose it. The council has overcrowded this area (such a shame). The council who are suppose to work for the good of it people need to look after our wants not the developers. By view of map it shows 6 reserves when you take into consideration how many more homes or residence the council has allowed in these areas in the last 2-3-4 years these reserve areas are greatly needed. Most places (new) do not have lawned areas for kids to play. When reading back page of questionnaire what a joke. We all know in the Marion Council area send anything to THE MINISTER and Rau will do anything for the developers. I have no faith this will be any different.
Weekly	Activities with kids	My grandchildren are devastated that the play equipment has been removed.	My grandchildren loved going here with Nanny.
Monthly	Activities with kids Walking or exercise To exercise pets	Yes - as above	A small quiet space for relaxation and enjoyment right in the heart of the suburbs. Its close, convenient - an unexpected gem.

How often would you access the site?	What is your main purpose for using the reserve?	Do other members of your family use the reserve - if so, what for?	What do you value about the Oliphant Avenue Reserve?
Monthly	Walking or exercise Value the space without accessing	No. None at home - no children	Open space for recreation. If you build on the area the whole street and surrounding streets will look like a long line of houses without a break. At the present time new houses have no space for children to play in. Keeping the area open will at least give children somewhere to play and relieve the monotony of the street.
Less than monthly	Walking or exercise Value the space without accessing	No	Currently approximately 4 times a year - more is planned for 2017. For walking. I value the green reserves. Part of the Oaklands character which is much admired by visitors, especially from overseas.
Less than monthly	Other - Walking through to access other streets	No	Nice to have a park there but is very limited - if kept needs a revamp!
Daily	Activities with kids Value the space without accessing Open play space, running, ball sports To exercise pets	Running & ball games.	Natural environment and plenty of shade and good for activities for young families and friends.
Twice a week	Activities with kids Walking or exercise Value the space without accessing To exercise pets	We all use it.	Close to house, a nice open space with so many townhouses and no / small yards it is very valuable. Keep it please.
Twice a week	Activities with kids Value the space without accessing Other - as below		Did use the site Daily Open space - provides habitat for birds etc must be retained. Strongly object to disposal of community land. To hell with Mr (Chairman) Rau's policy of sack'em/stack'em. Our children are now grown ups and families of their own. When they were young (born and bred in the area) then used the facility extensively. I assume current and future families in the area will do likewise!

How often would you access the site?	What is your main purpose for using the reserve?	Do other members of your family use the reserve - if so, what for?	What do you value about the Oliphant Avenue Reserve?
Weekly	Walking or exercise Value the space without accessing	Accessing Perrin Street	Clean open space, a bit of greenery, nice trees. Please don't put a bin in the reserve, the smell of dog droppings is disgusting.... A bench to sit would be nice.
Weekly	Activities with kids Walking or exercise	Partner and grandchildren	Open area. We miss the play equipment. BASKETBALL RING maybe an exercise equipment would suite space available.
Less than monthly	Value the space without accessing	No	Rarely That it breaks up the residential street.
Less than monthly	To exercise pets	Not really	We rarely go there if at all. Mainly go to George Street, Kenton Ave and the Sturt Linear Park a lot for exercise, walking the dog and kids to the playground.
Weekly	Walking or exercise Value the space without accessing		It is open space. Something we need to preserve as with the continuing movement of residential infill now becoming worse with multi-story any open space will become increasingly important as otherwise we will turn into a concrete jungle. And children must have somewhere to play they certainly don't have back yards. I do think it was short sighted removing the play equipment as the neighbourhood will change back to young families and in fact I can see it happening.
Less than monthly	Value the space without accessing	As above	It's a close park that I can access.
Weekly	Activities with kids Walking or exercise Value the space without accessing Open play space, running, ball sports To exercise pets	We all use the reserve for family activities	The lovely trees and grass - nice scenery makes a nice place to drive by.
Less than monthly	Value the space without accessing	I'm single	Open space.

How often would you access the site?	What is your main purpose for using the reserve?	Do other members of your family use the reserve - if so, what for?	What do you value about the Oliphant Avenue Reserve?
Weekly	Walking or exercise To exercise pets	Yes, husband & I walk our dog there every few days	Open green space, quiet, clean.
Less than monthly	To exercise pets	NA	It's open space - not more townhouses with less parking.
Weekly	Walking or exercise To exercise pets	Walking, pet exercise	Good for pet exercise and for access from [XX] Street.
Twice a week	Activities with kids Value the space without accessing Open play space, running, ball sports Other	Apart from ourselves we have grandchildren. No equipment now, though.	Considering there are "so" many units after houses demolished this is an area of land that is appreciated. We the community need and want "green areas". This does not need to be used as just another "land use" for developers.
Twice a week	Walking or exercise	Walking and exercise	Green & cool in summer. Not happy you removed the playground. I used to take my grandchildren there and they are now very disappointed and don't understand why it has gone!
Less than monthly	Activities with kids To exercise pets	No	Prior to equip removal, enjoyed seeing parents with children playing. Now I value it as a little green oasis.
Daily	Activities with kids Value the space without accessing	Parents. Walking. Exercise.	It's great, convenient spot. Although it is tiny. Dwyer Road one, far away and not too many facilities to play. It's an important spot for our daily routine. It will be great if the place increase some new facilities. I do not understand leaving an empty space there has any point. I strongly appeal recover the Oliphant Avenue Reserve.

How often would you access the site?	What is your main purpose for using the reserve?	Do other members of your family use the reserve - if so, what for?	What do you value about the Oliphant Avenue Reserve?
Monthly	Activities with kids Walking or exercise Value the space without accessing		It is a small piece of green space with children's play equipment. We used it almost daily when we had young children because we live on Oliphant Avenue. Green spaces are valuable because they provide necessary calming to busy lifestyles and medium density housing. They also provide valuable space for people to be outdoors and connect with each other even if this is in a passive manner eg. simply greeting fellow users. I use other green spaces more actively eg. Kenton Avenue reserve, Oaklands Wetlands and Sturt Creek walking path for weekly / bi-weekly walks.
Daily			Daily - when needed. See comments attached.

Oliphant Avenue Reserve feedback received after 9 January 2017

How often would you access the site?	What is your main purpose for using the reserve?	Do other members of your family use the reserve - if so, what for?	What do you value about the Ranger Street Reserve?
Twice a week	Walking or exercise Value the space without accessing Other		Other - I value soil to air - with the increase in density of housing as the major development of this area 2 houses being built on one house block - the devastating effects of the soil to air ration and a "natural environment" continues to be blatantly downgraded for the chase for the more wealthy to make even more money. The challenge of a greedy western society chasing money to the general destruction of this planet. It contains some trees - it is an "open" space - it gives a sense of openness to the area and removes the feeling of closed, trapped spaces that most major cities around the world display. It has its own sense of belonging - it is far better than trees jammed between cement and bitumen and brick on our kerbs - they have a true sense that they were "put" there. I still enjoy trees on the kerbs however -but a wider space eg like Adelaide's parklands has a sense of belonging there rather than just put there. A better feeling for the human psycho. Been away for 4 weeks - replied today (Tues 10th) when we returned.

Your community survey states:

The purpose of this consultation is to identify how people are currently using the Oliphant Avenue Reserve in Oaklands Park.

Response to Question 1: 'Daily – when needed'.

Response to Question 2 of your Community Survey.

I have ticked '**Other**' and the following is my response to your request to **'Please provide details'**.

We are now learning that 'nature's spaces' such as Oliphant Reserve are vital for our physical, mental and spiritual well-being.

I learnt this information from a copy of the book '**The Teachings of The Essenes from Enoch to The Dead Sea Scrolls**' by Edmond Bordeaux Szekely, which was recently sent to me by a friend from interstate.

These teachings, confirm the absolute importance of spaces such as Oliphant Reserve for our spiritual, mental and physical well being.

(The book teaches us the Morning, Noon and Evening communions (affirmations) that need to be said to receive powerful blessings from The Cosmic Ocean of Consciousness. This Ocean consists of all the powerful positive energy of the more superior planets above earth, which is now available to people on earth.

(I apologise for not including a copy of the book. Unfortunately, the photocopy of the book sent to me is not clear enough. Hopefully you can obtain one because in it you will learn very important information about the Essenes, from whom we have received these affirmations. The book was amongst the Dead Sea Scrolls, which were discovered in 1947).

This knowledge is very powerful, particularly to those of us who live in Crozier Terrace, which as you are all aware, is a high-density living area.

When human beings live at such close proximity to each other, with little or no green spaces between each other (as the Housing Trust homes (near us) have), negative emotions particularly fear, and anger - caused by the misunderstandings of people's motives – just for going out into the yard, for example, 'hit' one and severely deplete positive energy. **Such vital energy is replenished by even just visualizing such nature spaces as Oliphant Reserve.**

This enables those of us who are aware of these new teachings to use this gift of nature's energy (Oliphant Reserve) to replenish our energy and **not retaliate** when negative energy is directed towards us.

Oliphant Reserve and the other open spaces including the linear park and the wetlands around Crozier Terrace are vital to us. They help us cope with the pressures of living 'on top of each other', that is, in each other's personal spaces.

In answer to your question as to how often I use this site i.e. Oliphant Reserve:

My response is: I use it as and when I need nature's energy to replenish my own.

I moved into this area almost 3 years ago and I used to walk every morning in the linear park, stopping most mornings at Oliphant Reserve to observe the sunlight on the leaves of the gum trees.

When the almond blossom bloomed, I walked amongst the almond trees. I read how people came from many parts of Australia to see the almond blossom, which, when the petals fell, looked like snow-flakes on the ground. How beautiful! Afternoon tea was served to visitors, who arrived in buses! So nice!

Because of that, I feel so attached to these beautiful trees – not only there but also in the linear park and along the railway line, where they have been allowed to grow.

I had to stop my daily walks after 18 months of living here because my energy was totally depleted. When I moved here, the rent was very high and because of all the other bills I had to pay, I put my food at the bottom of the list, cutting down severely on my daily meals.

Fortunately, a friend of mind (a homoeopath) helped ^{me} rectify my inadequate diet. At that time, my doctor suggested less walking for the time being.

Now, I am very, very much better – thanks to nature's exquisite healing energy from Oliphant Reserve, the Linear Park, the Wetlands and the Beautiful trees at Oaklands Station! Thank you! [Also, I choose Abundance"]

(We are now aware that we breathe in nature's oxygen whilst nature breathes in our carbon di-oxide. We are created to support each other).

We are now also learning that we were not created to be individuals and that the 'others' in our lives are as important as we are and our goal is to send **positive energy to all** our neighbours, passers-by, drivers, construction workers, council workers, and the countless others who use this area because of Oaklands Station.

This also includes **responding positively** to the many disruptions to pavements that are caused by the continual 'development' that goes on around this area, in particular, badly cracked pavements and construction workers' cars parked on pavements). As we quietly walk along, we wonder whether anyone cares about us – the pedestrians.

Regardless of whether people do or not, we know **we have to be positive** and we soldier on positively because only such energy creates a 'single flame' that goes Up to Our Heavenly Father as a powerful prayer. That prayer then brings down powerful blessing from above not only to the person praying but to the entire community.

Finally, may I end by saying how much I admire and thank you for your **respect for the trees** – At Oaklands Station, the Linear Park, even the one at the Swimming Centre because, as you will read from the book I mentioned, **The Energy from The Angel of Life** is contained in the trunks of trees. They benefit us all.

Our connection to all aspects of Nature (Mother Earth) enables us to connect to and receive Our Heavenly Father's Blessings.

Also, although unrelated to this survey, I bring to your attention the **pedestrian crossing on Diagonal Road**.

Firstly, the traffic lights are not in sync with the trains, so that often we have to wait a while before they change to green, long after the sirens sound.

Also, the section of the crossing that does not have lights (between the centre of the road and the swim centre) needs a notice to inform motorists that pedestrians have priority. E.G. STOP - GIVE WAY TO PEDESTRIANS. This notice needs to **be printed on both sides of the board**, so that those of us crossing can see clearly that it is Ok for us to go ahead. At the moment, motorists seem unaware of this and zoom past!!

Thank you for attending to this matter.

YOUR INPUT

Your feedback will assist Elected Members in determining the future use of the site.

This community consultation is to understand the value of the space and how community use the space.

If the site is deemed to be surplus to Council's requirements we will then investigate whether the revocation of the community land classification should be pursued.

When determining the future of a reserve we consider a number of elements such as biodiversity value, trees that exist on site, potential drainage requirements, existing policies and community feedback.

Any disposal of any community land is subject to Ministerial Approval and further community consultation would be undertaken in this case. All feedback as a result of the community consultation is considered by the Minister when making a decision about revoking a community land classification.

Please complete this short feedback form so we are able to understand community needs in our decision making.

Thank you for consulting with the community.
Most appreciated.

Louise Avenue Reserve

How often would you access the site?	What is your main purpose for using the reserve?	Do other members of your family use the reserve - if so, what for?	What do you value about the Louise Avenue Reserve?
Twice a week	Activities with kids Value the space without accessing	Yes, grandchildren	Twice a week with the playground equipment. We have lived in Louise Avenue for over 40 years. Before the playground equipment was removed we enjoyed the slide and swings with our children then our grandchildren twice a week and sometimes more. Who can resist the request of a grandchild for a swing? We were not consulted about the removal of this equipment and would have responded to that questionnaire! The land was donated by the owner to have a green space!
Twice a week	Walking or exercise To exercise pets	No	Trees and lawn because I have no lawn on my own property. The park with its open air space compliments the home density of the street.
Monthly	Walking or exercise		It is a quiet, relatively small reserve, and near to my home. Would be better equipped if more seating was available.
Never		No all adult children not living in this area	Good for young families. I am elderly and walk at Marion Westfield
Never		No	I am filling out this form on behalf of my 94 year old mother who is not well enough to do it herself. She has never used the open space in Louise Avenue Warradale and is unlikely to use it in the future.
Less than monthly	Walking or exercise Value the space without accessing	No	I value open space / park reserves. This reserve is tiny so I don't use it much. I would agree to it being sold only if the money was used to acquire or develop other parks in the Council.
Less than monthly	Walking or exercise To exercise pets	No - not safe. After the last time I was accosted by a man in the bushes I was advised by Police not to go there again.	Nothing any more. Local drug dealers (one lives in Louise Avenue) and other undesirables use this space. Perhaps if a police station was sited there much of the crime around here might cease.

How often would you access the site?	What is your main purpose for using the reserve?	Do other members of your family use the reserve - if so, what for?	What do you value about the Louise Avenue Reserve?
Daily	Walking or exercise	No - we are elderly	Daily, if it wasn't covered in doggy do. It's a great open space where I see young children playing sport and it should be kept for their use. My problem is that people let their dogs loose and don't pick up the Doggy do. Please do not chop it up for housing. There is not enough open space, for young sports events.
Daily	Activities with kids Walking or exercise Value the space without accessing Open play space, running, ball sports To exercise pets	Yes, all of the above	Open space access to recreational activities, activities with children.
Never		No	I appreciate green spaces in the suburbs. I use the Bowker Oval almost daily. I love the Ballara Park Reserve with the huge gums. But the Louise Avenue reserve is tucked away and not blessed with large trees and plantings so it is of less interest and value to me for that state. I never saw anyone use the play equipment that was on there previously.
Twice a week	Activities with kids	Every week we visit this part to and for our 3 children to play. We also walk our dog.	Its quiet and not far from our house
Twice a week	Activities with kids Walking or exercise Open play space, running, ball sports	Yes, our grandchildren love the reserve, they get to stretch their legs and sleep so well at night	Everything with day to day living if its stressful, you can go and relax enjoy the day better and see your grandchildren playing. Thank you Marion Council!
Less than monthly	Activities with kids	No even when our children were young we only used the park occasionally as we went to Ballara Park and Bowker Street oval more room and better play equipment	Nothing it is only a space for unwanted people hanging out. I would suggest that you sell it and the money go towards better equipment at [other] parks.
Weekly	Activities with kids Walking or exercise Value the space without accessing Open play space, running, ball sports	Grandchildren - ball sports, running, etc.	Weekly to Monthly. Green, open space in our neighbourhood. Trees for shade. Wish the little playground equipment was still there. Good for birdlife as well, we need this.
Less than monthly	Activities with kids	Hardly any	It's difficult to access and small

How often would you access the site?	What is your main purpose for using the reserve?	Do other members of your family use the reserve - if so, what for?	What do you value about the Louise Avenue Reserve?
Never		No. When there was horse stables next to it years and years ago 0- it was ok to go in and chase chickens! Haha	Don't use. Walk past with dogs - we don't go in. (I grew up in Astric Avenue so have known it all my life). I've always thought it was a big waste of space. It's not really big enough to be an enjoyable park to throw frisbees or balls etc. Lots of house's backyards back onto it - if I was the council - I'd sell to a developer for housing and use the money to upgrade decent sized parks/reserves within the council area or towards an overpass at the OAKLANDS RAIL CROSSING!!
Never			Never, now my grandchildren are adults. Why are you asking about 1 block of land when you allow 4 houses to be demolished in 1 street and 11 yes eleven 2 storied houses to go up with no consulting of the neighbours. Nor was I consulted when my 60-70 old street TREE was cut down when it dropped a branch. Another TREE in the street which dropped a branch was allowed to stay. Why are people's rubbish bins stored at the front of the house because you allow building to the fence line and can't fit the bins in the pokey little alleyway leading to the back "yard". It's not a good look for the neighbours or the neighbourhood. Plus Caravans parked in front of houses. Why aren't they away some where in storage. There's an idea. Make the playground into a caravan & boat parking area!! At a huge fee, of course. That will contribute to 'Neighbourhood character". Cars parked in driveways & on the street because the "garage" has the lawn mower in it. Certainly does away with the Character of the neighbourhood. Go ahead & do what you like. You will anyway.
Weekly	Walking or exercise	Grandchildren play soccer when visiting us.	Not at all. Easy access and adjoining our property.
Never		No	Not at all.
Less than monthly	Activities with kids Value the space without accessing		Used to use regularly when grandchildren were small
Less than monthly			
Never	Never use it	No	Nil

How often would you access the site?	What is your main purpose for using the reserve?	Do other members of your family use the reserve - if so, what for?	What do you value about the Louise Avenue Reserve?
Never	None	No	Nothing. We have lived here for 11 years in Omar Avenue and have never used this reserve.
Never			Because I am 90 years old I do not use the reserve.
Never		No	Never in 20 years. Nothing - too enclosed. Has never felt like a safe environment. We think that it should be sold. Other more appropriate open space available. Ballara Park tennis courts should be open to residents not just an exclusive club.
Less than monthly	Other	No	Don't use the reserve, so cannot comment about its value. For those who live on the street (or nearby) I'm sure the space has benefits, ie exercise, walking a pet, etc. If the reserve has minimal use, then my opinion is to sell the land for residential housing.
Less than monthly	Value the space without accessing	No	It is a great space that could be used for a community vegetable garden.
Weekly	Activities with kids Walking or exercise Value the space without accessing Open play space, running, ball sports To exercise pets	A place to go when grandchildren visit.	A valuable space to promote mental and physical health. A pleasant open place that's quiet and within close walking distance. Set amongst nice homes and gardens. A "breathing" space in a ever increasing build-up.
Less than monthly	Other - do not use Reserve at all no need to	No	
Twice a week	Walking or exercise	Exercise circuits	An open space that's very close and accessible for outdoor exercise.
Less than monthly	Walking or exercise	N/A	Never really thought about it. Am more concerned with the lack of drainage for stormwater flooding in Keynes Avenue Warradale. Only 1 x drain cnr Keynes & Diagonal southern side, and water is impeded (flow) by roundabout halfway up street adjacent school entrance. Suggest traffic engineer takes a look in new year as all us residents in Keynes Ave getting sick of our yards being flooded during heavy downpours, as water can't get away due to traffic obstacles and lack of deep drainage. Cheers!

How often would you access the site?	What is your main purpose for using the reserve?	Do other members of your family use the reserve - if so, what for?	What do you value about the Louise Avenue Reserve?
Twice a week	Activities with kids Value the space without accessing To exercise pets	Yes - same reasons I do	I really value open space particularly as housing density increases. It is so important not only to have space for exercising etc, but also helps to have some green space & foliage to counter increased heat as a result of extensive housing infill in this area.
Weekly	Value the space without accessing		It is an island in the middle of suburbia. Removal of the play equipment seems to have been a sad prequel to the proposal to dispose of this land. Rather than return this land to residential use, I propose that the land be divided into allotments for people to use as community gardens.
Daily	Activities with kids Walking or exercise	Above	Above Open space
Twice a week	To exercise pets		Very much, great local space to exercise the dog. Re disappointed if it was taken away.
Weekly	Value the space without accessing Open play space, running, ball sports	Neighbours and kids	Leave it as it is. Don't build damn houses on it.
Daily	Activities with kids Value the space without accessing To exercise pets		I enjoyed the open space in the neighbourhood. When children were young, we often went to use the play equipment. It's a nice local park that's not overcrowded with organised sport.
Less than monthly	Value the space without accessing	No	
Never	N/A	No	Unlikely to access the site. Any 'green' space is worth keeping in one form or another. Given the size and shape of the space, I wonder if it could be developed as a Community Garden - it would need the interest and support of the local community but could be a positive project.
Less than monthly		We have lived in Warradale for 56 years and our children are all married now and live in other areas and state.	We did years ago but we don't use it. All our life is not in need for it. Our neighbours have passed on and young people are here now with children too old to play at the reserve.
Daily	Open play space, running, ball sports To exercise pets	Children and Husband	Quiet place to throw the ball to the dog. Kids love kicking the football etc.

How often would you access the site?	What is your main purpose for using the reserve?	Do other members of your family use the reserve - if so, what for?	What do you value about the Louise Avenue Reserve?
Weekly	Activities with kids Walking or exercise To exercise pets	Running	Quiet - would like family friendly picnic/play equipment
Never	Value the space without accessing		Apart from an open "breathing space" amid our increasingly built-on land sealed residential surfaces, it provides an area where rainfall can actually reach the ground and help replenish our decreasing ground water. It could accommodate a children's swing again, a couple of shaded seats for supervising parents/adults. A green area is always welcome right. N.B. The timing of sending a request like this in the period just preceding Christmas is very short-sighted!
Less than monthly	Activities with kids Value the space without accessing To exercise pets	Access to the playground, it has been demolished, it was not maintained well by council.	<p>Less than monthly due to playground gone and reserve was not maintained.</p> <p>Having green open space close by, with trees to sit under when we walk there, but the reserve needs to be maintained for the public to want to use it.</p> <p>Green lawns not dry lawns with prickles and weeds removed.</p> <p>We are fortunate to have Bowker Street oval, with its playground, tennis courts, trees and maintained oval.</p> <p>We, as a family with grandchildren use the playground early morning, there needs to be sun shades over the equipment for children and adults to be protected from the sun. The playground that was in Louise Avenue was not covered by sun shades and was not used by us due to the heat in summer / no shade.</p> <p>A suggestion for the council.</p> <p>Erect a wonderful, extensive playground in Louise Avenue that entices family and extended family to have fun, climbing, sliding, jumping, swinging, hocking etc. But, there must be sun shades over this, as general public won't use it unless there is shade from the extreme heat that we have.</p> <p>Paringa Primary School has huge sun shades over its very popular playground and is always being used on weekends by families.</p> <p>Everything needs to be maintained also.</p> <p>Thank you.</p>
Never		No	Nothing
Never		No	Didn't know it existed. Don't use it.

How often would you access the site?	What is your main purpose for using the reserve?	Do other members of your family use the reserve - if so, what for?	What do you value about the Louise Avenue Reserve?
Less than monthly	To exercise pets	No	Reserves should be kept as the area is largely being redeveloped with smaller houses no back yards and new younger families moving into the area so there is somewhere for the children, pets & family to play in these reserves. If council redevelop these areas there is less spaces for families to play and have fun.
Never		No	Nothing! I regularly use Bowker oval for walking and appreciate the bbq area. This survey - albeit consulting the community - is just another excuse for some - of many - highly paid employees to justify their existence. As in the planning department, they have to do the same and say no to every plan for redevelopment presented, and stretch the process out to frustrate rate-payers ... 4 houses down, 11 in their place @ greatly increased revenue, so why the big delays??! You will, of course, do what you planned for Louise Avenue site in the first place.
Twice a week	Walking or exercise		This would be a perfect space for creating a community garden.

Luke Court Reserve

How often would you access the site?	What is your main purpose for using the reserve?	Do other members of your family use the reserve - if so, what for?	What do you value about the Luke Court Reserve?
Daily	Walking or exercise To exercise pets		All these reserves add to the tranquillity and country feel of our local area
Monthly	Activities with kids Value the space without accessing Other - sitting reading, looking at the view	Grandchildren. They would play on the equipment, however, of late we did not visit as much as the play equipment was too old and uninteresting and there was nowhere to sit. The vegetation was also old and needed replacing and maintenance.	It is a small area of green in a suburb, within walking distance of our house. It also has a good view towards South Road/Landers Road. It did (before it became very dated and in needed of maintenance) allow our family to share a short fun time. It also needs some shade, as it is on elevated green space which makes it exposed.
Weekly	Activities with kids Open play space, running, ball sports To exercise pets	Yes, mainly activities with young children and exercising pets.	Close proximity and the attraction of having a bit of open space in a densely built up area.
Weekly	Activities with kids Value the space without accessing	We take the kids to play on the playground. Also play on grass area with ball etc. We have 2 kids.	Twice a week / Weekly. Safety don't have to cross any main roads. Close & convenient.
Never	Value the space without accessing	No	That it's there for families to use in that area. Christopher Grove is closer to us, although not appealing to us or neighbours to use as overgrown and unappealing at present.
Less than monthly	Value the space without accessing To exercise pets	As above	Open space green area - could be landscaped and some seating added for picnics etc.
Monthly	Walking or exercise To exercise pets		Open space. View of the local area.
Less than monthly	Value the space without accessing	No - steep access. Not maintained well. Always dry and uninviting.	Has great views and could be a nice lawned area with seating and BBQ to enjoy the views.
Never		No	I think either a b.b.q area with shaded shelter (including a council funded b.b.q.) or a fenced dog park would utilise this area best.

Less than monthly	Activities with kids Walking or exercise	My kids used to but not now!	A short walk to a park that doesn't cross a busy street.
Weekly	Activities with kids To exercise pets	My 3 children enjoy the space, and sometimes also take friends, cousins, etc. with them.	My children rarely used the playground, but did enjoy the swings. The view is great. They enjoy climbing on the large rocks. It's also a good place to walk the dog as it is relatively weed-free compared to the surrounding open spaces (Peter Court, etc.). *Speaking to my kids, they thought it would be good to have some more simple "nature play" items there (more large rocks, logs, etc.) to climb on. They were also sad the swings were removed.
Less than monthly	Activities with kids Value the space without accessing		Was used regularly when children were younger however when I noticed the space was not being used due to demographic I wrote to council and suggested basketball hoops and fencing as no suitable for ball sports due to hill. Suggestion / basketball ring and fence or dog park.

DISPOSAL CONSIDERATIONS

Health Data

Health data for the City of Marion indicates that a high percentage of the population's wellbeing has the potential to be improved with participation in recreational activities. Some of these groups are:

- Persons not involved in recreational activities
- Children with asthma
- Female adults with psychological distress
- Children self-reporting health as fair/poor
- Males self-reporting health as fair/poor
- Age pension recipients
- Housing SA tenants

There may be opportunities for the establishment of community gardens in reserves which would provide equitable access to the produce of fresh food. The health data for the City of Marion dated November 2015 identifies that the percentage of the community with sufficient vegetable consumption is:

- Male children 5.1%
- Male adults 32.7%
- Adults 41.4%

These percentages are all below the benchmarks.

As also referenced in the Draft 30 Year Plan for Greater Adelaide, the provision of open space may assist in the mitigation of the impacts of the urban heat island effect by creating cooler environments.

Draft 30-Year Plan for Greater Adelaide

The Draft 30-Year Plan for Greater Adelaide identifies that greater emphasis must be placed on quality open public spaces within our communities as many new houses have small back yards. The provision of open spaces will provide:

- A focus for social interaction
- Help support safe, healthy and connected communities
- An opportunity to increase their physical activity levels which in turn improves the overall mental and physical health of the community and liveability
- The greening and cooling effect will be a key adaptation response to the increase infrequent extreme temperatures
- Promotion of physical activities

Access to open space also helps promote health and wellbeing in the community.

City of Marion Community Vision and Business Plan 2016-2019

The goal relating to Council's optimisation of assets in Council's Business Plan 2016-2019 is 'Review under-utilised council reserves and facilities to ensure community use of optimised'.

The Business Plan was adopted by Council in September 2016 (GC270916R03).

**CITY OF MARION
GENERAL COUNCIL MEETING
24 JANUARY 2017**

Originating Officer: Alicia Clutterham, Team Leader Open Space & Recreation

Manager: Fiona Harvey, Manager Innovation & Strategy

General Manager: Abby Dickson, General Manager City Development

Subject: Playspace Framework

Report Reference: GC240117R04

REPORT OBJECTIVE AND EXECUTIVE SUMMARY

The purpose of this report is to seek endorsement on a draft Playspace Policy and Playspace Service levels for community consultation.

The draft policy and service levels incorporate proposed changes to the design and procurement process to a standardised palette approach to achieve efficiencies in the delivery of playspace projects.

Background research, analysis and internal consultation has been undertaken to review and revise the existing Playspace Strategy, and develop the draft Playspace Policy and service levels.

RECOMMENDATIONS

DUE DATES

That Council:

- | | |
|--|-----------------|
| 1. Endorses the draft Playspace Policy including the proposed standardised palette approach and draft Playspace Service Levels as provided in Appendix 1 and Appendix 2. | 24 January 2017 |
| 2. Endorses community consultation on the draft Playspace Policy and draft Playspace Service Levels for a three week period in February 2017. | 24 January 2017 |
| 3. Notes the final Playspace Policy and Playspace service levels will be presented to Council as part of the Playspace Framework for consideration and adoption in March 2017. | 28 March 2017 |

BACKGROUND

Council considered a report on the Review of the Playspace Strategy on 27 September 2016 (270916R07) and resolved:

1. *Affirms in principle support for the playspace framework which incorporates:*
 - a. *Policy (including hierarchy)*
 - b. *Service Levels*
 - c. *Prioritised Works List*
 - d. *Project Methodology (including Community Engagement Approach).*

2. *Refer the matter for further discussion at a future forum to progress the policy, discuss spatial layout of hierarchy and budget implications over the life of the long term financial plan.*
3. *Endorse the removal of the 11 additional playspaces listed in this report*

The purpose of the Playspace Strategy review was to:

- Address the Council resolutions raised in relation to the Playspace Strategy from 2008 – 2014.
- Review the Playspace Strategy context to ensure it provides a relevant framework that guides the provision and management of playspaces across the City in line with Council's Community Vision and Draft Business Plan 2016-2019.
- Review and make recommendations for Council's Long Term Financial Plan in line with current Asset Management Policy and practices.
- Consult with Elected Members to ensure the revised implementation plan and process meets current strategic directions and aligns to community needs.
- Identify opportunities to enhance the Playspace strategic objectives and implementation plan in line with industry trends.
- Review implementation practices and consider opportunities for process improvements.

A Forum was held on 29 March 2016 to consider the review of the Playspace Strategy. This was followed by discussions with ward councillors to provide input into the review.

A further Forum was held on 15 November 2016 to consider the draft policy, in particular further analysis of the spatial distribution of playspace hierarchy levels and user catchment areas.

DISCUSSION

Draft Playspace Framework

As outlined in the report (GC270916R08) the proposed City of Marion Playspace Framework incorporates:

- a. Policy (including hierarchy)
- b. Service Levels
- c. Prioritised Works List
- d. Project Methodology (including Community Engagement Approach).

This report presents the draft Playspace Policy and service levels for consideration and endorsement for community consultation. The policy provides the high level guiding principles and sets out how the City of Marion provides for play environments.

The preparation of the final draft Playspace Policy and service levels has included feedback provided through forum discussions:

- Incorporation of User Catchment distances within hierarchies

User Catchment distances for hierarchies have been included of 500m (Local), 750m (Neighbourhood) and 1.5km (Regional) within the Draft Policy

- Streamlined project methodology
 - a) Standardised design and procurement process

There is opportunity to streamline the design process by working with a standardised palette and panel contract arrangement for playground equipment and park furniture items.

Operating with a panel contract of playground equipment and park furniture suppliers will result in capital savings estimated to be 5% of the capital budget for playground equipment and park furniture which would result in savings.

b) Streamlined consultation

As part of the standardised palette approach there is potential opportunity to streamline the community consultation resulting in reduced project timeframes and operating savings. It is estimated that for Local and Neighbourhood level playspaces there would be cost savings by reducing from a 2 stage consultation process to a 1 stage process. This would reduce project timeframes by 6 - 8 weeks.

These methodology revisions are described in more detail below.

Playspace Project Methodology

A review of the current playspace project methodology has resulted in the opportunity to revise the methodology to gain efficiencies in time, operating costs and capital costs. Three options are proposed below, with Option 1 – a standardised palette approach being recommended.

The current playspace service levels are made up of two main capital components; 1) play equipment and park furniture; and 2) supporting infrastructure such as pathways, soft fall pavements, earthworks and landscape treatments. Approximately 40%- 50% of the allocated budgets are for play equipment and park furniture, with the remaining 50-60% for associated infrastructure.

The opportunity for cost savings through the standardised palette approach is therefore based on 40% - 50% of the overall playspace capital budgets (\$100k local, \$180-\$250k neighbourhood and \$900k regional)

Option 1 – Standardised Palette Approach (Recommended option)

This option is based on streamlining the procurement process by having a preferred panel of play equipment providers and a materials palette for each level of playspace.

This would result in potential discounted rates for park furniture materials and equipment but would allow for a flexible approach with consideration of practicalities in design, supply, Australian standards and market opportunities.

The standardised palette approach will provide efficiencies in the design and delivery process through upfront identification of suite of play equipment and furniture.

The proposed standardised palette/design process includes the elimination of the upfront consultation process (step 2 in the table below) due to a standardised design palette being considered prior to project commencement.

Local and Neighbourhood Playspace Current Delivery Methodology		Regional Playspace Current Delivery Methodology	
Steps	Scope	Steps	Scope
1	Project planning and site analysis, survey	1	Project planning and site analysis, survey
2	Initial Survey Consultation (REMOVE) - Understand the local context	2	Initial Survey Consultation - Understand the local context
3	Draft Concept Plan and Opinion Cost	3	Draft Concept Plan and Opinion Cost
4	Ward member engagement	4	Elected Member Forum
5	Community consultation on draft concept	5	Council report
6	Final concept plan	6	Community consultation on draft concept
7	Detailed Design Documentation	7	Final concept plan
8	Tender procurement	8	Council report
9	Construction	9	Detailed Design Documentation
		10	Tender Procurement
		11	Construction

Table 1: Playspace Methodology Process

This approach would also reduce the time needed for a number of other steps:

- Local and Neighbourhood – steps 3, 7 and 8
- Regional – steps 3, 9 and 10

Council may consider whether it wishes to remove step 2 for Regional Playspace developments. There are currently 2 regional playspaces to be developed over the period of the 10 year works program; Hugh Johnson Reserve and a future new playspace at Tonsley. It should be noted that the Department of Planning Transport and Infrastructure (DPTI) open space funding includes consideration of criteria relating to community engagement and level of community involvement.

The process could potentially save around 5% in capital costs (playground equipment and park furniture) which will be confirmed through a Contracts Expression of Interest process. The estimated savings are Local \$4,750, Neighbourhood \$14,500, Regional \$30,750

It is proposed to adjust the capital budgets for each hierarchy service level by the estimated savings. This approach has been reflected in the draft service levels in Appendix 2.

The estimate of operational savings through reducing the steps and time needed for design, consultation and procurement are shown in the table below, along with the estimated capital savings.

	Operational	Capital	Total Savings per playspace
Local	\$3,000	\$4,750	\$7,750
Neighbourhood	\$3,400	\$14,500	\$17,900
Regional	\$5,000	\$30,750	\$36,950

Table 2: Projected savings utilising equipment supplier panel, typical playspace palette approach

These operational savings could be realised from 2017/18 onwards and capital savings from 2018/19 onwards.

Option 2 – Status Quo

The 'Status Quo' approach would retain all of the steps within the current project methodology as shown in Table 1, however would not include the potential savings as outlined in standardised palette approach.

Option 3 – One Standard Design for each hierarchy level

A further extension of the standardised palette approach could be the provision of one standard design for each hierarchy level. This approach would set a template design for each level, to be used across the City.

This approach may not allow for the flexibility needed to manage varying site conditions, changes in local environments, community / elected member request/s, or market conditions (ie new products becoming available or a playground equipment suppliers ceasing to exist). In some cases this approach may lead to projects taking longer to deliver or costing more than the status quo approach.

ANALYSIS

Policy Implications

The draft Playspace Policy includes reference to a Destination Playspace. Council is yet to determine a Destination Playspace site and has requested a further forum to discuss this in March 2017. Whilst there are no definitive plans or funding for a Destination Playspace, it has been proposed to form part of the draft Playspace policy to allow for any opportunities that may arise into the future.

Financial Implications

The financial implications of the proposed Playspace Policy and 10 year works program in line with the draft service levels were detailed at the November 2016 forum.

Following further analysis of spatial distribution, opportunities for hierarchy review discussed at the November forum will be worked through further with members throughout February. It is expected that whilst there will still be a gap in funding provision, this will be reduced as a result of the individual site hierarchy review and provided to Council as part of the report to be brought back to Council following consultation.

The capital savings identified through the proposed standardised palette approach will also reduce the funding required over the term of the works program. Analysis of this quantum of the reduction will be worked through as part of finalisation of the policy.

Resource Implications

Funding for operating resources related to playspace and open space works delivery was committed as part of an open space works plan 2016-19 adopted by Council at the 26 April Council meeting (GC260416R10). A significant portion of the open space works program forms part of Council's 3 year Business Plan.

The resources provided for the three year works program are for playspace projects as well as playspace removals, open space strategy/plans review, open space asset management and other larger open space projects such as the second dog park, Hallett Cove beach masterplan including amphitheatre, and Oaklands Estate Reserve.

The works undertaken by the open space and recreation team includes both the design stage of projects and the project management of the on-ground construction of works. There are specific skills, knowledge and experience required to interpret the landscape documentation as it translates to construction and overseeing the contractor undertaking the works which landscape architects are trained and qualified to undertake.

Through a review of the remaining elements of the open space works program there is an opportunity to deliver a 0.5 FTE saving in both the 2017/18 and 2018/19 financial years. Should Council wish to deliver further savings, the open space works program will need to be reviewed by Council to reduce the number of projects.

With the proposed standardised palette approach and the current hierarchy classifications, it is estimated there will be up to \$365,000 capital and \$107,200 operating savings for 32 playspace projects over 8 years from 2018/19 through to 2025/26.

CONCLUSION

A draft Playspace Policy, as part of a revised Playspace Framework, has been developed to guide the provision and service levels associated with Council's playspace asset portfolio.

Consultation is required for this draft Policy and it is recommended that Council endorse the draft service levels and policy for the purpose of consultation with feedback to be presented through a further report to Council.

A review of playspace project methodology has been undertaken which has presented opportunities for streamlining the approach to achieve efficiencies in the delivery of playspaces.

APPENDICES

Appendix 1 – Draft Playspace Policy (including hierarchy)

Appendix 2 – Draft Playspace Service Levels

Draft Play Space Policy



1. POLICY STATEMENT

This policy sets out how the City of Marion provides for accessible and safe play environments that contribute to physical, mental, emotional and social development.

2. CONTEXT

Play is a fundamental and vital part of physical, mental, emotional and social development and a primary element through which life skills are learned. As a provider of public places dedicated to play, the City of Marion has an integral role in ensuring accessible and safe environments are provided to support developmental needs and community wellbeing.

In this context the City of Marion owns and maintains approximately 100 play spaces that include elements for a range of play experiences (including play equipment, nature play, informal sporting facilities, fitness equipment) and associated amenities (including seating, shelters, barbecues, fencing, toilets, pathways).

This policy will be supported by operational systems and processes to ensure efficient delivery and long term sustainability of play space provision and management across the City.

3. VISION

The City of Marion will be recognised for its equitable and sustainable provision and management of accessible, diverse, creative, innovative, safe, high quality and fun play spaces that contribute to developmental needs and are places that encourage community interaction, understanding and wellbeing.

4. PRINCIPLES

The following principles will guide the City of Marion's planning, development and management of play spaces:

Accessible & Diverse

- Play spaces and associated facilities and amenities will cater for a range of abilities and needs
- Play space designs will be unique, stimulating and fun to enable varying play environments within each community
- Play spaces will be provided within walking distance (approximately 500m), where possible, of every residence
- The location and design complexity of play spaces that are located in the open space network will be guided by the Open Space Hierarchy for the City of Marion

Creative, Innovative & Fun

- Play spaces will be designed to provide a high play value, incorporating:
 - Challenging and fun physical play
 - Stimulating cognitive play
 - Free and creative play
 - Opportunities for social and interactive play
 - Integrated associated facilities (such as seating, pathways, shelters)
- Play spaces will be designed to encourage child development through the four types of play, which are:
 - Individual or quiet play
 - Social play
 - Active play
 - Cognitive and creative play

Safe & Sustainable

- User safety will be a high priority in the location, design and management of play spaces which is undertaken in line with the Australian Standards
- Play spaces will be designed with a focus on eliminating hazards, rather than risks, through design and management that is based on the knowledge that taking calculated and graduated risks at play is essential for good physical and mental development*

Community Engagement

- The community will have opportunities to comment on proposed play spaces and their views will be considered.

5. POLICY SCOPE

The scope of this policy pertains to all publicly accessible playspaces on land owned and under the care, control and management of the City of Marion.

6. IMPLEMENTATION

This Policy is a component of a Playspace Framework comprising:

1. Policy (including hierarchy)
2. Service Levels
3. Prioritised Works List
4. Project Methodology (including Community Engagement Approach)

The Playspace Framework program will be supported by operational systems and processes to ensure the efficient delivery for capital, renewal and maintenance works.

A Standardised Palette approach will be utilised to guide the design of local, neighbourhood and regional hierarchy playspace design.

Appendix 1

7. HIERARCHY

The Playspace hierarchy describes the level of play space and types of facilities that may be exist within the playspace.

Local Level

Categories	Description
Purpose	Local Level play spaces primarily cater for people living and working within walking distance. These spaces are less developed with limited play equipment. They provide environmental value through urban heat mitigation, contributing to biodiversity, and improving air quality.
User Catchment	Distributed within approximately 500m walking distance to dwellings and work places.
Types of facilities	May include: Minimal park furniture and amenities, Pathways for accessibility, Minimal formal play equipment and/or nature play design with limited irrigated grass, natural shade, water sensitive urban design landscaping.

Neighbourhood Level

Categories	Description
Purpose	Neighbourhood Level play spaces will be of a higher quality with a diversity of character in good locations that cater for one or more suburbs. Due to the broader scale of facilities people can use these play spaces for extended periods of time. They provide similar environmental value as Local Level play spaces.
User Catchment	Distributed within approximately 750m distance to dwellings and work places. Serves surrounding suburbs and is generally within walking or cycling distance, but some may drive.
Types of facilities	Sporting and recreation facilities for unstructured sport, park furniture and amenities, pathways for accessibility, diverse opportunities for play for a range of ages, shelter and natural shade, water sensitive urban design landscaping, limited irrigated grass.

Regional Level

Categories	Description
Purpose	Regional Level play spaces are large, high quality destinations that have broad appeal and attract visitors and local community members alike. They offer unique play and recreation opportunities and offer environmental benefits through the enhancement of natural landscapes.
User catchment	Distributed within approximately 1.5km distance to dwellings and work places. Large catchment serving residents citywide and regionally. These open spaces can be used for long periods of time.
Types of facilities	Sporting and recreation facilities for unstructured sport, diverse opportunities for play for a range of ages, play spaces that are unique and complex for a range of ages and abilities, park furniture and amenities including public toilets, Shade and shelter, pathways for accessibility, water sensitive urban design landscaping, irrigated grass, public art, off-road car parking

Appendix 1

Destination Level

Categories	Description
Purpose	A space that attracts city wide visitors and tourists. The space will offer a unique play and recreation opportunity that celebrates the City of Marion sense of place in addition to offering environmental benefits through the enhancement of natural landscapes. A Destination Playspace will be aligned to a placemaking opportunity facilitating economic development, community capacity building and stewardship.
User catchment	Large catchment serving residents city wide and state wide tourists. A Destination playspace will cater for a diversity of users from passive recreation, family picnics, community group gatherings to larger events.
Types of facilities	A Destination Playspace is likely to include play equipment of various forms inclusive of custom iconic play pieces, nature play, experiential features, toilets, car parking, lighting and amenities such as picnic tables and shelters, shade structures, BBQ's and public art. A destination play space would cater for all ages and abilities, providing amenities to enable long stays.

8. DEFINITIONS

Play Space

'Play Space' refers to a space that can be utilised for the purposes of formal, informal, active and passive play as well as the provision of any associated facilities and amenities.

Play Value

'Play Value' is the extent to which a child's physical, mental, emotional and social developmental needs are met through the provision of a 'play space'.

Nature Play

'Nature Play' provides opportunities for unstructured, open ended and self-directed play, allowing for freedom to roam seeking adventure and exploration which inspires creativity and imagination inspired by nature.

Open Space Hierarchy

The hierarchy categorises open spaces from local to state levels to indicate user catchments, guide equitable distribution, and standards for the provision of facilities such as play spaces, picnic amenities, pathways, public toilets.

9. RELATED DOCUMENTS

This policy links with the following current documents:

South Australian Government

- Local Government Act 1999
- Development Act 1993
- South Australian Planning Strategy
- Development Regulations (e.g. fencing)
- South Australian Public Health Act 2011
- Crime Prevention Through Environmental Design, Attorney-General's Department

Appendix 1

City of Marion

- Community Vision – Towards 2040
- Business Plan 2016-2019
- Open Space and Recreation Strategy
- Walking and Cycling Strategy
- Tree Management Policy & Framework
- Irrigation Management Plan
- Sports Facility Framework
- Asset Management Policy & Plan
- Risk Framework
- Community Engagement Policy

Other

- Australian Standard for Playground Equipment 4685:2014
- *Play Australia's "Getting the Balance Right: Risk Management for Play" 2016

Policy Name and version no.	City of Marion Playspace Policy - V1.1
Last update	
Last Council review (report reference)	
Next review due	
Responsibility	Team Leader, Open Space and Recreation

Proposed Service Levels for City of Marion Playspaces

Appendix 2

January 2017

Local (\$100k)*	Indicative costs	Neighbourhood (\$180-250k)*	Indicative costs	Regional (900k +)*	Indicative costs	Destination (\$3.75m)*	Indicative costs
Play equipment i.e. swing, slide combination system	\$37,000	Play equipment i.e. swing, slide combination system, natural play elements where possible	\$60,125	Play equipment i.e. swing, slide combination system, climbing structures, potential basketball/ netball half court, natural play elements, iconic features.	\$129,500	Extensive play equipment i.e. swings, slide combination system, climbing structures, nature play	\$500,000
Seats/Furniture	\$12,500	Seats and picnic facilities, drink fountain	\$20,750	Opportunity for site specific play elements	\$74,000	Opportunity for site specific play elements	\$450,000
Vegetation amenity plantings	\$15,750	Vegetation amenity plantings	\$25,000	Rubber soft fall	\$80,000	Soft fall including rubber	\$200,000
Pathways including civil	\$30,000	Pathways including civil	\$50,000	Seats, multiple picnic facilities, BBQ, drink fountain	\$74,000	Seats, multiple picnic facilities, BBQ, drink fountains	\$250,000
		Basketball/ netball half court	\$15,000	Vegetation amenity plantings	\$65,000	Vegetation amenity plantings	\$300,000
		Rubber soft fall	\$30,000	Pathways including civil	\$180,000	Pathways including civil	\$450,000
		Shelter structure	\$20,750	Shade and shelter, Potential for shade over play equipment	\$111,750	Shade and shelter, Potential for shade over play equipment	\$300,000
		Other play features and amenities for a range of age groups	\$13,875	Amenity landscaping and large turf area for kickabout pending on site constraints.	\$50,000	Amenity landscaping/ irrigation and large turf area for kickabout pending on site constraints.	\$200,000
				Basketball/netball halfcourt	\$25,000	Multi purpose courts	\$300,000
				Car parking	\$50,000	Car parking/stormwater works	\$300,000
				Integrated public art	\$30,000	Integrated public art	\$50,000
				**Toilet		Lighting	\$100,000
						Toilets	\$350,000
Sub Total	\$95,250	Sub Total	\$235,500	Sub Total	\$869,250	Sub Total	\$3,750,000
Indicative Life cycle costing (per annum per reserve) – costing based on 5% of capital cost							
	\$4,763		\$11,775		\$43,463		\$187,500

* Indicative costings and elements included will vary depending on site conditions and scale of reserve

* Service levels exclude resurfacing of club courts which will require alternate funding.

** Toilet and service supply and connection to be provided by 'public convenience' budget line

**CITY OF MARION
GENERAL COUNCIL MEETING
24 JANUARY 2017**

Manager: Carol Hampton, Manager Land and Property

General Manager: Abby Dickson, General Manager City Development

Subject: Oaklands Round House Demolition Costs

Report Reference: GC240117R05

REPORT OBJECTIVES & EXECUTIVE SUMMARY

At the 25 October 2016 General Council meeting it was resolved to demolish the Round House building and to refer the matter to the unfunded initiatives process (GC251016M02).

It was also resolved to seek updated quotations for the demolition which have been obtained and are detailed in this report.

The demolition costs are in the order of \$78,500 and should Council wish to allocate funds these can be sourced by savings in the second budget review.

The redevelopment of the area occupied by the Round House will be considered in conjunction with the development of Stage 2 of the Recreation Plaza.

RECOMMENDATIONS

DUE DATES

That Council:

- | | |
|---|---------------|
| 1. Notes the report. | 24 Jan 2017 |
| 2. Resolves to allocate funds of up to \$78,500 for demolition and site works required to demolish the Round House. | 24 Jan 2017 |
| 3. Resolves to fund the \$78,500 demolition cost from the second budget review process. | February 2017 |
| 4. Notes that a further report will be presented to Council in February 2017 on concept designs and estimated costs for Stage 2 of the Recreation Plaza and the area occupied by the Round House. | 28 Feb 2017 |

BACKGROUND

At the 25 October 2016 General Council meeting it was resolved 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.*

DISCUSSION

As per Council's resolution three quotes were sought for the demolition of the Round House. The most competitive quote was submitted was to the value of \$36,500. In addition to the demolition of the building the following works need to be undertaken to ensure the site is fit for purpose for a for a public space which includes the disconnection of services, sub-surface conditions assessment and soil removal and the safe management of the site during demolition. There is also a need to make a reasonable allowance (contingency) for potential unexpected conditions / materials that may be found during demolition.

Estimates have been generated for potential unexpected items, the disconnection of services, resolving sub-surface conditions (to allow for future development of the recreation plaza) and management of the site.

A summary of the breakdown of the demolition and cost estimates are:

Demolition costs	\$36,500
Contingency for items excluded from quote	\$15,000 (estimate)
Sub-surface conditions	\$20,000 (estimate)
Disconnection of services	\$ 7,000 (estimate)
Total estimated cost	\$78,500

The estimates above are not definitive costs. Works in these areas will be closely scrutinised to minimise expenditure.

If Council resolves to fund the demolition of the Round House, the demolition works would be undertaken as soon as practical.

Oaklands Recreation Plaza Stage 2 and Landscape Reinstatement to Roundhouse Demolition

Council has been progressively implementing the Oaklands Recreation Plaza development. A concept plan was presented for Recreation Plaza Stage 2 on 27 September 2016 which excluded the landscape surrounding the roundhouse, however provided accessibility and future proofing for potential alternative uses of this space pending a decision on the roundhouse.

At the General Council meeting (GC270916R09), Council resolved;

1. *Endorses Option 2 concept design for Stage 2 Recreation Plaza.*
2. *As Option 2 is endorsed, when the priority of items on the Unfunded Initiatives list is next reviewed, Council considers the allocation of the required funds of \$306,000 to progress this option.*
3. *Notes the additional annual operating, maintenance and renewal costs of \$23,442 for option 2 to be incorporated into the Long Term Financial Plan from 2017/18.*

At a follow up forum discussion on 29 November 2016, Council sought an integrated concept design for the Recreation Plaza stage 2 and the area occupied by the Round House within a potential budget of \$500,000. This concept design is being prepared and will be presented to Council in February 2017.

The concept design intent for the Oaklands Recreation Plaza Stage 2 and area occupied by the Round House will focus on:

- Maintaining the design intent for Stage 2 Recreation Plaza presented in September 2016 (GC270916R09)
- Seamlessly integrating the recreation plaza, passive open space and wetlands
- Improving car parking, lighting, and access to the recreational plaza area
- Enhancing circulation and pathways through the site
- Providing maintenance access to pumps and wetland infrastructure
- Enhancing the natural amenity of the park with irrigated lawns, and revegetation to provide comfort, shade and diversity of passive recreation opportunities
- Enhancing vistas and passive surveillance of the site
- Investigating a rotunda structure that can accommodate community gatherings and be flexible to function as a band stand/ small stage amphitheatre space
- Provision of power and water for events
- Landscape treatments to provide visual interest and functionality for small/medium community events
- Landscape treatments to be durable and sustainable for maintenance service levels

CONCLUSION

As per Council's resolution of 25 October 2016, updated quotes have been sought for this works to occur Council will need to allocated funds of up to \$78,500 which can be funded through savings in the second 2016-17 budget review.

**CITY OF MARION
GENERAL COUNCIL MEETING
24 JANUARY 2017**

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: GC240117R06

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

DUE DATES

That Council:

- | | |
|--|-----------------|
| 1. Adopts the Liquor Licence Applications Policy contained in Appendix 1, and the Liquor Licence Applications Procedures contained in Appendix 2. | 24 January 2017 |
| 2. Adopts the additional "Option 2" public consultation procedures/exemptions detailed in Appendix 3. | 24 January 2017 |
| 3. Notes that the Liquor Licence Applications Policy and Procedures would need to be amended and brought back to Council for consideration in the event that new legislation replaces the Liquor Licensing Act 1997. | 24 January 2017 |

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 current 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 recent changes to the Act which allow premises to provide entertainment until midnight without requiring consent of the licensing authority.

It is noted that the State Government is currently undertaking a review of the Act, which may result in legislative reform over the next 1-2 years. Accordingly, it is recommended that Council's Liquor Licence Applications Policy and Procedures be reviewed and presented back to the Council if the new legislation is introduced, if required.

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 3 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

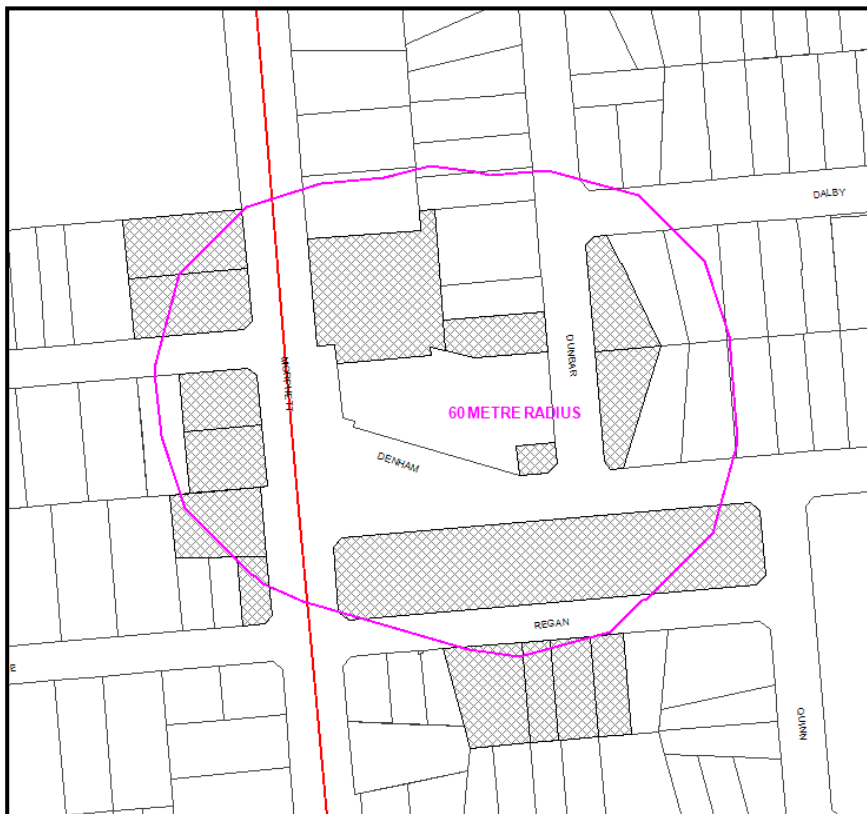


Figure 3. Properties notified as “adjacent land” under the Development Act 1993

If the Council resolves not to adopt the amended scope of consultation and additional exemptions, the revised Policy and Procedures could be adopted as outlined in Appendices 1 and 2.

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, and 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

Council’s approval is being sought for amendments to the Liquor Licence Applications Policy (and Procedures) 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 Procedures.

APPENDICES

Appendix 1: Proposed City of Marion Liquor Licence Applications Policy

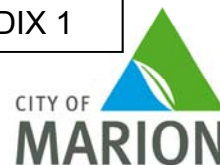
Appendix 2: Proposed City of Marion Liquor Licence Applications Procedures (with annotation of changes from previous policy)

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’ liquor licence 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:

- 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 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.

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 Act 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 associated Procedures), 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 liquor licence applications lodged with the Liquor and Gambling Commissioner. 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 and its associated Procedures, the following definitions apply:

- **Act** - Liquor Licensing Act 1997
- **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 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	January 2017
Last Council review (report reference)	GC240117RX
Next review due	January 2019
Responsibility	Manager - Development & Regulatory Services

Liquor Licence Applications Procedures



APPENDIX 2

Contents

1. INTRODUCTION	1
2. ASSESSMENT PROCEDURE	1
3. RELEVANT COUNCIL DEPARTMENT	2
4. ASSESSMENT CRITERIA	3
5. PUBLIC CONSULTATION.....	3
6. ASSESSMENT PATHWAY	4
7. HOURS OF OPERATION.....	5
8. CONDITIONS	6
9. OPPOSITION TO A PROPOSED LIQUOR LICENCE	8
10. ATTACHMENTS	8
Attachment 1: Liquor Licence Applications – Procedures Table	9
Attachment 2: Applicant Form	Error! Bookmark not defined.
Attachment 3: Assessment Checklist for Development Services	Error! Bookmark not defined.
Attachment 4: Assessment Checklist for City Property	Error! Bookmark not defined.
Attachment 5: Public consultation letter template	Error! Bookmark not defined.
Attachment 6: Confirmation of representation.....	Error! Bookmark not defined.
Attachment 7: Council report template	Error! Bookmark not defined.
Attachment 8: Email to Ward Councillors.....	Error! Bookmark not defined.
Attachment 9: Email to SAPOL	Error! Bookmark not defined.
Attachment 10: Letter to Liquor and Gambling Commissioner....	Error! Bookmark not defined.

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 work area (Land & Property or Development & Regulatory Services) in accordance with Section 3 of these Procedures.
2. Assess the application against the Assessment Criteria contained within Section 4 of these Procedures 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 these Procedures, 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 (SAPOL) 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 these Procedures, to ascertain appropriate operating times.
8. Consider the use of relevant conditions, where appropriate, particularly those recommended and contained within Section 8 of these Procedures.
9. Determine the relevant assessment path in accordance with Section 6 of these Procedures:
 - 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 & Regulatory 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 Land & 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 Land & Property staff as part of the process. Land & 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 1997, 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.

Commented [RH5] : New section; content was previously included in public consultation section

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 [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.

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

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 [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 these Procedures, 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

Commented [RH10]: Increased from 10pm to midnight given that the Liquor Licencing Act has enabled the provision of entertainment until midnight without requiring approval

Commented [RH9]: Increased from 11pm to midnight given that the Liquor Licencing Act has enabled the provision of entertainment until midnight without requiring approval

Commented [RH11]: Increased from 11pm to midnight given that the Liquor Licencing Act has enabled the provision of entertainment until midnight without requiring approval

Note: Licensed premises can provide live entertainment between 11am and midnight without applying for consent from the licensing authority.

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. Not all listed conditions will be appropriate for every application. The imposition of conditions should achieve a balance between preserving the safety and amenity of residents, whilst also enabling vibrant and successful businesses within the Council area.

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

- 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.

Commented [RH12]: New condition category

- Entertainment shall be limited such that music noise shall not be audible at the nearest noise-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 to assist with administrative procedures – not included in this Council report for brevity

Policy Name and version no.	City of Marion Liquor Licence Applications Procedures - V1.0
Last update	January 2017
Last Council review (report reference)	GC240117R X
Next review due	January 2019
Responsibility	Manager - Development & Regulatory Services

Attachment 1: Liquor Licence Applications – Procedures Table
("Option 1" – no significant changes)

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		

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
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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
24 JANUARY 2017**

Originating Officer: Sean O'Brien, Community Facilities Planner

Manager: John Valentine, Manager Strategic Projects

General Manager: Abby Dickson, General Manager City Development

Subject: Southern Regional Football Facility

Report Reference: GC240217R07

REPORT OBJECTIVES

The objective of this report is to further consider the development of a Southern Regional Football Facility (adjacent to the BMX site on Majors Road) and for Council to consider contributing \$2.5 million towards the project with matching funding of \$2.5 million from the State Government.

EXECUTIVE SUMMARY

The establishment of a regional soccer facility in Marion South is a key initiative in the City of Marion Business Plan 2016-2019 under the *Liveability* goal.

As part of a report on sporting infrastructure across the city Council resolved to investigate options for a new soccer facility to be located in the southern region of the Council where there is high demand for facilities placing pressure on existing Council soccer facilities. (Report Reference: GC140415R02).

Since that time several sites have been investigated in partnership with the Football Federation SA (FFSA). The preferred location for a new Southern Regional Football Facility (SRFF) is to co-locate the facility on Crown Land next to the Sam Willoughby UCI BMX Track currently in development at Majors Road O'Halloran Hill. An initial proposal form has been submitted to Department of Environment Water and Natural Resources (DEWNR) for approval of a potential lease over the site to FFSA who would develop the facility once all approvals and funding has been secured.

The SRFF would in essence create an international standard regional sport and recreation hub capable of supporting high performance sport, community recreation and sporting needs whilst creating tourism opportunities that bring economic and social benefits to the southern region of Adelaide.

RECOMMENDATIONS**DUE DATES****That Council:**

- | | |
|--|-------------------------|
| 1. Notes the report and resolves to support the development of a Southern Regional Football Facility at Majors Road, O'Halloran Hill, (adjacent the Sam Willoughby UCI BMX Track). | 24 Jan 2017 |
| 2. Allocates up to \$2.5million in the Draft 2017 / 2018 Council budget for the development of a Southern Regional Football Facility at Majors Road subject to matching funding from the State Government. | 24 Jan 2017 |
| 3. Notes that subject to State Government matching funding of \$2.5million a Section 48 report would be prepared for Council's consideration in relation to the design, whole of life costs, roles and responsibilities of the parties, fit with Council's strategic directions, economic impact and related matters. | To be determined |

BACKGROUND

At the General Council meeting held 14 April 2015 Council resolved the following:
(Report Reference: GC140415R02)

1. *Endorse investigations being undertaken with peak sporting bodies, relevant clubs, funding bodies and agencies to seek partnering opportunities for the development of plans and potential funding solutions for the following sports infrastructure:*
 - *Options for new soccer pitches and a BMX track in the South*
 - *Indoor multipurpose Stadium 4-8 Court (SA regional standard)*
 - *Edwardstown Oval Masterplan*
 - *Mitchell Park Sports and Community Club building upgrade*
2. *Note that consultation plans will be brought to Council for consideration after initial investigations are undertaken with peak sporting bodies, relevant clubs and agencies.*
3. *That potential funding opportunities relevant to the above sports infrastructure be actively pursued as they arise.*

As part of a resolution at General Council meeting held 24 May 2016 to Council provided in principal support to developing Soccer facilities by resolving the following:
(Reference No: GC240516F02)

1. *Note this report regarding an opportunity for the development of two all-weather soccer pitches and related facilities in the City of Marion.*
2. *Resolve to provide in principal support to contribute up to \$2.5 million to the development of soccer facilities in the City of Marion subject to the State Government confirming its commitment and contribution.*
3. *Authorise the Chief Executive Officer and the Mayor to disclose this motion in order to continue negotiations with the state government, the Football Federation of South Australia and other necessary parties to develop an option for the development of soccer facilities in the City of Marion.*

4. *That the negotiations and potential project option for soccer in the City of Marion be the subject of future Council report for Council's consideration.*

Since the May 2016 resolution Council has worked closely with the FFSA to consider options for a new southern regional football facility. FFSA have developed a number of regional soccer facilities across metropolitan Adelaide (but not in the south) and have a well-developed model and experience in developing such facilities. Potential sites have been investigated in southern Marion including Glenthorne Farm and the southern side of Majors Road. The DEWNR site immediately to the west of the BMX site represents the most appropriate and viable site.

The co-location of the SRFF and Sam Willoughby UCI BMX Track would in essence create an international standard regional sport and recreation hub capable of supporting high performance sport, community recreation and sporting needs whilst creating tourism opportunities that bring economic and social benefits to the southern region of Adelaide.

Football (soccer) has experienced unprecedented growth in participation numbers across all age groups over the last decade. There is simply not enough playing facilities available in the southern metropolitan region of Adelaide for individuals to participate, and large numbers of potential players are currently being turned away by clubs that are unable to accommodate them.

The Australian Sports Commission recently released its findings from the AusPlay nationwide survey which provides accurate and reliable information on Australia's participation trends in sport and physical activity. Data shows football (soccer) was the highest ranked participant sport for children and adults with total participation of 1,086,986 compared to golf which ranked second with 695,732.

In South Australia the growth in football's participation has been substantial with the sport recording a 27% increase in teams registered to play in organised competition from 2011 to 2016.

Team Participation Statistics Junior Premier League 2011 – 2016

Participation Statistics	2011	2012	2013	2014	2015	2016
MiniRoos	205	232	270	285	330	349
Junior Boys Teams	225	223	221	221	239	260
Junior Girls	50	45	43	44	49	75
Senior Women	60	64	62	69	81	79
Senior Men	90	91	91	88	90	98
Total Teams	630	655	687	707	789	861

There are currently 6 soccer pitches in the City of Marion, based on a population of 90,000 analysis shows there is potentially demand for 22 pitches in Marion. Whilst there are pitches in adjacent council areas the rate of provision is well under recognised demand levels.

ANALYSIS

The FFSA and the City of Marion are seeking a partnership with the State Government to develop a new SRFF to be located at Majors Road O'Halloran Hill for the site listed as Piece 1 in DP 25441 (being portion of the land) in Crown Record Volume 6088 Folio 98.

The SRFF would be developed and managed by FFSA.

The preferred option for the SRFF is based on the potential to maximise use of the site and infrastructure. A number of efficiencies can be achieved by co-locating the facilities with the new Sam Willoughby International UCI BMX Track in development at O'Halloran Hill.

There are 4 key aims driving the proposed development.

1. Providing new quality facilities to support participation and enjoyment of South Australians
 - Access to quality well managed facilities
 - Provision of venues to support the increasing participation rates
 - Social competition
 - Be the home to at least 1 Premier League club in SA
2. Provide a first class facility to support the needs of FFSA
 - FFSA Events
 - FFSA State programs and elite development squads
 - Host significant football tournaments and events
 - Education and Training programs for coaches, officials and administrators
3. Provide facilities that will deliver social and economic benefits for the region
 - The facility will provide for a broad range on participation including women's, children's and men's competition as well as support to new arrival programs
 - Provide a multipurpose sporting and recreation hub that will provide events and attract tourists to the region - Potentially link to co-located facilities, UCI BMX and Mountain Bike network
 - International training camps
 - Men's National Premier League games
 - Women's National Premier League games
 - Adelaide United Preseason matches
 - Adelaide United Women and National Youth league matches
 - Community building available for events
4. Achieve efficiencies through shared infrastructure
 - Link to BMX facilities
 - Link to mountain bike trail network
 - Ensure developments are well connected by public transport and bikeways.
 - Potential to consider shared infrastructure for spectators, car parking and function areas with BMX and mountain bike facilities.

The preferred development option includes;

- 1 Show Pitch (synthetic surface) with 350lux lighting and spectator stand for approximately 500 people
- 2 additional synthetic pitches with lighting to 200 lux
- Integrated Clubroom and Function Centre for 200 guests – to potentially to support football, BMX and mountain bike facility needs
- 4 change rooms with 2 toilets and 3 showers
- 2 Referee Rooms with 1 shower and 2 toilets
- Car parking for 500 cars (linked to BMX facility)
- Landscaping and integration to surrounds

Strategic Alignment

The provision of football (soccer) facilities in the Southern part of the City is strongly aligned to Council's strategic objectives.

The project is identified as an initiative the City of Marion Business Plan 2016-19 which seeks to improve the *liveability* of the City through the provision of high quality sport and recreation facilities which enable communities to participate in *active living and healthy lifestyles*.

Vibrant, well utilised sporting facilities contribute to Councils strategic goals of *Connected and Engaged* by providing opportunities to bring communities together and strengthen a sense of place.

The facility through tournaments and events will attract tourists to the region contributing to Council's strategic goal of *Prosperity* and creating a *welcoming City offering residents and visitors a wide range of leisure and cultural experiences*.

Financial Analysis and Risk Management

In accordance with Section 48 of the Local Government Act 1999 (the 'Act') Council will be required to consider a report addressing a number of prudential issues including, the whole of life costs associated with the project before engaging in a project where the expected capital cost of the project is likely to exceed \$4 million over the ensuing 5 years.

The State Government has advised that it is prepared to commit \$2.5 million towards the project subject to a contribution of \$2.5M from the City of Marion.

At this stage roles and responsibilities by the parties in relation to project design, tendering, delivery, the bearer of the project capital risk, ownership or the management, operating, maintenance and renewal costs associated with the project are yet to be determined. FFSA, State Government and Council will need to negotiate these roles. Once roles and responsibilities are fully established and understood by all parties they will need to be appropriately reviewed by Council.

A detailed cost summary including whole of life costs will need to be developed for the project to progress. The estimated capital costs for the soccer facility is currently estimated at \$5 million and detailed in the table below. Further analysis is required to achieve greater certainty of costs. A Section 48 Prudential Management report will be developed for Council's consideration which will provide detailed analysis of the costs, project risks and the social and economic outcomes. The section 48 prudential management report will support Council to fully consider the financial viability and sustainability of the project.

ESTIMATED COST OF DEVELOPMENT

Works	Cost
Detailed Design	\$ 100,000
Earth Works	\$ 500,000
Pitch Development (3 synthetic pitches)	\$ 3,000,000
Irrigation	\$ 100,000
Club and Change Room	\$ 800,000
Car Parking	\$ 250,000
Lighting	\$ 200,000
Landscaping	\$ 50,000
Total Estimate	\$ 5,000,000

Council currently has sufficient funds set aside in the Asset Sustainability Reserve to enable the City of Marion contribution up to \$2.5m for this project. In addition, Council also has sufficient capacity to fund its contribution through borrowings.

Football Federation SA Organisational Capacity and Capability

The FFSA has a recent history of successfully delivering projects on time and on budget. All Federal and State Government grants received have been successfully acquitted.

This includes two greenfield site developments namely;

- Completion of the Adelaide Shores Football Centre – Facility opened January 2014 – Project Cost \$2.6 million
- Completion of the Parks Football Centre – Facility opened January 2015 – Project Cost \$2.15 million

FFSA has recently received \$10 million from the South Australian State Government for the development of 7 artificial pitches throughout metropolitan Adelaide. Works have commenced at the Parks Football Centre (Second Artificial Pitch) and the Modbury Jets Soccer Facility.

All projects as part of this funding agreement will be managed by the FFSA.

CONCLUSION

The development of the Southern Regional Football Facility would enable soccer to expand significantly in southern Marion where it is known that existing facilities currently have to turn away players due to a lack of football pitches.

A funding commitment by the City of Marion of up to \$2.5 million will enable a southern regional facility to be developed with matched State Government; subject to DEWNR approval to develop on the Majors Road site and Council's consideration of a prudential management report for the project.



**CITY OF MARION
GENERAL COUNCIL MEETING
24 JANUARY 2017**

Manager: Kate McKenzie, Manager Corporate Governance
Jaimie Thwaites, Acting Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Complaints and Grievance Policy and Procedure Review

Report Reference: GC240117R08

REPORT OBJECTIVE AND EXECUTIVE SUMMARY

Pursuant to section 270 of the Local Government Act 1999, Council must develop and maintain policies, practices and procedures for dealing with:

- any reasonable request for the provision of a service by the council or for the improvement of a service provided by the council; and
- complaints about the actions of the council, employees of the council, or other persons acting on behalf of the council.

The Ombudsman has released the report '*Right of Review*' *An audit of Local Government Internal Review of Council Decisions Procedures*. The report makes seven recommendations, six of which apply to all councils. Responses to these recommendations are due to the Ombudsman by 31 March 2017. A full copy of the report is available via the following link <http://www.ombudsman.sa.gov.au/wp-content/uploads/Right-of-Review-An-audit-of-Local-Government-Internal-Review-of-Council-Decisions-Procedures.pdf>

The Complaints and Grievance Policy and Procedure is due for review in 2016/17. This report presents a revised Policy (Appendix 2) and Procedure (Appendix 3) for Council to consider and if appropriate to adopt. The fundamentals of the Policy and Procedure have not changed, but they now incorporate further and better particulars regarding management of complaints and grievances. The Review has also incorporated any recommendations from the Ombudsman SA '*Right of Review*' report.

RECOMMENDATION

DUE DATE

That Council:

- | | |
|---|------------------|
| 1. Adopts the revised Complaints and Grievance Policy (Appendix 2) and Procedure (Appendix 3). | 24 January 2017 |
| 2. Updates the Complaints and Grievance Policy on the City of Marion Website within the Policy section and creates a further category for complaint handling information with a direct link to the Complaints and Grievance Policy and Procedure. | 28 February 2017 |
| 3. The CEO provides a response to the Ombudsman's recommendations as detailed in appendix 1. | 31 March 2017 |

BACKGROUND:

In April 2015, the Ombudsman's office conducted a desktop evaluation of the 68 Councils in South Australia to assess the current state of policies/procedures of Council regarding the internal review of decisions. Following this, an examination was also conducted of the section 270 internal review policy/procedure documents of a selected group of 12 councils, as found on their websites. The City of Marion was not one of the 12 Councils, these Councils were:

- City of Norwood Payneham and St Peters
- City of Salisbury
- City of Mitcham
- City of Charles Sturt
- Adelaide Hills Council
- Town of Gawler
- District Council of Yankalilla
- District Council of Tumby Bay
- Roxby Council
- District Council of Robe
- District Council of Loxton Waikerie
- Port Pirie Regional Council

The Ombudsman has made seven recommendations in his report. Feedback on these recommendations have been drafted and are summarised as Appendix 1.

DISCUSSION:

The City of Marion's Complaints and Grievance Policy and Procedure have been reviewed and updated. The fundamentals of the Policy and Procedure have not significantly changed, however amendments have been made to improve clarity and further outline the process. The review has incorporated the feedback contained within the Ombudsman's report 'Right of Review'.

The revised policy is attached at Appendix 2 and the procedure at Appendix 3.

CONCLUSION:

The City of Marion takes all complaints seriously as they provide the organisation with an opportunity to review how our services are administered and our interactions with our customers. Reviewing and updating the Complaints and Grievance Policy and Procedure demonstrates our commitment to providing an efficient, fair and accessible mechanism to resolve service complaints or grievances.

Ombudsman SA 'Right of Review' Report - Conclusions and Recommendations

Ombudsman Conclusion	Ombudsman Recommendation	City of Marion Comment
<p>Availability of internal review policy to the public</p> <p>Audited councils all recognise the importance of making their internal review of decisions procedure available to the public. However, most councils do not actively promote the procedure, preferring to steer complainants towards informal or negotiated procedures to resolve grievances. Whilst this is legitimate, I consider that councils should make people aware of their right to a formal review of decision.</p>	<p>Recommendation 1</p> <p>That all councils highlight a direct link on their website homepage to a plain English description of the procedure available for making an application for internal review of council decision. The procedure could usefully be linked to the council's complaint handling policy information that also outlines steps that can be taken for informal resolution of complaints.</p>	<p>The 'Feedback and Complaints' link on the City of Marion website homepage takes people to the 'Feedback and Complaints' page.</p> <p>This page outlines the various methods to submit feedback or complaints and includes the 'Compliant and Review of Decision Policy and Procedure'. This page will be updated with any revised 'Complaints and Grievance policy and/or procedure' adopted by Council.</p>
<p>Compliance with the Local Government Act</p> <p>Despite an earlier Ombudsman SA audit on complaint handling conducted in 2011, half of the 12 audited councils in this survey were still not compliant with the law as it applies to grievances that relate to the impact that any declaration of rates or service charges may have had on ratepayers. All audit councils accept that this omission needs to be remedied.</p>	<p>Recommendation 2</p> <p>That all councils ensure that their internal review of decisions procedure is fully compliant with the requirements of section 270 of the <i>Local Government Act 1999</i>. Further, that all council CEOs confirm in writing to the Ombudsman their full compliance with section 270 of the Act by 31 March 2017.</p>	<p>The attached revised policy and procedure has been reviewed and updated to ensure compliance with Section 270 of the Local Government Act 1999.</p>
<p>Time limits on applications for review</p> <p>Council section 270 procedures allow for varying or no time limits for acceptance of applications for internal review of decisions. The Act is silent on the issue and there is no fetter on applying a time limit. There is an argument for consistency in approach</p>	<p>Recommendation 3</p> <p>That all councils include a reference to a six-month time limit for accepting internal review of council decision applications in a revised version of their internal review of decisions procedure. Consideration should also be given to the exercise of a discretion by</p>	<p>Included in the revised policy and procedure.</p> <p><i>'Applications for the review of decisions must be lodged within six (6) months of the decision in question being made. However, in exceptional but reasonable circumstances, the Manager Corporate Governance may agree to</i></p>

Ombudsman SA 'Right of Review' Report - Conclusions and Recommendations

Ombudsman Conclusion	Ombudsman Recommendation	City of Marion Comment
across all councils. Most councils consider that a period of six months or more is appropriate. Councils are mindful that section 270 reviews may be resource intensive and are reluctant to consider older matters when no application was received at or near the time of decision.	councils to allow a longer time limit to apply in particular cases.	<i>accept a late application. This will be assessed on a case by case basis.'</i>
<p>Decisions to which the internal review process can apply/cannot apply</p> <p>There is a wide range of policy positions determined by councils in South Australia on appeal and review arrangements in the areas of planning, development and expiation of offences. Some councils wrongly decline to consider a section 270 application for review in these categories on the basis that the area is covered, or should be covered, by the provisions of legislation outside the Local Government Act, e.g. the Development Act.</p>	<p>Recommendation 4</p> <p>That all councils revise the part of their internal review of decision procedure that deals with 'Matters outside the scope of the policy and procedures' to explicitly state that matters that fall outside statutory appeals procedures will be considered for the conduct of a section 270 review on the merits of the individual application. Further, that councils discuss with the LGASA the desirability of including this commitment in the LGASA <i>Internal Review of a Council Decision Model Policy and Procedure</i>.</p>	<p>Included in the revised policy and procedure.</p> <p><i>'Matters that fall outside statutory appeals procedures will be considered for the conduct of an Internal Grievance Review on the merits of the individual application.'</i></p>
<p>Independent conduct of an internal review of decision</p> <p>Many South Australian councils have developed internal review practices that seek to manage situations where an original decision-maker (often the CEO) may have a conflict of interest. Whilst internal senior delegation of responsibility is a preferred option, many councils are willing to involve independent reviewers where possible and when available.</p>	<p>Recommendation 5</p> <p>That all councils, through the auspices of regional Local Government Associations, consider and report to the Ombudsman by 31 March 2017 on the option of developing regional panels of independent reviewers who can assist councils with complex review matters.</p>	<p>Currently other options that are utilised for conducting reviews include engaging legal advisors or consultants with relevant investigation and review skills and experience, however these services do incur a cost.</p> <p>Inter-council cooperation models and partnerships are another useful option for conducting reviews. For example, where one Council will do the review for another Council for a fee or other arrangement.</p>

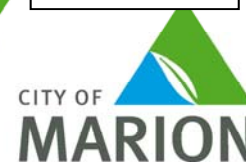
Ombudsman SA 'Right of Review' Report - Conclusions and Recommendations

Ombudsman Conclusion	Ombudsman Recommendation	City of Marion Comment
		If established, the utilisation of a regional panel of independent reviewers would be dependent on cost, proficiency and timeliness of the service.
<p>Matter types and learning outcomes from internal reviews of decision</p> <p>The statistics from the Local Government Grants Commission show that section 270 applications received by councils have doubled in the past seven years. Whilst the numbers are still low, and concentrated largely in metropolitan councils, there is some evidence that councils are willing to use the internal review mechanism more now than in the past. Councils have shown an ability to analyse review outcomes to inform better administrative practice.</p>	<p>Recommendation 6</p> <p>That all councils periodically evaluate their section 270 review investigations and document learning outcomes relevant to their administrative practices and functional responsibilities. That, as appropriate, these learning outcomes are shared with the Local Government Governance and Policy Officers Network (GPON) and relevant local government interests.</p>	<p>In accordance with Section 270 (8) of the Local Government Act 1999:</p> <p><i>A council must, on an annual basis, initiate and consider a report that relates to—</i></p> <ul style="list-style-type: none"> <i>(a) the number of applications for review made under this section; and</i> <i>(b) the kinds of matters to which the applications relate; and</i> <i>(c) the outcome of applications under this section; and</i> <i>(d) such other matters as may be prescribed by the regulations.</i> <p>The Policy states that:</p> <p><i>All matters reviewed via an Internal Grievance Review will be reported via the City of Marion Annual Report.</i></p> <p>The nature, topic and outcome of the individual applications for review can influence the most relevant group/network to share the learnings with. Individual work areas have their own contacts and networks that may be more/also appropriate to share learnings with depending on the matter.</p>

Ombudsman SA 'Right of Review' Report - Conclusions and Recommendations

Ombudsman Conclusion	Ombudsman Recommendation	City of Marion Comment
<p>Do councils need more governance support?</p> <p>The evidence from councils about the value of the GPON as a forum for issues of common interest in governance policy and practice is strong. A majority of South Australian councils now participate and there is a clear body of support for GPON to extend its influence and relevance across the local government sector in its area of expertise.</p>	<p>Recommendation 7</p> <p>That the existing membership and leadership of GPON consider if there is a case to be made to all councils for an expanded role for the Network – whether this be expanded membership development of a website and/or project and research relevant to governance standards in councils – or other governance priority identified by the Network</p>	<p>The GPON is an informal network, not a formalised group. There are no fees for membership of the network. As the network is less formal some members feel more comfortable openly discussing issues or matters of interest.</p> <p>If there was an intention to expand the role of the network, it would need to be adequately resourced and supported.</p> <p>Other more formalised groups/networks within the sector include the South Australian Local Government Financial Managers Group Inc and Revenue Professionals South Australia. These networks include membership fees, formal Boards & Committee etc and are a valuable resource for their select fields.</p> <p>The GPON often discusses a wide range of topics and issues particularly as 'policy' can cover many aspects of Local Government. Formalising the group may require the scope of the network to be narrowed and more defined.</p>

Complaints and Grievance Policy



1. POLICY STATEMENT

The City of Marion:

- Is committed to providing good governance practices through efficient fair and accessible mechanisms to resolve services complaints or grievances.
- Encourages customers and the community to raise issues and complaints with the Council as it provides the opportunity to improve services to the community.
- Recognises the importance of transparency in decision making and the need to provide a fair and objective process for the review of all decision and actions.

2. PURPOSE

The purpose of this Policy is to provide a fair, consistent and structured process for City of Marion's customers if they are dissatisfied with an action, decision or services. These actions, decisions or services may be delivered by the Council (being the elected body as a whole), an employee of the council or another person acting on behalf of the council.

Lessons learnt from a complaint investigation will be used to directly inform service improvement.

Where complaints cannot be settled in the first instance the City of Marion will ensure that they are dealt with through appropriate, more formal procedures by staff or Council with the authority to make decisions. Complainants will be referred to this Policy and the associated procedure which details the steps required for further review.

This Policy is consistent with the Australian Standards for complaint handling and the Ombudsman SA *Right of Review* Audit (completed November 2016).

3. PRINCIPLES

This policy is based on the following principles:

- Fairness – All Complaints and grievances will be treated with procedural fairness, impartiality and transparency at all stages of the review.
- Responsiveness – taking into consideration the complexity of the matter, all complaints and grievances will be resolved in a timely manner.
- Efficiency – those involved in the complainant process will have the required skills, knowledge and resources to undertake the review.

4. DEFINITIONS

Request for Services

A request for service is an application to have Council or its representative take some form of action to provide a Council service. Council receives thousands of requests for services each year. This will include matters such as hard rubbish collection, street sweeping, pot holes, home care, etc. All requests for services will be logged within the City of Marion Customer Event System, and managed through this process.

Feedback

The City of Marion may receive feedback from customers on services provided. It is important to distinguish between feedback and a complaint. Feedback can take the form of comments,

both positive and negative, which do not necessarily require a corrective action, alternation of service or a formal review of the decision.

Complaint

A Complaint is defined as an expression of dissatisfaction with a product or service delivered by the Council or its representatives that has failed to reach the standards set, implied or expected. This includes complaints about a service that has been, or should have been delivered.

Grievance

A grievance is defined as a wrong decision or action of Council, Council staff or representative. A grievance often occurs when complaints cannot be resolved or have caused significant distress to the complainant.

5. MANAGING INTERNAL COMPLAINTS AND GRIEVANCE

Complaints and grievances can vary in their complexity and seriousness. There are three ways in which a complaint or grievance can be resolved/reviewed:

1. Immediate response to resolve the matter

All staff are empowered to handle complaints in the first instance and it is preferable that they are dealt with promptly at the initial point of contact and at the appropriate officer level where ever possible.

2. Escalated to a supervisor or manager

When a complaint cannot be resolved in the first instance, it will be referred to either a supervisor or manager. Additionally, where the circumstances indicate that the complaint would be more appropriately dealt with at a high level, the matter will be escalated. Complaints of this nature must be made in writing and outline the specific nature of the complaint.

3. Internal Grievance Review – Review of Decision (pursuant to section 270 of the Local Government Act 1999)

When a complaint cannot be resolved in the first instance and/or by a supervisor or manager, it will be referred for internal review in accordance with the Complaints and Grievance Procedure. The complaint or grievance will be reviewed by the Manager Corporate Governance. The Manager Corporate Governance may investigate the matter themselves, or establish an internal Review Panel (depending on the complexity of the matter) or refer the matter to an independent investigator.

Any complaint or grievance relating to a decision made by the Chief Executive Officer or the Council at a Council or Committee Meeting, will be referred to the next General Council Meeting to determine how the matter will be reviewed, either by an internal Review Panel or outsourced to an independent investigator.

Complaints of this nature must be made in writing to the Manager Corporate Governance and outline the specific nature of the complaint and the dis-satisfaction with any internal review completed so far.

Applications for the review of decisions must be lodged within six (6) months of the decision in question being made. However, in exceptional but reasonable circumstances, the Manager Corporate Governance may agree to accept a late application. This will be assessed on a case by case basis.

This process will be the last level of internal review for the Council's complaint and grievance process.

6. ALTERNATIVE DISPUTE RESOLUTION METHODS

The City of Marion prefers to try and resolve complaints and grievances internally but there will be circumstances where this is not possible. If this occurs, the dispute resolution methods available to complainants include:

1. Mediation – refer to Mediation SA

Contact details:

Address: 175 Oaklands Road, Warradale SA 5046

Email: wreception@mediationsa.org.au

Phone: (08) 8350 0376

2. Ombudsman Review – refer to Ombudsman SA

Contact details:

Address: Level 9, 55 Currie Street, Adelaide SA 5000

Email: ombudsman@ombudsman.sa.gov.au

Telephone: (08) 8226 8699

3. Legal action

7. TIMEFRAME

Timeframes for complaints and grievances will be dependent on the complexity of the matter. Complainants will be advised upfront of the likely timeframe required to investigate a matter and updated on progress where necessary. Timeframes may change as matters progress. The estimated timeframe for complaints and grievances are as follows:

1. Immediate response to resolve the matter
1-3 working days
2. Escalated to a supervisor or manager
10 working days of the matter being escalated
3. Internal Grievance Review (pursuant to section 270 of the Local Government Act 1999)
6 – 8 weeks of the matter being referred to the Manager Corporate Governance but may take up to six months for complex matters.

8. ITEMS EXCLUDED FROM THIS POLICY

The following matters are excluded from being reviewed pursuant to this Policy and associated procedure:

- If the complaint is made by an employee of the council and relates to an issue concerning his or her employment.

- it appears that the complaint is frivolous or vexatious.
- If the Complainant does not have a sufficient interest in the matter.
- Complaints which are determined to be about matters that are not Council's responsibility (i.e. neighbourhood disputes).
- Complaints that refer to staff or elected member misconduct or behaviour (will be referred to relevant Code of Conduct).
- Reports of fraudulent, corrupt or illegal activity (will be referred to the relevant authority).
- Matters that have existing appeal rights through their own legislations (i.e. Freedom of Information, Expiation of Offences act 1996, Development Act 1993 etc).
- Claims and Insurance decisions made by other agencies.

Matters that fall outside statutory appeals procedures will be considered for the conduct of an Internal Grievance Review on the merits of the individual application.

9. UNREASONABLE COMPLAINANT

All complaints received by the City of Marion will be treated seriously and complainants will be treated courteously. However, occasionally the conduct of a complainant can be unreasonable. This may take the form of unreasonable persistence, unreasonable demands, lack of cooperation, argumentative or threatening behaviours.

Where a complainant's behaviour consumes an unwarranted amount of Council resources or impedes the investigation of their complaint, a decision may be made to apply restrictions on contact with the complainant. Before making any decision to restrict contact, the complainant will be warned that, if the specified behaviour(s) or actions continue, restriction may be applied.

Any decision to restrict contact or suspend action on a complaint process will be made by the Chief Executive Officer and/or a General Manager. This will be communicated to the complainant in writing.

10. REPORTING

All matters reviewed via an Internal Grievance Review will be reported via the City of Marion Annual Report.

11. POLICY AVAILABILITY AND REVIEW

This policy will be made available to all staff, elected members and the community via the City of Marion website and intranet.

This policy will be reviewed every three years

12. RELATED DOCUMENTS

- Employee Code of Conduct
- Elected Member Code of Conduct
- Fraud and Corruption Policy (in draft)
- Whistleblowers

Complaints and Grievance Procedure



1. Purpose

The purpose of this document is to detail the City of Marion's procedures for managing complaints and grievances, to set expectations for customers and staff in how complaints will be managed, and to explain the procedure so all staff understand their role in the complaint handling process.

2. Scope

This procedure applies to all City of Marion employees (including the CEO), consultants/contractors, volunteers and Elected Members or members of the public who make a complaint. All staff are empowered and encouraged to handle complaints in person in the first instance and it is preferred that they are promptly dealt with at the initial point of contact. This procedure applies to complaints which are not resolved at this first 'local' level and require escalation or referral to other staff or agencies.

3. Reporting and Investigation Procedure

An overview of the reporting and investigation procedure is provided on the following pages.

Making or Receiving a Complaint

A person can make a complaint in person, over the phone or in writing via email or post. If the complaint requires an Internal Grievance Review, the complaint must be submitted in writing. Where required, assistance may be provided in preparing a written complaint, including the provision of interpreters, aids or advocates if necessary.

All complaints will be electronically recorded in the City of Marion records management system to ensure that relevant information can be analysed for any service improvement opportunities.

Often complaints can be resolved at this first point of contact and all council employees are encouraged to promptly address complaints person to person at this local level wherever possible. If the complaint is received in writing, Council staff will acknowledge the receipt of a complaint within one (1) to three (3) working days and, where possible resolve it within this time.

If the complaint is unable to be resolved at this point and requires the provision of further information, escalation to a more senior staff member or a thorough investigation, the following steps will be followed.

Escalation to Supervisor or Manager for further review

The purpose of this review is to resolve the complaint by reaching a fair and objective view on the issues identified by the complainant and to provide an appropriate solution or remedy.

It is expected that all complaints will be dealt with transparently and within appropriate timeframes. Depending on the nature and complexity of the complaints, Council staff will advise the complainant if the matter will not be resolved within 10 working days and the likely timeframe required to resolve the complaint. Regular progress updates will be provided where necessary. At the conclusion of the investigation, the findings will be communicated to the complainant and they will be offered a resolution.

Where a complaint is not resolved to the customers' satisfaction, the decision will be explained clearly and any alternative actions or review opportunities will be provided to the complainant.

Internal Grievance Review (Review of Decisions pursuant to section 270 of the Local Government Act 1999)

If a complainant is not satisfied with the reviews completed to date or the matter progresses straight to an Internal Grievance Review, then a written grievance may be formally lodged with the Manager Corporate Governance requesting a review of the decision. Requests for review must include:

- a statement clearly indicating which decisions the applicant wishes to be reviewed;
- a statement outlining the reasons why the review is requested;
- any other relevant information; and
- their name and contact details.

Applications for a review of a decision are to be acknowledged within five (5) working days. In the majority of cases, requests for review will be considered and determined within 6 – 8 weeks. Some reviews may take up to six months depending on the nature and complexity of the matter.

Establishing a Review Panel

If determined appropriate, the Manager Corporate Governance will establish an internal review panel of senior staff who have not been involved in the decision making process to date. The Panel will consist of at least three people (including the Manager Corporate Governance) who will bring independent views and opinions regarding the matter.

The Review Panel may seek legal advice on a matter if required.

Referring to an independent investigator

The Manager Corporate Governance may, on a needs basis, refer a matter to an independent investigator. The independent investigator may be a:

- Consultant experienced in investigations and review
- A lawyer within Councils legal services panel.

Costs associated with this investigation will be incorporated within the Corporate Governance Budget.

Review of Staff or Representative Decision

The grievance will be assessed by the Manager Corporate Governance who will determine if the matter will be reviewed by themselves, an internal review panel or outsourced to an independent investigator.

The complainant will be advised in writing of the process to be undertaken and expected timeframes. The complainant will receive a preliminary report before the matter is finalised as a matter of procedural fairness. A final report will be prepared once feedback has been received on the preliminary report.

The Manager Corporate Governance will advise Council and/or Ward Councillors (as appropriate) of the request to Review a Staff or Representative Decision.

Review of Council or CEO Decision

If an Internal Grievance Review is received for a decision of the CEO or Council, upon receiving the request for review, the Manager Corporate Governance will advise the CEO and Council of the request and conduct a preliminary investigation to prepare a report for the next General

Council Meeting, including a recommendation regarding how the review will be undertaken. A review of this nature, will be completed by either an independent investigator or an internal review panel.

Review of Manager Corporate Governance

If the complaint concerns a decision or action of the Manager Corporate Governance, the Chief Executive Officer will assign the matter to be investigated to an appropriate person of their choice.

4. Standard Process for Investigation

The standard process for investigating a matter will include:

- Establish if the grievance can be determined within the Complaints and Grievance Policy and Procedure.
- Establish how the matter will be investigated and if a review panel needs to be formed or the matter be outsourced.
- Determine:
 - the scope of the review
 - key decision makers /stakeholders in the process
 - estimated time frame
- Establish the facts including;
 - Obtaining statements from stakeholders
 - Interviewing any relevant staff, elected members or the complainant
 - Establishing legislative framework
 - Gathering facts and information
- Prepare a Preliminary Report that includes:
 - Details of the complaint
 - Scope of the review
 - Details of the investigation
 - Findings
 - Recommendations

The preliminary report must be provided to the complainant for review for a minimum of 10 working days.

- Prepare a final report that includes:
 - Any feedback received from the complainant and undertake any further enquires.
 - The final determination of the complaint/grievance.
 - The external review processes if the complaint/grievance remains unresolved.

The final report must be provided to the complainant in writing (either by email or hard copy).

5. Reporting on process improvement, findings and/or recommendations

All findings and/or recommendations from Internal Grievance Reviews that require action will be tracked to ensure implementation.

Any finding or recommendation not implemented within specified timeframes will be raised and escalated accordingly.

All Internal Grievance Reviews completed will be reported within the City of Marion's Annual Report.

6. Availability of the Procedure

This procedure will be promoted throughout the City of Marion via the City of Marion website and the organisations intranet.

7. Review and Evaluation

The review of this Procedure is to be conducted every three years. An interim review is to be carried out in the event of an amendment to any relevant Acts; or a matter reported via this Procedure is not managed appropriately. Any changes to the document will be submitted to the Executive Leadership Group (ELT) for approval.

**CITY OF MARION
GENERAL COUNCIL MEETING
24 JANUARY 2017**

Originating Officer: Jaimie Thwaites, Acting Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Elected Member Liaison Roles on External Bodies

Reference No: GC240117R09

REPORT OBJECTIVE AND EXECUTIVE SUMMARY

Elected Members are involved, as Council liaisons to a range of external bodies which comprise of community groups, school councils, management committees etc. These bodies are generally incorporated bodies (and thus legally constituted) that operate separately to Council's operations. Liaison with such external bodies is an important role for Elected Members in that it provides leadership within the community, and helps build the community's capacity and resilience.

It has been two years since Council appointed Elected Members as liaison to the various external bodies, and it is now timely to review those appointments. Accordingly, the purpose of this report is to re-affirm the liaison role, and to appoint or re-appoint Elected Members to the various external bodies.

RECOMMENDATIONS

DUE DATES

That:

- | | | |
|-----|---|--------------------|
| 1. | Administration make enquiries of the external bodies identified at Appendix 1 to this report (GC240117R09) as to their needs in terms of Elected Members acting as liaison between the body and Council. | 3 Feb 2017 |
| 2. | Subject to the outcomes of enquiries made by Administration regarding the needs of the External Body concerned, Council endorses the nomination of: | 17 Feb 2017 |
| 2.1 | Councillor _____ to act as Council liaison to the Active Elders Association Incorporated for the remainder of this Council's term. | |
| 2.2 | Councillor _____ to act as Council liaison to the Clovelly Park Community Centre Committee for the remainder of this Council's term. | |
| 2.3 | Councillor _____ to act as Council liaison to the Cosgrove Hall Committee of Management for the remainder of this Council's term. | |

- 2.4 Councillor to act as Council liaison to the Council on the Ageing (SA) Incorporated for the remainder of this Council's term.
- 2.5 Councillor to act as Council liaison to the Council on the Cove Sports and Community Club Incorporated for the remainder of this Council's term.
- 2.6 Councillor to act as Council liaison to the Edwardstown Soldiers Memorial recreation Ground Committee of Management for the remainder of this Council's term.
- 2.7 Councillor to act as Council liaison to the Hallett Cove School Council Incorporated for the remainder of this Council's term.
- 2.8 Councillor to act as Council liaison to the Hamilton Secondary School Council Incorporated for the remainder of this Council's term.
- 2.9 Councillor to act as Council liaison to the Marino Hall Committee for the remainder of this Council's term.
- 2.10 Councillor to act as Council liaison to the Marino Residents Association for the remainder of this Council's term.
- 2.11 Councillor to act as Council liaison to the Marion City Band for the remainder of this Council's term.
- 2.12 Councillor to act as Council liaison to the Marion Historical Society Incorporated for the remainder of this Council's term.
- 2.13 Councillor to act as Council liaison to the Marion Historic Village Project Group for the remainder of this Council's term.
- 2.14 Councillor to act as Council liaison to the Mitchell Park Sports Club Incorporated for the remainder of this Council's term.
- 2.15 Councillor to act as Council liaison to the Morphetville Park Sporting Club Incorporated for the remainder of this Council's term.
- 2.16 Councillor to act as Council liaison to the Park Holme Community Hall for the remainder of this Council's term.
- 2.17 Councillor to act as Council liaison to the Plympton Sporting and recreation Club Incorporated for the remainder of this Council's term.

- 2.18 Councillor to act as Council liaison to the Red House Group for the remainder of this Council's term.
- 2.19 Councillor to act as Council liaison to the Seaview High School Council for the remainder of this Council's term.
- 2.20 Councillor to act as Council liaison to the Suneden Special School for the remainder of this Council's term.
- 2.21 Councillor to act as Council liaison to the Marion Returned & Services League of Australia for the remainder of this Council's term.
- 2.22 Councillor to act as Council liaison to the Plympton Glenelg Returned & Services League of Australia for the remainder of this Council's term.
- 2.23 Councillor to act as Council liaison to the Council on the Management Committee of Annie Doolan's Cottage for the remainder of this Council's term.
- 2.24 Councillor to act as Council liaison to the (add any additional external body identified by Council) for the remainder of this Council's term.

- 3 Administration advise Elected Members of the outcomes of enquiries made and the nominations made to respective external bodies. 17 Feb 2017

BACKGROUND

In the past, Council has nominated Elected Members in a liaison role to a range of external bodies comprising community groups, school councils, management committees etc. These bodies are generally incorporated bodies (and thus legally constituted) that operate separately to Council's operations.

Majority of the last appointments of Elected Member liaisons were made by Council in December 2014 for a period of two years, to be reviewed by January 2017 (GC091214R07). The appointments made at that time are represented in the '*Schedule of Elected Member Liaison on External Bodies (unless otherwise identified)*' provided at Appendix 1 to this report.

Council's subsidiary the Southern Region Waste Resource Authority (SRWRA) is not considered an external body as it has been established by Council under Section 43 of the *Local Government Act 1999* and is associated with the operations of Council. Furthermore, Committees established by parties such as the State Government that have local government representation arranged via the Local Government Association (e.g. the Volunteer Ministerial Advisory Group or the Dog and Cat Management Board) are not considered external bodies for the purposes of this report.

The liaison roles were structured such that the Elected Members were nominated as a liaison to assist in communication and exchange of information between the Council and the external

body concerned. The Elected Members were not appointed as members of the external body and did not have any voting rights when matters were brought before the body for decision.

The liaison approach, rather than a formal appointment to the external bodies as a voting member was taken on the basis of legal advice provided by Norman Waterhouse Lawyers.

In summary, the advice recommended that formal appointments to external bodies was not advisable as in these circumstances, Elected Members may not be covered by any indemnity provisions with respect to decisions made by the external body on which they are a voting member (i.e. either indemnity insurance taken out by the external body themselves, or the indemnity provisions under the Local Government Act 1999¹).

The advice also indicated that as voting members on external bodies, Elected Members must make decisions on behalf of, and in the best interests of the external body, and not on behalf of, or in the interests of Council. This circumstance has the potential to create a conflict of interest between an individual's role as a City of Marion Elected Member, and their role as a member of the external body.

As non-voting liaison to an external body, an Elected Member can, with the agreement of the external body concerned:

- Act as the point of contact for Council
- Observe and participate in discussions at a meeting of the external body
- Act as an information provider from Council to the external body and vice-versa
- Act as an advisor, mentor and support for the externally body;
- Support Council's approach to any matters associated with the external body

DISCUSSION

Provided at Appendix 1 is a list of identified external bodies together with details of the Elected Member liaison appointments in December 2014 (unless otherwise identified). Given two years has elapsed since the appointments were last considered by Council, the Elected Member liaison roles now require review.

Review Process

The following review process is suggested:

1. Council to review the list of identified external bodies during the 24 January 2017 General Council meeting and:
 - a. Identify any additional external bodies that could be added to the list.
 - b. Seek nominations from Elected Members who are interested in undertaking the role for each body. Should more than one Elected Member express an interest to act as liaison for a particular body, Council will need to conduct a ballot to determine the recommended liaison. In this circumstance, Council might like to consider nominating the additional person as a proxy.
2. Administration write to the external bodies identified to confirm their views on the appointment / re-appointment of an Elected Member liaison role and advising of the nominated liaison.

¹ Note that indemnity provisions are not of concern with respect to Council's subsidiary SRWRA or for Elected Member appointments to LGA arranged committees as either the indemnity provisions of the Local Government Act apply or it is confirmed that the committee has its own indemnity insurance.

Note that a preliminary review of the identified external bodies has been undertaken by Administration, and it has been determined that those listed continue to operate and are likely to welcome the role of Elected Member liaison. The Cove Youth Service, Youth Advisory Committee (YAC) and Friends of the Library have been removed from the previous list.

3. Following confirmation from the external body, Administration to advise Elected Members of the outcomes of the nominations, together with details of scheduled meetings for the external bodies.

Legal / Legislative and Risk Management

By nominating Elected Members in liaison roles rather than making formal appointments to the various external bodies that exist within the City of Marion, indemnity and conflict of interest risks for individual Elected Members are mitigated. Taking this approach has also been commended by the Local Government Association Mutual Liability Scheme, and has been cited as a best practice risk management strategy.

Financial Implications

Elected Member costs associated with travel to and from attendance at meetings of external bodies in a liaison role is a bona fide expense under the Local Government Act.

Accordingly, provision is made on an ongoing basis in the budget for Elected Member expenses for such attendance and are appropriately incorporated in the current approved Annual Budget and Long Term Financial Plan.

CONCLUSION

Leadership, representation, participation and engagement with the Community are key tenets of the City of Marion Strategic Plan, and also the role of Elected Members as identified in the Local Government Act 1999.

Elected Member involvement as Council liaisons to a range of external bodies comprising community groups, school councils and management committees provide an ideal opportunity not only for leadership within the community and helping to build community capacity and resilience, but also the opportunity to hear the views of the community on many and varied topics.

APPENDIX 1

**Schedule of Elected Member Liaison on External Bodies –
As at January 2017 (unless otherwise identified)**

Company	Current Liaison(s)
Active Elders Association Inc	Cr Nick Kerry
Clovelly Park Community Centre Committee of Management	Cr Nick Kerry
Cosgrove Hall Committee of Management	Cr Raelene Telfer
Edwardstown Soldiers Memorial Recreation Ground Committee of Management	Cr Tim Pfeiffer
Hallett Cove School Council Inc	Cr Ian Crossland
Hamilton Secondary School Council Inc	Cr Luke Hutchinson
Marion City Band	Cr Tim Pfeiffer and Cr Nick Westwood
Mitchell Park Sports & Community Club Inc	Cr Raelene Telfer
Morphettville Park Sporting Club Inc	Cr Jason Veliskou
Park Holme Community Hall	Cr Jason Veliskou
Plympton Sporting and Recreation Club Inc	Cr Jerome Appleby
Red House Group	Cr Jason Veliskou
Seaview High School Council Inc	Cr Janet Byram
Suneden Special School	Cr Janet Byram
The Cove Sports and Community Club Inc	Cr Janet Byram
The Marino Hall Committee of Management	Cr Tim Gard
Marino Residents Association	Cr Tim Gard
The Marion Historical Society Inc	Cr Luke Hutchinson
Council on the Ageing (COTA)	Cr Ian Crosswood and Cr Nick Westwood
The Marion Historic Village Project	Cr Raelene Telfer
Marion Returned & Services League of Australia (GC240215R09)	Cr Janet Byram (Jan 15 to Jan 17) Cr Raelene Telfer (Jan 15 to Jan 16) Cr Luke Hutchinson (Jan 16 to Jan 17)
Plympton Glenelg Returned & Services League of Australia (GC240215R09)	Cr Janet Byram and Cr Jason Veliskou
Management Committee of Annie Doolan's Cottage (GC280616R20)	Cr Raelene Telfer

**CITY OF MARION
GENERAL COUNCIL MEETING
24 JANUARY 2017**

Originating Officer: Sherie Walczak, Unit Manager Risk

Corporate Manager: Jaimie Thwaites, Acting Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: WHS Performance Report – November and December 2016

Report Reference: GC240117R10

EXECUTIVE SUMMARY:

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.

The Think Safe Live Well program's vision is **"Zero harm with enhanced wellbeing"** and focuses on further developing our 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
- Continually improving our WHS Management System (WHSMS) to achieve best practice

PERFORMANCE RESULTS – AUDIT RESULTS

The City of Marion is subject to annual audits conducted by the Local Government Association Workers Compensation Scheme (LGAWCS) which test Council's WHSMS against selected sub-elements of the Return to Work (RTW) SA's Performance Standards for Self Insurers (PSSI). Council sets an action plan outlining its commitments to address non-conformances identified and improve its WHSMS. This year 100% of the actions from the 2015 Audit were completed by the 31st October 2016 which should result in receipt of 100% of the LGAWCS rebate available. The LGAWCS KPI Audit and Appraisal Report 2016 took place in October and the formal results identify an improvement based on the previous year's WHS results. The subsequent Action Plan is now being developed for submission to the LGAWCS by the 31st January 2017.

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 1 and 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: 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	3*	0	19

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	2	0	1	0							4

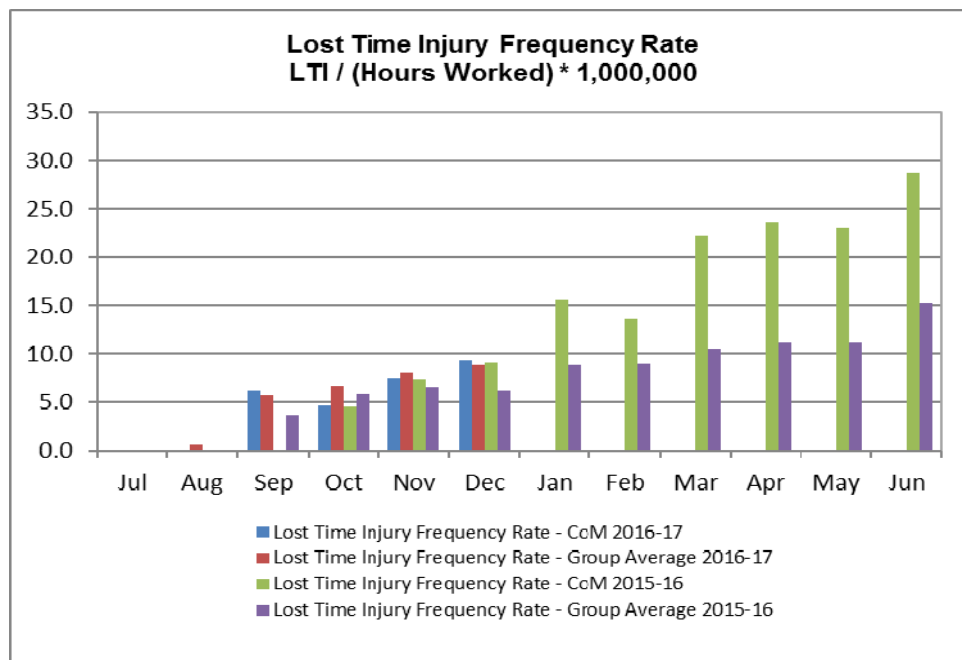
¹ GaC are metropolitan councils with more than 300 staff ie Marion, Adelaide, Charles Sturt, Onkaparinga, Playford, Port Adelaide Enfield, Salisbury and Tee Tree Gully.

² LTIs are those injuries where a whole work day or more has been lost due to a workplace injury.

³ LTIFR is an industry standard tool for measuring LTI's within a given accounting period which enables comparison to other organisations for the purpose of benchmarking.

*An incident occurred and was reported via the incident reporting system in May 2016, but the injured worker did not initially lose time from work or lodge a claim. However, due to ongoing soreness which escalated over some weeks they sought medical treatment and subsequently lost time from work due to undergoing a medical procedure in September. This LTI has appropriately been retrospectively allocated into the May figures, which alters the previously reported total LTIs for 2015/16 from 18 to 19 and therefore also revises the previously reported LTIFR for 2015/16 from 27.3 to 28.8.

Figure 1: LTIFR per month – Financial Year comparison against Group A Councils



Although we have recorded four LTIs as at the end of December 2016, for which claims have been lodged with the LGAWCS, the LGAWCS claims data reports an LTIFR of 9.3. This figure is only representative of three LTIs due to the fourth LTI being deferred for further investigation.

The four LTI's recorded have been categorised into three primary classes of injuries:

1. One x Manual handling (muscular stress while lifting or carrying).
A back injury whilst sorting concrete from recycling piles.
2. One x Fall from the same and differing level (slips, trips and falls).
A broken ankle whilst walking on a wet slippery surface.
3. One x Repetitive movement (low muscle loading).
An elbow strain from a manual labour task (ie repetitive spreading of mulch).
4. One x Mental disorder (exposure to mental stress factors).
An accusation of bullying which is currently under investigation.

It should be noted that the delay in LTIs being recorded in the LGAWCS data also affected last year's data where nine incidents were reported as at December 2015 (refer to Table 1) with only three being recorded in the LGAWCS data. This results in Figure 1 not appropriately illustrating the substantial reduction in LTIFR achieved so far in 2016/17, where only four incidents have been reported as at December 2016 (refer to Table 2). If the current trend continues, the forecasted LTIFR for the end of period reporting is likely to be 12.4 which, if achieved, would represent a reduction of 57% on the reported LTIFR for 2015/16.

STATUTORY NOTIFIABLE INCIDENTS

During November 2016, there was one notifiable incident which occurred at Heron Way Reserve Hallett Cove. A mower slid down an embankment colliding with a shade structure causing it to collapse. SafeWork SA issued a prohibition notice, whilst an investigation was undertaken, which has since been lifted following appropriate actions being undertaken. No injuries were reported.

HAZARD, INJURY AND LTI PREVENTION

Hazard Prevention Strategies are continuing to be implemented and include the ongoing review of Council's Hazard Register and provision of documented Safe Work Method Statements, Safe Work Procedures or Safe Operating Procedures for hazardous tasks.

During November 2016, the annual review of the ChemAlert system was undertaken to review risk assessments of chemicals held across the organisation and the currency of required Safety Data Sheets.

During December 2016, bi-monthly workplace inspections were undertaken on high risk rated work sites with all actions being registered on the corrective and preventative action register for monitoring and review.

An opportunity arose to test the new RTW strategies recently implemented, including the potential for representation at medical appointments and provision of preferred Medical Practitioners who specialise in workplace injuries, which resulted in a positive outcome. A worker received a large splinter to the hand resulting from regular pruning activities and was accompanied to one of the preferred Medical Practitioners by a colleague and was met by their supervisor. They were treated appropriately and released with clearance to return to duties, therefore avoiding a Lost Time Injury. The Medical Practitioner billed the organisation direct avoiding a workers compensation claim. This was a great outcome for both the worker and the City of Marion.

RECOMMENDATION**DUE DATE**

That Council:

1. Notes the report and statistical data contained therein.

24 January 2017

**CITY OF MARION
GENERAL COUNCIL MEETING
24 JANUARY 2017**

Originating Officer: David Harman, Financial Accountant

Corporate Manager: Ray Barnwell, Manager Finance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Finance Report – December 2016

Report Reference: GC240117R11

REPORT OBJECTIVES AND EXECUTIVE SUMMARY:

This report provides Council with information relating to the management of financial resources under its control as at December 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

DUE DATE

That Council:

1. Receives the report “Finance Report – December 2016”.

24 January 2017

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 the 2016/17 financial year that meet the qualifying criteria. There are two future projects which will meet these criteria and are listed in the following table.

The Edwardstown Oval Soldiers Memorial Recreation Ground project is set to commence construction in 2017/18 following the signing of a \$4m funding agreement with the Federal Government. The Mitchell Park Sports & Community Centre project is subject to grant funding but currently scheduled for 2018/19 year.

Project	Scheduled To Commence	Budget
Edwardstown Oval Soldiers Memorial Recreation Ground	2017/18	\$8.0m
	Commencement subject to Grant Funding	
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

(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 surplus result of \$3.107m before capital revenues, against a year to date forecast budget of \$2.599m 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 57.5% 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 to \$9.102m at 30 June 2017.

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 31st December 2016**

Original Adopted Budget \$'000		YTD Actual + Committ \$'000	YTD Budget \$'000	YTD Variance \$'000		Annual Budget \$'000	Note
	Operating Revenue						
72,457	Rates	36,606	36,579	27	F	72,520	
1,751	Statutory Charges	1,114	1,070	44	F	1,714	
1,599	User Charges	854	737	117	F	1,621	A
7,211	Operating Grants & Subsidies	3,457	3,742	(285)	U	7,497	B
265	Investment Income	254	252	2	F	504	
619	Reimbursements	384	356	28	F	645	
384	Other Revenues	414	200	214	F	414	C
324	Net gain - SRWRA	-	-	-	-	324	
84,610		43,083	42,936	147	F	85,239	
	Operating Expenses						
33,021	Employee Costs	15,447	16,262	815	F	33,410	D
16,886	Contractual Services	10,155	8,766	(1,389)	U	17,199	E
5,193	Materials	2,082	2,838	756	F	5,307	F
948	Finance Charges	279	279	-	-	613	
14,020	Depreciation	8,571	8,501	(70)	U	17,003	
6,889	Other Expenses	3,442	3,691	249	F	6,496	G
76,957		39,976	40,337	361	F	80,028	
7,653	Operating Surplus/(Deficit) before Capital Revenues	3,107	2,599	508	F	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	228	-	228	F	-	
1,500		2,248	2,000	248	F	3,500	
9,153	Net Surplus/(Deficit) resulting from operations	5,355	4,599	756	F	8,711	
14,020	add Depreciation	8,571	8,501	70		17,003	
(324)	less Share of Profit SRWRA (excluding dividend)	-	-	-		(324)	
22,849	Funding available for Capital Investment	13,926	13,100	826	F	25,390	
	Capital						
13,673	less Capital Expenditure - Renewal	4,523	7,866	3,343	F	16,230	H
4,925	less Capital Expenditure - New	2,335	3,881	1,546	F	9,975	I
1,500	less Capital - contributed assets	-	-	-	U	1,500	
	add Proceeds from Sale of Surplus Assets	(1,572)	-	1,572	F	-	J
2,751	Net Overall lending/(borrowing)	8,640	1,353	7,287	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	479	479	-	-	1,126	
(1,400)	Loan Funding (Net)	(479)	(479)	-	-	(1,126)	
Movement in level of cash, investments and accruals							
(680)	Cash Surplus/(Deficit) funding requirements	11,820	4,663	7,157		328	
(2,031)	less Reserves (Net)	3,659	3,789	(130)		3,769	
1,351	Cash/Investments/Accruals Funding	8,161	874	7,287		(3,441)	
(2,751)	Funding Transactions	(8,640)	(1,353)	(7,287)	F	2,315	K

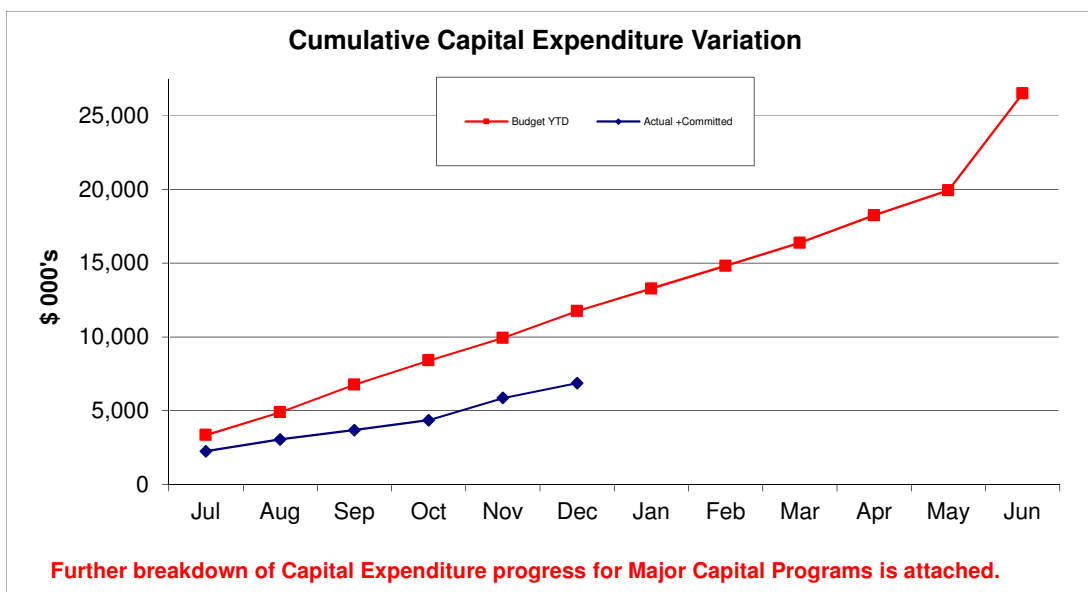
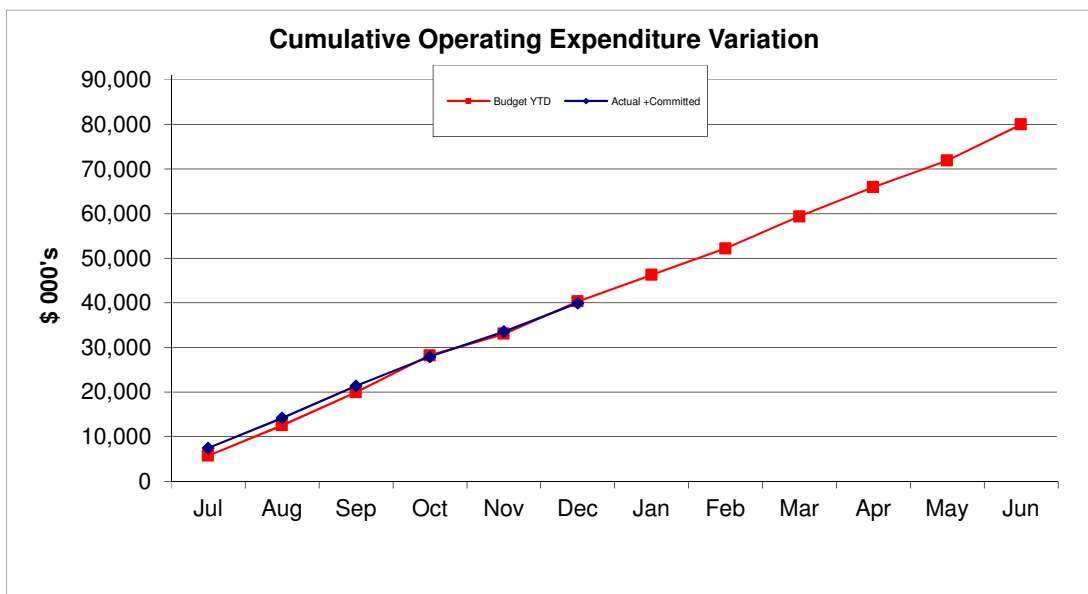
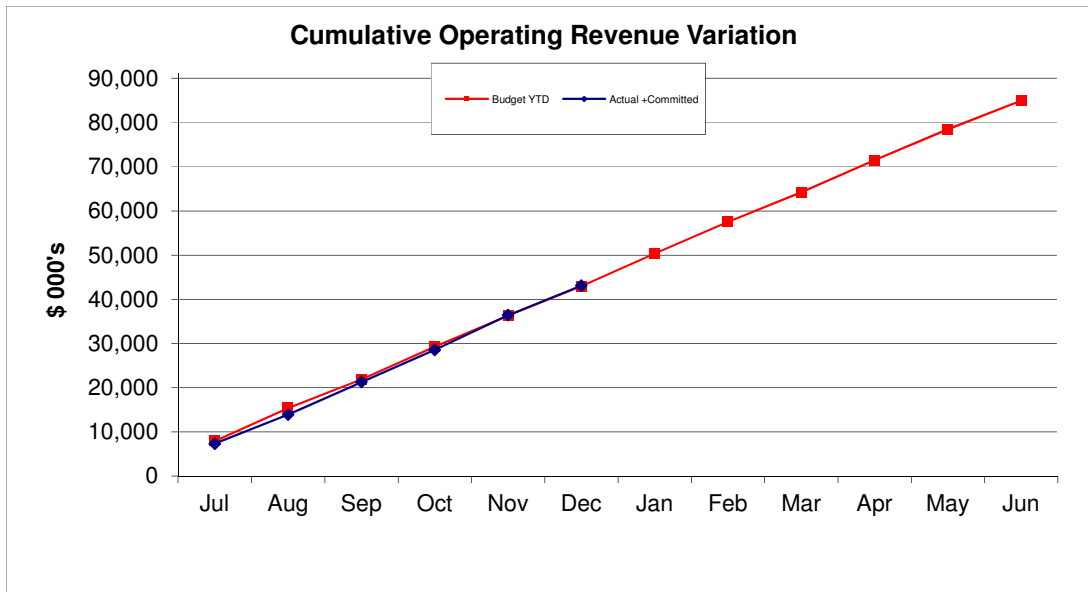
Variation Notes

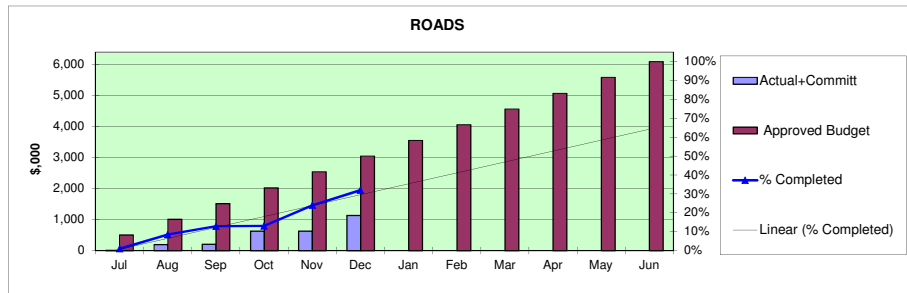
A	User Charges	Favourable \$117k	Predominantly reflects budget timing variations with regards to sales and tuition income for the Marion Outdoor Swim Centre, and Neighbourhood Centres.
B	Operating Grants & Subsidies	Unfavourable \$285k	Reflects budget timing variations with regards to receipt of Roads 2 Recovery funding.
C	Other Revenues	Favourable \$214k	Predominantly reflects the receipt of unexpected developer contributions for open space.
D	Employee Costs	Favourable \$815k	Predominantly reflects budget timing variations including leave taken.
E	Contractors	Unfavourable \$1,389k	Predominantly reflects budget timing variations with regards to Maintenance Agreements (\$460k) and Waste Contractor (\$742k) and a number of other variations which are individually insignificant.
F	Materials	Favourable \$756k	Predominantly reflects budget timing variations with regards to Electricity (\$303k) and water (\$494k).
G	Other Expenses	Favourable \$249k	Predominantly reflects budget timing variations with regards to training (\$101k) and State Government Levies (\$94k).
H	Capital Expenditure (Renewal)	Favourable \$3,343k	Predominantly reflects budget timing variations with regards to road reseals (\$2,060k), Drainage Construction (\$142k), Reserve Development projects (\$177k), Footpath Construction (\$186k) and fleet replacement (\$753k).
I	Capital Expenditure (New)	Favourable \$1,546k	Predominantly reflects budget timing variations with regards to Glandore Laneways (\$913k), Streetscaping (\$249k), Irrigation (\$165k) and Glade Crescent wetland project (\$93k).
J	Proceeds from Sale of Surplus Assets	Favourable \$1,572k	This represents the income derived from the disposal of the old Hallett Cove Library.
K	Funding Transactions	Favourable \$7,287k	This variance is the sum total of all variances and reflects an increase against council's expected YTD cash 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.

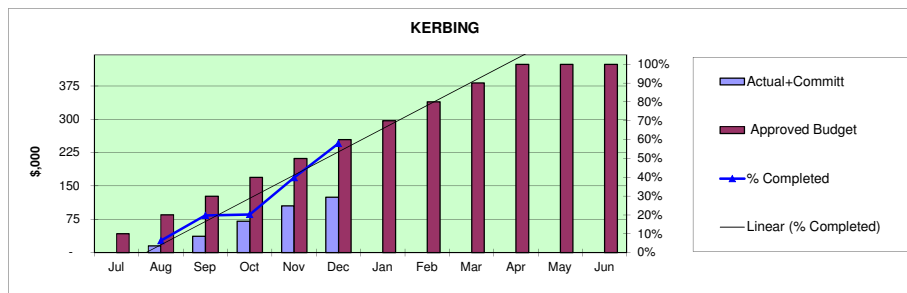
Note: The progress to date of Capital Expenditure programs (New and Renewal) is detailed in the attached graphs, noting that where no budget exists in the initial months this is primarily due to certain types of capital works that cannot be carried out during periods of inclement weather.

Funding Statement Cumulative Position - 2016/17

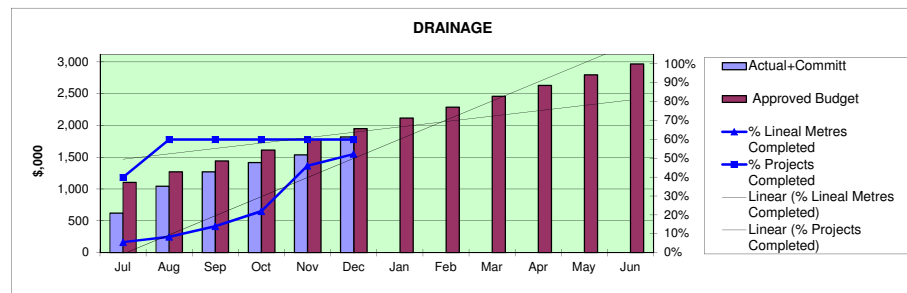




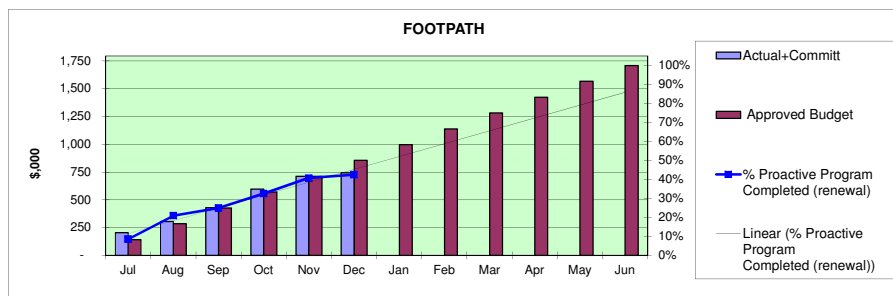
Program commenced, 36% complete.
 - Met with supplier in December to discuss progress of completed works - they have been instructed to increase works to meet agreed schedule.



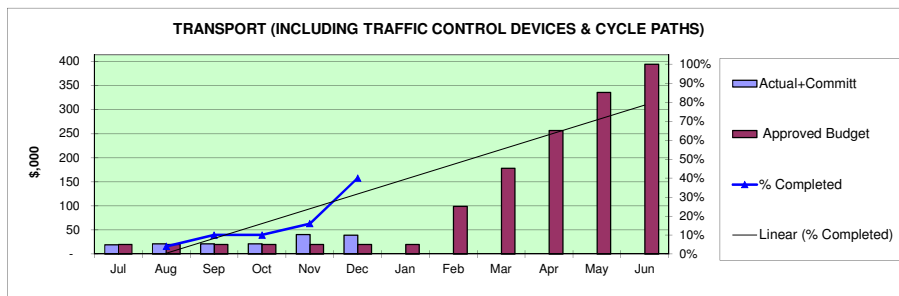
Program commenced, 58% complete.



Linear metre program: 52% complete.
 - Keen Avenue complete.
 Drainage projects: 60% complete.
 - Maxwell Terrace, Hammersmith, Farne Terrace and Towers Terrace complete.

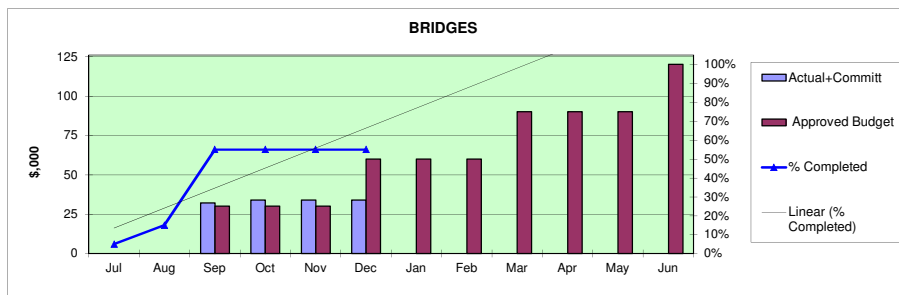


Program commenced, 42% complete.



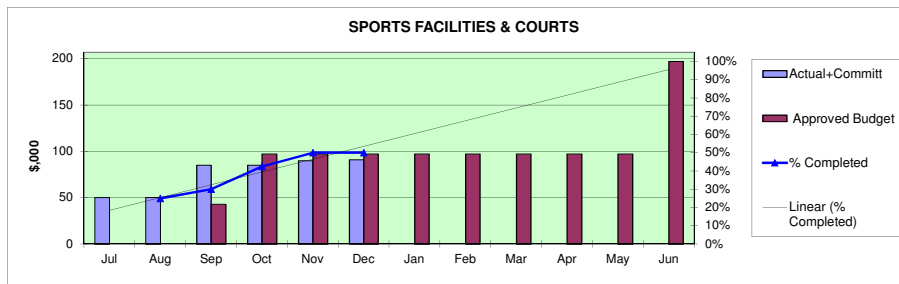
Program commenced, 40% complete.

- Ramrod Avenue Traffic Control Device - liaising with DPTI for approvals, construction to commence in February 2017.
- Sturt Linear Path (Oaklands - Carlisle and Sturt - Marion) design commenced, construction estimated to commence in February 2017.



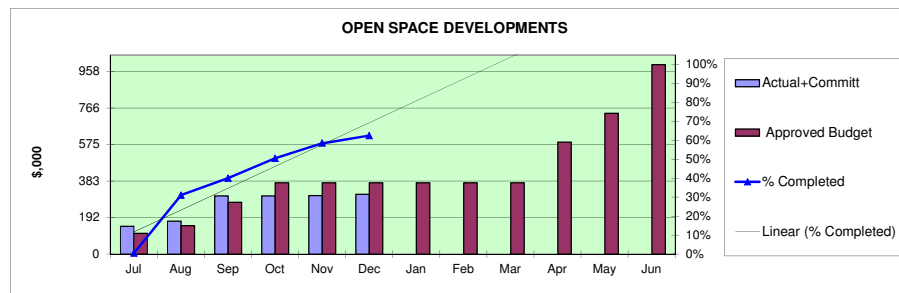
Program commenced, 55% complete.

- Warriparinga Footbridge completed, Barramundi Drive investigations commenced, looking at scheduling with related works for stormwater and drainage.



Program commenced, 50% complete.

- Edwardstown Sporting Club light works completed.
- Budget of \$100k in June is for Sports Courts pending outcome of review.



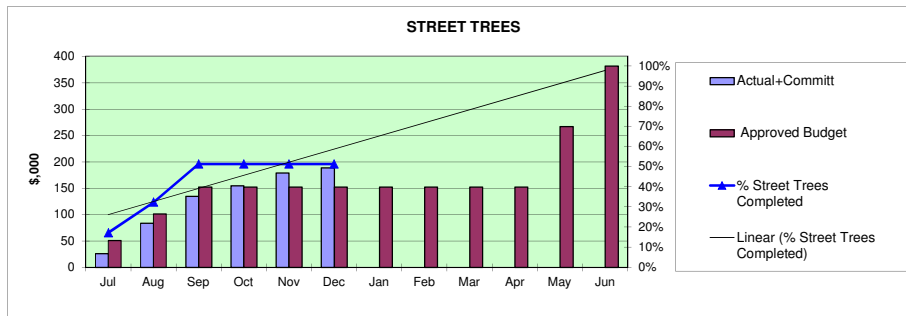
Program commenced, 63% complete.

Completed

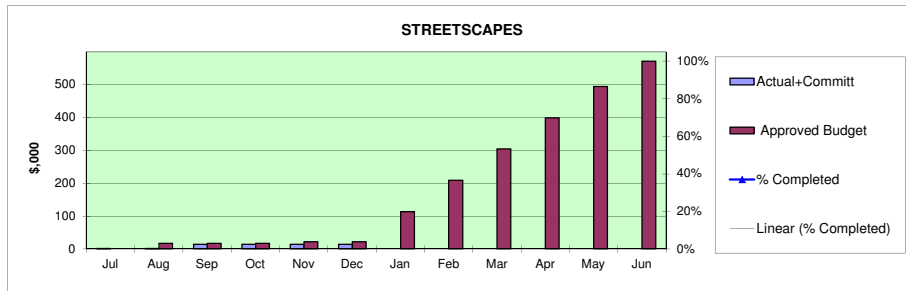
- Reserve Street Reserve Dog Park
- Reserve Signage (15)
- Removal of Lapwing Street, Luke Court, Oliphant Ave, Chestnut Grove and Marion Community House Playspaces

In progress

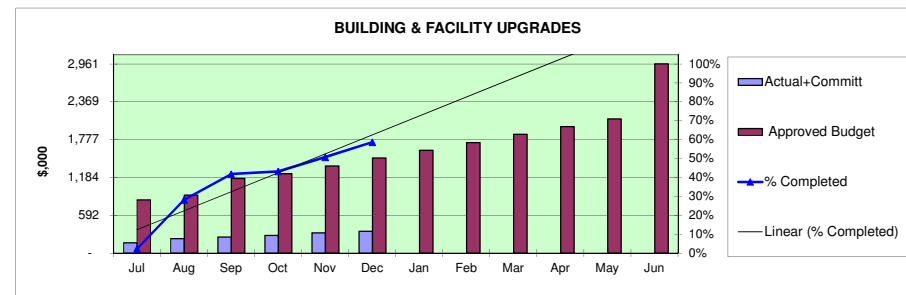
- Hallett Cove Foreshore Stage 5 detailed design in progress
- Oaklands Estate Reserve in tender process.
- Inclusive Playspace Concept detailed design in progress.
- Edwardstown Oval Southern Landscaping to be completed in May.
- Hazelmere Reserve Shade sails
- Gully Road, Clare Avenue, Sixth Avenue and YMCA Breakout Creek playspace concept developments underway.



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.



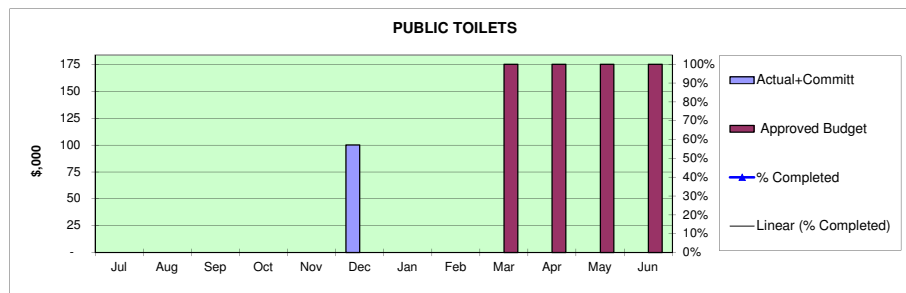
Program commenced, 59% complete.

Completed

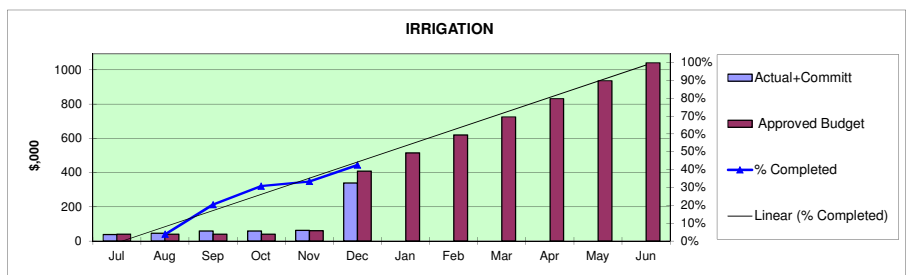
- Coastal Walkway Handrail upgrade
- Coastal Walkway Asset renewal
- Admin/ Coolinda Signs
- Swim Centre Refurbish storeroom
- Edwardstown Senior Citizens Asbestos removal
- Outdoor Swim Centre Sign
- Marion Community House Asbestos removal
- Marion Cultural Centre Upgrade plaza amenity
- Administration CR1&2 doors and painting

In Progress

- Trott Park Neighbour. Centre Windows & Doors
- Trott Park Neighbour. Centre Accessible toilet
- Administration Customer service upgrade
- 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



Installation of Reserve Street Reserve Toilet to follow community evaluation of Dog Park - toilet has been ordered, estimated arrival in May.



Program commenced, 43% complete.

Sundry Debtors Report - Aging report as at 31 December 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	5,526.02	3,615.77	.00	260.00	.00	1,650.25	3%	Made up of 5 out of 7 debtors with none individually significant. \$419.78 has been subsequently settled in January.
Neighbourhood Centres Total	41,086.00	23,869.25	14,191.25	106.50	.00	2,919.00	6%	Made up of 10 out of 26 debtors in this category. \$490.00 has been subsequently settled in January.
Regulatory Services Land Clearing Total	2,402.54	.00	.00	.00	.00	2,402.54	5%	Made up of 3 debtors.
City Property Facilities Total	25,310.95	2,319.89	.00	13,421.32	4,022.80	5,546.94	11%	Made up of 3 out of 21 debtors in this category. One account totalling \$4,534.01 has since been paid in January. One other account is on a payment plan which fell behind, however an instalment was received in December.
Civil Services Private Works Total	58,685.50	20,058.00	8,900.00	.00	6,520.00	23,207.50	47%	Made up of 12 out of 25 debtors in this category, with 4 of these totalling \$4,130.00 relating to works not commenced, awaiting payment, and one totalling \$5,895.00 where the owner has committed to organising the works privately. \$775.00 has been subsequently settled in January.
Swim Centre Debtors Total	35,640.15	35,002.65	.00	.00	.00	637.50	1%	Made up of 5 out of 41 debtors, with none individually significant. \$546.50 has been subsequently settled in January.
Grants & Subsidies Total	18,975.00	18,150.00	.00	.00	.00	825.00	2%	Made up of 1 out of 4 debtors. Copy has been emailed directly to listed contact.
Environmental Health Inspections Total	14,673.41	2,736.00	4,440.21	.00	1,665.70	5,831.50	12%	Made up of 50 out of 104 debtors in this category, with none individually significant. \$451.00 has been subsequently settled in January
Regulatory Services Other Total	11,175.35	3,023.35	8,017.00	.00	.00	135.00	0%	Made up of 1 out of 62 debtors.
Development Services Total	5,623.84	1,100.00	.00	.00	.00	4,523.84	9%	Made up of 12 out of 13 debtors in this category.
Living Kaurna Cultural Centre Total	10,673.60	7,875.10	1,572.50	.00	.00	1,226.00	3%	Made up of 6 out of 24 debtors, with none individually significant.
Environmental Health Testing Total	217.60	.00	217.60	.00	.00	.00	0%	
Local Government Total	2,390.29	.00	1,959.29	.00	431.00	.00	0%	
Economic Development Total	71,085.00	70,425.00	550.00	110.00	.00	.00	0%	
Marion Cultural Centre Total	7,682.60	6,720.60	862.00	100.00	.00	.00	0%	
Total	311,147.85	194,895.61	40,709.85	13,997.82	12,639.50	48,905.07		
Total Aging Profile		63%	13%	4%	4%	16%		

Category	Description
Employees	Anything that relates to CoM employees.
General	Anything that does not fit into one of the below categories.
Neighbourhood Centres	For hire of rooms in Neighbourhood Centres, etc - usually charged out at an hourly rate. Also includes cultural workshops and tours.
Regulatory Services Land Clearing	When council has had to clear land due to non-compliance of owner.
Sporting Clubs & Other Leases	Rent, electricity, water, maintenance, etc charged out to lessees.
Civil Services Private Works	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 Inspections	Food Inspection fees.
Regulatory Services Other	Vehicle Impoundment fees and other regulatory services.
Supplier Refunds	Where a supplier owes the City of Marion funds. This category is used to keep track to ensure we have received payment for credits.
Development Services	Includes contribution from residents and/or developers for the removal and/or replacement of Council Street Trees and significant trees.
Living Kaurna Cultural Centre	Relates to programs run through the LKCC.
Environmental Health Testing	Environmental testing fees.
Local Government	Transactions with other Local Government corporations.
Communications	Anything related to communications.
Economic Development	Events, etc relating to economic development within the City of Marion.
Marion Cultural Centre	Hiring of the Marion Cultural Centre.

Rates Report - Collection of Rates to 31 December 2016

ANALYSIS OF OUTSTANDING RATES AS AT 31 DECEMBER 2016

	<u>Note</u>		% of Total Annual Rates
CURRENT	1	\$ 30,931,059	42.7%
OVERDUE	2	\$ 1,342,818	1.9%
ARREARS	3	\$ 1,143,750	1.6%
POSTPONED	4	\$ 149,307	0.2%
LEGALS	5	\$ 33,264	0.0%
		\$ 33,600,198	46.3%
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
24 JANUARY 2017**

Question Received from: Councillor Luke Hutchinson

Subject: Hendrie Street, Touched by Olivia Foundation (TBOF)

Reference No: GC240117Q01

QUESTION: If there are 5 play spaces being designed this year, how many FTE are involved in this?

COMMENTS: Councillor Luke Hutchinson

Nil

COMMENTS: Fiona Harvey, Manager Innovation and Strategy

A total of 0.882 FTE is currently committed to the design phase (consultation, concept design, detail design and opinion of costs) for 5 local and neighbourhood playspaces. The 5 playspaces being designed are:

- Breakout Creek Glengowrie
- Sixth Avenue Ascot Park
- Clare Avenue Sheidow Park
- Gully Road Reserve North (including public toilet) Seaview Downs
- Appleby Reserve Morphetville

There are also designs being developed for three regional playspaces (Hallett Cove Foreshore playspace; Hendrie Street Reserve Inclusive playspace; and Oaklands Estate Playspace). A total of 0.92 FTE is dedicated to these projects for 2016/17.

In total 1.8 FTE is committed to playspace design in 2016-17. There is also a \$87,100 budget for consultants associated with the playspace projects in 2016/17.

Attachment 1 provides a breakdown of resource commitments for 2016-17 project works. The resources required for playspace design and development will vary from year to year and are dependent on the size, scope and stage of each project.

The commitment of resources (including staff and consultants) is in line with Council's adoption of the open space works program for 2016-2019 (attachment 2) at its meeting in April 2016 (GC260416R10).

Open Space and Recreation Resource

Attachment 1

Projects 2016-2017	Consultants Fees	Average FTE16/17
Breakout Creek Playspace <ul style="list-style-type: none"> - Concept design - Community consultation - Detailed design documentation and specification 	\$11,400	0.183
Sixth Avenue Playspace <ul style="list-style-type: none"> - Concept design - Community consultation - Detailed design documentation and specification 	\$14,400	0.183
Clare Avenue Playspace <ul style="list-style-type: none"> - Concept design - Community consultation - Detailed design documentation and specification 	\$11,400	0.183
Gully Rd Playspace + public toilet <ul style="list-style-type: none"> - Concept design - Community consultation - Detailed design documentation and specification 	\$17,400	0.183
Appleby Reserve Playspace <ul style="list-style-type: none"> - Concept design - Community consultation - Detailed design documentation and specification 	Renewal SA	0.15
Sub Total Local and Neighbourhood Playspace	\$54,600	0.882
Playspace removals <ul style="list-style-type: none"> - Concept design - Community consultation - Tender procurement - Contract administration - Council reports (section 270)/Petitions 		0.125
Sub Total Playspace Removals		0.125
Hallett Cove Detailed Design Stage 4 Playspace <ul style="list-style-type: none"> - Finalise Concept - Detailed design/ documentation and specification - Council report 	\$15,000 Engineers /artist	0.16

Open Space and Recreation Resource

Attachment 1

Hendrie Inclusive Playspace <ul style="list-style-type: none"> - Detailed design documentation and specification - TBOF fund raising support - Council report - Tender and procurement 		0.56
Oaklands Estate Playspace Development <ul style="list-style-type: none"> - Concept design - Community consultation - Opinion of Cost 	\$17,500 (playspace)	0.20
Sub Total Regional Playspace	\$32,500	0.92
Oaklands Estate Reserve Development <ul style="list-style-type: none"> - Concept design - Community consultation - Opinion of Cost 	\$27,500 (reserve/open space)	0.24
Hallett Cove Detailed Design Stage 5 Amphitheatre <ul style="list-style-type: none"> - Detailed design/ documentation and specification - Council report - Development approvals - Tender - Construction admin 	\$15,000 Engineers /artist	0.34
Oaklands Recreation Plaza Stage 2 and Roundhouse Landscape <ul style="list-style-type: none"> - Concept design - Community consultation - Detailed design documentation and specification 		0.3
Jervois Terrace Reserve <ul style="list-style-type: none"> - Construction Administration - Reserve Evaluation 		0.16
Edwardstown Oval Southern Landscape <ul style="list-style-type: none"> - Detail Design - Tender - Construction Administration 		0.225
Public toilets <ul style="list-style-type: none"> - Concept design - Community consultation - Tender procurement - Contract administration 		0.05
Sub Total Reserve Development	\$42,500	1.315
Playspace Strategy Review		0.3
Open Space Strategy review		0.325
Sub Total Strategy Review		0.625

Open Space and Recreation Resource

Attachment 1

Other		1.65
<ul style="list-style-type: none"> - Reserve Signs - Streetscape guidelines - Charles Street streetscape concept - Sports court removals - Tonsley RSA - Morphetville RSA - Dog Park Follow Up - Operating other (stakeholder projects across council) 		
Team Leader		1
Total		6.517

Option 3

	Project Program			
Projects	2016/17	2017/18	2018/19	Comment
Operating				
Playspace Strategy	PF			Finalise Playspace Strategy
Playspace Removals	C, DD, PI	C,DD, PI	C, DD, PI	Remove Playspaces in line with Playspace Strategy
Reserve Signs	DD, PI	DD, PI	DD, PI	Annual upgrade for old Reserve Signs
Open Space Asset Management Planning	O	O	O	Annual planning for new/renewal/removal open space assets. Review and provide info for AMP
Capital				
Jervois Street Reserve	PI			Finalise reserve construction
Edwardstown Oval South East Corner	PI			Manage onground works for open space improvements in line with grant funding
Hallett Cove Beach Stage 2				Detailed Design complete. Works subject to available funding. Engineering expertise for contract admin.
Hallett Cove Beach Stage 4	DD	PI		Reserve and Playspace Detailed Design 16/17. Implementation subject to funding available
Hallett Cove Beach Stage 5	DD	PI		Amphitheatre Detailed Design 16/17. Implementation subject to Council endorsement and funding available
Hallett Cove Beach Stage 6			DD	Carpark, remaining reserve (northern end) and connection to Hallett Cove Conservation Park
Hendrie TBOF Inclusive Playspace	DD,PI	PI		Implementation subject to Council endorsement of Final Concept Plan July/August 2016 and funding agreement with TBOFF
Appleby Reserve Playspace	C,DD	PI		Renewal SA Partnership with Morphettville Renewal Concept Development 2016/17
*Playspace Capital Works - Gully Road Reserve including replacement of cricket nets/bball	C,DD	PI		Consultation & Concept Development 2016/17 Detail Design 2016/17 Implementation 2017/18
Oaklands Reserve Development	C	DD,PI	PI	Consultation & Concept Plan 2016/17 Detail Design and Stage 1 Implementation 2017/18 Stage 2 Implementation 2018/19
Playspace Capital Works -Sixth Avenue, Ascot Park -Clare Avenue, Sheidow Park -Breakout Creek, Glengowrie	C,DD	PI		Consultation & Concept Development 2016/17 Detail Design 2016/17 Implementation 2017/18
Capella Reserve Development		C,DD	PI	Consultation & Design Development 2017/18 Implementation subject to Council endorsement and funding availability 2018/19. Potential for staging
Bandon Terrace Reserve		C,DD	PI	Consultation & Concept Development 2017/18 Detail Design 2018/19
2 nd Dog Park		C,DD	PI	Investigate Locations, Design Development 2017/18 Implementation 2018/19
Playspace Development x 3		C, DD	PI	Playspace Strategy Local / Neighbourhood Playspaces as per matrix
Playspace Development x 4			C,DD	Playspace Strategy Local / Neighbourhood Playspaces as per matrix
Tennis Court Renewal				On hold until completion of Tennis and Netball review. Refer any works to reviewed program.

C Consultation/Concept PI Procurement and Implementation O Operating
DD Detail Design PF Policy/Framework

**CITY OF MARION
GENERAL COUNCIL MEETING
24 JANUARY 2017**

Question Received from: Councillor Jerome Appleby
Subject: Obesity Prevention and Lifestyle (OPAL) Program Costs
Reference No: GC240117Q02

QUESTION:

How much did the City of Marion expend on the Obesity Prevention and Lifestyle (OPAL) program?

COMMENTS: Councillor Jerome Appleby

The following is from an *InDaily* article dated 21 December 2016:

SA's \$35m childhood anti-obesity program to be abandoned

The most significant taxpayer-funded childhood obesity prevention program in the history of South Australia is set to be abandoned after an evaluation found no evidence it had any effect on children's weight.

<http://indaily.com.au/news/local/2016/12/21/sas-35m-childhood-anti-obesity-program-to-be-abandoned/>

COMMENTS: Ray Barnwell, Manager Finance & Liz Byrne, Manager Community & Cultural Services

The OPAL program in South Australia was based on a French program called EPODE (translated as 'together we can prevent childhood obesity') which is a community based obesity prevention initiative. The aim of the program was to work with communities to positively change attitudes and behaviours about healthy eating and physical activity.

*"Being overweight can affect the emotional and social wellbeing of children. Overweight children are very likely to become overweight adults, with a greatly increased risk of heart disease, diabetes and other chronic health problems."*¹

The City of Marion was one of six local governments selected to participate in the program and worked in partnership with State Government, after a positive trial. The financial contribution from the State Government included a Project Manager and Graduate Officer seconded into each Council (up to \$135,000 per annum) in addition to \$279,000 project support funding to the City of Marion over the life of the program.

¹ "Introducing OPAL" brochure

The City of Marion contributed in the order of \$194,000 funding to the program.

The table below summarises the annual expenditure over the duration of the partnership which was funded by State Government funding (\$279 k) and Council's funding contribution (\$194 k).

OPAL - Summary of Costs							
	<u>2009/10</u>	<u>2010/11</u>	<u>2011/12</u>	<u>2012/13</u>	<u>2013/14</u>	<u>2014/15</u>	<u>Total Spend</u>
Annual Cost	\$ 27,913	\$ 103,888	\$ 126,342	\$ 78,061	\$ 102,918	\$ 34,587	\$ 473,709

The City of Marion ended its involvement with the OPAL program in September 2015.

Some councils are still involved with the OPAL program and state government funding will continue until June 2017.

**CITY OF MARION
GENERAL COUNCIL MEETING
24 JANUARY 2017**

Question Received from: Councillor Jason Veliskou

Subject: Developer Bonds

Reference No: GC240117Q03

QUESTION:

- 1) Did the existence of developer bonds make it easier for council to get better quality and more timely restitution of council property damaged as a result of a development, compared to the period without such bonds?**
- 2) What was the average amount of developer bond held by council?**
- 3) What is the current status of developer bonds legislation/regulation?**

COMMENTS: Councillor Jason Veliskou

Nil

COMMENTS: Brett Jaggard, Acting Manager, Engineering & Field Services

- 1) Anecdotal evidence from staff suggests that development bonds are an effective system for Council to hold funds to enable Administration to recoup the costs associated with the replacement of damaged infrastructure. It intuitively provides greater certainty than seeking to recoup post damage rectification costs.
- 2) Based on the total amount of receipted transactions in the period between June 2010 to February 2011 the average amount of developer bonds held by Council was \$2,765.
- 3) Council has contacted the legislative reform branch at the Department of Planning, Transport and Infrastructure seeking clarification as to whether the new planning and development legislation to be implemented in stages over the next 5 years expressly contemplates the introduction of developer bonds associated with applications for demolition of old buildings and the construction of new buildings. At this stage, the legislative reform branch has not expressly dealt with the issue of developer bonds and the legislative reform remains in its early stages of implementation.

**CITY OF MARION
GENERAL COUNCIL MEETING
24 JANUARY 2017**

Notice Received from: Councillor Telfer
Subject: Travers Reserve Land Division
Ref No: GC240117M01

MOTION:

That Council amends the resolution passed on 9 December 2014 (GC091214R04) from:

- '2. Authorises the creation of two residential allotments from the reserve land of approximately 340 m² each, by a land division, for disposal'.**

To:

- '2. Authorises the creation of one residential allotment from the reserve land of approximately 680 m² by a land division, for disposal'.**

COMMENTS: Councillor Telfer

Nil

COMMENTS: Heather Michell, Land Asset Officer

On 9 December 2014, Council considered a report for the reconfiguration of a reserve at Travers Street Sturt (GC091214R04) for an exchange of land with Housing SA, to ensure Council creates a reserve with greater functionality and better passive surveillance and the creation of two residential allotments for sale.

One of the proposed allotments has a regulated tree. The initial arborist assessment of the tree was undertaken when the Development Application was lodged for the land division. The initial assessment indicated that the indicative building proposal would not impact on the tree. After submitting the indicative building plans to the Planning Department, another arborist assessment was undertaken as the first arborist had retired. The tree protection zone calculations in the second assessment were greater than the initial assessment. A survey of the land has identified that the tree prohibits the erection of a functional dwelling on the proposed allotment, based on the tree protection zone as calculated in accordance with the Australian Standard.

The arborist assessment has determined the tree is in good condition, this species has a lifespan up to 80 years. Arborist's advice is the tree has an expected lifespan of more than 10 years, dependent on environmental factors such as extreme drought.

A Development Application for the removal of the regulated tree was considered by the Development Assessment Panel on 21 December 2016, the application was refused.

As a result of the DAP assessment it is recommended that Council create one residential allotment of 680 m²

The creation of one larger allotment will reduce the land division costs that are to be paid up front for items such as the open space contribution and the water and sewer connections.

Estimates calculated in 2016 for the creation of one allotment indicates a return to Council is \$66,000 less than if two allotments were able to be created.

Under the current development legislation, once a building is erected on the allotment, the owner would be able to remove the tree without Development Approval if a dwelling is constructed within 10 metres of the tree. This would then enable the site to be sub-divided should the owner want to.

The adoption of this recommendation will enable the land to be put on the market for sale upon receipt of development approval for the creation of one allotment.

**CITY OF MARION
GENERAL COUNCIL MEETING
24 JANUARY 2017**

Notice Received from: Councillor Veliskou

Subject: Developer Bonds

Ref No: GC240117M02

MOTION:

That council write to the Relevant Minister asking for the reintroduction of Developer bonds to ensure that council property is reinstated promptly and appropriately after the competition of a development.

Further that the council write to the appropriate Shadow Minister to ask them their position on the matter.

COMMENTS: Councillor Veliskou

The ratepayers of Marion should not have to pay for the shoddy reinstatement and delays in chasing up recalcitrant developers who choose to evade their responsibilities. All developers should be leaving our roads, verges and footpaths in the same state they found them in.

Whilst I assume most developers do the right thing, those that don't waste councils time and money; along with inconveniencing local residents.

The modest bond amount pales in comparison to the cost of the development work taking place, so arguments that its prohibitive expense are unfounded; plus it's given back once the developers comply.

It is important to note that while developers or others damage our roads, verges and footpaths, our residents see this as a failure of Council that we allow it to happen. Therefore, it is our responsibility to ensure that we see the issue resolved as quickly, professionally and inexpensively as possible.

COMMENTS: Brett Jaggard, Acting Manager, Engineering & Field Services

The City of Marion has supporting legislation under Section 245A in the Local Government Act 1999 to require a person to enter into an agreement should the Council have reason to believe the performance of the work relating to the development could cause damage to Council infrastructure.

On 13 December 2010, the City of Marion was made aware that while section 245A of the Local Government Act 1999 enables the Council to require an owner to enter into a bonding agreement, the regulation supporting the legislation had not been established. As of 19 January 2017 the regulations still have not been amended to stipulate the prescribed period as required for Council to enforce the legislation.

Development Bonds History

At the General Council meeting held 8 February 2011 a report was presented to Council in relation to Development Bonds (GC 080211R07), and Council passed the following resolution:

1. *Council notes this report.*
2. *Council postpones the requirement for owners to enter into a Development Bond agreement until the regulations come into force.*
3. *Council refund all Development Bond payments including interest accrued.*
4. *Council endorse the Infrastructure Protection Process as outlined in Appendix 1.*
5. *That the Mayor writes to the Minister for Local Government to develop regulations supporting the legislation regarding the collection of Development Bonds as a matter of urgency.*

As per item 5 of this resolution, on 10 February 2011 Mayor Lewis wrote to The Hon Bernard Finnigan MP, Minister for State/Local Government Relations. A copy of this letter is attached as Appendix 1. This letter was acknowledged by the Minister's office on 2 March 2011 and responded to on 4 April 2012. Refer to Appendix 2.

At the General Council meeting held 12 August 2014 (GC120814M02), Council moved the following motion:

That Council seek the assistance of the LGA (SA) to lobby the State Government for the reintroduction of development bonds to cover potential damage caused to Council property as a direct result of development.

Further that this legislation be broadened to cover the ability for council to request bonds from authorities undertaking work on council property which will need or potentially need repair or reinstatement.

That the request for these bonds remain at the discretion of each council; where they determine the circumstances in which these types of bonds would apply.

A copy of the letter sent to the President of the Local Government Association (LGA) on 26 August 2014 is attached at Appendix 3. There is no record of response from the LGA.

Appendix 1 Letter from City of Marion to Minister for State/Local Government Relations

Appendix 2 Acknowledgment and response from Minister's office

Appendix 3 Letter from City of Marion to the President of the Local Government Association

**CITY OF MARION
GENERAL COUNCIL MEETING
24 JANUARY 2017**

CONFIDENTIAL REPORT

Corporate Manager: Jaimie Thwaites, Acting Manager Corporate Governance
General Manager: Vincent Mifsud, General Manager Corporate Services
Chief Executive Officer: Adrian Skull
Subject: Finance and Audit Committee Confidential Minutes
Reference No: GC240117F01

If the Council so determines, this matter may be considered in confidence under Section 90(2) and (3)(d) of the *Local Government Act 1999* on the grounds that the report contains information relating to commercial information of a commercial nature (not being a trade secret) the disclosure of which (i) could reasonably be expected to prejudice the commercial position of a person who supplied the information, or to confer a commercial advantage on a third party; and (ii) would, on balance, be contrary to the public interest.



Adrian Skull
Chief Executive Officer

RECOMMENDATION:

1. That pursuant to Section 90(2) and (3)(e) of the *Local Government Act 1999*, the Council orders that all persons present, with the exception of the following persons: Adrian Skull Chief Executive Officer; Vincent Mifsud, General Manager Corporate Services; Abby Dickson, General Manager City Development; Tony Lines General Manager Operations; Jaimie Thwaites, Acting Manager Corporate Governance; Yvette Zaric, Governance Officer, be excluded from the meeting as the Council receives and considers the confidential minutes of the Finance and Audit Committee, upon the basis it 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 on the grounds that the report contains information relating to commercial information of a commercial nature (not being a trade secret) the disclosure of which (i) could reasonably be expected to prejudice the commercial position of a person who supplied the information, or to confer a commercial advantage on a third party; and (ii) would, on balance, be contrary to the public interest.

**CITY OF MARION
GENERAL COUNCIL MEETING
24 JANUARY 2017**

CONFIDENTIAL REPORT

Manager: Carol Hampton, Manager City Property
General Manager: Abby Dickson, General Manager City Development
Subject: Marion Outdoor Swimming Pool Service Review
Reference No: GC240117F02

If the Council so determines, this matter may be considered in confidence under Section 90(3)(d) of the *Local Government Act 1999* on the grounds that the report contains information relating to commercial information of a commercial nature (not being a trade secret) the disclosure of which (i) could reasonably be expected to prejudice the commercial position of a person who supplied the information, or confer a commercial advantage on a third party: and (ii) would, on balance, be contract to public interest



Adrian Skull
Chief Executive Officer

RECOMMENDATION:

That pursuant to Section 90(2) and (3)(d) of the *Local Government Act 1999*, the Council orders that all persons present, with the exception of the following persons: Adrian Skull, Abby Dickson, Vincent Mifsud, Jaimie Thwaites, Yvette Zaric, Carol Hampton and Tyson Brown, be excluded from the meeting as the Council receives and considers information relating to the City of Marion Outdoor Swim Centre, upon the basis that the Council is satisfied that the requirement for the meeting to be conducted in a place open to the public has been outweighed by the need to keep consideration of the matter confidential given the information relating to commercial information of a commercial nature (not being a trade secret) the disclosure of which (i) could reasonably be expected to prejudice the commercial position of a person who supplied the information, or confer a commercial advantage on a third party: and (ii) would, on balance, be contract to public interest