

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 12 December 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 black ink, appearing to read "Adrian Skull", with a stylized flourish at the end.

Adrian Skull
CHIEF EXECUTIVE OFFICER

7 December 2017

**CITY OF MARION
GENERAL COUNCIL AGENDA
FOR MEETING TO BE HELD ON
TUESDAY 12 DECEMBER 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 Special General Council meeting held
on 27 November 2017 5

Confirmation of the Minutes for the General Council meeting held on
28 November 2017 15

7. VERBAL ELECTED MEMBER COMMUNICATIONS

8. ADJOURNED ITEMS

Playground Framework
Report Reference: GC121217R01 34

9. DEPUTATIONS

Nil

10. PETITIONS

Petition – Building Application # 7.2017.208 (Nickels Avenue Park Holme)
Reference: GC121217P01 99

11. COMMITTEE RECOMMENDATIONS

Nil

12. CONFIDENTIAL ITEMS

Interim Management for Edwardstown Soldiers Memorial Recreation Grounds Report Reference: GC121217F01	107

13. CORPORATE REPORTS FOR DECISION

New Dog Park - Community Engagement Findings & Initial Site Analysis Report Reference: GC121217R02.....	108
Tennis and Netball Review Update Report Reference: GC121217R03.....	124
Draft Events Plan 2017-2020 Report Reference: GC121217R04.....	135
Review of Confidential Orders Report Reference: GC121217R05.....	166
Community Grants Round One 2017/18 Report Reference: GC121217R06.....	372
Fund My Neighbourhood Report Reference: GC121217R07.....	384
Temporary Community Open Space at Ash Avenue, Clovelly Park Report Reference: GC121217R08.....	392
Goodman Court Development Open Space Contribution Report Reference: GC121217R09.....	397
Hendrie Street Reserve Inclusive Playground Shade Sail Report Reference: GC121217R10.....	408
Asset Optimisation - Ranger Street Reserve – Rescission Report Reference: GC121217R11.....	414
Castle Plaza Activity Centre Development Plan Amendment (DPA) – Interim Road Infrastructure Design and Delivery Deed Report Reference: GC121217R12.....	426
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14. CORPORATE REPORTS FOR INFORMATION/NOTING

Denham Avenue Traffic Report Report Reference: GC121217R14.....	485
Mitchell Park Sports & Community Centre Expression of Interest Outcomes Report Reference: GC121217R15.....	488
Finance Report – October 2017 Report Reference: GC121217R16.....	513
WHS Monthly Performance Report – October / November 2017 Report Reference: GC121217R17.....	528

15. WORKSHOP / PRESENTATION ITEMS

Nil

MATTERS RAISED BY MEMBERS

16. Motions with Notice

Upgrade of Playgrounds
Report Reference: GC121217M01 532

Dog On-Leash Provisions
Report Reference: GC121217M02 533

Leaflet Advertising on Car Windscreens
Report Reference: GC121217M03 535

State Wide Industrial Relations Agreements
Report Reference: GC121217M04 536

17. Questions with Notice

Use of Drones
Report Reference: GC121217Q01.....538

18. Motions without Notice

19. Questions without Notice

20. OTHER BUSINESS

21. MEETING CLOSURE

Council shall conclude on or before 9.30pm unless there is a specific motion adopted at the meeting to continue beyond that time.

**MINUTES OF THE SPECIAL GENERAL COUNCIL MEETING
HELD AT THE ADMINISTRATION CENTRE
COUNCIL CHAMBER
245 STURT ROAD, STURT
ON MONDAY 27 NOVEMBER 2017**



PRESENT

His Worship the Mayor Kris Hanna

Councillors

Coastal Ward

Tim Gard
Ian Crossland

Mullawirra Ward

Jason Veliskou
Jerome Appleby

Southern Hills

Janet Byram
Nick Westwood

Warracowie Ward

Nathan Prior
Bruce Hull

Warriparinga Ward

Raelene Telfer

Woodlands Ward

Nick Kerry
Tim Pfeiffer (from 8.40pm)

In Attendance

Mr Adrian Skull
Ms Kate McKenzie
Ms Abby Dickson
Mr Tony Lines
Mr Vincent Mifsud
Ms Jaimie Thwaites

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

OPEN MEETING

The meeting commenced at 6.30pm.

KAURNA ACKNOWLEDGEMENT

We would like to begin by acknowledging 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.

The following Elected Members declared a conflict of interest in the item *Housing Diversity Development Plan Amendment – Resolution of Amendments, SGC271117R02*:

- Councillor Appleby
- Councillor Telfer
- Councillor Crossland
- Councillor Gard
- Councillor Kerry
- Councillor Westwood
- Councillor Veliskou

COMMITTEE RECOMMENDATIONS

6.42pm Confirmation of Minutes of the Special Urban Planning Committee meeting held on 20 November 2017

Report Reference: SGC271117R01

Moved Councillor Gard, Seconded Councillor Prior that Council:

1. Receives and notes the minutes of the Special Urban Planning Committee meeting held on 20 November 2017 (Appendix 1).
2. Notes that separate reports will be brought to Council for consideration of any recommendations from the Urban Planning Committee.

Carried Unanimously

CONFIDENTIAL ITEMS

6.43 Corporate and CEO KPI Report Quarter one 2017/18

Report Reference: SGC271117F01

Moved Councillor Veliskou, Seconded Councillor Telfer that:

1. Pursuant to Section 90(2) and (3)(a) of the *Local Government Act 1999*, the Committee orders that all persons present, with the exception of the following persons: Adrian Skull, Chief Executive Officer, Steph Roberts, Manager Human Resources, Vincent Mifsud, General Manager Corporate Services, Kate McKenzie, Manager Corporate Governance, be excluded from the meeting as the Council receives and considers information relating to the Chief Executive Officer (CEO) KPI Report Quarter 1 2017/18, upon the basis that the Council is satisfied that the requirement for the meeting to be conducted in a place open to the public has been outweighed by the need to keep consideration of the matter confidential, given the information relates to the performance of the CEO.

Carried

6.47pm the meeting went into confidence

Moved Councillor Westwood, Seconded Councillor Appleby that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that this report: Corporate and CEO KPI Report Quarter one 2017/18 (including appendix) and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(a) 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 Unanimously

6.54pm the meeting came out of confidence

6.54pm CEO KPI's 2017/18
Report Reference: SGC271117F02

Moved Councillor Westwood, Seconded Councillor Byram that formal meeting procedures be suspended to enable discussion on the item.

Carried Unanimously

6.58pm Formal meeting procedures suspended

7.15pm Councillor Crossland left the meeting
7.18pm Councillor Crossland re-entered the meeting
7.30pm Councillor Prior left the meeting
7.32pm Councillor Prior re-entered the meeting

7.34pm Formal meeting procedures resumed

Moved Councillor Gard, Seconded Councillor Westwood that:

1. Notes that the CEO and Corporate Key Performance Indicators for the 2017/18 Financial Year are now aligned.
2. The Mayor liaises with the CEO in accordance with clause 9.11 of the CEO's Employment Contract and seeks formal agreement and acceptance of the additional measures.

Carried Unanimously

Moved Councillor Telfer, Seconded Councillor Hull that:

1. Adds an additional performance indicator to be monitored annually with the CEO and Corporate KPIs 2017/18. This additional performance indicator is:
 - a. Elected Member assessment of the Chief Executive's ability to encourage from Management:
 - o Understanding of the Elected Member and Community perspective
 - o Responsive communication with Elected Members
 - o Timely provision of informationThe assessment is to remain confidential between the Elected Members, the CEO and the HR Manager.

Amendment:

Moved Councillor Westwood that:

1. The CEO manage staff specifically in the areas of:
 - o Responsive communication with Elected Members
 - o Timely provision of informationIn response to reports of dissatisfaction by Elected Members

The motion was ruled ultra vires and was not accepted.

7.40pm Councillor Veliskou left the meeting

The original motion was **Carried Unanimously**

CORPORATE REPORTS FOR DECISION

7.42pm Councillor Veliskou re-entered the meeting

**7.42pm Housing Diversity Development Plan Amendment – Resolution of Amendments
Report Reference: SGC271117R02**

Councillor Appleby, based on legal advice received, declared a material conflict of interest in the item as his brother owns Property on Diagonal Road. Councillor Appleby will leave the Chamber when the relevant section of the Housing Diversity Development Plan Amendment is discussed (i.e. Central (North of Seacombe Road/ South of Oaklands/Daws Roads)).

Councillor Telfer, based on legal advice received, declared a material conflict of interest in the item as she owns a property in Marion. Councillor Telfer will leave the Chamber when the relevant section of the Housing Diversity Development Plan Amendment is discussed (i.e. Central (North of Seacombe Road/ South of Oaklands/Daws Roads)).

Councillor Crossland, based on legal advice received, declared a material conflict of interest in the item as he owns property in Hallett Cove. Councillor Crossland will leave the Chamber when the relevant section of the Housing Diversity Development Plan Amendment is discussed (i.e. South (South of Seacombe Road/Scholefield Road)).

Councillor Gard, based on legal advice received, declared a material conflict of interest in the item as he has an interest in property in Glengowrie, Marino and Hallett Cove. Councillor Gard will leave the Chamber when the relevant sections of the Housing Diversity Development Plan Amendment is discussed (i.e. South (South of Seacombe Road/Scholefield Road) and Central (North of Seacombe Road/ South of Oaklands/Daws Roads)).

Councillor Kerry, based on legal advice received, declared a material conflict of interest in the item as he owns property at Edwardstown. Councillor Kerry will leave the Chamber when the relevant section of the Housing Diversity Development Plan Amendment is discussed (i.e. North (North of Oaklands/Daws Roads)).

Councillor Westwood, based on legal advice received, declared a material conflict of interest in the item as he owns property in Sheidow Park. Councillor Westwood will leave the Chamber when the relevant section of the Housing Diversity Development Plan Amendment is discussed (i.e. South (South of Seacombe Road/Scholefield Road)).

Councillor Prior, based on legal advice received, declared a perceived conflict of interest in the

item as he owns property in Oaklands Park, however the proposed changes would not impact on his particular property. Councillor Prior will remain in the Chamber for the Housing Diversity Development Plan Amendment item.

Councillor Veliskou, based on legal advice received, declared a material conflict of interest in the item as he owns property in Sheidow Park. Councillor Veliskou will leave the Chamber when the relevant section of the Housing Diversity Development Plan Amendment is discussed (i.e. South (South of Seacombe Road/Scholefield Road)).

Moved Councillor Veliskou, Seconded Councillor Westwood that formal meeting procedures be suspended to enable discussion on the item.

Carried Unanimously

7.48pm Formal meeting procedures suspended

7.48pm Councillors Kerry and Gard left the meeting

8.12pm Councillors Telfer, Appleby left the meeting

8.12pm Councillors Gard and Kerry re-entered

MEETING EXTENSION

Moved Councillor Veliskou, Seconded Councillor Prior that the meeting be extended until the conclusion of the item.

Carried Unanimously

8.27pm meeting extended

8.40pm Councillor Telfer and Appleby re-entered the meeting

8.40pm Councillors Gard, Crossland, Westwood, Veliskou left the meeting

8.40pm Councillor Pfeiffer entered the meeting

Councillor Pfeiffer, based on legal advice received, declared a material conflict of interest in the item as he owns property at Edwardstown. Councillor Pfeiffer will leave the Chamber when the relevant section of the Housing Diversity Development Plan Amendment is discussed (i.e. North (North of Oaklands/Daws Roads)).

9.07pm Councillors Veliskou, Crossland, Gard and Westwood re-entered the meeting

9.23pm Councillors Kerry, Telfer, Appleby, Prior and Gard left the meeting

9.32pm Councillors Prior, Appleby, Kerry, Telfer and Gard re-entered the meeting

9.33pm resumed standing orders

9.34pm Councillors Kerry, Gard and Pfeiffer left the meeting

Moved Councillor Veliskou, Seconded Councillor Prior that Council:

1. Endorses amendments to the Housing Diversity DPA, as below:

North (North of Oaklands/Daws Roads)	
Remove	Replace with/Amend
Suburban Activity Node Zone (South Plympton (entirety along tram line west of Winifred Avenue)) and (Edwardstown and Ascot Park (entirety along rail corridor north of Daws Road))	Replace with Regeneration Policy Area
Suburban Activity Node Zone (Glandore - east of Winifred Avenue)	Return to Medium Density Policy Area
Suburban Activity Node Zone (Plympton Park)	Return to Medium Density Policy Area
Residential Character Policy Area (South Plympton)	Return to Marion Plans Policy Area
Residential Character Policy Area (north Edwardstown)	Replace with Marion Plains Policy Area
Urban Corridor Zone	Sites greater than 2,000 square metres with local road access and minimum depth of 40 metres shall be deemed “Key sites” and they shall have generic incentive for increased building heights
Urban Corridor Zone	Include residential properties 90 and 92 William Street and 91 Thomas Street

Carried Unanimously

9.37pm Councillors Kerry, Gard and Pfeiffer re-entered the room

9.37pm Councillors Appleby and Telfer left the meeting

Mayor Hanna declared a perceived conflict of interest in the item as he owns property in Oaklands Estate. Mayor Hanna left the Chamber while the relevant section of the Housing Diversity Development Plan Amendment was discussed (i.e. Residential Character Zone (Marion)).

9.39pm the Mayor left the meeting

9.39pm the Deputy Mayor Crossland resumed the Chair

Moved Councillor Prior, Seconded Councillor Hull that Council:

2. Endorses amendments to the Housing Diversity DPA, as below:

Central (North of Seacombe Road/ South of Oaklands/Daws Roads)	
Remove	Replace with/Amend
Residential Character Policy Area (Marion)	No change to existing Development Plan

Neighbourhood Centre Zone (Park Holme)	Amend to identify shop-top living only on southern side of Chambers Street
Neighbourhood Centre Zone (Park Holme)	Reduce western extent of increased Zone to conclude on western side of church site (18-20 Chambers Street)
Neighbourhood Centre Zone (Marion/Mitchell Park)	As per DPA
Suburban Activity Node Zone 'Other Area' (Warradale – Railway Terrace and Addison Road)	Replace with Regeneration Policy Area
Suburban Activity Node Zone 'Core Area' (Warradale – Morphett Road and west)	Replace with 'Other Area' criteria
Suburban Activity Node Zone 'Transition Area' (Warradale – Morphett Road and west)	Replace entirety of 'Transition Area' with Marion Plains Policy Area
Suburban Activity Node Zone 'Core Area' (Seacombe Gardens - Sturt Road)	Replace with 'Other Area' criteria
Suburban Activity Node Zone 'Transition Area' (Seacombe Gardens - Between Kingston Ave and Alderman Ave)	Replace entirety of 'Transition Area' and return to Regeneration Policy Area
Suburban Activity Node Zone 'Core Area'/'Transition Area' (Seacombe Gardens - Salvation Army site)	Include 503 Morphett Road within SANZ ('Other Area')
Suburban Activity Node Zone 'Core Area' (Oaklands Park – all)	Replace with 'Other Area' criteria
Suburban Activity Node Zone 'Transition Area' (Oaklands Park – south of train line)	Replace entirety of 'Transition Area' with Marion Plains Policy Area
Suburban Activity Node Zone 'Core Area'/'Transition Area' (Oaklands Park – Anglican church)	Include 12A Dwyer Road within revised 'Other Area'
Suburban Activity Node Zone 'Transition Area' (Oaklands Park – north of train line)	Return to Medium Density Policy Area/Regeneration Policy Area as per current zoning
Suburban Activity Node Zone 'Other Area' (Sturt – Marion Road and west)	Remove entirety of Zone in this locality. Change to Marion Plains Policy Area
(new) Local Centre Zone	Create new Local Centre Zone on land at 2 Macklin Street and 932 and 934 Marion Road

Suburban Activity Node Zone 'Other Area' (Sturt and Marion – north and south side of Sturt Road)	As per DPA

Carried Unanimously

9.44pm Mayor Hanna, Councillors Appleby and Telfer re-entered the meeting

9.44pm The Mayor resumed Chair

9.45pm Councillors Westwood, Veliskou and Crossland left the meeting

Moved Councillor Hull, Seconded Councillor Prior that Council.

3. Endorses amendments to the Housing Diversity DPA, as below:

South (South of Seacombe Road/Scholefield Road)	
Remove	Replace with/Amend
Southern Hills Policy Area Hallett Cove and Seacliff Park	As per DPA (to be renamed 'Foothills and Coastal Policy Area')
Southern Hills Policy Area Sheidow Park, Trott Park, O'Halloran Hill	Return to Southern Policy Area (no change to existing Development Plan)
Southern Hills Policy Area (Marino – west of train line)	As per DPA (to be renamed 'Foothills and Coastal Policy Area')
Southern Hills Policy Area (Marino – east of train line and south of Jervois Terrace)	Return to Hills Policy Area (the "Hills" Policy Area is to be renamed "Escarpment" Policy Area)
Southern Hills Policy Area (Marino – east of train line and north of Jervois Terrace)	As per DPA (to be renamed 'Foothills and Coastal Policy Area')
Southern Hills Policy Area (Seaview Downs – south of Irwin Street and Gawler Street)	Return to Hills Policy Area (the "Hills" Policy Area is to be renamed "Escarpment" Policy Area)
Southern Hills Policy Area (Seaview Downs – north of Irwin Street and Gawler Street)	As per DPA (to be renamed 'Foothills and Coastal Policy Area')
Southern Hills Policy Area (Seacombe Heights – south of Truscott Avenue and 33 Braeside Avenue, abutting eastern boundary of 1 Alpine Road, along centre of Alpine Road to rear of Lot 422 and 1 Camelot Crescent)	Return to Hills Policy Area (the "Hills" Policy Area is to be renamed "Escarpment" Policy Area)

Southern Hills Policy Area (Seacombe Heights – north of Truscott Avenue and 33 Braeside Avenue, abutting eastern boundary of 1 Alpine Road, along centre of Alpine Road to rear of Lot 422 and 1 Camelot Crescent)	As per DPA (to be renamed 'Foothills and Coastal Policy Area')
Southern Hills Policy Area Darlington – south of centre of Peregrine Court and abutting southern and eastern boundary of 23 Mostyn Road and abutting rear boundaries of 3- 25 Ridgecrest Avenue)	Return to Hills Policy Area (the "Hills" Policy Area is to be renamed "Escarpment" Policy Area)
Southern Hills Policy Area Darlington – north of centre of Peregrine Court and abutting southern and eastern boundary of 23 Mostyn Road and abutting rear boundaries of 3- 25 Ridgecrest Avenue)	As per DPA (to be renamed 'Foothills and Coastal Policy Area')

9.46pm Councillors Gard, Veliskou and Crossland re-entered the meeting

Moved Councillor Prior, Seconded Councillor Byram that:

1. Council notes the 288 community submissions and the 10 government agency submissions received during the consultation period for the Housing Diversity DPA. Council also notes that an informal gathering of Council (open to the public) was held Tuesday 21 November 2017 at which the consultation responses to the draft DPA were discussed, and administration was asked to prepare a further draft of the DPA in accordance with the consultation responses. Council also notes that the DPA will be submitted to the Minister for Planning with a summary of consultation and proposed amendments yet to be prepared.
2. Resolves not to undertake any further public consultation based on legal advice.
3. As soon as the final draft of the DPA is prepared, to the satisfaction of the CEO and the Mayor, it shall be submitted to the minister of planning for approval by December 2017.

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

1. Council notes the 288 community submissions and the 10 government agency submissions received during the consultation period for the Housing Diversity DPA. Council also notes that an informal gathering of Council (open to the public) was held Tuesday 21 November 2017 at which the consultation responses to the draft DPA were discussed, and administration was asked to prepare a further draft of the DPA in accordance with the consultation responses. Council also notes that the DPA will be submitted to the Minister for Planning with a summary of consultation and proposed amendments yet to be prepared.
2. Resolves not to undertake any further public consultation based on legal advice.

3. As soon as the final draft of the DPA is prepared, to the satisfaction of the CEO and the Mayor, it shall be submitted to the minister of planning for approval by December 2017.
4. Council wishes to urge the Minister to consider the submissions in relation to the future utility and infrastructure needs if housing density is to increase in the City of Marion

9.50pm Councillor Westwood re-entered the meeting

Carried Unanimously

CLOSURE - Meeting Declared Closed at 10.02pm

CONFIRMED THIS 12 DECEMBER 2017

.....
CHAIRPERSON
/ /

**MINUTES OF THE GENERAL COUNCIL MEETING
HELD AT ADMINISTRATION CENTRE
245 STURT ROAD, STURT
ON TUESDAY 28 NOVEMBER 2017**



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

Warracowie Ward

Bruce Hull
Nathan Prior

Warriparinga Ward

Raelene Telfer

Woodlands Ward

Tim Pfeiffer
Nick Kerry

In Attendance

Mr Adrian Skull
Ms Abby Dickson
Mr Tony Lines
Mr Vincent Mifsud
Ms Kate McKenzie
Ms Victoria Moritz

Chief Executive Officer
General Manager City Development
General Manager City Services
General Manager Corporate Services
Manager Corporate Governance
Governance Officer

COMMENCEMENT

The meeting commenced at 6.32pm.

KAURNA ACKNOWLEDGEMENT

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

DISCLOSURE

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

ELECTED MEMBER'S DECLARATION OF INTEREST

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

Nil interests were disclosed

CONFIRMATION OF MINUTES

Moved Councillor Telfer, Seconded Councillor Prior that the minutes of the General Council Meeting held on 24 October 2017 be taken as read and confirmed.

Carried Unanimously

COMMUNICATIONS

Report on Mayoral Activities for October and November 2017

Date	Event	Comment
19 October 2017	21 Japanese Film Festival Opening Night, <i>Mumon: The Land of Stealth</i>	Mayor and Mayoress attended
21 October 2017	The Bicentenary of the Birth of Baha'u'llah	Guest speaker
21 October 2017	Marion RSL Dining in night	Attended
22 October 2017	The Friends of Marino Conservation Park open day / official opening of the Botanic Trail	Attended
22 October 2017	Domestic Violence Luncheon Fundraiser	Attended
23 October 2017	Hallett Cove Business Association Speed Networking Event	Attended
23 October 2017	Oaklands Estate Residents Association Annual General Meeting	Guest speaker
25 October 2017	Glandore Laneways community barbecue	Cut ribbon, gave speech
25 October 2017	Housing Diversity DPA community drop-in session	Attended
26 October 2017	Coast FM radio segment	Interviewed
27 October 2017	Meeting with Edwardstown Oval Board members	Attended
27 October 2017	Gallery M, Exhibition Opening	Opened exhibition
28 October 2017	Oaklands Wetland BioBlitz	Guest speaker
29 October 2017	South Adelaide Basketball AGM	Attended
30 October 2017	Hallett Cove School Year 12 Graduation	Attended

2 November 2017	Galleon Theatre Group Opening Night: <i>Seasons Greetings</i>	Attended
3 November 2017	Mazi Mas Dinner at Tandanya	Attended
4 November 2017	MarionLIFE Hunger Walk	Guest speaker, participant
4 November 2017	AFOPA Black Tie Ball	Attended
5 November 2017	Maker Faire Adelaide	Attended
5 November 2017	Edwardstown Primary, Strawberry Fair	Attended
8 November 2017	Ascot Park Primary School, year 6/7 panel presentations	Judged presentations
8 November 2017	Rembrandt Living AGM	Attended
8 November 2017	Australian Migrant Resource Centre AGM and volunteer awards ceremony	Attended
10 November 2017	Plympton Sports Club AGM	Attended
11 November 2017	Edwardstown Footy, meet the coach event	Attended
12 November 2017	Hendrie Street Reserve soil turning ceremony	Guest speaker
12 November 2017	Marion Outdoor Pool open day	Guest speaker
13 November 2017	Cove Soccer AGM	Attended
15 November 2017	30 th Anniversary of the Kmart Wishing Tree appeal	Guest speaker, placed first gift under the tree
16 November 2017	LGFA Financial Services AGM	Attended
16 November 2017	LGA AGM	Attended
16 November 2017	Marino Residents Association Annual Public Meeting	Attended
17 November 2017	International Men's Day Lunch	Attended
17 November 2017	Diwali, hosted by Steve Georganas MP	Attended
20 November 2017	Mayor's Multicultural Forum – tour of Government House	Lead tour
21 November 2017	Graffiti Removal Volunteer Christmas Celebration	Attended, presented award
22 November 2017	Seaview High graduation	Attended
In addition, the Mayor has met with residents, MPs, Candidates and also with the CEO and Council staff regarding various issues.		

Report on Deputy Mayor Activities for October and November 2017

Councillor Ian Crossland:

Date	Event	Comment
23 September 2017	Nature Play Opening	Attended
24 September 2017	South Adelaide Basketball Club Presentation Day	Guest speaker
25 September 2017	Cove Committee Meeting	Attended
26 September 2017	General Council Meeting	Attended
28 September 2017	CAP Interviews	Attended
29 September 2017	CAP Interviews	Attended
3 October 2017	Infrastructure and Strategy Committee Meeting	Attended
3 October 2017	Urban Planning Committee Meeting	Attended
4 October 2017	Micro-X First From Production Celebration	Attended
4 October 2017	Special General Council Meeting	Attended
5 October 2017	CAP Interviews	Attended
5 October 2017	Special Review and Selection Committee	Attended
9 October 2017	Coastal and Southern Hills Ward Briefing	Attended
10 October 2017	Finance and Audit Committee Meeting	Attended
10 October 2017	General Council Meeting	Attended
17 October 2017	Elected Member Forum	Attended
21 October 2017	Housing Diversity DPA – Drop in session	Attended
22 October 2017	Domestic Violence Fund Raising Lunch	Attended
24 October 2017	General Council Meeting	Attended
7 November 2017	Emirates Melbourne Cup: A taste of South Australia Grazing Cocktail Party	Attended with Field River volunteer as guest
13 November 2017	Cove Soccer AGM	Attended
14 November 2017	Elected Member Forum	Attended
15 November 2017	Meeting with resident of Hallett Cove	Attended
16 November 2017	Coastal and Southern Hills Ward Briefing	Attended
16 November 2017	LKCC Steering Group Meeting	Attended
21 November 2017	Elected Member Forum	Attended
In addition, the Mayor has met with residents, MPs, Candidates and also with the CEO and Council staff regarding various issues.		

Report on Elected Member Activities for October and November 2017

Councillor Raelene Telfer:

Date	Events Attended	Active Participation
28 October 2017	Darlington upgrade Advisory Group	Road closures and reconfigurations
1 November 2017	Armistice Centenary Grant	Applications format to lodge
1 November 2017	Finances for playgrounds	Strategy and Infrastructure meeting
4 November 2017	Marion Life walk for hunger	Group fundraising
7 November 2017	Development Plan Amendment	Briefing and information
7 November 2017	Infrastructure and Strategy Committee	Attended discussions
8 November 2017	Seaview High School	Art exhibition and Governing Council
9 November 2017	Development Plan Amendment	Zoning provisions
14 November 2017	Meeting with CEO of Marion	Audit and Finance arrangements
20 November 2017	Special Urban Planning Committee	Hearing on Housing Diversity Amendments
21 November 2017	Graffiti removalists	Volunteer lunch
22 November 2017	Mitchell Park Sports and Community	Centre Management Committee
23 November 2017	Coast FM	Presenter on Journal
24 November 2017	Gallery M	Community Art Awards
25 November 2017	Darlington Bridge moving	Link to South Road installed
25 November 2017	Tonsley Precinct	Land subdivision exhibition at MAB
26 November 2017	Dover Gardens Obedience&Kennel Club	Annual General Meeting
28 November 2017	Warriparinga Ward	Briefing by staff

Report on CEO and General Manager Activities for October and November 2017

Date	Activity	Attended by
19 October 2017	Housing diversity DPA – drop-in session (Admin)	Fiona Harvey
21 October 2017	Housing Diversity DPA – drop-in session (Cove Civic Centre)	Fiona Harvey
23 October 2017	Fleet Management Optics Pilot Project Introduction meeting	Vincent Mifsud
25 October 2017	Opening of Glandore Laneways Celebration	Fiona Harvey
25 October 2017	Housing Diversity DPA – drop-in session (Glandore Community Centre)	Fiona Harvey
25 October	SAGE Opening Event	Vincent Mifsud
26 October 2017	Meeting with Edwardstown Bowls Club	Fiona Harvey
27 October 2017	Meeting with Edwardstown Oval Board	Fiona Harvey
27 October 2017	Meeting with Gary Henderson, AWU	Adrian Skull

		Tony Lines
27 October 2017	Council Solutions Directorate Meeting	Vincent Mifsud
2 November 2017	Building Upgrade Finance with Mark Dowd and Richard Turner (ZEN Energy)	Adrian Skull
3 November 2017	Mount Lofty Ranges Mountain Bike Destination Strategic Reference Group Meeting	Fiona Harvey
3 November 2017	Marino Residents Association	Tony Lines
5 November 2017	Maker Faire Event	Adrian Skull
6 November 2017	Meeting with KPMG RE: NDIS Scope for Internal Audit 2018	Adrian Skull
6 November 2017	SRWRA Board Meeting	Vincent Mifsud
8 November 2017	Meeting with Adam Luscombe (SAALC)	Adrian Skull
9 November 2017	Catch up with Paul Sutton (City of Charles Sturt)	Adrian Skull
9 November 2017	Grow Your Business Expo	Adrian Skull
10 November 2017	Meeting with Terry Burgess (SAEDB)	Adrian Skull
10 November 2017	SAEDB Meeting	Adrian Skull
10 November 2017	Meeting with John Schutz (DEWNR)	Adrian Skull
14 November 2017	Briefing by Aircarbon on Carbon Credit for Street lighting	Abby Dickson Vincent Mifsud
15 November 2017	LFA Conference Dinner	Vincent Mifsud
16 November	LGFA Financial Services Annual General Meeting	Vincent Mifsud
16 November 2017	Tonsley Project Steering Committee Meeting	Abby Dickson
16 November 2017	Meeting with Pat Gerace (UDIA)	Adrian Skull
17 November 2017	International Men's Day lunch at Trott Park	Adrian Skull Tony Lines
17 November 2017	International Men's Day Presentation	Adrian Skull Tony Lines Vincent Mifsud
21 November 2017	Insurable Risk Profiling with AON	Abby Dickson Vincent Mifsud Tony Lines Adrian Skull
24 November 2017	Meeting with Helen Dyer, Planning Consultant	Adrian Skull Tony Lines
25 November 2017	DPTI event to mark the installation of bridge on Main South Rd	Adrian Skull

Moved Councillor Byram, Seconded Councillor Telfer that the Communication Reports be received

Carried Unanimously

ADJOURNED ITEMS

6.34pm Playground Framework Progress Update Report Reference: GC281117R01

Moved Councillor Crossland, Seconded Councillor Byram that:

1. The item be adjourned until the General Council meeting scheduled for the 12 December 2017 to enable the proposed Playground Framework to be finalised.

Carried Unanimously

DEPUTATIONS

6.34pm Woodend Primary School Parking Facilities Report Reference: GC281117D01

Ms Karen Gunton, Governing Council Chairperson, Woodend Primary School gave a five-minute deputation to Council relating to the Woodend Primary School parking facilities.

7.11pm Woodend Primary School – Car Park Report Reference: GC281117R02

7.12pm Councillor Kerry left the meeting

7.14pm Councillor Kerry re-entered the meeting

Moved Councillor Byram, Seconded Councillor Westwood that Council:

1. Notes the report.
2. Notes the preferred solution to the parking issue at Woodend Primary School is a kiss and go facility.
3. Endorses the detailed investigation of the recommended kiss and go proposal in accordance with Appendix 6.
4. Receives a report on the outcomes of the investigation including cost estimates, funding options and the implications for the owner of the school grounds.
5. Encourages all stakeholders to work together to achieve a workable solution

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

That Council (as varied):

1. Notes the report.
2. Notes the preferred solution to the parking issue at Woodend Primary School is a kiss and go facility.
3. Endorses the detailed investigation of the recommended kiss and go proposal in accordance with Appendix 6.
4. Receives a report on the outcomes of the investigation including cost estimates, funding options and the implications for the owner of the school grounds.
5. Encourages all stakeholders (Minister for Education, Woodend Primary School, Community, Marion Council and the private landowner) to work together to achieve a workable solution

Carried

PETITIONS

7.22pm Petition – Lot 23, Oliphant Avenue, Oaklands Park
Reference No: GC281117P01

Moved Councillor Prior, Seconded Councillor Hull that Council:

1. Notes the petition
2. Advises the head petitioner that Council has noted the petition and of Council's decisions made on 24 October 2017 (GC241017R09)

Carried Unanimously

COMMITTEE RECOMMENDATIONS

Moved Councillor Prior, Seconded Councillor Pfeiffer that the following two items be moved 'en bloc':

- Infrastructure and Strategy Committee - Confirmation of Minutes of Meeting held on 7 November 2017 (Report Reference: GC281117R03)
- Confirmation of Minutes of the Review and Selection Committee Meeting held on 7 November 2017 (Report Reference: GC281117R04)

Carried Unanimously

7.21pm Councillor Veliskou left the meeting

7.21pm Councillor Byram left the meeting

7.22pm Infrastructure and Strategy Committee - Confirmation of Minutes of Meeting held on 7 November 2017

Report Reference: GC281117R03

Moved Councillor Prior, Seconded Councillor Pfeiffer that Council:

1. Receives and notes the minutes of the Infrastructure and Strategy Committee meeting of 7 November 2017 (Appendix 1).
2. Notes that separate reports will be brought to Council for consideration of any recommendations from the Infrastructure and Strategy Committee.

Carried Unanimously

7.22pm Confirmation of Minutes of the Review and Selection Committee Meeting held on 7 November 2017

Report Reference: GC281117R04

Moved Councillor Prior, Seconded Councillor Pfeiffer that Council:

1. Receives and notes the minutes of the Review and Selection Committee meetings held on 7 November 2017 (Appendix 1).
2. Notes that separate reports will be brought to Council for consideration of any recommendations from the Review and Selection Committee.

Carried Unanimously

CONFIDENTIAL ITEMS

7.24pm Confirmation of Confidential Minutes of the Review and Selection Committee Meeting held 7 November 2017

Report Reference: GC281117F01

Moved Councillor Telfer, Seconded Councillor Westwood that:

1. Pursuant to Section 90(2) and (3)(a) of the *Local Government Act 1999*, the Council orders that all persons present, with the exception of the following persons: Steph Roberts be excluded from the meeting as the Council receives and considers information relating to Review and Selection Committee Minutes upon the basis that the Council is satisfied that the requirement for the meeting to be conducted in a place open to the public has been outweighed by the need to keep consideration of the matter confidential given the information relates to the performance of the CEO.

Carried Unanimously

7.24pm the meeting went into confidence

Moved Councillor Telfer, Seconded Councillor Kerry that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that Appendix 1 to this report, *Confirmation of Confidential Minutes of the Review and Selection Committee Meeting held 7 November 2017* having been considered in confidence under Section 90(2) and (3)(a) 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 Unanimously

7.30pm the meeting came out of confidence

**7.31pm CEO Annual Performance Review 2016/17 and Employment Agreement
Report Reference: GC281117F02**

Moved Councillor Veliskou, Seconded Councillor Hull that:

1. Pursuant to Section 90(2) and (3)(a) of the *Local Government Act 1999*, the Council orders that all persons present, with the exception of the following persons: Adrian Skull, Steph Roberts and Vinnie Mifsud be excluded from the meeting as the Council receives and considers information relating to the Chief Executive Officer (CEO) 2016/2017 Performance Review , upon the basis that the Council is satisfied that the requirement for the meeting to be conducted in a place open to the public has been outweighed by the need to keep consideration of the matter confidential, given the information relates to the performance of the CEO.

Carried Unanimously

7.32pm the meeting went into confidence

7.43pm Councillor Appleby left the meeting

7.45pm Councillor Apply re-entered the meeting

7.45pm Councillor Crossland left the meeting

7.47pm Councillor Crossland re-entered the meeting

7.47pm Councillor Prior left the meeting

7.49pm Councillor Prior re-entered the meeting

7.50pm Councillor Telfer left the meeting

7.54pm Councillor Telfer re-entered the meeting

7.56pm Adrian Skull and Steph Roberts left the meeting

8.08pm Steph Roberts re-entered the meeting

8.10pm with leave of the meeting, it was requested that Vincent Mifsud be included in the confidential order and invited back into the meeting to answer questions.

8.12pm Vincent Mifsud and Steph Roberts left the meeting

Moved Councillor Pfeiffer, Seconded Councillor Gard that:

1. In accordance with 90(2) and (3)(a) of the Local Government Act 1999 the Council orders that this report, all appendices and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(a) 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 Unanimously

8.18pm the meeting came out of confidence

**8.18pm CEO KPI's Annual Confidential Report 2016/17
Report Reference: GC281117F03**

Moved Councillor Gard, Seconded Councillor Crossland that Council:

1. Pursuant to Section 90(2) and (3)(a) of the *Local Government Act 1999*, the Council orders that all persons present, with the exception of the following persons: Adrian Skull and Steph Roberts be excluded from the meeting as the Council receives and considers information relating to CEO Key Performance Indicators for Quarter 4 2016/17 (Annual Confidential Report), upon the basis that the Council is satisfied that the requirement for the meeting to be conducted in a place open to the public has been outweighed by the need to keep consideration of the matter confidential given the information relates to personal affairs of the Chief Executive Officer.

Carried Unanimously

8.18pm the meeting went into confidence

Moved Councillor Crossland, Seconded Councillor Prior that Council:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that this report: 2016/17 CEO KPI's Annual Confidential Report (including appendix) and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(a) 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 Unanimously

8.20pm the meeting came out of confidence

**8.20pm Independent Member – Finance and Audit Committee
Report Reference: GC281117F04**

Moved Councillor Pfeiffer, Seconded Councillor Byram that:

1. Pursuant to Section 90(2) and 90(3)(a) of the *Local Government Act 1999*, the Council orders that all persons present, with the exception of the following persons: Adrian Skull and Steph Roberts, be excluded from the meeting as the Committee receives and considers information relating to the appointment for members of the Finance and Audit Committee, 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 to the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person.

Carried Unanimously

8.20pm the meeting went into confidence

Moved Councillor Telfer, Seconded Councillor Byram that:

1. The term of Ms Kathryn Presser be extended to December 31 2017.
2. Ms Kathryn Presser be thanked for her care and insights to the Finance and Audit Committee since May 2015
3. A recruitment process for an independent member of the Finance and Audit Committee be conducted.

Carried

MEETING ADJOURNMENT

Moved Councillor Pfeiffer, Seconded Councillor Kerry that the meeting be adjourned for a period of 10 minutes

Carried Unanimously

8.30pm meeting adjourned

8.36pm meeting resumed

8.37pm Edwardstown Oval – Approval to award construction tender Report Reference: GC281117F05

Moved Councillor Pfeiffer, Seconded Councillor Gard that:

1. Pursuant to Section 90(2), 90(3)(b) and 90(3)(k) of the *Local Government Act 1999*, the Council orders that all persons present, with the exception of the following persons: Adrian Skull, Abby Dickson, Tony Lines, Vinnie Mifsud Kate McKenzie, Ray Barnwell, Donna Griffiths, Birgit Stroehrer, Craig Clarke, James O'Hanlon, Carol Hampton, Victoria Moritz and Adrian Sasu (Civil Engineering Consultant be excluded from the meeting as the Council receives and considers information relating to Edwardstown Oval redevelopment, upon the basis that the Council is satisfied that the requirement for the meeting to be conducted in a place open to the public has been outweighed by the need to keep consideration of the matter confidential given the information relates to the pre-tender estimate 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.

Carried Unanimously

8.37pm the meeting went into confidence

Moved Councillor Pfeiffer, Seconded Councillor Kerry that Council:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that this report, Edwardstown Oval – Pre-tender estimate and approval to call the stage 2 construction tender and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(k) of the Act, 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 2017

Carried

9.21pm the meeting came out of confidence

MEETING EXTENSION

Moved Councillor Telfer, Seconded Councillor Veliskou that the meeting be extended until 10.15pm

Carried

9.22pm Meeting Extended

9.22 Morphetville Park Sports and Community Club Redevelopment Report Reference: GC281117F06

Moved Councillor Prior, Seconded Councillor Veliskou that:

1. That pursuant to Section 90(2) and 90(3)(b) of the *Local Government Act 1999*, the Council orders that all persons present, with the exception of the following persons: Adrian Skull, Abby Dickson, Tony Lines, Vinnie Mifsud, Kate McKenzie, Ray Barnwell, Donna Griffiths, Carol Hampton, James O'Hanlon, Donna Griffiths and Victoria Moritz, be excluded from the meeting as the Council receives and considers information relating to Morphetville Park Sports and Community Club Redevelopment, upon the basis that the Council is satisfied that the requirement for the meeting to be conducted in a place open to the public has been outweighed by the need to keep consideration of the matter confidential given the information relates to the Morphetville Park Sports and Community Club Redevelopment 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.

Carried Unanimously

9.22pm the meeting went into confidence

Moved Councillor Veliskou, Seconded Councillor Byram that Council:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Committee orders that this report, Morphetville Park Sports and Community Club Redevelopment, it appendices and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(b) of the Act, 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 2017.

Carried

9.26pm the meeting came out of confidence

**9.27pm Expression of Interest for Potential Land - Acquisition Opportunity at Morphetville
Report Reference: GC281117F07**

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. Pursuant to Section 90(2) and 90(3)(b) of the *Local Government Act 1999*, the Council orders that all persons present, with the exception of the following persons: Adrian Skull, Abby Dickson, Tony Lines, Vinnie Mifsud, Kate McKenzie, Ray Barnwell, Carol Hampton and Victoria Moritz, be excluded from the meeting as the Council receives and considers information relating to the Expression of Interest for a potential land acquisition opportunity at Morphetville, 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 commercial information and disclosure of the information could reasonably be expected to prejudice the commercial position of the council.

Carried Unanimously

9.27pm the meeting went into confidence

Moved Councillor Veliskou, Seconded Councillor Prior that Council:

1. In accordance with Section 90(3) of the *Local Government Act 1999* the Council orders that this report, Expression of Interest for Potential Property Acquisition Opportunity at Morphetville, associated documents and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(b) of the Act, except where 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 2017.

Carried

9.46pm the meeting came out of confidence

9.46pm Code of Conduct
Report Reference: GC281117F08

Moved Councillor Telfer, Seconded Councillor Prior that:

1. Pursuant to Section 90(2) and (3)(a) of the Local Government Act 1999 the Council orders that all persons present, with the exception of the following Adrian Skull, Chief Executive Officer; Kate McKenzie, Manager Corporate Governance, be excluded from the meeting where the Council will receive and consider information pertaining to the item Code of Conducts 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 personnel matters.

Carried Unanimously

9.47pm the meeting went into confidence

9.50 pm Councillor Hull left the meeting

9.52 pm Councillor Kerry left the meeting.

MEETING SUSPENSION

Moved Councillor Crossland, Seconded Councillor Prior that formal meeting procedures are suspended to allow for discussion on the Code of Conduct matter.

Carried

9.52pm formal meeting procedures suspended

10.01pm formal meeting procedures resumed

Moved Councillor Crossland, Seconded Councillor Prior that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that this report, any attachment to this report and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(a) of the Act be kept confidential and not available for public inspection for the current term of the Council. This confidentiality order will be reviewed as required by the Act with the first such review to occur at the General Council Meeting in December 2017.

Carried

DIVISION

Councillor Telfer called for a division:

Those for: Councillors Pfeiffer, Prior, Westwood, Byram, Veliskou, Appleby and Crossland

Those against: Councillors Telfer and Gard

The motion is Carried

MEETING EXTENSION

Moved Councillor Prior, Seconded Councillor Crossland that the meeting be extended until the completion of the confidential items and consideration of the Seniors Dance Academy (GC281117R09)

Carried

10.12 pm the meeting was extended.

Moved Councillor Crossland, Seconded Councillor Gard that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that this report, any attachment to this report and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(a) of the Act be kept confidential and not available for public inspection for the current term of the Council. This confidentiality order will be reviewed as required by the Act with the first such review to occur at the General Council Meeting in December 2017.

Carried

DIVISION

Councillor Westwood called for a division:

Those for: Councillors Telfer, Byram, Gard and Crossland

Those against: Councillors Pfeiffer, Prior, Westwood, Veliskou and Appleby

The motion is lost

Moved Councillor Westwood, Seconded Councillor Pfeiffer that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that this report, any attachment to this report and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(a) of the Act be kept confidential and not available for public inspection for the current term of the Council. This confidentiality order will be reviewed as required by the Act with the first such review to occur at the General Council Meeting in December 2017.

Carried

DIVISION

Councillor Crossland called for a division:

Those for: Councillors Pfeiffer, Prior, Westwood, Veliskou and Appleby

Those against: Councillors Telfer, Byram, Gard and Crossland

Carried

10.18pm the meeting came out of confidence

10.19pm – Mayor Hanna left the meeting and did not return.

Councillor Crossland (Deputy Mayor) resumed the chair

10.20pm – Councillor Byram left the meeting and did not return

10.20pm Councillors Hull and Kerry re-entered the meeting.

10.20pm Code of Conduct
Report Reference: GC281117F09

Moved Councillor Pfeiffer, Seconded Councillor Gard that:

1. Pursuant to Section 90(2) and (3)(a) of the Local Government Act 1999 the Council orders that all persons present, with the exception of the following Adrian Skull, Chief Executive Officer; Kate McKenzie, Manager Corporate Governance, be excluded from the meeting where the Council will receive and consider information pertaining to the item Code of Conducts 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 personnel matters.

Carried

10.20pm the meeting went into confidence

10.24pm Councillor Kerry left the meeting

Moved Councillor Westwood, Seconded Councillor Appleby that Council:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that this report, any attachment to this report and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(a) of the Act be kept confidential and not available for public inspection for the current term of the Council. This confidentiality order will be reviewed as required by the Act with the first such review to occur at the General Council Meeting in December 2017.

Carried Unanimously

10.32pm the meeting came out of confidence

10.33pm Councillor Kerry re-entered the meeting

10.34pm Adelaide Seniors Dance Academy Subsidy
Report Reference: GC281117R09

Moved Councillor Pfeiffer, Seconded Councillor Kerry that Council:

1. Notes the report and the current situation of the Adelaide Seniors Dance Academy.
2. Endorses an allocation of up to \$19,500 as a once off subsidy for the Adelaide Seniors Dance Academy valid for a period of twelve months.
3. Notes the breakdown for this payment for 1 February 2018 to 30 June 2018 will be funded as part of the 2017-18 second budget review process with payments from 1 July 2018 to 31 January 2019 being proposed to be budgeted for in 2018/2019 budget process.

Carried

The following items were not considered:

Sector Agreement for Climate Change Adaptation for the Southern Adelaide Region 2017-2020
(Report Reference: GC281117R05)

Tonsley Greenway (Report Reference: GC281117R06)

New Dog Park - Community Engagement Findings & Initial Site Analysis (Report Reference: GC281117R07)

Tennis and Netball Review Update (Report Reference: GC281117R08)

Temporary Community Open Space at Ash Avenue, Clovelly Park (Report Reference: GC281117R10)

Alternatives to Glyphosate in Playgrounds (Report Reference: GC281117R11)

Draft Events Plan 2017-2020 (Report Reference: GC281117R12)

Denham Avenue Traffic Report (Report Reference: GC281117R13)

Finance Report – October 2017 (Report Reference: GC281117R14)

WHS Monthly Performance Report – October 2017 (Report Reference: GC281117R15)

Upgrade of Playgrounds (Report Reference: GC281117M01)

Dog On-Leash Provisions (Report Reference: GC281117M02)

Leaflet Advertising on Car Windscreens (Report Reference: GC281117M03)

Use of Drones (Report Reference: GC281117Q01)

MEETING CLOSURE - Meeting Declared Closed at 10.41pm

CONFIRMED THIS 12 DECEMBER 2017

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CHAIRPERSON

**CITY OF MARION
GENERAL COUNCIL MEETING
12 DECEMBER 2017**

Originating Officer: Rebecca Deans, Open Space and Recreation Planner

Manager: Carol Hampton, Manager City Property

General Manager: Abby Dickson, General Manager City Development

Subject: Playground Framework

Report Reference: GC121217R01

REPORT OBJECTIVE

The purpose of this report is to seek endorsement of the final Playground Framework following consultation on the draft Playground Policy and Playground service levels for community consultation.

Endorsement is also sought for an operating and maintenance budget as well as an allocation for renewal depreciation for the shade program previously endorsed by Council.

BACKGROUND

The item '*Playground Framework*', GC260917R07 (attached as appendix 2) was adjourned at the 26 September 2017 General Council meeting to enable further clarification / additional information on the matter. A progress report on the adjourned item was provided to the General Council meeting on the 28 November 2017 (GC281117R01). The item was adjourned again until the General Council meeting on the 12 December.

In accordance with the *Local Government (Procedures at Meetings) Regulations*, the debate on an adjourned item will resume and continue at the point it was adjourned.

The current motion is as follows:

Moved Councillor Byram, Seconded Councillor Pfeiffer that Council:

- 1. Notes the community consultation report as provided in Appendix A.*
- 2. Endorses the Playground Policy (Appendix B) and Service Levels (Appendix C) following community consultation.*
- 3. Endorses the Playground prioritised works list which includes playground upgrades, removals and new playgrounds (Appendix D) and notes this will be revised annually with updated playground audit information.*
- 4. Notes the 5 year, \$2.25m shade program (Appendix D) currently funded in Council's adopted Long Term Financial Plan (LTFP) and notes this will be revised annually.*
- 5. Notes the Playground project methodologies provided in Appendix E.*
- 6. Endorses an allocation of an additional \$711,750 for the 10-year works program (playground upgrade, removals and shade program) into the Long Term Financial Plan.*

7. *Endorses an allocation of \$112,750 p.a. for operating and maintenance and an allocation of \$148,454 p.a. for renewal/depreciation for the Playground Shade program into Council's LTFP (as per Appendix I).*
8. *Notes the advice from the Infrastructure and Strategy Committee on proposed additional playgrounds in Appendix I.*
9. *Endorses the inclusion of Capella Drive Reserve Hallett Cove; Brooklyn Drive Reserve Hallett Cove; Tonsley Development Tonsley; McConnell Street East Reserve Marino; Miners Court Reserve Sheidow Park; Woodend Development Sheidow Park; and Cowra Crescent Reserve Park Holme as new playgrounds within the City of Marion, timing and costing as indicated in Appendix D.*
10. *Consideration of the Hallett Cove Heights area (including Skipper Close) be a high priority.*

The following Elected Members have spoken to this item:

Councillor Janet Byram; Councillor Tim Pfeiffer; Councillor Raelene Telfer; Councillor Luke Hutchinson.

DISCUSSION

A review of the Playground Framework commenced in March 2016 and has been informed through a number of Elected Member forums and Council meetings.

At the General Council meeting on the 26 September 2017 (Appendix 2 - GC260917R07) the item was adjourned until the General Council meeting scheduled for the 28 November 2017.

At the General Council meeting on 10 October 2017 (GC101017R08) a workshop was held to provide additional feedback on the Playground Framework.

As a result of the feedback from the workshop on the 10 October 2017 a different approach has been taken and the report provided in Appendix 1 proposes considerable changes to the original report tabled on 26 September 2017 (GC260917R07). An alternate recommendation as follows is suggested following the feedback received since the 26 September 2017 General Council meeting:

That Council:

1. **Endorses the Playground Policy attached as appendix A to this report.**
2. **Endorses the proposed service levels for City of Marion playgrounds as provided in Appendix C.**
3. **Notes the current works program attached as Appendix D to this report and that any further upgrades identified for 2018/2019 will be informed by engagement with Elected Members in early 2018 with any changes brought to a future Council meeting for endorsement.**
4. **Endorses the Playground Construction and Removal Methodologies as provided in Appendix E.**
5. **Notes a further report will be bought back to Council recommending data collection methods and costs.**

6. **Endorses an allocation of \$112,750 p.a. for operating and maintenance and an allocation of \$148,454pa for renewal / depreciation for the Playground Shade program into Council's Long Term Financial Plan.**

NEXT STEPS

As there is already a motion which has been moved and seconded in relation to this item the following next steps are available to Council:

1. Proceed with the adjourned motion as moved and seconded at the 26 September 2017 General Council meeting (GC260917R07).
2. A member who has not spoken in the debate regarding the adjourned motion can propose an amendment to the original motion. The amendment to the motion cannot significantly change from the original motion or be in direct opposite.
3. The original mover and seconder (Councillor Byram and Councillor Pfeiffer) of the adjourned motion can agree to withdraw the motion. Following this a Member could move a new motion in relation to the item.

APPENDICES

Appendix 1 – Playground Framework – Revised Report including additional information

Appendix 1A – Draft Playground Policy

Appendix 1B – Playground Data – other Councils

Appendix 1C – Playground Framework Service Levels

Appendix 1D – 3 Year Works Program

Appendix 1E – Playground Framework Methodology

Appendix 1F – Timeline of resolutions

Appendix 1G – Summary of Data Collection

Appendix 2 – Playground Framework Report adjourned (GC260917R07)

**Playground Framework – Revised Report including additional information
12 December 2017****EXECUTIVE SUMMARY**

A review of the Playground Framework commenced in March 2016 and has been informed through a number of Elected Member forums and Council meetings.

At the General Council meeting on the 10 October 2017 further information was requested, this has been provided in this report. In addition, this report includes suggestions on additional data collection to assist with the ongoing development of the playground works program.

The Playground Framework comprises:

- Playground Policy
- Service Levels
- Works Program including playground upgrades and removals
- Playground construction and removal methodologies

Details on each of these components and recommendations have been provided within this report.

The Playground Works Program has been funded within the Long Term Financial Plan (LTFP).

- Planned expenditure of \$11.9m has been projected to 2026/2027 for the playground works program.
- \$1.3m has been assumed as grant income to offset the costs of playground construction,
- \$10.6m of City of Marion funding within the LTFP

In addition, capital expenditure of \$2.25m for the provision of shade in neighbourhood and regional playgrounds over the next 5 years was endorsed for inclusion in Council's Annual Business Plan 2017/18 and LTFP (GC130617R07). An operating and maintenance budget as well as an allocation for renewal/depreciation is yet to be endorsed and is recommended within this report.

BACKGROUND

The development of the Playground Framework commenced in March 2016 and has been discussed at a number of Elected Member forums and a number of Council reports have been provided (Refer Appendix F).

Over the last 2 years data has been collected, this data, research and various discussions and workshops with Elected Members has guided the development of the draft playground framework. It is acknowledged that continuing to obtain further data will enhance our knowledge and understanding of community needs, including access and use of playgrounds, which will inform future works.

Current data

Over the last few years, the Open Space and Recreation team and wider departments have collected data through various consultations, a review of other council playground policies, national standards and health research.

- Toilet Use statistics – number of occupations per month
- Events and Facilities Survey 2017
- Community Vision Consultation 2012
- 2011 Playground Upgrade Consultation
- 2014 Playground Evaluation
- Jervois Street Community Consultation Survey 2014
- Jervois Street reserve Evaluation March 2017
- Clare Avenue Reserve November 2016
- Oaklands Reserve Development Survey May 2017
- Playground Policy and Service levels Survey April 2017.

This data has helped inform the;

- Draft Playground Framework
- 3 year Business Plan commitments

The outcomes of the data collection are summarised in Appendix G

A summary of what we have heard from the community and research is

- The community values diversity in its playgrounds
- A preferred method of travelling to a playground is walking
- Residents use a variety of playgrounds

This data has supported the draft Playground Framework. However, there is some additional data collection which would strengthen and inform the playground framework into the future.

- Usage statistics of specific playgrounds and facilities within them
- Why residents use the playgrounds that they do – for example is there a favourite piece of equipment, close by, meet friends there etc.

This report provides suggestions on ways to collect additional data.

PLAYGROUND FRAMEWORK

The Playground Framework comprises:

- Policy (including hierarchy)
- Service Levels
- Works Program including, renewal/upgrades, playground removals and shade structures
- Playground construction and removal methodologies

Policy (including hierarchy)

The draft Playground Policy is attached (refer Appendix A). It contains the principles to guide Council's planning and provision of playgrounds across the City of Marion.

It contains the proposed hierarchy of Local, Neighbourhood, Regional and City Wide Attraction, outlines the purpose, user catchment and types of facilities for each level.

The policy provides a guide to the provision of playgrounds and was developed with Elected Members through forums and ward briefings. At the General Council meeting on 10 October 2017 members sought clarification on determining the service levels, e.g. should there be fewer playgrounds with more regional playgrounds and less local playgrounds. The Policy guides the level of playgrounds and the types of facilities that may exist. The endorsed 3 year Works Program provides the detail of specific works and funding to be allocated (in line with the LTFP). This is expanded upon in the report below.

In addition, at any time Council can consider any specific issues as they arise that do not align with the policy.

A brief survey of other councils has been undertaken to ascertain their playground policies. This can be found in the table below. An expanded table can be found in Appendix B.

Council	How many Playgrounds	Hierarchy	User catchment distances for each hierarchy
City of Onkaparinga	200	Regional	500m
		District	500m
		Neighbourhood	500m
		Local	500m
City of Mitcham	56	Regional	500m
		Neighbourhood	500m
		Local	500m
City of Holdfast Bay	30	Metropolitan	500m
		Neighbourhood	500m
		Local	500m
City of West Torrens	approx. 55	Greenways	—
		Civic	250m-400m
		District	250m-400m
		Neighbourhood	250m-400m
		Local	250m-400m
City of Salisbury	133	Adventure	State wide
		Regional	5km
		District	2km
		Local	500m-700m
City of Charles Sturt	approx. 120	Regional	No specific catchment zone
		District	
		Neighbourhood	
		Local	
City of Unley	27	Regional	—
		District	—
		Neighbourhood	750m
		Local	500m
City of Murray Bridge	19	Regional	400-500m
		District	400-500m
		Neighbourhood	400-500m
		Local	400-500m
City of Subiaco	30	District	400m
		Neighbourhood	400m
		Local	400m
City of Hobsons Bay	72	Destination	2km
		Local	500m
City of Cardinia	92	Regional	-
		Municipal	-
		District	2km
		Neighbourhood	500m

City of Waverley	38	Regional	-
		District	1km
		Neighbourhood	400m
		Pocket	250m

The City of Marion hierarchy proposes the following catchments

- Local – 500m
- Neighbourhood – 750m
- Regional 1.5km
- City Wide Attraction – one city wide unique play and recreation opportunity

Currently the City of Marion has 93 playgrounds. It is proposed over the next ten years that this number will reduce to 83 with the following makeup of hierarchies

- 35 Local
- 40 Neighbourhood
- 7 Regional
- 1 City Wide Attraction

The overarching premise that all residents should have access to a playground within 500m of their residence or business is in alignment with other councils. This would result in provision of approximately one playground per 1,000 residents.

At the General Council meeting on the 9 May 2017 (GC090517R06) a report was provided on Section 270 – Resolute Crescent, Hallett Cove Final Report. One of the recommendations was:

2c A report is prepared and provided to Council to formally endorse the Playground Policy, service levels, worklist, project methodology and community engagement approach surrounding playground removals (e.g. Inform, consult, involve, collaborate or empower) if considered appropriate. Such a report is scheduled to come to Council in May 2017.

Consideration needs to be given to adopting a policy as without a policy there continues to be no formally endorsed hierarchies or user catchments etc. even though a budget has been allocated and works program is being implemented. While it is recommended that the policy be reviewed bi-annually Council can at any time review and make changes to the policy, consequently it is recommended to consider adopting the draft policy.

At the Infrastructure and Strategy Committee on 5 September 2017 (ISC050917R7.1) the policy was discussed with the following changes recommended:

1. Principles section:
 - a. First dot point: Remove unique and varying
 - b. Second dot point: add taking pedestrian barriers into account at the end of the sentence
2. Safe and Sustainable section:

Alter the words to the following; “User safety will be a high priority in the location, design and management of playgrounds which is undertaken in line with the Australian Standards; but we accept that taking calculated and graduated risks at play is essential for good physical and mental development”.

Recommendation: Endorse the draft Playground Policy including the changes recommended by the Infrastructure and Strategy Committee

Service Levels

The proposed Playground Service Levels are provided (refer Appendix C).

The service levels provide a budget for each hierarchy and an indication of the equipment and facilities that are to be provided at each site.

The service levels provide a guide and can be reviewed as part of the budget process. Currently the endorsed 3 year Works Program proposes to upgrade four playgrounds each year with a mixture of hierarchies. The priority for upgrading a playground takes into consideration, the playground age, safety, equipment condition and demographics in the area. The business plan commitment to playground upgrades for 2018/2019 will be identified through an Elected Member Forum in early 2018. A further three year business plan could also be identified within an Elected Member Forum. The current works program is currently aligned to the Long Term Financial Plan which has \$10.6m capital expenditure allocated over the 10 years to 2026/2027.

Shade for playgrounds is included in the Service Levels for Neighbourhood, Regional and City Wide Attraction playgrounds and has been costed as an additional cost. The shade program has been endorsed and is funded within the LTFP (\$2.25m over 5 years).

As part of the budget process, the service levels and subsequently the funding can be reviewed annually.

Recommendation: Endorse the proposed service levels for City of Marion playgrounds (Appendix C).

Works Program

The Works Program (refer Appendix D), endorsed in the three year business plan, is currently working to the Draft Playground Framework and is set out below. It should be noted that the planning and design of any further upgrades identified for 2018/2019 will be identified through an Elected Member Forum early in 2018.

Under Construction 17/18	Hendrie Street Reserve Sixth Avenue Reserve Breakout Creek Reserve Gully Road Reserve Clare Avenue Reserve
Under Construction 17/18 (Renewal SA)	Appleby Avenue Reserve
Proposed Construction 17/18 (part of Tennis and Netball works program)	Woodforde Family Reserve
Detail Design 17/18	Oaklands Estate Reserve
Planning and Design 17/18	Bandon Terrace Reserve Shamrock Road Reserve First Avenue Reserve Mitchell Park Oval
2018/2019	Construction of the above four designed playgrounds Planning and Design of 4 playgrounds subject to Council's review

The endorsed Works Program outlines a 3 year program for upgrades and removals of playgrounds. Predominantly, the works program comprises playgrounds that already exist and require upgrading; that is they will have reached the end of their useful life. Funding has been committed in the LTFP which aligns with these works.

Proposed removals will take place predominantly within the next two years as the playgrounds come to the end of their useful life. It should be noted that the playgrounds on the list that have not reached the end of their useful life will be retained until this time is reached and Council has endorsed the removal. The proposed removals have been endorsed by Council at the meeting 27 September 2016 (GC270916R07) and are in line with the Asset Management Plan.

Playground design and construction is based on a two year works program with each year having a combination of design and delivery works.

- Year 1 – Planning and Design
- Year 2 – Construction

The endorsed three year works program will end in June 2019. A new three year works program will be developed with Council for endorsement by Council in early 2019.

Recommendation: Notes the current works program attached as Appendix D and that the planning and design of any further upgrades identified for 2018/2019 will be informed by engagement with Elected Members early in 2018 and brought to a future Council meeting for endorsement.

Methodology

The playground methodologies are provided as Appendix E. They provide project methodologies for;

- Local and Neighborhood Playgrounds
- Regional and City Wide Attraction Playgrounds
- Playground removals

It is recommended that the existing methodology of upfront consultation for Regional and City Wide Attraction Playgrounds is maintained. These projects are larger projects and it is believed that upfront consultation may save significant rework of design mid-way through the project which can be avoided by involving the community upfront and gaining an appreciation and understanding of site context and use this information prior to the initial design process.

Following consideration of issues relating to playground removals, an updated methodology for playground removals is recommended and incorporates consultation on all individual playground removals with the feedback from consultation being reported back to Council for final consideration prior to removal. While there is a high level plan and endorsement of the removal sites, the removal methodology will apply to individual sites as they are timed for removal and will be considered by Council prior to removal.

Proposed removals are included in the endorsed three year Works Program.

Recommendations: Endorse the Playground Construction and Removal Methodologies as provided in Appendix E.

DISCUSSION

It is acknowledged that further data collection would be beneficial to inform playground removal, upgrade and new playgrounds into the future,

Additional consultation and data collection options have been identified:

1. Observation of playground use, identifying
 - When the playground is used
 - How often the playground is used
 - How many people use the playground

This information will help identify how our current playgrounds are being used.

2. Face to face survey data that will help identify
 - How do residents and visitors access playgrounds
 - Commentary on local, neighbourhood and regional playgrounds and preferences
 - Best features of a playground
3. Providing residents information on the cost implications of new playgrounds.

This additional information will build on the current data used e.g. future demographics. The collation of data will help inform future playgrounds needs and will identify any changes required within the work program

There are a number of options to collect data to inform playground provision

Sensors

Low cost, low power wireless activity detection sensors can be employed in parks to provide real time equipment usage and visitor data. The sensors can collect analytics to help us better service our residents.

- Time of day based usage data showing equipment and park popularity, for example, to understand how the playgrounds and public spaces are being used
- Generate predictive maintenance schedules to improve park safety and save costs
- Provide real time alerts of malicious and nefarious activities in parks.

A meeting with a supplier, who manufactures and monitors these sensors was held in November and information, outcomes and a quote can be provided in a further report.

BBQ Counters

The company who has supplied the majority of our BBQ's can provide a solution that counts BBQ use. The counters will cost \$250 plus installation per BBQ. Currently there are 36 BBQ's within the City of Marion.

Flinders University Partnership

Flinders University can partner with the City of Marion to collect both observational and face to face survey data.

A meeting with staff from Flinders University has suggested that data collection could offer

- Term time and school time observations and survey
- Differing times of day data collection
- Literature review

Specific sites could be identified and recommended.

This research is subject to ethic committee approval and can commence early in 2018.

Open Space Operations Data Collection

As part of the Service Review in the Open Space Operations team there is an opportunity for playground inspectors to gather simple data at weekly inspections.

This could include identifying how many adults and children are at the playground when the inspection is occurring, this could be added to the RAMM system. This data can be analysed over time to provide usage patterns in all City of Marion playgrounds.

This system is likely to be ready by April 2018 and data can be readily collected within the existing resources.

City of Marion Data Collection

Data can be collected by City of Marion staff in the following ways

- General survey questions added to each site specific survey that will collect general playground use data
- Social media posts
- Face to face interviews on site on an ad hoc basis
- Focus group meetings
- Making Marion surveys

Data can be used to inform future works and policy decisions

Recommendation: Notes a further report will be bought back to Council recommending data collection methods and the costs and resources required.

ANALYSIS

Financial Implications

Capital funding planned for the upgrade of playgrounds across the next 10 years is in the order of \$10.6m. This includes funding for the three year business plan commitments. An additional \$2.25m is planned for the provision of shade at neighbourhood and regional playgrounds over the next 5 years. These funds are incorporated within Council's adopted Long Term Financial Plan.

Capital costs associated with a City Wide Attraction Playground estimated to be in the order of \$3.75m have not been incorporated at this time with investigations and planning for this project programmed to commence in 2019/2020 to enable further consideration of the project.

Financial costs of data collection can be provided in a further report.

Resource Implications

Funding for operating resources related to playground 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).

Risk Implications

The current City of Marion Playground Strategy was developed in 2008 as a 15 year strategy. It was guided by the Open Space and Recreation Strategy 2006 – 2016 which is currently being reviewed.

A review of the Playground Strategy commenced in 2016 and saw the opportunity to

- Consolidate strategic documents.
- Review the hierarchy levels of each site
- Improve the provision of play grounds through consolidation and provision of new play grounds in gap areas.

- Improve long term planning by establishing service levels and formalising the financial commitment to deliver the Works Program in accordance with the strategic principles, AMP and LTFFP.
- Develop a flexible approach to delivery to enable responsiveness to funding opportunities and other arising needs.
- Formalise revised internal processes related to forward planning, asset management and engagement.

An approach to develop a playground framework for endorsement was indicated.

However, with work on the 3 year Works Program underway the following needs to be considered if the framework is not endorsed;

- The removals program is on hold pending endorsement of removal methodology.
- Agreement on service levels and particular site classifications required to enable design and procurement within set budgets needs confirmation.
- The draft policy suggests a standardised palette be utilised to guide design of local and neighbourhood playgrounds. Design is hampered without this clarity. A tender panel of suppliers has been identified by administration acting on the proposed framework.
- Design and implementation on the three year business plan is reflective of the proposed service levels and process of delivery. Endorsement of the framework is required to continue this work.
- Managing community expectation and delivery timelines may be at risk without clarity on the Framework.

Recommendation: The Playground Framework components be endorsed to allow work to continue in line with an updated policy that reflects current needs.

Next Steps

1. Endorse Playground Framework
2. Investigate and provide a further report on data collection opportunities and costs to provide Council with further evidence to inform future works
3. Review Works Program early 2018

CONCLUSION

The adoption of the City of Marion Playground Framework will ensure that a comprehensive suite of policies, programs and tools are in place to guide the provision of playground environments across the City. Ongoing review of the framework and further data collection will also ensure it remains contemporary for the changing needs of the City and community into the future.

APPENDICES

Appendix A	Draft Playground Policy
Appendix B	SA Councils Survey
Appendix C	Proposed Playground Service Levels
Appendix D	3 year Works Program
Appendix E	Proposed Methodologies
Appendix F	Playground Framework timelines
Appendix G	Summary of Data Collection

Playground Framework

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 playgrounds 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).

The City of Marion considers that across the City one playground per 1,000 people is ample provision of playgrounds.

This policy will be supported by operational systems and processes to ensure efficient delivery and long term sustainability of playground provision and management across the City.

This Policy is a component of a Playground Framework comprising:

1. Policy (including hierarchy)
2. Service Levels
3. Prioritised Works List
4. Project Methodology

The Playground Framework program will be supported by operational systems and processes to ensure the efficient delivery for capital, renewal and maintenance works.

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 playgrounds that contribute to developmental needs and are places that encourage community interaction, understanding and wellbeing.

Playground Framework

Policy



4. PRINCIPLES

The following principles will guide the City of Marion's planning, development and management of playgrounds:

Accessible & Diverse

- Playgrounds and associated facilities and amenities will cater for a range of abilities and needs
- Playground designs will be stimulating and fun to enable play environments within each community
- Playgrounds will be provided within walking distance (approximately 500m or averaging provision of one playground per 1,000 residents), where possible, of every residence, taking pedestrian barriers into account.
- The location and design complexity of playgrounds that are located in the open space network will be guided by the Open Space Hierarchy for the City of Marion

Creative, Innovative & Fun

- Playgrounds 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)
- Playgrounds 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 playgrounds which is undertaken in line with the Australian Standards: but we accept that taking calculated and graduated risks at play is essential for good physical and mental development

Playground equipment will be renewed at the end of its useful life (approximately 20-25 years)

Community Engagement

- The community will have opportunities to comment on proposed playgrounds and their views will be considered.

Playground Framework

Policy



5. POLICY SCOPE

The scope of this policy pertains to all publicly accessible playgrounds on land owned and under the care, control and management of the City of Marion.

6. IMPLEMENTATION

A Standardised Palette approach will be utilised to guide the design of local and neighbourhood hierarchy playgrounds. Regional and City Wide Destination playgrounds will be designed as high quality destinations responsive to Council and resident needs and can utilise equipment outside of the palette as required.

7. SERVICE LEVELS

Council has set out appropriate service levels in the document Playground Framework: Service Levels which guide the implementation of this policy.

8. HIERARCHY

The Playground hierarchy describes the level of playgrounds and types of facilities that may exist within the playground and include definitions and user catchment distances for hierarchies. These are to be used as a **guide** in the provision of playground planning and may be subject to other considerations as they arise such as topography, major barriers including major roads, drains and rail lines.

As a guide, playgrounds will be provided within approximately 500m walking distance to dwellings and work places or will average provision of one playground per 1,000 residents.

Playground Framework

Policy



Local Level

Categories	Description
Purpose	Local Level playgrounds 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, including at least one seat, Pathways for accessibility, Minimal formal play equipment and/or nature play design with limited irrigated grass, provision of adequate shade through plantings, water sensitive urban design landscaping.

Neighbourhood Level

Categories	Description
Purpose	Neighbourhood Level playgrounds 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 playgrounds for extended periods of time. They provide similar environmental value as Local Level playgrounds.
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 including at least one seat, pathways for accessibility, diverse opportunities for play for a range of ages, shelter and natural shade with consideration of shade over playground equipment, water sensitive urban design landscaping, limited irrigated grass.

Regional Level

Categories	Description
Purpose	Regional Level playgrounds 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, playgrounds that are unique and complex for a range of ages and abilities, park furniture and amenities including public toilets and seating, Shade and shelter with consideration of shade over playground equipment, pathways for accessibility, water sensitive urban design landscaping, irrigated grass, public art, off-road car parking

Playground Framework

Policy



City Wide Attraction

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 City Wide Attraction 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 City Wide Attraction will cater for a diversity of users from passive recreation, family picnics, and community group gatherings to larger events.
Types of facilities	A City Wide Attraction 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 with consideration of shade over playground equipment, BBQ's and public art. A City Wide Attraction would cater for all ages and abilities, providing amenities to enable long stays.

9. DEFINITIONS

Playground

'Playground' 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 'playground'.

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 playgrounds, picnic amenities, pathways, public toilets.

Playground Framework

Policy



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

City of Marion

- Playground Service Levels
- Community Vision – Towards 2040
- Strategic Plan 2017-2027
- Business Plan 2016-2019
- Open Space Policy
- Walking and Cycling Strategy
- Tree Management Policy & Framework
- Irrigation Management Plan
- Asset Management Policy & Plans
- Risk Framework
- Community Engagement Policy

Other

- Australian Standard for Playground Equipment 4685:2014 Parts 1 - 6
- Australian Standard for Playground Surfacing 4422:2016
- Play Australia's "Getting the Balance Right: Risk Management for Play" 2016

Policy Name and version no.	City of Marion Playground Policy - V1.1
Last update	
Last Council review (report reference)	
Next review due	
Responsibility	Team Leader, Open Space and Recreation

Appendix B

Council	Population	Council Playgrounds	Hierarchy	How many Playgrounds per catchment	User Catchment distances for each hierarchy	Service Level Costs	Comments	
City of Onkaparinga	170,694	200*	Regional	2	500m	1.5m-2m	Playspaces will be provided within 500m of most house holds	
			District	18	500m			
			Neighbourhood	42	500m			
			Local	140	500m			
City of Mitcham	66,327	56	Regional	?	500m		1640 hectares can be considered as parks. Last Strategic plan was completed in 2001	
			District	?	500m			
			Neighbourhood	?	500m			
			Local		500m			
City of Holdfast Bay	34,639 (2011)	30	Metropolitan	1	500m		Open space and coast assets \$4.73 mil. Do not have Open Space Strategic Plan.	
			Neighbourhood	8	500m			
			Local	28	500m			
City of West Torrens	59,457	55*	Greenways	2			250m walking catchment to council playgrounds. Adopt 3 ha per	
			Civic	1	250m-400m			
			District	6	250m-400m			

			Neighbourhood	30*	250m-400m		1000 people to deliver a catchment zone of 400m for open space. Greenways - A corridor of paths that link other open space and attractions Civic-Open space with strong destination and visitor value.	
			Local	30*	250m-400m			
City of Salisbury	140,212	133	Adventure	1	State wide			
			Regional	1	5km			
			District	2	2km			
			Local	128	500m-700m			
City of Charles Sturt	114,688		Regional	7*	No specific catchment zone has been stated, but all within walking distances.	between \$600,000 - \$1,200,000	These numbers are their strategic plan for 2026. Budget is for play space (playground) alone.	
			District	30*		between \$300,000 - \$600,000		
			Neighbourhood	60*		between \$150,000 - \$300,000		

			Local	30*		between n \$150,000 - \$300,000		
City of Unley	36,842	27	Regional	2*	—			
			District	8*	—			
			Neighbourhood	8*	750m			
			Local	10*	500m			
City of Murray Bridge	20,971	19*	Regional	0	400-500m	2.7m	Play space based on Play theory, i.e. different types of play. Goal is to provide 1 playground per every 999 residents. 47% of playspaces are local. Information was gathered via survey.	
			District	3	400-500m			
			Neighbourhood	10	400-500m			
			Local	6	400-500m			

Interstate Councils

City of Subiaco	17,139	30	District	4	400m			
			Neighbourhood	7	400m			
			Local	19	400m			
City of Hobsons Bay	93,392	72	Destination	15	2km	\$150,000 - \$500,000		
			Local	57	500m	\$50,000 -		

						\$70,000		
City of Cardinia	97,625	92	Regional		-	over 1mil		
			Municipal		-	\$200,000 - \$500,000		
			District		2km	\$150,000		
			Neighbourhood		500m	\$50,000		
City of Waverley	72,106	38	Regional		-			
			District	3	1km			
			Neighbourhood	15	400m			
			Pocket	20	250m			

Playground Framework

Service Levels



Service Levels form part of the Playground Framework which includes:

- Policy
- Service Levels
- Prioritised Works List
- Project Methodology (including Community Engagement Approach)

Currently the City of Marion has 93 playgrounds. It is proposed in ten years that this number drops to 83 with the following makeup of hierarchies

- 35 Local
- 40 Neighbourhood
- 7 Regional
- 1 City Wide

The above numbers are subject to the ongoing review of the works program by Council and should be viewed as a guide only.

	Local	Neighbourhood	Regional	City Wide Attraction
Purpose:	Local Level playgrounds 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	Neighbourhood Level playgrounds 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 playgrounds for extended periods of time. They provide similar environmental value as Local Level playgrounds	Regional Level playgrounds 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.	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 City Wide Attraction will be aligned to a placemaking opportunity facilitating economic development, community capacity building and stewardship.
User Catchment:	Distributed within approximately 500m walking distance to dwellings and work places.	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.	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.	Large catchment serving residents city wide and state wide tourists. A City Wide Attraction will cater for a diversity of users from passive recreation, family picnics, and community group gatherings to larger events.
Types of Facilities:	• Play equipment ie swing, slide, combination system • Seats / Furniture, including at least one bench • Vegetation amenity plantings including adequate plantings for shade • Pathways, including civil	• Play equipment ie swing, slide, combination system and natural play elements where possible • Seats and picnic facilities, drink fountain • Vegetation amenity plantings including adequate plantings for shade • Pathways, including civil • Basketball / Netball half court • Rubber Soft fall • Shelter Structure • Other play features and amenities for a range of age groups • **Consideration for artificial shade over play equipment	• Play equipment ie swing, slide, combination system, climbing structures, potential basketball/netball half court, natural play elements, iconic features • Opportunity for site specific play elements • Rubber soft fall • Seats, multiple picnic facilities, BBA, drink fountain • Vegetation amenity plantings including adequate plantings for shade • Pathways, including civil • Shade and Shelter • Amenity landscaping and large turf area for a kick about pending on site constraints • Basketball / Netball half court • Car parking • Integrated Public Art • *Toilet • **Consideration for artificial shade over play equipment	• Extensive play equipment ie swings, slide, combination system, climbing structures, nature play • Opportunity for site specific play elements • Soft fall including rubber • Seats, multiple picnic facilities, BBA, drink fountains • Vegetation amenity plantings including adequate plantings for shade • Pathways, including civil • Shade and Shelter. Potential for artificial shade over play equipment • Amenity landscaping and large turf area for a kick about pending on site constraints • Multipurpose courts • Car parking / storm water works • Integrated Public art • Lighting • *Toilets
Indicative Cost:	\$95,250***	\$235, 500***	\$869,250***	\$3,750,000***
Maintenance:	• Level 1 Inspection -Weekly • Level 2 Inspection – Bi monthly • Level 3 Inspection - at least every 3 years	• Level 1 Inspection -Weekly • Level 2 Inspection – Bi monthly • Level 3 Inspection - at least every 3 years	• Level 1 Inspection -Weekly • Level 2 Inspection – Bi monthly • Level 3 Inspection - at least every 3 years	• Level 1 Inspection -Weekly • Level 2 Inspection – Bi monthly • Level 3 Inspection - at least every 3 years
Renewal:	• At the end of its useful life (approximately 20-25 years). • Renewal will occur earlier where safety of equipment is compromises	• At the end of its useful life (approximately 20-25 years). • Renewal will occur earlier where safety of equipment is compromises	• At the end of its useful life (approximately 20-25 years). • Renewal will occur earlier where safety of equipment is compromises	• At the end of its useful life (approximately 20-25 years). • Renewal will occur earlier where safety of equipment is compromises
	Notes: *Toilet and Service supply and connection to be provided by 'public convenience' budget line **Artificial shade will be costed as an additional cost on a case by case basis ***Indicative Total – subject to site conditions, scale of reserve and inflation			

Playground Framework

Works Program



Works Program - Three Year Business Plan Commitment

Project Program				
Projects	2016/17	2017/18	2018/19	Comment
Operating				
Playground Framework	PF			Finalise Playground Framework
Playground Removals	C, DD, PI	C,DD, PI	C, DD, PI	Remove Playground as per endorsed removals list
Reserve Signs	DD, PI	DD, PI	DD, PI	Annual upgrade for old Reserve Signs
Open Space Asset Management Planning	O	O	O	IN PROGRESS
Capital				
Jervois Street Reserve	PI			COMPLETE
Edwardstown Oval South East Corner	PI			COMPLETE
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		IN PROGRESS Reserve and Playground Detailed Design 16/17.
Hallett Cove Beach Stage 5	DD	PI		IN PROGRESS
Hallett Cove Beach Stage 6			DD	Carpark, remaining reserve (northern end) and connection to Hallett Cove Conservation Park
Hendrie TBOF Inclusive Playground	DD,PI	PI		IN PROGRESS
Appleby Reserve Playground	C,DD	PI		Renewal SA Partnership with Morphetville Renewal IN PROGRESS
Playground Capital Works - Gully Road Reserve including replacement of cricket nets/bball	C,DD	PI		IN PROGRESS
Oaklands Estate Reserve Development	C	DD,PI	PI	IN PROGRESS Detail Design and Stage 1 Implementation 2017/18 Stage 2 Implementation 2018/19
Playground Capital Works -Sixth Avenue, Ascot Park -Clare Avenue, Sheidow Park -Breakout Creek, Glengowrie	C,DD	PI		IN PROGRESS
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
2 nd Dog Park		C,DD	PI	Investigate Locations, Design Development 2017/18 Implementation 2018/19
Playground Development x 3 -Mitchell Park Oval -First Avenue Reserve -Shamrock Road Reserve		C, DD	PI	DESIGN IN PROGRESS
Playground Development x 4 subject to Council review			C,DD	Playground Framework Local / Neighbourhood Playgrounds To be reviewed at EM Forum early 2018

C Consultation/Concept
 DD Detail Design

PI Procurement and Implementation
 PF Policy/Framework

O Operating

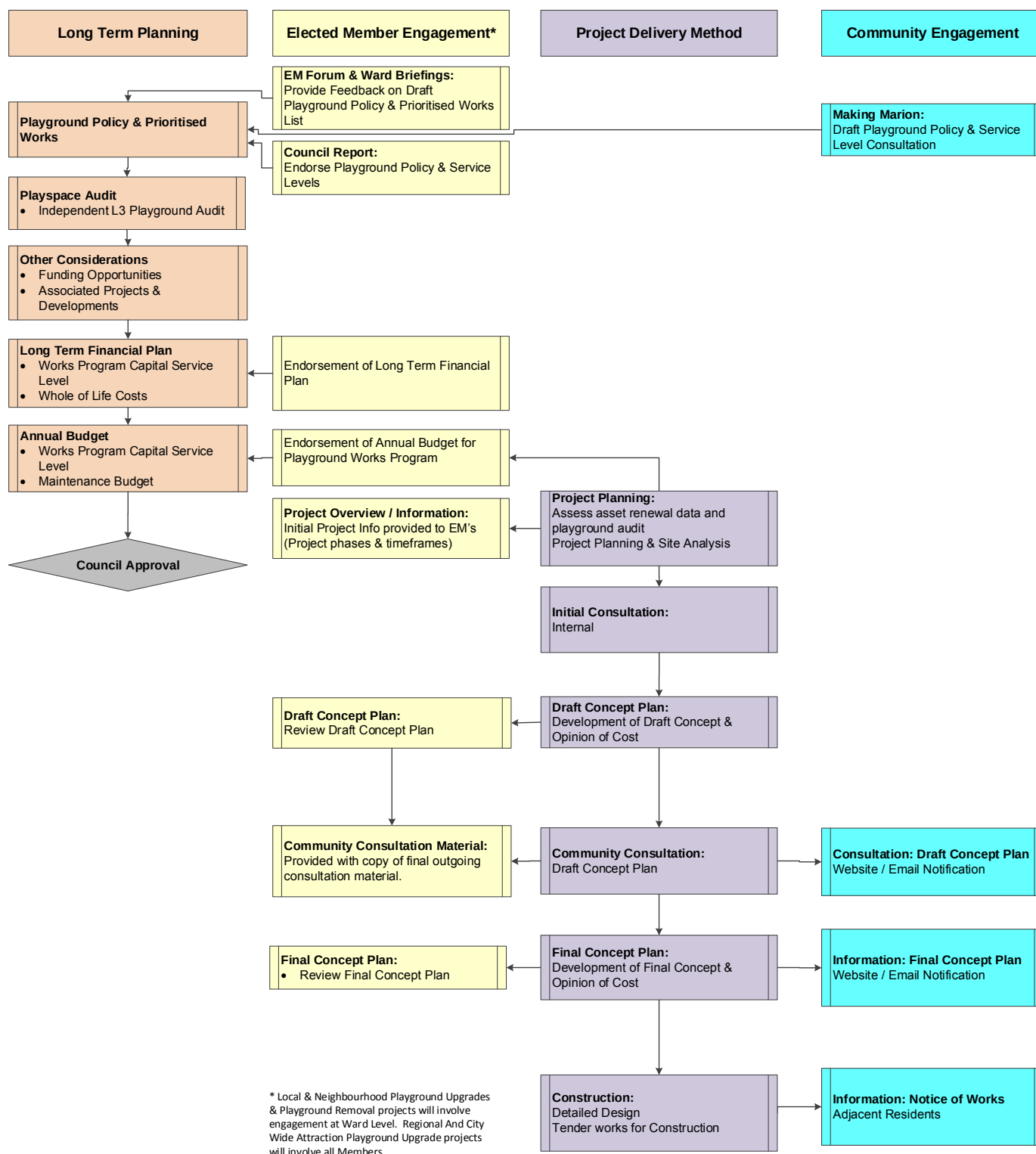
Proposed Removals				
Reserve	Playground Installation Date	Suburb	Hierarchy	Ward
Gully Road Reserve South*	1990	Seacliff Park	Neighbourhood	Southern Hills
Cohen Court Reserve	1994	Clovelly Park	Local	Warriparinga
Penrith Court Reserve	1995	Mitchell Park	Local	Warriparinga
Nannigai Drive Reserve	1994	Hallett Cove	Local	Coastal
Westall Way Reserve	1995	Sheidow Park	Local	Southern Hills
Mitchell Street Reserve	1994	Seaview Downs	Local	Southern Hills
Parsons Grove Reserve	1990	Park Holme	Local	Mullawirra
Ben Pethick Reserve	1994	Marion	Local	Warracowie
Cowra Crescent Reserve**	1994	Park Holme	Local	Mullawirra
Strutt Court Reserve	2001	Trott Park	Local	Southern Hills
Glandore Community Child Care*	1993	Glandore	Local	Woodlands
Cormorant Drive Reserve	2001	Hallett Cove	Local	Coastal
Sandy Glass Court	2013	Sheidow Park	Local	Southern Hills
* Proposal to consolidate 2 playgrounds at the site to 1				
** Further consideration and investigation of alternative site				
Note that playgrounds will only be removed at the end of their useful life, upon an independent audit and with council endorsement following community consultation.				

Playground Framework

Local and Neighbourhood Methodology



Appendix E

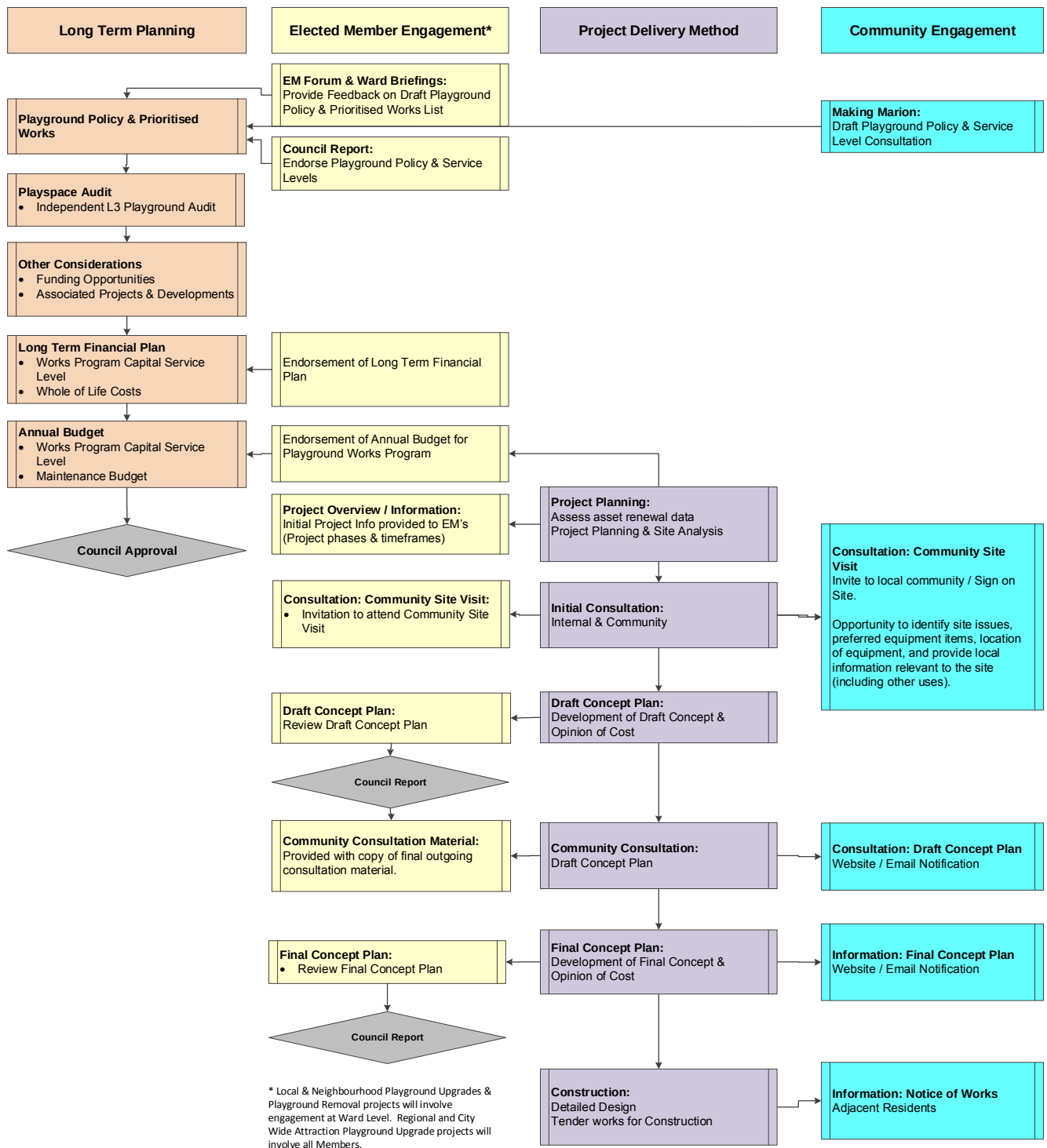


Playground Framework

Regional and City Wide Attraction Methodology



Appendix E

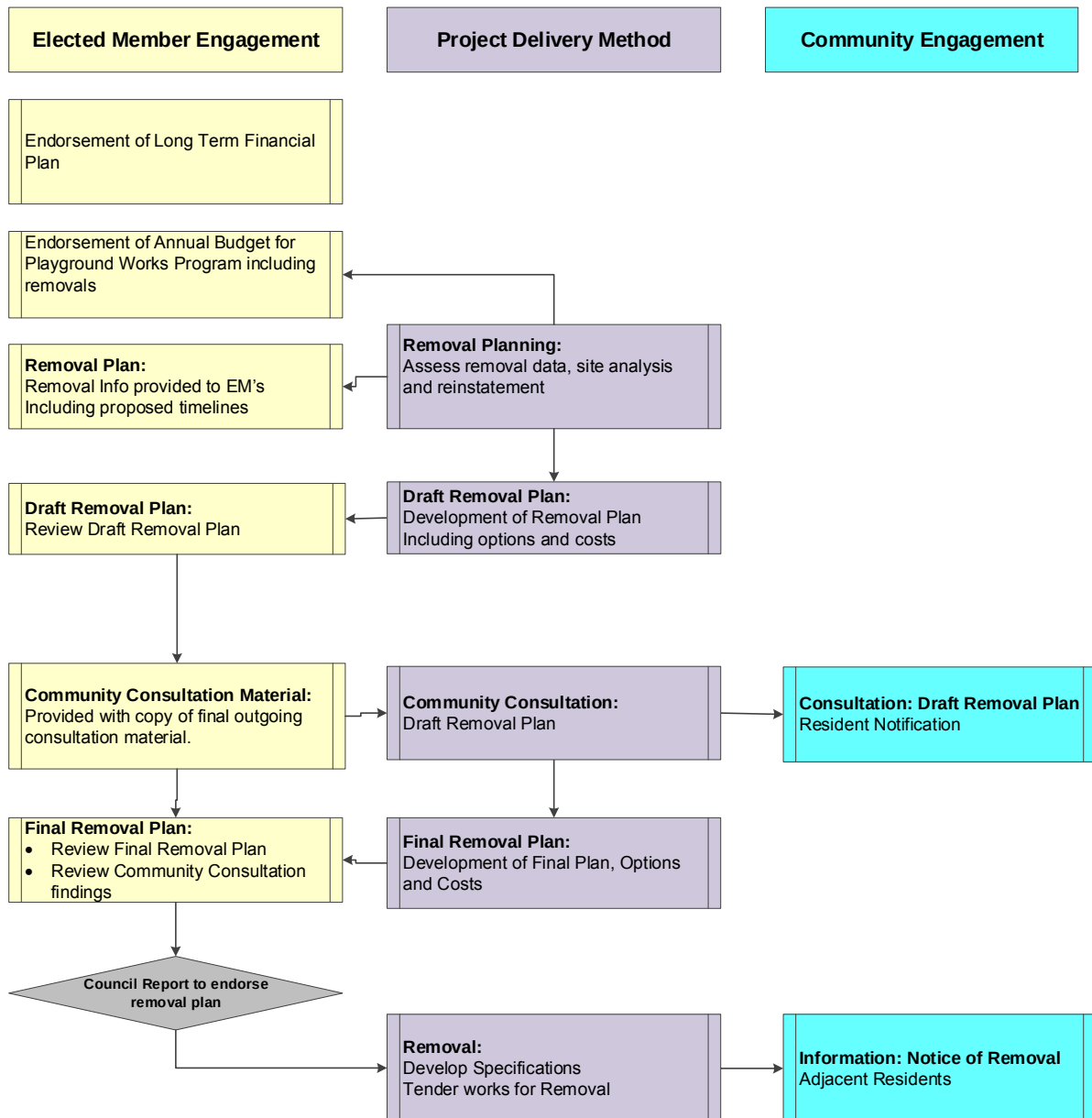


Playground Framework

Playground Removal Methodology



Appendix E



Playground Framework Timeline



29 March 2016	EMF290316R03	Discussion Playground Strategy Review • Play Space Distribution / Provision • Budget / Long Term Financial Plan • Delivery Process / Timeframes • Community Engagement Approach
April/May 2016	Ward Briefings	Discussion at each ward: • Review of playground distribution (investigate 1km catchment) • Review of current and potential hierarchy of playgrounds • Consideration of opportunities for further consolidation / improvements
26 April 2016	GC260416R10	Open Space Works Program • Council endorsed 2016-2019 open space works program including playground works
14 June 2016	GC140616R15	Destination Playground Investigation • Council endorsed Destination Playground Investigation commence in 2019/20
27 September 2016	GC270916R07	Review of Playground Strategy • Council report deferred for further discussion at EM Forum to progress the policy, discuss spatial layout of hierarchy and budget implications over the life of the long term financial plan. • Endorsed the removal of the 11 additional playgrounds • Endorsed starting an investigation into a suitable site for a neighbourhood playground in Hallett Cove Heights.
27 September 2016	GC270916M02	Motion with Notice Destination Playground • The item was not considered
11 October 2016	GC111016M01	Motion with Notice Destination Playground • The item was adjourned
25 October 2016	GC251016M01	Motion with Notice Destination Playground • The item was deferred until 13 December 2016 Council meeting and later (March 2017) withdrawn
15 November 2016	EMF151116R02	Discussion Playground Strategy Review • User catchment classifications and distances • Hierarchy review and individual site classification • Destination (City Wide Attraction) Playground/SAALC and timing • Playgrounds and Asset Management considerations • Business plan and prioritised playground works list • Budget and resourcing impacts
24 January 2017	GC240117R	Playground Framework • Endorsed the draft Playground Policy including the proposed standardised palette approach and draft Playground Service Levels for consultation • 'Playground' shall be used instead of 'Playspace' • Neighbourhood level and above include consideration of shade over playground equipment

19 March 2017 – 13 April 2017		Community Consultation - Draft Playground Policy & Service Levels
21 March 2017	EMF210317R	Discussed Playground Items including: - Destination Playground - Timing - Terminology - City Wide Attraction - Shade for Playgrounds – Cost and Considerations - Reclassifications - New Playgrounds - Inclusive Playground
28 March 2017	GC280317R14	Playground Framework progress report
11 April 2017	GC110417R14	Playground Framework progress report
April/May 2017	Ward Briefings	Discussion at each ward: - Shade at Neighbourhood and Regional Playgrounds - Potential Site Reclassifications Investigations new playground at Hallett Cove Heights
23 May 2017	GC230517R03	Playground Framework progress report
13 th June 2017 27 th June 2017	GC130617R07 GC270617R04	Endorse Shade Program into LTFP Council notes and endorses the items of Operating Expenditure (Table 1) and Capital Expenditure (Table 2) for inclusion in the 2017/18 ABP and LTFP.
4 July 2017	ISC040717R7.2	Infrastructure and Strategy Committee Playground Framework seek feedback from the Committee on user catchment distances with particular consideration to areas with unique topography considerations
July/August 2017		Discussion at each ward - user catchment distances and topographical issues/barriers - Review/confirm sites for removal
5 September 2017	ISC050917R	Infrastructure and Strategy Committee review of playground works program
26 September 2017	GC260917R07	Item adjourned for 28 th November 2017
10 October 2017	GC101017R08	Workshop discussion Need for further data

Appendix G – Summary of Data Collection

Data Collection	Demographic	Outcome Summary
Toilet Use Statistics	17 Exeloo toilets usage statistics per month	Most used toilets - Hendrie Street Reserve (14, 341 yearly occupations) - Oaklands Recreation Plaza (16, 769 yearly occupations) - Scarborough Terrace Reserve (10,144 yearly occupations)
Event and Facilities Survey 2017	487 responses city wide 144 responses about playgrounds	Comments received included: Playgrounds – very good, generally have used 4 different playgrounds ? Variety of nearby playgrounds to take children to Parks, reserves, playgrounds are not great, design falls short.
Community Vision Consultation 2012	Over 2,000 pieces of resident feedback	Comments received included: Denser housing, low rise apartments with large parks and gardens Foot, bike, scooter, rail, tram, bus – access everything locally Community open spaces that all age children can use Green (play) spaces within safe / short walking distance from home More recreation areas to make up for the lack of yards around homes.
2011 Play space Upgrade Consultation	633 surveys returned 19 playgrounds, 16 local, 3 neighbourhood	82% of respondents stated that they walked to visit the playground 68% of the respondents stated that they used the playground more following the upgrades.
2014 Play space Evaluation	363 surveys returned 12 playgrounds, 3 local, 9 neighbourhood	335 respondents indicated they walked to the nearest playground

Commented [CH1]: Are we able to expand on this or state specific sites

Appendix G – Summary of Data Collection

Jervois Street Community Consultation Survey 2014	102 respondents to on lien survey Community drop in sessions	57% of survey responses indicated they would walk to the park 81% of community drop in said walk to park was their preferred method
Jervois Street reserve Evaluation March 2017	93 respondents	51 indicated they walk to the park, 10 people indicated they ride a bike
Clare Avenue Reserve November 2016	46 respondents to survey	Thankyou so much for upgrading this reserve.. it is long overdue. It is used by children, but it has become pretty boring and tired. Something totally new, innovative and exciting catering for a range of age groups would be good.
Oaklands Reserve Development Survey May 2017	57 respondents	40% envisage they would travel to the reserve by walking, followed by 38% by car.
Playground Policy and Service levels Survey April 2017.	12 responses	5 people rated ' having a playground within 500m of every residents where possible as a top priority.

**CITY OF MARION
GENERAL COUNCIL MEETING
26 SEPTEMBER 2017**

Originating Officer: Rebecca Deans, Open Space and Recreation Planner

Manager: Alicia Clutterham, Acting Manager City Property

General Manager: Fiona Harvey, Acting General Manager City Development

Subject: Playground Framework

Report Reference: GC260917R07

REPORT OBJECTIVE AND EXECUTIVE SUMMARY

The purpose of this report is to seek endorsement of the final Playground Framework following consultation on the draft Playground Policy and Playground service levels for community consultation.

The Playground Framework consists of:

- Policy (including hierarchy)
- Service Levels
- Prioritised Works List including new playgrounds, renewal/upgrades, playground removals and shade structures
- Project Methodology (including Community Engagement Approach)

RECOMMENDATIONS

DUE DATES

That Council:

1. Notes the community consultation report as provided in Appendix A.	26 September 2017
2. Endorses the Playground Policy (Appendix B) and Service Levels (Appendix C) following community consultation.	26 September 2017
3. Endorses the Playground prioritised works list which includes playground upgrades, removals and new playgrounds (Appendix D) and notes this will be revised annually with updated playground audit information.	26 September 2017
4. Notes the 5 year, \$2.25m shade program (Appendix D) currently funded in Council's adopted Long Term Financial Plan (LTFP) and notes this will be revised annually.	26 September 2017
5. Notes the Playground project methodologies provided in Appendix E.	26 September 2017
6. Endorses an allocation of an additional \$711,750 for the 10-year works program (playground upgrade, removals and shade program) into the Long Term Financial Plan.	26 September 2017

7. Endorses an allocation of \$112,750 p.a. for operating and maintenance and an allocation of \$148,454 p.a. for renewal/depreciation for the Playground Shade program into Council's LTFP (as per Appendix I).	26 September 2017
8. Notes the advice from the Infrastructure and Strategy Committee on proposed additional playgrounds in Appendix I.	26 September 2017
9. Endorses the inclusion of Capella Drive Reserve Hallett Cove; Brooklyn Drive Reserve Sheidow Park; Tonsley Development Tonsley; McConnell Street Reserve Marino; Miners Court Reserve Sheidow Park; Woodend Development Sheidow Park; and Cowra Crescent Reserve Park Holme as new playgrounds within the City of Marion.	26 September 2017

BACKGROUND

A review of barriers and topographical challenges in consideration of playground provision was presented at the Infrastructure and Strategy Committee in July (ISC040717R7.2) and September (ISC050917R7.1). The Committee made the following resolutions on September 5th

1. *Notes the feedback from the ward briefings (Appendix 3).*
2. *Notes the changes made in the draft Playground Policy (Appendix 5).*
3. *Advises Council of feedback regarding the proposed new playgrounds following review of user catchment distances and topographical/major barrier considerations.*
4. *Notes the inclusion of a \$2.25m 5 year shade program for neighbourhood and regional playgrounds.*
5. *Notes a report is to be considered by Council at the 26 September 2017 meeting to endorse the Playground Framework, incorporating the Infrastructure and Strategy Committee recommendations.*
6. *Recommends that Council negotiate hard with developers regarding the provision of play grounds in new development areas.*

A list of playground changes that were considered by the Infrastructure and Strategy Committee is available in Appendix I.

A timeline with key milestones regarding the development of the Playground Framework is provided in Appendix J.

DISCUSSION

The purpose of the Playground Strategy review was to:

- Address the Council resolutions raised in relation to the Playground Strategy from 2008 – 2014.
- Review the Playground Strategy context to ensure it provides a relevant framework that guides the provision and management of playgrounds across the City in line with Council's Community Vision, Strategic Plan 2017-2027 and 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 playground strategic objectives and implementation plan in line with industry trends.
- Review implementation practices and consider opportunities for process improvements.

Draft Playground Framework

As outlined in the report (GC270916R07) the proposed City of Marion Playground Framework incorporates:

- a. Policy (including hierarchy)
- b. Service Levels
- c. Prioritised Works List
- d. Project Methodology (including Community Engagement Approach).

This report presents a final draft Playground Framework which includes a Policy and service levels for consideration following 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 Playground Framework has included feedback provided through Elected Member forum discussions, ward briefings and community consultation.

Playground Policy

The Draft Playground Policy is attached (Refer Appendix B). It contains the broad principles to guide Council's planning and provision of playgrounds across the City of Marion.

It contains the proposed hierarchy of Local, Neighbourhood, Regional and City Wide Attraction as well as definitions and user catchment distances for hierarchies. These are to be used as a guide in the provision of playground planning and may need to be considered in conjunction with other attributes such as topography, major barriers including major roads, drains and rail lines.

A new inclusion is the standardised palette approach which is recommended for inclusion for Local and Neighbourhood playgrounds. This approach will allow for potential discounted rates for park furniture materials and equipment as well as providing flexibility with consideration of practicalities in design, supply, Australian standards and market opportunities.

The following changes to the draft policy were discussed at the 4 July Infrastructure and Strategy meeting (ISC040717R7.2) and have been incorporated into the Draft Playground Policy to be considered by Council as part of the Playground Framework.

Principles:

- *First dot point: remove unique and varying*
- *Second dot point: add taking pedestrian barriers into account at the end of the sentence*

Safe and Sustainable:

- *Alter the words to the following; "User safety will be a high priority in the location, design and management of playgrounds which is undertaken in line with the*

Australian Standards; but we accept that taking calculated and graduated risks at play is essential for good physical and mental development”.

Refer to Appendix B for the draft Playground Policy incorporating these changes.

Playground Service Levels

The proposed Playground Service Levels are provided (Refer Appendix C). They propose a reduction in capital works spending for the local, neighbourhood and regional playground hierarchies of between 3.5% and 5% which is planned to be achieved through working with a standardised palette and panel contract arrangement for playground equipment and park furniture items.

As part of a review of service levels, and consultation with ward members, five playgrounds have been reclassified as outlined in the table.

Site	Existing hierarchy	New hierarchy
Woodforde Family Reserve	Neighbourhood	Local
Tartonendi/Trowbridge	Neighbourhood	Local
Plympton Oval	Regional	Local
Oaklands Estate Reserve	Precinct	Neighbourhood
Alpine Road Reserve	Local	Neighbourhood

Playground Prioritised Works List/Program

The prioritised works program (Refer Appendix D) outlines a 10 year works program for upgrades and removals of playgrounds. This includes the new playgrounds at Tonsley; Brooklyn Drive, Hallett Cove; and Cappella Drive, Hallett Cove. Further additional playgrounds in consideration of accessibility, future residential development and projected population increases include McConnell Street, Marino; Miners Court, Sheidow Park; Woodend; and Cowra Crescent, Park Holme and are highlighted in Appendix D.

This program of works has been prioritised based on an independent audit of risk and equipment condition as well as population density and numbers of children aged 0 – 14.

Playground removals will take place predominantly within the next two years as the playgrounds come to the end of their useful life.

Playground Shade Program

A shade program (Refer Appendix D) has been developed following Council's resolution at its meeting 24 January 2017. This was further discussed at a forum on 21 March and in ward briefings throughout April and May. Feedback relating to the provision of artificial shade and considerations for site specific directions for natural (tree planting) and/or artificial shade has been incorporated.

To inform the prioritisation of the works program, a shade audit was undertaken at neighbourhood and regional playground sites utilising the Sunsmart shade audit tool.

An estimated capital cost of \$2.25M for a 5 year works program has been incorporated into Council's adopted the Long Term Financial Plan. The whole of life costs for this program are provided in Appendix H.

Playground Project Methodology

The playground project methodologies are provided as Appendix E. They provide project methodologies for:

- Local and Neighbourhood Playgrounds
- Regional Playgrounds
- Playground Removals

It is recommended that the existing methodology of upfront consultation for regional playgrounds is maintained. These projects are larger projects and it is believed that upfront consultation may save significant rework of design mid-way through the project which can be avoided by involving the community upfront and gaining an appreciation and understanding of site context and use prior to the initial design process.

Following consideration of issues relating to playground removals, an updated methodology for playground removals (Refer Appendix E) is recommended and incorporates consultation on all individual playground removals with the feedback from consultation being reported back to Council for final consideration prior to removal.

Playground Mapping

Playground mapping is attached as Appendix F illustrating:

- Playground hierarchies and classifications
- Playground accessibility within 500m
- Barriers to playground access
- Planned playground works

The City of Marion currently has 93 playgrounds

- 41 of these have been upgraded in the last 7 years
- 13 are listed for removal
- 40 require upgrade in the next 10 years
 - o 7 are being upgraded in 2017 / 2018
 - o 7 are in the planning and design phase in 2017/2018
- 2 new playgrounds are planned

The full list of playground considerations recently deliberated by the Infrastructure and Strategy Committee can be found in Appendix I.

A full list of playgrounds across the City of Marion is provided in Appendix G

Consultation

Community consultation on the draft policy and service levels was undertaken from 19 March to 13 April 2017. Twelve responses in total were received.

Consultation involved:

- Survey accessible on Council's engagement platform, Making Marion
- Social media posts were placed on the City of Marion Facebook page
- 491 stakeholders notified through Council's Parks and Playgrounds e-newsletter database.

Consultation also took place with Elected Members through multiple ward briefings and Elected Member Forums throughout 2016 and 2017:

The Consultation report is attached as Appendix A. This was presented to the Infrastructure and Strategy Committee at its meeting on 4th July 2017 (ISC040717R7.2)

ANALYSIS

Financial Implications

The financial implications of the proposed Playground Framework in line with the draft service levels were provided to the Infrastructure and Strategy Committee at the 5 September 2017 meeting (ISC050917R7.1).

All capital costs associated with the new playground shade program (Refer Appendix E) have been incorporated into Council's adopted Long Term Financial Plan (LTFP).

As a result of the additional playgrounds included and the proposed increase in service standard at one site, an additional \$711,750 needs to be incorporated into Council's LTFP. Due to some adjustments with site timings, there is a positive cash impact in some years (most favourable is \$557k), and a negative cash impact in others (least favourable impact is \$914k). Based upon the adopted LTFP, there are no years where this will put Council into a funding (cash) deficit.

Capital funding planned for upgrade of playgrounds across the next 10 years is in the order of \$10M. An additional \$2.25M is planned for the provision of shade at neighbourhood and regional playgrounds over the next 5 years.

Capital costs associated with a City Wide Attraction Playground estimated to be in the order of \$3.75M have not been incorporated at this time with investigations and planning for this project programmed to commence in 2019/20 to further consider the project.

Capital costs for the new playground at sites linked with future potential residential development opportunities have not been included due to the speculative nature of the developments.

The whole of life costs for the \$2.25M shade program are attached as Appendix H.

Resource Implications

Funding for operating resources related to playground 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.

Additional playgrounds across the City require incorporation into the 10 year works program and require the necessary resources for planning, design, construction and maintenance.

CONCLUSION

The adoption of the City of Marion Playground Framework will ensure that a comprehensive suite of policies, programs and tools are in place to guide the provision of play environments

across the City over the 10 years. Ongoing review of the framework will also ensure it remains contemporary for the changing needs of the City and Community into the future.

APPENDICES

Appendix A	Playground Framework Community Consultation Report
Appendix B	Draft Playground Policy
Appendix C	Draft Playground Service Levels
Appendix D	Draft Playground Prioritised Works List and Shade Program
Appendix E	Playground Project Methodologies
Appendix F	Playground Mapping
Appendix G	Playground Asset Summary List (by ward)
Appendix H	Shade Program - Whole of Life Costs
Appendix I	Playground Framework I&S Playground Advice
Appendix J	Playground Framework Timeline



Playground Policy and Service Levels 2017

Community Consultation Report

April 2017

Playground Policy and Service Levels 2017

Community Engagement Summary

April 2017

The draft Playground Framework as outlined in the report (GC270916R08) proposed that the City of Marion Playground Framework incorporates

- a. Policy (including hierarchy)
- b. Service Levels
- c. Prioritised works list
- d. Project Methodology (including Community Engagement Approach)

At the General Council meeting on 24th January 2017 the following recommendation was endorsed

That council:

- Endorses community consultation on the draft Playground Policy and draft Playground Service Levels for a three-week period in February 2017.

Community feedback was sought on support for the policy and service levels and what was most important to them when planning a playground. Feedback was also sought from relevant peak bodies.

This survey was made available on-line at makingmarion.com.au/playground-framework.

The survey link was distributed in the following ways

- A social media posts was placed on the City of Marion Facebook page
- An email with the link was sent to relevant peak bodies
- A parks and playgrounds newsletter was sent to a database of 432

The survey was open for 3 weeks – 19th March 2017 - 13th April 2017

We had a total of **12** people complete the survey.

A full summary of all responses to each question is provided in this report

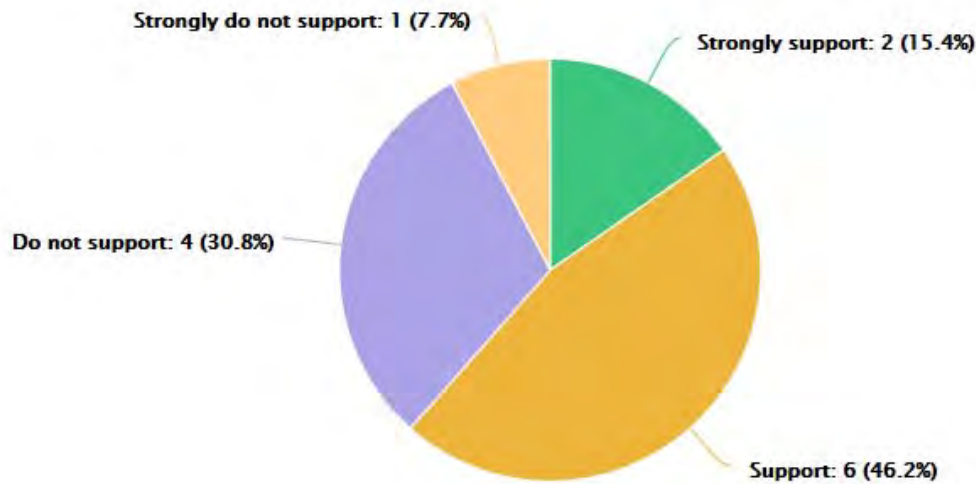
Feedback was divided for support for the policy and service levels and written responses were received.

Overall summary of key themes received

- 61.6% of respondents support or strongly support the draft playground policy and service levels
- It was most important that people had opportunity to comment on proposed playground designs planned near them

Attachment 1 – Summary of feedback received

Q1. Overall what do you think about the Draft Playground Policy and Proposed Service Levels?



Comments included:

- Toilets should also be considered for 'Neighbourhood' level playgrounds. I understand that toilets bring with them their own set of problems. However, I would support seeing toilets (not exLoos) that are locked over-night, have video surveillance and have cleaners attend daily. Expensive maybe, but adds a lot of value to the area (and employment).
- Consultation with children should be a priority and each playground should have consultation so that they are all different, varied and meet the needs of the locals. This is highlighted by the success of the Jervois Street playground and the Edwardstown Oval playground.
- Would like to see more consultation with relevant peak bodies included
- In order to contribute to physical, mental, emotional and social development; and community wellbeing, the Council needs to develop policies that go beyond the needs of families with young children and young people. Although the policy refers to "Sporting and recreation facilities for unstructured sport, diverse opportunities for play for a range of ages, playgrounds that are unique and complex for a range of ages and abilities", the proposed service levels appear to have limited scope for meeting the needs of older residents (50+)"
- 1. Under the heading community engagement the policy stipulates that "the community will have opportunities to comment on proposed playgrounds and their views by considered" Although no formal requirements exist to the depths that council should engage with the community in development of playgrounds and surrounding facilities. It is well known through experience that informing or consulting (lighter and faster approach) is viewed as tokenism and doesn't truly reflect the local communities' aspirations for play and social development. A recent example from a neighboring council saw a community backlash when plans were presented that did not reflect the current trend in play. A major reworking of the design was undertaken. Marion council should look to avoid this where possible and seek opportunities to allow local communities to participate in the design process ranked as "Involve" in the IAP2 Spectrum.
- What is also concerning is that this approach doesn't allow for the active participation of Children; the very members of our community who benefit from these facilities.

Local government has a duty to apply the UN Convention on the Rights of the Child. Australia ratified the CRC in December 1990. This means that Australia has a duty to ensure that all children in Australia enjoy the rights set out in the treaty. Article 12 (Extract Text Link <https://www.unicef.org/crc/files/Right-to-Participation.pdf>) of the Convention on the Rights of the Child states that children have the right to participate in decision-making processes that may be relevant in their lives and to influence decisions taken in their regard—within the family, the school or the community. The principle affirms that children are full-fledged persons who have the right to express their views in all matters affecting them and requires that those views be heard and given due weight in accordance with the child's age and maturity. It recognizes the potential of children to enrich decision-making processes, to share perspectives and to participate as citizens and actors of change. The practical meaning of children's right to participation must be considered in each and every matter concerning children. Jervois Street Reserve is a primary example of where Children's Voice was actively sought by council early in the project. Local Schools, Children's Centre, YAC, NGO Youth Services all participated, not to forget the on-site consultation, which allowed children to design their park through child led activities. The importance of this approach should not be overlooked by council if it wants to continue in providing faculties and playgrounds that are celebrated by the community.

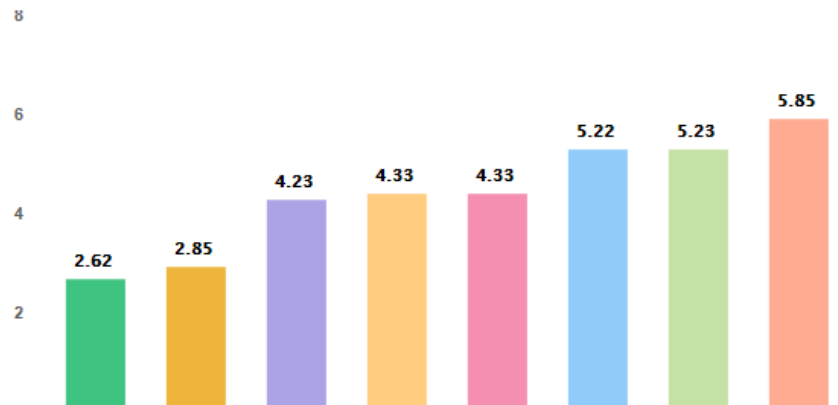
- 2 Under implementation council is looking to create standardised palette reflecting a hierarchy of playground status. The perception is that Council will decide what the community shall have in their playspace limited to a palette that the community have not been able to select. Once again I can see a backlash once the community realise the limitations that Council has imposed on them. I'm curious to understand who picks these elements, what happens when a new element/ trend comes onto the market how does it become added to the palette. I also feel that by creating an approach that makes all our playspace look and feel the same; we have lost sight as a council of what playgrounds are about. Playgrounds should never look and feel the same. Playgrounds firstly should reflect its community, not all communities within your council are the same. Great planning emphasis is placed on re-creating urban villages to reclaim the community vibrancy of bygone eras. Expanding suburbia has ripped the community soul out of our neighborhoods. The place where we live, work and play defines who we are, gives us a sense of belonging a sense of community. Playgrounds are a major destination, a focal point for communities. They should therefore reflect the social, cultural and play values that resonates within its radius celebrate its uniqueness. This is also defined in our early years education framework in belonging, being and becoming. It's important that Council in provision of playgrounds seek collaborative influences that ensure that our public playgrounds are providing values that echo our national learning objectives for play based learning.
- Children need different experiences and standard designs don't promote different opportunities

Q2. What is most important to you when we develop and upgrade new Playgrounds?

Question options

(Click items to hide)

- Playgrounds are creative, innovative and fun
- That playgrounds are accessible for different abilities and ages
- Shade at playgrounds is really important
- Playgrounds are safe and will last a long time
- Playgrounds are provided within 500m, where possible of every residence
- Other
- Playgrounds that are provided are different across the city
- I value having an opportunity to comment on proposed playground designs planned near me



- Toilets
- If the intent of the policy is to be inclusive of all ages and abilities, the facilities at all levels should accommodate the needs of adults and people with mobility issues. For example, every park should have shelters with benches and tables to encourage local residents to socialise, play games and get engaged within their local community.
- Playgrounds that are fenced in and dogs are allowed off leash
- Have some fixed outdoor gym equipment e.g. pull up bar, abdominal bench etc. also having a small basketball court will be a nice touch.
- I have completed the above Q2 only because I had to so I could submit this survey. I have several items that have equal standing in order and wasn't able to reflect this above. So please remove my Q2 response from your final report.
- My number 2 is they must have toilets. Kids can't hold it.

Q3. Any further comments?

- Good to see Marion taking seriously the value of Play! Important that the facilities provided are sustainable (long lasting) and well maintained. I really love the focus on Nature Play. Would like to see the Mitchell Park Reserve development to include a creative, accessible, sustainable, nature inspired playground. The natural trees, grass and mounds already provide great play - so don't change that. Just needs some well designed equipment and facilities to go with it.
- It would be highly desirable if the future planning includes facilities for the older residents such as herb gardens, flower gardens, bocce/petanque, table tennis and encourage other forms of gentle physical exercise.

- Would be really gratefully if there can be a playground within walking distance of Allambee Ave in Edwardstown.
- Thanks to Marion for allowing myself as a rate payer to provide feedback on the draft play policy. I thank the council for seeking opportunities to reduce rate burdens but believe that any cost benefit is severely outweighed by the negatives as outlined above.

Response from Australian Institute of Landscape Architects (SA Chapter)

AILA SA thanks the City of Marion for the opportunity to provide comment on the Draft Playground Policy and commends Council on their vision for creating “accessible and safe play environments that contribute to physical, mental, emotional and social development”. Below is some feedback from the AILA SA Executive team for your consideration.

AILA SA Executive:

- supports Council’s strategic vision for playgrounds, and the role playgrounds perform in providing health and wellbeing opportunities for the community;
- supports Council’s integration of play experiences to offer something for everyone to ensure playgrounds are inclusive rather than exclusive destinations;
- recommends the inclusion of any public art opportunities that could assist with the identity / cultural history of the site of the playground;
- recommends careful consideration of plant and tree species to heighten the experiential opportunities of landscape through colour, foliage, tactility and smell;
- encourages consideration of food producing plants and trees - both endemic and imported;
- encourages Council to look at the role of play grounds in a denser urban environment to perform a broader role as neighbourhood open space;
- encourages Council to include stronger reference to the interaction of playgrounds with the natural environment / trees / vegetation / green infrastructure; and
- recommends including some reference to cycle parking facilities.

Draft Playground 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 playgrounds 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 playground 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 playgrounds 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 playgrounds:

Accessible & Diverse

- Playgrounds and associated facilities and amenities will cater for a range of abilities and needs
- Playground designs will be ~~unique~~, stimulating and fun to enable ~~varying~~ play environments within each community
- Playgrounds will be provided within walking distance (approximately 500m), where possible, of every residence, taking pedestrian barriers into account.
- The location and design complexity of playgrounds that are located in the open space network will be guided by the Open Space Hierarchy for the City of Marion

Creative, Innovative & Fun

- Playgrounds 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)
- Playgrounds 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 playgrounds which is undertaken in line with the Australian Standards: but we accept that
- ~~Playgrounds 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 playgrounds and their views will be considered.

5. POLICY SCOPE

The scope of this policy pertains to all publicly accessible playgrounds on land owned and under the care, control and management of the City of Marion.

6. IMPLEMENTATION

This Policy is a component of a Playground Framework comprising:

1. Policy (including hierarchy)
2. Service Levels
3. Prioritised Works List
4. Project Methodology (including Community Engagement Approach)

The Playground 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 and neighbourhood ~~and regional~~ hierarchy playgrounds ~~design~~. Regional and City Wide

Destination playgrounds will be designed as high quality destinations responsive to Council and resident needs and can utilise equipment outside of the palette as required.

7. HIERARCHY

The Playground hierarchy describes the level of playgrounds and types of facilities that may ~~be~~ exist within the playground ~~and~~ includes definitions and user catchment distances for hierarchies. These are to be used as a guide in the provision of playground planning and may be subject to other considerations as they arise such as topography, major barriers including major roads, drains and rail lines.

Local Level

Categories	Description
Purpose	Local Level playgrounds 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 playgrounds 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 playgrounds for extended periods of time. They provide similar environmental value as Local Level playgrounds.
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 with consideration of shade over playground equipment, water sensitive urban design landscaping, limited irrigated grass.

Regional Level

Categories	Description
Purpose	Regional Level playgrounds 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, playgrounds that are unique and complex for a range of ages and abilities, park furniture and amenities including public toilets, Shade and

	shelter with consideration of shade over playground equipment, pathways for accessibility, water sensitive urban design landscaping, irrigated grass, public art, off-road car parking

Destination Level City Wide Attraction

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 <u>Destination Playground City Wide Attraction</u> 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 <u>Destination playground City Wide Attraction</u> will cater for a diversity of users from passive recreation, family picnics, and community group gatherings to larger events.
Types of facilities	A <u>Destination Playground City Wide Attraction</u> 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 with consideration of shade over playground equipment, BBQ's and public art. A <u>destination play space City Wide Attraction</u> would cater for all ages and abilities, providing amenities to enable long stays.

8. DEFINITIONS

Playground

'Playground' 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 'playground'.

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 playgrounds, 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

City of Marion

- [Community Vision – Towards 2040](#)
- [Strategic Plan 2017-2027](#)
- Business Plan 2016-2019
- Open Space ~~and Recreation Strategy~~ [Policy](#)
- Walking and Cycling Strategy
- Tree Management Policy & Framework
- Irrigation Management Plan
- ~~Sports Facility Framework~~
- Asset Management Policy & Plans
- Risk Framework
- Community Engagement Policy

Other

- Australian Standard for Playground Equipment 4685:2014 Parts 1 - 6
- Australian Standard for Playground Surfacing 4422:2016
- Play Australia's "Getting the Balance Right: Risk Management for Play" 2016

Policy Name and version no.	City of Marion Playground 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 Playgrounds

Appendix C

June 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	\$111,750	Shade and shelter. Potential for artificial 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
		Consideration for artificial shade over play equipment***	TBC	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
				Consideration for artificial shade over play equipment***	TBC	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

*** Artificial shade will be costed as an additional cost on a case by case basis

Prioritised Playground Works List (revised annually subject to audits)			Page 84		
Reserve	Playground Installation Date	Suburb	Proposed Reserve Hierarchy	Ward	Priority Low 8-10 years, Med 4-8 years, High 2 -4 years
Christopher Grove Reserve	1996	O'Halloran Hill	Local	Southern Hills	H
Central Avenue Reserve	1990	Hallett Cove	Local	Coastal	H
The Crescent Reserve	1990	Edwardstown	Local	Woodlands	H
Oakvale Way Reserve	1995	Hallett Cove	Local	Coastal	H
Yanyarrie Avenue Reserve	1990	Edwardstown	Neighbourhood	Woodlands	H
Dwyer Road Reserve	1990	Oaklands Park	Neighbourhood	Warracowie	H
Glandore Community Centre	1995	Glandore	Neighbourhood	Woodlands	H
Alpine Road Reserve	1995	Seacombe Heights	Neighbourhood	Warriparinga	M
Weaver Street Reserve	2000	Edwardstown	Neighbourhood	Woodlands	M
Hugh Johnson Boulevard Reserve	1998	Sheidow Park	Regional	Southern Hills	M
George Street Reserve	1994	Marion	Neighbourhood	Warriparinga	M
Hessing Crescent Reserve	1995	Trott Park	Neighbourhood	Southern Hills	M
Wistow Crescent Reserve	1996	Trott Park	Local	Southern Hills	M
Peterson Avenue Reserve	1998	Mitchell Park	Local	Warriparinga	M
Hamilton Park Reserve	2000	Warradale	Neighbourhood	Warracowie	M
Ballara Park	1995	Warradale	Local	Warracowie	M
The Cove Sports and Community Club	2006	Sheidow Park	Neighbourhood	Southern Hills	M
Lapwing Street Reserve	1994	Hallett Cove	Local	Warracowie	L
Tatonendi / Trowbridge Avenue Reserve	1994	Mitchell Park	Local	Warriparinga	L
Scarborough Terrace Reserve	2001	Dover Gardens	Neighbourhood	Warracowie	L
Hawkesbury Avenue Reserve	1994	Sturt	Local	Warriparinga	L
Stanley Street Reserve	1995	Glengowrie	Neighbourhood	Mullawirra	L
Southbank Boulevard Reserve	2005	Sheidow Park	Neighbourhood	Southern Hills	L
Manoora Drive Reserve	2005	Hallett Cove	Local	Warriparinga	L
Marion Oval	2005	Marion	Neighbourhood	Warriparinga	L
Cosgrove Hall (Graham Watts) Reserve	2005	Clovelly Park	Local	Warriparinga	L
Sep-17					

In Progress (Business Plan Commitments)			
2017 /2018 Construction			
Inclusive Playground Hendrie Street	Park Holme	Regional	Mullawirra
Sixth Avenue Reserve	Ascot park	Neighbourhood	Woodlands
Breakout Creek Reserve	Glengowrie	Local	Mullawirra
Gully Road Reserve North	Seaview Downs	Neighbourhood	Southern Hills
Appleby Road Reserve	Morphetville	Neighbourhood	Mullawirra
Clare Avenue Reserve	Sheidow Park	Local	Southern Hills
Woodforde Family Reserve	Park Holme	Local	Mullawirra
2017 / 2018 Planning and Design			
Heron Way Reserve	Hallett Cove	Regional	Coastal
Capella Reserve	Hallett Cove	Neighbourhood	Coastal
Bandon Terrace Reserve*	Marino	Neighbourhood	Coastal
Shamrock Road Reserve	Hallett Cove	Neighbourhood	Coastal
First Avenue Reserve	Ascot Park	Local	Woodlands
Mitchell Park Oval	Mitchell Park	Neighbourhood	Warriparinga
Oaklands Estate Reserve	Oaklands Park	Neighbourhood	Warriparinga
*subject to Precinct Plan timing			

Appendix D				
New and Possible Playgrounds				
Reserve	Suburb	Proposed Reserve Hierarchy	Ward	Priority Low 8-10 years, Med 4-8 years, High 2 -4 years
New Playgrounds				
McConnell Street Reserve	Marino	Local	Coastal	H
Brooklyn Street Reserve	Sheidow Park	Local	Southern Hills	H
Tonsley	Tonsley	Regional	Warriparinga	M
Cowra Crescent Reserve	Park Holme	Local	Mullawirra	M
Miners Court Reserve	Sheidow Park	Local	Southern Hills	L
Woodend development	Trott Park	Local	Southern Hills	L
Capella Drive Reserve	Hallett Cove	Neighbourhood	Coastal	tbc
Skipper Close Reserve	Hallett Cove	Local	Southern Hills	tbc
Possible Open Space / Playground developments as part of future developments. **				
Goodman Court (Renewal SA)	South Plympton	Local	Woodlands	H
Castle Plaza	Edwardstown	Unknown	Woodlands	L
MCC	Oaklands Park	Unknown	Warracowie	M
Glenthorne Farm	O'Halloran Hill	Unknown	Southern Hills	L
Sandy Glass Court	Sheidow Park	Local	Southern Hills	L
Ash Avenue	Tonsley	Local	Warriparinga	L
** Works to be scheduled				

Proposed Removals				
Reserve	Playground Installation Date	Suburb	Hierarchy	Ward
Gully Road Reserve South*	1990	Seacliff Park	Neighbourhood	Southern Hills
Cohen Court Reserve	1994	Clovelly Park	Local	Warriparinga
Penrith Court Reserve	1995	Mitchell Park	Local	Warriparinga
Nannigai Drive Reserve	1994	Hallett Cove	Local	Coastal
Westall Way Reserve	1995	Sheidow Park	Local	Southern Hills
Mitchell Street Reserve	1994	Seaview Downs	Local	Southern Hills
Parsons Grove Reserve	1990	Park Holme	Local	Mullawirra
Ben Pethick Reserve	1994	Marion	Local	Warracowie
Cowra Crescent Reserve**	1994	Park Holme	Local	Mullawirra
Strutt Court Reserve	2001	Trott Park	Local	Southern Hills
Glandore Community Child Care*	1993	Glandore	Local	Woodlands
Cormorant Drive Reserve	2001	Hallett Cove	Local	Coastal
Sandy Glass Court	2013	Sheidow Park	Local	Southern Hills
* Proposal to consolidate 2 playgrounds at the site to 1				
** Further consideration and investigation of alternative site				

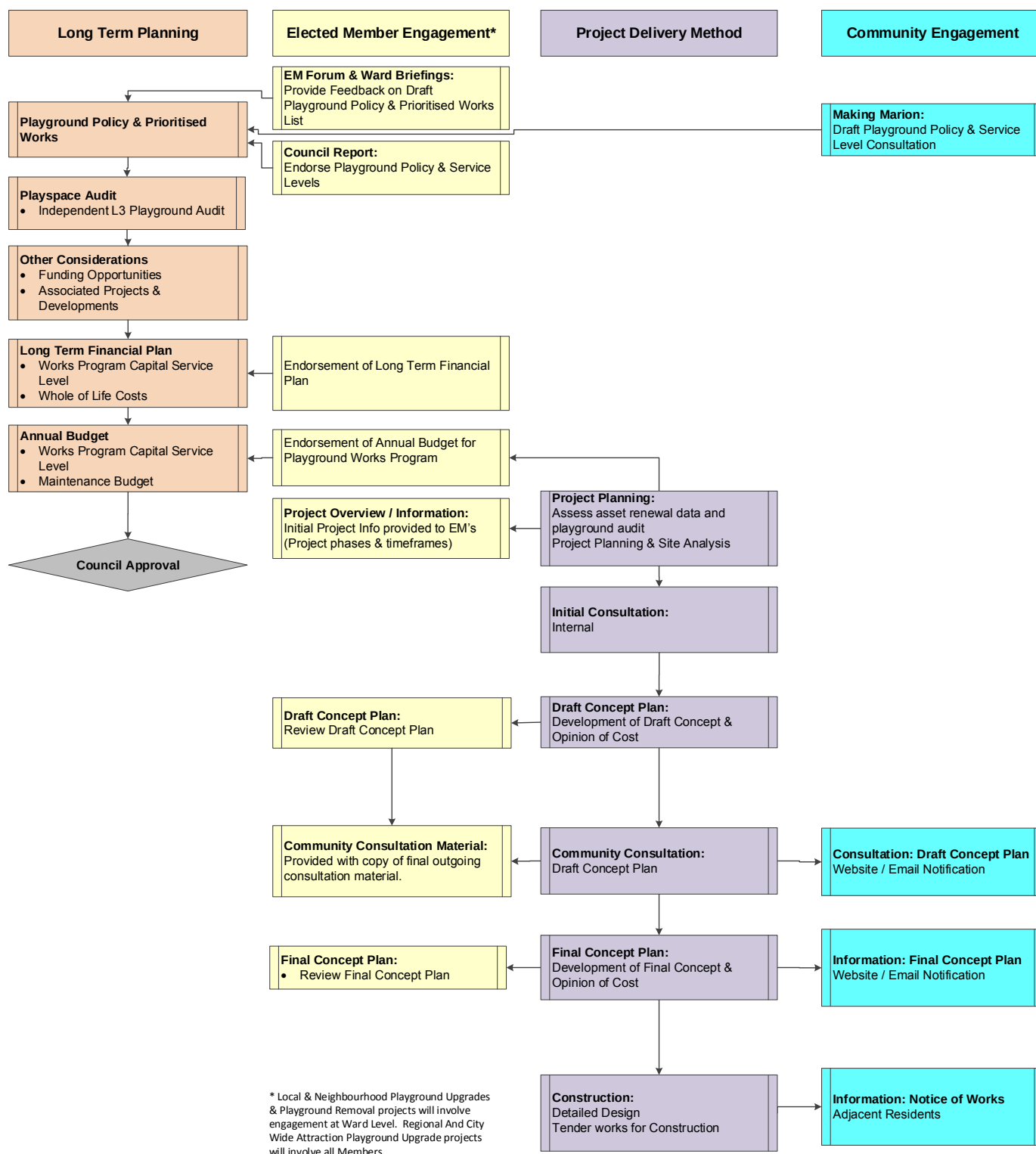
Prioritised Shade Construction List (to be reviewed annually)			*H - High Priority (1 - 2 years) M - Medium Priority (3 - 4 years) L - Low Priority (4 - 5 years)	Page 85			
Site	Hierarchy	Ward	Draft shade construction - High,	Existing Shade			Comments
			Med, Low*	Artificial Shade	Natural Shade	Sufficient	
Roy Lander	Neighbourhood	Southern Hills	H	✓	✓		Opportunity for both artificial and natural shade
Heron Way Reserve	Regional	Coastal	H	✓	✓		Shade included in existing construction budget
Marion Oval	Neighbourhood	Warriparinga	H	✓	✓		Opportunity to include shade in playground upgrade. To be upgraded as a High priority (1-3 years)
Jervois Street Reserve	Regional	Woodlands	H	✓			Council report GC110417 recommended shade
Aldridge Ave Reserve	Neighbourhood	Mullawirra	H	✓			Opportunity for shade over play equipment
Pavana Reserve	Neighbourhood	Coastal	H	✓	✓		Opportunity for shade over play equipment
Glade Crescent Reserve	Regional	Coastal	H		✓		Shade has been installed over slippery dip only. Opportunity for further tree planting
Reserve Street Reserve	Neighbourhood	Southern Hills	H	✓	✓		Opportunity for shade over play equipment
Harbrow Grove Reserve	Neighbourhood	Warracowie	H	✓			Opportunity for shade over play equipment
Maldon Ave Reserve	Neighbourhood	Warriparinga	H		✓	✓	Site mostly shaded with mature trees. Opportunity for further tree planting
Shamrock Road Reserve	Neighbourhood	Coastal	H	✓	✓		Playground to be upgraded as a High priority (1-3years)
Hendrie Street Reserve	Regional	Mullawirra	H	✓	✓		Part shade included in existing contruction budget
Linear Park Reserve	Neighbourhood	Coastal	H	✓	✓		Opportunity for shade over play equipment
Barton Drive Reserve	Neighbourhood	Southern Hills	H	✓			Opportunity for shade over play equipment
Warradale Park Reserve	Neighbourhood	Warracowie	H	✓			Opportunity for shade over play equipment
Oaklands Road Estate	Neighbourhood	Warracowie	H	✓	✓		Playground to be upgraded as a High priority (1 - 3 years)
Gully Road Reserve	Neighbourhood	Southern Hills	H	✓	✓		upgrade construction 2017/2018
Sixth Ave Reserve	Neighbourhood	Woodlands	H	✓	✓		upgrade construction 2017/2018
Rosslyn Street Reserve	Neighbourhood	Woodlands	M	✓			Opportunity for shade over play equipment
Cadell Street Reserve	Neighbourhood	Southern Hills	M	✓	✓		Opportunity for shade over play equipment
Mulcra Ave Reserve	Neighbourhood	Mullawirra	M	✓	✓		Opportunity for shade over some play equipment
Southbank Boulevard	Neighbourhood	Southern Hills	M	✓	✓		playground to be upgraded as a Low priority (8 - 12 years)
Kenton Ave Reserve	Neighbourhood	Warracowie	M		✓		Natural play area - opportunity to increase natural shade
Bandon Terrace Reserve	Neighbourhood	Coastal	M	✓	✓		playground to be upgraded as a High priority (1- 3 years)
Hugh Johnstone Boulevard	Regional	Southern Hills	M	✓	✓		playground to be upgraded as a High priority (1- 3 years)
Appleby Road Reserve	Neighbourhood	Morphetville	M	✓	✓		design to be completed by Renewal SA
Mitchell Park Oval	Neighbourhood	Warriparinga	M	✓	✓		playground to be upgraded as a High priority (1- 3 years)
Dwyer Road Reserve	Neighbourhood	Warracowie	M	✓	✓		playground to be upgraded as a High priority (1- 3 years)
Edwardstown Memorial Oval	Neighbourhood	Woodlands	L			✓	Immature trees will provide plenty of future shade - revisit site at a future date
George Street Reserve	Neighbourhood	Warriparinga	L	✓			Playground to be upgraded as a High priority (1 - 3 years)
Stanley Street Reserve	Neighbourhood	Mullawirra	L	✓	✓		playground to be upgraded as a Medium priority (4 - 7 years)
The Cove Oval	Neighbourhood	Southern Hills	L	✓	✓		playground to be upgraded as a Medium priority (4 - 7 years)
Capella / Nannigai Reserve	Neighbourhood	Coastal	L	✓	✓		playground to be developed as part of a Capella Precinct plan
Glandore Community Centre	Neighbourhood	Woodlands	L	✓			playground to be upgraded as a Medium priority (4 - 7 years)
Alpine Road Reserve	Neighbourhood	Warriparinga	L	✓	✓		playground to be upgraded as a Medium priority (4 - 7 years)
Scarborough Tce Reserve	Neighbourhood	Warracowie	L	✓	✓		playground to be upgraded as a Low priority (8 - 12 years)
Hamilton Park Reserve	Neighbourhood	Warracowie	L	✓			playground to be upgraded as a Low priority (8 - 12 years)
Yanyarrie Ave Reserve	Neighbourhood	Woodlands	L	✓	✓		playground to be upgraded as a Low priority (8 - 12 years)
Weaver Street Reserve	Neighbourhood	Woodlands	L	✓	✓		playground to be upgraded as a Low priority (8 - 12 years)
Sandery Ave Reserve	Neighbourhood	Warracowie	N/A			✓	Natural shade exists that sufficiently shades play equipment
Glandore Oval	Neighbourhood	Woodlands	N/A			✓	Natural shade exists that sufficiently shades play equipment
McKellar / Kendall Reserve	Neighbourhood	Mullawirra	N/A			✓	Natural shade exists that sufficiently shades play equipment
Brolga Place Reserve	Neighbourhood	Warriparinga	N/A			✓	Natural shade exists that sufficiently shades play equipment
Rajah Street Reserve	Neighbourhood	Warracowie	N/A			✓	Natural shade exists that sufficiently shades play equipment
Willoughby Ave Reserve	Neighbourhood	Mullawirra	N/A			✓	Natural shade exists that sufficiently shades play equipment
Hessing Crescent Reserve	Neighbourhood	Southern Hills	N/A			✓	Natural shade exists that sufficiently shades play equipment
Plympton Oval	Neighbourhood	Mullawirra	N/A			✓	Artificial shade already exists over play equipment
Hazelmere Road Reserve	Regional	Mullawirra	N/A			✓	Artificial shade already exists over play equipment
Please note this is a working document subject to playground program alteration							

Playground Framework

Local and Neighbourhood Methodology



Appendix E

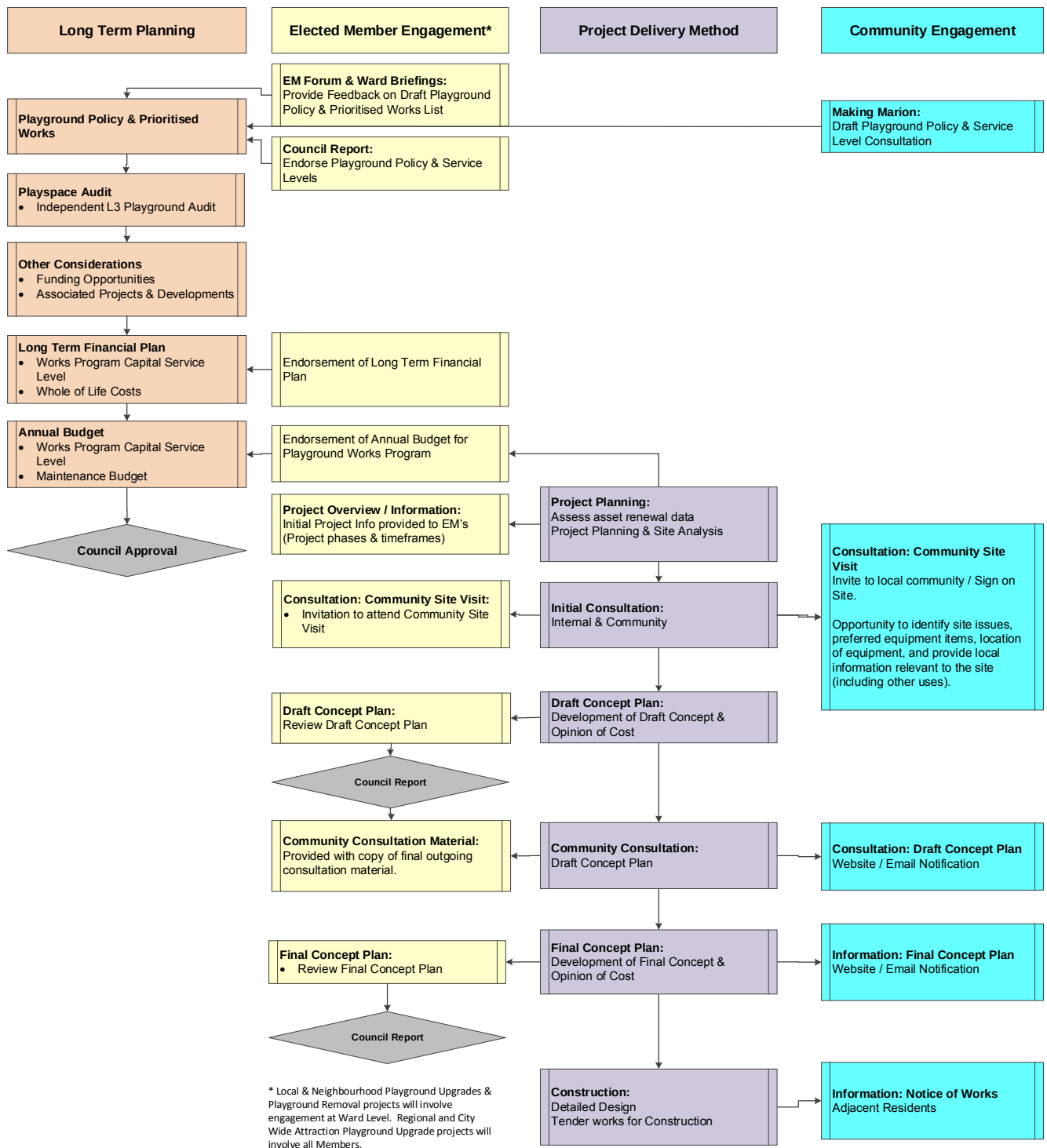


Playground Framework

Regional and City Wide Attraction Methodology



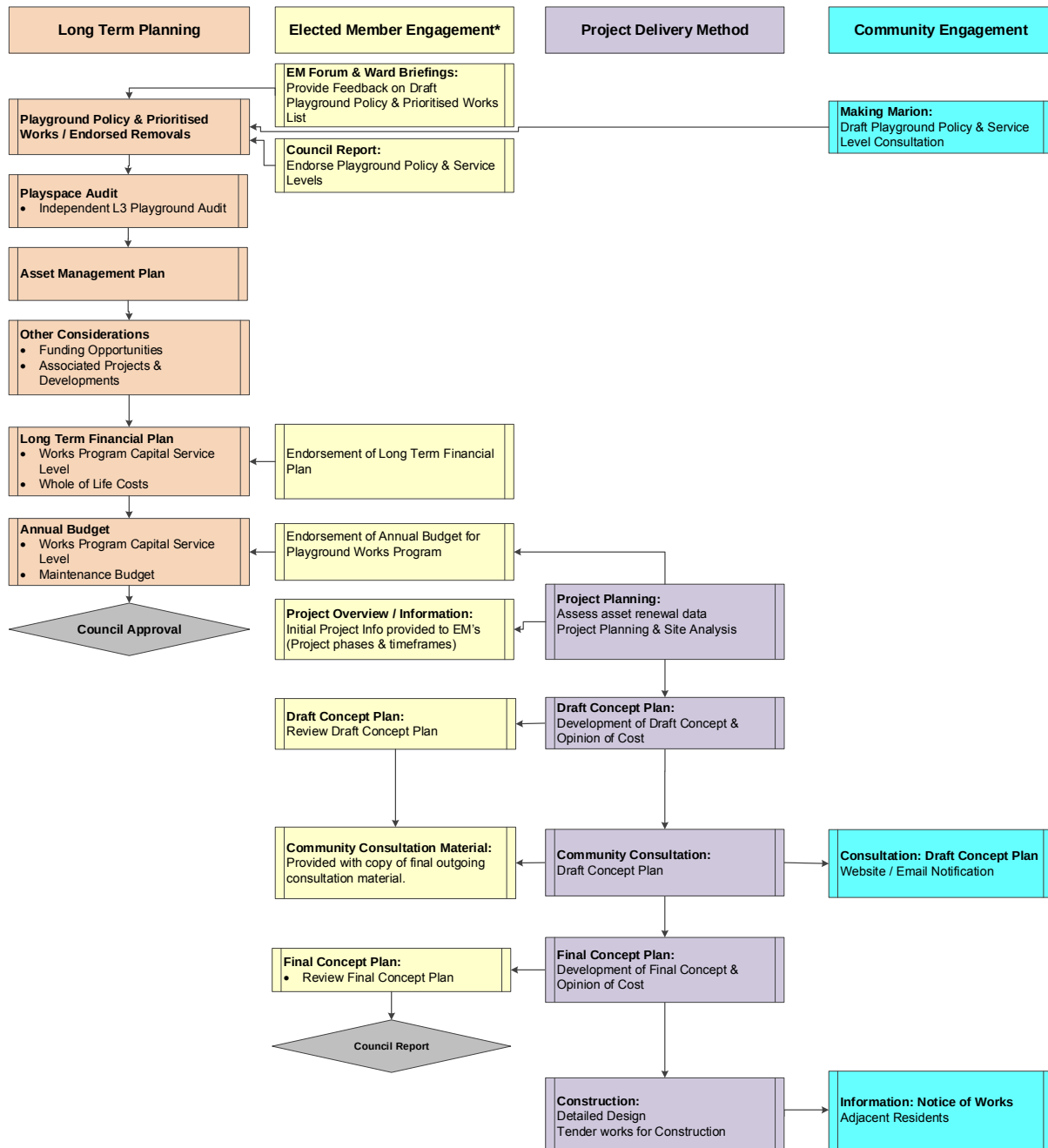
Appendix E



Playground Framework

Playground Removal Methodology

Appendix E



Reserve	Ward	Hierarchy	Hierarchy to be removed	Playground Installation year	Upgrade Priority - 10 year works program	Playgrounds already upgraded	Playgrounds yet to be upgraded	New playgrounds for consideration for inclusion in	Total Assets	Shade Priority
Chatsworth Court Reserve	Coastal	Local		2010		\$95,250				
Columbia Crescent Reserve	Coastal	Local		2010		\$95,250				
Central Avenue Reserve 1	Coastal	Local		1990	High		\$95,250			
Koomooloo Cresent Reserve	Coastal	Local		2010		\$95,250				
Oakvale Way Reserve	Coastal	Local		1994	High		\$95,250			
Olivier Terrace Reserve	Coastal	Local		2010		\$95,250				
Lapwing Street Reserve	Coastal	Local		1994	Low		\$95,250			
Nimboya Road Reserve	Coastal	Local		2011		\$95,250				
Manoora Drive Reserve	Coastal	Local		2006	Low		\$95,250			
Mema Court Reserve	Coastal	Local		2010		\$95,250				
Pavana Reserve	Coastal	Neighbourhood		2010		\$235,500				High
Linear Park Reserve 3	Coastal	Neighbourhood		2014		\$235,500				High
Bandon Terrace Reserve	Coastal	Neighbourhood		1994	18/19		\$235,500			High
Shamrock Road Reserve	Coastal	Neighbourhood		1995	18/19		\$235,500			High
Glade Crescent Reserve	Coastal	Regional		2012		\$869,250				High
Heron Way Reserve	Coastal	Regional		1999	18/19		\$985,000			High
Cormorant Drive Reserve 2	Coastal		Local	2001						
Nannigai Drive Reserve	Coastal		Local	1994						
Cappella Reserve (NEW)	Coastal	Neighbourhood			tbh		\$ 235,500			
McConnell Reserve East (NEW)	Coastal	Local						\$ 95,250		
						\$1,911,750	\$2,072,500	\$95,250	\$4,079,500	
Breakout Creek Reserve	Mullawirra	Local		1995	17/18		\$95,250			
Elizabeth Ryan Playground	Mullawirra	Local		2007		\$95,250				
Family)	Mullawirra	Local		1990	17/18		\$95,250			
Appleby Road Reserve	Mullawirra	Neighbourhood		1991	17/18		\$235,500			Medium
Stanley Street Reserve	Mullawirra	Neighbourhood		1995	Low		\$235,500			Low
Mulcra Avenue Reserve	Mullawirra	Neighbourhood		2012		\$235,500				Medium
Aldridge Avenue Reserve	Mullawirra	Neighbourhood		2013		\$235,500				High
Plympton Oval	Mullawirra	Neighbourhood		2015		\$235,500				*
Kendall Reserve	Mullawirra	Neighbourhood		2013		\$235,500				*
Willoughby Avenue Reserve	Mullawirra	Neighbourhood		2010		\$235,500				*
Hendrie Street	Mullawirra	Regional		1995	17/18		\$869,250			High
Hazelmere Road Reserve	Mullawirra	Regional		2011		\$869,250				*
Parsons Grove Traffic Island 2	Mullawirra		Local	1990						
Cowra Cresent Reserve	Mullawirra		Local	1994						
Park Holme (NEW) replacing Cowra Crescent	Mullawirra				Medium			\$ 95,250.00		
						\$2,142,000	\$1,530,750	\$95,250	\$3,768,000	

Reserve	Ward	Hierarchy	Hierarchy to be removed	Playground Installation year	Upgrade Priority - 10 year works program	Playgrounds already upgraded	Playgrounds yet to be upgraded	New playgrounds for consideration for inclusion in	Total Assets	Shade Priority
Eurelia Road Reserve/Elgata Reserve	Southern Hills	Local		2010		\$95,250				
Clare Avenue Reserve	Southern Hills	Local		1994	17/18		\$95,250			
Christopher Grove Reserve	Southern Hills	Local		1996	High		\$95,250			
Wistow Crescent Reserve	Southern Hills	Local		1996	Medium		\$95,250			
Spinnaker Circuit Reserve - West	Southern Hills	Local		2013		\$95,250				
The Cove Oval and Sports Club 2	Southern Hills	Neighbourhood		2006	Medium		\$235,500			Low
Reserve Street Reserve	Southern Hills	Neighbourhood		2012		\$235,500				High
Southbank Boulevard Reserve	Southern Hills	Neighbourhood		2005	Low		\$235,500			Medium
Roy Lander Reserve	Southern Hills	Neighbourhood		2010		\$235,500				High
Cadell Street Reserve	Southern Hills	Neighbourhood		2011		\$235,500				Medium
Barton Drive Reserve	Southern Hills	Neighbourhood		2012		\$235,500				High
Hessing Crescent Reserve	Southern Hills	Neighbourhood		1995	Medium		\$235,500			*
Gully Road Reserve South	Southern Hills	Neighbourhood		1990	17/18		\$235,500			High
Hugh Johnson Boulevard Reserve	Southern Hills	Regional		1998	Medium		\$869,500			Medium
Skipper Close Reserve (NEW)	Southern Hills	Local			tbc			\$95,250		
Brooklyn Drive Hallett Cove Heights (NEW)	Southern Hills	Local			High		\$95,250			
Woodend Rd Residential Dypt area (NEW)	Southern Hills	Local			Low			\$95,250		
Miners Court Reserve (NEW)	Southern Hills	Local			Low			\$95,250		
Westall Way Reserve	Southern Hills	Local		1995						
Strutt Court Reserve	Southern Hills	Local		2001						
Mitchell Street Reserve	Southern Hills	Local		1994						
Sandy Glass Court Reserve	Southern Hills	Local		2013						
Gully Road Reserve North	Southern Hills	Neighbourhood		1994						
						\$1,132,500	\$2,192,500	\$285,750	\$3,610,750	
McKay Street Reserve	Warracowie	Local		2010		\$95,250				
Ballara Park Reserve	Warracowie	Local		1995	Medium		\$95,250			
Ramsay Avenue Reserve 2	Warracowie	Local		2011		\$95,250				
Scarborough Terrace Reserve	Warracowie	Neighbourhood		2001	Low		\$235,500			Low
Sandery Avenue Reserve	Warracowie	Neighbourhood		2010		\$235,500				*
Rajah Street Reserve	Warracowie	Neighbourhood		2014		\$235,500				*
Kenton Avenue Reserve	Warracowie	Neighbourhood		2013		\$235,500				Medium
Dwyer Road Reserve	Warracowie	Neighbourhood		1999	High		\$235,500			Medium
Harbrow Grove Reserve	Warracowie	Regional		2011		\$869,500				High
Hamilton Park Reserve	Warracowie	Neighbourhood		1996	Medium		\$235,500			Low
Warradale Park Reserve	Warracowie	Neighbourhood		2014		\$235,500				High
Oaklands Road Estate	Warracowie	Neighbourhood		1994	18/19		\$250,000			High
Ben Pethick Reserve	Warracowie	Local		1994						
MCC (NEW)	Warracowie	Unknown			Medium					
						\$2,002,000	\$1,051,750	\$0	\$3,053,750	

Reserve	Ward	Hierarchy	Hierarchy to be removed	Playground Installation year	Upgrade Priority - 10 year works program	Playgrounds already upgraded	Playgrounds yet to be upgraded	New playgrounds for consideration for inclusion in	Total Assets	Shade Priority
Alpine Road Reserve	Warriparinga	Neighbourhood		1994	Medium		\$235,500			Low
Alison Avenue Reserve	Warriparinga	Local		2010		\$95,250				
Tilley Court Reserve	Warriparinga	Local		2011		\$95,250				
Peterson Avenue Reserve	Warriparinga	Local		1998	Medium		\$95,250			
Cosgrove Hall	Warriparinga	Local		2005	Low		\$95,250			
Hawkesbury Avenue Reserve	Warriparinga	Local		1994	Low		\$95,250			
Tartonendi	Warriparinga	Local		1994	Low		\$95,250			
Marion Oval	Warriparinga	Neighbourhood		2005	Low		\$235,500			High
Brolga Place Reserve	Warriparinga	Neighbourhood		2010		\$235,500				*
Maldon Avenue Reserve	Warriparinga	Neighbourhood		2012		\$235,500				High
Mitchell Park Oval/Reserve	Warriparinga	Neighbourhood		1994	18/19		\$235,500			Medium
George Street Reserve	Warriparinga	Neighbourhood		1994	Medium		\$235,500			Low
Tonsley (NEW)	Warriparinga	Regional			Medium		\$869,500			
Ash Court (NEW)	Warriparinga	Local								
Penrith Court Reserve	Warriparinga		Local	1995						
Cohen Court Reserve	Warriparinga		Local	1994						
						\$661,500	\$2,192,500	\$0	\$2,854,000	
First Ave Reserve	Woodlands	Local		1994	18/19		\$95,250			
Yapinga Street Reserve	Woodlands	Local		2012		\$95,250				
Dumbarton Ave Reserve	Woodlands	Local		2010		\$95,250				
The Crescent Reserve	Woodlands	Local		1994	High		\$95,250			
York Avenue Reserve	Woodlands	Local		2013		\$95,250				
Audrey Street Reserve	Woodlands	Local		2012		\$95,250				
Yanyarrie Avenue Reserve	Woodlands	Neighbourhood		1994	High		\$235,500			Low
Rosslyn Street Reserve	Woodlands	Neighbourhood		2010		\$235,500				Medium
Glandore Community Centre	Woodlands	Neighbourhood		1994	High		\$235,500			Low
Glandore Oval	Woodlands	Neighbourhood		2011		\$235,500				*
Edwardstown Memorial Oval	Woodlands	Neighbourhood		2015		\$235,500				Low
Weaver Street Reserve	Woodlands	Neighbourhood		1995	Medium		\$235,500			Low
Sixth Ave Reserve	Woodlands	Neighbourhood		1995	17/18		\$235,500			High
Jervois Street Reserve	Woodlands	Regional		2016		\$869,500				High
Glandore Community Centre (childcare)	Woodlands		Neighbourhood	1993						
**Goodman Court (NEW)	Woodlands	Local			High					
**Castle Plaza (NEW)	Woodlands	Local			Low					
						\$1,957,000	\$1,132,500	\$0	\$3,089,500	

* Already shaded or sufficient shade already exists

**Subject to future developments

Already upgraded

Yet to be upgraded

New

Whole of Life Cost Analysis - Playground shading - Shade sails and tree planting												
Description	Lifecycle Yrs	Acquisition Cost	Projected Operating Costs pa	Projected Maintenance Costs pa	Total Projected O&M pa	Less Existing O&M pa	Net Increase O&M pa	Projected Depreciation/ Renewal pa	Existing Depreciation/ Renewal pa	Net Increase Depreciation/ Renewal pa	Whole of Life Cost of Proposal	Whole of Life Increase Cost of Proposal
Shade sails inclusive of design and engineering	15	2,142,250	-	107,113	107,113	-	107,113	142,817	-	142,817	7,140,833	7,140,833
Tree planting (includes 3 years watering)	20	112,750	-	5,638	5,638	-	5,638	5,638	-	5,638	338,250	338,250
Total (whole of life cost based upon 20 years)	20	2,255,000	-	112,750	112,750	-	112,750	148,454	-	148,454	7,479,083	7,479,083

*Whole of life costs include acquisition, operating & maintenance expenditure and depreciation/renewal using current values.
Maintenance costs calculated at 5% per annum

Consideration	Site	Cost	Staff Comment	I&S Committee Feedback
New Playgrounds	McConnell Street Reserve, Marino (Local)	\$95,250 + whole of life costs	Support	- Agree with recommendation for a local level playground - Supportive of a playground on the Eastern side of the reserve
	Skipper Close Reserve, Hallett Cove (Local)	\$95,250 + whole of life costs	**Further consideration required	- Has been promised for the past 10 years (originally by the developers) - Differing views on whether 3 playgrounds are required in Hallett Cove / Hallett Cove Heights - Would the relocation of clubs from the Cove Sports create an opportunity there (e.g. BMX)?
	Miners Court Reserve, Sheidow Park (Local)	\$95,250 + whole of life costs	Support	- Not supported for the immediate future but include for 10-12 year plan - Could give up in place of a larger playground in the area
	Peter Court Reserve, O'Halloran Hill (Local)	\$95,250 + whole of life costs	**Further consideration required	- Not supported - No feedback received regarding the removal of playground at Luke Court. - A playground at Glenthorne Farm would also negate this
	Woodend (site to be confirmed with nearby residential development), Sheidow Park	\$95,250 + whole of life costs	Support with further residential development	- Not supported for the immediate future but include for 10-12 year plan - Review if Community access to the school playground is removed
Possible open space/playground developments as part of future developments	Ash Avenue, Tonsley (Local) (in partnership with Renewal SA)	To be determined	Support in partnership with Renewal SA	- If a playground is to go ahead this would be temporary on leased land from Renewal SA - Land would need to be confirmed as fit for use for Open Space and Recreation purpose under NEPM guidelines - Additional information to be included in the report to Council including: contamination of the site, any costs associated with confirming fit for purpose, how temporary the arrangement would be and what other playgrounds are planned for

				Tonsley (if any) Query council funding for a temporary playground
	Goodman Court, Glandore	To be negotiated with developer	Support as part of future residential development	- Need more detail on development plans - Council should negotiate harder with developer for optimum open space outcomes.
	Castle Plaza development, Edwardstown	To be negotiated with developer	Support as part of future residential development	- Need more detail on development plans - Council should negotiate harder with developer for optimum open space outcomes.
	Marion Cultural Centre	To be determined	Supported for further consideration as part of broader MCC Plaza planning and development	- Consider in line with the Oaklands Crossing Project - Need a holistic approach for this space being the 'heart of the city'
Potential Future Other	Glenthorne Farm	To be determined	Further consideration required and dependent on Glenthorne Farm being opened to public	- Community access to the land would need to happen first - Not supported for the immediate future but include for 10-12 year plan
Proposed removals to be reconsidered	Cowra Crescent Reserve, Park Holme (upgrade existing site or new site developed nearby)	\$95,250 + whole of life costs	Support	- There is a need in the area. - Not an ideal location but no other options at this stage are available - Could look for any land acquisitions - Could consider road closures to connect sections of the reserve. - Detail should be provided on the potential whole costs (e.g. land acquisition, road closures etc) - Cross reference any other plans and/or budget relevant to the area / location

	Sandy Glass Court, Sheidow Park to be revisited in 10-15 years as the playground reaches the end of its life	Nil	To remain until end of useful life and then reconsidered	• Agree with staff recommendation • Leave as is until end of useful life
Further hierarchy review	Alpine Road Reserve: Existing: Local Proposed: Neighbourhood	\$140,250 + whole of life costs Shade	Support	• Agree with staff recommendation • Support increase in hierarchy

Playground Framework Timeline



29 March 2016	EMF290316R03	Discussion Playground Strategy Review • Play Space Distribution / Provision • Budget / Long Term Financial Plan • Delivery Process / Timeframes • Community Engagement Approach
April/May 2016	Ward Briefings	Discussion at each ward: • Review of playground distribution (investigate 1km catchment) • Review of current and potential hierarchy of playgrounds • Consideration of opportunities for further consolidation / improvements
26 April 2016	GC260416R10	Open Space Works Program • Council endorsed 2016-2019 open space works program including playground works
14 June 2016	GC140616R15	Destination Playground Investigation • Council endorsed Destination Playground Investigation commence in 2019/20
27 September 2016	GC270916R07	Review of Playground Strategy • Council report deferred for further discussion at EM Forum to progress the policy, discuss spatial layout of hierarchy and budget implications over the life of the long term financial plan. • Endorsed the removal of the 11 additional playgrounds • Endorsed starting an investigation into a suitable site for a neighbourhood playground in Hallett Cove Heights.
27 September 2016	GC270916M02	Motion with Notice Destination Playground • The item was not considered
11 October 2016	GC111016M01	Motion with Notice Destination Playground • The item was adjourned
25 October 2016	GC251016M01	Motion with Notice Destination Playground • The item was deferred until 13 December 2016 Council meeting and later (March 2017) withdrawn
15 November 2016	EMF151116R02	Discussion Playground Strategy Review • User catchment classifications and distances • Hierarchy review and individual site classification • Destination (City Wide Attraction) Playground/SAALC and timing • Playgrounds and Asset Management considerations • Business plan and prioritised playground works list • Budget and resourcing impacts
24 January 2017	GC240117R	Playground Framework • Endorsed the draft Playground Policy including the proposed standardised palette approach and draft Playground Service Levels for consultation • 'Playground' shall be used instead of 'Playspace' • Neighbourhood level and above include consideration of shade over playground equipment

19 March 2017 – 13 April 2017		Community Consultation - Draft Playground Policy & Service Levels
21 March 2017	EMF210317R	Discussed Playground Items including: - Destination Playground - Timing - Terminology - City Wide Attraction - Shade for Playgrounds – Cost and Considerations - Reclassifications - New Playgrounds - Inclusive Playground
28 March 2017	GC280317R14	Playground Framework progress report
11 April 2017	GC110417R14	Playground Framework progress report
April/May 2017	Ward Briefings	Discussion at each ward: - Shade at Neighbourhood and Regional Playgrounds - Potential Site Reclassifications Investigations new playground at Hallett Cove Heights
23 May 2017	GC230517R03	Playground Framework progress report
4 July 2017	ISC040717R7.2	Infrastructure and Strategy Committee Playground Framework seek feedback from the Committee on user catchment distances with particular consideration to areas with unique topography considerations
July/August 2017		Discussion at each ward - user catchment distances and topographical issues/barriers - Review/confirm sites for removal
5 September	ISC050917R	Infrastructure and Strategy Committee review of playground works program
26 September		Council for consideration and adoption

**CITY OF MARION
GENERAL COUNCIL MEETING
12 DECEMBER 2017**

Originating Officer: Rob Tokley, Acting Manager – Development and Regulatory Services

General Manager: Abby Dickson, General Manager City Development

Subject: Petition – Building Application # 7.2017.208 (Nickels Avenue Park Holme)

Reference No: GC121217P01

PETITION FROM: Mr Mick Brophy

NO OF SIGNATORIES: 63

DATE PETITION RECEIVED: 8 December 2017

CORRESPONDENCE:

The attached petition results from canvassing each residence in Nickels Avenue Park Holme, and those in the immediate area in regards to building application # 7.2017.208.

It is of note that not one person spoke in favour of the proposed 2 storey development.

It is also notable that Councillor Jason Veliskou has put in writing his dislike for such developments, and in particular, identifies Nickels Avenue as a street where such development is unsuitable: "I will continue to fight for changes to development rule to minimise the rate of subdivision in the northern part of the council in highly unsuitable areas (in my view) like Nickels Avenue".

A significant number of the residents of Nickels Avenue have resided there for decades, and have a great deal of emotional attachment to the character of the street. It is evident from how their properties are maintained that they have pride in the area. These long term residents are passionate about any new buildings fitting in with the existing street-scape and are strongly averse to any 2 storey row development. Feelings are strong.

Representations have been made, in writing, to Council and to State Government members.

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

COMMENTS: Rob Tokley, Acting Manager – Development and Regulatory Services

Development Application 100/2017/2080 was lodged with the City of Marion on 2 November 2017. The application seeks to construct three, two storey row dwellings at 20 Nickels Avenue, Park Holme – all three dwellings are proposed to present to Galbraith Avenue.

The subject land (with the entirety of Nickels Avenue) is located within the 'Northern Policy Area 13'. This Policy Area anticipates new development up to two storeys in height – subject to

applicable setback criteria, which is intended to minimise impacts upon adjoining properties relating to overshadowing, visual impact and overlooking.

The Development Regulations identifies that row dwellings, “provided that no such dwelling is more than 2 storeys high” as a Category 1 form of development.

However, at present the categorisation of the application remains undetermined, due to tests/factors relating to recent case law and Council’s Development Plan. The categorisation will likely determine whether the application will be delegated (no public notification) to the Council Assessment Panel or administration (public notification and representations received).

When processing a development application, Council must follow the public notification steps assigned to that category of development. Council must not notify a development identified as a Category 1 form of development – even in the event it is aware of community concern with such a proposal.

Administration are currently awaiting additional documentation that will assist in determining the categorisation of the application and addressing a number of design concerns previously raised.

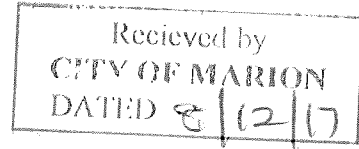
RECOMMENDATIONS

Due Date:

That Council:

1. Notes the petition.	12 Dec 2017
2. Advises the head petitioner that Council has noted the petition and the processing of the application will occur in accordance with Council’s Development Plan and the Development Act and Regulations.	22 Dec 2017

Appendix 1: Petition



City of Marion Petition

The attached petition results from canvassing each residence in Nickels Avenue Park Holme, and those in the immediate area in regards to building application # 7.2017.208.

It is of note that not one person spoke in favour of the proposed 2 storey development.

It is also notable that Councillor Jason Veliskou has put in writing his dislike for such developments, and in particular, identifies Nickels Avenue as a street where such development is unsuitable: *"I will continue to fight for changes to development rule to minimise the rate of subdivision in the northern part of the council in highly unsuitable areas (in my view) like Nickels Avenue."*

A significant number of the residents of Nickels Avenue have resided there for decades, and have a great deal of emotional attachment to the character of the street. It is evident from how their properties are maintained that they have pride in the area. These long term residents are passionate about any new buildings fitting in with the existing street-scape and are strongly averse to any 2 storey row development. Feelings are strong.

Representations have been made, in writing, to Council and to State Government members.

For any additional information regarding this petition please contact:

- Mick Brophy

14 Nickels Avenue, Park Holme Mob: 0438 294 190

or

- David Neate

18A Nickels Avenue, Park Holme Mob: 0415 934 063

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: Michael BROPHY
Telephone Number: 0438 294 190
Address: 14 Nickels Avenue
Park Holme
Date Petition Initiated: 27 November 2017

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

Residents of Nickels Ave and adjacent area.

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

Construction of 3 two storey row dwellings on allotments
of approx 740 sq metres and in particular building application
7.2017.208 relating to 20 Nickels Ave Park Holme.

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

Cease approval of any such dwellings in and adjacent to
Nickels Ave in accordance with Marion Council's own proposal for
Policy Area 10 which states "New houses should incorporate designs that are
sympathetic to the existing streetscape character."

Name	Address	Signature
Paul Ellis	17 Nickels Ave Park Holme	Paul Ellis
BARBARA HALL	5 NICKELS AVE	B. E. Hall
Robert McMillan	3 NICKELS AVE PARK HOLME	Robert McMillan
Heather McMillan	3 NICKELS AVE PARK HOLME	Heather McMillan

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)

Residents of Nickels Ave and adjacent area
Re Building Application # 7.2017.208

Name	Address	Signature
Julie Cheney	4 Muir Ave, Park Holme	Julie Cheney
Bec Jennings	12 Tora Court, Park Holme	Bec Jennings
J. WILLIS	10 TORA COURT	J. Willis
K. MARSHALL	13 Nickels Avenue	K. Marshall
T. Wiedenmann	12 NICKELS AVE	T. Wiedenmann
D. MEINEL	15 NICKELS AVE	D. Meinel
A. Ahmed	2 Nickels Ave	A. Ahmed
F. Grocke	1 Nickels Ave	F. Grocke
J. Foley	8 Tora Court, Park Holme	J. Foley
J. BRIDHAM	2 Muir Ave PARKHOLME	J. Brabham
B THOMSON	11 Nickels Ave	B. Thomson
D. THOMSON	11 Nickels Ave	D. Thomson
J. SCHERER	33 Duncan Ave	J. Scherer
D. ANDREWS	31 Duncan Ave	D. Andrews
R. BANNISTER	29 DUNCAN AVE	R. Bannister
D. Williams	27A Duncan Ave	D. Williams
R. Dickson	27 Duncan Ave	R. Dickson
R. STOCCO	23 DUNCAN	R. Stocco
IVANO STOCCO	23 DUNCAN	Ivano Stocco
S. RANGLER	17 DUNCAN	F. Spangler
HALL	15 DUNCAN	H. Hall
C. M. Norman	8 Muir Ave	C. M. Norman
K. DIXON	16 NICKELS AVE	K. Dixon
N. DIXON	16 NICKELS AVE	N. Dixon
		Attach additional sheets if required

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(Identify the details of the petition on each page)

Residents of Nickels Ave and adjacent area
Re Building Application # 7.2017.208

[illegible]

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(Identify the details of the petition on each page)

Residents of Nickels Ave and adjacent area.
Re Building Application # 7.2017.208

Name	Address	Signature
Beth Rackham	1119 Nickels Ave	Beth Rackham
MARGARET WINSTANLEY	57 PILDAPPA AVE	M. Winstanley
ZUAN LIU	55 PILDAPPA AVE	Z. Liu
MARGARET KUHFUSS	60 PILDAPPA AVE	M. Kuhfuss
Danni McCulloch	60 Pildappa Ave	D. McCulloch
WALLY SLUGA	5 CHRISTINA ST	W. Sluga
Reg Pryon	45 Nympha Ave	Reg Pryon
Ozzy Miranda	91 Pennings Hill Rd	O. Miranda
Stuart Glascock	1 First Ave Moana	S. Glascock
Yvonne Chervatin	51 Pildappa Ave	Y. Chervatin
Stephen Cilento	49 Pildappa Ave	S. Cilento
House Cilento	49 Pildappa Ave	Cilento
JAN BRABHAM	2 MOIR AVE PARKHOLME	J. Brabham
KI Resnais	64 Pildappa Ave "	K. Resnais
OLI Resnais	64 Pildappa Ave "	O. Resnais
Tony ATKINS	72 Pildappa Ave "	T. Atkins
Clodagh Harvey	72 Pildappa ave	C. Harvey
Sam Goodall	74 Pildappa Ave	S. Goodall
M. A. Seaford	80 PILDAPPA AVE	M. A. Seaford
Ke Wang	73 Pildappa Ave	K. Wang
Tian Coen	73 Pildappa Ave	T. Coen
DIMOS	71 PILDAPPA AV	D. Dimos
XU YUNFENG	7 Nicholls ST	X. Yunfeng
KATHY CILENTO	49 PILDAPPA AVE	K. Cilento
		Attach additional sheets if required

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)

Residents of Nickels Ave and adjacent area
Re Building Application # 7.2017.208.

[illegible]

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.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 DECEMBER 2017**

CONFIDENTIAL REPORT

Originating Officer: James O'Hanlon, Unit Manager Sport & Recreation
Manager: Carol Hampton, Manager City Property
General Manager: Abby Dickson, General Manager City Development
Subject: Interim Management for Edwardstown Soldiers
Memorial Recreation Grounds
Report Reference: GC121217F01

If the Council so determines, this matter may be considered in confidence under Section 90(3)(b) and (h) of the *Local Government Act 1999* on the grounds that the report contains commercial information of a confidential nature and legal advice.



Adrian Skull
Chief Executive Officer

RECOMMENDATION:

That pursuant to Section 90(2) and (3)(b) and (h) 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 Governance; Abby Dickson, General Manager City Development; Tony Lines, General Manager City Services; Kate McKenzie, Manager Corporate Governance; Craig Clarke, Unit Manager Communications; Carol Hampton, Manager City Property; James O'Hanlon, Unit Manager Sport & Recreation Facilities and Victoria Moritz, Governance Officer be excluded from the meeting as the Council receives and considers information relating to Edwardstown Oval Interim Management Model, upon the basis that the Council is satisfied that the requirement for the meeting to be conducted in a place open to the public has been outweighed by the need to keep consideration of the matter confidential given the information relates to legal advice and commercial information the disclosure of which could prejudice the commercial position of Council and would on balance be contrary to the public interest.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 DECEMBER 2017**

Originating Officer: Amy Liddicoat, Open Space and Recreation Planner

Corporate Manager: Carol Hampton, Manager City Property

General Manager: Abby Dickson, General Manager City Development

Subject: New Dog Park
Community Engagement Findings & Initial Site Analysis

Report Reference: GC121217R02

REPORT OBJECTIVES

The purpose of this item is to present Elected Members with a summary of the community feedback regarding the development of a new dog park including location suggestions, size and key features that the community are seeking.

The report presents an initial analysis of the location options and seeks Council support to conduct further community engagement on two shortlisted sites, Quick Road Reserve and Hazelmere Road Reserve.

EXECUTIVE SUMMARY

Council committed funds in the 2018/19 budget for the development of a second dog park in the City.

Broad community engagement was undertaken in August 2017 to understand the level of support and community preferences for a new dog park. There was strong support for a new dog park and a preference for either a park with separate areas for small and large dogs or a large park for all dogs. The community provided 45 suggested locations for a new dog park.

An initial analysis on the suggested community sites was undertaken and presented to Elected Members at a forum in October. Further design analysis has been undertaken on three sites, Quick Road Reserve, Hazelmere Road Reserve and Cadell Street Reserve. This analysis suggests that Cadell Street Reserve does not provide sufficient space to achieve a dog park in line with the community preferences and as such it is recommended to progress Quick Road and Hazelmere Road Reserves to further community engagement and concept development prior to finalising a site for the new dog park.

RECOMMENDATIONS

DUE DATES

That Council:

1. Notes the New Dog Park Summary of Community Consultation Findings attached as Appendix 1.	12 December 2017
2. Endorses community and stakeholder engagement being undertaken at Quick Road Reserve and Hazelmere Road	12 December 2017

Reserve to inform the development of a Concept Plan for a dog park at the reserve/s.

3. Receives a further report with community engagement outcomes and concept options for a dog park within Quick Road Reserve and Hazelmere Road Reserve with a recommendation for a preferred site.	27 March 2018
4. Notes the legislative and risk management advice provided by the Local Government Mutual Liabilities Scheme.	12 December 2017

BACKGROUND

The Animal Management Plan 2012 - 2017 identified the need to investigate the creation of two dog parks. The first dog park was officially opened at Reserve Street Reserve, Trott Park in September 2016.

The 2016 – 2019 Business Plan includes the additional dog park as an initiative under the *Liveable* theme. The three-year Open Space Works program also includes the additional dog park as a project for consultation and design (2017/18) followed by development (2018/19).

An Elected Member Forum was held on 20 June 2017 to introduce the project, present initial location analysis and to seek Elected Member input into the planning of a new dog park. Elected Member feedback included undertaking broad community consultation to understand preferred locations as well as the preferred type of dog park.

A further Elected Member Forum was held on 17 October 2017 to present preliminary findings from the community engagement process and to discuss potential dog park locations that could be shortlisted for further analysis.

DISCUSSION

A community engagement process was undertaken in August/September 2017 to seek broad community feedback to understand the level of support and preferences for the development of a new dog park in the City of Marion.

The community engagement was undertaken via an online survey that included questions about the size and type of dog park people would like to see developed, suggested locations for a new dog park in the City of Marion and key features they would like to see included in the park.

The online survey was available on the Making Marion website from 15 August to 15 September 2017.

The survey was promoted in the August City Limits, City of Marion Website Latest News and various Facebook posts. Signs were also placed onsite at Hazelmere Reserve and Reserve Street Reserve and the survey link was emailed to the City of Marion Parks and Playgrounds Newsletter recipients.

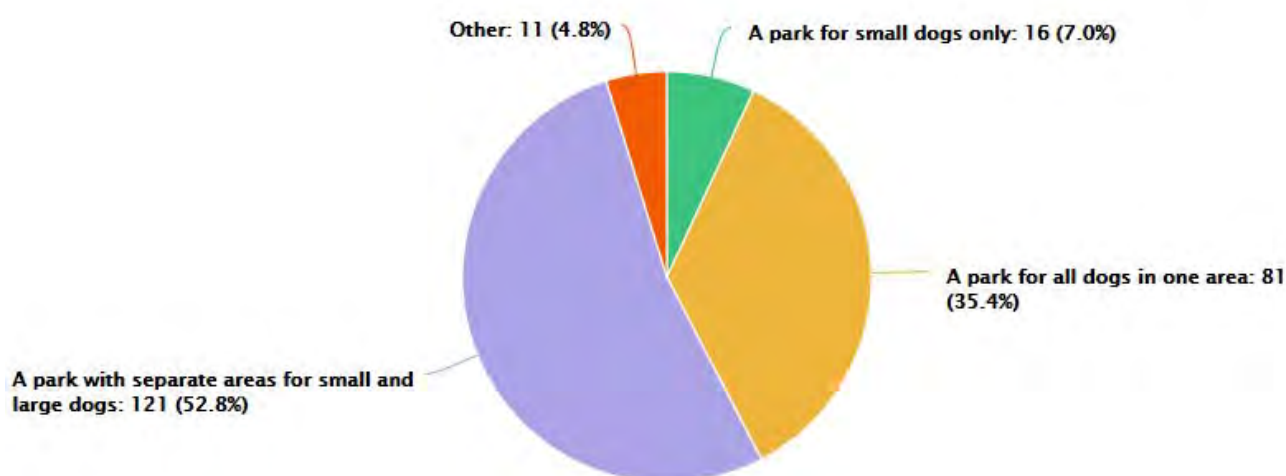
Community Engagement Findings

Overall, the survey was well received in the community and there was strong support for the development of a new dog park in the City of Marion.

Key findings from the community engagement are provided below and a summary of the community consultation findings is attached as Appendix 1. The full community engagement report is available on Making Marion <http://www.makingmarion.com.au/new-dog-park>.

We received 204 responses, with 98% of respondents supporting the development of a new dog park and only 2% opposed to the development.

In response to the type of dog park requested, the majority of respondents 52.8% (121) prefer a park with separate areas for small and large dogs, 35.4% (81) prefer a park for all dogs in one area and 7% (16) prefer a park for small dogs only.



In response to the preferred suburb for the development of a new dog park, we received 135 responses:

Precinct	Suburbs within precinct*	Responses
Northern	Glengowrie, Morphetville, Plympton park, Park Holme, South Plympton, Ascot Park, Glandore, Edwardstown, Warradale, Oaklands Park, Marion, Mitchell Park, Clovelly Park, Tonsley	74
Central	Dover Gardens, Seacombe Gardens, Sturt, Bedford Park, Marino, Seaclyff Park, Seaview Downs, Seacombe Heights, Darlington	33
Southern	Hallett Cove, Sheidow Park, Trott Park, O'Halloran Hill	28
Total		135

*Suburbs within the precinct are derived from the City of Marion Open Space and Recreation Strategy.

In terms of suggested reserves for the development of a new dog park, we received 107 responses identifying 45 reserves (Refer to Appendix 2).

Initial Site Analysis

An initial assessment was undertaken on the suggested reserves to shortlist the sites and provide some guidance to Elected Members.

The initial site analysis considered the following;

- Size of the reserve (*based on the community preference for a dog park with separate areas for small and large dogs*)
- Traffic and parking issues and opportunities
- Adjoining resident considerations
- Potential to co-exist or conflict with current use of the reserve

The initial site analysis shortlisted 4 reserves as potential sites for further design analysis and community engagement to determine suitability for a new dog park. These being;

Reserve Name	Ward	Precinct	Comments
Quick Road Reserve Mitchell Park	Warriparinga	Northern Precinct	• Large size reserve. • Road network access & linkages. • Has predominantly rear of properties adjoining rather than frontages overlooking • Has complimentary landscaping. • Does not have other conflicting uses. • Has large road reserve component on frontage that could be converted to parking. • Mitchell Park Oval dog obedience facilities are in close proximity to Quick Road Reserve.
Hazelmere Road Reserve Glengowrie	Mullawirra	Northern Precinct	• Existing popular dog off leash area. • There is some history with adjacent residents opposing development of the site. • Previous use of oval for sport but no current sport use. • Could be formalised as a dog park or await any potential need of the oval for future sporting use and retain as informal dog off leash area. • Currently has a low fence and seeking advice on suitability if formalised as a dog park
Cadell Street Reserve Seaview Downs	Southern Hills	Central Precinct	• Proximity to residents would need to be considered. • Some existing landscape screening. • Community interest (fund my neighbourhood application) has been proposed for a dog park.
Capella Drive Reserve Hallett Cove	Coastal	Southern Precinct	• The site is awaiting a precinct plan, however a portion may be able to be designated for a dog park. • This site would achieve a second site in the South and due to the large size of the reserve a dog park could potentially fit within the other recreation aspects of the reserve. • This may be the more suitable location within the Southern precinct. • Site has existing parking and potential for increased parking.

Discussion at the 17 October Elected Member Forum provided additional feedback about the shortlisted sites and suggested further design analysis be undertaken on 3 sites;

- Quick Road Reserve
- Hazelmere Road Reserve
- Cadell Street Reserve

It was suggested that Capella Reserve not be progressed at this stage due to the upcoming precinct plan required for the reserve and the first dog park being located in the south at Reserve Street Reserve, Trott Park.

A further design review of Quick Road Reserve, Hazelmere Road Reserve and Cadell Street Reserve is provided as Appendix 3.

Reserve	Potential of site			Recommendation
	Large dog park with small dog area	Large dog park for all dogs	Small dog park only	
Quick Road Reserve	✓	✓		Proceed to community engagement & concept development
Hazelmere Road Reserve	✓	✓		Proceed to community engagement & concept development
Cadell Street Reserve			✓	Due to site constraints do not progress at this stage.

Of the 3 sites, Quick Road Reserve and Hazelmere Road Reserve provide opportunities for either a large dog park with a separate area for small dogs or a large dog park for all dogs. As these were the most preferred community options for a new dog park, it is suggested that Quick Road Reserve and Hazelmere Road Reserve be progressed to concept design and Cadell Street Reserve not be progressed at this time.

Next Steps

The next steps would be to commence consultation at Quick Road and Hazelmere Road Reserves to understand the local issues, in order to develop concept options for consideration by Council.

Concept Designs would then be prepared in order for Council to finalise a location and progress to detailed design.

Construction of the dog park is scheduled for 2018/19.

Project Milestones	Key Tasks	Council Reporting	Timeframe / Status 2017/18
Project Planning	Project documentation. Elected Member Feedback	Elected Member Forum 20 June 2017	Complete
Community Engagement	Broad Community & Stakeholder Engagement		Complete 15 Aug – 15 Sept
Site Analysis	Initial Analysis Elected Member Feedback	Elected Member Forum 17 October 2017	Complete

Site Selection	Shortlist sites for concept development	General Council Mtg 12 December 2017	In Progress November
Community Engagement	Site Walk / Survey Identify site issues & preferences		Jan / Feb 2018
Draft Concept Plan	Develop draft concept plans & opinion of cost Finalise location	General Council Mtg March 2018	Feb / March
Community Engagement	Website & email Seek feedback on draft concept plan		April / May
Final Concept Plan	Develop final concept plan & opinion of cost. Endorsement of final concept plan.	General Council Mtg June 2018	June
Construction	Detailed Design Construction		2018/19

ANALYSIS

Consultation

Dog parks provide an important social connection for many dog owners, however the impact on surrounding communities can be high due to issues such as noise from dogs, increased traffic volume and associated traffic issues. Therefore it is important to undertake a comprehensive engagement process in order to finalise a location for the new dog park and to understand any community issues prior to concept options being developed.

Legal/Legislative and Risk Management

The following advice has been provided by the Local Government Association Mutual Liability Scheme.

'Council's risk in relation to managing a Dog Park is related to Occupier's duty of care in accordance with the Civil Liability Act S20.

In the absence of mandated requirements Council should consider whatever guidelines or information is available generally (including interstate practices) and undertake a measured, informed decision-making process incorporating risk assessment methodology.

The outcome of the process and ultimate decision would be expected to reasonably address all risks identified during the assessment, proportionate to the consequence and likelihood of the risks occurring.'

Council needs to refer to relevant guidelines (i.e. Dog and Cat Management Board's *Unleashed: A Guide to Successful Dog Parks*) and take these guidelines into consideration during the design phase to ensure any risks are mitigated.

A design risk assessment will be undertaken during the concept development phase with reference to the relevant guidelines and the site specific issues at each reserve. This will include gaining further advice, as required, to ensure a considered and practical approach is undertaken in relation to community safety, public amenity and financial management.

Financial Implications

Council has committed \$300,000 to the development of a new dog park in the 2018/19 financial year.

As a guide for the costs associated with the development of a new dog park, the below table details costs for a dog park similar to that of Reserve Street Reserve, Trott Park.

ITEMS	TOTAL
Preliminaries and site preparation Establishment, insurances, excavation, earthworks, trimming	\$15,000.00
Planting Trees, tubestock, mulch, turf	\$50,000.00
Pathways Concrete and rubble pathways	\$50,000.00
Furniture and Shelter Bench seats, bins, dog bag dispensers, drink fountain, signage, log stumps, log seats, agility equipment, shelter	\$55,000.00
Fencing 1.8m chain mesh fencing, airlock gates, maintenance gates	\$90,000.00
Services Water connection, backflow prevention, drainage pit, irrigation	\$45,000.00
Sub total	\$305,000.00
Contingency 10%	\$30,500.00
Total	\$335,500.00

Social / Cultural Impact

The community engagement process showed strong support for the development of a new dog park in the City of Marion. The community value the social benefits of exercising their dogs in a formal dog park environment.

CONCLUSION

The analysis of the community engagement findings and design review of potential dog park locations has provided a strong foundation to progress to concept development and further community engagement on the two preferred sites to determine a suitable location and design for a second dog park for the City.

ATTACHMENTS

- Appendix 1: Summary of Community Engagement Findings
- Appendix 2: Map of Suggested Locations
- Appendix 3: Analysis of Potential Locations for a New Dog Park

Appendix 1: Summary of Community Consultation Findings



New Dog Park

Summary of Community Consultation Findings

October 2017

1. Introduction

The City of Marion proposed to develop two dog parks in response to community feedback.

The first dog park was officially opened at Reserve Street Reserve, Trott Park in September 2016.

This report summarises the community consultation undertaken for second dog park within the Council.

The purpose of the community engagement was to determine the community's level of support for a new dog park and provide comment and feedback for possible locations, their preferred size of dog park and key features to be included in the design.

The following report presents the findings and provides an analysis of the feedback that was received.

2. Consultation Program

The consultation included a survey, location map and forum. The consultation period was 4 weeks with the survey open from 15 August to 15 September 2017. The survey, location map and forum was made available online at: www.makingmarion.com.au/new-dog-park.

The consultation was conducted in the following ways:

- The survey was promoted on the City of Marion website.
- A survey link was emailed to the City of Marion Parks & Playgrounds Newsletter distribution list.
- Social media posts were placed on the City of Marion Facebook page.
- Signs were placed on site at both Reserve Street Reserve, Trott Park and Hazelmere Reserve, Glengowrie.

3. Consultation Overview

As a summary, during this 4 week consultation period Council received:

- 204 Surveys
- 4 Forum contributions
- 30 Map contributions

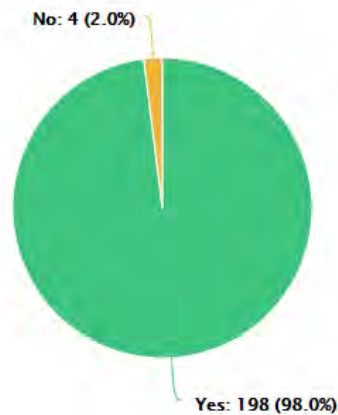
A full summary of all responses will be provided in a formal community engagement report on the Making Marion website.

4. Consultation Findings – Survey Responses

Do you support the development of a new dog park in the City of Marion?

Yes: 98%

No: 2%



Would you describe the dog you own (or care for) as:

Small (eg Maltese/Jack Russell Terrier) (77)	37.7%
Medium/Large (Labrador Retriever) (123)	60.3%
Neither/do not own or care for a dog (4)	2%

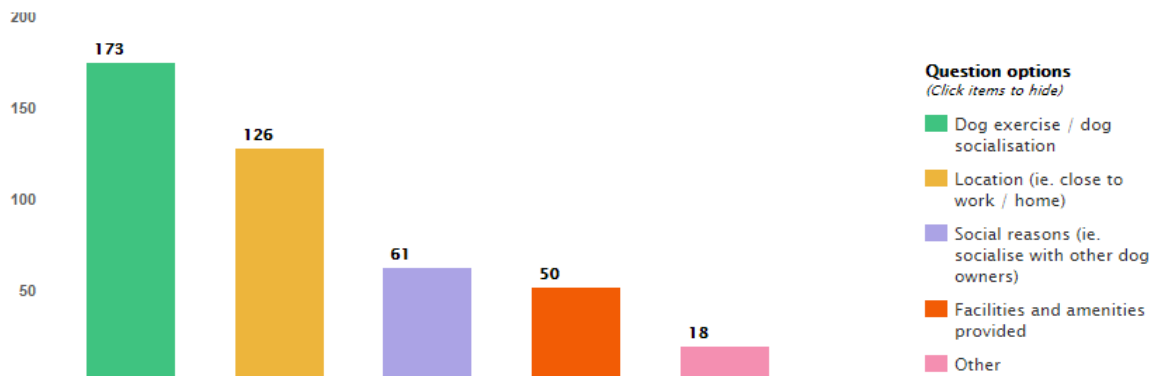
To which reserves do you currently take your dog?

The following question was to determine which reserves residents currently take their dog/s to. This question was not limited to within the City of Marion and could provide answers to various other locations. The following reserves are the top 6 listed. Other reserves were mentioned, including outside of the City of Marion and those will be included in the full community engagement report.

Reserves within the City of Marion	Responses
Hazelmere Reserve	85
Reserve Street Reserve	28
Mitchell Park Reserve	8
Oaklands Estate Reserve	8
Scarborough Terrace Reserve	7
Edwardstown Oval	3

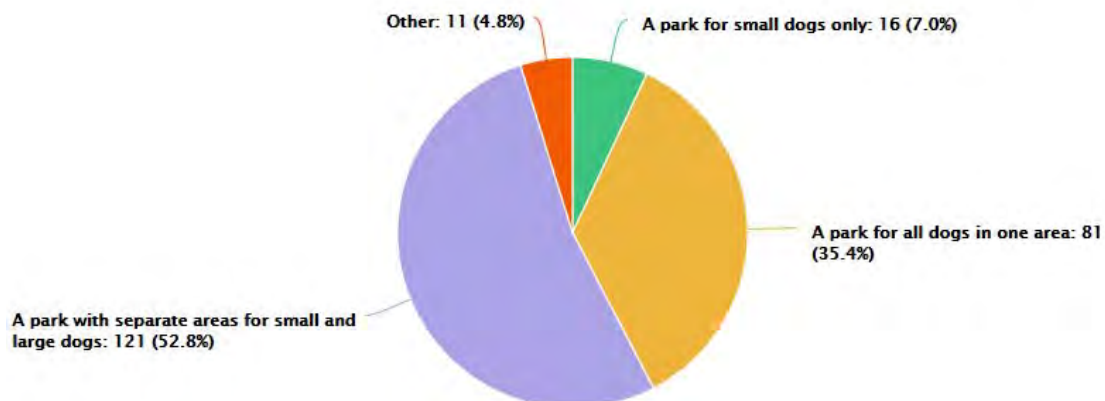
Why do you use the above reserve/s

Dog exercise/dog socialization	173
Location (i.e. close to work/home)	126
Social reasons (i.e. socialize with other dog owners).	61
Facilities and amenities provided	50
Other	18



What type of dog park is needed?

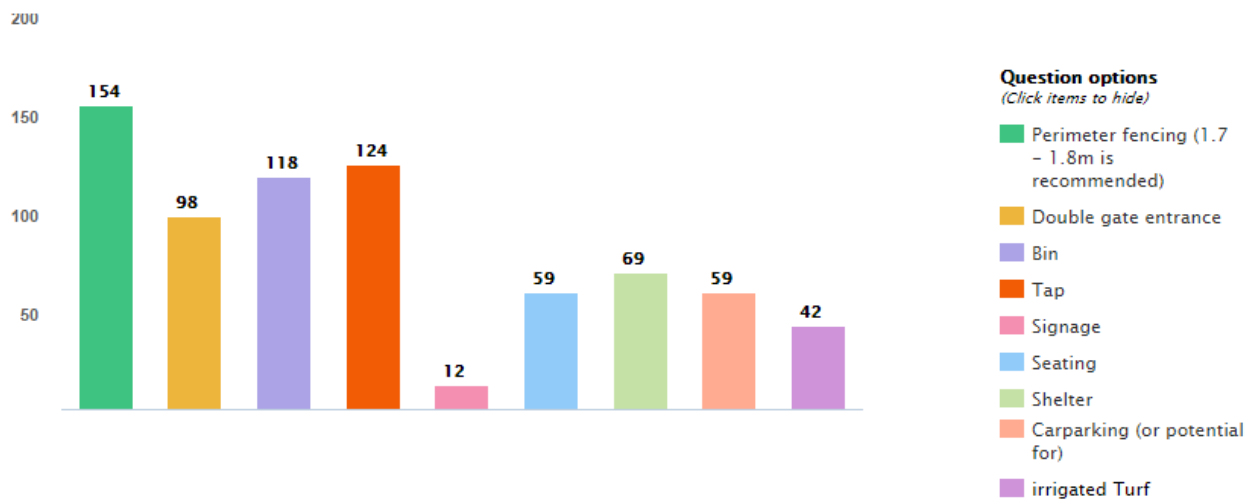
A park with separate areas for small and large dogs	52.8%
A park for all dogs in one area	35.4%
A park for small dogs only	7%
Other	4.8%



The key features we are suggesting are: Perimeter fencing, double gate entrance, bin, tap, signage, seating, shelter, car parking (or potential for), irrigated turf. (please select 3 features that are most important to you or your dog).

Here are the top 4 features that were selected by respondents. Other features were mentioned in the survey and will be provided in the community engagement report.

Perimeter fencing (1.7 – 1.8 is recommended)	154
Tap	124
Bin	118
Double gate entrance	98



Other suggested features / Comments

A variety of other suggested features were provided by the community. The top features are listed below.

Other suggested features	Number of responses
Dog bag dispensers/bins	20
Dog agility equipment	14
Irrigated turf	13
Drink fountain with dog bowl	13
Shelter/shade	11
Lighting	10
Toilets	10

Do you have a preferred suburb for the location of a new dog park?

Suburb	Number of responses
Hallett Cove	24
Marion	13
Oaklands Park	9
Dover Gardens	8
Morphettville	8
Seacombe Gardens	8
Seaview Downs	8
Warradale	8
Edwardstown	6
Glengowrie	6
Mitchell Park	6
Park Holme	4
Plympton Park	4
Seacliff Park	4
Ascot Park	3
Clovelly Park	3
Glandore	3
Marino	2
Seacombe Heights	2
Sheidow Park	2
Trott Park/ O'Halloran Hill	2
South Plympton	1
Sturt	1
Darlington-Seacombe Gardens	0

<i>Do you have a suggested park in mind?</i>

Reserve Name	Suburb	Requests
Cadell Street Reserve	Seaview Downs	9
Scarborough Terrace Reserve	Dover Gardens	8
Hazelmere Road Reserve	Glengowrie	7
Gretel Crescent Reserve	Hallett Cove	6
Hendrie Street Reserve	Park Holme	5
Oaklands Road Estate Reserve	Oaklands Park	5
Mitchell Park Reserve	Mitchell Park	4
Roy Lander Reserve	Seaview Downs	4
Marion Sports	Marion	3
Bandon Terrace Reserve	Marino	3
Glandore Community Centre	Glandore	3
Dumbarton Reserve	Edwardstown	2
Gully Road Reserve	Seacliff Park	2
Sandery Avenue Reserve	Seacombe Gardens	2
Pavana Reserve	Hallett Cove	2
George Street Reserve	Marion	2
Brolga Place Reserve	Sturt	2
Cove Sports & Community Club	Hallett Cove	2
Glade Crescent Reserve	Hallett Cove	2
Warradale Park Reserve	Warradale	2
Reserve Street Reserve	Trott Park	2
Crown Street Reserve	Dover Gardens	2
Mitchell Street Reserve	Seaview Downs	2
Capella Drive Reserve	Hallett Cove	2
The Crescent Reserve	Edwardstown	2
Kenton Ave Reserve	Oaklands Park	2
Weerab Drive Reserve	Hallett Cove	2
Barton Drive Reserve	Trott Park	1
Coorabie Crescent Reserve	Hallett Cove	1
Waratah Square Reserve	Seacombe Gardens	1
Harbrow Grove Reserve	Seacombe Gardens	1
Ranger Street Reserve	Hallett Cove	1
Rosslyn Street Reserve	Clovelly Park	1
Kent Avenue Reserve	Seacombe Gardens	1
Alawoona Ave Reserve	Mitchell Park	1
Fairhill Street Reserve	Hallett Cove	1
Mulcra Avenue Reserve	Park Holme	1
Alison Avenue Reserve	Marion	1
Alpine Road Reserve	Seacombe Heights	1
Linear Park Reserve	Hallett Cove	1
McKellar Terrace Reserve	Morphettville	1
Oakvale Way Reserve	Hallett Cove	1
Weaver Street Reserve	Edwardstown	1
Quick Road Reserve	Mitchell Park	1
Oliphant Avenue Reserve	Oaklands Park	1
Total		107

Dog Park Responses

Legend

- Suburbs
- Railway/Tram Stations
- Railway/Tram
- Roads
- Neighbouring Reserves/Open Space
- Coast Ocean
- Main Roads

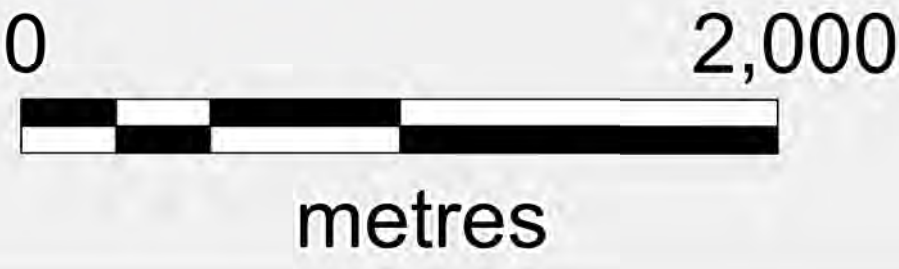
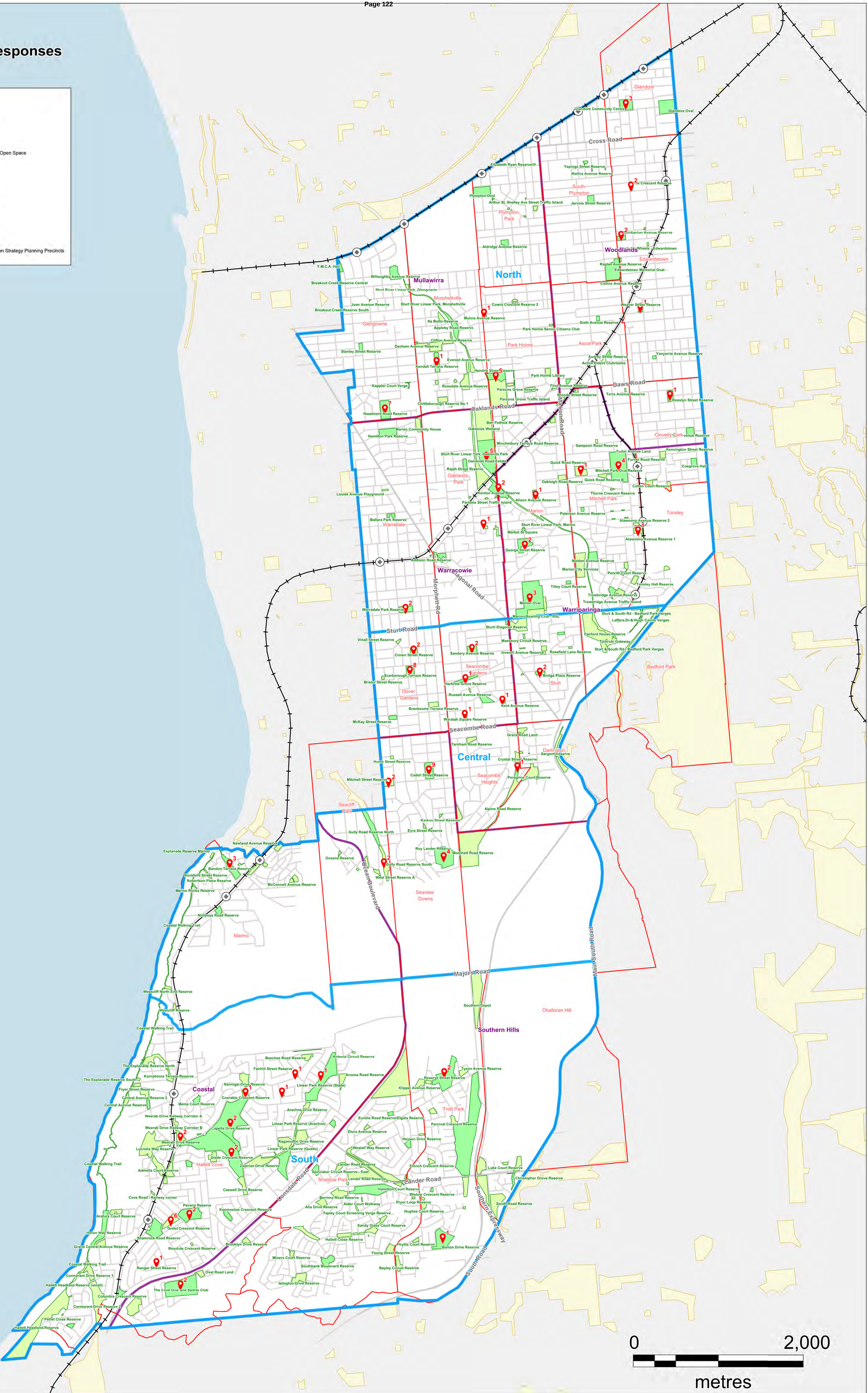
Reserves

- No Playground (244)
- Playground (81)

Dog Park Response

Ward

Open Space & Recreation Strategy Planning Precincts



Appendix 3: Potential Locations for a New Dog Park

Location	Site Analysis Opportunities	Site Analysis Constraints	Potential Dog Park Area	Design Options
Quick Road Reserve	- Large open space. - Currently underutilised. - Has some informal dog infrastructure (tap / bowl) to suggest informal dog use. - Southern boundary of the reserve has a large portion of road reserve that could be formalised for parking. - Reserve is on a collector road where the dog park would be easily accessible to the local community and broader precinct. - Reserve predominantly adjoins rear of housing rather than frontages. - Large number of housing developments in area that may have smaller yards and benefit from a formal dog park. - Improvements to the reserve may increase use of the reserve by the local community for informal use as well as dog exercise.	- Rear properties adjoining reserve may require buffer distance from dog park. - Property frontages, which face the reserve on Shepley Street, may require buffer distance from dog park. - Level of local community support for a dog park is unknown.		This site has a number of opportunities that would complement the development of a dog park at this location. However, the level of support from the local community is unknown. There are two potential design options that could be progressed in line with community engagement. Option 1: Develop a concept for a large formal dog park with areas for small and large dogs. This would meet the broader community preference for a dog park with a separate area for small dogs. Option 2: Develop a concept for a large formal dog park with one area for all dogs. This option would enable a slightly larger area of the reserve to be retained for informal use. Recommendation: Conduct consultation with the local community to understand the local issues and inform the development of a concept plan for the site.
Cadell Street Reserve	- Existing landscape screening and slope of the Northern end of the reserve provides a potential area for a dog park. - A small dog park at this reserve may provide improved amenities for the local community if a dog park is supported. - There is a large portion of off street parking available around the perimeter of the reserve and in surrounding streets.	- Level of local community support for a dog park is unknown. - The reserve is in a suburban area that has house frontages surrounding the reserve. - The reserve has views of the coast and city that would need careful consideration during design, particularly in relation to the houses on Wilson Avenue. - Whilst the size of the reserve is large, the space suitable for a dog park would be minimal and would likely be more of a local style dog park than able to cater to a precinct catchment. - There is currently no parking at this reserve.		Due to the site constraints, there is only a small area within this reserve that would be suitable for a potential dog park and as such only one design option is provided. Design Option: Develop a concept for the north western corner of the reserve to have a small fenced area for all dogs. Recommendation: Due to the site constraints at this reserve, only a small dog area is available, which does not fit with the community preference for a large dog park with an area for small dogs. It is therefore not recommended to progress the design option for a dog at this location at this time. As a fund my neighbourhood application has been submitted for a new dog park at this reserve, if successful, this design option could be further progressed and resourced as per the fund my neighbourhood program.
Hazelmere Reserve	- Current use is in line with a formal dog park. - Large reserve with ample space for the development of an area for small dogs. - Current entrance could be improved and set back slightly to allow improved space for access / egress to the dog park. - There are opportunities to add further elements to compliment the current use of the site including increased formal pathways, seating, shelter, landscaping, and airlock gates.	- Area for small dogs would need to be accessible from the carpark area to reduce traffic impact on the surrounding streets and provide the amenity for the users of the small dog park. - Small dog park would be better placed away from playground area. - Current fencing is low and increasing to higher fencing may require reducing the internal dog exercise area to have buffer from residents as the visual impact may be an issue. - Previous development at this reserve has had strong opposition from adjacent residents.		The site is currently used in the style of a formal dog park and formalising the use would provide clarity of the function of this reserve. There are two design options suggested. Option 1: Formalise the site as a dog park with a low budget approach that would have minimal change, predominantly signage and double gates. Further design elements could be progressed over time and as asset replacement is required (i.e. Fencing). Option 2: Develop a concept for a small dog park section to be added to the site which would require the entrance from the carpark to be set back. Recommendation: As this site is currently operating as an off leash dog exercise area it is suggested that options should be progressed, however, more research, including targeted consultation is required to understand the costs and risks associated with this site.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 DECEMBER 2017**

Originating Officer: James O'Hanlon, Unit Manager Sport & Recreation
Manager: Carol Hampton, Manager City Property
General Manager: Abby Dickson, General Manager City Development
Subject: Tennis and Netball Review Update
Report Reference: GC121217R03

REPORT OBJECTIVE

The purpose of this report is to update Council on the endorsed three-year capital works programme for Tennis and Netball facilities and seek an amendment to the existing schedule to accommodate recent changes in clubs to meet the original objectives of the Tennis and Netball review.

The report also provides an update on Warradale and Marion Tennis Clubs, which have a funding gap due to unsuccessful funding applications with the Office for Recreation and Sport.

EXECUTIVE SUMMARY

The Tennis and Netball review formed part of Council's strategic objectives to improve sporting and recreational facilities and address both the oversupply of tennis courts and undersupply of netball courts across the City. Council worked collaboratively with clubs and the community to identify opportunities to improve ageing facilities and consolidate facilities where there was an oversupply to maximise community access.

As a result of this comprehensive review Council endorsed a three-year capital works program to meet these objectives (GC280217R06). All works relating to the 2016/17 budget have been completed on time and on budget.

Four projects in the 2017/18 schedule relied on successful funding applications through the Office for Recreation and Sport (ORS). Of the four applications two were successful and are due to be completed in early 2018 and two were unsuccessful.

A successful amalgamation of two clubs (Stanley Street Tennis and Ballara Park Social Tennis Clubs) has resulted in the proposed works to Sandery Avenue Tennis Courts now being surplus to requirements. It is proposed to reallocate these funds to the Clovelly Park Community Centre to resurface 2 courts which were omitted from the original Tennis and Netball review scope.

RECOMMENDATION**DUE DATES****That Council:**

1. Notes the report and the status of the 3 year capital works program for Tennis and Netball Facilities.	12 December 2017
2. Notes the vacant courts as a result of the Ballara Tennis Clubs dissolution and amalgamation with the Stanley Street Tennis Club with a future report provided to Council regarding options for this site as part of the Asset Optimisation project.	12 December 2017
3. Endorses a reallocation of \$25,000 from the proposed Sandery Avenue works to the Clovelly Park Community Centre to facilitate the resurfacing of two courts and line marking to facilitate multi- purpose usage.	12 December 2017
4. Endorses the reallocation of \$90,000 from savings in the 2017/18 Open Space works program to facilitate the relocation of the Woodforde Playground to accommodate the Woodforde Tennis Court works.	12 December 2017
5. Endorses authorisation to include the Section 221 as part of their new lease for the Warradale Park Tennis Club which is currently being prepared and ready for execution in January 2018.	12 December 2017
6. Notes upgrade works for both Warradale Park Tennis Club and Marion Tennis Club facilities remain partially funded and should attempts to attract additional funding be unsuccessful a further report will be brought to Council in April 2018.	10 April 2018

DISCUSSION**2016/17 Progress Report on 3 year works program**

As part of the endorsed three year works program the following projects which made up the 2016/17 schedule of works were completed within budget and on time. The works undertaken to the Stanley Street Social Tennis courts received high praise directed to Council which can be seen in attachment A and played a major role in the decision for the Ballara Park Tennis Club to dissolve and amalgamate with the Stanley Street Club.

Other works included the removal of surplus courts at Roy Lander Reserve, cleaning of the community courts at Nannigai Reserve and the provision of multi-purpose courts at Hazelmere, which enabled an increase in teams for the Wesley United Netball Club. All changes have been received well by clubs and the community.

Site	Budget	Scope	Outcome
Woodforde Family Reserve	\$55,000	Clubroom Improvements	Conversion of 6 tennis courts to 4 multi-purpose courts to accommodate Netball growth.

Stanley Street Tennis Courts	\$25,000	Court Resurfacing Fencing Replacement	Improved facilities
Hazelmere Reserve	\$6,500	Line Marking Surplus Fence Removal	Conversion of one of 4 courts to a multi-purpose court to accommodate Netball growth.
Nannigai Reserve	\$5,000	Court Cleaning Fence Repairs Line Marking	Improved facilities
Roy Lander Reserve	\$6,500	Court Removal Fence Removal Make Good	Removal of 2 Tennis courts
Yanyarrie Reserve	\$2,000	Fence Removal Tennis Net Removal Activity Painting	Removal of one Tennis court infrastructure to accommodate open space play area
Total	\$100,000		

Woodforde Reserve Family Playground

The upgrade works at Woodforde Reserve included Conversion of six tennis courts to four multipurpose courts. To facilitate the expansion of the tennis courts to accommodate the larger netball courts, the relocation of the existing playground is required to conform to current standards. The existing playground will need to be dismantled and replaced. The level of impact removal works has on equipment does allow for playgrounds to be dismantled and relocated.

The existing playground is reaching the end of its useful life, and was due for replacement within the next 3 years. A budget of up to \$90,000 had been allocated in 2017/18 for the Appleby Reserve playground however this is now being funded by Renewal SA. As a consequence the funding can be reallocated to the Woodforde Reserve playground and this is recommended to Council.

Office for Recreation and Sport Grant Applications

Four projects in the 2017/18 Tennis and Netball works schedule relied on successful funding applications through the Office for Recreation and Sport (ORS).

In 2017, Council supported four clubs in applying for funding through the Office for Recreation and Sports Active Club Grant Program. These projects were supported by Council with matched funding as per the guidelines for the Active Club program with various levels of contributions from clubs or peak sporting bodies.

Of the four applications only two were successful. The applications, amounts and outcomes are outlined in the table below.

Site	Project Cost	Council Contribution	Funding Applied for	Club / Peak Body Contribution	Outcome
Hallett Cove Beach Tennis Club	148,500	45,000	70,500	33,000	Successful
Southbank Tennis Club	145,000	45,000	65,000	35,000	Successful
Marion Tennis Club	100,000	45,000	45,000	10,000	Unsuccessful
Warradale Park Tennis Club	250,000	125,000	125,000	0**	Unsuccessful

****** The WPTC previously contributed \$20,000 to the facilities court, lighting and fencing upgrades which are to be undertaken in early 2018.

The Hallett Cove Beach and Southbank Tennis Club works are currently out to tender for works and are expected to be completed in early January 2018.

Council is actively pursuing alternative funding sources for the unfunded works at Warradale Park and Marion Tennis Clubs in the lead up to the State Election. Should efforts to secure additional funding be unsuccessful a further report will be brought back to Council in April 2018.

It should be noted that no further projects in the endorsed 3 year schedule of works are reliant on successful funding applications to proceed.

Ballara Park Tennis Club

The Ballara Park Tennis courts had reached the end of their life cycle and were only used occasionally by the small club (approximately 25 active members) on limited occasions throughout the year.

Council was successful in amalgamating this club with the Stanley Street and Dover Gardens Tennis Clubs, resulting in a saving of \$25,000 to facilitate additional shade structures and storage for the club at the proposed Sandery Avenue site.

The Ballara Park tennis courts are now surplus and as indicated have reached the end of their useful life. Consideration will need to be given to the future requirements of this site which will be considered as part of Council's Asset Optimisation review

Clovelly Park Tennis Courts

During the initial scoping process for the Tennis and Netball review, the Clovelly Park Community Centre was undergoing court resurfacing and lighting works as part of a Council endorsed project (GC140616R08). These works included the installation of lighting and court resurfacing for the provision of four netball courts. On the other side of the facility (Attachment B) there were two courts used by a social tennis club and also as overflow training courts for the facilities two netball clubs. These courts were omitted from the scope of works for that project and were also omitted in the subsequent Tennis and Netball review.

Due to the age and condition of these courts it is proposed to reallocate the surplus funds (up to \$25,000) from the Sandery Avenue project to facilitate the resurfacing of these courts and line marking to facilitate multi use courts.

Seacombe Heights Tennis Courts

The eight court facility located on Tarnham Road, Seacombe Heights is used by the adjoining Seacombe Heights High School and Dover Tennis Clubs, however they are no longer fit for purpose and discussion with the Seacombe High School to refurbish their courts for both club and community use have been undertaken as the preferred option.

Discussion with DECD, DPTI, Council and the Seacombe Heights High School has been ongoing with initial concept plans and soil testing being undertaken. DECD are yet to formalise a clear position on the proposed development. Administration will seek to progress negotiations to obtain a position from DECD and DPTI and identify alternative options should the development of the Seacombe Heights High School courts not progress within Council's preferred timeframes.

Meetings with all stakeholders are scheduled in December 2017. An allocation of \$185,000 sits in the 2019/20 budget to facilitate the removal of the Tarnham Avenue courts should the project progress with the DECD. Council may need to consider allocating further funding if a decision is made to retain and develop Tarnham Road Courts. A further report will be brought to Council in the first quarter of 2018.

Warradale Park Tennis Club Court Extension

The Warradale Park Tennis Club (WPTC) obtained \$250,000 in federal funding to facilitate the upgrade of the facilities courts, lighting and fencing which is separate to the funding sought for the facility clubhouse upgrades.

WPTC are also seeking the expansion of its courts on Gardiner Road. The courts, built in the 1950's fail to meet required standards which would enable the club to join higher division competitions due to the insufficient run off areas (distance from base lines to the fence). They are requiring an expansion of between 1.8m – 2.0m to meet this criteria which would require an incursion into the Council verge. The distance from the fence line to the back of kerb ranges from a maximum of 4.3 metres progressively down to 3.5 metres.

To enable the court to be expanded by approximately 2 metres, the footpath will need to be moved to align with back of kerb. This would provide an additional area of approximately 115 square metres (Appendix D).

The use of the road (which includes the verge) is subject to Section 221 of the Local Government Act 1999 which provides that:

- S221(1) A person (other than the council or a person acting under some other statutory authority) must not make an alteration to a public road unless authorised to do so by the Council.
- S221 (2) A person makes an alteration to a public road if the person—
 - o (b) erects or installs a structure (including pipes, wires, cables, fixtures, fittings and other objects) in, on, across, under or over the road; or
- S221 (4) Before the Council authorises the erection or installation of a structure under subsection (2)(b), the Council must give consideration to whether the structure will—
 - o unduly obstruct the use of the road; or
 - o unduly interfere with the construction of the road; or
 - o have an adverse effect on road safety.
- S223 – Public Consultation

- (1) If a Council proposes to grant an authorisation or permit—
 - (a) that would result in any part of a road being fenced, enclosed or partitioned so as to impede the passage of traffic to a material degree;
 - (b) the Council must, before granting the authorisation or permit, follow the relevant steps set out in its public consultation policy.
- (2) The Council must also give written notice of the proposal to agencies that are, under the regulations, to be notified of the proposal.

The Licence to the WPTC expired on 30 June 2015 and is now in holding over. The WPTC has signed a letter of offer for a new licence for five years expiring on 30 June 2022. The final licence is currently being negotiated.

It is intended that a Section 221 authorisation be granted to the WPTC for the remainder of the term of the new licence or that the licence be adapted to include the Section 221 authorisation.

Input from Traffic and Engineering was sought in relation to this proposal and they have confirmed the works will not impact on road safety or use by vehicles or pedestrians.

CONCLUSION

This report seeks to update Council on the progress of the endorsed three-year Tennis and Netball works schedule whilst seeking endorsement to amend the schedule to accommodate recent changes in club requirements.

The report also seeks Council endorsement to increase its contribution to projects to enable them to proceed.

APPENDICES

Attachment A	Stanley Street Feedback
Attachment B	Clovelly Park Community Centre Site Plan
Attachment C	Warradale Park Court Expansion
Attachment D	Amended Budget and Works Schedule

Attachment A

Stanley Street Tennis Club



Hi! James...I passed by this afternoon, the skies were blue - surely enhanced by the reflection from the courts. Following our meeting with you last year to decide the future of Stanley Street Tennis Club, we appreciate that our future depended on your recommendation to Council. On behalf of the Club Executive and our members we sincerely thank you for your decision. We certainly did not envisage that you would then plan and arrange for the complete up-grading of our Tennis Courts and clubhouse. Thank you for trusting our club to continue to manage the facility on behalf of the local community.

Our executive is meeting on Wednesday and it is my intention to recommend that I write a letter of appreciation to the Mayor.

Kind Regards, Laurie Wallace President Stanley Street Tennis Club



About this Document	Disclaimer
This map has been created for the purpose of showing basic locality information and is a representation of the data currently held by The City of Marion. This information is provided for private use only.	While every effort has been made to ensure the accuracy of the product, Council accepts no responsibility for any errors or omissions. Property boundary line network data is supplied by State Government.

Map Width: 173.9 m
Created by rates
Wednesday, 8 November 2017





Warradale Park Tennis Club

Map Width: 101.1 m

Created by rates Tuesday, 14 November 2017



This map has been created for the purpose of showing basic locality information and is a representation of the data currently held by The City of Marion. This information is provided for private use only.	While every effort has been made to ensure the accuracy of the product, Council accepts no responsibility for any errors or omissions. Property boundary line network data is supplied by State Government.

Tennis and Netball – 3 year work program and budget

November 2017

APPENDIX 4

		Council Funding					
Site	Proposed works	Total project Cost	Project Partner cost sharing	2016/17	2017/18	2018/19	2019/20
Woodforde Family Reserve	- Extend Courts - Resurface as 4 multipurpose courts - Upgrade lighting - Clubroom Improvements - Playspace alterations	\$426,000	NA	\$55,000	\$281,000 (re-allocation of \$90,000 from Appleby Reserve project to Woodforde Reserve Playground project).		
Hamilton Park Reserve	- Demolish courts and clubroom - Landscape Reserve	\$85,000	NA			\$85,000	
Weaver Street Reserve	- Allocate funds in the LTFP for a whole of site upgrade when playspace renewal is scheduled - Remove two courts in the longer term - Upgrade two courts as multipurpose courts - Consider replacement of the clubroom with more appropriate facilities	LTFP	NA				
Seacombe Heights Tennis Courts (Tarnham Rd)	- Demolish the Tarnham Rd site when the new tennis/netball facilities are opened at Seaview High School. - NOTE; Council contribution towards the total upgrade of the school site with be detailed in a Report to Council	\$185,000 Tarnham Rd reserve	NA				\$185,000
Seaview High School Tennis Courts							
Morphettville Tennis Club, Kendall Tce Courts	- New lights - New Shelter - Root Barriers and new fencing	\$102,000	Morphettville Tennis Club			\$102,000	
Stanley Street	Council contribution towards court upgrade	\$25,000	Stanley Street Tennis Club	\$25,000			
Ballara Park	- Remove the courts and shelter - Landscape the reserve	\$15,000	NA			\$15,000	
Clovelly Park Community Centre	Resurface and line marking of 2 courts	\$25,000	NA		\$25,000		
Hazelmere Reserve	Line mark and install equipment for netball	\$6,000	NA	\$6,000			
Hallett Cove Beach Tennis Facility	- Resurface courts with new 30 mm hot mix asphalt - New acrylic surface to asphalt - Upgrade lighting	\$148,500	Hallett Cove Beach Tennis Club Tennis Australia Office for Rec and Sport		\$45,000		
Warradale Tennis Facility	- New lighting - New Fencing - Court upgrade - Clubroom upgrade - Landscaping	\$500,000	Warradale Tennis Club Federal Government Office for Rec and Sport		\$125,000		
Trott Park Tennis Facility	- New lighting - Court upgrade	\$145,000	Southbank Tennis Club Tennis Australia Office for Rec and Sport		\$45,000		
Marion Tennis Club	Upgrade Lighting	\$100,000	Marion Tennis Club		\$45,000		
McConnell Reserve (east side)	Details and costs to be developed subject to Council's consideration of community feedback		NA				
Nannigai Reserve	- Clean courts - General maintenance	\$5000		\$5,000			
Roy Lander Reserve	Remove the court and landscape	\$6,500	NA	\$6,500			
Yanyarrie Reserve	Remove fencing and provide new line markings for other recreation activities	\$2,000	NA	\$2,000			
Glandore Oval	- Demolish 6 courts and tennis clubroom - Develop two new multipurpose courts	\$160,000	NA			\$160,000	
Sub Total		\$1,810,500		\$100,000	\$566,000	\$362,000	\$185,000
Contingency	7.5%				\$40,050	\$27,150	\$13,875
TOTAL					\$606,050	\$389,150	\$198,875

**CITY OF MARION
GENERAL COUNCIL MEETING
12 DECEMBER 2017**

Originating Officer: Pia Vogrin Events Coordinator, Craig Clarke Unit Manager Communications

Corporate Manager: Karen Cocks, Manager Customer Experience

General Manager: Tony Lines, General Manager, City Services

Subject: Draft Events Plan 2017-2020

Report Reference: GC121217R04

REPORT OBJECTIVES:

To provide Council with the draft *Events Plan 2017-2020* for consideration and adoption.

EXECUTIVE SUMMARY:

The draft *Events Plan 2017-2020* aims to create a year-round program of community activities that showcases the services, facilities and attractions available in the City of Marion.

Four new events which reinforce Council's strategic plans are proposed, as well as investigating options for an iconic event in 2019. Improvements to existing events are also recommended while looking for opportunities to leverage off major state and national events.

The draft plan aims to better coordinate the delivery of events by building partnerships with the community, business, service clubs and sporting organisations.

The overarching aim of the plan is to make Marion *Eventful* to residents and visitors.

RECOMMENDATION

DUE DATES

That Council:

1. Adopts the 2017-2020 Events Plan - attached as <i>Appendix A</i> .	12 Dec 2017
2. Receives a report by June 2018 scoping three possible iconic events for 2019.	June 2018

BACKGROUND

The *City of Marion Marketing and Communications Plan 2016-2019* adopted by Council on 25 October 2016 (GC25101606) includes the following actions:

- Review the existing civic and community events and look for opportunities to create new or partner with existing events, including externally-run events. Develop a calendar of events.
- Leverage promotion of major national and international events staged in Marion, for example, SA Aquatic and Leisure Centre and planned new BMX track.

City of Marion run events

The City of Marion organises one major event – *Marion Celebrates* – and eight, smaller community events, including Carols in the Park, Tonsley Business expo and BioBlitz.

Civic events organised by the City of Marion include the Australia Day Awards, Citizenship Ceremonies and the Unsung Heroes Awards.

More than 3500 people attend a City of Marion run event each year. *Marion Celebrates* is held biennially and attracts about 5000 people.

The City of Marion currently plays a limited role in supporting externally-run events in the Council area. These type of events cumulatively attract an estimated 1000 to 5000 people a year.

State overview

The South Australian Tourism Plan 2020 forecasts that \$8 billion and 41,000 jobs will be generated by the events sector each year. A priority of the plan is “using events to grow visitation”.

The Events South Australia Corporate Plan highlights events that are of greatest interest to consumers and open to funding opportunities. These events include masters and mass participation sport, cultural festivals, one off national and international sporting events, and festivals outside the Adelaide CBD.

DISCUSSION

The Events Plan 2017-2020 aims to deliver a three-year program of activities, including creating four new events, enhancing existing events, and building the capacity of staff with training and access to new equipment and resources.

The plan includes a 12-month events calendar which shows how new and existing events would be scheduled to maximise community benefit. Work to leverage promotion of locally held major events and showcase Marion’s facilities would include workshops and tours for event organisers.

Event measurement and monitoring that includes economic, social and cultural impacts would be introduced.

The draft plan has the following objectives:

- Create a coordinated and balanced year-round calendar of events that promotes the services, facilities and attractions available in the City of Marion.
- Identify and deliver events that increase the economic and/or social benefit to the community.
- Identify Council’s role and responsibility in further developing and maintaining events and festivals in partnership with community organisations.
- Ensure all events in the City of Marion are delivered professionally, are supported with appropriate equipment and infrastructure, align with key objectives and are financially sustainable.

The plan contains four elements including:

1. Exploring opportunities to deliver a single iconic event that will have wide community appeal for the City of Marion.

This recommends Administration scope out three possible iconic events for 2019 and detail them in a report for Council to consider by June 2018.

2. Creating a suite of cost-effective, smaller scale events that will appeal to various sections of the community.

This proposes the creation of four new events with broad community appeal and new actions to attract visitors.

- *Touch-a-Truck (2018-2019)* – a family friendly event that showcases Council, emergency services and community vehicles. Food and children's entertainment would be provided.
- *Marion Sports Day (2019-2020)* – build on the city's growing reputation for providing sporting facilities with a large come 'n' try event, fun run or bicycle festival. About 30 local sporting clubs would demonstrate activities, including soccer, BMX, netball, and sporting ambassadors would visit each site.
- *Party in the Park (2019-2020)* – activate parks with pop-up theatre, musical performances and catering from food trucks. Come 'n' try arts and crafts would be included.
- *2018 Remembrance Day* – honour the 100th anniversary of the end of World War One with a commemoration at Hallett Cove memorial. The event would be run in partnership with the RSL, service clubs and schools.

Concert at the Cove, a free community event featuring live music, is included in 2018.

Actions to leverage promotion of locally held major events, showcasing facilities to event organisers, including SA Tourism, and a strategy to attract markets are also included.

Funding opportunities would be explored by forging links with industry bodies.

3. Refocusing the way existing City of Marion events are delivered so as to maximise return on investment and community engagement.

This outlines reviews and improvements to existing events.

Actions include holding the Australia Day Awards during a community event, developing cross promotional activities involving libraries and businesses at Citizenship Ceremonies, and increasing participation in the Tonsley Business expo.

Other improvements include a headline performer for Carols in the Park, increasing participation of new citizens in the Mayor's Multicultural Forum, and increased marketing for BioBlitz and International Women's Day.

4. Building staff capacity to deliver better quality events in the City of Marion.

This proposes establishing a cross Council team to better plan events, staff training and toolkits to ensure consistency, and a ready to open display unit.

Community volunteers would be trained and invited to join the City of Marion events team.

Cr Crossland amendments:

Cr Crossland has foreshadowed an amendment to the motion.

The first component is for Council to provide \$5000 a year for the next three years towards the cost of Hallett Cove Lion's running the ANZAC Day Dawn Service at Heron Way Reserve, Hallett Cove.

The second component involves the establishment of a \$10,000 annual fund that Council staff can allocate on a discretionary basis towards the cost of events run by community groups. How this could be allocated will form the basis of a Council report in April 2018.

If Council wishes to support the amendments, the alternative motion would read:

- 1 Adopts the 2017-2020 Events Plan – attached as Appendix A.
- 2 Receives a report by June 2018 scoping three possible iconic events for 2019.
- 3 Allocates \$5000 as part of Council's 2017/18 budget review process and a further allocation of \$5,000 per year for 2018/19 and 2019/20 to assist the Hallett Cove Lions to deliver the ANZAC Day dawn service at Heron Way Reserve, Hallett Cove.
- 4 Enters a Memorandum of Understanding with the Hallett Cove Lions Club for this funding.
- 5 Receives a report by April 2018 on the potential creation and eligibility criteria of an annual \$10,000 Community Events Fund.

HOW THE EVENTS PLAN WILL BE DELIVERED

The Communications Unit will deliver designated community and civic events and provide technical leadership and support in the delivery of other events.

FINANCE

Funding for existing events is included in operational budgets. The Annual Business Plan 2017-2018 includes \$50,000 for Concert at the Cove.

Budgets for new events will be subject to the normal budget prioritisation process.

CONCLUSION

The information provided in this report supports Council's consideration of the *Events Plan 2017-2020*.

APPENDICES

Appendix A – Events Plan 2017-2020.

Events Plan 2017-2020



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Appendix B – Snapshot of proposed new events	

1.0 Executive summary

The 2017-20 Events Plan aims to create a year-round program of community activities that showcases the services, facilities and attractions available in the City of Marion.

In other words, the plan aims to make Marion *Eventful* to residents and visitors.

A successfully managed event can assist with stimulating local tourism and supporting economic growth. The plan explores the value of events to the City of Marion, profiles the community and undertakes an analysis of the city as an event destination.

It identifies opportunities to create new events in the City of Marion that reinforce the strategic plan and are likely to have wide community appeal. The plan also aims to improve the delivery of existing events and leverage off major state events.

This plan consists of four elements:

1. Exploring opportunities to deliver a single iconic event that will have wide community appeal for the City of Marion.
2. Creating a suite of cost-effective, smaller-scale events that will appeal to various sections of the community.
3. Refocusing the way existing City of Marion events are delivered so as to maximise return on investment and community engagement.
4. Building staff capacity to deliver better quality events in the City of Marion.

The plan envisages working in partnership with the community, business and service clubs and sporting organisations to deliver events.

2.0 Objectives

The 2017-20 Events Plan is aligned with the City of Marion's corporate strategies, marketing plan and underpins the Values.



2017-20 Events Plan objectives:

The Events Plan's vision of *Making Marion Eventful* contains the following objectives:

- Create a coordinated and balanced year-round calendar of events that promotes the services, facilities, and attractions available in the City of Marion.
- Identify and deliver events that increase the economic and/or social benefit to the community.
- Identify Council's role and responsibility in further developing and maintaining events and festivals in partnership with community organisations.
- Ensure all events in the City of Marion are delivered professionally, are supported with appropriate equipment and infrastructure, align with key objectives and are financially sustainable.

3.0 Value of events

Well-run events and festivals provide a range of benefits to the local community, and contribute to enhancing the reputation of the City of Marion.

Events are acknowledged as opportunities to stimulate local tourism and economic growth by showcasing the city to those who live and work here as well as visitors. Marion is not known as an event destination but produces a range of small-scale, successful events.

The benefits of an event program are:

Cultural/social

- Celebration of 'unique' aspect of community
- Increased social cohesiveness and connectivity
- Evokes a sense of community pride and ownership
- Cultural enrichment and broader social outlook – interaction with other people, ideas and cultures
- Recognition, hence enhancement and conservation of cultural heritage and natural environment
- Opportunity for community expression if produced well

Economic/tourism

- Multiplier effect of tourism dollar (new dollars injected into the community)
- Attracting external funding for support (eg. sponsorship)
- Employment of local skills base increasing job opportunities (i.e. musicians, artists)
- Opportunity to improve skills base through volunteer work
- Fundraising opportunities for local groups and organisations
- Capacity for promotion of city to potential new businesses
- Potential catalyst for relocation of new residents

Event segmentation

Understanding the value of events and the different 'event segments' is critical in deciding which to pursue. Events are commonly divided into the following categories:

1. Cultural and lifestyle
Provide an opportunity to engage directly with residents and visitors and involve the activation and use of existing facilities.
2. Sporting and recreation
Sporting events help build communities through social inclusion and a sense of connection. Sport helps bind families through shared experiences and achievements, and healthy lifestyles.
3. Business, education and innovation
These type of events produce an economic boost to the host area and provide an opportunity to showcase the local facilities on offer.

Each category represents an opportunity for Marion to consider as part of a broader events plan.

State overview

The South Australian Tourism Plan 2020 projects a potential of \$8 billion a year and 41,000 jobs directly generated by the events sector. A priority action in the plan is “using events to grow visitation”.

The Events South Australia Corporate Plan highlights the following events which are of greatest interest to consumers and, as such, are open to funding opportunities:

- Masters Sport / Multi-sport / Mass participation
- Cultural Festivals – blockbusters (visual, arts, film, music)
- Motor Sport / Cycling
- One-off national / international sporting events
- Regional events and festivals (anything outside of Adelaide CBD)
- Unique art exhibitions

4.0 Snapshot of events

The City of Marion holds one major event – Marion Celebrates – and eight smaller community events.

Each year more than 3500 people attend a City of Marion run event. Marion Celebrates, held biennially, is the largest event and attendance numbers can reach more than 5000.

City of Marion events are categorized into:

- Civic events – generally conducted or hosted by the Mayor and run to acknowledge, commemorate or celebrate a community achievement or significant date. These include:
 - o Australia Day Awards
 - o Anzac Day Youth Vigil
 - o Citizenship
 - o Unsung Heroes Awards
 - o Mayor's Multicultural Forum
- Community events – to create and foster a positive community spirit through involvement, participation, relationship building and co-operation. These include:
 - o Marion Celebrates
 - o Halloween at Glandore
 - o Carols in the Park
 - o Business-related events eg Business Expo, International Women's Day, Business Breakfasts
 - o Environmental events eg BioBlitz
 - o Marion Outdoor Pool open days

The Communications Unit runs civic events (including official park openings) while separate teams manage community events. The Communications Unit provides assistance to running community events. This report does not consider program events run (eg baby bounce) which are delivered as part of a unit's core services.

Non-City of Marion run events

The City of Marion currently plays a limited role in supporting externally-run events held in the Council area, which attract thousands of visitors a year. These events make a significant contribution to the community. Among the significant annual community events are:

- Anzac Day Dawn Service and Australia Day celebrations (Hallett Cove Lions Club)
- Edwardstown Dawn Service
- RSL Australia Day and Dawn Service (Marion RSL)
- Welcome to Australia (St Elizabeth Church)
- Marion Gift sports event (Club Marion)
- Day on the Khaki Green (Australian Army - Warradale Barracks)
- Maker Faire (South Australian Makers Inc – Tonsley)
- Dub in the Park music festival (LKCC)
- Oz Music Day (Coast FM - Glandore)

5.0 Our community

The potential 'guest list' for our events is significant and includes the following segments:

Segments	Characteristics
Residents – current and future*	• Total population of Marion is 88,983 – and is forecast to rise to 100,000 by 2036 • The median age is 39, similar to the SA median • Parents and home builders represent the biggest single demographic in Marion at 20.4 per cent • Retirees and seniors (aged 60-84) are the second largest cohort at 19.4 per cent • 35 per cent of residents have a mortgage while 29 per cent are renting • 14 per cent come from a non-English speaking background with Italian, Greek and Mandarin the most common languages spoken (700 new arrivals each year) • 18 per cent of residents are university educated while 19 per cent have vocational training
Businesses – current and future*	• More than 4680 businesses are active in Marion. • They range from sole traders or home-based firms to major industries • Types of industries include manufacturing (23%), finance (14.6%), real estate (11.7%), construction (8.9%), retail (8.7%), health (4.5%)
Community organisations #	• Marion has more than 700 community groups • Examples include sporting, church, schools, service clubs and environmental groups • 'Community organisations' are a sub-set of the 'Residents'
Visitors*	• 18 million people visit each year to shop or for sport, health, tourism or leisure. • 14,311 people live outside Marion but travel here to work. • Our facilities are used by 855,700 people a year – neighbourhood centres (47k), libraries (449k), Marion Cultural Centre (286k) and pool (73k)

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

Partnerships

The successful delivery of this strategy relies on partnerships between the City of Marion and community organisations and State Government (eg Tonsley, Events SA and Renewal SA) and business, environmental and community groups.

6.0 Marion SWOT

A Strengths, Weaknesses, Opportunities and Threats analysis of Marion as an event destination has found:

STRENGTHS	WEAKNESSES
• Diversity of cultural and outdoor venue settings eg parks, Marion Outdoor Pool, LKCC, Hallett Cove Foreshore, wetlands, • Tonsley and the education innovation precinct • Wide multicultural base of residents • Proactive service and community clubs • Large-scale sporting venues and quality Council-owned facilities eg Marion Cultural Centre, Cove Civic Centre • Large number of schools with ovals • Westfield Marion Shopping Centre and large carpark facility • Proximity to the city, beach, airport and public transport • Roger Rasheed Sports Foundation and other key sporting bodies based in Marion • High level of commitment and experience from event staff	• No designated main street or cultural precinct • Marion not known for hosting events • Limited accommodation available • Lack of coordination of events • Little investment in events
OPPORTUNITIES	THREATS
• Leverage off major events that are staged in Marion eg 2018 Lifesaving World Championships, national BMX championship, Maker Faire and Icebreaker etc • A calendar of events that allow Marion to be Eventful year round • Creation of iconic event for Marion supported by a cluster of smaller events • Events SA identifies trends in sport, food and music • Activate the city's parks and reserves	• Neighbouring Councils have iconic destination events • Suitable weather to hold open air events during winter months • Competition from major state and other local events • Available budget to stage events • Council misjudging community preferences

7.0 Making Marion Eventful

Creating new events and enhancing existing events will contribute to making Marion Eventful year round.

Events aim to contribute towards building a positive reputation for the City of Marion, showcasing the services and facilities on offer and demonstrating value for money for ratepayers.

Successful events play an important part in strengthening the local economy and building social connectivity and inclusiveness. This plan consists of four elements:

1. Exploring opportunities to deliver a single iconic event that will have wide community appeal for the City of Marion.
2. Creating a suite of cost-effective, smaller-scale events that will appeal to various sections of the community.
3. Refocusing the way existing City of Marion events are delivered so as to maximise return on investment and community engagement.
4. Building staff capacity to deliver better quality events in the City of Marion.

New events

The 2017-20 Events Plan aims to create a year-round, balanced calendar of events that will appeal to a wide audience.

It is proposed that Administration investigate creating an iconic community event that can be delivered in 2019. The event needs to be unique, sustainable, have an ability to drive economic and visitor growth and link with the strategic plan.

In addition to Concert at the Cove, which is scheduled for 2018, four smaller scale events are also proposed and which reinforce the strategic plan:

- 1 *Touch-a-Truck* – a family-friendly event that showcases Council, emergency services and community vehicles.
- 2 *Marion Sports Day* – build on the city's growing reputation for providing quality sporting facilities. Options include a large come 'n' try event, Marion Fun Run, Marion Bicycle Festival.
- 3 *Party in the Park* – activating Marion's parks through pop-up theatre, musical performances and catering.
- 4 *2018 Remembrance Day* – honour the 100th anniversary of the end of World War One with a commemoration at Hallett Cove memorial.

See Appendix B for full details. These will be developed in conjunction with enhancing the City of Marion's existing events to ensure they deliver value to the community, and forging links with key stakeholders and potential funding bodies.

Programmed events will be enhanced by leveraging off major South Australian events such as Tasting Australia, Adelaide Fashion Festival, Lifesaving World Championships, and other Events SA opportunities.

Appendix A contains a proposed events calendar, reflecting the placement of proposed and existing activities.

Building expertise

Delivering successful civic and community events requires a coordinated team of skilled staff coupled with the necessary infrastructure.

An events coordination team will be established to better plan and deliver community and civic events. Lead by the Communications Unit, the team will draw on expertise of existing staff from across the organisation who are running events. It will be supported by training to improve the quality of events on offer.

The use of volunteers will also be explored to assist in the running of events.

An audit of all infrastructure required to undertake a successful event will occur and a central database created of all necessary items.

8.0 Action plan

The following pages outline the activities proposed in the 2017-20 Events Plan.

Staffing

The Communications Unit will deliver civic events and provide technical leadership and support in the delivery of community and other events.

Budget

The budget for the full 2017-20 Events Plan requires detailed costing and analysis. Funding for existing events, including Concert at the Cove, is included in operational budgets. Initiatives that relate to new events will be subject to the normal budget prioritisation process.

Opportunities will be explored to partner with third parties and seek funding sponsorship.

Timing – Elections Caretaker Policy

The policy restricts the types of activities that can occur during the election period. No civic or major events are permitted during the election period unless it is a state or metropolitan wide activity.

Community awards and recognition ceremonies and events to officially open Council-managed facilities will be deferred until the conclusion of the election period. Citizenship ceremonies will continue but under the delegation of the Chief Executive Officer.

2017-20 Events Plan Action plan

Strategy 1 – Identify an iconic event that will have wide community appeal for the City of Marion.

Action	Description	Budget	2017-18	2018-19	2019-20
1.1 Iconic event	Scope out three possible iconic events and present a report to Council		X		

Strategy 2 – Create a suite of cost-effective, smaller-scale events that will appeal to various sections of the community.

Action	Description	Budget	2017-18	2018-19	2019-20
2.1 Touch-a-Truck*	A family-friendly event that showcases Council, emergency services and community vehicles			X	
2.2 Marion Sports Day*	Build on the city's growing reputation for providing quality sporting facilities. Options include a large come 'n' try event, Marion Fun Run, Marion Bicycle Festival				X
2.3 Party in the Park*	Activate Marion's parks through pop-up theatre, musical performances and catering				X
2.4 Remembrance Day*	Honour the 100 th anniversary of the end of World War One in 2018 with a commemoration at Hallett Cove memorial			X	
2.5 Concert at the Cove	Present a free community concert at Hallett Cove Reserve	\$50k	X		X
2.6 Market Attraction	Explore a market attraction strategy to identify possible new markets and enhance existing offerings		X		
2.7 Major Events	Leverage promotion of major national and international events staged in Marion at, for example, SA Aquatic and Leisure Centre and planned new BMX track		X	X	X

2.8 External attraction program	Host an annual workshop/tour to showcase existing facilities to event organisers eg SA Tourism. Develop a flyer which showcases Marion's capacity and capabilities in this area.		X	X	X
2.9 Professional associations	Forge links with key industry bodies that can assist with the funding or sourcing of suitable events		X	X	X
2.10 Seek external funding	Explore funding opportunities to deliver events in Marion so as to reduce the cost to the community		X	X	X

(* See Appendix B for a run sheet of these events.)

Strategy 3 Refocus the way existing City of Marion events are delivered so as to maximise return on investment and community engagement.

This section recommends improvements to the way in which the City of Marion's existing events are managed.

3.1 Marion Celebrates

Description: A free community event which celebrates cultural diversity in the City of Marion. Event includes performances, food, market stalls, community displays and come 'n' try activities.

Attendance	Timing	Location	Responsibility	Budget	Recommended Improvements
5000+	Biennial	MCC Plaza, Warriparinga	Community Wellbeing	\$50,000	Program under Service Review

3.2 Anzac Day Eve Youth Vigil

Description: Youth representing scouts, cadets and St John Ambulance honour the memory of the ADF personnel who have served our country. Event includes an official ceremony and participating organisations standing guard in rotating shifts throughout the night leading up to the ANZAC Day dawn service.

Attendance	Timing	Location	Responsibility	Budget	Recommended Improvements
300	April	Marion/Edwardstown RSL	Communications	\$5292	- Review budget and allocate funding to partner with the Hallett Cove Lions community dawn Service. - Review CoM staff resources allocated to the event. - Seek opportunities for more youth organisations to participate in the official ceremony

3.3 Australia Day Awards

Description: City of Marion's highest annual honours. Awards are presented in the categories of Citizen of the Year, Young Citizen of the Year, Event of the Year, and Sportsperson/ Team of the Year.

Attendance	Timing	Location	Responsibility	Budget	Recommended Improvements
250+	January, 26 Or as close to the public holiday as possible	Various	Communications	\$5156	- Source opportunities to present the awards during existing community events. - Provide marketing and promotional support to the community organisations hosting Australia day events.

3.4 Unsung Heroes Awards

Description: The Mayor hosts the ceremony to formally recognise and acknowledge the achievements of local community members. Awards are presented in the following categories: arts and culture, business, bravery, courage, fair go, role model, community spirit, environment, innovation and sport.

Attendance	Timing	Location	Responsibility	Budget	Recommended Improvements
150+	July	MCC	Communications	\$3124	- Review the nominees to increase the networks support and acknowledged via the awards and recognition process. - Source opportunities to present the awards during existing community events.

3.5 Halloween

Description: Celebrate all things spooky in a safe environment for families and younger children.

Attendance	Timing	Location	Responsibility	Budget	Recommended Improvements
500+	October 31	Glandore	Glandore Community Centre	Approx \$1000	The event is at capacity based on the current resources and has the potential to: - Increase staff participation - Source additional volunteers - Bring in outside suppliers to provide additional entertainment and activities - Add additional catering including coffee van and food trucks

					• Consider ways to include cultures that celebrate Halloween • Source roving entertainers • Develop cross promotional activities eg libraries

3.6 Carols in the Park

Description – An free community event to celebrate the festive season and showcase Glandore Community Centre.

Attendance	Timing	Location	Responsibility	Budget	Recommended Improvements
1000+	1 st Wed in December	Glandore	Glandore community Centre	\$3500	• Improve the AV and lighting which are critical to the event • Improve event catering • Improve the market offering – consider Etsy or other professional run markets • Develop a Christmas light trail of local houses • Involve local school bands and choirs • Scope securing a headline performer or guest performance • Develop cross promotional activities including libraries and local businesses

3.7 Mayor's Multicultural Forum

Description: An event hosted by the Mayor which brings together people from multicultural backgrounds. The event activities include discussions, presentations and performances.

Attendance	Timing	Location	Responsibility	Budget	Recommended Improvements
30+	Quarterly Monday night	Council chamber or Cooina	Communications and community	\$1200	• Improve the database and local connections to people from multicultural backgrounds.

		neighbourhood centre	development, arts and culture		• Scope opportunities to increase the participation of new citizens

3.8 Citizenship Ceremonies

Description: A civic ceremony conducted by the Mayor under the auspices of the Immigration Department to present citizenship to new citizens.

Attendance	Timing	Location	Responsibility	Budget	Recommended Improvements
900 new citizens a year	8-9 ceremonies over a year	MCC	Communications	\$21,696 annual	• Develop cross promotional activities including libraries and local businesses • Source opportunities to hold ceremonies at community events • Source opportunities to hold ceremonies at local CoM facilities

3.9 Business events

Description: City Activation runs a series of business-focused events.

Business breakfast

Attendance	Timing	Location	Responsibility	Budget	Recommended Improvements
50-100 local business people	Various	Tonsley	City Activation	various	• Review the style and format of events • Review local marketing to increase local business owners and stakeholder participation in the events and activities.

Business Expo

Attendance	Timing	Location	Responsibility	Budget	Recommended Improvements
300+	November	Tonsley	City Activation	various	• Review the style and format of event which includes reviewing the speaker program • Review marketing and promotion to increase local business owners and stakeholder participation in the events and activities. • Review resources to ensure professionally run event

International Women's Day function

Attendance	Timing	Location	Responsibility	Budget	Recommended Improvements
60+	March 8	Tonsley	BGI	various	- Review the style and format of event which includes reviewing the speaker program - Review local area marketing and promotion to increase local business owners and stakeholder participation in the events and activities. - Review resources required to ensure professionally run event

3.10 Environmental events

BioBlitz – A free, family friendly community event where scientists and naturalists work with the public to discover and record the life at a reserve.

Attendance	Timing	Location	Responsibility	Budget	Recommended Improvements
400-500	October	Various – Oaklands Wetland (2017)	Environmental Sustainability	various	- Increase staff participation - Source additional volunteers - Review local area marketing and promotion

National Tree Day – A large community event to plant hundreds of local native species in Oaklands Reserve to increase biodiversity.

Attendance	Timing	Location	Responsibility	Budget	Recommended Improvements
300 - 400	July	Oaklands Reserve	Open Space Friends of Sturt River Landcare	various	- Increase staff participation - Source additional volunteers - Improve the quality of the events run by the volunteer organizations by offering training in event management - Review local area marketing and promotion

3.11 Marion Outdoor Pool 'Open days'

Description: A community day with free entry, free rides on the water slide, arts and crafts demonstrations music and market stalls.

Attendance	Timing	Location	Responsibility	Budget	Recommended Improvements
2500 combined attendance	November & February	Marion Outdoor Pool	Outdoor pool staff	various	Review the style and format of event

Strategy 4 Build staff capacity to deliver better quality events in the City of Marion.

Action	Description	Budget	2017-18	2018-19	2019-20
4.1 Events coordination team	Establish a cross Council team to better plan and deliver events		X	X	X
4.2 Event tool kits	Create a suite of tools (eg checklists, run sheets etc) to assist event managers to deliver professional events		X		
4.3 Event management training	Conduct training annually for staff who undertake events		X	X	X
4.4 Volunteer program	Explore a program that allows local volunteers to join a Marion Events Team			X	
4.5 Infrastructure audit	Undertake an audit of existing infrastructure required to an event		X		
4.6 Infrastructure database	Develop a database of the type of equipment available and its location		X		
4.7 Suppliers' database	Develop a database of suitable suppliers to support events			X	

4.8 Community stand	Explore options for a 'ready-to-go' City of Marion stand/display that can be used to at selected events.				X
4.9 Event survey	Implement a consistent event survey across Council to capture accurate and timely data about event satisfaction and attendances		X		

9.0 Measuring success

Effective event measurement and monitoring will help determine the return on investment and whether the activity has met the organisation's strategic objectives.

A performance measurement system is recommended that will enable the event to be assessed on its social and economic impact, and a satisfaction rating. Surveys will be conducted during and after each event to evaluate its success.

Evaluation measures could include:

Economic impacts

- Total attendance
- Average time spent at the event
- % of local and % of visitors
- Average spend

Social and cultural impacts

- Community's perception of event
- Satisfaction rating to determine whether it meets the 75 per cent threshold set by Council (GC140616R06)
- Cultural/local participation

Appendix A – Proposed events calendar 2018

Month	City of Marion	Local	State	National
January	Australia Day Awards	Coast FM Oz Music Day Lions Australia Day Breakfast	Tour Down Under	Australia Day
February	Marion Outdoor Pool Open Day Marion Sports Day 2019-20		Fringe	
March	Marion Celebrates and Concert at the Cove (both biennial) International Women's Day	Adelaide Cup	Festival/Fringe Touring cars WOMAD	
April	Anzac Day Eve Youth Vigil Touch a Truck 2019			Anzac Day
May				
June			Cabaret Festival	
July	Unsung Heroes Awards			
August			Adelaide Guitar Festival SALA	
September	Touch a Truck (2020 onwards)		Royal Adelaide Show Oz Asia Festival	
October	Halloween Party in the Park 2019-20		Adelaide Fashion Week Adelaide Film Festival	
November	Marion Outdoor Pool Open Day Business Expo 2018 Remembrance Day 2018-19	BioBlitz	Christmas Pageant	Melbourne Cup
December	Christmas Carols at Glandore	Westminster Christmas Lights	Glenelg Christmas Pageant	

Note – Calendar does not include Mayor's Multicultural Awards, citizenship ceremonies and business events, which occur as required. Highlighted events are those proposed in the 2017-20 Events Plan.

Appendix B – Proposed new events

1 Touch a Truck

Purpose	A family-friendly event to showcase City of Marion, emergency services and community vehicles to a local audience.
Description	Display of 25+ vehicles. Include CoM's heavy and light trucks, small plant, police, ambulance, MFS and CFS vehicles. Opportunity for TV news truck, army vehicles and solar cars from Tonsley.
Format	Event runs from 9am-1pm (include welcome by Mayor). Food and some children's entertainment provided. Children and big kids will be able to touch and climb aboard vehicles.
Location	TBA
Timing	April school holidays 2019 and September school holidays form 2020
Target audience	Estimate 2000-5000 visitors - families and young children, schools.
Budget	Entertainment \$2200 Operations \$4690 Marketing and promotions \$2400 Total cost \$9290 (excluding GST)
Evaluation	A visitor experience survey will occur during the event.
Background	City of Tea Tree Gully has held a similar event with attendances reaching more than 4000 people in two years. Event evaluation indicated an increased awareness in council services, specifically core operational roles. A by-product has been an increase in staff morale, particularly among the outdoor workforce as they were included in a public event.

2 Marion Sports Day

Purpose	Build on the City of Marion's growing reputation for providing quality sporting facilities by hosting a city-wide come 'n' try day.
Description	Marion Sports Day would enable more than 30 local sporting clubs to promote their activities and invite people to participate. Sports that may be featured include: football, netball, soccer, table tennis, swimming, gymnastics, BMX and tennis as well as dance and martial art groups. Local sporting ambassadors would roam between sites, which would have refreshments available. Local business involved in health and wellness services would also be invited to participate at the event. Council would work with the clubs that are always looking for new members.
Format	Event would occur on site between 10am-2pm
Location	Various locations
Timing	February – 2019-20
Target audience	2000-3000 local residents and visitors. Sporting clubs that are seeking to generate new members and increase their exposure
Budget	Entertainment \$300 Operations \$7635 Marketing and promotions \$800 Total cost \$8735 (excluding GST)
Evaluation	A visitor experience survey will occur during the event.
Background	The City of Marion is home to high-profile sporting clubs and quality facilities. Plans are underway to redevelop Edwardstown Oval, improve tennis and netball courts, build an international BMX ground and expand soccer in Adelaide's south.

3 Party in the Park

Purpose	To activate Marion's parks through pop-up theatre, musical performances and catering.
Description	A free community mini pop-up festival with an emphasis on valuing nature, connecting residents and highlighting Marion's live-ability. Marion's parks – small and large – would be activated.
Format	Sunday 11am-4pm. A theatrical group would present 15-minute 'fringe-style' performances at various parks around Marion. Opportunity for children come 'n' try art and craft. Food trucks would provide catering.
Location	TBA
Timing	October – 2019-2020
Target audience	2000-5000 local residents
Budget	Entertainment \$7000 Operations \$2120 Marketing and promotions \$800 Total cost \$9920 (excluding GST)
Evaluation	A visitor experience survey will occur during the event.
Background	A local service provider has been consulted and their event model reviewed. The organisation has successfully activated locations in the City of Marion and surrounding areas and have the ability to deliver a turn-key event. By using an experienced provider, Council can leverage their networks and connections.

4 2018 Remembrance Day

Purpose	A community event to commemorate the 100 th anniversary of the end of World War One.
Description	Work in partnership with the RSL, service clubs and local schools and businesses to deliver a respectful community event. The centerpiece is an official ceremony with invited military dignitaries, MPs and local community leaders.
Format	Sunday, 10am-12pm Marion City Band performs from 10am. Official ceremony led by Mayor begins at 10.40am, concluding with a minute's silence at 11am. Attendees invited to look at on-site displays and memorabilia from World War One and subsequent conflicts.
Location	Hallett Cove memorial, Heron Way Reserve
Timing	11 November 2018
Target audience	The event is likely to attract 2000-3000 local residents and visitors.
Budget	Entertainment \$1700 Operations \$7445 Marketing and promotions \$500 Total cost \$9645 (excluding GST) Note: Council will explore opportunities for grant funding the event to reduce the overall costs.
Evaluation	A visitor experience survey will occur during the event.
Background	The 100 th anniversary of the Armistice provides an opportunity to create a community commemoration event using a similar template to the 2015 Anzac Day Eve Youth Vigil. Some of the materials developed for the 2015 event can be used here so as to reduce costs eg large banners of WW1 soldiers, memorabilia displays etc The Hallett Cove Lions Club's Anzac Day dawn service has become a popular event on the local calendar.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 DECEMBER 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records
Corporate Manager: Kate McKenzie, Manager Corporate Governance
General Manager: Vincent Mifsud, General Manager Corporate Services
Subject: Review of Confidential Orders 2017 - Overview
Report Reference: GC121217R05

REPORT OBJECTIVES / EXECUTIVE SUMMARY:

Section 90 of the *Local Government Act 1999* (the Act) prescribes matters which Council may consider in confidence where it considers it necessary and appropriate to do so.

Section 91 of the Act enables a Council to order that documents or part of a document relating to matters considered in confidence be kept confidential. Where Council makes such an order it must specify the duration of the order, or the circumstances in which the order will cease to apply, or a period after which the order must be reviewed.

Any order that operates for a period exceeding 12 months must be reviewed at least once a year to determine whether or not the confidentiality of the document needs to be retained.

This report provides an overview of all confidential orders to be reviewed, and has been written to enable Council to:

- review the confidentiality orders pertaining to identified documents as required by Section 91 of the Act; and
- consider whether it is appropriate for the confidentiality orders to be retained; and if so:
 - determine the appropriate period of time for the maintenance of confidential orders to ensure Council continues to adhere to both the confidentiality provisions within the Act and the principles of open government.
 - to consider whether new orders are required on documents where the orders are due to expire.

Of the ninety (90) confidential orders identified for review, seven (7) reports have been recommended for release, ten (10) to be released with redactions, and seventy-three (73) orders are to be retained for further review in December 2018.

RECOMMENDATION:

DUE DATES

- 1. That Council notes the report, ‘Review of Confidential Orders 2017 - Overview’.**

12 Dec 17

BACKGROUND

In accordance with Section 90 of the *Local Government Act 1999* (the Act) Council has, from time to time, made orders restricting public access to information. Council has also made orders pursuant to Section 91 of the Act to retain the confidentiality of certain documents and information.

Under Council's Management of Confidential Items Framework all confidentiality orders made by Council or a Council Committee are referred to the December meeting of Council each year for review. Orders that have lapsed or been revoked prior to the December meeting each year do not require review.

Appendix 1 details all confidential orders requiring review and recommendations either to release or retain the order.

ANALYSIS:

Current Review

Ninety (90) confidential orders have been identified for review. Reports relating to each of these orders are included in the agenda (attached as Reports GC121217R05 – (1) to GC121217R05 – (89)).

The reports are listed in the attached Schedule of Confidential Items 2004 – 2017 (Appendix 1) by recommendation, that is, release, release with redactions or retain. The subject and date, a brief description of the item and the grounds for confidentiality are also included in the table. Of the ninety (90) confidential orders identified for review, seven (7) reports have been recommended for release, ten (10) to be released with redactions, and seventy-three (73) orders are to be retained for further review in December 2018.

Given the number of items for consideration, Council may wish to consider items “en bloc” where appropriate.

In determining whether or not a document should continue to remain confidential Council must consider whether the ground/s (in s90(3) of the Act) on which the original order was made, are still applicable. For example:

- Does Council still have a duty of confidence, or other legal obligation or duty?
- Does the document contain commercial information that the disclosure of which would on balance be contrary to the public interest?
- Does the document relate to a tender for goods or services?
- Does the document relate to matters affecting the security of the council, members or employees, or council property, or safety of any person?
- Does the document relate to litigation, or possible litigation, involving the council or a council employee?
- Does the document relate to a proposed amendment in a Development Plan that has not yet been released for public consultation under the *Development Act 1993*?
- Does the document contain legal advice that is still necessary and appropriate to be kept confidential?

- Does the information concern the personal affairs of an individual (living or dead), the disclosure of which would still be unreasonable? Council might like to also take into account the views of the person to whom the matter relates. Where the person has no objection to the matter being released to the public, it may be consistent with the principles of open government, as well as the *Freedom of Information Act 1991* to release the information.

Should the confidentiality orders be retained or new orders created, then the orders will be referred to the December 2018 meeting of Council for review, unless an alternative date or event has been resolved by Council, or Council delegates the power to review or revoke the order to the Chief Executive Officer.

Any confidential orders that are revoked will be released and made available to the public immediately upon revocation.

If Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Sections 90(2) and (3) of the *Local Government Act 1999* given the current confidentiality orders are still in force.

Analysis of Confidentiality Orders

During the preparation of this Report, an analysis of the types of confidential matters considered by Council was undertaken and the results are detailed below:

Currently, there are 90 reports with confidentiality orders. The table below summarises the grounds on which the 90 reports have been considered in confidence in accordance with the *Local Government Act 1999*.

Number *	Grounds for Confidentiality	LG Act Section
33	Personal information	90(3)(a)
57	Commercial information/duty of confidence	90(3)(b), (d), (g) and/or (j)
4	Security of Council	90(3)(e)
6	Legal advice	90(3)(h)
2	Litigation	90(3)(i)
7	Tenders for supply	90(3)(k)

* Note that one item may have more than one ground for confidentiality.

A number of the major projects Council is involved in are longer term projects which necessitate the retention of confidentiality orders until the matters associated with the projects are no longer commercial in nature.

CONCLUSION:

In order to ensure the principles of open, accessible and accountable governance and compliance with the provisions of the Act, Council must undertake an annual review of its confidentiality orders and resolve to maintain, release or release in part, reports that have been considered in confidence.

Appendix 1 – Schedule of Confidential Items 2003-2017: Release, Release with redaction, Retain.

**SCHEDULE OF CONFIDENTIAL ITEMS 2004 – 2017
RELEASE, RELEASE WITH REDACTION, RETAIN**

Number	Internal reference #	Subject & Date	Description	Grounds for Confidential Order	FOR RELEASE
1.	175.	Public Trustee Land - Glandore Laneways GC290113F02	The information provides an update on the Glandore Laneways Project. The resolutions allow the CEO the ability to provide information to the public without breaching confidentiality provisions that are in the best interest of the public. Recommend release as the project is now completed	Commercial advantage /contrary to public interest	YES
2.	234.	Glandore Laneways Project GC250815F01	The information provides an update on the Glandore Laneways Project. The resolutions allow the CEO the ability to provide information to the public without breaching confidentiality provisions that are in the best interest of the public. Recommend as the project is now complete.	Commercial advantage /contrary to public interest	YES
3.	251	Glandore Laneways Project Reference No: GC230216F01	The information provides an update on the Glandore Laneways Project. Recommended that this information remain confidential until the project reaches fruition/completion. Recommend release as project is complete.	Commercial advantage /contrary to public interest	YES
4.	274	Development Assessment Panel – Vacancy for Independent Members Report Reference: RSC070217R7.4	The item relates to the recruitment process for the Development Assessment Panel. Only the minutes are currently confidential. Recommend releasing the minutes as the minutes relate to the process and the process is now concluded.	Personal affairs Legal Advice	YES
5.	293	Code of Conduct Ref No: GC110417F04	Report relates to Code of Conduct matter. Consider releasing as subsequent report on the matter GC090517F03 has already been released.	Personal affairs	YES

Number	Internal reference #	Subject & Date	Description	Grounds for Confidential Order	FOR RELEASE
6.	298	Oaklands Crossing Project Report Reference: SGC060617F01	Contains information regarding the City of Marion's contribution to the Oaklands Crossing Project. Release as the State Government has released the information.	Duty of confidence	YES
7.	309	Confirmation of Confidential Minutes of the Review and Selection Committee Meeting held 5 October 2017 Report Reference:	Minutes provide a recommendation to Council about the appointments to the CAP. Council has since made these appointments and the CAP membership is public. Recommend release of the item.	Personal affairs	YES

RELEASE WITH REDACTION

Number	Internal reference #	Subject & Date	Description	Grounds for Confidential Order	FOR RELEASE
8.	117.	Program Evaluation and Business Improvement Service Provisions AC100810F01	The information relates to a tender for the provision of services. The tender has been awarded and services rendered. Consulted with successful tenderer and they agreed to release of their information Release with unsuccessful party names redacted.	Commercial information	YES with redaction

9.	187.	Hallett Cove Library and Community Centre Award of Construction Tender GC270813F02	Report relates to the award of Construction Tender for the Hallett Cove Library and Community Centre. Party consulted about release of documents with commercial information redacted, no objection was received. Release with commercial information redacted.	Commercial and tender information	YES with redaction
10.	142	External Audit Tender AC070212F6.1	Report contains information relating to the tender for the provision of external audit services. Successful tenderer has been consulted and they agree with release. Recommend release with unsuccessful tenderers names redacted.	Tender processes / confidential commercial information	YES with redaction
11.	144.	External Audit Tender GC140212F01	Report contains information relating to the tender for the provision of external audit services. Successful tenderer has been consulted and they agree with release. Recommend release with unsuccessful tenderers names redacted.	Tender processes / confidential commercial information	YES with redaction
12.	235.	Cove Civic Centre GC250815F02	Report relates to handover status of the Cove Civic Centre and negotiations on the final project costs. Party consulted about release of documents with commercial information redacted, no objection was received. Release with commercial information redacted.	Commercial advantage /contrary to public interest	YES with redaction
13.	244.	Cove Civic Centre GC220915F01	Report relates to the negotiated settlement to MC+1 re the Cove Civic Centre. Party consulted about release of documents with commercial information redacted, no objection was received. Release with commercial information redacted.	Confidential commercial information/ contrary to public interest Duty of confidence	YES With redaction

14.	291	Internal Audit Contract Report Reference: GC110417F02	Report contains commercial information relating to the Internal Audit Contract. Release with commercial figures redacted	Commercial information	YES With redaction
15.	154.	Kerbside Waste & Recycling Collection Contract 2005 GC120612F01	The report outlined details of Council's kerbside waste and recycling contract. The contract has been awarded until April 2018. It is recommended release with the commercial figures redacted..	Confidential commercial information	Yes with redaction
16.	299	Kerbside Waste Contract Extension Report Reference: GC270617F01	Report relates to the extension of the Kerbside Waste Contract. The contract has been awarded until April 2018. It is recommended release with the commercial figures redacted..	Commercial Information	YES with redaction
17.	305	CAP Independent Member applications Report Reference: RSC051017R8.1	Report relates to the recommend CAP Members for appointment. Release with unsuccessful applicant names redacted	Personal affairs	YES with redaction

NOT TO BE RELEASED					
Number	Internal reference #	Subject & Date	Description	Grounds for Confidential Order	FOR RELEASE
18.	31.	Living Kaurna Cultural Centre GC250105F02	This order was made on the basis that the Report contained information concerning the personal affairs of a number of persons. Recommend releasing the minutes only as they do not contain information relating to personal affairs. Review in December 2018 as part of Annual Review of Confidential Orders as it potentially affects the security of Council and safety of members, employees of the Council and other persons.	Personal information Security of Council	NO (Yes to releasing minutes)
19.	34.	Living Kaurna Cultural Centre GC220305F01	This order was made on the basis that the Report contained information concerning the personal affairs of a number of persons. Recommend releasing the minutes only as they do not contain information relating to personal affairs. Review in December 2018 as part of Annual Review of Confidential Orders as it potentially affects the security of Council and safety of members, employees of the Council and other persons.	Personal information Security of Council	NO (Yes to releasing minutes)
20.	44.	Kerbside Waste & Recycling Collection Contract 2005 SGC210605F01	The report outlined details of a proposed kerbside waste and recycling contract and was considered confidential on the basis that Council was undertaking a tender process for the provision of services. Report relates to a current contract which is due to expire April 2018. Therefore, it is recommended that information be kept in confidence until the expiration of the contract - to be reviewed in December 2018.	Tender processes / confidential commercial information	NO

21.	72.	Provision of Advertising on Bus Shelters to City of Marion GC270207F01	Commercial arrangements associated with advertising on City of Marion bus shelters. The current contract is due to expire June 2020. Therefore, it is recommended that information be kept in confidence until the expiration of the contract - to be reviewed in December 2018.	Commercial information	NO
22.	86	Oaklands Regeneration Project, State Aquatic SGC300608F01	Appendix 1 contains information over which Council still has a duty of confidence Party consulted and did NOT agree to release – commercial in confidence. Review in December 2018 as part of Annual Review of Confidential Orders.	Confidential Commercial information / duty of confidence	NO
23.	136a	CEO Performance Review – Appointment of External Consultant CRC291111F01	Report seeks CRC's endorsement to engage external consultant to facilitate CEO performance and remuneration review for 2010/11, 2011/2 2012/2013 and 2013/14. Mr Mark Searle was consulted and agreed to the release of the report in 2016. External parties were consulted about appendix 1 and did not agree to release. Release report and minutes. Retain Appendices – to be reviewed in December 2018.	Tender processes / confidential commercial information	NO
24.	217	Chief Executive Officer's Employment Contract SGC190215F02	Deed relating to this report is confidential as it contains information relating to the personal affairs of a person (living or dead) and Council has duty of confidence / legal obligations in relation to documents.	Personal Affairs Duty of Confidence	NO
25.	258	CEO Interim Performance Review Report Reference: GC240516F03	Report relates to the conduct of the annual CEO Performance and Remuneration Review. Review in December 2018 as part of Annual Review of Confidential Orders	Personal affairs	NO

25a.	269	CEO Annual Performance Review 2015/16 Report Reference: GC240516F03	Report relates to the conduct of the annual CEO Performance and Remuneration Review. Review in December 2018 as part of Annual Review of Confidential Orders	Personal affairs	NO
26.	275	CEO Key Performance Indicators for Quarter 2 - 2016/2017 RSC070217R8.1	Report relates to the conduct of the annual CEO Performance and Remuneration Review. Review in December 2018 as part of Annual Review of Confidential Orders	Personal affairs	NO
27.	294	CEO Key Performance Indicators for Quarter 3 2016/17 Report Reference: RSC020517R8.1	Report relates to the conduct of the annual CEO Performance and Remuneration Review. Retain until the CEO ceases gainful employment. Review in December 2018 as part of Annual Review of Confidential Orders	Personal affairs	NO
28.	295	Confirmation of Confidential Minutes of the Review and Selection Committee Meeting held 2 May 2017 Report Reference: GC090517F01	Appendix contains the confidential minutes from the review and Selection Committee meeting. Retain until the CEO ceases gainful employment. Review in December 2018 as part of Annual Review of Confidential Orders	Personal affairs	NO
29.	296	CEO Key Performance Indicators for Quarter 3 2016/17 Report Reference: GC090517F02	Report relates to the conduct of the annual CEO Performance and Remuneration Review. Retain until the CEO ceases gainful employment. Review in December 2018 as part of Annual Review of Confidential Orders	Personal affairs	NO
30.	316	CEO Annual Performance Review 2016/17 and Employment Agreement Report Reference: RSC071117F01	Report relates to the conduct of the annual CEO Performance and Remuneration Review. Review in December 2018 as part of Annual Review of Confidential Orders	Personal affairs	NO

31.	317	CEO KPI's Annual Confidential Report 2016/17 Report Reference: RSC071117F02	Report relates to the conduct of the annual CEO Performance and Remuneration Review. Review in December 2018 as part of Annual Review of Confidential Orders	Personal affairs	NO
32.	318	CEO KPI Report Quarter one 2017/18 Report Reference: RSC071117F03	Report relates to the conduct of the annual CEO Performance and Remuneration Review. Review in December 2018 as part of Annual Review of Confidential Orders	Personal affairs	NO
33.	319	CEO & Corporate KPI's 2017/18 Qtr 1 Report Reference: SGC271117F01	Report relates to the conduct of the annual CEO Performance and Remuneration Review. Review in December 2018 as part of Annual Review of Confidential Orders	Personal affairs	NO
34.	321	Confirmation of the confidential minutes of the Review and Selection Committee Meeting held 7 November 2017 Report Reference: GC281117F01	Report relates to the conduct of the annual CEO Performance and Remuneration Review. Review in December 2018 as part of Annual Review of Confidential Orders	Personal affairs	NO
35.	322	CEO Annual Performance Review 2016/17 and Employment Agreement Report Reference: GC281117F02	Report relates to the conduct of the annual CEO Performance and Remuneration Review. Review in December 2018 as part of Annual Review of Confidential Orders	Personal affairs	NO
36.	323	CEO KPI's Annual Confidential Report 16/17 Report Reference: GC281117F03	Report relates to the conduct of the annual CEO Performance and Remuneration Review. Review in December 2018 as part of Annual Review of Confidential Orders	Personal affairs	NO

37.	141.	Commercial Arrangements GC240112F01	Information related to the recommendation of a lease for Signatures Café however the lease did not progress. Review in December 2018 as part of Annual Review of Confidential Orders.	Commercial Information	NO
38.	158.	Commercial Arrangements GC240712F01	Information related to the recommendation of a lease for Signatures Café however the lease did not progress. Review in December 2018 as part of Annual Review of Confidential Orders.	Commercial Information	NO
39.	179.	Commercial Arrangements GC260313F02	Information related to the recommendation of a lease for Signatures Café. Two external parties consulted and did NOT agree to the release if documents on basis they contained confidential commercial information.	Commercial Information	NO
40.	222.	Signatures Café GC240315F03	Report provides options regarding the future operations of Signatures Café. Recommend that this information continue to be kept confidential to be reviewed December 2018.	Commercial information of a confidential nature	NO
41.	240	Signatures Café GC080915F01	Report provides an update on the operations of Signature Café, recommend further consultation in order for this information to be reviewed December 2018.	Commercial information of a confidential nature	NO
42.	253	Signatures Cafe Report Reference: GC260416F01	Report provides an update on the operations of Signature Café. Review in December 2018 as part of Annual Review of Confidential Orders	Commercial information of a confidential nature – public interest	NO
43.	261	Signatures Café Report Ref: GC260716F01	The report provides a progress report regarding Signatures Café. Review in December 2018 as part of Annual Review of Confidential Orders	Commercial information of a confidential nature – public interest	NO

44.	290	Signatures Café Report Reference: GC110417F01	The Café is currently in the process of being leased to a new party. Retain in confidence as the arrangements with the new operators have not be finalized Review in December 2018 as part of Annual Review of Confidential Orders	Commercial information	NO
45.	282	Signatures Café Reference No: GC280217F01	The Café is currently in the process of being leased to a new party. Retain in confidence as the lease arrangements have not be finalized Review in December 2018 as part of Annual Review of Confidential Orders	Commercial information	NO
46.	311	Signatures Café Lease Report Reference: GC101017F03	The Café is currently in the process of being leased to a new party. Retain in confidence as the arrangements with the new operators have not be finalized Review in December 2018 as part of Annual Review of Confidential Orders	Commercial information	NO
47.	313	Signatures Café Update Report Reference: GC241017F02	The Café is currently in the process of being leased to a new party. Retain in confidence as the arrangements with the new operators have not be finalized Review in December 2018 as part of Annual Review of Confidential Orders	Commercial information	NO
48.	218.	Cove Civic Centre – Cost and programme management GC240215F01	Report relates to cost and time issues associated with the construction of the Cove Civic Centre. Matter is not finalised so recommend the item remain confidential. Review in December 2018 as part of Annual Review of Confidential Orders	Commercial advantage contrary to public interest	NO
49.	221.	Surplus Land associated with City Services Development GC240315F02	Report relates to options for dealing with surplus land associated with the City Services Development Recommend remain in confidence for review once a decision concerning surplus land has been made.	Commercial information of a confidential nature / commercial advantage	NO

50.	232.	Internal Audit and Service Reviews Tender Assessment AC180815F8.2	Report relates to the tender assessment for internal reviews and internal audit services. Recommend that this information continue to be kept confidential to be reviewed December 2018.	Commercial information of a confidential nature / commercial advantage	NO
51.	237	Internal Audit and Service Review Tender GC250815F04	The report provides Council with the recommendations from the Audit Committee in relation to the tender process for Internal Audit and Service Review program. Appendix A to the report contains commercial in confidence information regarding tenderers for the provision of service reviews and internal audit services. Recommend that this information continue to be kept confidential to be reviewed December 2018.		NO
52.	271	Internal Audit Contract Reference No: FAC151216F02	Report contains commercial information relating to the Internal Audit Contract. Review in December 2018 as part of Annual Review of Confidential Orders	Commercial information	NO
53.	238.	Investigation GC250815F05	Report contains information into an investigation regarding a Council community facility. Council has a duty to keep confidential therefore recommended to remain in confidence till December 2018.	Duty of confidence Personal Affairs	NO
54.	242.	Investigation GC080915F03	Report contains information into an investigation regarding a Council community facility. Council has a duty to keep confidential therefore recommended to remain in confidence till December 2018.	Duty of confidence Personal Affairs	NO
55.	245	Telecommunication Facilities Morphettville GC131015R01	Appendix 3 contains legal advice therefore recommended to remain in confidence to be reviewed December 2018.	Legal Advice	NO
56.	260	Glenthorne Farm Report Reference: 280616F01	Report relates to considering an approach to achieving community and environmental outcomes at Glenthorne. Review in December 2018 as part of Annual Review of Confidential Orders	Commercial information of a confidential nature – public interest	NO

57.	263	Local Government Association Membership SGC010816F01 (Adjourned from SGC260716F01)	Report relates to the City of Marion's membership with the LGA. There is a Council resolution to consider the matter again in 2018 therefore it is recommended that the information be kept in confidence – to be reviewed in December 2018.	Commercial information of a confidential nature – public interest Legal Advice	NO
58.	277	LGA Insurance Schemes Review Report Reference: FAC280217R7.1	Report relates to City of Marion's Insurance arrangements. The tender process regarding the arrangements is currently being undertaken. Review in December 2018 as part of Annual Review of Confidential Orders	Commercial advantage /contrary to public interest	NO
59.	278	LGA Membership Report Reference: FAC280217R7.2	Report relates to the City of Marion's membership with the LGA. There is a Council resolution to consider the matter again in 2018 therefore it is recommended that the information be kept in confidence – to be reviewed in December 2018.	Commercial information of a confidential nature – public interest Legal Advice	NO
60.	285	Local Government Association Membership Reference No: GC140317F02	Report relates to the City of Marion's membership with the LGA. There is a Council resolution to consider the matter again in 2018 therefore it is recommended that the information be kept in confidence – to be reviewed in December 2018.	Commercial information of a confidential nature – public interest Legal Advice	NO
61.	286	Local Government Association Insurance Schemes Review Reference No: GC140317F03	Report relates to City of Marion's Insurance arrangements. The tender process regarding the arrangements is currently being undertaken. Review in December 2018 as part of Annual Review of Confidential Orders	Commercial advantage /contrary to public interest	NO
62.	264	Internal Audit Program Report Reference: FAC160816R7.8	The Confidential appendix relates to a cash handling report and should remain confidential to protect the security of Council. Review in December 2018 as part of Annual Review of Confidential Orders	Security of Council	NO

63.	265	Finance and Audit Committee Confidential Minutes Reference No: GC230816F01	The report contains the confidential minutes relating to the cash handling report and internal audit program. It should remain confidential to protect the security of Council. Review in December 2018 as part of Annual Review of Confidential Orders	Security of Council	NO
64.	270	Organisational Service Reviews Qtr 1 2016/17 Reference No: FAC151216F01 Appendix – Marion Outdoor Pool	Report contains commercial information regarding the operation of the Marion Outdoor Pool. Retain in confidence as the transition to new management structure is still being undertaken. Review in December 2018 as part of Annual Review of Confidential Orders	Commercial information of a confidential nature – public interest	NO
65.	272	Finance and Audit Committee Confidential Minutes Reference No: GC240117F01	Appendix to the report contains commercial information relating to the Internal Audit Contract and the Marion Outdoor Pool Service Review. Review in December 2018 as part of Annual Review of Confidential Orders	Commercial information	NO
66.	273	Marion Outdoor Swimming Pool – Service Review Reference No: GC240117F02	Report contains commercial information regarding the operation of the Marion Outdoor Pool. Retain in confidence as the transition to new management structure is still being undertaken. Review in December 2018 as part of Annual Review of Confidential Orders	Commercial information of a confidential nature – public interest	NO
67.	276	Code of Conduct Complaint Ref No: GC140217F01	Relates to a code of conduct complaint. The report and minutes have been released. Retain appendix until the conclusion of the current Council term.	Personal affairs	NO
68.	292	Code of Conduct - Mediation Report Reference: GC110416F03	Report relates to an unresolved complaint. Retain until the conclusion of the current Council term.	Personal affairs	NO
69.	314	Codes of Conduct Report Reference: GC241017F03	Relates to a Code of Conduct matter and Council has a duty of confidence. Review in December 2018 as part of Annual Review of Confidential Orders	Personal Affairs Duty of Confidence	NO

70.	328	Code of Conduct Report Reference: GC281117F08	Relates to a Code of Conduct matter and Council has a duty of confidence. Review in December 2018 as part of Annual Review of Confidential Orders	Personal Affairs	NO
71.	329	Code of Conduct Report Reference: GC281117F09	Relates to a Code of Conduct matter and Council has a duty of confidence. Review in December 2018 as part of Annual Review of Confidential Orders	Personal Affairs	NO
72.	279	Organisational Service Reviews – Libraries 2017 Report Reference: FAC280217R7.3	Report relates to the structure of the libraries. The structure is still being implemented so recommend confidentiality is retained. Review in December 2018 as part of Annual Review of Confidential Orders	Personal affairs	NO
73.	280	Organisational Service Reviews – Public Litter Service Review 2017 Report Reference: FAC280217R7.4	Appendix to report contains commercial information relating to the internal versus external cost comparisons. Review in December 2018 as part of Annual Review of Confidential Orders	Commercial information of a confidential nature – public interest	NO
74.	281	External Audit Tender Report Reference: FAC280217R7.5	Report contains commercial information relating to the External Audit Contract. Review in December 2018 as part of Annual Review of Confidential Orders	Commercial information	NO
75.	284	Finance and Audit Committee Confidential Minutes Reference No: GC140317F01	Appendix to the report contains commercial information relating to the External Audit Contract. Review in December 2018 as part of Annual Review of Confidential Orders	Commercial information	NO
76.	287	External Audit Tender Reference No: GC140317F04	Report contains commercial information relating to the External Audit Contract. Review in December 2018 as part of Annual Review of Confidential Orders	Commercial information	NO

77.	289	Organisational Service Reviews – Status Report March '17 – City of Marion Library Service Review” (Appendix two) Reference No: GC280317F01	Report relates to the structure of the libraries. The structure is still being implemented so recommend confidentiality is retained. Review in December 2018 as part of Annual Review of Confidential Orders	Personal affairs	NO
78.	300	Commercial proposal for a recreational facility development Report Reference: GC080817F01	Contains commercial information regards a proposed recreational facility development. Review in December 2018 as part of Annual Review of Confidential Orders	Commercial information	NO
79.	301	Edwardstown Oval Redevelopment – Financial and Management Model Report Reference: GC080817F02	Report contains commercial information relating to the Edwardstown Oval Redevelopment. Review in December 2018 as part of Annual Review of Confidential Orders	Commercial advantage /contrary to public interest	NO
80.	303	Edwardstown Oval – Pre-tender estimate and approval to call the stage 2 construction tender Report Reference: SGC120917F01	Report contains commercial information relating to the Edwardstown Oval Redevelopment. Review in December 2018 as part of Annual Review of Confidential Orders	Tender	NO
81.	325	Edwardstown Oval – Approval to Award Construction Tender Report Reference: GC281117F05	Report relates to the Edwardstown Oval – Pre-tender estimate and approval to call the stage 2 construction tender. Retains as the process has not been completed. Review in December 2018 as part of Annual Review of Confidential Orders	Tender	NO

82.	302	Marion Sports and Community Club Lease Report Reference: GC220817R07	Report relates to the Marion Sports and Community Club Lease. Retain in confidence as the lease is still being negotiated. Review in December 2018 as part of Annual Review of Confidential Orders	Commercial advantage /contrary to public interest	NO
83.	304	Selection of candidates for interview/appointment for Council Assessment Report Reference: RSC190917R8.1	Report relates to the Selection of Candidates for interview/appointment for Council Assessment Panel. Review in December 2018 as part of Annual Review of Confidential Orders	Personal affairs	NO
84.	307	Section 48 Prudential Report – BMX FAC101017R8.14	Report contains commercial information relating to the BMX Project. Review in December 2018 as part of Annual Review of Confidential Orders	Commercial information	NO
85.	308	73 Cove Road Marino FAC101017R8.15	Report relates to the development at 73 Cove Road Marino. Review in December 2018 as part of Annual Review of Confidential Orders	Personal Affairs Legal Matter	NO
86.	312	Confirmation of Confidential Minutes of the Finance and Audit Committee Meeting held 10 October 2017 Report Reference: GC241017F01	Appendix contains confidential minutes relating to the Section 48 Prudential Report – BMX and 73 Cove Road Marino. Review in December 2018 as part of Annual Review of Confidential Orders	Personal Affairs, Commercial Information and Legal advice	
87.	315	Lot 198 Greenfield Road, Seaview Downs – Community Title Land Division and Residential Development Report Reference: GC241017F04	Report relates to an application that has been referred by the Department of Planning, Transport and Infrastructure (DPTI) to the City of Marion for comment for a development proposed on Lot 198 (No.1) Greenfield Road, Seaview Downs. Be kept confidential until the Department of Planning, Transport and Infrastructure have issued their final decision on the application.	Duty of Confidence	NO

88.	326	Morphettville Park Sports and Community Club Redevelopment Report Reference: GC281117F06	Contains information regarding the redevelopment of Morphettville Park Sports and Community Club. Release of the report could prejudice the commercial position of the Council. Review in December 2018 as part of Annual Review of Confidential Orders	Commercial advantage /contrary to public interest	NO
89.	327	Expression of Interest for Potential Land Acquisition Opportunity at Morphettville Report Reference: GC281117F07	Relates to an opportunity to submit an expression of interest for land in Morphettville. Release of the report could prejudice the commercial position of the Council. Review in December 2018 as part of Annual Review of Confidential Orders	Commercial advantage /contrary to public interest	NO

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Review of 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: GC121217R05 - (01)

REPORT OBJECTIVE / EXECUTIVE SUMMARY:

To review the confidential item relating to the matter *Public Trustee Land - Glandore Laneways, Certificates of Title Volume 5658 Folio 602 and Volume 5992 Folio 848*, GC290113F02 in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS:

DUE DATES

That:

1. The confidentiality order pertaining to the Report "Public Trustee Land - Glandore Laneways, Certificates of Title Volume 5658 Folio 602 and Volume 5992 Folio 848 " and the Minutes arising from this report be revoked.

12 Dec 17

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 29 January 2013, Council ordered that the Report *Public Trustee Land - Glandore Laneways, Certificates of Title Volume 5658 Folio 602 and Volume 5992 Folio 848*, GC290113F02 and minutes arising from the report be kept confidential for a period of 12 months, to be reviewed at the General Council meeting in December 2013.

In accordance with the Act and Council's 'Management of Confidential Items Framework', the above confidentiality was last reviewed in December 2016 where it was resolved 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.*

In accordance with Section 91(7) and (9) of the Act and the above resolutions, the confidentiality order relating to the Report, *Glandore Laneways, Certificates of Title Volume 5658 Folio 602 and Volume 5992 Folio 848*, GC290113F02 is again being reviewed.

ANAYLSIS

Given that the report contains information relating the acquisition of land, the negotiations of which are concluded, it is recommended that the confidential order relating to the *Glandore Laneways, Certificates of Title Volume 5658 Folio 602 and Volume 5992 Folio 848*, GC290113F02, be revoked.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting prior to resolving the release or otherwise of the Report and associated minutes, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Sections 90(2) and (3)(b) and (d) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Releasing the Report - *Glandore Laneways, Certificates of Title Volume 5658 Folio 602 and Volume 5992 Folio 848* demonstrates openness and transparency.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Review of Confidential Order for the Item: Glandore Laneways, GC250815F01

Ref No: GC121217R05 - (02)

REPORT OBJECTIVE / EXECUTIVE SUMMARY:

To review the confidential item relating to the matter *Glandore Laneways, GC280515F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS

DUE DATES

That:

- 1. The confidentiality order pertaining to the Report “*Glandore Laneways, GC280515F01*,” and the Minutes arising from this report be revoked.**

12 Dec 17

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 25 August 2015, Council ordered that the Report *Glandore Laneways GC250815F01* and minutes arising from the report be kept confidential, except when required to effect or comply with Council’s resolution(s) regarding this matter, and not available for public inspection for a period of 12 months from the date of this meeting.

As required by the Act and Council’s ‘Management of Confidential Items Framework’, the above confidentiality was last reviewed on 13 December 2016 where it was resolved 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.*

In accordance with the above resolution, the confidentiality order relating to the Report, *Glandore Laneways, GC250815F01*, is due for review.

ANAYLSIS

Given that the report contains information relating the acquisition of land, the negotiations of which are concluded, it is recommended that the confidential order relating to the Report *Glandore Laneways, GC250815F01*, be revoked.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting prior to resolving the release or otherwise of the Report and associated minutes, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Sections 90(2) and (3)(b) and (d) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Releasing the Report - *Glandore Laneways, GC250815F01* demonstrates openness and transparency.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Review of Confidential Order for the Item: Glandore Laneways Project, GC230216F01

Ref No: GC121217R05 - (03)

REPORT OBJECTIVE / EXECUTIVE SUMMARY:

To review the confidential item relating to the matter *Glandore Laneways Project, GC280515F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS:

DUE DATES

That:

The confidentiality order pertaining to the Report “*Glandore Laneways Project, GC230216F01*,” and the Minutes arising from this report be revoked.

12 Dec 17

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 23 February 2016, Council ordered that the Report *Glandore Laneways Project GC230216F01* and minutes arising from the report be kept confidential, except when required to effect or comply with Council’s resolution(s) regarding this matter, and not available for public inspection for a period of 12 months from the date of this meeting. This confidentiality order to be reviewed at the General Council Meeting in December 2016.

As required by the Act and Council’s ‘Management of Confidential Items Framework’, the above confidentiality was last reviewed on 13 December 2016 where it was resolved 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.*

In accordance with the above resolution, the confidentiality order relating to the Report, *Glandore Laneways Project, GC230216F01*, is due for review.

ANAYLSIS

Given that the report contains information relating the acquisition of land, the negotiations of which are concluded, it is recommended that the confidential order relating to the Report *Glandore Laneways Project, GC230216F01*, be revoked

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting prior to resolving the release or otherwise of the Report and associated minutes, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Sections 90(2) and (3)(b) and (d) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Releasing the Report - *Glandore Laneways Project, GC230216F01* demonstrates openness and transparency.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Review of Confidential Order for the Item: Development Assessment Panel - Vacancy for Independent Members, RSC070217R7.4

Ref No: GC121217R05 - (04)

REPORT OBJECTIVE / EXECUTIVE SUMMARY:

To review the confidential item relating to the matter *Development Assessment Panel - Vacancy for Independent Members*, RSC070217R7.4 in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS

DUE DATES

That:

1. The confidentiality order pertaining to the Report “*Development Assessment Panel - Vacancy for Independent Members*, RSC070217R7.4,” and the Minutes arising from this report be revoked.

12 Dec 17

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 7 February 2017, the Review and Selection Committee ordered that the Report *Development Assessment Panel - Vacancy for Independent Members RSC070217R7.4* and minutes arising from the report be kept confidential, and not available for public inspection for a period of 12 months from the date of this meeting. This order was made as the information related to the personal affairs of the Development Assessment Panel members (Section 90(3)(a) of the Act).

As required by the Act and Council’s ‘Management of Confidential Items Framework’, the above confidentiality is due for review.

ANAYLSIS

Given that the report related to the process of appointing Members to the Development Assessment Panel and this process is now complete it is recommended that the confidential order relating to the Report *Development Assessment Panel - Vacancy for Independent Members*, RSC070217R7.4 be revoked.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting prior to resolving the release or otherwise of the Report and associated minutes, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Sections 90(2) and (3)(a) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Releasing the Report - *Development Assessment Panel - Vacancy for Independent Members*, RSC070217R7.4 demonstrates openness and transparency.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Review of Confidential Order for the Item: Code of Conduct, GC110417F04

Ref No: GC121217R05 - (05)

REPORT OBJECTIVE / EXECUTIVE SUMMARY:

To review the confidential item relating to the matter *Code of Conduct*, GC110417F04 in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS

DUE DATES

That:

- 1. The confidentiality order pertaining to the Report “*Code of Conduct*, GC110417F04,” and the Minutes arising from this report be revoked.**

12 Dec 17

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 11 April 2017, the Council ordered that the Report *Code of Conduct GC110417F04* and minutes arising from the report be kept confidential, and not available for public inspection for a period of 12 months from the date of this meeting. This order was made as the information related to the personal affairs of an individual and legal advice (Sections 90(3)(a) and (h) of the Act).

As required by the Act and Council’s ‘Management of Confidential Items Framework’, the above confidentiality is due for review.

ANAYLSIS

Given that the report related to a matter that is now complete it is recommended that the confidential order relating to the Report *Code of Conduct*, GC110417F04 be revoked. The subsequent report on the matter has already been released (GC090517F03).

In addition, the individual concerned has been consulted and they have agreed to the release of the documents.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting prior to resolving the release or otherwise of the Report and associated minutes, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Sections 90(2) and (3)(a) and (h) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Releasing the Report - *Code of Conduct*, GC110417F04 demonstrates openness and transparency.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Review of Confidential Order for the Item:
Oaklands Crossing Project, SGC060617F01

Ref No: GC121217R05 - (06)

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Oaklands Crossing Project, SGC060617F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS

DUE DATES

That:

The confidentiality order pertaining to the Report “*Oaklands Crossing Project, SGC060617F01*,” and the Minutes arising from this report be revoked.

12 Dec 17

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 6 June 2017, Council ordered that the Report *Oaklands Crossing Project, SGC060617F01*, together with all annexure and the relevant minutes be kept confidential for 12 months, after which time the order was to be reviewed. The order was made so Council would not divulge information provided on a confidential basis (Section 90(3)(j) of the Act).

In accordance with Section 91(9) of the Act and Council's Management of Confidential Items Framework, the confidentiality order relating to the Report *Oaklands Crossing Project, SGC060617F01* is due for review.

ANAYLSIS

As the detail contained in the report has been released by the State Government the duty of confidence no longer exists.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(j) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Releasing the Report *Oaklands Crossing Project*, *SGC060617F01* and associated minutes demonstrates openness and transparency.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Review of Confidential Order for the Item: Confirmation of Confidential Minutes of the Review and Selection Committee held 5 October 2017, GC101017F01

Ref No: GC121217R05 - (07)

REPORT OBJECTIVE / EXECUTIVE SUMMARY:

To review the confidential item relating to the matter *Confirmation of Confidential Minutes of the Review and Selection Committee held 5 October 2017*, GC101017F01 in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS

DUE DATES

That:

1. The confidentiality order pertaining to the Report “<i>Confirmation of Confidential Minutes of the Review and Selection Committee held 5 October 2017</i>, GC101017F01,” be revoked.	12 Dec 17

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 10 October 2017, the Council ordered that the Appendix to the report *Confirmation of Confidential Minutes of the Review and Selection Committee held 5 October 2017* GC101017F01 be kept confidential, and not available for public inspection for a period of 12 months from the date of this meeting. This order was made as the information related to the personal affairs of the of the Development Assessment Panel members (Section 90(3)(a) of the Act).

As required by the Act and Council’s ‘Management of Confidential Items Framework’, the above confidentiality is due for review.

ANAYLSIS

Given that the report related to the process of appointing Members to the Development Assessment Panel and this process is now complete it is recommended that the confidential order relating to the Report *Confirmation of Confidential Minutes of the Review and Selection Committee held 5 October 2017, GC101017F01* be revoked.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting prior to resolving the release or otherwise of the Report and associated minutes, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Sections 90(2) and (3)(a) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Releasing the Report - *Confirmation of Confidential Minutes of the Review and Selection Committee held 5 October 2017, GC101017F01* demonstrates openness and transparency.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Review of Confidential Order for the Item: Program Evaluation and Business Improvement Service Provisions, AC100810F01

Ref No: GC121217R05 (08)

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Program Evaluation and Business Improvement Service Provisions, AC100810F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS:

DUE DATES

That:

1. The confidentiality order pertaining to the <i>Program Evaluation and Business Improvement Service Provisions, AC100810F01</i> be revoked and the item be released with the unsuccessful tenderer names redacted.	12 Dec 17

BACKGROUND:

Section 91(9) of the Local Government Act 1999 (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 10 August 2010, the Audit Committee ordered that the Report *Program Evaluation and Business Improvement Service Provisions, AC100810F01* and minutes arising from the report be kept confidential for a period of 12 months, to be reviewed at the General Council meeting in December 2010.

The confidentiality order has been reviewed annually since 2010. The last review was at the General Council Meeting on 13 December 2016, where it was resolved 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.*

In accordance with Section 91(9) of the Act and the above resolutions, the confidentiality order relating to the Report *Program Evaluation and Business Improvement Service Provisions, AC100810F01* is now due for review.

ANALYSIS

As this tender is now finalised, it is recommended that the Appendices be released with unsuccessful tenderer names redacted.

The report and minutes have been released, removing the confidential commercially sensitive information - that is with names and figures redacted.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(d) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Releasing the Report "*Program Evaluation and Business Improvement Service Provisions, AC100810F01*" with the unsuccessful tenderer names redacted demonstrates openness and transparency.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Review of Confidentiality Order:
Hallett Cove Library and Community Centre Award of
Construction Tender, GC270813F02

Report Reference: GC121217R05 – (09)

REPORT OBJECTIVES / EXECUTIVE SUMMARY:

To review the confidential item relating to the matter of *Hallett Cove Library and Community Centre Award of Construction Tender, GC270813F02* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS:

DUE DATES

That

1. The confidentiality order pertaining to the Hallett Cove Library and Community Centre Award of Construction Tender' GC270813F02 be revoked and the item be released with the commercial information redacted.	12 Dec 17

BACKGROUND

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 27 August 2013, the Council ordered that:

“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*’ having been considered in confidence under Section 90(2) and (3)(b) 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 General Council Meeting in December 2013.

As required by the Act and Council’s ‘Management of Confidential Items Framework’, the above confidentiality was last reviewed on 13 December 2016 where it was resolved 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.*

In accordance with the Act and the above resolution, the above confidentiality order is due for review.

ANAYLSIS

Given that the Cove Civic Centre has now been built and no objection was received when consulting on the release of the redacted report and minutes it is recommended that the item be released.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(b) and (k) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Releasing the Report *Hallett Cove Library and Community Centre Award of Construction Tender* demonstrates openness and transparency.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Review of Confidential Order for the Item:
External Audit – Tender for Services, AC070212F6.1

Report Reference: GC121217R05 – (10)

REPORT OBJECTIVES / EXECUTIVE SUMMARY:

To review the confidential item relating to the matter *External Audit – Tender for Services, AC070212* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS

DUE DATES

1. The confidentiality order pertaining to the <i>External Audit – Tender for Services, AC070212F6.1</i> be revoked and the item be released with the commercial information and names of unsuccessful tenderers redacted.	12 Dec 17

BACKGROUND

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 7 February 2012 the Committee ordered that the Report *External Audit – Tender for Services, AC070212F6.1* and minutes be kept confidential and not available for public inspection for a period of 12 months to be reviewed at the General Council meeting in December 2012. The order was made on the basis that the report contained information relating to the tender for the provision of external audit services and is of a commercial nature - Section 90 (2) and (3)(d) of the Act.

The confidentiality order has been reviewed annually since 2012. The last review was at the General Council Meeting on 13 December 2016, where it was resolved 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.*

In accordance with the Act and the above resolutions this confidentiality order is due for review.

ANAYLSIS

The report contains confidential commercial information regarding a tender for the provision of external audit services. As the tender has now concluded. The successful tenderer has been consulted and agrees with the release of the information. The names of the unsuccessful tenderers will be redacted.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(d) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Releasing the Report *External Audit – Tender for Services, AC070212F6.1* demonstrates openness and transparency.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, Corporate Services

Subject: Review of Confidential Order for the Item:
External Audit Tender, GC140212F01

Report Reference: GC121217R05 – (11)

REPORT OBJECTIVES / EXECUTIVE SUMMARY:

To review the confidential item relating to the matter *External Audit Tender, GC140212F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS:

DUE DATES

1. The confidentiality order pertaining to the <i>External Audit Tender, GC140212F01</i> be revoked and the item be released with the commercial information and names of unsuccessful tenderers redacted.	12 Dec 17

BACKGROUND

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 14 February 2012 Council ordered that Appendix 1 to the Report *External Audit Tender, GC140212F01* be kept confidential and not available for public inspection for a period of 12 months to be reviewed at the General Council meeting in December 2012. The order was made on the basis that the report contained information relating to the tender for the provision of external audit services and is of a commercial nature - Section 90 (2) and (3)(d) of the Act.

The confidentiality order has been reviewed annually since 2012. The last review was at the General Council Meeting on 13 December 2016, where it was resolved 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.*

In accordance with Section 91(9) of the Act and the above resolutions, the confidentiality order is due for review.

ANAYLSIS

The report contains confidential commercial information regarding a tender for the provision of external audit services. As the tender has now concluded. The successful tenderer has been consulted and agrees with the release of the information. The names of the unsuccessful tenderers will be redacted.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(d) and (k) of the *Local Government Act 1999* given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Releasing the Report *Eternal Audit Tender, GC140212F01* demonstrates openness and transparency.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, Corporate Services

Subject: Review of Confidential Order for the Item: Cove Civic Centre, GC250815F02

Report Reference: GC121217R05 – (12)

REPORT OBJECTIVES / EXECUTIVE SUMMARY:

To review the confidential item relating to the Report *Cove Civic Centre, GC250815F02* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS:

DUE DATES

That:

12 Dec 17

- 1. The confidentiality order pertaining to the Report “Cove Civic Centre, GC250815F02,” and the Minutes arising from this report be revoked and the item be released with the commercial information redacted.**

BACKGROUND

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 25 August 2015 Council ordered that:

In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that this report, appendix and minutes arising from this report having been considered in confidence under Section 90(2) and (3)(b) and (d) of the Act shall, except when required to effect or comply with Council’s resolution(s) regarding this matter, be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting. This confidentiality order will be reviewed at the General Council Meeting in December 2015.

In accordance with the Act and Council’s ‘Management of Confidential Items Framework’, the above confidentiality was last reviewed in December 2016 where it was resolved 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.*

In accordance with the Act, the above confidentiality order is due for review.

ANAYLSIS

As the project is complete it is recommended that the confidentiality order be revoked and the report Cove Civic Centre, GC250815F02 and minutes arising from the report be released with commercial information (e.g. financial figures) be redacted.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(b) and (d) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Releasing the Report "Cove Civic Centre, GC250815F02" demonstrates openness and transparency.

**CITY OF MARION
GENERAL COUNCIL MEETING
13 December 2016**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records
Corporate Manager: Kate McKenzie, Manager Corporate Governance
General Manager: Vincent Mifsud, General Manager Corporate Services
Subject: Review of Confidential Order for the Item:
Cove Civic Centre, GC220915F01
Ref No: GC131216R03 (54)

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Cove Civic Centre, GC220915F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS:

DUE DATES

That:

- 1. The confidentiality order pertaining to the Report “Cove Civic Centre, GC220915F01,” and the Minutes arising from this report be revoked and the item be released with the commercial information redacted.**

12 Dec 17

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 22 September 2015, Council ordered that the Report *Cove Civic Centre, GC220915F01*, and the minutes arising from this report having been considered in confidence under Section 90(3)(b)(i) and (ii) of the Act shall, except when required to effect or comply with Council's resolution(s) regarding this matter, be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting. This confidentiality order will be reviewed at the General Council Meeting in December 2015

On 13 December 2016 this Confidentiality Order was reviewed and the following resolution was made:

- 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.*

As required by the above resolution this order is due for review.

ANALYSIS

As the project is complete it is recommended that the confidentiality order be revoked and the report *Cove Civic Centre, GC221915F01* and minutes arising from the report be released with commercial information (e.g. financial figures) be redacted.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Sections 90(2) and (3)(b) of Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Releasing the report, appendices and minutes to the Report "*Cove Civic Centre, GC220915F01*" demonstrates openness and transparency.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Review of Confidential Order for the item:
Internal Audit Contract, GC110417F02

Report Reference: GC121217R05 - (16)

REPORT OBJECTIVES / EXECUTIVE SUMMARY:

To review the confidential item relating to the Report *Internal Audit Contract, GC110417F02* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS:

DUE DATES

That Council:

1. The confidentiality order pertaining to the Report “<i>Internal Audit Contract, GC110417F02</i>,” and the Minutes arising from this report be revoked and the item be released with the commercial information redacted.	12 Dec 17

BACKGROUND

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 11 April 2017, Council ordered that the report *Internal Audit Contract, GC1206F01* and minutes be kept confidential and not available for public inspection to be reviewed at the General Council meeting in December 2017. The order was made on the basis that the report contains information relating to commercial information of a confidential nature – Section 90(3)(d) of the Act.

In accordance with the Act, and the above resolutions, the above confidentiality order is due for review.

ANAYLSIS

On assessment it is recommended that the report and minutes be released with commercial information redacted (e.g financial figures).

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(d) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Releasing the Report *Internal Audit Contract, GC110417F02* demonstrates openness and transparency.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Review of Confidential Order for the item:
Kerbside Waste Collection Contract, GC120612F01

Report Reference: GC121217R05 - (15)

REPORT OBJECTIVES / EXECUTIVE SUMMARY:

To review the confidential item relating to the Report *Kerbside Waste Collection Contract, GC120612F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS:

DUE DATES

That Council:

1. The confidentiality order pertaining to the Report “<i>Kerbside Waste Collection Contract, GC120612F01</i>,” and the Minutes arising from this report be revoked and the item be released with the commercial information redacted.	12 Dec 17

BACKGROUND

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 12 June 2012 Council ordered that the report *Kerbside Waste Collection Contract, GC1206F01* and minutes be kept confidential and not available for public inspection to be reviewed at the General Council meeting in December 2012. The order was made on the basis that the report contains information relating to commercial information of a confidential nature – Section 90(3)(d) of the Act.

The confidentiality order has been reviewed annually since 2012. The last review was at the General Council Meeting on 13 December 2016, where it was resolved 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.*

In accordance with the Act, and the above resolutions, the above confidentiality order is due for review.

ANAYLSIS

The contract for services to which this report relates is current until April 2018.

On assessment it is recommended that the report and minutes be released with commercial information redacted (e.g financial figures).

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(d) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Releasing the Report *Kerbside Waste Collection Contract, GC120612F01* demonstrates openness and transparency.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Review of Confidential Order for the item:
Kerbside Waste Contract Extension, GC270617F01

Report Reference: GC121217R05 - (16)

REPORT OBJECTIVES / EXECUTIVE SUMMARY:

To review the confidential item relating to the Report *Kerbside Waste Contract Extension, GC270617F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS:

DUE DATES

That Council:

1. The confidentiality order pertaining to the Report “<i>Kerbside Waste Contract Extension, GC270617F01</i>,” and the Minutes arising from this report be revoked and the item be released with the commercial information redacted.	12 Dec 17

BACKGROUND

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 27 June 2017, Council ordered that the report *Kerbside Waste Contract Extension, GC1206F01* and minutes be kept confidential and not available for public inspection to be reviewed at the General Council meeting in December 2017. The order was made on the basis that the report contains information relating to commercial information of a confidential nature – Section 90(3)(d) of the Act.

In accordance with the Act, and the above resolutions, the above confidentiality order is due for review.

ANAYLSIS

The contract for services to which this report relates is current until April 2018.

On assessment it is recommended that the report and minutes be released with commercial information redacted (e.g financial figures).

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(d) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Releasing the Report *Kerbside Waste Contract Extension, GC270617F01* demonstrates openness and transparency.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Review of Confidential Order for the Item: Council Assessment Panel Independent Member Applications, RSC051017R8.1

Ref No: GC121217R05 - (17)

REPORT OBJECTIVE / EXECUTIVE SUMMARY:

To review the confidential item relating to the matter *Council Assessment Panel Independent Member Applications*, RSC051017R8.1 in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS

DUE DATES

That:

1. The confidentiality order pertaining to the Report “*Council Assessment Panel Independent Member Applications*, RSC070217R7.4,” and the Minutes arising from this report be revoked and the items be released with the names of the unsuccessful applicants redacted.

12 Dec 17

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 5 October 2017, the Review and Selection Committee ordered that the Report *Council Assessment Panel Independent Member Applications RSC051017R8.1* and minutes arising from the report be kept confidential, and not available for public inspection for a period of 12 months from the date of this meeting. This order was made as the information related to the personal affairs of the Council Assessment Panel applicants.

As required by the Act and Council’s ‘Management of Confidential Items Framework’, the above confidentiality is due for review.

ANAYLSIS

Given that the report related to the process of appointing Members to the Council Assessment Panel and this process is now complete it is recommended that the confidential order relating to the Report *Council Assessment Panel Independent Member Applications, RSC051017R8.1* be revoked. It is recommended that the items be released with the names of the unsuccessful applicants redacted.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting prior to resolving the release or otherwise of the Report and associated minutes, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Sections 90(2) and (3)(a) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Releasing the Report - *Council Assessment Panel Independent Member Applications, RSC051017R8.1* demonstrates openness and transparency.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Review of Confidential Order for the Item:
Living Kurna Cultural Centre, GC250105F02

Ref No: GC121217R05 (18)

REPORT OBJECTIVE / EXECUTIVE SUMMARY:

To review the confidential item relating to the Report *Living Kurna Cultural Centre, GC250105F02* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act) and Council's resolution at the 13 December 2016 General Council meeting (Ref No: GC131216R03 – (29)).

RECOMMENDATIONS:

DUE DATES

That:

1.	The confidentiality order pertaining to the minutes arising from the report <i>Living Kurna Cultural Centre, GC250105F02</i> be revoked.	12 Dec 2017
2.	In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, ' <i>Living Kurna Cultural Centre, GC250105F02</i> ' 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 <i>Local Government Act 1999</i>) and may affect the security of Council and safety of members, employees of the Council, and other persons (Section 90(3)(e)), of the <i>Local Government Act 1999</i> .	12 Dec 2017
	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 2018 meeting of Council.	Dec 18

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 25 January 2005, Council ordered that the Report and minutes relating to *Living Kaurua Cultural Centre, GC250105F02* be kept confidential for a period of 12 months, to be reviewed at the General Council meeting in December 2005. This order was made on the basis that the Report contained information concerning the personal affairs of a number of persons – Section 90(3)(a) of the Act.

As required by the Act this confidentiality order has been reviewed annually since December 2005. The last review was at the 13 December 2016 General Council meeting where it was resolved that:

1. *In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, 'Living Kaurua 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.*

In accordance with Section 91(9) of the Act and the above resolutions, the confidentiality order is now due for review.

ANAYLSIS

On review of the original Report, it has been noted that the category of 'personal affairs' remains relevant to the content of the Report and as such, it is recommended that the order of confidentiality pursuant to Section 90(3)(a) of the Act remain in force.

As the information contained in the reports relates to persons who are still actively employed both within and outside of Council, it is further recommended that the information be kept confidential pursuant to Section 90(3)(e) of the Act, as it potentially affects the security of Council and safety of members, employees of the Council and other persons.

It is recommended that the minutes could be released as they do not contain information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead) and would not affect the security of Council and safety of members, employees of the Council, and other persons.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) and (e) of the Act given the current confidentiality order is still in force.

Report Reference: GC121217R05 (18) - *Living Kaurua Cultural Centre, GC250105F02*

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *Living Kaurua Cultural Centre*, GC250105F02 is necessary to ensure that Council does not prematurely disclose personal information or matters affecting the security and safety of Council, members, employees or other persons.

CITY OF MARION GENERAL COUNCIL MEETING 12 December 2017

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Review of Confidential Order for the Item:
Living Kurna Cultural Centre, GC220305F01

Ref No: GC121217R05 (19)

REPORT OBJECTIVE / EXECUTIVE SUMMARY:

To review the confidential item relating to the Report *Living Kurna Cultural Centre, GC220305F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS:

DUE DATES

That:

1.	The confidentiality order pertaining to the minutes arising from the report <i>Living Kurna Cultural Centre, GC220305F01</i> be revoked.	12 Dec 17
2.	In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, ' <i>Living Kurna Cultural Centre, GC220305F01</i> ' 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 <i>Local Government Act 1999</i> .	12 Dec 17
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 2018 meeting of Council.	Dec 18

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 22 March 2005, Council ordered that the Report and minutes relating to *Living Kurna Cultural Centre, GC220305F01* be kept confidential for a period of 12 months, to be reviewed at

Report Reference: GC121217R05 (19) - *Living Kurna Cultural Centre, GC220305F01*

the General Council meeting in December 2005. This order was made on the basis that the Report contained information concerning the personal affairs of a number persons – Section 90(3)(a) of the Act.

As required by the Act this confidentiality order has been reviewed annually since December 2005. The last review was at the 13 December 2016 General Council meeting where it was resolved that:

1. *In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, 'Living Kaurua Cultural Centre, GC220305F01' 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.*

In accordance with the Act and the above resolutions, the confidentiality order relating to the *Living Kaurua Cultural Centre, GC220305F01* is again due for review.

ANAYLSIS

On review of the original Report, it has been noted that the category of 'personal affairs' remains relevant to the content of the Report and as such, it is recommended that the order of confidentiality pursuant to Section 90(3)(a) of the Act remain in force.

As the information contained in the reports relates to persons who are still actively employed both within and outside of Council, it is further recommended that the information be kept confidential pursuant to Section 90(3)(e) of the Act, as it potentially affects the security of Council, members and employees of the Council and the safety of other persons.

It is recommended that the minutes could be released as they do not contain information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead) and would not affect the security of Council and safety of members, employees of the Council, and other persons.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2), (3)(a) and (3)(e) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *Living Kaurua Cultural Centre, GC220305F01* is necessary to ensure that Council does not prematurely disclose personal information, or matters affecting the security and safety of Council, members, employees or other persons.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Review of Confidential Order for the Item:
Kerbside Waste & Recycling Collection Contract 2005,
SGC210605F01

Ref No: GC121217R05 - (20)

REPORT OBJECTIVE / EXECUTIVE SUMMARY:

To review the confidential item relating to the Report *Kerbside Waste & Recycling Collection Contract 2005, SGC210605F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS:

DUE DATES

That

1. Pursuant to Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the Report, "<i>Kerbside Waste & Recycling Collection Contract 2005, SGC210605F01</i>" 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.	12 Dec 17
2. This confidential order be reviewed at the December 2018 meeting of Council.	Dec 18

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 21 June 2005, Council ordered that the report relating to the *Kerbside Waste & Recycling Collection Contract 2005, SGC210605F01* (the Report) be kept confidential for a period of 12 months, to be reviewed in December 2005. The report outlined details of a proposed kerbside waste and recycling contract and was considered confidential on the basis that Council was undertaking a tender process for the provision of services – Section 90(3)(k) of the Act.

As required by the Act this confidentiality order has been reviewed annually since December 2005. The last review was at the 13 December 2016 General Council meeting where it was resolved 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.*

In accordance with Section 91(9) of the Act and the above resolutions, the confidentiality order is now due for review.

ANALYSIS

The contract for services to which this report relates is still current having been extended in 2012 until April 2018.

The Report contains confidential commercial information which if disclosed 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.

To ensure that integrity and probity is maintained with Council's tendering processes, and Council does not prematurely divulge confidential commercial information, it is recommended that the confidentiality order be retained until the contract expires in 2018, to be reviewed in December 2018.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting prior to resolving the release or otherwise of the Report, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(k) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *Kerbside Waste & Recycling Collection Contract 2005, SGC210605F01* is important to ensure that Council maintains the integrity of its tendering process, and does not prematurely disclose commercial information of a confidential nature.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Review of Confidential Order for the Item: Provision of Advertising Bus Shelters to the City of Marion, GC270207F01

Ref No: GC121217R05 - (21)

REPORT OBJECTIVE / EXECUTIVE SUMMARY:

To review the confidential item relating to the Report *Provision of Advertising Bus Shelters to the City of Marion, GC270207F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS

DUE DATES

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 "<i>Provision of Advertising Bus Shelters to the City of Marion, GC270207F01</i>" be kept confidential on the basis that the matter relates to commercial information of a confidential nature (Section 90(3)(d) of the <i>Local Government Act 1999</i>).	12 Dec 17
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 2018 meeting of Council.	Dec 18

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 27 February 2007, Council ordered that the report and associated documents relating to the *Provision of Advertising Bus Shelters to the City of Marion, GC270207F01* (the Report) be kept confidential for a period of 10 months, to be reviewed in December 2007.

As required by the Act this confidentiality order has been reviewed annually since December 2007. The last review was at the 13 December 2016 General Council meeting where it was resolved 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.*

In accordance with the Act, the above confidentiality order is now due for review.

ANALYSIS

The contract for services to which this report relates is still current and is due to expire June 2020.

The Report contains confidential commercial information which if disclosed 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.

To ensure that Council does not prematurely divulge confidential commercial information, it is recommended that the confidentiality order be retained to be reviewed when the contract expires in 2020.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting prior to resolving the release or otherwise of the Report, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(d) of Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the commercial information contained in the Report, annexure and minutes is important to ensure that Council does not prematurely disclose commercial information of a confidential nature.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Review of Confidential Order for the Item:
Oaklands Regeneration Project, State Aquatic Centre,
SGC300608F01

Ref No: GC121217R05 - (22)

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Oaklands Regeneration Project, State Aquatic Centre, SGC300608F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the Appendix 1 to the report, '<i>Oaklands Regeneration Project, State Aquatic Centre, SGC300608F01</i>' 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.	12 Dec 17
2. This confidential order be reviewed at the December 2018 meeting of Council.	Dec 18

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 30 June 2008, Council ordered that the Report *Oaklands Regeneration Project, State Aquatic Centre, SGC300608F01*, together with all annexure and the relevant minutes be kept confidential until 1 December 2008, after which time the order was to be reviewed

As required by the Act, this confidentiality order has been reviewed annually since December 2008. The Report, Appendix 2 and the Minutes were released following a review in March 2014. The last review was at the 13 December 2016 General Council meeting where it was resolved 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.*

In accordance with Section 91(9) of the Act and Council's Management of Confidential Items Framework, the confidentiality order relating to the Report *Oaklands Regeneration Project, State Aquatic Centre, SGC300608F01* is again due for review.

ANAYLSIS

On review it has been found that the appendix continues to contain commercial information over which the City of Marion has a duty of confidence.

As requested by the Council the affected party was consulted with a view to releasing Appendix 1. Objection to the release of the document was advised on the grounds that the report contains information the disclosure of which could reasonably be expected to prejudice their commercial position and would, on balance, be contrary to the public interest. They also asserted disclosure would breach a duty of confidence.

Legal advice was obtained in 2015 and based on the advice and the affected party's objection, it is recommended that the confidentiality order associated with Appendix 1 remains in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(d) and (g) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of Appendix 1 to the Report *Oaklands Regeneration Project, State Aquatic Centre, SGC300608F01* is necessary to ensure that Council does not prematurely disclose commercial information or breach a duty of confidence.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Review of Confidential Order for the Item:
Personnel Matter – CEO Performance Review – Appointment of
External Consultant, CRC291111F01

Ref No: GC121217R05 – (23)

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Personnel Matter – CEO Performance Review – Appointment of External Consultant, CRC291111F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

DUE DATES

RECOMMENDATION:

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the annexure of the report, <i>Personnel Matter – CEO Performance Review – Appointment of External Consultant, CRC291111F01</i> 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.	12 Dec 17
2. This confidential order be reviewed at the December 201 meeting of Council.	Dec 18

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On the 29th November 2011, Council ordered that the Report, Appendix, minutes arising from this report relating to *Personnel Matter – CEO Performance Review – Appointment of External Consultant, CRC291111F01*, be kept confidential and not available for public inspection for the period that the Chief Executive Officer remains in gainful employment. This order was made on the basis the report contains personal information associated with the remuneration review of the Chief Executive Officer – Section 90(2) and (3)(a) of the Act.

It was last reviewed at the General Council Meeting on 13 December 2016 where it was resolved 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.*

In accordance with the Act, the above confidentiality order is due for review.

ANALYSIS

As Mr Searle is no longer employed by the City of Marion, he was consulted and has consented to the release of the report and minutes in 2016. Accordingly, the report and minutes have been released.

On review the report also contains commercial information. The affected external parties were consulted. They did not agree with the release of the documents on the basis that the information is commercial in confidence and the disclosure of which could reasonably be expected to prejudice their commercial position, or confer a commercial advantage to a third party.

Accordingly, it is recommended that the confidentiality order over the appendices be retained to be reviewed in December 2018.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(d) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality order over the appendices of the Report *Personnel Matter – CEO Performance Review – Appointment of External Consultant, CRC291111F01*, is necessary to ensure Council does not prematurely divulge confidential commercial information, the disclosure of which would, on balance, be contrary to the public interest.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 DECEMBER 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records
Corporate Manager: Kate McKenzie, Manager Corporate Governance
General Manager: Vincent Mifsud, General Manager Corporate Services
Subject: Chief Executive Officer's Employment Contract SGC190215F02
Ref No: GC121217R05 – (24)

REPORT OBJECTIVE:

To review the confidential item relating to the report *Chief Executive Officer's Employment Contract SGC190215F02*, in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATION:

DUE DATE

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the deed relating to this report <i>Chief Executive Officer's Employment Contract SGC190215F02</i> 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.	12 Dec 17
2. This confidential order be reviewed at the December 2018 meeting of Council.	

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

The confidentiality order relating to the report *Chief Executive Officer's Employment Contract SGC190215F02* was last reviewed at the 13 December 2016 meeting of Council. At this meeting it was resolved 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.

This order was made on the basis that it deals with information the disclosure of which would be unreasonable as it concerns the personal affairs of the Chief Executive Officer – Section 90(2) and (3)(a) of the Act and to ensure Council does not breach any duty of confidence or other legal obligation or duty (Section 90(3)(g)).

In accordance with the Act, the above confidentiality order is due for review.

ANALYSIS

Given the Chief Executive Officer remains in gainful employment (currently not with the City of Marion), it is recommended that the confidentiality order associated with this Report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) and (g) of the *Local Government Act 1999* given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the deed relating to the report *Chief Executive Officer's Employment Contract SGC190215F02* is necessary to ensure that Council does not prematurely disclose personal information or breach any duty of confidence or other legal obligation or duty.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records
Corporate Manager: Kate McKenzie, Manager Corporate Governance
General Manager: Vincent Mifsud, General Manager Corporate Services
Subject: Review of Confidential Order for the Item:
CEO Interim Performance Review, GC240516F03
Ref No: GC121217R05 – (25)

REPORT OBJECTIVE:

To review the confidential item relating to the Report *CEO Interim Performance Review, GC240516F03* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS:

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the report <i>CEO Interim Performance Review, GC240516F03</i> 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 Office of the Council (Section 90(2) and (3)(a) of the <i>Local Government Act 1999</i>). This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.	12 Dec 17
2. This confidential order be reviewed at the December 2018 meeting of Council.	Dec 18

BACKGROUND:

Section 91(9) of the Local Government Act 1999 (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On the 24 May 2016, Council ordered that the Report and minutes arising from this report relating to *CEO Interim Performance Review, GC240516F03*, be kept confidential and not available for public inspection for the period that the Chief Executive Officer remains in gainful employment, to be reviewed in December 2016. This order was made on the basis the information relates to the Chief Executive Officer's performance and remuneration review – Section 90(2) and (3)(a) of the Act.

The above confidentiality was last reviewed on 13 December 2016 where it was resolved 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 Office 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.*

In accordance with the Act, the above confidentiality order is due for review.

ANALYSIS

Given the Chief Executive Officer remains in gainful employment (currently with the City of Marion), it is recommended that the confidentiality order associated with this Report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the report *CEO Interim Performance Review, GC240516F03* is necessary to ensure that Council does not prematurely disclose personal information.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records
Corporate Manager: Kate McKenzie, Manager Corporate Governance
General Manager: Vincent Mifsud, General Manager Corporate Services
Subject: Review of Confidential Order for the Item:
CEO Annual Performance Review 2015/16, GC221116F01
Ref No: GC121217R05 – (25a)

REPORT OBJECTIVE:

To review the confidential item relating to the Report *CEO Annual Performance Review 2015/16, GC221116F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS:

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the report <i>CEO Annual Performance Review 2015/16, GC221116F01</i> 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 Office of the Council (Section 90(2) and (3)(a) of the <i>Local Government Act 1999</i>). This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.	12 Dec 17
2. This confidential order be reviewed at the December 2018 meeting of Council.	Dec 18

BACKGROUND:

Section 91(9) of the Local Government Act 1999 (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On the 11 November 2016, Council ordered that the Report and minutes arising from this report relating to *CEO Annual Performance Review 2015/16, GC221116F01*, be kept confidential and not available for public inspection for the period that the Chief Executive Officer remains in gainful employment. This order was made on the basis the information relates to the Chief Executive Officer's performance and remuneration review – Section 90(2) and (3)(a) of the Act.

In accordance with the Act, the above confidentiality order is due for review.

ANALYSIS

Given the Chief Executive Officer remains in gainful employment (currently with the City of Marion), it is recommended that the confidentiality order associated with this Report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the report *CEO Annual Performance Review 2015/16, GC221116F01* is necessary to ensure that Council does not prematurely disclose personal information.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Review of Confidential Order for the Item:
GC090517F01CEO Performance Indicators for Quarter 2
2016/17, RSC070217R8.1

Ref No: GC121217R05 – (26)

REPORT OBJECTIVE:

To review the confidential item relating to the Report *GC090517F01CEO Performance Indicators for Quarter 2 2016/17, RSC070217R8.1* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS:

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the report <i>GC090517F01CEO Performance Indicators for Quarter 2 2016/17, RSC070217R8.1</i> 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 Office of the Council (Section 90(2) and (3)(a) of the <i>Local Government Act 1999</i>). This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.	12 Dec 17
2. This confidential order be reviewed at the December 2018 meeting of Council.	Dec 18

BACKGROUND:

Section 91(9) of the Local Government Act 1999 (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On the 2 May 2017, the Review and Selection Committee ordered that the Report, appendix and minutes arising from this report relating to *GC090517F01CEO Performance Indicators for Quarter 2 2016/17, RSC070217R8.1*, be kept confidential and not available for public inspection for the period that the Chief Executive Officer remains in gainful employment, to be reviewed in December 2017. This order was made on the basis the information relates to the Chief Executive Officer's performance and remuneration review – Section 90(2) and (3)(a) of the Act.

In accordance with the Act, the above confidentiality order is due for review.

ANALYSIS

Given the Chief Executive Officer remains in gainful employment (currently with the City of Marion), it is recommended that the confidentiality order associated with this Report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the report *GC090517F01CEO Performance Indicators for Quarter 2 2016/17, RSC070217R8.1* is necessary to ensure that Council does not prematurely disclose personal information.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Review of Confidential Order for the Item:
CEO Performance Indicators for Quarter 3 2016/17,
RSC020517R8.1

Ref No: GC121217R05 – (27)

REPORT OBJECTIVE:

To review the confidential item relating to the Report *CEO Performance Indicators for Quarter 3 2016/17, RSC020517R8.1* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS:

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the report <i>CEO Performance Indicators for Quarter 3 2016/17, RSC020517R8.1</i> 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 <i>Local Government Act 1999</i>). This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.	12 Dec 17
2. This confidential order be reviewed at the December 2018 meeting of Council.	Dec 18

BACKGROUND:

Section 91(9) of the Local Government Act 1999 (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On the 2 May 2017, the Review and Selection Committee ordered that the Report, appendix and minutes arising from this report relating to *CEO Performance Indicators for Quarter 3 2016/17, RSC020517R8.1*, be kept confidential and not available for public inspection for the period that the Chief Executive Officer remains in gainful employment, to be reviewed in December 2017. This order was made on the basis the information relates to the Chief Executive Officer's performance and remuneration review – Section 90(2) and (3)(a) of the Act.

In accordance with the Act, the above confidentiality order is due for review.

ANALYSIS

Given the Chief Executive Officer remains in gainful employment (currently with the City of Marion), it is recommended that the confidentiality order associated with this Report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the report *CEO Performance Indicators for Quarter 3 2016/17, RSC020517R8.1* is necessary to ensure that Council does not prematurely disclose personal information.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Review of Confidential Order for the Item:
Confirmation of the Confidential Minutes of the Review and
Selection Committee held 2 May 2017, GC090517F01

Ref No: GC121217R05 – (28)

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Confirmation of the Confidential Minutes of the Review and Selection Committee held 2 May 2017, GC090517F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS:

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the appendix to the report <i>Confirmation of the Confidential Minutes of the Review and Selection Committee held 2 May 2017, GC090517F01</i> 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 Office of the Council (Section 90(2) and (3)(a) of the <i>Local Government Act 1999</i>). This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.	12 Dec 17
2. This confidential order be reviewed at the December 2018 meeting of Council.	Dec 18

BACKGROUND:

Section 91(9) of the Local Government Act 1999 (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On the 28 November 2017, the Council ordered that the appendix arising from this report relating to *Confirmation of the Confidential Minutes of the Review and Selection Committee held 2 May 2017, GC090517F01*, be kept confidential and not available for public inspection for the period that the Chief Executive Officer remains in gainful employment, to be reviewed in December 2017. This order was made on the basis the information relates to the Chief Executive Officer's performance and remuneration review – Section 90(2) and (3)(a) of the Act.

In accordance with the Act, the above confidentiality order is due for review.

ANALYSIS

Given the Chief Executive Officer remains in gainful employment (currently with the City of Marion), it is recommended that the confidentiality order associated with this Report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the report *Confirmation of the Confidential Minutes of the Review and Selection Committee held 2 May 2017, GC090517F01* is necessary to ensure that Council does not prematurely disclose personal information.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Review of Confidential Order for the Item:
CEO Performance Indicators for Quarter 3 2016/17,
GC090517F02

Ref No: GC121217R05 – (29)

REPORT OBJECTIVE:

To review the confidential item relating to the Report *CEO Performance Indicators for Quarter 3 2016/17, GC090517F02* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS:

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the report <i>CEO Performance Indicators for Quarter 3 2016/17, GC090517F02</i> 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 <i>Local Government Act 1999</i>). This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.	12 Dec 17
2. This confidential order be reviewed at the December 2018 meeting of Council.	Dec 18

BACKGROUND:

Section 91(9) of the Local Government Act 1999 (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On the 9 May 2017, the Council ordered that the Report, appendix and minutes arising from this report relating to *CEO Performance Indicators for Quarter 3 2016/17, GC090517F02*, be kept confidential and not available for public inspection for the period that the Chief Executive Officer remains in gainful employment, to be reviewed in December 2017. This order was made on the basis the information relates to the Chief Executive Officer's performance and remuneration review – Section 90(2) and (3)(a) of the Act.

In accordance with the Act, the above confidentiality order is due for review.

ANALYSIS

Given the Chief Executive Officer remains in gainful employment (currently with the City of Marion), it is recommended that the confidentiality order associated with this Report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the report *CEO Performance Indicators for Quarter 3 2016/17, GC090517F02* is necessary to ensure that Council does not prematurely disclose personal information.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Review of Confidential Order for the Item:
CEO Annual Performance Review 2016/17 and Employment Agreement, RSC071117F01

Ref No: GC121217R05 – (30)

REPORT OBJECTIVE:

To review the confidential item relating to the Report *CEO Annual Performance Review 2016/17 and Employment Agreement, RSC071117F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS:

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the report <i>CEO Annual Performance Review 2016/17 and Employment Agreement, RSC071117F01</i> 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 Office of the Council (Section 90(2) and (3)(a) of the <i>Local Government Act 1999</i>). This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.	12 Dec 17
2. This confidential order be reviewed at the December 2018 meeting of Council.	Dec 18

BACKGROUND:

Section 91(9) of the Local Government Act 1999 (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On the 7 November 2017, the Review and Selection Committee ordered that the Report, appendix and minutes arising from this report relating to *CEO Annual Performance Review 2016/17 and Employment Agreement, RSC071117F01*, be kept confidential and not available for public inspection for the period that the Chief Executive Officer remains in gainful employment, to be reviewed in December 2017. This order was made on the basis the information relates to the Chief Executive Officer's performance and remuneration review – Section 90(2) and (3)(a) of the Act.

In accordance with the Act, the above confidentiality order is due for review.

ANALYSIS

Given the Chief Executive Officer remains in gainful employment (currently with the City of Marion), it is recommended that the confidentiality order associated with this Report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the report *CEO Annual Performance Review 2016/17 and Employment Agreement, RSC071117F01* is necessary to ensure that Council does not prematurely disclose personal information.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Review of Confidential Order for the Item:
CEO KPI's Annual Confidential Report 2016/17, RSC071117F02

Ref No: GC121217R05 – (31)

REPORT OBJECTIVE:

To review the confidential item relating to the Report *CEO KPI's Annual Confidential Report 2016/17, RSC071117F02* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS:

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the report <i>CEO KPI's Annual Confidential Report 2016/17, RSC071117F02</i> 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 <i>Local Government Act 1999</i>). This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.	12 Dec 17
2. This confidential order be reviewed at the December 2018 meeting of Council.	Dec 18

BACKGROUND:

Section 91(9) of the Local Government Act 1999 (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On the 7 November 2017, the Review and Selection Committee ordered that the Report, appendix and minutes arising from this report relating to *CEO KPI's Annual Confidential Report 2016/17, RSC071117F02*, be kept confidential and not available for public inspection for the period that the Chief Executive Officer remains in gainful employment, to be reviewed in December 2017. This order was made on the basis the information relates to the Chief Executive Officer's performance and remuneration review – Section 90(2) and (3)(a) of the Act.

In accordance with the Act, the above confidentiality order is due for review.

ANALYSIS

Given the Chief Executive Officer remains in gainful employment (currently with the City of Marion), it is recommended that the confidentiality order associated with this Report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the report *CEO KPI's Annual Confidential Report 2016/17, RSC071117F02* is necessary to ensure that Council does not prematurely disclose personal information.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records
Corporate Manager: Kate McKenzie, Manager Corporate Governance
General Manager: Vincent Mifsud, General Manager Corporate Services
Subject: Review of Confidential Order for the Item:
CEO KPI Report Quarter One 2017/18, RSC071117F03
Ref No: GC121217R05 – (32)

REPORT OBJECTIVE:

To review the confidential item relating to the Report *CEO KPI Report Quarter One 2017/18, RSC071117F03* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS:

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the report <i>CEO KPI Report Quarter One 2017/18, RSC071117F03</i> 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 Office of the Council (Section 90(2) and (3)(a) of the <i>Local Government Act 1999</i>). This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.	12 Dec 17
2. This confidential order be reviewed at the December 2018 meeting of Council.	Dec 18

BACKGROUND:

Section 91(9) of the Local Government Act 1999 (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On the 7 November 2017, the Review and Selection Committee ordered that the Report, appendix and minutes arising from this report relating to *CEO KPI Report Quarter One 2017/18, RSC071117F03*, be kept confidential and not available for public inspection for the period that the Chief Executive Officer remains in gainful employment, to be reviewed in December 2017. This order was made on the basis the information relates to the Chief Executive Officer's performance and remuneration review – Section 90(2) and (3)(a) of the Act.

In accordance with the Act, the above confidentiality order is due for review.

ANALYSIS

Given the Chief Executive Officer remains in gainful employment (currently with the City of Marion), it is recommended that the confidentiality order associated with this Report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the report *CEO KPI Report Quarter One 2017/18, RSC071117F03* is necessary to ensure that Council does not prematurely disclose personal information.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Review of Confidential Order for the Item:
CEO and Corporate KPI's 2017/18 Quarter One, SGC271117F01

Ref No: GC121217R05 – (33)

REPORT OBJECTIVE:

To review the confidential item relating to the Report *CEO and Corporate KPI's 2017/18 Quarter One, SGC271117F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS:

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the report <i>CEO and Corporate KPI's 2017/18 Quarter One, SGC271117F01</i> 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 Office of the Council (Section 90(2) and (3)(a) of the <i>Local Government Act 1999</i>). This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.	12 Dec 17
2. This confidential order be reviewed at the December 2018 meeting of Council.	Dec 18

BACKGROUND:

Section 91(9) of the Local Government Act 1999 (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On the 27 November 2017, the Council ordered that the Report, appendix and minutes arising from this report relating to *CEO and Corporate KPI's 2017/18 Quarter One, SGC271117F01*, be kept confidential and not available for public inspection for the period that the Chief Executive Officer remains in gainful employment, to be reviewed in December 2017. This order was made on the basis the information relates to the Chief Executive Officer's performance and remuneration review – Section 90(2) and (3)(a) of the Act.

In accordance with the Act, the above confidentiality order is due for review.

ANALYSIS

Given the Chief Executive Officer remains in gainful employment (currently with the City of Marion), it is recommended that the confidentiality order associated with this Report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the report *CEO and Corporate KPI's 2017/18 Quarter One, SGC271117F01* is necessary to ensure that Council does not prematurely disclose personal information.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Review of Confidential Order for the Item:
Confirmation of the Confidential Minutes of the Review and
Selection Committee held 7 November 2017, GC281117F01

Ref No: GC121217R05 – (34)

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Confirmation of the Confidential Minutes of the Review and Selection Committee held 7 November 2017, GC281117F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS:

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the appendix to the report <i>Confirmation of the Confidential Minutes of the Review and Selection Committee held 7 November 2017, GC281117F01</i> 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 <i>Local Government Act 1999</i>). This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.	12 Dec 17
2. This confidential order be reviewed at the December 2018 meeting of Council.	Dec 18

BACKGROUND:

Section 91(9) of the Local Government Act 1999 (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On the 28 November 2017, the Council ordered that the appendix arising from this report relating to *Confirmation of the Confidential Minutes of the Review and Selection Committee held 7 November 2017, GC281117F01*, be kept confidential and not available for public inspection for the period that the Chief Executive Officer remains in gainful employment, to be reviewed in December 2017. This order was made on the basis the information relates to the Chief Executive Officer's performance and remuneration review – Section 90(2) and (3)(a) of the Act.

In accordance with the Act, the above confidentiality order is due for review.

ANALYSIS

Given the Chief Executive Officer remains in gainful employment (currently with the City of Marion), it is recommended that the confidentiality order associated with this Report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the report *Confirmation of the Confidential Minutes of the Review and Selection Committee held 7 November 2017, GC281117F01* is necessary to ensure that Council does not prematurely disclose personal information.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Review of Confidential Order for the Item:
CEO Annual Performance Review 2016/17 and Employment Agreement, GC281117F02

Ref No: GC121217R05 – (35)

REPORT OBJECTIVE:

To review the confidential item relating to the Report *CEO Annual Performance Review 2016/17 and Employment Agreement, GC281117F02* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS:

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the report <i>CEO Annual Performance Review 2016/17 and Employment Agreement, GC281117F02</i> 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 Office of the Council (Section 90(2) and (3)(a) of the <i>Local Government Act 1999</i>). This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.	12 Dec 17
2. This confidential order be reviewed at the December 2018 meeting of Council.	Dec 18

BACKGROUND:

Section 91(9) of the Local Government Act 1999 (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On the 28 November 2017, the Council ordered that the Report, appendix and minutes arising from the report *CEO Annual Performance Review 2016/17 and Employment Agreement, GC281117F02*, be kept confidential and not available for public inspection for the period that the Chief Executive Officer remains in gainful employment, to be reviewed in December 2017. This order was made on the basis the information relates to the Chief Executive Officer's performance and remuneration review – Section 90(2) and (3)(a) of the Act.

In accordance with the Act, the above confidentiality order is due for review.

ANALYSIS

Given the Chief Executive Officer remains in gainful employment (currently with the City of Marion), it is recommended that the confidentiality order associated with this Report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the report *CEO Annual Performance Review 2016/17 and Employment Agreement, GC281117F02* is necessary to ensure that Council does not prematurely disclose personal information.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records
Corporate Manager: Kate McKenzie, Manager Corporate Governance
General Manager: Vincent Mifsud, General Manager Corporate Services
Subject: Review of Confidential Order for the Item:
CEO KPI's Annual Confidential Report 2016/17, GC281117F02
Ref No: GC121217R05 – (36)

REPORT OBJECTIVE:

To review the confidential item relating to the Report *CEO KPI's Annual Confidential Report 2016/17, GC281117F02* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS:

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the report <i>CEO KPI's Annual Confidential Report 2016/17, GC281117F02</i> 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 Office of the Council (Section 90(2) and (3)(a) of the <i>Local Government Act 1999</i>). This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.	12 Dec 17
2. This confidential order be reviewed at the December 2018 meeting of Council.	Dec 18

BACKGROUND:

Section 91(9) of the Local Government Act 1999 (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On the 28 November 2017, the Council ordered that the Report, appendix and minutes arising from the report *CEO KPI's Annual Confidential Report 2016/17, GC281117F02*, be kept confidential and not available for public inspection for the period that the Chief Executive Officer remains in gainful employment, to be reviewed in December 2017. This order was made on the basis the information relates to the Chief Executive Officer's performance and remuneration review – Section 90(2) and (3)(a) of the Act.

In accordance with the Act, the above confidentiality order is due for review.

ANALYSIS

Given the Chief Executive Officer remains in gainful employment (currently with the City of Marion), it is recommended that the confidentiality order associated with this Report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the report *CEO KPI's Annual Confidential Report 2016/17, GC281117F02* is necessary to ensure that Council does not prematurely disclose personal information.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Review of Confidential Order for the Item: Commercial Arrangements, GC240112F01

Report Reference: GC121217R05 (37)

REPORT OBJECTIVES / EXECUTIVE SUMMARY:

To review the confidential item relating to the matter *Commercial Arrangements, GC240112F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS:

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the report <i>Commercial Arrangements, GC240112F01</i>, 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.	12 Dec 17
2. This confidentiality order will be reviewed at the General Council meeting in December 2018.	Dec 18

BACKGROUND

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 24 January 2012 Council ordered that the Report *Commercial Arrangements GC240112F01* and minutes be kept confidential and not available for public inspection to be reviewed at the General Council meeting in December 2012. The order was made on the basis that the report contained information relating 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 - Section 90(2) and (3)(d) of the Act.

The confidentiality order has been reviewed annually since 2012. The last review was at the General Council Meeting on 13 December 2016, where it was resolved 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.*

In accordance with the Act, and the above resolution, the above confidentiality order is due for review.

ANAYLSIS

Given the report contains commercial information of a confidential nature that could could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage to a third party, it is recommended that the confidentiality order associated with this report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(d) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *Commercial Arrangements, GC240112F01* is necessary to ensure that Council does not prematurely disclose commercial information.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 DECEMBER 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Review of Confidential Order for the Item: Commercial Arrangements, GC240712F01

Report Reference: GC121217R05 (38)

REPORT OBJECTIVES / EXECUTIVE SUMMARY:

To review the confidential item relating to the matter *Commercial Arrangements, GC240112F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS:

DUE DATES

That Council:

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.

12 Dec 17
2. This confidentiality order will be reviewed at the General Council meeting in December 2018.

Dec 18

BACKGROUND

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 24 July 2012 Council ordered that the Report *Commercial Arrangements, GC240712F01* and minutes be kept confidential and not available for public inspection to be reviewed at the

General Council meeting in December 2012. The order was made on the basis that the report contained information relating 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 - Section 90(2) and (3)(d) of the Act.

The confidentiality order has been reviewed annually since 2012. The last review was at the General Council Meeting on 13 December 2016, where it was resolved 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.*

In accordance with the Act, and the above resolution, the above confidentiality order is due for review.

ANAYLSIS

Given the report contains commercial information of a confidential nature that could could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage to a third party, it is recommended that the confidentiality order associated with this report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(d) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *Commercial Arrangements, GC240712F01* is necessary to ensure that Council does not prematurely disclose commercial information.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Review of Confidential Order for the Item:
Commercial Arrangements, GC260313F02

Ref No: GC121217R05 - (39)

REPORT OBJECTIVE / EXECUTIVE SUMMARY:

To review the confidential item relating to the matter *Commercial Arrangements, GC260313F02* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS:

DUE DATES

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.	12 Dec 17
2. Unless revoked prior, this confidential order be reviewed at the December 2018 meeting of Council.	Dec 18

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 26 March 2013 Council ordered that the Report *Commercial Arrangements, GC260313F02*, minutes and any other information distributed at the meeting be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting and that the order be reviewed at the December 2013 meeting.

In accordance with the Act and Council's 'Management of Confidential Items Framework', the above confidentiality was last reviewed in December 2016 where it was resolved 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.*

This order was made on the on the grounds that the report contains information in relation to a 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 to confer a commercial advantage to a third party, and that on balance disclosure would be contrary to the public interest.

ANAYLSIS

On review the report contains commercial information. The two affected external parties were consulted in 2016. Both did not agree with the release of the documents on the basis that the information is commercial in confidence and the disclosure of which could reasonably be expected to prejudice their commercial position, or confer a commercial advantage to a third party.

Accordingly, it is recommended that the confidentiality order be retained, to be reviewed in December 2017.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting prior to resolving the release or otherwise of the Report and associated minutes, Council will need to

order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Sections 90(2) and (3)(d) and (k) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality order over the Report, *Commercial Arrangements, GC260313F02* is necessary to ensure Council does not prematurely divulge confidential commercial information, the disclosure of which would, on balance, be contrary to the public interest.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

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

Ref No: GC121217R05 - (40)

REPORT OBJECTIVE / EXECUTIVE SUMMARY:

To review the confidential item relating to the matter *Signatures Cafe, GC240315F03* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report <i>Signatures Cafe, GC240315F03</i>, 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.	12 Dec 17
2. Unless revoked prior, this confidential order be reviewed at the December 2018 meeting of Council.	Dec 18

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 24 March 2015 Council ordered that in accordance with Section 91(7) and (9) of the Local Government Act 1999 the Report *Signatures Cafe, GC240315F03*, 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 required by the Act and Council's 'Management of Confidential Items Framework', the above confidentiality was last reviewed on 13 December 2016 where it was resolved 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.*

This order was made on the on the grounds that the report contains commercial information of a confidential nature, 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 to a third party, and that on balance disclosure would be contrary to the public interest.

ANAYLSIS

The report and minutes contain confidential commercial information with respect to a third party. Accordingly, it is recommended that the confidentiality order be retain to be reviewed at the December 2018 meeting of Council.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting prior to resolving the release or otherwise of the Report and associated minutes, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Sections 90(2) and (3)(d) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality order over the Report *Signatures Cafe, GC240315F03*, is necessary to ensure Council does not prematurely divulge confidential commercial information, the disclosure of which would, on balance, be contrary to the public interest.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Review of Confidential Order for the Item:
Signatures Cafe, GC080915F01

Ref No: GC121217R05 - (41)

REPORT OBJECTIVE / EXECUTIVE SUMMARY:

To review the confidential item relating to the matter *Signatures Cafe, GC080915F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report <i>Signatures Cafe, GC080915F01</i>, 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.	12 Dec 17
2. Unless revoked prior, this confidential order be reviewed at the December 2018 meeting of Council.	Dec 18

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 8 September 2015 Council ordered that in accordance with Section 91(7) and (9) of the Local Government Act 1999 the Report *Signatures Cafe, GC080915F01*, and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(d) 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.

In accordance with the Act and Council's 'Management of Confidential Items Framework', the above confidentiality was last reviewed in December 2016 where it was resolved 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.*

This order was made on the on the grounds that the report contains commercial information of a confidential nature, 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 to a third party, and that on balance disclosure would be contrary to the public interest.

ANAYLSIS

The report and minutes contain confidential commercial information with respect to a third party. Accordingly, it is recommended that the confidentiality order be retain to be reviewed at the December 2018 meeting of Council.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting prior to resolving the release or otherwise of the Report and associated minutes, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Sections 90(2) and (3)(d) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality order over the Report *Signatures Cafe, GC080915F01*, is necessary to ensure Council does not prematurely divulge confidential commercial information, the disclosure of which would, on balance, be contrary to the public interest.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Review of Confidential Order for the Item:
Signatures Cafe, GC260416F01

Ref No: GC121217R05 - (42)

REPORT OBJECTIVE / EXECUTIVE SUMMARY:

To review the confidential item relating to the matter *Signatures Cafe*, GC260416F01 in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS:

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report <i>Signatures Cafe</i>, 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.	12 Dec 17
2. Unless revoked prior, this confidential order be reviewed at the December 2018 meeting of Council.	Dec 18

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 26 April 2016 Council ordered that in accordance with Section 91(7) and (9) of the Local Government Act 1999 the Report *Signatures Cafe*, GC260416F01, 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.

In accordance with the Act and Council's 'Management of Confidential Items Framework', the above confidentiality was last reviewed in December 2016 where it was resolved 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.*

This order was made on the on the grounds that the report contains commercial information of a confidential nature, 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 to a third party, and that on balance disclosure would be contrary to the public interest.

ANAYLSIS

The report and minutes contain confidential commercial information with respect to a third party. Accordingly, it is recommended that the confidentiality order be retain to be reviewed at the December 2018 meeting of Council.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting prior to resolving the release or otherwise of the Report and associated minutes, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Sections 90(2) and (3)(d) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality order over the Report *Signatures Cafe, GC260416F01*, is necessary to ensure Council does not prematurely divulge confidential commercial information, the disclosure of which would, on balance, be contrary to the public interest.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Review of Confidential Order for the Item:
Signatures Cafe, GC260716F01

Ref No: GC121217R05 - (43)

REPORT OBJECTIVE / EXECUTIVE SUMMARY:

To review the confidential item relating to the matter *Signatures Cafe, GC260716F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS

DUE DATES

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.

12 Dec 17

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 2018 meeting of Council.

Dec 18

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 26 July 2016 Council ordered that in accordance with Section 91(7) and (9) of the Local Government Act 1999 the Report *Signatures Cafe, GC260716F01*, and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(d) 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 was made on the on the grounds that the report contains commercial information of a confidential nature, 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 to a third party, and that on balance disclosure would be contrary to the public interest.

In accordance with the Act and Council's 'Management of Confidential Items Framework', the above confidentiality was last reviewed in December 2016 where it was resolved 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.*

The above confidentiality order is due for review.

ANAYLSIS

The report and minutes contain confidential commercial information with respect to a third party. Accordingly, it is recommended that the confidentiality order be retain to be reviewed at the December 2018 meeting of Council.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting prior to resolving the release or otherwise of the Report and associated minutes, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Sections 90(2) and (3)(d) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality order over the Report *Signatures Cafe, GC260716F01*, is necessary to ensure Council does not prematurely divulge confidential commercial information, the disclosure of which would, on balance, be contrary to the public interest.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Review of Confidential Order for the Item:
Signatures Cafe, GC110417F01

Ref No: GC121217R05 - (44)

REPORT OBJECTIVE / EXECUTIVE SUMMARY:

To review the confidential item relating to the matter *Signatures Cafe, GC110417F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS:

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report <i>Signatures Cafe, GC110417F01</i>, 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.	12 Dec 17
2. Unless revoked prior, this confidential order be reviewed at the December 2018 meeting of Council.	Dec 18

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 11 April 2017 Council ordered that in accordance with Section 91(7) and (9) of the Local Government Act 1999 the Report *Signatures Cafe, GC110417F01*, 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 order was made on the on the grounds that the report contains commercial information of a confidential nature, 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 to a third party, and that on balance disclosure would be contrary to the public interest.

ANAYLSIS

The report and minutes contain confidential commercial information with respect to a third party. Accordingly, it is recommended that the confidentiality order be retain to be reviewed at the December 2018 meeting of Council.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting prior to resolving the release or otherwise of the Report and associated minutes, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Sections 90(2) and (3)(d) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality order over the Report *Signatures Cafe, GC110417F01*, is necessary to ensure Council does not prematurely divulge confidential commercial information, the disclosure of which would, on balance, be contrary to the public interest.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Review of Confidential Order for the Item:
Signatures Cafe, GC280217F01

Ref No: GC121217R05 - (45)

REPORT OBJECTIVE / EXECUTIVE SUMMARY:

To review the confidential item relating to the matter *Signatures Cafe, GC280217F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS:

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report <i>Signatures Cafe, GC280217F01</i>, 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.	12 Dec 17
2. Unless revoked prior, this confidential order be reviewed at the December 2018 meeting of Council.	Dec 18

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 28 February 2017 Council ordered that in accordance with Section 91(7) and (9) of the Local Government Act 1999 the Report *Signatures Cafe, GC280217F01*, 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 order was made on the on the grounds that the report contains commercial information of a confidential nature, 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 to a third party, and that on balance disclosure would be contrary to the public interest.

ANAYLSIS

The report and minutes contain confidential commercial information with respect to a third party. Accordingly, it is recommended that the confidentiality order be retain to be reviewed at the December 2018 meeting of Council.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting prior to resolving the release or otherwise of the Report and associated minutes, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Sections 90(2) and (3)(d) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality order over the Report *Signatures Cafe, GC280217F01*, is necessary to ensure Council does not prematurely divulge confidential commercial information, the disclosure of which would, on balance, be contrary to the public interest.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Review of Confidential Order for the Item:
Signatures Cafe Lease, GC101017F03

Ref No: GC121217R05 - (46)

REPORT OBJECTIVE / EXECUTIVE SUMMARY:

To review the confidential item relating to the matter *Signatures Cafe Lease, GC101017F03* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report *Signatures Cafe Lease, GC101017F03*, 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.

12 Dec 17

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 2018 meeting of Council.

Dec 18

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 10 October 2017 Council ordered that in accordance with Section 91(7) and (9) of the Local Government Act 1999 the Report *Signatures Cafe Lease, GC101017F03*, and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(d) 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 was made on the on the grounds that the report contains commercial information of a confidential nature, 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 to a third party, and that on balance disclosure would be contrary to the public interest.

In accordance with the Act and Council's 'Management of Confidential Items Framework', the above confidentiality is due for review.

ANAYLSIS

The report and minutes contain confidential commercial information with respect to a third party. Accordingly, it is recommended that the confidentiality order be retain to be reviewed at the December 2018 meeting of Council.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting prior to resolving the release or otherwise of the Report and associated minutes, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Sections 90(2) and (3)(d) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality order over the Report *Signatures Cafe Lease, GC101017F03*, is necessary to ensure Council does not prematurely divulge confidential commercial information, the disclosure of which would, on balance, be contrary to the public interest.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Review of Confidential Order for the Item:
Signatures Cafe Update, GC241017F02

Ref No: GC121217R05 - (47)

REPORT OBJECTIVE / EXECUTIVE SUMMARY:

To review the confidential item relating to the matter *Signatures Cafe Update, GC241017F02* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report <i>Signatures Cafe Update, GC241017F02</i>, 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.	12 Dec 17
2. Unless revoked prior, this confidential order be reviewed at the December 2018 meeting of Council.	Dec 18

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 24 October 2017 Council ordered that in accordance with Section 91(7) and (9) of the Local Government Act 1999 the Report *Signatures Cafe Update*, GC241017F02, and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(d) 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 was made on the on the grounds that the report contains commercial information of a confidential nature, 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 to a third party, and that on balance disclosure would be contrary to the public interest.

In accordance with the Act and Council's 'Management of Confidential Items Framework', the above confidentiality is due for review.

ANAYLSIS

The report and minutes contain confidential commercial information with respect to a third party. Accordingly, it is recommended that the confidentiality order be retain to be reviewed at the December 2018 meeting of Council.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting prior to resolving the release or otherwise of the Report and associated minutes, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Sections 90(2) and (3)(d) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality order over the Report *Signatures Cafe Update*, GC241017F02, is necessary to ensure Council does not prematurely divulge confidential commercial information, the disclosure of which would, on balance, be contrary to the public interest.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 DECEMBER 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Review of Confidential Order for the Item:
Cove Civic Centre – Cost and Programme Management,
GC240215F01

Ref No: GC121217R05 (48)

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Cove Civic Centre – Cost and Programme Management, GC240215F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS:

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the report, '<i>Cove Civic Centre – Cost and Programme Management, GC240215F01</i>' 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 (<i>Section 90(3)(b) of the Local Government Act 1999</i>) and would breach a duty of confidence (<i>Section 90(3)(g)</i>). 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.	12 Dec 17
2. This confidential order be reviewed at the December 2018 meeting of Council.	Dec 18

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 24 February 2015, Council ordered that the Report *Cove Civic Centre – Cost and Programme Management, GC240215F01*, and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(b)(i) and (ii) 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 2015.

On 13 December 2016 this Confidentiality Order was reviewed and the following resolution was made:

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

As required by the above resolution this order is due for review.

ANALYSIS

The report provides information to Council of cost and time issues associated with the construction of the Cove Civic Centre, and seeks Council's resolution to proceed to negotiations in order to achieve a timely and cost effective completion of the project.

As the matter is not yet finalised and there is a duty of confidence the confidentiality order needs to be retained.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Sections 90(2) and (3)(b) and (g) of Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the report, appendices and minutes to the Report "*Cove Civic Centre – Cost and Programme Management, GC240215F01*" is necessary to ensure that Council does not prematurely disclose commercial information or breach a legal obligation or duty of confidence.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Review of Confidentiality Order: Surplus Land associated with City Services Redevelopment, GC240315F02

Report Reference: GC121217R05 – (49)

REPORT OBJECTIVES / EXECUTIVE SUMMARY:

To review the confidential item relating to the matter of *Surplus Land associated with City Services Redevelopment Award of Construction Tender, GC240315F02* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS:

DUE DATES

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.

12 Dec 17

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 2018.

Dec 18

BACKGROUND

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 24 March 2015 Council ordered that:

In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that this report, Surplus land associated with City Services redevelopment, and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(b) and (d) (i)(ii) 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 2015.

As required by the Act and Council's 'Management of Confidential Items Framework', the above confidentiality was last reviewed on 13 December 2016 where it was resolved 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.

In accordance with the above resolution, the above confidentiality order is due for review.

ANAYLSIS

The report contains confidential information relating to options relating to the surplus land associated with the City Services redevelopment about which Council is yet to make a decision. 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 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.

Accordingly it is recommended that the confidentiality order associated with the report, appendices and remains in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present)

from the meeting pursuant to Section 90(2) and (3)(b) and (d) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report "*Surplus Land associated with City Services Redevelopment Award of Construction Tender,*" is necessary to ensure that Council does not prematurely disclose commercial information.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Review of Confidential Order for the Item – Internal Audit and Service Reviews – Tender Assessment, AC180815F8.2

Report Reference: GC121217R05 – (50)

REPORT OBJECTIVES / EXECUTIVE SUMMARY:

To review the confidential item *Internal Audit and Service Reviews – Tender Assessment, AC180815F8.2* in accordance with Section 91(9) of the *Local Government Act 1999*.

RECOMMENDATIONS

DUE DATES

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.

12 Dec 17

Dec 18
- 2. This confidentiality order will be reviewed at the December 2018 Council meeting.**

BACKGROUND

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 18 August 2015 the Audit Committee ordered 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.

As required by the Act and Council's 'Management of Confidential Items Framework', the above confidentiality was last reviewed on 13 December 2016 where it was resolved 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.*

In accordance with the above resolution, the above confidentiality order is due for review.

ANAYLSIS

Given the report contains commercial in confidence information regarding tenderers for the provision of service reviews and internal audit services, it is recommended that the confidentiality order associated with this report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(d) and (g) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *Internal Audit and Service Reviews – Tender Assessment, AC180815F8.2* is necessary to ensure that Council does not prematurely disclose commercial information, or breach any duty of confidence.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Review of Confidential Order for the Item – Internal Audit and Service Review Tender, GC250815F04

Report Reference: GC121217R05 – (51)

REPORT OBJECTIVES / EXECUTIVE SUMMARY:

To review the confidential item *Internal Audit and Service Review Tender, GC250815F04* in accordance with Section 91(9) of the *Local Government Act 1999*.

RECOMMENDATIONS

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.

12 Dec 17

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 confidentiality order will be reviewed at the December 2018 Council meeting.

Dec 18

BACKGROUND

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 25 August 2015 the Council ordered that in accordance with Section 91(7) and (9) of the Local Government Act 1999 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 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.

In accordance with the Act and Council's 'Management of Confidential Items Framework', the above confidentiality was last reviewed in December 2016 where it was resolved 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 2017 Council meeting.*

In accordance with the resolution above, the confidentiality order is due for review.

ANAYLSIS

The report provides Council with the recommendations from the Audit Committee in relation to the tender process for Internal Audit and Service Review program. Appendix A to the report contains commercial in confidence information regarding tenderers for the provision of service reviews and internal audit services.

It is recommended that the confidentiality order with respect to Appendix A remain in place as it contains commercial in confidence information the disclosure of which would, on balance, be contrary to the public interest.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(d) and (g) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality order over Appendix A to the report ensure that Council does not prematurely disclose commercial information, or breach any duty of confidence.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Review of Confidential Order for the Item:
Internal Audit Contract, FAC151216F02

Ref No: GC121217R05 - (52)

REPORT OBJECTIVE / EXECUTIVE SUMMARY:

To review the confidential item relating to the matter *Internal Audit Contract, FAC151216F02* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS

DUE DATES

That:

1. In accordance with s 91(7) and (9) of the <i>Local Government Act 1999</i> , orders that this report and Appendix 1 (<i>Internal Audit Contract, FAC151216F02</i>) to this report, having been considered in confidence under Section 90(2) and (3)(d) 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 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.	12 Dec 17
	Dec 18

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 2018 meeting of Council.

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 15 December 2016, the Finance and Audit Committee considered the Report *Internal Audit Contract, FAC151216F02*, and resolved 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.

This order was made on the grounds that the report contains commercial information of a confidential nature, 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 to a third party, and that on balance disclosure would be contrary to the public interest.

In accordance with the Act and Council's 'Management of Confidential Items Framework', the above confidentiality is due for review.

ANAYLSIS

To ensure that integrity and probity is maintained with Council's tendering processes, and Council does not prematurely divulge confidential commercial information, it is recommended that the confidentiality order associated with this report remain in place until the expiration of the contract, to be reviewed in December 2018.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting prior to resolving the release or otherwise of the Report and associated minutes, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Sections 90(2) and (3)(d) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality order over the Report *Internal Audit Contract, FAC151216F02*, is necessary to ensure Council does not prematurely divulge confidential commercial information, the disclosure of which would, on balance, be contrary to the public interest.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Review of Confidentiality Order: Investigation,
GC250815F05

Report Reference: GC121217R05 – (53)

REPORT OBJECTIVES / EXECUTIVE SUMMARY:

To review the confidential item *Investigation, GC250815F05* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS:

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 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)) and contains information over which Council has a duty of confidence or other legal obligation (Section 90(3)(g)).12 Dec 17

This order is to remain in force until such time as the conditions of confidentiality no longer exist.Dec 18
2. This confidential order be reviewed at the December 2018 meeting of Council.

BACKGROUND

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 25 August 2015 Council ordered that the report, annexure and minutes be kept confidential and not available for public inspection to be reviewed at the General Council meeting in December 2015. The order was made on the basis that Council has a legal obligation to keep it confidential – Section 90(3)(g) of the Act.

The confidentiality order has been reviewed annually since 2015. The last review was at the General Council Meeting on 13 December 2016, where it was resolved 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.*

In accordance with the above resolution, the confidentiality order is due for review.

ANAYLSIS

The report contains information relating to an investigation regarding a Council community facility by a third party over which Council has a legal obligation to keep confidential.

On review of the item, it has been noted that the category of 'personal affairs' is also relevant to the content of the Report and as such, it is recommended that the order remain in force pursuant to Section 90(3)(a) of the Act.

Accordingly, it is recommended that the confidentiality order be retained.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(g) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report "*Investigation GC250815F05*" is necessary to ensure that Council does not breach a duty of confidence or other legal obligation.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Review of Confidentiality Order: Investigation, GC080915F03

Report Reference: GC121217R05 – (54)

REPORT OBJECTIVES / EXECUTIVE SUMMARY:

To review the confidential item *Investigation, GC080915F03* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS:

DUE DATES

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 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)) and contains information over which Council has a duty of confidence or other legal obligation (Section 90(3)(g)).

13 Dec 16

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

Dec 18

2. This confidential order be reviewed at the December 2018 meeting of Council.

BACKGROUND

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 8 September 2015 Council ordered that:

In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, 'Investigation' (Report Reference GC080915F03), its appendices and the Minutes arising from this report having been considered in confidence be kept confidential under Sections 90(2) and (3)(g) 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 Council's duty of confidence is no longer in force. This confidentiality order will be reviewed at the General Council Meeting in December 2015.

On 13 December 2016, Council reviewed the above order and resolved 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.*

In accordance with the above resolution the confidentiality order is due for review.

ANAYLSIS

The report contains information relating to an investigation by a third party over which Council has a legal obligation to keep confidential.

On review of the item, it has been noted that the category of 'personal affairs' is also relevant to the content of the Report and as such, it is recommended that the order remain in force pursuant to Section 90(3)(a) of the Act.

Accordingly, it is recommended that the confidentiality order be retained.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(g) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report "*Investigation, GC080915F03*" is necessary to ensure that Council does not breach a duty of confidence or other legal obligation.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records
Corporate Manager: Kate McKenzie, Manager Corporate Governance
General Manager: Vincent Mifsud, General Manager Corporate Services
Subject: Review of Confidential Order for the Item:
Telecommunication Facilities Morphettville, GC131015R01
Ref No: GC121217R05 - (55)

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Telecommunication Facilities Morphettville, GC131015R01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS:

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that Appendix 3 to the report, 'Telecommunication Facilities Morphettville, GC131015R01' be kept confidential and not available for public inspection on the basis that the report contains legal advice (Section 90(3)(h)).	12 Dec 17
 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 2018 meeting of Council.	Dec 18

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 13 October 2015, Council ordered that Appendix 3 to the Report *Telecommunication Facilities Morphettville, GC131015R01*, be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting. This confidentiality order was last reviewed at the General Council Meeting on 13 December 2016 where it was resolved 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 Morphettville, 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.*

As required by the above resolution this order is due for review.

ANALYSIS

Appendix 3 to the report *Telecommunication Facilities Morphettville, GC131015R01* contains legal advice.

Although this particular matter has been finalised it is recommended that the confidentiality order be retained. The legal advice contained may be relevant to future similar matters.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Sections 90(2) and (3)(h) of Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the report, appendices and minutes to the Report "*Telecommunication Facilities Morphettville, GC131015R01*" is necessary to ensure that Council does not prematurely disclose commercial information or breach a legal obligation or duty of confidence.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Review of Confidential Order for the Item:
Glenthorne Farm, GC280616F01

Ref No: GC121217R05 - (56)

REPORT OBJECTIVE / EXECUTIVE SUMMARY:

To review the confidential item relating to the matter *Glenthorne Farm, GC280616F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS

DUE DATES

That:

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.

12 Dec 17

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.

1. Unless revoked prior, this confidential order be reviewed at the December 2018 meeting of Council.

Dec 18

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 28 June 2016 Council ordered that in accordance with Section 91(7) and (9) of the Local Government Act 1999 the Report *Glenthorne Farm, GC280616F01*, and the minutes arising from

this report having been considered in confidence under Section 90(2) and (3)(d) 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.

As required by the Act and Council's 'Management of Confidential Items Framework', the above confidentiality was last reviewed on 13 December 2016 where it was resolved 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.*

This order was made on the on the grounds that the report contains commercial information of a confidential nature, 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 to a third party, and that on balance disclosure would be contrary to the public interest.

In accordance with the Act and Council's 'Management of Confidential Items Framework', the above confidentiality is due for review.

ANAYLSIS

As the future of the site is still to be determined, it is recommended that the confidentiality order be retained, to be reviewed at the December 2018 meeting of Council.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting prior to resolving the release or otherwise of the Report and associated minutes, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Sections 90(2) and (3)(d) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality order over the Report *Glenthorne Farm, GC280616F01*, is necessary to ensure Council does not prematurely divulge confidential commercial information, the disclosure of which would, on balance, be contrary to the public interest.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Review of Confidential Order for the Item:
Local Government Association Membership, SGC010816F01

Ref No: GC121217R05 - (57)

REPORT OBJECTIVE / EXECUTIVE SUMMARY:

To review the confidential item relating to the matter *LOCAL GOVERNMENT ASSOCIATION Membership, SGC010816F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS

DUE DATES

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 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 made on the basis that the report contains information the disclosure of which 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 would, on balance, be contrary to the public interest (*Section 90(3)(b) of the Local Government Act 1999*) and contains legal advice (*Section 90(3)(h)*).

12 Dec 17

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.

Dec 18

2. Unless revoked prior, this confidential order be reviewed at the December 2018 meeting of Council.

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 1 August 2016 Council considered the Report *Local Government Association Membership, SGC010816F01*, (adjourned from the 26 July 2016 meeting, Report Reference GC260716F02) and resolved that the report and Appendix 1 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.

In accordance with the Act and Council's 'Management of Confidential Items Framework', the above confidentiality was last reviewed in December 2016 where it was resolved 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)(b) 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.*

This order was made on the on the grounds that the report contains legal advice and commercial information of a confidential nature, 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 to a third party, and that on balance disclosure would be contrary to the public interest.

The above confidentiality is again due for review.

ANAYLSIS

As the LGA Membership is an annual subscription it is recommended that the confidentiality of the report and appendix be retained. The confidentiality order be reviewed again in December 2018.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting prior to resolving the release or otherwise of the Report and associated minutes, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Sections 90(2) and (3)(g) and (h) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality order over the Report *Local Government Association Membership, SGC010816F01*, is necessary to ensure Council does not prematurely divulge confidential commercial information, the disclosure of which would, on balance, be contrary to the public interest.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Review of Confidential Order for the Item:
Local Government Association Insurance Schemes Review,
FAC280217R7.1

Ref No: GC121217R05 - (58)

REPORT OBJECTIVE / EXECUTIVE SUMMARY:

To review the confidential item relating to the matter *Local Government Association Insurance Schemes Review, FAC280217R7.1* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS

DUE DATES

That:

1. In accordance with s 91(7) and (9) of the *Local Government Act 1999*, orders that this report, Appendix to this report and minutes (*Local Government Association Insurance Schemes Review FAC280217R7.1*) 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 made on the basis that the report contains information the disclosure of which 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 would, on balance, be contrary to the public interest (*Section 90(3)(b) of the Local Government Act 1999*).

12 Dec 17

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.

Dec 18

2. Unless revoked prior, this confidential order be reviewed at the December 2018 meeting of Council.

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 28 February 2017 the Finance and Audit Committee considered the Report *Local Government Association Insurance Schemes Review, FAC280217R7.1*, and resolved:

in accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that this report, Local Government Association Membership and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(b) of the Act, except when required to effect or comply with the Committee'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 2017.

This order was made on the on the grounds that the report contains commercial information of a confidential nature, 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 to a third party, and that on balance disclosure would be contrary to the public interest.

In accordance with the Act and Council's 'Management of Confidential Items Framework', the above confidentiality is due for review.

ANAYLSIS

As the tender process regarding Council's insurance arrangements is currently underway it is recommended that the confidentiality of the report and appendix be retained. The confidentiality order be reviewed again in December 2018.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting prior to resolving the release or otherwise of the Report and associated minutes, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Sections 90(2) and (3)(b) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality order over the Report *Local Government Association Insurance Schemes Review, FAC280217R7.1*, is necessary to ensure Council does not prematurely divulge confidential commercial information, the disclosure of which would, on balance, be contrary to the public interest.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records
Corporate Manager: Kate McKenzie, Manager Corporate Governance
General Manager: Vincent Mifsud, General Manager Corporate Services
Subject: Review of Confidential Order for the Item:
Local Government Association Membership, FAC280217R7.2
Ref No: GC121217R05 - (59)

REPORT OBJECTIVE / EXECUTIVE SUMMARY:

To review the confidential item relating to the matter *Local Government Association Membership, FAC280217R7.2* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS

DUE DATES

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 FAC280217R7.2*) to this report, 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 made on the basis that the report contains information the disclosure of which 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 would, on balance, be contrary to the public interest (*Section 90(3)(b) of the Local Government Act 1999*) and contains legal advice (*Section 90(3)(h)*).

12 Dec 17

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.

Dec 18

2. Unless revoked prior, this confidential order be reviewed at the December 2018 meeting of Council.

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 28 February 2017 the Finance and Audit Committee considered the Report *Local Government Association Membership, FAC280217R7.2*, and resolved:

In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that this report, Local Government Association Membership and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(b) and (h) of the Act, except when required to effect or comply with the Committee'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 2017.

This order was made on the on the grounds that the report contains legal advice and commercial information of a confidential nature, 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 to a third party, and that on balance disclosure would be contrary to the public interest.

In accordance with the Act and Council's 'Management of Confidential Items Framework', the above confidentiality is due for review.

ANAYLSIS

As the LGA Membership is an annual subscription it is recommended that the confidentiality of the report and appendix be retained. The confidentiality order be reviewed again in December 2018.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting prior to resolving the release or otherwise of the Report and associated minutes, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Sections 90(2) and (3)(b) and (h) of the *Local Government Act 1999* given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality order over the Report *Local Government Association Membership, FAC280217R7.2*, is necessary to ensure Council does not prematurely divulge confidential commercial information, the disclosure of which would, on balance, be contrary to the public interest.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records
Corporate Manager: Kate McKenzie, Manager Corporate Governance
General Manager: Vincent Mifsud, General Manager Corporate Services
Subject: Review of Confidential Order for the Item:
Local Government Association Membership, GC140317F02
Ref No: GC121217R05 - (60)

REPORT OBJECTIVE / EXECUTIVE SUMMARY:

To review the confidential item relating to the matter *Local Government Association Membership, GC140317F02* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS

DUE DATES

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 GC140317F02*) to this report, 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 made on the basis that the report contains information the disclosure of which 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 would, on balance, be contrary to the public interest (*Section 90(3)(b) of the Local Government Act 1999*) and contains legal advice (*Section 90(3)(h)*).

12 Dec 17

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 2018 meeting of Council.

Dec 18

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 14 March 2017 Council considered the Report *Local Government Association Membership, GC140317F02*, and resolved:

In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that this report, Local Government Association Membership, having been considered in confidence under Section 90(2) and (3)(b) and (h) of the Act, except when required to effect or comply with the 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 2017.

This order was made on the on the grounds that the report contains legal advice and commercial information of a confidential nature, 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 to a third party, and that on balance disclosure would be contrary to the public interest.

In accordance with the Act and Council's 'Management of Confidential Items Framework', the above confidentiality is due for review.

ANAYLSIS

As the LGA Membership is an annual subscription it is recommended that the confidentiality of the report and appendix be retained. The confidentiality order be reviewed again in December 2018.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting prior to resolving the release or otherwise of the Report and associated minutes, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Sections 90(2) and (3)(b) and (h) of the *Local Government Act 1999* given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality order over the Report *Local Government Association Membership, GC140317F02*, is necessary to ensure Council does not prematurely divulge confidential commercial information, the disclosure of which would, on balance, be contrary to the public interest.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Review of Confidential Order for the Item:
Local Government Association Insurance Schemes Review,
GC140317F03

Ref No: GC121217R05 - (61)

REPORT OBJECTIVE / EXECUTIVE SUMMARY:

To review the confidential item relating to the matter *Local Government Association Insurance Schemes Review, GC140317F03* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS

DUE DATES

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 Insurance Schemes Review GC140317F03*) to this report, having been considered in confidence under s 90(2) and (3)(b) and (d) 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 made on the basis that 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.

12 Dec 17

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 2018 meeting of Council.

Dec 18

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 14 March 2017 Council considered the Report *Local Government Association Insurance Schemes Review, GC140317F03*, and resolved:

1. *Council Authorise the Chief Executive Officer to test the market for insurance coverage and present the results to a General Council Meeting.*
2. *In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that this report, Local Government Association Insurance Schemes in accordance with Section 90(2) and (3)(b) and (d) of the Act, except when required to effect or comply with the 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 2017.*

This order was made on the on the grounds that the report contains commercial information of a confidential nature, 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 to a third party, and that on balance disclosure would be contrary to the public interest.

In accordance with the Act and Council's 'Management of Confidential Items Framework', the above confidentiality is due for review.

ANAYLSIS

As the tender process regarding Council's insurance arrangements is currently underway it is recommended that the confidentiality of the report and appendix be retained. The confidentiality order be reviewed again in December 2018.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting prior to resolving the release or otherwise of the Report and associated minutes, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Sections 90(2) and (3)(b) and (d) of the *Local Government Act 1999* given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality order over the Report *Local Government Association Insurance Schemes Review, GC140317F03*, is necessary to ensure Council does not prematurely divulge confidential commercial information, the disclosure of which would, on balance, be contrary to the public interest.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records
Corporate Manager: Kate McKenzie, Manager Corporate Governance
General Manager: Vincent Mifsud, General Manager Corporate Services
Subject: Review of Confidential Order for the Item:
Internal Audit Program, FAC160816R7.8
Ref No: GC121217R05 – (62)

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Internal Audit Program, FAC160816R7.8* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS

DUE DATES

That:

1.	In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the Appendix to the report, '<i>Internal Audit Program, FAC160816R7.8</i>' 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 <i>Local Government Act 1999</i>).	12 Dec 17
 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 2018 meeting of Council.	Dec 18

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 16 August 2016, the Audit Committee ordered that the Appendix and minutes to the Report *Internal Audit Program, FAC160816R7.8* (the Report) be kept confidential for a period of 12

months, to be reviewed at the General Council meeting in December 2017. This order was made on the basis that the Appendix to the Report and the minutes deals with information the disclosure of which could reasonably be expected to affect the security of Council property (Section 90(3)(e) of the Act).

The above confidentiality was last reviewed on 13 December 2016 where it was resolved 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.*

In accordance with Section 91(9) of the Act and the above resolutions, the confidentiality order is again due for review.

ANALYSIS

The Appendix to the Report *Internal Audit Program, FAC160816R7.8* is a copy of the Report prepared by KPMG regarding 'Cash Handling Internal Audit Report'.

On review of the original Report it is noted that the appendix and minutes continues to contain information affecting the security of Council property – Section 90(3)(e) of the Act, as such it is recommended that the confidentiality order relating to this matter remain in force for a further period of 12 months.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(e) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Appendix and minutes of the Report *Internal Audit Program, FAC160816R7.8* is necessary to ensure that Council does not prematurely disclose information that could affect the security of Council property.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Review of Confidential Order for the Item:
Finance and Audit Committee Confidential Minutes,
GC230816F01

Ref No: GC121217R05 – (63)

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Finance and Audit Committee Confidential Minutes, GC230816F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS

DUE DATES

That:

1.	In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the Appendix to the report, ' <i>Finance and Audit Committee Confidential Minutes, GC230816F01</i> ' 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 <i>Local Government Act 1999</i>).	12 Dec 17
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 2018 meeting of Council	Dec 18

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 23 August 2016, the Council ordered that the Appendix to the Report *Finance and Audit Committee Confidential Minutes, GC230816F01* (the Report) be kept confidential for a period of 12 months, to be reviewed at the General Council meeting in December 2016. This order was made on the basis that the Appendix to the Report deals with information the disclosure of which could reasonably be expected to affect the security of Council property (Section 90(3)(e) of the Act).

The above confidentiality was last reviewed on 13 December 2016 where it was resolved 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*

In accordance with Section 91(9) of the Act and the above resolutions, the confidentiality order is again due for review.

ANALYSIS

The Appendix to the Report *Finance and Audit Committee Confidential Minutes, GC230816F01* contains the Confidential minutes of the Finance and Audit Committee meeting held on 26 August 2016.

On review of the original Report it is noted that it continues to contain information affecting the security of Council property – Section 90(3)(e) of the Act, as such it is recommended that the confidentiality order relating to this matter remain in force for a further period of 12 months.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(e) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *Finance and Audit Committee Confidential Minutes, GC230816F01* is necessary to ensure that Council does not prematurely disclose information that could affect the security of Council property.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Review of Confidential Order for the Item:
Organisational Service Reviews Quarter 1 2016/17,
FAC151216F01

Ref No: GC121217R05 - (64)

REPORT OBJECTIVE / EXECUTIVE SUMMARY:

To review the confidential item relating to the matter *Organisational Service Reviews Quarter 1 2016/17, FAC151216F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS

DUE DATES

That:

1. In accordance with s 91(7) and (9) of the *Local Government Act 1999*, orders that this report and Appendix 1 (*Organisational Service Reviews Quarter 1 2016/17, FAC151216F01*) to this report, having been considered in confidence under s 90(2) and (3)(d) 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 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.

12 Dec 17

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 2018 meeting of Council.

Dec 18

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 15 December 2016, the Finance and Audit Committee considered the Report *Organisational Service Reviews Quarter 1 2016/17, FAC151216F01*, and resolved:

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.

This order was made on the on the grounds that the report contains commercial information of a confidential nature, 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 to a third party, and that on balance disclosure would be contrary to the public interest.

In accordance with the Act and Council's 'Management of Confidential Items Framework', the above confidentiality is due for review.

ANAYLSIS

As the transition to new management structure is still being undertaken it is recommended that the item not be released. The confidentiality order be reviewed again in December 2018.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting prior to resolving the release or otherwise of the Report and associated minutes, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Sections 90(2) and (3)(d) of the *Local Government Act 1999* given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality order over the Report *Organisational Service Reviews Quarter 1 2016/17, FAC151216F01*, is necessary to ensure Council does not prematurely divulge confidential commercial information, the disclosure of which would, on balance, be contrary to the public interest.

CITY OF MARION GENERAL COUNCIL MEETING 12 December 2017

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Review of Confidential Order for the Item:
Finance and Audit Committee Confidential Minutes,
GC240117F01

Ref No: GC121217R05 – (65)

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Finance and Audit Committee Confidential Minutes, GC240117F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the Appendix to the report, '<i>Finance and Audit Committee Confidential Minutes, GC240117F01</i>' be kept confidential having been considered in confidence under s 90(2) and (3)(d) 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 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.	12 Dec 17
2. This confidential order be reviewed at the December 2018 meeting of Council	Dec 18

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 24 January 2017, the Council ordered that the Appendix to the Report *Finance and Audit Committee Confidential Minutes, GC240117F01* (the Report) be kept confidential for a period of 12 months, to be reviewed at the General Council meeting in December 2017. This order was made on the basis that the Appendix to 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.

In accordance with Section 91(9) of the Act and the above resolutions, the confidentiality order is again due for review.

ANALYSIS

The Appendix to the Report *Finance and Audit Committee Confidential Minutes, GC240117F01* contains the Confidential minutes of the Finance and Audit Committee meeting held on 15 December 2016.

On review of the original Report it is noted that it continues to contain commercial information – Section 90(3)(d) of the Act, as such it is recommended that the confidentiality order relating to this matter remain in force for a further period of 12 months.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(d) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *Finance and Audit Committee Confidential Minutes, GC240117F01* is necessary to ensure that Council does not prematurely disclose information that could affect the security of Council property.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Review of Confidential Order for the Item:
Marion Outdoor Swimming Pool - Service Review, GC240117F02

Ref No: GC121217R05 - (66)

REPORT OBJECTIVE / EXECUTIVE SUMMARY:

To review the confidential item relating to the matter *Marion Outdoor Swimming Pool - Service Review, GC240117F02* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS

DUE DATES

That:

1. In accordance with s 91(7) and (9) of the <i>Local Government Act 1999</i>, orders that this report and Appendix 1 (<i>Marion Outdoor Swimming Pool - Service Review, GC240117F02</i>) to this report, having been considered in confidence under s 90(2) and (3)(d) 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. 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.	12 Dec 17
2. Unless revoked prior, this confidential order be reviewed at the December 2018 meeting of Council.	Dec 18

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 24 January 2017, the Council considered the Report *Marion Outdoor Swimming Pool - Service Review, GC240117F02*, and resolved:

In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that this report, Marion Outdoor Swimming Pool – Service Review and the minutes arising from this report having been considered in confidence under Section 90(2) and (3) of the *Local Government Act 1999*, 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.

This order was made on the grounds that the report contains commercial information of a confidential nature, 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 to a third party, and that on balance disclosure would be contrary to the public interest.

In accordance with the Act and Council's 'Management of Confidential Items Framework', the above confidentiality is due for review.

ANAYLSIS

As the transition to new management structure is still being undertaken it is recommended that the item not be released. The confidentiality order be reviewed again in December 2018.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting prior to resolving the release or otherwise of the Report and associated minutes, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Sections 90(2) and (3)(d) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality order over the Report *Marion Outdoor Swimming Pool - Service Review, GC240117F02*, is necessary to ensure Council does not prematurely divulge confidential commercial information, the disclosure of which would, on balance, be contrary to the public interest.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records
Corporate Manager: Kate McKenzie, Manager Corporate Governance
General Manager: Vincent Mifsud, General Manager Corporate Services
Subject: Review of Confidential Order for the Item:
Code of Conduct Complaint, GC140217F01
Ref No: GC121217R05 – (67)

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Code of Conduct Complaint, GC140217F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS:

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the report <i>Code of Conduct Complaint, GC140217F01</i> 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 any person (living or dead) (Section 90(3)(a) of the <i>Local Government Act 1999</i>); This order is to remain in force for the current term of Council.	12 Dec 17
2. Unless revoked prior, this confidential order be reviewed at the December 2018 meeting of Council.	Dec 18

BACKGROUND:

Section 91(9) of the Local Government Act 1999 (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On the 14 February 2017, Council ordered that the appendix to the minutes arising from the report *Code of Conduct Complaint, GC140217F01*, be kept confidential and not available for public inspection for the current term of Council to be reviewed in December 2017. This order was made on the basis the information relates to an Elected Members personal affairs – Section 90(2) and (3)(a) of the Act.

In accordance with the Act, the above confidentiality order is due for review.

ANALYSIS

Given the Report still contains personal information it is recommended that the confidentiality order associated with this Report remain in place – reference Sections 90(3)(a) of the Act.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the report *Code of Conduct Complaint, GC140217F01* is necessary to ensure that Council does not prematurely disclose personal information.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records
Corporate Manager: Kate McKenzie, Manager Corporate Governance
General Manager: Vincent Mifsud, General Manager Corporate Services
Subject: Review of Confidential Order for the Item:
Code of Conduct - Mediation, GC110417F03
Ref No: GC121217R05 – (68)

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Code of Conduct - Mediation, GC110417F03* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS:

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the report <i>Code of Conduct - Mediation, GC110417F03</i> 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 any person (living or dead) (Section 90(3)(a) of the <i>Local Government Act 1999</i>); This order is to remain in force for the current term of Council.	12 Dec 17
2. Unless revoked prior, this confidential order be reviewed at the December 2018 meeting of Council.	Dec 18

BACKGROUND:

Section 91(9) of the Local Government Act 1999 (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On the 11 April 2017, Council ordered that the report *Code of Conduct - Mediation, GC110417F03*, appendices and any minutes arising from the report be kept confidential and not available for public inspection for the current term of Council to be reviewed in December 2017. This order was made on the basis the information relates to an Elected Members personal affairs – Section 90(2) and (3)(a) of the Act.

In accordance with the Act, the above confidentiality order is due for review.

ANALYSIS

Given the Report still contains personal information it is recommended that the confidentiality order associated with this Report remain in place – reference Sections 90(3)(a) of the Act.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the report *Code of Conduct - Mediation, GC110417F03* is necessary to ensure that Council does not prematurely disclose personal information.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Review of Confidential Order for the Item:
Code of Conduct, GC241017F03

Ref No: GC121217R05 – (69)

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Code of Conduct, GC241017F03* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS:

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the report <i>Code of Conduct, GC241017F03</i> 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 any person (living or dead) (Section 90(3)(a) of the <i>Local Government Act 1999</i>); This order is to remain in force for the current term of Council.	12 Dec 17
2. Unless revoked prior, this confidential order be reviewed at the December 2018 meeting of Council.	Dec 18

BACKGROUND:

Section 91(9) of the Local Government Act 1999 (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On the 24 October 2017, Council ordered that the report, any attachment to the report and the minutes arising from the report *Code of Conduct, GC241017F03*, be kept confidential and not available for public inspection for the current term of Council to be reviewed in December 2017. This order was made on the basis the information relates to Elected Members personal affairs – Section 90(2) and (3)(a) of the Act.

In accordance with the Act, the above confidentiality order is due for review.

ANALYSIS

Given the Report contains personal information it is recommended that the confidentiality order associated with this Report remain in place – reference Sections 90(3)(a) of the Act.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the report *Code of Conduct, GC241017F03* is necessary to ensure that Council does not prematurely disclose personal information.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records
Corporate Manager: Kate McKenzie, Manager Corporate Governance
General Manager: Vincent Mifsud, General Manager Corporate Services
Subject: Review of Confidential Order for the Item:
Code of Conduct, GC281117F08
Ref No: GC121217R05 – (70)

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Code of Conduct, GC281117F08* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS:

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the report <i>Code of Conduct, GC281117F08</i> 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 any person (living or dead) (Section 90(3)(a) of the <i>Local Government Act 1999</i>);	12 Dec 17
This order is to remain in force for the current term of Council.	
2. Unless revoked prior, this confidential order be reviewed at the December 2018 meeting of Council.	Dec 18

BACKGROUND:

Section 91(9) of the Local Government Act 1999 (the Act) requires that any confidentiality order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On the 28 November 2017, Council ordered that the report, any attachment to the report and the minutes arising from the report *Code of Conduct, GC281117F08*, be kept confidential and not available for public inspection for the current term of Council to be reviewed in December 2017. This order was made on the basis the information relates to an Elected Members personal affairs – Section 90(2) and (3)(a) of the Act.

In accordance with the Act, the above confidentiality order is due for review.

ANALYSIS

Given the Report contains personal information it is recommended that the confidentiality order associated with this Report remain in place – reference Sections 90(3)(a) of the Act.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the report *Code of Conduct, GC281117F08* is necessary to ensure that Council does not prematurely disclose personal information.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records
Corporate Manager: Kate McKenzie, Manager Corporate Governance
General Manager: Vincent Mifsud, General Manager Corporate Services
Subject: Review of Confidential Order for the Item:
Code of Conduct, GC281117F09
Ref No: GC121217R05 – (71)

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Code of Conduct, GC281117F09* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS:

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the report <i>Code of Conduct, GC281117F09</i> 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 any person (living or dead) (Section 90(3)(a) of the <i>Local Government Act 1999</i>); This order is to remain in force for the current term of Council.	12 Dec 17
2. Unless revoked prior, this confidential order be reviewed at the December 2018 meeting of Council.	Dec 18

BACKGROUND:

Section 91(9) of the Local Government Act 1999 (the Act) requires that any confidentiality order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On the 28 November 2017, Council ordered that the report, any attachment to the report and the minutes arising from the report *Code of Conduct, GC281117F09*, be kept confidential and not available for public inspection for the current term of Council to be reviewed in December 2017. This order was made on the basis the information relates to an Elected Members personal affairs – Section 90(2) and (3)(a) of the Act.

In accordance with the Act, the above confidentiality order is due for review.

ANALYSIS

Given the Report contains personal information it is recommended that the confidentiality order associated with this Report remain in place – reference Sections 90(3)(a) of the Act.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the report *Code of Conduct, GC281117F09* is necessary to ensure that Council does not prematurely disclose personal information.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Review of Confidential Order for the Item:
Organisational Service Reviews - Libraries 2017,
FAC280217R7.3

Ref No: GC121217R05 - (72)

REPORT OBJECTIVE / EXECUTIVE SUMMARY:

To review the confidential item relating to the matter *Organisational Service Reviews - Libraries 2017, FAC280217R7.3* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS

DUE DATES

That:

1. In accordance with s 91(7) and (9) of the <i>Local Government Act 1999</i> , orders that this report and Appendix 1 (<i>Organisational Service Reviews - Libraries 2017, FAC280217R7.3</i>) to this report, having been considered in confidence under s 90(2) and (3)(a) 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 on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).	12 Dec 17
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 2018 meeting of Council.	Dec 18

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 28 February 2017, the Finance and Audit Committee considered the Report *Organisational Service Reviews - Libraries 2017, FAC280217R7.3*, and resolved:

In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that this report, City of Marion Libraries Service Review (Appendix 5) and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(a) of the Act, 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 was made on the on the grounds that the report contains information relating to personnel matters.

In accordance with the Act and Council's 'Management of Confidential Items Framework', the above confidentiality is due for review.

ANAYLSIS

As the transition to new management structure is still being undertaken it is recommended that the item not be released. The confidentiality order be reviewed again in December 2018.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting prior to resolving the release or otherwise of the Report and associated minutes, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Sections 90(2) and (3)(a) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality order over the Report *Organisational Service Reviews - Libraries 2017, FAC280217R7.3*, is necessary to ensure Council does not prematurely divulge confidential commercial information, the disclosure of which would, on balance, be contrary to the public interest.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Review of Confidential Order for the Item:
Organisational Service Reviews - Public Litter Service Review
2017, FAC280217R7.4

Ref No: GC121217R05 - (73)

REPORT OBJECTIVE / EXECUTIVE SUMMARY:

To review the confidential item relating to the matter *Organisational Service Reviews - Public Litter Service Review 2017, FAC280217R7.4* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS

DUE DATES

That:

1. In accordance with s 91(7) and (9) of the <i>Local Government Act 1999</i>, orders that this report and Appendix 1 (<i>Organisational Service Reviews - Public Litter Service Review 2017, FAC280217R7.4</i>) to this report, having been considered in confidence under s 90(2) and (3)(d) 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 was made on the grounds that the report contains commercial information of a confidential nature, 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 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.	12 Dec 17
2. Unless revoked prior, this confidential order be reviewed at the December 2018 meeting of Council.	Dec 18

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 28 February 2017, the Finance and Audit Committee considered the Report *Organisational Service Reviews - Public Litter Service Review 2017, FAC280217R7.4*, and resolved:

In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that this report, City of Marion Public Litter Service Review and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(d) of the Act, 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 2017.

This order was made on the on the grounds that the report contains commercial information of a confidential nature, 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 to a third party, and that on balance disclosure would be contrary to the public interest.

In accordance with the Act and Council's 'Management of Confidential Items Framework', the above confidentiality is due for review.

ANAYLSIS

As the transition to new management structure is still being undertaken it is recommended that the item not be released. The confidentiality order be reviewed again in December 2018.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting prior to resolving the release or otherwise of the Report and associated minutes, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Sections 90(2) and (3)(d) of the *Local Government Act 1999* given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality order over the Report *Organisational Service Reviews - Public Litter Service Review 2017, FAC280217R7.4*, is necessary to ensure Council does not prematurely divulge confidential commercial information, the disclosure of which would, on balance, be contrary to the public interest.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Review of Confidential Order for the Item:
External Audit Tender, FAC280217R7.5

Ref No: GC121217R05 - (74)

REPORT OBJECTIVE / EXECUTIVE SUMMARY:

To review the confidential item relating to the matter *External Audit Tender, FAC280217R7.5* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS

DUE DATES

That:

1. In accordance with s 91(7) and (9) of the <i>Local Government Act 1999</i>, orders that this report and Appendix 1 (<i>External Audit Tender, FAC280217R7.5</i>) to this report, having been considered in confidence under s 90(2) and (3)(d) 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 was made on the grounds that the report contains commercial information of a confidential nature, 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 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.	12 Dec 17
2. Unless revoked prior, this confidential order be reviewed at the December 2018 meeting of Council.	Dec 18

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 28 February 2017, the Finance and Audit Committee considered the Report *External Audit Tender, FAC280217R7.5*, and resolved:

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)(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.

This order was made on the grounds that the report contains commercial information of a confidential nature, 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 to a third party, and that on balance disclosure would be contrary to the public interest.

In accordance with the Act and Council's 'Management of Confidential Items Framework', the above confidentiality is due for review.

ANAYLSIS

To ensure that integrity and probity is maintained with Council's tendering processes, and Council does not prematurely divulge confidential commercial information, it is recommended that the confidentiality order associated with this report remain in place until the expiration of the contract, to be reviewed in December 2018.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting prior to resolving the release or otherwise of the Report and associated minutes, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Sections 90(2) and (3)(d) of the *Local Government Act 1999* given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality order over the Report *External Audit Tender, FAC280217R7.5*, is necessary to ensure Council does not prematurely divulge confidential commercial information, the disclosure of which would, on balance, be contrary to the public interest.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Review of Confidential Order for the Item:
Finance and Audit Committee Confidential Minutes,
GC140317F01

Ref No: GC121217R05 – (75)

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Finance and Audit Committee Confidential Minutes, GC140317F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the Appendix to the report, '<i>Finance and Audit Committee Confidential Minutes, GC140317F01</i>' be kept confidential having been considered in confidence under Section 90(2) and (3)(a), (b), (d) and (h) of the Act be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting given the information relates to personal affairs, commercial information of a confidential nature and legal advice. 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.	12 Dec 17
2. This confidential order be reviewed at the December 2018 meeting of Council	Dec 18

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

Report Reference: GC121217R05 – (75) *Finance and Audit Committee Confidential Minutes, GC140317F01*

On 14 March 2017, the Council ordered that the Appendix to the Report *Finance and Audit Committee Confidential Minutes, GC140317F01* (the Report) be kept confidential for a period of 12 months, to be reviewed at the General Council meeting in December 2017. This order was made on the basis the grounds 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));
- information the disclosure of which 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 would, on balance, be contrary to the public interest (Section 90(3)(b))
- commercial 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 would, on balance, be contrary to the public interest (Section 90(3)(d))
- information relating to legal advice. (Section 90(3)(h))

In accordance with Section 91(9) of the Act and the above resolutions, the confidentiality order is again due for review.

ANALYSIS

The Appendix to the Report *Finance and Audit Committee Confidential Minutes, GC140317F01* contains the Confidential minutes of the Finance and Audit Committee meeting held on 28 February 2017.

On review of the original Report appendix it is noted that it continues to contain confidential information and as such it is recommended that the confidentiality order relating to this matter remain in force for a further period of 12 months.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a), (b), (d) and (h) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *Finance and Audit Committee Confidential Minutes, GC140317F01* is necessary to ensure that Council does not prematurely disclose information that could affect the security of Council property.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Review of Confidential Order for the Item:
External Audit Tender, GC140317F04

Ref No: GC121217R05 - (76)

REPORT OBJECTIVE / EXECUTIVE SUMMARY:

To review the confidential item relating to the matter *External Audit Tender, GC140317F04* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS

DUE DATES

That:

1. In accordance with s 91(7) and (9) of the <i>Local Government Act 1999</i> , orders that this report and Appendix 1 (<i>External Audit Tender, GC140317F04</i>) to this report, having been considered in confidence under s 90(2) and (3)(d) 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.	12 Dec 17
 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 2018 meeting of Council.	Dec 18

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 14 March 2017, the Council considered the Report *External Audit Tender, GC140317F04*, and resolved:

In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the Report, *External Audit Tender*, Appendix 1 to this report and the minutes, except when required to effect or comply with the 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 was made on the on the grounds that the report contains commercial information of a confidential nature, 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 to a third party, and that on balance disclosure would be contrary to the public interest.

In accordance with the Act and Council's 'Management of Confidential Items Framework', the above confidentiality is due for review.

ANAYLSIS

To ensure that integrity and probity is maintained with Council's tendering processes, and Council does not prematurely divulge confidential commercial information, it is recommended that the confidentiality order associated with this report remain in place until the expiration of the contract, to be reviewed in December 2018.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting prior to resolving the release or otherwise of the Report and associated minutes, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Sections 90(2) and (3)(d) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality order over the Report *External Audit Tender*, GC140317F04, is necessary to ensure Council does not prematurely divulge confidential commercial information, the disclosure of which would, on balance, be contrary to the public interest.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Review of Confidential Order for the Item:
Organisational Service Reviews - Status Report March 17 - City
of Marion Library Service Review, GC280317F01

Ref No: GC121217R05 - (77)

REPORT OBJECTIVE / EXECUTIVE SUMMARY:

To review the confidential item relating to the matter *Organisational Service Reviews - Status Report March 17 - City of Marion Library Service Review, GC280317F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS

DUE DATES

That:

1. In accordance with s 91(7) and (9) of the <i>Local Government Act 1999</i>, orders that this report and Appendix 1 (<i>Organisational Service Reviews - Status Report March 17 - City of Marion Library Service Review, GC280317F01</i>) to this report, having been considered in confidence under s 90(2) and (3)(a) 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 on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead). 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.	12 Dec 17
2. Unless revoked prior, this confidential order be reviewed at the December 2018 meeting of Council.	Dec 18

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidentiality order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 28 March 2017, the Council considered the Report *Organisational Service Reviews - Status Report March 17 - City of Marion Library Service Review, GC280317F01*, and resolved that *this report, City of Marion Library Service Review Appendix 2, be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting.*

This order was made on the on the grounds that the report contains information relating to personnel matters and that on balance disclosure would be contrary to the public interest.

In accordance with the Act and Council's 'Management of Confidential Items Framework', the above confidentiality is due for review.

ANAYLSIS

As the transition to new management structure is still being undertaken it is recommended that the item not be released. The confidentiality order be reviewed again in December 2018.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting prior to resolving the release or otherwise of the Report and associated minutes, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Sections 90(2) and (3)(d) of the *Local Government Act 1999* given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality order over the Report *Organisational Service Reviews - Status Report March 17 - City of Marion Library Service Review, GC280317F01*, is necessary to ensure Council does not prematurely divulge confidential commercial information, the disclosure of which would, on balance, be contrary to the public interest.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Review of Confidential Order for the Item:
Commercial Proposal for a Recreational Facility Development,
GC080817F01

Ref No: GC121217R05 - (78)

REPORT OBJECTIVE / EXECUTIVE SUMMARY:

To review the confidential item relating to the matter *Commercial Proposal for a Recreational Facility Development, GC080817F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS

DUE DATES

That:

1. In accordance with s 91(7) and (9) of the <i>Local Government Act 1999</i>, orders that this report and Appendix 1 (<i>Commercial Proposal for a Recreational Facility Development, GC080817F01</i>) to 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 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.	12 Dec 17

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.

1. Unless revoked prior, this confidential order be reviewed at the December 2018 meeting of Council.	Dec 18

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 8 August 2017, Council considered the Report *Commercial Proposal for a Recreational Facility Development, GC080817F01*, and resolved that:

In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that this report, Commercial proposal for a recreational facility development and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(d) of the Act, 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 was made on the on the grounds that the report contains commercial information of a confidential nature, 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 to a third party, and that on balance disclosure would be contrary to the public interest.

In accordance with the Act and Council's 'Management of Confidential Items Framework', the above confidentiality is due for review.

ANAYLSIS

As the future of the project is still to be determined, it is recommended that the confidentiality order be retained, to be reviewed at the December 2018 meeting of Council.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting prior to resolving the release or otherwise of the Report and associated minutes, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Sections 90(2) and (3)(d) of the *Local Government Act 1999* given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality order over the Report *Commercial Proposal for a Recreational Facility Development, GC080817F01*, is necessary to ensure Council does not prematurely divulge confidential commercial information, the disclosure of which would, on balance, be contrary to the public interest.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Review of Confidential Order for the Item:
Edwardstown Oval Redevelopment - Financial and Management Model, GC080817F02

Ref No: GC121217R05 - (79)

REPORT OBJECTIVE / EXECUTIVE SUMMARY:

To review the confidential item relating to the matter *Edwardstown Oval Redevelopment - Financial and Management Model, GC080817F02* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS

DUE DATES

That:

1. In accordance with s 91(7) and (9) of the <i>Local Government Act 1999</i>, orders that this report, <i>Edwardstown Oval Redevelopment - Financial and Management Model, GC080817F02</i>, appendices and minutes relating to this report, having been considered in confidence under Section 90(2) and (3)(b) and (d) of the Act be kept confidential and not available for public inspection on the upon the basis that the matter relates to commercial information the disclosure of which could prejudice the commercial position of Council and/or the person who supplied the information and 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.	12 Dec 17
2. Unless revoked prior, this confidential order be reviewed at the December 2018 meeting of Council.	Dec 18

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 8 August 2017, Council considered the Report *Edwardstown Oval Redevelopment - Financial and Management Model*, GC080817F02, and resolved that:

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)(b) and (d) of the Act, 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 was made on the on the grounds that the report contains commercial information the disclosure of which could prejudice the commercial position of Council and/or the person who supplied the information and would on balance be contrary to the public interest.

In accordance with the Act and Council's 'Management of Confidential Items Framework', the above confidentiality is due for review.

ANAYLSIS

As the project is still to be completed, it is recommended that the confidentiality order be retained, to be reviewed at the December 2018 meeting of Council.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting prior to resolving the release or otherwise of the Report and associated minutes, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Sections 90(2) and (3)(b) and (d) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality order over the Report *Edwardstown Oval Redevelopment - Financial and Management Model*, GC080817F02, is necessary to ensure Council does not prematurely divulge confidential commercial information, the disclosure of which would, on balance, be contrary to the public interest.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Review of Confidential Order for the Item:
Edwardstown Oval - Pre-tender Estimate and Approval to Call
the Stage 2 Construction Tender, SGC120917F01

Ref No: GC121217R05 - (80)

REPORT OBJECTIVE / EXECUTIVE SUMMARY:

To review the confidential item relating to the matter *Edwardstown Oval - Pre-tender Estimate and Approval to Call the Stage 2 Construction Tender, SGC120917F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS

DUE DATES

That:

In accordance with s 91(7) and (9) of the *Local Government Act 1999*, orders that this report, *Edwardstown Oval - Pre-tender Estimate and Approval to Call the Stage 2 Construction Tender, SGC120917F01*, appendices and minutes relating to this report, having been considered in confidence under Section 90(2) and (3)(k) of the Act be kept confidential and not available for public inspection on the basis that the information relates to the pre-tender estimate 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.

12 Dec 17

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.

Dec 18

1. Unless revoked prior, this confidential order be reviewed at the December 2018 meeting of Council.

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

Report Reference: GC121217R05 – (80) *Edwardstown Oval - Pre-tender Estimate and Approval to Call the Stage 2 Construction Tender, SGC120917F01*

On 12 September 2017, Council considered the Report *Edwardstown Oval - Pre-tender Estimate and Approval to Call the Stage 2 Construction Tender, SGC120917F01*, and resolved that:

In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that this report, Edwardstown Oval – Pre-tender estimate and approval to call the stage 2 construction tender and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(k) of the Act, 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 was made on the on the grounds that the report relates to the pre-tender estimate 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

In accordance with the Act and Council's 'Management of Confidential Items Framework', the above confidentiality is due for review.

ANAYLSIS

As the project is still to be completed, it is recommended that the confidentiality order be retained, to be reviewed at the December 2018 meeting of Council.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting prior to resolving the release or otherwise of the Report and associated minutes, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Sections 90(2) and (3)(k) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality order over the Report *Edwardstown Oval - Pre-tender Estimate and Approval to Call the Stage 2 Construction Tender, SGC120917F01*, is necessary to ensure Council does not prematurely divulge confidential commercial information, the disclosure of which would, on balance, be contrary to the public interest.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Review of Confidential Order for the Item:
Edwardstown Oval - Approval to Award Construction Tender,
GC281117F05

Ref No: GC121217R05 - (81)

REPORT OBJECTIVE / EXECUTIVE SUMMARY:

To review the confidential item relating to the matter *Edwardstown Oval - Approval to Award Construction Tender, GC281117F05* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS

DUE DATES

That:

In accordance with s 91(7) and (9) of the *Local Government Act 1999*, orders that this report, *Edwardstown Oval - Approval to Award Construction Tender, GC281117F05*, appendices and minutes relating to this report, having been considered in confidence under Section 90(2) and (3)(k) of the Act be kept confidential and not available for public inspection on the upon the basis that the information relates to the pre-tender estimate 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.

12 Dec 17

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.

Dec 18

1. Unless revoked prior, this confidential order be reviewed at the December 2018 meeting of Council.

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 28 November 2017, Council considered the Report *Edwardstown Oval - Approval to Award Construction Tender, GC281117F05*, and resolved that:

In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that this report, Edwardstown Oval – Pre-tender estimate and approval to call the stage 2 construction tender and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(k) of the Act, 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 was made on the on the grounds that the report relates to the pre-tender estimate 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

In accordance with the Act and Council's 'Management of Confidential Items Framework', the above confidentiality is due for review.

ANAYLSIS

As the project is still to be completed, it is recommended that the confidentiality order be retained, to be reviewed at the December 2018 meeting of Council.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting prior to resolving the release or otherwise of the Report and associated minutes, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Sections 90(2) and (3)(k) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality order over the Report *Edwardstown Oval - Approval to Award Construction Tender, GC281117F05*, is necessary to ensure Council does not prematurely divulge confidential commercial information, the disclosure of which would, on balance, be contrary to the public interest.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Review of Confidential Order for the Item:
Marion Sports and Community Club Lease, GC220817R07

Ref No: GC121217R05 - (82)

REPORT OBJECTIVE / EXECUTIVE SUMMARY:

To review the confidential item relating to the matter *Marion Sports and Community Club Lease, GC220817R07* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS

DUE DATES

That:

1. In accordance with s 91(7) and (9) of the *Local Government Act 1999*, orders that this report and Appendix 5 (*Marion Sports and Community Club Lease, GC220817R07*) to 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 upon the basis it contains 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

12 Dec 17

Dec 18

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 2018 meeting of Council.

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 22 August 2017, Council considered the Report *Marion Sports and Community Club Lease, GC220817R07*, and resolved that:

In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that Appendix 5 to 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 order was made on the grounds that the report contains commercial information of a confidential nature, disclosure of which 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.

In accordance with the Act and Council's 'Management of Confidential Items Framework', the above confidentiality is due for review.

ANAYLSIS

As the lease for the facility has not been finalised, it is recommended that the confidentiality order be retained, to be reviewed at the December 2018 meeting of Council.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting prior to resolving the release or otherwise of the Report and associated minutes, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Sections 90(2) and (3)(d) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality order over the Report *Marion Sports and Community Club Lease, GC220817R07*, is necessary to ensure Council does not prematurely divulge confidential commercial information, the disclosure of which would, on balance, be contrary to the public interest.

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Review of Confidential Order for the Item:
Selection of candidates for interview/appointment for Council
Assessment Panel, RSC190917R8.1

Ref No: GC121217R05 – (83)

To review the confidential item relating to the Report *Selection of candidates for interview/appointment for Council Assessment Panel, RSC190917R8.1* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

DUE DATES

1.	In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the report <i>Selection of candidates for interview/appointment for Council Assessment Panel, RSC190917R8.1</i> and minutes arising from this report 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 any person (living or dead) (Section 90(3)(a) of the Local Government Act 1999);	12 Dec 17
	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.	Dec 18
2.	Unless revoked prior, this confidential order be reviewed at the December 2018 meeting of Council.	

BACKGROUND:

Section 91(9) of the Local Government Act 1999 (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On the 19 September 2017, the Review and Selection Committee ordered that the report and minutes arising from the report *Selection of candidates for interview/appointment for Council Assessment Panel, RSC190917R8.1*, be kept confidential and not available for public inspection for a period of 12 months. This order was made on the basis the information relates to the personal affairs of applicants for the Council Assessment Panel – Section 90(2) and (3)(a) of the Act.

In accordance with the Act, the above confidentiality order is due for review.

ANALYSIS

Given the Report still contains personal information it is recommended that the confidentiality order associated with this Report remain in place – reference Sections 90(3)(a) of the Act.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the report *Selection of candidates for interview/appointment for Council Assessment Panel, RSC190917R8.1* is necessary to ensure that Council does not prematurely disclose personal information.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Review of Confidential Order for the Item:
Section 48 Prudential Report - BMX, FAC101017R8.14

Ref No: GC121217R05 - (84)

REPORT OBJECTIVE / EXECUTIVE SUMMARY:

To review the confidential item relating to the matter *Section 48 Prudential Report - BMX, FAC101017R8.14* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS

DUE DATES

That:

1. In accordance with s 91(7) and (9) of the *Local Government Act 1999*, orders that this report ,*Section 48 Prudential Report - BMX, FAC101017R8.14*, and the minutes arising from this report, having been considered in confidence under Section 90(2) and (3)(b) of the Act be kept confidential and not available for public inspection on the upon the basis that 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 release would, on balance, be contrary to the public interest.

12 Dec 17

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.

1. Unless revoked prior, this confidential order be reviewed at the December 2018 meeting of Council.

Dec 18

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 10 October 2017, the Finance and Audit Committee considered the Report *Section 48 Prudential Report - BMX, FAC101017R8.14*, and resolved that:

In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Committee orders that this report, Section 48 Prudential Report – BMX Confidential and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(i)(ii) of the Act, 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 was made on the on the grounds that the report contains commercial information of a confidential nature, disclosure of which 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.

In accordance with the Act and Council's 'Management of Confidential Items Framework', the above confidentiality is due for review.

ANAYLSIS

As the project is not finalised, it is recommended that the confidentiality order be retained, to be reviewed at the December 2018 meeting of Council.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting prior to resolving the release or otherwise of the Report and associated minutes, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Sections 90(2) and (3)(b) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality order over the Report *Section 48 Prudential Report - BMX, FAC101017R8.14*, is necessary to ensure Council does not prematurely divulge confidential commercial information, the disclosure of which would, on balance, be contrary to the public interest.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Review of Confidential Order for the Item:
73 Cove Road Marino, FAC101017R8.15

Ref No: GC121217R05 - (85)

REPORT OBJECTIVE / EXECUTIVE SUMMARY:

To review the confidential item relating to the matter *73 Cove Road Marino, FAC101017R8.15* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS

DUE DATES

That:

1. In accordance with s 91(7) and (9) of the *Local Government Act 1999*, orders that this report ,*73 Cove Road Marino, FAC101017R8.15*, and the minutes arising from this report, having been considered in confidence under Section 90(2) and (3)(a) and (i) of the Act be kept confidential and not available for public inspection on the upon the basis that 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 release would, on balance, be contrary to the public interest.

12 Dec 17

Dec 18

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.

1. Unless revoked prior, this confidential order be reviewed at the December 2018 meeting of Council.

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 10 October 2017, the Finance and Audit Committee considered the Report *73 Cove Road Marino, FAC101017R8.15*, and resolved that:

In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Committee orders that this report, 73 Cove Road Marino and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(i)(ii) of the Act, 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 was made on the on the grounds that the report contains information relating to actual litigation, or litigation that the Council or Council committee believes on reasonable grounds will take place, involving the Council or an employee of the Council and information concerning personal affairs. (Sections 90(3)(a) and 90(3)(i) of the Act).

In accordance with the Act and Council's 'Management of Confidential Items Framework', the above confidentiality is due for review.

ANAYLSIS

As the matter is not finalised, it is recommended that the confidentiality order be retained, to be reviewed at the December 2018 meeting of Council.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting prior to resolving the release or otherwise of the Report and associated minutes, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Sections 90(2) and (3)(a) and (h) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality order over the Report *73 Cove Road Marino, FAC101017R8.15*, is necessary to ensure Council does not prematurely divulge confidential commercial information, the disclosure of which would, on balance, be contrary to the public interest.

CITY OF MARION GENERAL COUNCIL MEETING 12 December 2017

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Review of Confidential Order for the Item:
Confirmation of the Confidential Minutes of the Finance and
Audit Committee Meeting Held 10 October 2017, GC241017F01

Ref No: GC121217R05 – (86)

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Confirmation of the Confidential Minutes of the Finance and Audit Committee Meeting Held 10 October 2017, GC241017F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the Appendix to the report, '<i>Confirmation of the Confidential Minutes of the Finance and Audit Committee Meeting Held 10 October 2017, GC241017F01</i>' be kept confidential having been considered in confidence under Section 90(2) and (3)(a), (b), (h) and (i) 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 order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.	12 Dec 17
2. This confidential order be reviewed at the December 2018 meeting of Council	Dec 18

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

Report Reference: GC121217R05 – (75) *Confirmation of the Confidential Minutes of the Finance and Audit Committee Meeting Held 10 October 2017, GC241017F01*

On 24 October 2017, the Council ordered that the Appendix to the Report *Confirmation of the Confidential Minutes of the Finance and Audit Committee Meeting Held 10 October 2017, GC241017F01* (the Report) be kept confidential for a period of 12 months, to be reviewed at the General Council meeting in December 2017. This order was made on the basis the grounds 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));
- information the disclosure of which 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 would, on balance, be contrary to the public interest (Section 90(3)(b))
- information relating to legal advice. (Section 90(3)(h))
- Information relating to actual litigation, or litigation that the Finance and Audit Committee believes on reasonable grounds will take place, involving the Council or an employee of the Council. (Section 90(3)(i))

In accordance with Section 91(9) of the Act and the above resolutions, the confidentiality order is again due for review.

ANALYSIS

The Appendix to the Report *Confirmation of the Confidential Minutes of the Finance and Audit Committee Meeting Held 10 October 2017, GC241017F01* contains the Confidential minutes of the Finance and Audit Committee meeting held on 28 February 2017.

On review of the original Report appendix it is noted that it continues to contain confidential information and as such it is recommended that the confidentiality order relating to this matter remain in force for a further period of 12 months.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a), (b), (d) and (h) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *Confirmation of the Confidential Minutes of the Finance and Audit Committee Meeting Held 10 October 2017, GC241017F01* is necessary to ensure that Council does not prematurely disclose information that could affect the security of Council property.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Review of Confidentiality Order: Lot 198 Greenfield Road Seaview Downs - Community Land Division and Residential Development, GC241017F04

Report Reference: GC121217R05 – (87)

REPORT OBJECTIVES / EXECUTIVE SUMMARY:

To review the confidential item *Lot 198 Greenfield Road Seaview Downs - Community Land Division and Residential Development, GC241017F04* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS:

DUE DATES

That:

- 1.** In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the report, '*Lot 198 Greenfield Road Seaview Downs - Community Land Division and Residential Development, GC241017F04*' together with appendices 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 the Department of Planning, Transport and Infrastructure have issued their final decision on the application.

12 Dec 17
- 2.** Unless revoked prior, this confidential order be reviewed at the December 2018 meeting of Council.

Dec 18

BACKGROUND

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 24 October 2017 Council ordered that the report, annexure and minutes be kept confidential and not available for public inspection to be reviewed at the General Council meeting in December 2017. The order was made on the basis that Council has a legal obligation to keep it confidential – Section 90(3)(g) of the Act.

In accordance with the above resolution the confidentiality order is due for review.

ANAYLSIS

The report contains information relating to an investigation regarding a Council community facility by a third party over which Council has a legal obligation to keep confidential. Accordingly, it is recommended that the confidentiality order be retained.

Once the Department of Planning, Transport and Infrastructure have issued their final decision on the application the duty of confidence will no longer exist and the confidential order can be revoked.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(g) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report "*Lot 198 Greenfield Road Seaview Downs - Community Land Division and Residential Development, GC241017F04*" is necessary to ensure that Council does not breach a duty of confidence or other legal obligation.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Review of Confidential Order for the Item:
Morphettville Park Sports and Community Club Redevelopment,
GC281117F06

Ref No: GC121217R05 - (88)

REPORT OBJECTIVE / EXECUTIVE SUMMARY:

To review the confidential item relating to the matter *Morphettville Park Sports and Community Club Redevelopment, GC281117F06* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS

DUE DATES

That:

1. In accordance with s 91(7) and (9) of the <i>Local Government Act 1999</i>, orders that this report and Appendix 1 (<i>Morphettville Park Sports and Community Club Redevelopment, GC281117F06</i>) to this report, having been considered in confidence under Section 90(2) and (3)(b) of the Act be kept confidential and not available for public inspection on the upon the basis that 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 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.	12 Dec 17
2. Unless revoked prior, this confidential order be reviewed at the December 2018 meeting of Council.	Dec 18

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 28 November 2017, Council considered the Report *Morphettville Park Sports and Community Club Redevelopment*, GC281117F06, and resolved that:

In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Committee orders that this report, *Morphettville Park Sports and Community Club Redevelopment*, its appendices and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(b) of the Act, 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 was made on the grounds that the report contains commercial information of a confidential nature, disclosure of which 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.

In accordance with the Act and Council's 'Management of Confidential Items Framework', the above confidentiality is due for review.

ANAYLSIS

As the future of the project is still to be determined, it is recommended that the confidentiality order be retained, to be reviewed at the December 2018 meeting of Council.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting prior to resolving the release or otherwise of the Report and associated minutes, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Sections 90(2) and (3)(b) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality order over the Report *Morphettville Park Sports and Community Club Redevelopment*, GC281117F06, is necessary to ensure Council does not prematurely divulge confidential commercial information, the disclosure of which would, on balance, be contrary to the public interest.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 December 2017**

Originating Officer: Jaimie Thwaites, Unit Manager Governance and Records

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Review of Confidential Order for the Item:
Expression of Interest for Potential Land Acquisition
Opportunity at Morphetville, GC281117F07

Ref No: GC121217R05 - (89)

REPORT OBJECTIVE / EXECUTIVE SUMMARY:

To review the confidential item relating to the matter *Expression of Interest for Potential Land Acquisition Opportunity at Morphetville, GC281117F07* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS

DUE DATES

That:

1. In accordance with s 91(7) and (9) of the <i>Local Government Act 1999</i>, orders that this report and Appendix 1 (<i>Expression of Interest for Potential Land Acquisition Opportunity at Morphetville, GC281117F07</i>) to this report, having been considered in confidence under Section 90(2) and (3)(b) of the Act be kept confidential and not available for public inspection on the upon the basis that 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 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.	12 Dec 17
2. Unless revoked prior, this confidential order be reviewed at the December 2018 meeting of Council.	Dec 18

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 28 November 2017, Council considered the Report *Expression of Interest for Potential Land Acquisition Opportunity at Morphettsville, GC281117F07*, and resolved that:

In accordance with Section 90(3) of the Local Government Act 1999 the Council orders that this report, Expression of Interest for Potential Property Acquisition Opportunity at Morphettsville, associated documents and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(b) of the Act, except where 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 was made on the on the grounds that the report contains commercial information of a confidential nature, disclosure of which 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..

In accordance with the Act and Council's 'Management of Confidential Items Framework', the above confidentiality is due for review.

ANAYLSIS

As the future of the proposal is still to be determined, it is recommended that the confidentiality order be retained, to be reviewed at the December 2018 meeting of Council.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting prior to resolving the release or otherwise of the Report and associated minutes, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Sections 90(2) and (3)(b) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality order over the Report *Expression of Interest for Potential Land Acquisition Opportunity at Morphettsville, GC281117F07*, is necessary to ensure Council does not prematurely divulge confidential commercial information, the disclosure of which would, on balance, be contrary to the public interest.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 DECEMBER 2017**

Originating Officer: Emma McDonald, Community Development Officer

Corporate Manager: Liz Byrne, Manager Community & Cultural Services

General Manager: Tony Lines, General Manager City Services

Subject: Community Grants Round One, 2017/2018

Ref No: GC121217R06

REPORT OBJECTIVES AND EXECUTIVE SUMMARY:

The City of Marion Community Grants Program provides funding support to clubs and organisations for activities, which provide a community benefit. This report provides Council with a summary of the applications received for the 2017/18 Round One Community Grants Program and makes recommendations for Council approval.

In this round twenty-three applications were received, requesting funding to the value of \$91,677. Following assessment of the applications against the grant guidelines, twelve grants are recommended for Council approval to the value of \$41,453.

Whilst the twelve grants recommended for approval total \$41,453, the projects they support will generate community projects to the value of \$104,690, consisting of Council's \$41,453 contribution plus the community's \$63,237 contribution. The community contribution consists of financial contributions, in-kind support and 1,209 hours of volunteered time that is costed at the Australian Bureau of Statistics' recommended rate of \$27.45 per hour.

RECOMMENDATIONS:

DUE DATES

That Council:

1. Approves the Community Grant applications, totalling \$41,453 as recommended in Appendix 1.	12 Dec 2017
2. Notes the grants will generate community projects to the value of \$104,690 (consisting of Council's \$41,453 contribution plus \$63,237 of community contribution).	12 Dec 2017

BACKGROUND:

The Community Grants program continues to target the provision of funding to clubs and organisations for activities that maximise community benefit. Framed around the City of Marion's Community Vision - Towards 2040, the Community Grants program plays an important role in community development and building community capacity. This approach allows the community, through local organisations, to identify issues that are important to them and to develop their own solutions by utilising the skills, experience and resources within their ranks.

Each round includes funds available for:

- One grant of \$10,000
- Multiple grants of up to \$5,000
- Multiple grants of up to \$2,000

Normally \$50,000 is allocated to each of the two grant rounds per financial year. Within the grant guidelines, a total of \$41,453 is recommended for the current eligible projects. As this is Round one for 2017/2018 the under-spend of \$8,447 will be rolled over into Round two which will open in early 2018.

Organisations can apply for a Community Grant in four categories:

- Arts & Culture
- Community Development
- Environment
- Sports and Recreation

The selection panel assesses each of the applications against the Council's approved guidelines. The selection panel is comprised of four Council staff, each with experience in the four grant categories, and makes its recommendations to Council.

DISCUSSION:

The Community Grants Program was advertised in The Messenger newspaper on 4th and 11th October 2017. The grants were also promoted through ClubLink, community networks, social media, libraries and neighbourhood centres, while the City of Marion website provided full details of the grants including online access to the guidelines and application form.

An optional information session was held on the evening of 12 October 2017 to provide support and information to groups requiring assistance in applying for the grants. Several organisations utilised this opportunity and participated in the information session.

Table One below identifies the twelve organisations that have been recommended to receive a Community Grant, 11 of which have not received funding through the City of Marion Community Grants program before.

Further details of the recommended grants in Table One are provided in Appendix 1.

Appendix 2 provides details of applications not recommended by the panel.

Table One – Recommended Applications

	Organisation	Amount Recommend
1	Marion Art Group	\$2,000
2	Authors Once Again Writers Group. Auspice: SA Writers Group	\$3,228
3	Coast FM	\$4,500
4	Warradale Community Children's Centre	\$3,500
5	Kids in Programs – Auspice: Scouts Australia (SA Branch)	\$2,925
6	Uniting Church In Australia – Hallett Cove Congregation	\$2,000
7	Scouts Australia (SA Branch) Ascot Park Group	\$5,000
8	Park Holme Community Hall Management Committee	\$2,000
9	Warradale Community Children's Centre Inc. (Park Holme Campus)	\$1,500
10	Squash SA	\$10,000
11	Morphettville Park Netball Club	\$2,800
12	Cove Netball Club Inc. trading/as Cove Tigers Netball Club	\$2,000
		\$41,453

All unsuccessful applicants will be contacted and provided with feedback and where appropriate, will be assisted with advice on alternative funding options. The successful applicants will be invited to attend an event to be held on the evening of Monday 29 January 2018 at the City of Marion Council Chambers where the grant cheques will be presented.

All successful applicants are required to complete an online acquittal form and an evaluation statement at the completion of the project.

CONCLUSION:

Twelve community projects are recommended for approval to the value of \$41,453.

If the recommendations are adopted, the City of Marion will have supported 545 projects through the Community Grants program since 2005 and provided \$1,081,030 for community projects in accordance with the Community Grant Guidelines. The community's contribution during this period has included volunteer time of 51,850 hours and other in-kind support. The Community Grants program since its inception has now assisted in generating community projects to the value of \$2,921,509.

**COMMUNITY GRANTS PANEL RECOMMENDATIONS
Round One, 2017/2018**

	Organisation	Summary of Recommended Applications	Category	Requested \$ Amount	Recommended \$ Amount
1	Marion Art Group	The Marion Art Group aims to provide a creative environment for local visual artists to work, learn and exhibit together at local venues, to promote the visual arts in the local community and support local charities. The group seeks funding to purchase 8 x full sized studio easels and to engage a professional local artist to conduct 3 x workshops and 1 x demonstration including as many of their 70 members as possible. The workshops would run in March, June and October 2018 and the demonstration in October 2018.	Arts and Culture	\$2,000	\$2,000
2	Authors Once Again Writers Group. Auspice: SA Writers Centre	Authors Once Again Writers Group meets regularly at Once & Again Café (Sth Plympton) and is dedicated to giving local authors inspiration, voice and opportunities throughout their writing journey. The grant will fund The Artist in Residence/Project Manager/Workshop Facilitator over one month for 28 hours at the Café engaging the local community to create words and images culminating in an exhibition and spoken word/reading evening as well as a 12 page interactive/conversation provoking Zine & postcards. The project seeks to create a shared sense of belonging, increased knowledge of the local resident's stories, and an appreciation of differences whilst celebrating the commonality of the local area – The Marion City Council. It is intended the project will encourage social interaction, conversations and a sense of connectedness to the local neighborhood.	Arts and Culture	\$3,228	\$3,228
3	Coast FM	Coast FM are a community owned radio service, based at the Glandore Community Centre, broadcasting in Adelaide - inclusive of the City of Marion council zones. They encourage active community participation in all functions of the association and are dedicated to improving their community service to increase benefits for communities. They intend to use the funding to engage The National Listeners Survey (commissioned annually by the CBBA) research data will be specific to Coast FM for 2018. They will use the information gathered in the survey to better understand and target their audience. The survey will be conducted in the field in the South-Western areas of Adelaide from 30 April to 27 May 2018. People will be asked about their radio listening habits for the week 7 May to 3 June 2018. Survey results will be available in late June 2018. They will continue to review and apply the survey results to their daily operations for a 12 month period.	Arts and Culture	\$4,500	\$4,500

	Organisation	Summary of Recommended Applications	Category	Requested \$ Amount	Recommended \$ Amount
4	Warradale Community Children's Centre	Warradale Community Children's Centre are a Not for Profit childcare service. The Governing Council and families would like to use grant funding to purchase a Defibrillator to use within the Centre should the need arise. They intend to purchase a Defibrillator, storage case and two sets of pads (1 x adult pads, 1 x child pads). Additionally, to pay a facilitator for a 3 hour first aid information session that families and members of the wider community will be invited to attend. Funding will also cover a morning tea for attendees and advertising of the event within the local community; in newspapers and with posters/fliers shared with local groups.	Community Development	\$3,500	\$3,500
5	Kids In Programs (KIP) Auspice: Scouts Australia (SA Branch) Ascot Park Group	KIP are a voluntary group to be auspiced by the Ascot Park Scout Group. They are focused on building and developing community involvement for kids in a safe, fun environment that is free from social media and computer games. They seek funding to run a program at the Ascot Park Scout Hall one Friday per month during school terms. The group have a detailed plan for 2018 with each month designated a different theme or activity, such as water play, movie night, disco, PJ party, baking etc. As part of the program the children all receive a meal with a focus on promoting healthy nutrition. It is open to all local children from 6-11 years old, particularly Ascot Park Primary School children. The funding is to cover the costs of the activities/toys/consumables associated with running the program. There is a difference in the amount of funding applied for against what is recommended as we have aligned our grant with the applicant's outline of their actual spending/budget.	Community Development	\$3,000	\$2,925
6	Uniting Church In Australia - Hallett Cove Congregation	The Uniting Church wish to run 3 x Community BBQ's at the Hallett Cove Foreshore reserve (if available). The dates are tentative (CoM permit pending) and could be coupled with an activity at the new amphitheatre with CoM liaison. They have suggested, if appropriate, they arrange a youth band or local musicians to perform. They are aiming at Friday evenings in Feb, March and April 2018 at 6.30pm-8pm. The dates will need to be agreed on by Council so as to compliment or not clash with Council events. They are intending to use the Council BBQ's and will not be charging patrons for food. They intend to invite nearby Churches to participate as well as Council staff. They would like to provide an opportunity for intergenerational connection in a non-judgemental space. Targeting youth and young families as well as the more senior population to gain more knowledge about how they can support local needs. The applicant has assured the panel that the BBQ's will be a secular event, purely to generate community connection.	Community Development	\$2,000	\$2,000

	Organisation	Summary of Recommended Applications	Category	Requested \$ Amount	Recommended \$ Amount
7	Scouts Australia (SA Branch) Ascot Park Group	Scouts Australia aim to contribute to the education of young people through a fun, educational and dynamic program that aims to build self-esteem and play a productive, positive role in the community. This group runs out of the Ascot Park Scout Hall and it currently has a wood fire as its only heating source. This is limiting the use of the hall during the winter months as using a wood fire is not always viable for all groups. They wish to purchase and have professionally installed 2 x split system units to assist with keeping the temperature of the hall at a useable temperature all year round. They hope it would also encourage visits from neighboring youth/seniors groups and has the potential to increase group/community numbers and involvement. Recommended \$5,000 as only one grant can be over \$5,000 and that is already allocated to Squash SA	Community Development	\$6,000	\$5,000
8	Park Holme Community Hall Management Committee	The Park Holme Community Hall Management Committee are seeking funds to purchase a laptop computer, data projector and portable projector screen. The laptop will be used by the treasurer to record all financial transactions in relation to the hiring of the hall and payment of expenses. It will be used to prepare timely financial statements to be presented to the committee and City of Marion. It will be taken to committee meetings so that committee members can view relevant financial data. It can be available for use by the secretary and other committee members if needed. They envisage the data projector and screen could be utilised by hall users at community gatherings, workshops or formal meetings – as a presentation tool to highlight or present agenda items, ideas or as a backdrop for plays or theatre work. Some of the user groups are: Migrant women's, Weight Watchers, Tai Chi, Life Gate Church.	Community Development	\$2,000	\$2,000
9	Warradale Community Children's Centre Incorporated (Park Holme Campus)	The aim of this Childcare centre is to provide high quality care and education that meets the needs of their children and supports parents, families, educators and community. The grant is sought to initiate a project to implement, model and teach good recycling at the Park Holme Campus. They would like to implement Eco Bins (waste separating bins) and childcare specific information packs providing enough for each room and the office. Childcare appropriate recycling games, puzzles and educational support materials. From their application: "It is imperative for our environment that children know how to do reduce, reuse and recycle. Children also have an incredible opportunity to be change agents within their households, providing their parents with practical knowledge but also tangible incentive to do the right thing."	Environment	\$1,500	\$1,500

	Organisation	Summary of Recommended Applications	Category	Requested \$ Amount	Recommended \$ Amount
10	Squash SA	Squash SA is the State Association for Squash and Racquetball in South Australia, and have built the world's first 24/7 public access all glass squash court, at the Tonsley Innovation District. They seek funding to enhance community health, wellbeing, quality of life and social development through the provision of free to use outdoor fitness equipment that will encourage physical activity at the Tonsley Innovation District. Intended Outdoor Gym Equipment: - aerobic walker, cycle seat, wobbleboard, bench press, leg lift/dip bar, tai chi wheel/hand wheel, stretch station. From their application: 'Outdoor gyms are a new approach to health and fitness that utilise a lot of the same equipment found in an indoor gym, with the main difference being that the exercise machines and equipment are specifically designed for outdoor use.' They have considered the on-going maintenance of the gym and risk management issues. Renewal SA are the current landlords and are supportive of the proposal subject to their consultation.	Sport and Recreation	\$10,000	\$10,000
11	Morphettville Park Netball Club	The Morphettville Park Netball Club are seeking funding to enable them to furnish their recently refurbished club rooms at the Woodforde Reserve with new tables and chairs (Quote provided). They hope this will increase opportunities to improve community connection through the improved use of the facilities for social and training activities. The facilities are also to be jointly used by the Ascot Park Tennis Club. Residents can hire the space and may be more likely to with the provision of new furniture. Partial funding recommended.	Sport and Recreation	\$5,000	\$2,800
12	Cove Netball Club Inc. trading/as Cove Tigers Netball Club	The Cove Netball Club are based in Hallett Cove and aim to provide a safe, friendly and supportive environment. They would use the funding to engage the Butterfly Foundation to provide two workshops (one for young people and one for parents) to raise awareness, increase their resilience and explore vital topics for local girls around both their physical & mental health & well-being. The workshops would be aimed predominantly at their approximately 250 junior players, who range in age from 7 to 17 years. The Club would strongly encourage all the girls to attend. Any spare places would be offered to other clubs that are affiliated with Cove Sports & Community Club.	Sport and Recreation	\$2,000	\$2,000
			TOTAL	\$44,728	\$41,453.00

Summary of Recommendations

Number of applications received	Number of grants recommended	Total Value of all grant applications	Value of grants recommended	Value of grants not recommended
23	12	\$91,677	\$41,453	\$50,224

Summary of Recommendations by Grant Category

	Arts & Culture		Community Development		Environment		Sport & Recreation	
	Number of projects	Value of grants	Number of projects	Value of grants	Number of projects	Value of grants	Number of projects	Value of grants
\$2,000 Grants	1	\$2,000	2	\$4,000	1	\$1,500	1	\$2,000
\$5,000 Grants	2	\$7,728	3	\$11,425	1	\$0	1	\$2,800
\$10,000 Grant	0	\$0	0	\$0	0	\$0	1	\$10,000
TOTAL	3	\$9,728	5	\$15,425	1	\$1,500	3	\$14,800

COMMUNITY GRANTS – NOT RECOMMENDED
Round One, 2017/2018

	Organisation	Summary of Applications Not Recommended by Panel	Category	Requested
1	Bangladesh Club Australia Inc.	The Adelaide Bangladesh Cultural Club (ABACC) is a group based in South Plympton which promotes the Bangladeshi language and culture, particularly to support children from the Bangladeshi community to maintain their cultural practices, to develop their language and to share their culture with the community. The club is requesting grant funding to purchase equipment to support the development of cultural performances for children, young people and the wider Bangladeshi community. Training includes guitar, drums and keyboard for performances in songs, dance, drama and fashion shows, as well as training in operating laptop and data projector to use for stage backdrops, slide shows and to create visual effects. The technical equipment purchased via the grant would be used to record and review their performances to aid improvement. The grant will assist with purchasing a keyboard, guitar and drum. Not Recommended as the group have not acquitted a similar grant from a previous round (16/17)	Art and Culture	\$3,949
2	Puddle Jumpers Inc.	Puddle Jumpers Inc. (PJs) are a non-profit, non-government organisation committed to responding to the social development needs of society's most vulnerable children and young people; priority of their work is reserved for children who do not live with their birth parents. They wish to hold a Christmas Party for families in need catering for 400 people with food, gift hampers and various Christmas activities. Not Recommended as the project commences prior to funding being granted or received.	Community Development	\$2,000

	Organisation	Summary of Applications Not Recommended by Panel	Category	Requested
3	Hallett Cove Governing Council – overseeing the HCSPS OSHC service	Hallett Cove South Primary school OSHC (before and after school care) service is looking for funding to purchase craft items, toys and sporting goods. They have advised that due to low numbers of children and funding for only one staff member they have a very small budget for new items to keep the children active and interested while in care. Not recommended as the panel has determined the above is core business and the school is on DECD property. The application did not demonstrate clear benefit to the wider Marion community (but to a very small number of children at the service currently).	Community Development	\$5,000
4	Hallett Cove Business Association	The Hallett Cove Business Association (HCBA) is a not-for-profit business networking group that aims to connect, engage, support and promote the local business community. The group is seeking grant funds to run their 'Local Business Awards' to help promote businesses in the Marion area. The group will partner with other community groups to promote the awards. The initiative will involve an online voting system where businesses are nominated by the public and winners announced at an Awards Evening. The grant would be used to build the online voting platform, promotional material, advertising and catering for the Awards Evening event. The initiative will celebrate and raise awareness of local businesses in the community. This will be their second year of running the Awards. Not recommended as panel has decided the application does not meet Community Grants guidelines in providing funding every year for the same event. (HCBA Received \$5000 last year for inaugural event). To liaise with them about sustainability of event.	Community Development	\$5,000
5	Edwardstown Primary School	<i>Edwardstown Primary is an R-7 government school who are outside the City of Marion boundaries but have advised 40 per cent of their students reside in the City of Marion. Its grounds are accessible to the public</i> Application 1 They seek funding to build a nature playground for use by school students and after hours, the community. The project will install a nature play sandpit, sand kitchen and water play area in the playground. The school has long wanted to install a nature play sandpit with water play to allow students and the community, including our after-school care children, to "get back to nature". Not recommended as it is not within the City of Marion local government boundary. Subsequent to panel decision it is noted they have been awarded a \$70,750 grant by Fund My Neighborhood to complete the project.	Environment	\$10,000

	Organisation	Summary of Applications Not Recommended by Panel	Category	Requested
6	Edwardstown Primary School	Application 2 Seeking funding to install a waste sorting station - consisting of a two powder coated 120L bins surrounds in red and yellow in the school grounds to assist with separating landfill and recycling. The school was able to secure a grant several years ago to install some waste-sorting stations. They would like to upgrade to one more waste-sorting station. A senior class takes care of ensuring items placed in recycling bins throughout the school are correct before being sent off school grounds, so we are confident community investment in a waste-sorting station will pay off. Not recommended as it is not within City of Marion local government boundary.	Environment	\$2,000
7	Edwardstown Primary School	Application 3 The school is seeking funding to install a concrete athletics throwing circle (for shot put and discus) on school grounds, available for school and public use. Not recommended as it is not within City of Marion local government boundary.	Sport and Recreation	\$2,000
8	YMCA SA Aquatic And Leisure Centre	YMCA SA Aquatic and Leisure Centre wish to use grant funding to put together a training initiative to provide employment pathways to young men and women from Indigenous and Culturally and Linguistically Diverse (CALD) backgrounds. The program incorporates Qualifications, Job readiness, Community development for migrants and refugees in the form of pool and water education classes to become trained swimming teachers, lifesavers and lifeguards. Not recommended as application was lacking appropriate level of detail. Further information was provided by SA Aquatic and Leisure Centre to clarify project details, however budget and project costs changed with some key information is lacking. Project requires further review and specifications. Staff to liaise, provide feedback and advice regarding the project for future rounds.	Sport and Recreation	\$5,000

	Organisation	Summary of Applications Not Recommended by Panel	Category	Requested
9	YMCA SA Aquatic And Leisure Centre	YMCA SA Aquatic and Leisure Centre wish to use funding to teach a 'learn to swim' program specifically for people from Culturally and Linguistically Diverse (CALD) backgrounds. The program will incorporate visual aids – cue and pictographic cards, parent education, Translation cards, for pool rules, 'watch around the water' into key languages. 10 weeks of lessons for 15 x people. Not recommended as application is underprepared and requires further work to clarify project scope and budget. Staff to liaise, provide feedback and advice regarding the project for future rounds.	Sport and Recreation	\$5,000
10	Marion Bowling Club	The Marion Bowling Club's aim is to provide a healthy and socially stimulating environment to individuals of all ages and ethnic groups, wishing to compete, competitively and socially, in the game of bowls. They seek funding to purchase additional umpiring equipment and replace a number of sets of bowls that are utilised for Night Owls. Not recommended as the club have requested funding for bowling balls and umpires equipment which is considered standard equipment and therefore ineligible.	Sport and Recreation	\$5,000
11	Plympton Flyers Little Athletics Centre Inc.	Plympton Flyers Little Athletics Centre is based at Hamilton Secondary College on Marion Road. The membership includes City of Marion residents. It is a volunteer run organisation providing little athletics programs for a diverse group of children aged between 4 and 18, promoting healthy lifestyles and physical development. They seek funding to provide an athletics program in 2018 specifically for tiny tots (under 6 year old). They have advised they would use the grant mostly for coaching costs and some minor sports equipment. Not recommended funding requested is for standard operating costs/coaching fees and is therefore ineligible.	Sport and Recreation	\$2,000
			TOTAL	\$46,949

**CITY OF MARION
GENERAL COUNCIL MEETING
12 DECEMBER 2017**

Originating Officers: Craig Clarke, Unit Manager Communications,
Amy Liddicoat, Open Space & Recreation Planner

Corporate Manager: Karen Cocks, Manager Customer Experience

General Manager: Tony Lines, General Manager City Services

Subject: Fund My Neighbourhood

Report Reference: GC121217R07

REPORT OBJECTIVES:

The purpose of this report is to inform Council of the successful Fund My Neighbourhood projects, provide advice on resource implications and the next steps in the process.

EXECUTIVE SUMMARY:

The Marion council area has secured more than \$670,000 in funding from the State Government's Fund My Neighbourhood program.

About \$300,000 were for two Council-sponsored projects. They were upgrades to the Marion Outdoor Pool and Oaklands Estate Reserve, each valued at \$150,000. A further three projects at local schools have also received funding.

RECOMMENDATIONS

DUE DATES

That Council:

1. Notes the report	12 December 2017
2. Writes to the Department of Premier and Cabinet accepting the funding for Oaklands Estate Reserve.	12 December 2017
3. Writes to the Department of Premier and Cabinet advising it accepts the funding for Marion Outdoor Pool dependent on the outcome of a report in February 2018.	12 December 2017

BACKGROUND

On 4 October 2017, Council resolved to submit 45 projects to the Department of Premier and Cabinet under the Fund My Neighbourhood program for a public vote, and:

Receive a report of the successful projects following the public voting process with recommendations for resourcing and/or reprioritising the current works program.

Fund My Neighbourhood, launched in August this year, invited the community to submit their ideas to improve the local community. The total value of the program is \$40 million, with funding divided into two \$20 million tranches over two years. One-off grants of between \$10,000 and \$150,000 are available. About \$3.8 million was earmarked this round to share in the Council areas of Marion, Onkaparinga and Mitcham.

The process involved the community submitting their ideas to the Fund My Neighbourhood website. Ideas were then forwarded to Councils or, depending on the location, private sector organisations for scoping and support. Sponsored projects were then sent to a public vote. The community was able to vote for between three and five projects within a five kilometre radius from their designated location. More than 33,000 South Australians cast 122,000 votes for 1,700 projects across the State.

Voting in the Fund My Neighbourhood program closed on November 20 with Premier Jay Weatherill announcing the results on November 25. In southern Adelaide, 310 projects were nominated with 35 securing funding from 22,000 votes cast. The total value of the successful projects was \$3.6 million.

DISCUSSION

The City of Marion sponsored 45 projects of which two were successful:

- \$150,000 - Upgrade play equipment/nature play in Oaklands Estate Reserve. (165 votes)
- \$150,000 – Upgrade to Marion Outdoor Pool, including water playground and BBQ near the toddler pool, landscaping and disability access. (155 votes)

A further three non-City of Marion sponsored projects were also successful:

- \$100,000 – Ascot Park Primary School community garden. (143 votes)
- \$121,200 – Ascot Park Primary School nature playground (can be used by local community during weekends). (176 votes)
- \$150,000 – Sheidow Park Primary School 1km long running trail with exercise stations around school oval. (151 votes)

These local school projects are unlikely to require any resources from the City of Marion. Appendix A contains the results of all projects submitted in the City of Marion while Appendix B is a list of all successful projects in Southern Adelaide.

City of Marion Projects- status and resource implications

The Oaklands Estate Reserve development is resourced within the three year Open Space Works program for design in 2017/18 and construction in 2018/19. The project was endorsed by Council in July 2017 (GC250717R09) and is currently in the detailed design stage.

Funding of \$750,000 has been endorsed within the Long Term Financial Plan for 2018/19, of which Council's contribution can now be reduced to \$600,000.

The Marion Outdoor Pool project is resourced within 2017/18 for the development of designs and costings to upgrade the site. There is currently no funding for the upgrade of the pool allocated within the Long Term Financial Plan for this project, however, design work is well progressed and a report is due to be presented in early 2018 to detail costs and staging for the works.

The identified works currently in the design phase include an upgrade to the foyer, change rooms and kiosk, a new BBQ and picnic area and a new splash pad. As this work is awaiting final design and costings it is suggested that the specific component of work for the Fund My Neighbourhood program be determined by February 2018 in line with the Fund My Neighbourhood scoping phase.

NEXT STEPS

Council will be asked to confirm it agrees to accept the funding. DPC has provided the following high-level timeline for the grant/project approval process:

6 Dec 2017 to 16 Feb 2018	Detailed project planning (scoping, costing and refining proposal) by project sponsors and submission of Preliminary Information Form.
19 Feb to 13 Apr 2018	DPC to work with project sponsors to negotiate and finalise grant agreements.
30 Jun 2018	Funds paid out and projects commenced.
Apr 2019	Projects to be completed.

FINANCIAL IMPLICATIONS

The Oaklands Estate Reserve project does not require additional resources or funding, enabling the \$750,000 allocation in the 2018/19 Long Term Financial Plan to be reduced to a Council Contribution of \$600,000, delivering a saving of \$150,000.

The Marion Outdoor Pool project does not require additional resources for design and costings, however as there is currently no allocation for capital works within the Long Term Financial Plan for the upgrade it is likely that this project will require some contribution by Council.

CONCLUSION:

This report provides Council with information on the successful Fund My Neighbourhood projects.

Appendix A – Results of voting for all projects in the City of Marion.

Appendix B – Summary of all successful projects in southern Adelaide.

APPENDIX A
Projects submitted in the City of Marion

Project	Suburb	Value	Sponsored by Council	Votes	Funded
Oaklands Reserve playground	Oaklands Park	\$150,000	Y	165	Y
Marion Outdoor Pool	Park Holme	\$150,000	Y	155	Y
Warradale Park upgrade	Warradale	\$50,000	Y	120	N
Hendrie St inclusive playground	Park Holme	\$150,000	Y	110	N
Tool library	Park Holme	\$45,000	Y	109	N
Reserve upgrade - Bandon Terrace	Marino	\$150,000	Y	102	N
Playground - Glandore Community Centre	Glandore	\$150,000	Y	97	N
Playground upgrade - Mitchell Park Oval	Mitchell Park	\$150,000	Y	96	N
Kitchen renovation - Marion Sports Club	Sturt	\$100,385	Y	91	N
Warriparinga Wetland upgrade	Bedford Park	\$75,000	Y	91	N
Playground upgrade - Hamilton Park	Warradale	\$150,000	Y	84	N
Playground and outdoor fitness circuit - Skipper Close	Hallett Cove	\$150,000	Y	83	N
Outdoor exercise equipment, Reserve St Reserve	Trott park	\$75,000	Y	75	N
Playground upgrade - Sixth Avenue	Ascot Park	\$50,000	Y	70	N
Tennis club upgrade - Hallett Cove Beach	Hallett Cove	\$148,000	Y	70	N
Nature playground - Scarborough Terrace	Dover Gardens	\$150,000	Y	69	N
Playground upgrade and dog park, Central Avenue	Hallett Cove	\$150,000	Y	67	N
Walking/cycling trail - Bounty Rd, Manunda Way	Hallett Cove	\$35,000	Y	63	N
Tennis club upgrade - Stanley St	Glengowrie	\$150,000	Y	63	N

Project	Suburb	Value	Sponsored by Council	Votes	Funded
Native food and medicine garden - Warriparinga	Bedford Park	\$45,000	Y	58	N
Hamilton Reserve upgrade	Warradale	\$150,000	Y	56	N
Cultural and leadership training - Warriparinga	Bedford Park	\$30,000	Y	54	N
Quirky loo - Hamilton Park Reserve	Warradale	\$150,000	Y	52	N
Yapinga St playground upgrade	South Plympton	\$40,000	Y	50	N
Light Sq rejuvenation	Marion	\$16,150	Y	49	N
Kitchen upgrade - Cove Sports and Community Club	Hallett Cove	\$110,000	Y	45	N
Food and recreation bowl	Sheidow Park	\$45,000	Y	44	N
Path to connect amenities	Sheidow Park	\$40,000	Y	44	N
Nature playground upgrade - York Avenue	Clovelly Park	\$40,000	Y	43	N
Appleby Rd Reserve upgrade	Morphettville	\$50,000	Y	43	N
Warriparinga Coach House arts centre	Bedford Park	\$150,000	Y	43	N
Outdoor gym	Trott Park	\$50,000	Y	41	N
Brolga Place Reserve upgrade	Sturt	\$90,000	Y	41	N
Gully Rd Reserve South dog park	Seacliff Park	\$150,000	Y	41	N
Energy security Plympton Glenelg RSL	Plympton Park	\$15,000	Y	39	N
Cadell St Reserve - dog fencing	Seaview Downs	\$150,000	Y	34	N
Lighting upgrade	Sheidow Park	\$150,000	Y	32	N
Canteen upgrade - Cove Sports & Community Club	Hallett Cove	\$70,000	Y	30	N
Nature play and training trail - Sheidow Park Primary School	Sheidow Park School	\$150,000	N	151	Y
Ascot Park Primary School community garden	Park Holme	\$100,000	N	143	Y
Ascot Park Primary School nature playground	Park Holme	\$121,200	N	176	Y

Project	Suburb	Value	Sponsored by Council	Votes	Funded
Marino Community Hall upgrade	Marino	\$125,754	N	117	N
Community garden upgrade	Trott Park	\$13,800	N	86	N
Rock climbing wall - Hallett Cove Scouts	Hallett Cove	\$12,050	N	85	N
Community fitness equipment - Warradale Primary School	Warradale	\$53,102	N	80	N
Upgrade sports oval - Hallett Cove East Primary School	Hallett Cove	\$90,000	N	83	N
Nature playground - St Martin De Porres Playgroup	Sheidow Park	\$20,000	N	83	N
Community shelter, tables, chairs	Glandore	\$16,000	N	73	N
Educational event and resources	Hallett Cove coast	\$10,050	N	71	N
Kitchen upgrade - Marion Life	Mitchell Park	\$12,500	N	71	N
Community garden	Seacombe Gardens	\$165,000	N	65	N
Marion Christmas Bazaar	Oaklands Park	\$15,000	N	62	N
Community garden upgrade	Clovelly Park	\$25,000	N	60	N
Playground for children in need	Glandore	\$12,508	N	58	N
Gymnastics SA facility upgrade	Morphettville	\$145,000	N	57	N
Horse obstacle course	O'Halloran Hill	\$60,000	N	54	N
Play centre - Seaview Church	Seacombe Gardens	\$57,000	N	53	N
Community Remembrance Garden	Marion	\$52,200	N	51	N
Multicultural centre	Park Holme	\$121,218	N	38	N
Community garden	Seacombe Gardens	\$100,000	N	37	N
Community tai chi program	Hallett Cove	\$10,510	N	35	N
Cultural capacity building program	Park Holme	\$12,921	N	30	N
Mums and toddlers tennis program	Trott Park	\$10,000	N	30	N
Sun safe area - Hamilton Secondary College	Mitchell Park	\$53,800	N	30	N

APPENDIX B

Projects funded in southern Adelaide region

Project	Suburb	Value	Council area	Votes	Funded
Oaklands Reserve playground	Oaklands Park	\$150,000	Marion	165	Y
Marion Outdoor Pool	Park Holme	\$150,000	Marion	155	Y
Nature play and training trail – Sheidow Park Primary School	Sheidow Park	\$150,000	Marion	151	Y
Ascot Park Primary School community garden	Park Holme	\$100,000	Marion	143	Y
Ascot Park Primary School nature playground	Park Holme	\$121,200	Marion	176	Y
Wittunga botanic gardens playground	Blackwood	\$80,000	Mitcham	255	Y
Nature playground – Edwardstown Primary School	Melrose Park	\$70,750	Mitcham	241	Y
Mortlock Oval upgrade	Colonel Light Gardens	\$150,000	Mitcham	225	Y
Toilet at Avenue Rd playground and skatepark	Cumberland Park	\$130,000	Mitcham	208	Y
Blackwood Recreation Centre upgrade	Eden Hills	\$122,235	Mitcham	200	Y
St Marys Foodbank facility	St Marys	\$60,000	Mitcham	200	Y
Rehabilitation facility for birds	Cherry Gardens	\$25,000	Onkaparinga	196	Y
Playground upgrade	Clarence Gardens	\$150,000	Mitcham	176	Y
Cycling trail	Willunga	\$150,000	Onkaparinga	173	Y
Playground upgrade	Blackwood	\$150,000	Mitcham	172	Y
Willunga CFS upgrade	Willunga	\$100,000	Onkaparinga	172	Y
Craft group facility upgrade	Hawthorn	\$29,500	Mitcham	168	Y
Reynella Sports Club upgrade	Old Reynella	\$150,000	Onkaparinga	168	Y
Bike track and climbing wall	Hawthorn	\$100,000	Mitcham	168	Y

Project	Suburb	Value	Sponsored by Council	Votes	Funded
School soccer canteen	Port Noarlunga	\$16,500	Mitcham	167	Y
Nature playground	Willunga	\$150,000	Onkaparinga	154	
Eden Hills Primary School Playground upgrade	Eden Hills	\$150,000	Mitcham	151	Y
Playground and outdoor fitness equipment	Cherry Gardens	\$91,612	Onkaparinga	151	Y
Free food distribution	Hackham West	\$149,000	Onkaparinga	148	Y
Environmental protection program	Springfield	\$142,100	Mitcham	145	Y
Foodbank hub	Christie Downs	\$100,000	Onkaparinga	145	Y
Scout hall upgrade	Eden Hills	\$15,450	Mitcham	143	Y
Basketball facilities upgrade	Colonel Light Gardens	\$25,000	Mitcham	141	Y
Nature playground	Belair	\$150,000	Mitcham	138	Y
Upgrade bowling club	Hawthorn	\$105,000	Mitcham	138	Y
Upgrade theatre	Kingswood	\$150,000	Mitcham	134	Y
School gym upgrade	McLaren Vale	\$50,000	Onkaparinga	130	Y
Upgrade memorial hall	Blackwood	\$30,000	Mitcham	129	Y
Outdoor fitness park	Morphett Vale	\$50,000	Onkaparinga	129	Y

**CITY OF MARION
GENERAL COUNCIL MEETING
12 DECEMBER 2017**

Originating Officer: Vincent Mifsud, General Manager Corporate Services

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Temporary Community Open Space at Ash Avenue, Clovelly Park

Report Reference: GC121217R08

REPORT OBJECTIVES:

The report seeks Council endorsement to enter into a temporary lease agreement with the South Australian Housing Trust, for the future management of the temporary community open space at Ash Avenue, Clovelly Park and Council's open space at Chestnut Court, Clovelly Park which will be maintained by Renewal SA.

EXECUTIVE SUMMARY

Under the proposed arrangement, Renewal SA will maintain the land at Chestnut Court, Clovelly Park at their expense while Council will manage the temporary community open space site at Ash Avenue, Clovelly Park. The arrangement term is for five years with the option of up to a further five years.

Consistent with the wishes of the community and Ward Councillors, the Ash Avenue, Clovelly Park site will be a modest open green space and not include a playground.

The cost of the arrangement to Council will be approximately an extra \$200 a year, which can be accommodated within the existing maintenance budget.

RECOMMENDATIONS

DUE DATES

That Council:

1. Endorses the arrangement for Renewal SA to maintain the Council owned land at Chestnut Court, Clovelly Park (Certificate of Title Volume 5387 Folio 191) at their expense while the City of Marion assumes care and control of the site at Ash Avenue, Clovelly Park.	12 Dec 2017
2. Authorises the Chief Executive Officer to negotiate, provided agreements do not affect the general purpose and intent of the arrangement, and sign the lease agreement with the South Australian Housing Trust.	31 Jan 2018

3. Pursuant to Section 193(4) of the Local Government Act 1999 the land comprised in Certificates of Title Volume 5478 Folio 862 being Allotment 1 in DP 25435, Volume 5396 Folio 194 being Allotment 2 in DP 25435, Certificate of Title Volume 5799 Folio 62 being Allotment 3 in DP 25435, Volume 5799 Folio 63 being Allotment 4 in DP 25435, Volume 5385 Folio 838 being Allotment 21 in DP 25435 and Volume 5385 Folio 763 being Allotment 22 in DP25435, to be leased to Council from the South Australian Housing Trust is to be excluded from the Community Land Classification.	31 Jan 2018
4. Notes that in accordance with Section 49(2)(a) of the Development Act, an application for the temporary change of use of the land, from residential to temporary recreation area, will be submitted to the State Commission Assessment Panel by Renewal SA.	12 Dec 2017
5. Notes that the cost of this temporary arrangement to Council will be approximately an extra \$200 a year, which can be accommodated within the existing maintenance budget.	12 Dec 2017
6. Provides in principle support for the draft landscape concept plan attached as Appendix 1.	12 Dec 2017

BACKGROUND

In conjunction with the environmental assessment program undertaken in areas of Clovelly Park and Mitchell Park in 2014 a voluntary relocation area was established in Chestnut Court and Ash Avenue, Clovelly Park. The majority of Housing SA properties in that voluntary relocation area were vacated and responsibility for their demolition transferred to Renewal SA.

Following demolition, Renewal SA will manage the vacant land until its longer term use has been determined, planning for which may take several years.

With demolition completed, Renewal SA plans to temporarily turn some of the area into open green space for community use and maintain the rest of the vacant land, until the long term use of the area has been determined. Renewal SA's plans for the site focus on ensuring that public safety, security and the general amenity of the area is preserved.

Renewal SA, working closely with the City of Marion, conducted community consultation in March 2016 on options for the interim management of land for which it is responsible, following demolition of vacant housing assets in Chestnut Court and Ash Avenue, Clovelly Park, south of Tonsley.

Three options for turning some of the area into a temporary open space for community use formed the core focus of the engagement with local residents, with consideration to specific factors which included fencing options, use of the space and anticipated timing for that, landscaping and current use of other community reserves/playgrounds in the local area.

The key outcome from the engagement was a clear preference for Option 3 (the South-Western corner) by the local community, from its location, size and potential link through to Tonsley.

DISCUSSION

Following the outcomes of the community consultation, a proposed arrangement has been put forward whereby Renewal SA will maintain the land at Chestnut Court at their expense while Council will manage the site at Ash Avenue. The arrangement term is for five years with the option of a further five years.

A draft landscape concept plan for the community open space on Ash Avenue has been provided by Renewal SA. Consistent with the outcome of the community consultation and feedback from Ward Councillors, the Ash Avenue site will be a modest open green space and not include a playground. The draft plan is attached as Appendix 1.

Consultation

Community consultation was undertaken by Renewal SA in March 2016 in regards to options for the interim management of land, following the demolition of vacant housing in Chestnut Court and Ash Avenue, Clovelly Park. The consultation included 230 households in the Clovelly Park area and a public drop in session. Feedback was provided via an on-line survey, in hard copy form and as feedback during the drop in session.

Option 3 (the South-Western corner) of the Renewal SA community consultation was the clear preference of the local community. It was also suggested by many respondents that the landscaped area be expanded to include the hydro-seeded area and the plantings of shrubs/trees be located on the perimeter, thereby opening up the interior space.

The fencing indicated on the preferred option also drew most support, with security being the key concern, particularly by the remaining Housing SA tenants residing on the north side of Ash Avenue, driving a preference for there not being public access to the area behind their properties.

The proposed draft plan (Appendix 1) was developed following the community consultation and discussion with staff and Councillors during a Warriparinga Ward Briefing in March 2017.

Land Classification

As part of the discussions Renewal SA have raised concern that future residential development on the site will be constrained with the change of use unless the land is excluded from classification as Community Land under the *Local Government Act 1999*.

Section 193(4) of the *Local Government Act 1999*, states that Local Government land (other than a road) that is acquired by, or is brought under the care, control and management of, the council is taken to have been classified as community land unless –

- (a) *The council resolves before it becomes local government land that it is to be excluded from classification as community land under this section; and*
- (b) *The land is not affected by provisions of a reservation, dedication, trust or other instrument that would prevent or restrict its alienation*

It is confirmed that the land will not be subject to a dedication, reservation or trust, therefore in order for Council to exclude the leased land from the Community land classification, a relevant resolution will need to be passed prior to execution of the lease.

Change of Land Use

A change of use development application will be required pursuant to Section 49(2)(a) of the *Development Act 1993*, for the temporary change of use of the land. The development application will be required to be lodged with the State Commission Assessment Panel (SCAP). Renewal SA will submit the application and during the processing of that application Council will have the opportunity for comments. The actual decision will rest with the SCAP.

Financial Implications

The cost of the proposed arrangement to Council will be approximately an extra \$200 a year, which can be accommodated within our existing maintenance budget.

Environmental

Based on the site history review and advice from the Environmental Protection Authority and SA Health there is no evidence precluding the use of the identified land as a temporary open space for community use.

CONCLUSION

Council endorsement is sought to enter into a temporary lease agreement with the South Australian Housing Trust for the future management of the temporary community open space at Ash Avenue, Clovelly Park and Council's open space at Chestnut Court, Clovelly Park which will be maintained during this time by Renewal SA.



NATIVE GRASS EDGE



NATIVE SCREENING TREES



LOG STEPPERS



SHELTER

LEGEND

- EXISTING TREES TO BE RETAINED
- PROPOSED TREES
- PROPOSED SCREENING SHRUBS
- HYDROSEED DRYLAND GRASS
- ORGANIC SOFTFALL MULCH 200MM DEEP
- BORAL X6 COMPACTED RUBBLE PATH
- MULCHED GARDEN BED
- RECYCLED LOGS
- BOULDER TABLES
- LOG STUMPS/ STEPPERS
- REMOVABLE BOLLARDS
- FENCE TYPE 1 : EXISTING COLORBOND FENCING
- FENCE TYPE 2 : 1.8M CHAINMESH BOUNDARY FENCING - BY OTHERS
- STEEL EDGING
- SHELTER WITH PICNIC SETTING ON PAVING; SHELTER TO BE PLACED ON PAD FOOTING

PLANT SCHEDULE

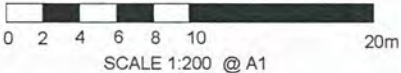
BOTANICAL NAME	COMMON NAME
TREES	
<i>Acacia pycnantha</i>	GOLDEN WATTLE
<i>Allocasuarina verticillata</i>	DROOPING SHEOAK
<i>Eucalyptus porosa</i>	MALLEE BOX
SCREENING SHRUBS	
<i>Acacia ligulata</i>	UMBRELLA BUSH
<i>Acacia paradoxa</i>	KANGAROO THORN
<i>Melaleuca lanceolata</i>	DRYLAND TEA TREE
LOW SHRUBS	
<i>Acacia acinacea</i>	WREATH WATTLE
<i>Beyeria lechenaultii</i>	PALE TURPENTINE BUSH
<i>Mairea brevifolia</i>	SHORT- LEAF BLUEBUSH
<i>Olearia ramulosa</i>	TWIGGY DAISY BUSH
<i>Ptilotus spathulatus</i>	PUSSY-TAILS
<i>Sclerolaena muricata</i>	FIVE-SPINE BINDYI
SEDGES	
<i>Carex bichenoviana</i>	NOTCHED SEDGE
<i>Carex pumila</i>	STRAND SEDGE
<i>Cyperus gymnocaulos</i>	SPINY FLAT-SEDEGE
<i>Dianella revoluta</i> var. <i>revoluta</i>	BLACK ANTHUR FLAX LILY
<i>Isolepis cernua</i>	NODDING CLUB RUSH



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PROJECT ASH AVENUE TEMPORARY COMMUNITY OPEN SPACE
CLIENT RENEWAL SA
DRAWING DRAFT LANDSCAPE CONCEPT PLAN-OPTION 1

DRAWN BY MN
APPROVED BY PW
DRAWING No. OS238_CP01
ISSUE DATE 16/10/17



PRELIMINARY
NOT FOR CONSTRUCTION

**CITY OF MARION
GENERAL COUNCIL MEETING
12 DECEMBER 2017**

Originating Officer: Joanne Reid, Open Space and Recreation Project Officer

Corporate Manager: Carol Hampton, Manager City Property

General Manager: Abby Dickson, General Manager City Development

Subject: Goodman Court Development Open Space Contribution

Report Reference: GC121217R09

REPORT OBJECTIVES

Renewal SA have approached Council staff with concepts of the Goodman Court redevelopment as a means of stakeholder engagement. Although not a requirement under the current Development Act, Renewal SA are acting in good faith to provide Council with an opportunity to comment on the provision of the open space. The purpose of this agenda item is to seek in principle support for the provision and location of open space to be vested to Council as part of the Goodman Court Renewal Project. The report also seeks support for Council staff to negotiate an open space agreement with Renewal SA and the developer for the design and development of the reserve.

RECOMMENDATIONS

DUE DATES

That Council:

1. Endorses in principle support for the provision and location of open space to be vested to Council (subject to development approval).	12 December 2017
2. Notes the development approval process.	12 December 2017
3. Endorses Council administration to negotiate and enter into an open space agreement with Renewal SA (RSA) and the developer to consider the design and development of the infrastructure within the vested open space to Council's agreed local level of service (subject to development approval).	12 December 2017

BACKGROUND

The Goodman Court Renewal Project is part of the *Renewing Our Streets and Suburbs* initiative which will see 4,500 ageing SA Housing Trust homes located within 10 kilometres of the city renewed over the next 5 years.

The site is located at 134A Pleasant Avenue, South Plympton and comprises Lots 50-55, 60, 61, 64, 65, 68, 69, 72 and 73 in DP: 4225 CT: 5836/948 (refer appendix 1).

The site is approximately 10,459 square metres and is currently occupied by 52 SA Housing Trust properties.

The Goodman Court Renewal project will:

- Create a mix of new, private and social housing;
- Provide a range of housing types to suit different households and lifestyle needs including families, older people, singles, purchase and renters from across a range of income levels;
- Contribute to improving the appearance of the local area; and
- Increase housing options close to public transport and other services.

Renewal SA have advised administration that an application for the proposed built form will be considered under the *Renewing our Streets and Suburbs Stimulus Program*. The Development Assessment Commission (now SCAP) will be the assessing authority for the development application pursuant to the Schedule 10, Clause 17 of the Development Regulations, 2008.

Subject to Regulation 38 (5) development undertaken in accordance with this program does not require consultation with the Council in the area in which the development is to be undertaken – i.e. Council will not be provided with an opportunity to provide comment on a formal application.

However, Renewal SA, in good faith have liaised with Council prior to lodgement of the Development Application to consider staff's views on the concept plan and the location and layout of the open space.

Renewal SA intends to enter into a contract with a developer to see the redevelopment of the former Goodman Court site at South Plympton. Renewal SA, on behalf of the South Australian Housing Trust, intends to build a small apartment development on a portion of the site (approximately 2500m²) with the developer redeveloping the balance of the allotment.

RSA are to make application to DAC under the open space contribution scheme (Section 50 of the Development Act, 1993) which requires Council to be a party to that agreement.

The following divisions of land are to be undertaken in stages and are proposed as follows:

- **Application No. 1 – Torrens Title Plan** - Creation of 2 allotments: Housing SA and developer allotments (not subject to the Open Space Agreement due to previous arrangement with between DPTI and RSA).
- **Application No. 2 – Torrens Title Plan** – Creation of 16 Allotments (all allotments within the 'super lot' created as part of Application #1)
 - 1 allotment comprising 12.5% of public open space to be vested to Council;
 - 13 Dwelling allotments
 - 2 development allotments to be subject of further division (see below)
- **Application No. 3 – Community Plan** – 26 Allotments & common property (proposed allotments that seek access internal to the site – i.e. through the common driveway).
- **Application No. 4 – Community Stata Plan** – 15 Strata Lots (proposed apartment building)

In this instance, it is worth noting, Pursuant to Section 50 (2) of the Development Act 1993, where the division of land into 20 allotments or less, and one or more allotments is less than one hectare in area, only the Development Assessment Commission can enter into an

agreement with the applicant (in which the Council must be a party to) to vest open space to Council.

ANALYSIS

The City Property Department and Development and Regulatory Services Department have been consulted by RSA with regards to the open space provision associated with the Goodman Court Renewal Project.

Council staff have identified a lack of open space to the north of the city and a gap in provision of playgrounds within this locality (Refer appendix 2). To date Council administration has briefed RSA to investigate the inclusion of 12.5% in the form of open space vested to Council.

RSA and the developer have provided Council with a 'Proposed Site Plan' which identifies a parcel of land allocated to open space (Refer appendix 3).

As detailed above, the 12.5% open space proposed to be vested with Council is to be taken from the 'super lot' created as part of the first division of land, which has a total site area of 7,955 square metres.

The provision of open space (12.5%) for the proposed development would equate to 994.3 square metres and approximately 1,000 square metres has been allocated as open space.

RSA presented a concept option to Woodlands Ward Councillors (5 September 2017) seeking feedback on the provision and spatial configuration of open space. The talking points for consideration were;

- wider street frontage on Pleasant Ave which would enhance the activation and purpose of the space for public realm; and
- CPTED concerns with back of property and fence lines.

This proposal responds to a number of urban design principles and points for consideration raised by staff and Ward Councillors. In summary they are;

- Open space provision and location supports connectivity and accessibility to the broader community;
- Active wider frontage to Pleasant Avenue and connections to shared use path and tram corridor which enhances access to different modes of transport;
- CPTED principles addressed with passive surveillance provided by active edges with the surrounding built form, and balconies and windows are proposed on the facades of apartments, in addition to carefully integrate ground floor treatments to enhance this interface (Refer appendix 3 elevations);
- Northerly aspect of the open space will enable vegetation establishment and limit overshadowing for thermal comfort; and
- Open space to the north will offset the scale and mass of built form.

Further details regarding the interface between the Housing SA land and the open space will be provided once clarified however Council has indicated a preference for fencing to be slatted on the eastern side adjacent the reserve to maintain a consistency of approach to the townhouses, enhancing passive surveillance and connectivity to the open space.

In addition to the functional aspects of the open space and the relationship with the built form, it would be beneficial to negotiate with RSA to consider the following:

- Council would like to investigate the provision of a local service level playground as there is currently a gap in provision within this locality as set out in Council's draft Playground Policy;

- Administration to negotiate an open space agreement with RSA and the developer to design and develop the infrastructure on the reserve which will be confirmed through a project charter or the like;
- Council's Streetscape Guidelines, Open Space Strategy, Playground Policy, Natural Landscapes Policy and tree management framework are to be referenced in the design development;
- WSUD treatments to be considered within the streetscape and open space without impacting recreation opportunities;
- Statement of requirements for Council engineering, open space design and implementation of development controls to be agreed; and
- Tree assessment and review to be coordinated with Council's arborist and any proposed removals would be subject to Council consent.

Next Steps

Following the in principle endorsement of the provision and location of the vested open space, Council will seek a formal agreement between the State Commission Assessment Panel (SCAP), Renewal SA and the City of Marion in regards to the provision of public open space and securing or recognising that the said open space contribution has been made for future applications incorporating Community as well as Community Strata plans of division.

Additionally, Council will seek to develop and initiate discussion of a project charter or the like, with Renewal SA to ensure the delivery and development of the open space, and that costs are acceptable to both parties.

Once the details relating to the open space are finalised, Renewal SA will proceed to lodging a Development Application with SCAP and the Co-ordinator General for the land division and built form element of the development. Council has no opportunity to comment once the application is lodged, although discussions with Renewal SA have indicated that pre-lodgement dialogue is likely to take place during the design process.

Financial Implications

Should RSA be open to the prospect of developing the reserve, the design of the reserve and the associated Whole of Life Costs would be subject to final endorsement of Council.

CONCLUSION

In accordance with the open space contribution provisions of the Development Act, 1993 Renewal SA are to vest Council with open space in conjunction with the Goodman Court Renewal Project. The design and location of the space has considered connectivity and accessibility to the broader community, a wider frontage to Pleasant Avenue, CPTED principles, passive surveillance and provides a northerly aspect. It is also considered that agreement be sought for RSA and the developer to fund the design and development of infrastructure for the reserve.

APPENDICES

Appendix 1	Location Plan
Appendix 2	Playground provision map
Appendix 3	Site concept plan and elevations

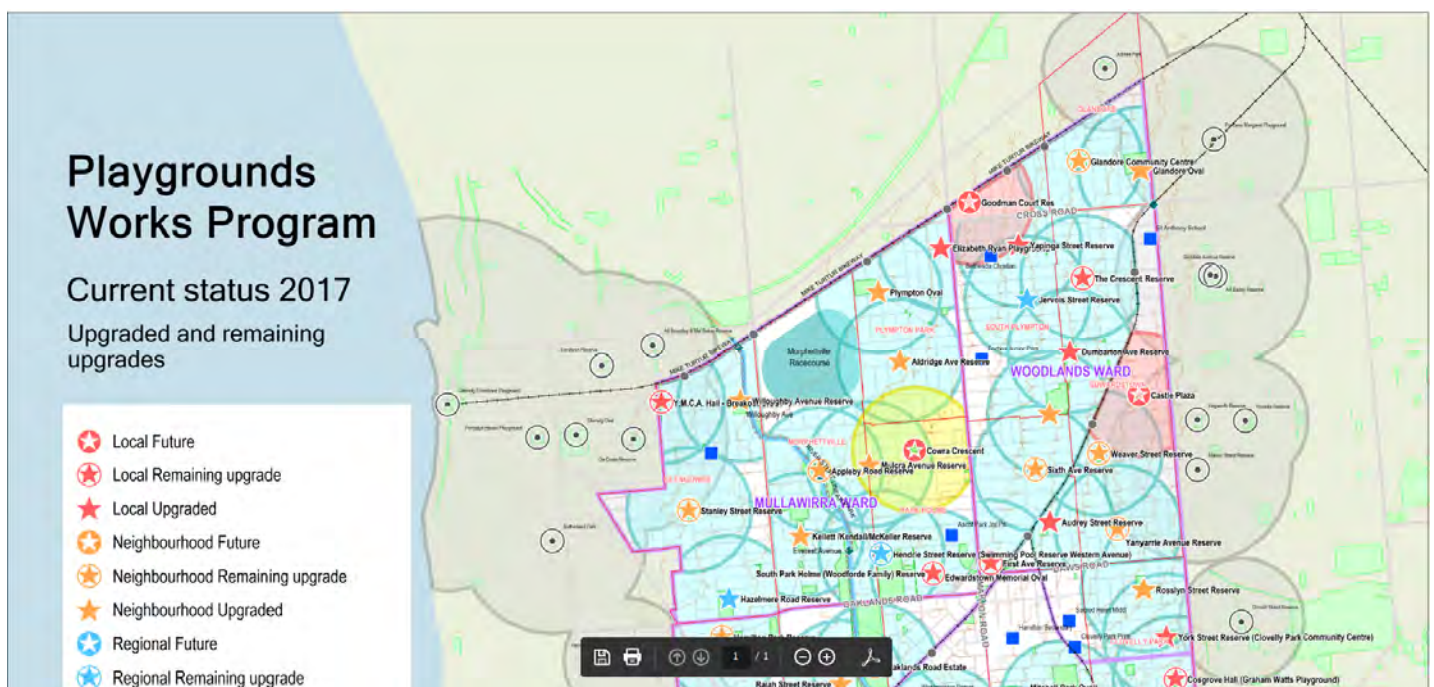
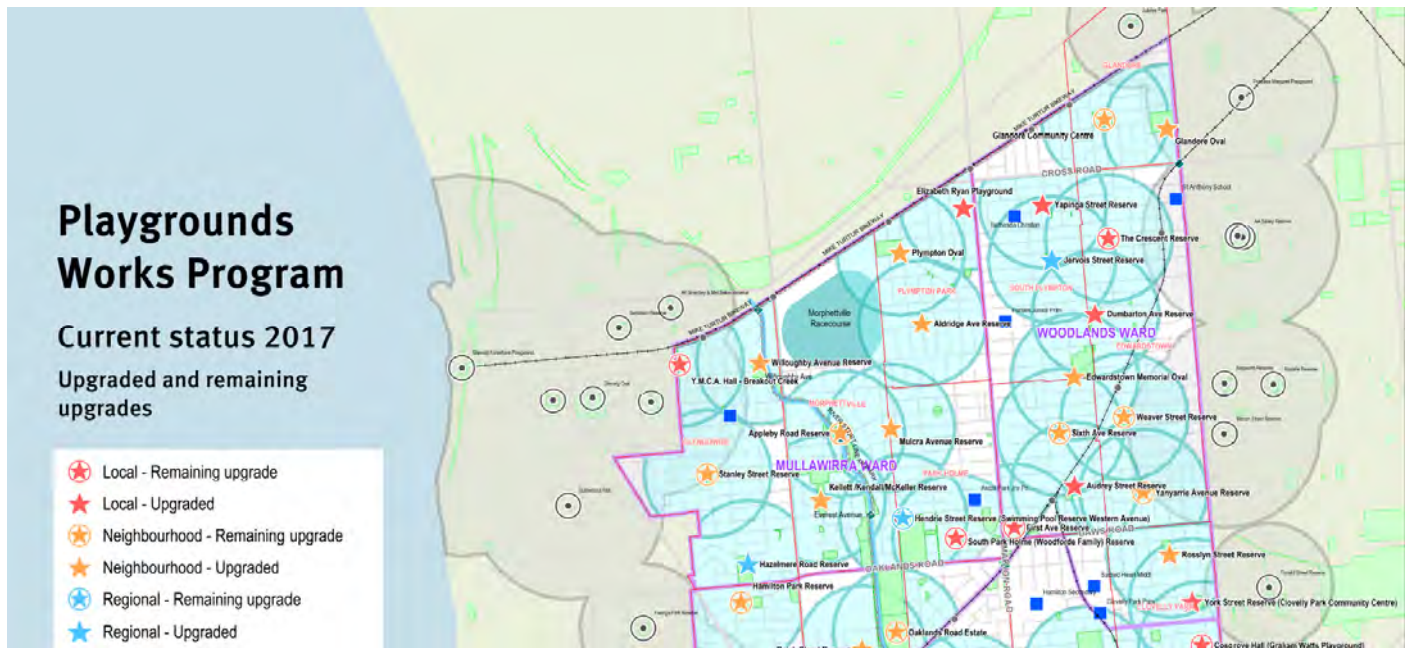
**About this Document**

This map has been created for the purpose of showing basic locality information and is a representation of the data currently held by The City of Marion. This information is provided for private use only.

Disclaimer

While every effort has been made to ensure the accuracy of the product, Council accepts no responsibility for any errors or omissions. Property boundary line network data is supplied by State Government.

Playground Provision



Plotted: 29-11-2017 File: \\SR-sv3\\synergy\\Synergy\\Projects\\0901\\0901-333 Goodman Court Plympton\\05 SD\\CURRENT CAD\\901-333 SD OPT12 TEMP LAYOUT T7120



LEGEND

- EXISTING TREES
- TREE ROOT ZONE
- LANDSCAPING
- GREEN SPACE
- LOADING DIRECTION

(P/APT)	PRIVATE APARTMENTS	15
-	2 BED (15)	
(CT)	2 STOREY TOWNHOUSES	8
-	3 BED	
(2TH)	2 STOREY TOWNHOUSES	2
-	3 BED	
(3TH)	3 STOREY TOWNHOUSES	10
-	3 BED	
TOTAL: 54 (SUBJECT TO TREES)		

PRELIMINARY
DATED 20/11/2017



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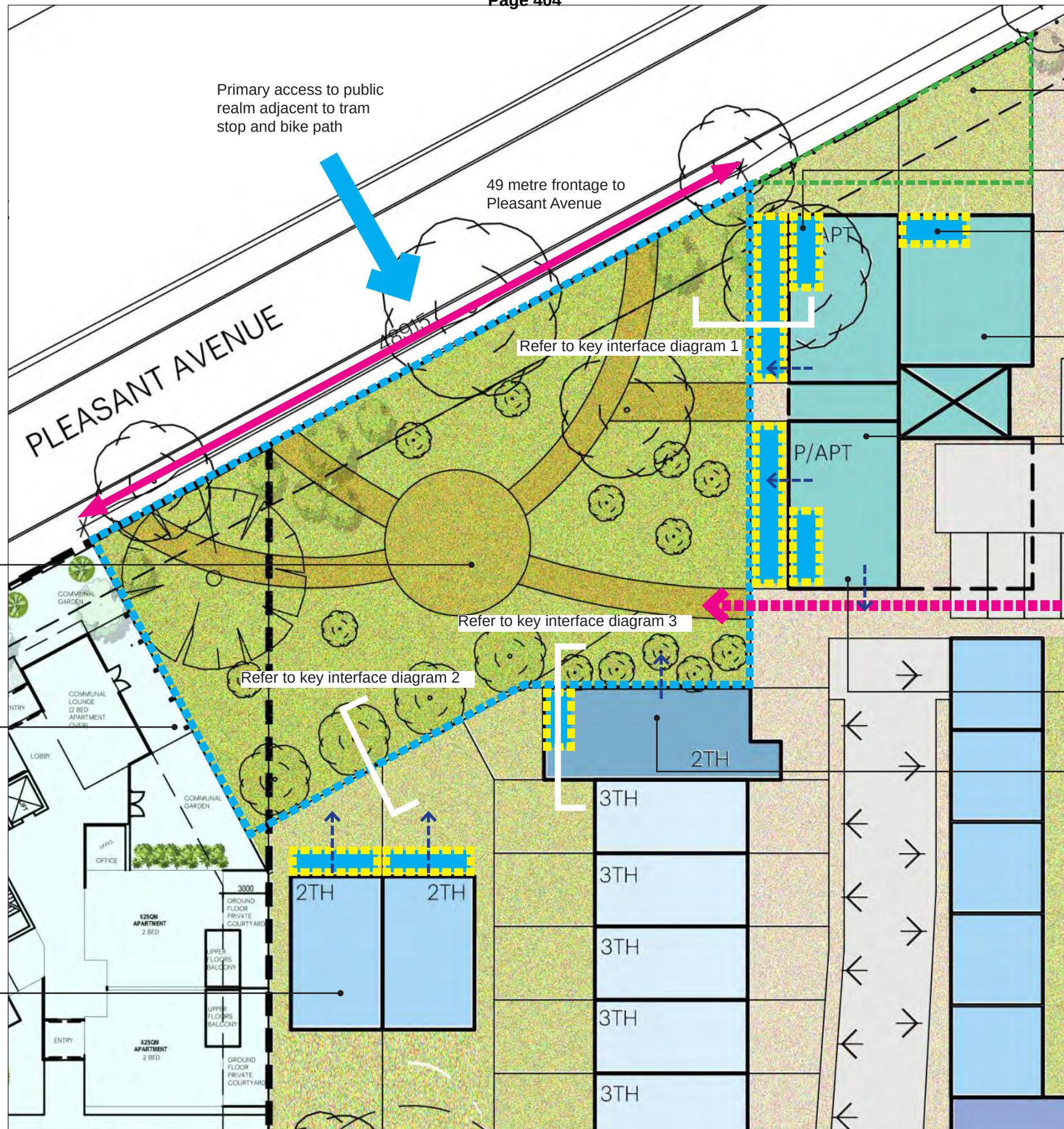
PROJECT
GOODMAN COURT

DRAWING TITLE
PROPOSED SITE
PLAN OPTION 15

DRAWING NUMBER
901-333 SK16

REVISION
1

- Open Space Provision
- ↔ Public Realm Frontage
- Balcony/Active Frontages
- ➔ Primary Public Entry
- - - ➔ Secondary Public Entry
- - - ➔ Habitable Space Windows



Play and reserve amenities with landscaping (indicative layout only)

Housing SA site with communal gardens interfacing with public realm at ground level and balconies overlooking it at the upper levels

Two-storey townhouse with north facing garden interfacing with public realm

Landscaped buffer to corner approach as open interface to public realm

Northern and eastern facing balcony to address primary frontages to street and public realm

Northern facing balcony and living spaces to address primary frontage to street

Four storey apartment building with car parking under building and to rear to screen from public realm

Ground floor apartments with terraces raised above ground level to provide physical separation between public realm and provide hierarchy of spaces. Terraces and upper floor balconies provide activation and passive surveillance to public realm

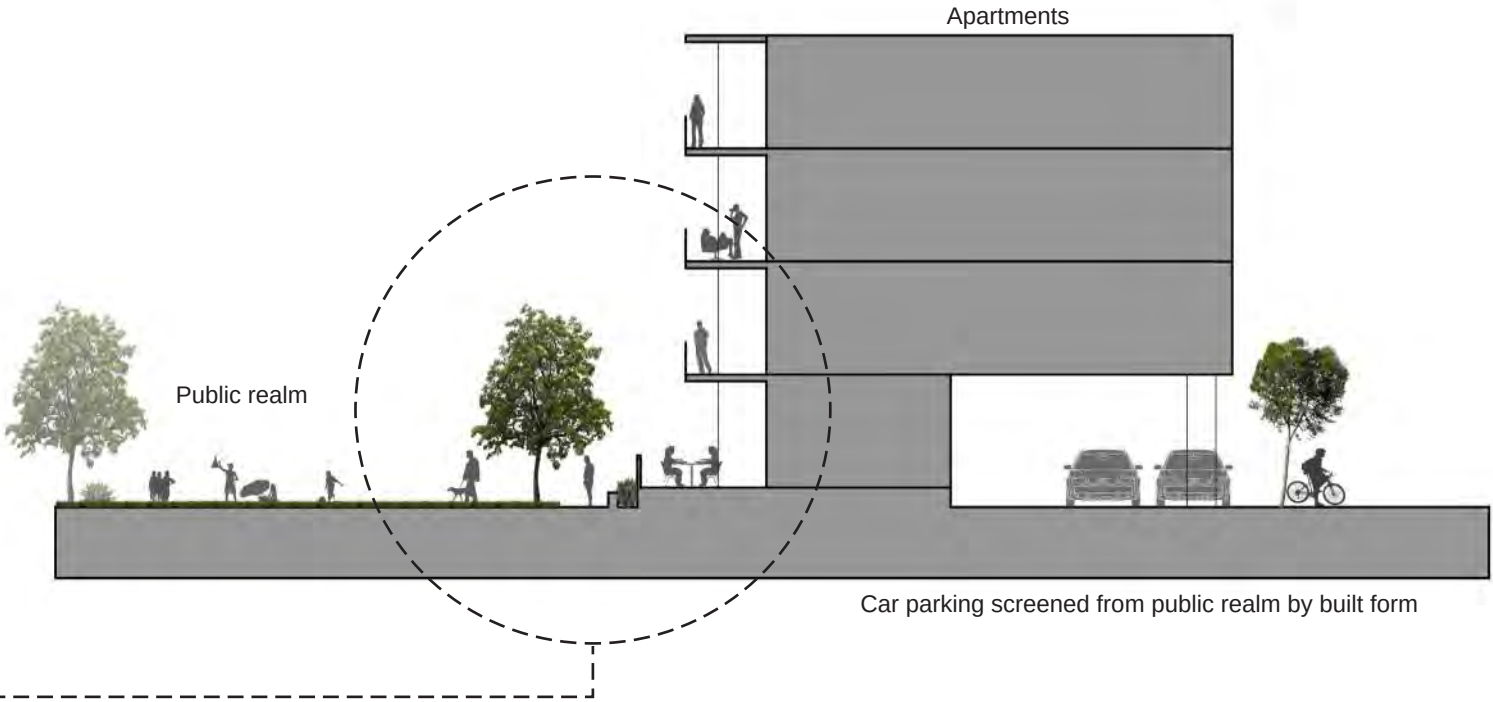
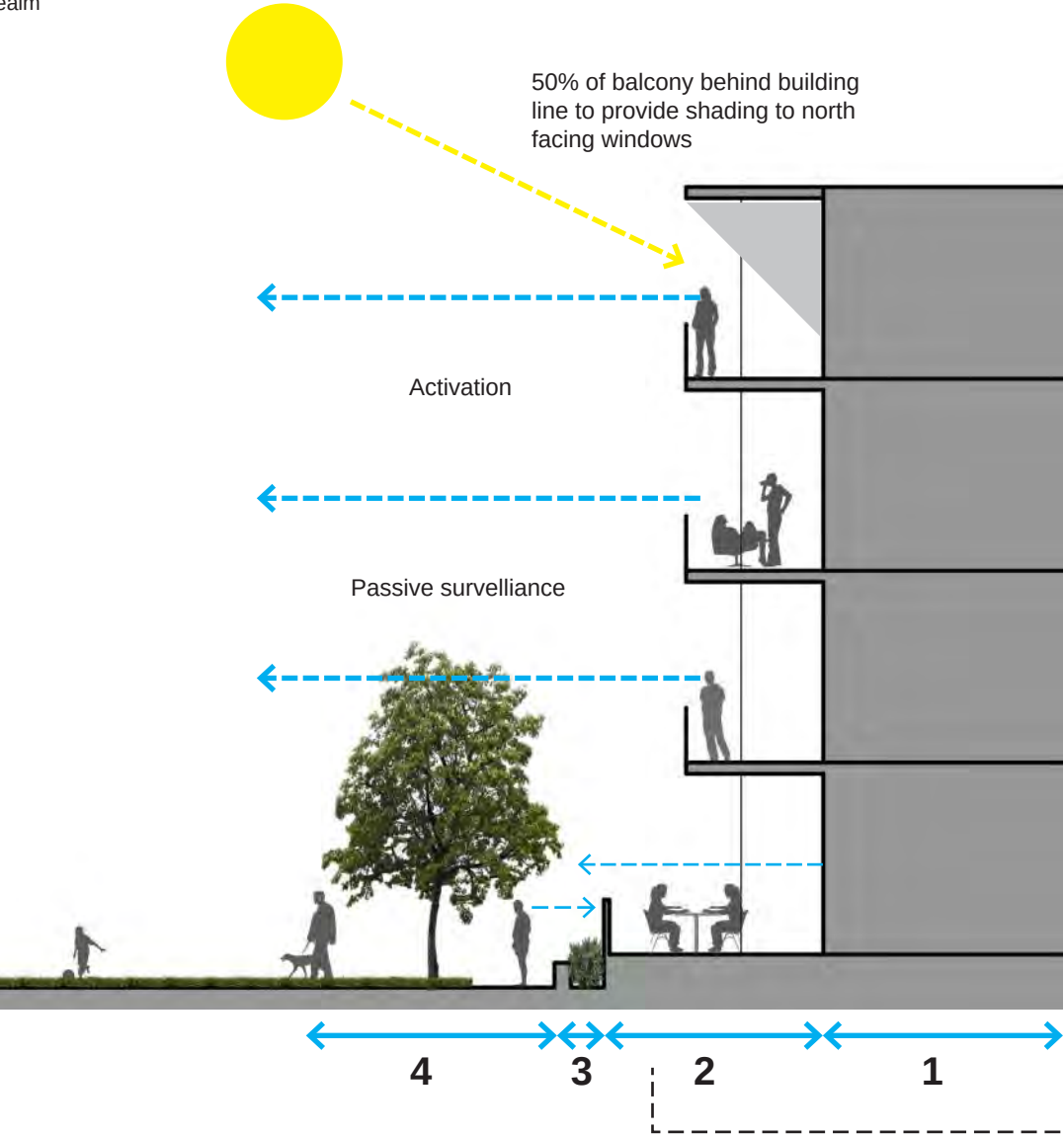
Secondary pedestrian access point

Minimise bedroom windows to western facades to mitigate solar gain issues

First floor bedroom windows facing public realm to provide activation and passive surveillance

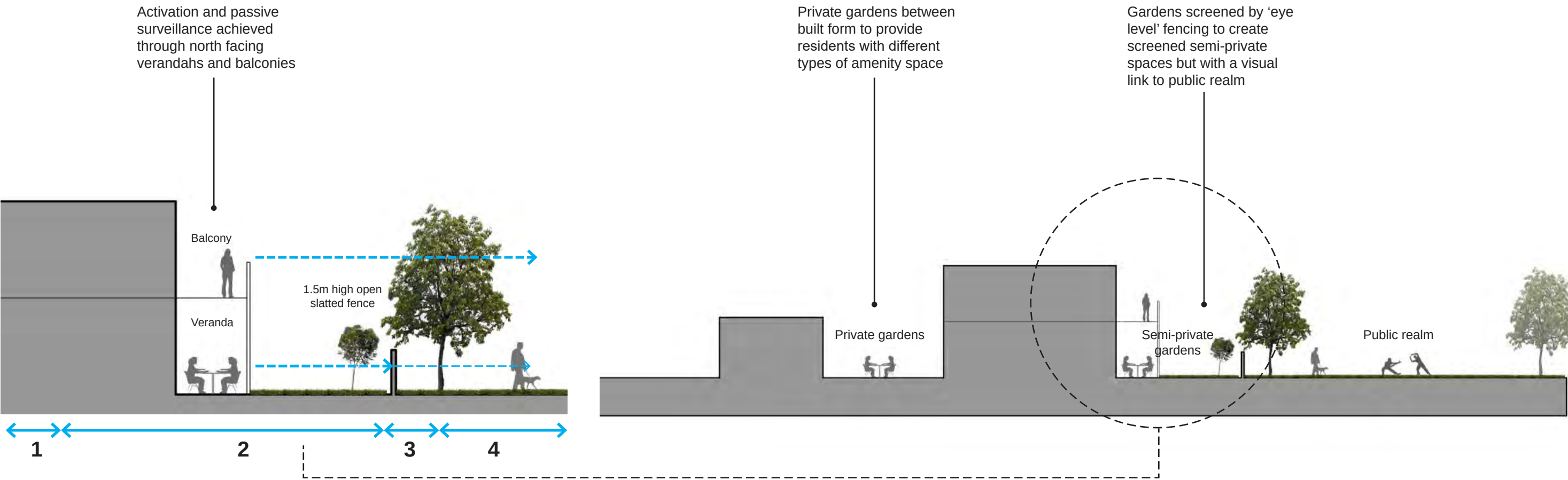
Key Interface Diagram 1 - Private Apartments to Public Realm

- 1 Private realm
- 2 Semi-private realm
- 3 Semi-public realm
- 4 Public realm



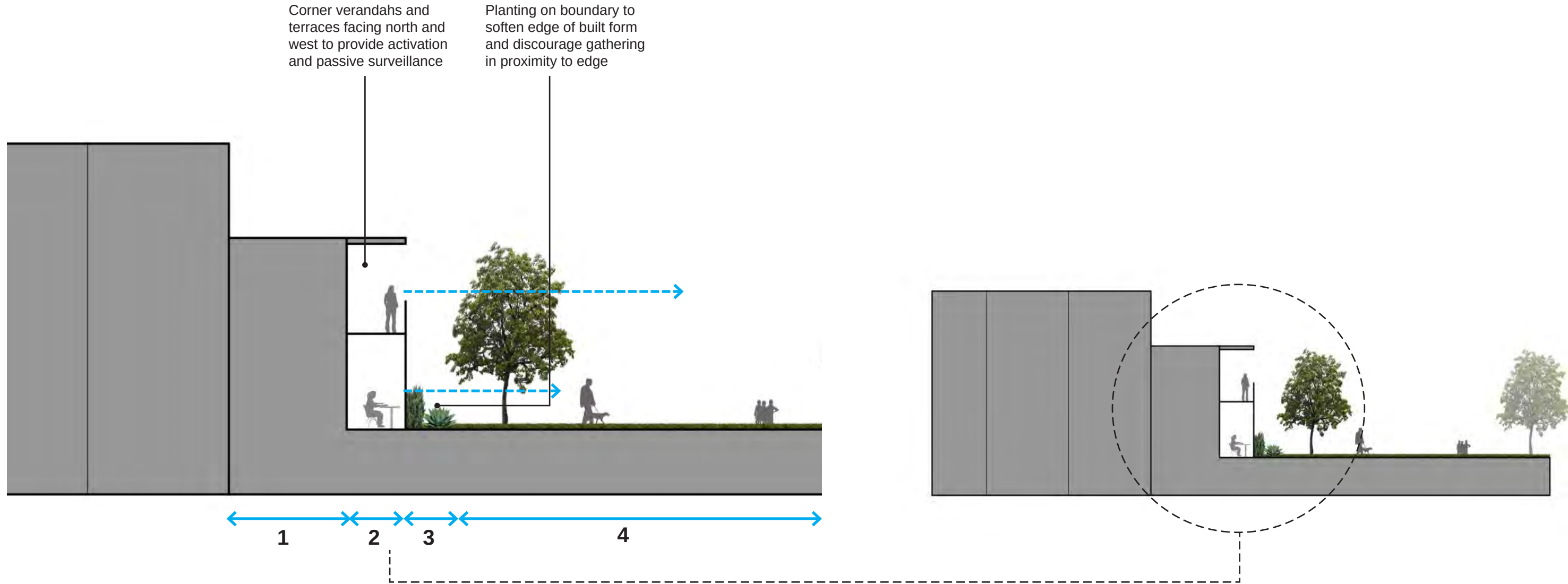
Key Interface Diagram 2 - Townhouse (& Gardens) to Public Realm

- 1 Private realm
- 2 Semi-private realm
- 3 Semi-public realm
- 4 Public realm



Key Interface Diagram 3 - Townhouse to Public Realm

- 1 Private realm
- 2 Semi-private realm
- 3 Semi-public realm
- 4 Public realm



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CITY OF MARION
GENERAL COUNCIL MEETING
12 DECEMBER 2017

Originating Officer: Brett Grimm, Urban Design Leader

Manager: Carol Hampton, Manager City Property

General Manager: Abby Dickson, General Manager City Development

Subject: Hendrie Street Reserve Inclusive Playground Shade Sail

Report Reference: GC121217R10

REPORT OBJECTIVE

To seek Council's consideration and endorsement of the construction of a shade sail at Hendrie Street Reserve as part of the Inclusive Playground.

EXECUTIVE SUMMARY

Construction of Hendrie Street Reserve Inclusive Playground will soon commence within the approved budget of \$680,442.

The Hendrie Street Reserve Inclusive Playground has been designed to a regional level hierarchy cost of \$960,000 (GC230517R01). Funds totalling \$694,442 have been secured, with a short fall of \$265,000 for the delivery of a regional playground. The design has taken a practical approach to enable "future proofing" which will ensure additional components can be easily implemented as funds become available. As per resolution GC230517R01 a tender process has been undertaken with a practical approach to limit re working components in the future and to seek discounted market rates to enable as much as possible of the scope of works to be completed with available funds.

A central shade sail, detailed within the final endorsed design (see Appendix 1) is outside of the funded scheduled works. Discussions with contractors have confirmed it is more cost effective to install shade as part of the initial construction works due to the practicalities of access. The amount required to install shade as part of the works due to commence in December would be in the order of \$35,000 and represents a saving of \$1,600 plus any remediation works required should it be done at a later stage.

A shade budget has been endorsed by Council (GC270617R04) for consideration of artificial and natural shade at neighbourhood and regional level playgrounds over 5 years. Hendrie Street Reserve is a regional level playground and has been included in the prioritised shade sail construction list (Appendix 2)

A tender panel of shade sail suppliers has been awarded and sites determined for (2017/18) financial year. Tender quotes have been favourable and there is the opportunity to construct another shade sail this financial year within the \$550,000 budget.

This report recommends that Council allocate funds from the shade sail budget to allow shade to be installed as part of the Inclusive Playground construction works due to commence in December.

RECOMMENDATIONS**DUE DATES****That Council:**

Utilises up to \$35,000 from the existing 2017/18 playground shade budget to fund the installation of the central play area shade sail within the approved 2017/18 scope of works for Hendrie Street Reserve Inclusive Playground.	12 Dec 2017

BACKGROUND

Construction of Hendrie Street Reserve Inclusive Playground will soon begin within the approved budget of \$680,442. This figure does not include recent Edwardstown Rotary Club contribution of \$14,000, this will be amended as part of the second budget review.

Currently Council has the following funding committed to the project;

City of Marion	\$310,000
DPTI	\$250,000
TBOF	\$110,442
Arts SA	\$ 10,000
Edwardstown Rotary	\$14,000
Total	\$694,442

Elements within the scheduled funded works will maximise the value of play opportunities inclusive of supporter and supplier contributions to date. Consideration has been given to future proof the playground should Council obtain additional funds and decide to consider additional works.

A central shade sail, detailed within the final endorsed design (see Appendix 1) is outside of the funded scheduled works. Discussions with contractors have confirmed it is more cost effective to install shade as part of the initial construction works due to the practicalities of access. The amount required to install shade as part of the works due to commence in December would be in the order of \$35,000 and represents a saving of \$1,600 plus any remediation works.

There are financial and practical implications of not constructing this shade sail with the initial elements.

- Minor additional costs for equipment needed to work within an already constructed playground
- Accessibility to bore holes for post construction is hampered
- Repair costs that may occur when working in an already constructed playground

A shade budget has been endorsed by Council (GC270617R04) for consideration of artificial and natural shade at neighbourhood and regional level playgrounds over 5 years. Hendrie Street Reserve is a regional level playground and has been included in the prioritised shade sail construction list (Appendix 2)

Spending over the five years for the playground shade project has been determined as:

Year 1 and 2 - \$550,000 per year

Year 3- 5 - \$385,000 per year

A tender panel of shade sail suppliers has been awarded and sites determined for (2017/18) financial year.

Tender quotes have been favourable and there is the opportunity to construct another shade sail this financial year within the \$550,000 budget. Appendix 3 details the sites allocated for this year.

Funding the central shade for Hendrie Street Reserve shade will not impact on the shade program.

CONCLUSION

A final design for the Hendrie Street Reserve Inclusive Playground has been designed to a regional level hierarchy cost of \$960,000. Funds totalling \$694,442 have been secured, with a short fall of \$265,000 for the delivery of a regional playground.

Construction work will soon commence and it has been determined that it would be cost effective to install the central shade as part of the current construction work. Funding for shades are provided from the funded shade program, so there will be no impact on the budget.

Practical and financial implications exist in delaying the construction of the central shade sail.

It is recommended that the central shade sail be constructed within works to be completed April/May 2018, using the endorsed playgrounds shade budget.

APPENDICES

APPENDIX 1 - Central shade sail, detailed within the final endorsed design

APPENDIX 2 – Construction list

APPENDIX 3 – Shade sail sites 2017/18

APPENDIX 1, HENDRIE STREET RESERVE INCLUSIVE PLAYGROUND

NOTE: Perimeter Fence in current scope



Appendix 2
Prioritised Shade Construction List (to be reviewed annually) 2017 - 2021

*H-High Priority (1 - 2 years)		M-Medium Priority (3 - 4 years)		L-Low Priority (4 - 5 years)			
Site	Hierarchy	Ward	Draft shade construction - High, Med, Low*	Artificial Shade	Natural Shade	Existing Shade Sufficient	Comments
Roy Lander	Neighbourhood	Southern Hills	H	✓	✓		Opportunity for both artificial and natural shade
Heron Way Reserve	Regional	Coastal	H	✓	✓		Shade included in existing construction budget
Marion Oval	Neighbourhood	Warriparinga	H	✓	✓		Opportunity to include shade in playground upgrade. To be upgraded as a High priority (1-3 years)**
Jervois Street Reserve	Regional	Woodlands	H	✓			Council report GC110417 recommended shade
Aldridge Ave Reserve	Neighbourhood	Mullawirra	H	✓			Opportunity for shade over play equipment
Pavana Reserve	Neighbourhood	Coastal	H	✓	✓		Opportunity for shade over play equipment
Glade Crescent Reserve	Regional	Coastal	H		✓		Shade has been installed over slippery dip only. Opportunity for further tree planting
Reserve Street Reserve	Neighbourhood	Southern Hills	H	✓	✓		Opportunity for shade over play equipment
Harbrow Grove Reserve	Neighbourhood	Warracowie	H				Opportunity for shade over play equipment
Maldon Ave Reserve	Neighbourhood	Warriparinga	H		✓	✓	Site mostly shaded with mature trees. Opportunity for further tree planting
Shamrock Road Reserve	Neighbourhood	Coastal	H	✓	✓		Playground to be upgraded as a High priority (1-3years)**
Hendrie Street Reserve	Regional	Mullawirra	H	✓	✓		Part shade included in existing construction budget
Linear Park Reserve	Neighbourhood	Coastal	H		✓		Opportunity for additional tree to match natural landscape setting. Trees to provide future shade over play equipment.
Barton Drive Reserve	Neighbourhood	Southern Hills	H	✓			Opportunity for shade over play equipment
Warradale Park Reserve	Neighbourhood	Warracowie	H	✓			Opportunity for shade over play equipment
Oaklands Road Estate	Neighbourhood	Warracowie	H		✓		Additional trees to relate to natural landscape characteristics. Playground to be upgraded 2018/19
Gully Road Reserve	Neighbourhood	Southern Hills	H	✓	✓		upgrade construction 2017/2018**
Sixth Ave Reserve	Neighbourhood	Woodlands	H	✓	✓		upgrade construction 2017/2018**
Roslyn Street Reserve	Neighbourhood	Woodlands	M	✓			Opportunity for shade over play equipment
Cadell Street Reserve	Neighbourhood	Southern Hills	M	✓	✓		Opportunity for shade over play equipment
Mulcra Ave Reserve	Neighbourhood	Mullawirra	M	✓	✓		Opportunity for shade over some play equipment
Southbank Boulevard	Neighbourhood	Southern Hills	M	✓	✓		playground to be upgraded as a Low priority (8 - 12 years)**
Kenton Ave Reserve	Neighbourhood	Warracowie	M		✓		Natural play area - opportunity to increase natural shade
Bandon Terrace Reserve	Neighbourhood	Coastal	M	✓	✓		playground to be upgraded as a High priority (1- 3 years)**
Hugh Johnstone Boulevard	Regional	Southern Hills	M	✓	✓		playground to be upgraded as a High priority (1- 3 years)**
Appleby Road Reserve	Neighbourhood	Morphetville	M	✓	✓		design to be completed by Renewal SA
Mitchell Park Oval	Neighbourhood	Warriparinga	M	✓	✓		playground to be upgraded as a High priority (1- 3 years)**
Dwyer Road Reserve	Neighbourhood	Warracowie	M	✓	✓		playground to be upgraded as a High priority (1- 3 years)**
Edwardstown Memorial Oval	Neighbourhood	Woodlands	L			✓	Immature trees will provide plenty of future shade - revisit site at a future date
George Street Reserve	Neighbourhood	Warriparinga	L	✓			Playground to be upgraded as a High priority (1 - 3 years)**
Stanley Street Reserve	Neighbourhood	Mullawirra	L	✓	✓		playground to be upgraded as a Medium priority (4 - 7 years)**
The Cove Oval	Neighbourhood	Southern Hills	L	✓	✓		playground to be upgraded as a Medium priority (4 - 7 years)**
Capella / Nannigai Reserve	Neighbourhood	Coastal	L	✓	✓		playground to be developed as part of a Capella Precinct plan
Glandore Community Centre	Neighbourhood	Woodlands	L	✓			playground to be upgraded as a Medium priority (4 - 7 years)**
Alpine Road Reserve	Neighbourhood	Warriparinga	L	✓	✓		playground to be upgraded as a Medium priority (4 - 7 years)**
Scarborough Tce Reserve	Neighbourhood	Warracowie	L	✓	✓		playground to be upgraded as a Low priority (8 - 12 years)**
Hamilton Park Reserve	Neighbourhood	Warracowie	L	✓			playground to be upgraded as a Low priority (8 - 12 years)**
Yanyarrie Ave Reserve	Neighbourhood	Woodlands	L	✓	✓		playground to be upgraded as a Low priority (8 - 12 years)**
Weaver Street Reserve	Neighbourhood	Woodlands	L	✓	✓		playground to be upgraded as a Low priority (8 - 12 years)**
Sandery Ave Reserve	Neighbourhood	Warracowie	N/A			✓	Natural shade exists that sufficiently shades play equipment
Glandore Oval	Neighbourhood	Woodlands	N/A			✓	Natural shade exists that sufficiently shades play equipment
McKellar / Kendall Reserve	Neighbourhood	Mullawirra	N/A			✓	Natural shade exists that sufficiently shades play equipment
Brolga Place Reserve	Neighbourhood	Warriparinga	N/A			✓	Natural shade exists that sufficiently shades play equipment
Rajah Street Reserve	Neighbourhood	Warracowie	N/A			✓	Natural shade exists that sufficiently shades play equipment
Willoughby Ave Reserve	Neighbourhood	Mullawirra	N/A			✓	Natural shade exists that sufficiently shades play equipment
Hessing Crescent Reserve	Neighbourhood	Southern Hills	N/A			✓	Natural shade exists that sufficiently shades play equipment
Plympton Oval	Neighbourhood	Mullawirra	N/A			✓	Artificial shade already exists over play equipment
Hazelmere Road Reserve	Regional	Mullawirra	N/A			✓	Artificial shade already exists over play equipment

Please note this is a working document subject to playground program alteration

** Where possible, shade at these locations will be installed as part of the playground upgrade. Age of playground and priority of upgrade will be taken into consideration.

Appendix 3

Playground Shade 2017/2018

Shade Sail Site	Design and Engineering	Final Price	Tree total (\$500 per tree)	Irrigation	Irrigation Costs (estimate)
Gully Road Reserve	\$ 3,200.00	\$ 23,950.00	\$ -		
Sixth Avenue	\$ 3,195.00	\$ 22,500.00	\$ -		
Aldridge Avenue	\$ 3,195.00	\$ 29,100.00	\$ 2,500.00	Existing	\$ 10,000.00
Roy Lander	\$ 4,170.00	\$ 44,700.00	\$ 9,500.00	Existing	\$ 10,000.00
Jervois Street	\$ 6,400.00	\$ 51,622.00	\$ -		
Reserve Street	\$ 3,640.00	\$ 45,200.00	\$ 1,500.00	Existing	\$ 10,000.00
Pavana Reserve	\$ 4,650.00	\$ 43,958.00	\$ 6,000.00	Existing	\$ 10,000.00
Harbrow Grove	\$ 4,300.00	\$ 32,480.00	\$ -		
Warradale Reserve	\$ 4,350.00	\$ 41,929.00	\$ 3,000.00	Existing	\$ 10,000.00
Glade Crescent	\$ -	\$ -	\$ 11,500.00	Existing	\$ 10,000.00
Maldon Avenue	\$ -	\$ -	\$ 5,500.00	Existing	\$ 10,000.00
Hendrie Street Reserve		\$ 35,000.00			
	\$ 37,100.00	\$ 370,439.00	\$ 39,500.00		\$ 70,000.00

Total Cost 2017/18	\$517,039.00
Total budget 2017/18	\$550,000.00
Contingency	\$32,961.00

**CITY OF MARION
GENERAL COUNCIL MEETING
12 DECEMBER 2017**

Originating Officer: Adrian Skull, Chief Executive Officer

Subject: Asset Optimisation
Ranger Street Reserve, Hallett Cove – Rescission

Report Reference: GC121217R11

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.

The requirements of Section 194 of the Local Government Act 1999 have been complied with in regard to the revocation of the community land classification of Ranger Street Reserve, 5 Ranger Street Hallett Cove, being the whole of the land in Certificate of Title Volume 5110 Folio 876 (the Reserve).

Council has previously considered the revocation of the community land classification and potential disposal of the Reserve.

The purpose of this report is to rescind the resolution made on 24 October 2017 (GC241017R10) (Appendix 1) that Council:

1. Retains Ranger Street Reserve

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

RECOMMENDATIONS

That Council:	DUE DATES
1. Rescinds the following motion passed at the 24 October Council Meeting 2017 (GC241017R10)	12 December 2017
<i>That Council:</i>	
<i>Retains Ranger Street Reserve</i>	
2. Acknowledges the Ministerial approval to revoke the community land classification dated 3 October 2017 for Ranger Street Reserve, 5 Ranger Street Hallett Cove being the whole of the land in Certificate of Title Volume 5110 Folio 876.	12 December 2017

3.	Revokes the community land classification in respect of Ranger Street Reserve, 5 Ranger Street Hallett Cove being the whole of the land in Certificate of Title Volume 5110 Folio 876.	12 December 2017
4.	Notes that the Registrar General is to be notified of the revocation of classification of community land in accordance with Section 195 of the Local Government Act 1999.	12 December 2017
5.	Authorises the disposal of Ranger Street Reserve, 5 Ranger Street Hallett Cove being the whole of the land in Certificate of Title Volume 5110 Folio 876 in accordance with Council's Disposal of Land and Assets Policy.	12 December 2017
6.	Authorises the revenue from the sale net of all associated disposal costs of the Ranger Street Reserve Hallett Cove to be transferred to the Open Space Reserve Fund for the development of open space facilities as approved by Council.	12 December 2017
7.	Pursuant to Section 37 (b) of the Local Government Act 1999 authorises the Chief Executive Officer to negotiate, enter into and sign all contracts and documentation necessary to effect a sale and settlement of the Ranger Street Reserve, Hallett Cove.	12 December 2017

BACKGROUND

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.

The requirements of Section 194 of the Local Government Act 1999 have been complied with in regard to the revocation of the community land classification of Ranger Street Reserve. Council has considered three reports outlined below regarding the revocation of the community land classification and potential disposal:

24 January 2017 (GC240117R03)

Council resolved to:

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

25 July 2017 (GC250717R07)

Council resolved to:

1. *Notes the outcome of the community consultation process undertaken for the potential disposal of Ranger St Reserve at Allotment 535 in Deposited Plan 9597, Certificate of Title Volume 5110 Folio 876.*
2. *Authorises the lodgement of the proposal for Ranger St Reserve at Allotment 535 in Deposited Plan 9597, Certificate of Title Volume 5110 Folio 876 to the Minister for Planning in accordance with Section 194 of the Local Government Act 1999.*
 - *With a report on all submissions made as part of the public consultation process.*
 - *A request to approve the revocation of the Community Land classification.*
3. *Notes a report will be presented to Council upon receipt of the determination from the Minister for Planning in relation to Ranger St Reserve at Allotment 535 in Deposited Plan 9597, Certificate of Title Volume 5110 Folio 876.*

24 October 2017 (GC241017R10)

On 24 October 2017 (GC241017R10) a report was considered by Council for the purpose of acknowledging receipt of Ministerial approval for the revocation of the community land classification of the Reserve. Council authorisation was sought to revoke the Reserve from the classification of community land in accordance with Section 194(3)(b) of the Local Government Act 1999.

After consideration of the 24 October 2017 report, Council resolved:

That Council:

2. *Retains Ranger Street Reserve*
3. *Proceeds no further with the asset optimisation program until it is discussed at an Elected Member forum.*

ELECTED MEMBER FORUM DISCUSSION

Following on from the Elected Member Forum held on 27 November 2017 at which the asset optimisation program was discussed, Members indicated that consideration should be given to progressing the disposal of some sites including Ranger Street. The recommendations in this report will enable the disposal process to proceed.

The status of Luke Court and Louise Avenue Reserves are as follows:

Luke Court Reserve, O'Halloran Hill - The sale of Luke Court Reserve will now proceed as per the Council resolution of 25 July 2017 (GC250717R08).

Louise Avenue Reserve, Warradale - On 25 July 2017 (GC250717R08) Council resolved to revoke the community land classification and to dispose of the Louise Avenue Reserve. This resolution was rescinded on 24 October 2017 (GC241017M03). A further report will be presented to the January 2018 General Council Meeting for the consideration of the revocation of the community land classification and to disposal of Louise Avenue Reserve.

CONCLUSION

Should Council resolve to dispose of Ranger Street Reserve, Council will need to rescind the motion passed at the 24 October Council Meeting 2017 (GC241017R10) and carry a resolution revoking the community land classification, in accordance with the Minister's requirement.

The revocation of the community land classification will enable Council to dispose of the Reserve in accordance with Council's Disposal of Land and Assets Policy and the recommendation made by the Minister for Planning.

It is recommended that:

The community land classification of the Reserve be revoked. The Reserve will be disposed of with the sales revenue, net of all associated disposal costs, transferred to Council's Open Space Reserve Fund for the development of open space facilities as approved by Council.

Appendix 1: Community Land Revocation – Ranger Street Reserve; GC241017R10

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

Originating Officer: Heather Michell, Land Asset Officer

Manager: Alicia Clutterham, Acting Manager City Property

General Manager: Fiona Harvey, Acting General Manager City Development

Subject: Community Land Revocation – Ranger Street Reserve

Report Reference: GC241017R0

REPORT OBJECTIVES & SUMMARY

The purpose of this report is to acknowledge receipt of Ministerial approval for the revocation of the community land classification of Ranger Street Reserve, Hallett Cove, being the whole of the land in Certificate of title Volume 5110 Folio 876 (the Reserve).

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

RECOMMENDATIONS	DUE DATES
That Council:	
1. Acknowledges the Ministerial approval to revoke the community land classification dated 3 October 2017 for Ranger Street Reserve, 5 Ranger Street Hallett Cove being the whole of the land in Certificate of Title Volume 5110 Folio 876.	24 October 2017
2. Revokes the community land classification in respect of Ranger Street Reserve, 5 Ranger Street Hallett Cove being the whole of the land in Certificate of Title Volume 5110 Folio 876.	24 October 2017
3. Notes that the Registrar General is to be notified of the revocation of classification of community land in accordance with Section 195 of the Local Government Act 1999.	24 October 2017
4. Authorises the disposal of Ranger Street Reserve, 5 Ranger Street Hallett Cove being the whole of the land in Certificate of Title Volume 5110 Folio 876 in accordance with Council's Disposal of Land and Assets Policy.	April 2018

5. Authorises the revenue from the sale net of all associated disposal costs of the Ranger Street Reserve Hallett Cove to be transferred to the Open Space Reserve Fund for the development of open space facilities as approved by Council.	April 2018
6. Pursuant to Section 37 (b) of the Local Government Act 1999 authorises the Chief Executive Officer to negotiate, enter into and sign all contracts and documentation necessary to effect a sale and settlement of the Ranger Street Reserve, Hallett Cove.	24 October 2017

BACKGROUND

Council considered the future of Ranger Street Reserve at 5 Ranger Street Hallett Cove (the Reserve) as an opportunity to pursue asset consolidation, to maximise the use of community facilities and ensure that public value is delivered through its assets on 24 January 2017 (GC240117R03).

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

Public consultation was undertaken in February / March 2017 in accordance with Section 194(2)(b) of the Local Government Act and Council's Community Consultation Policy.

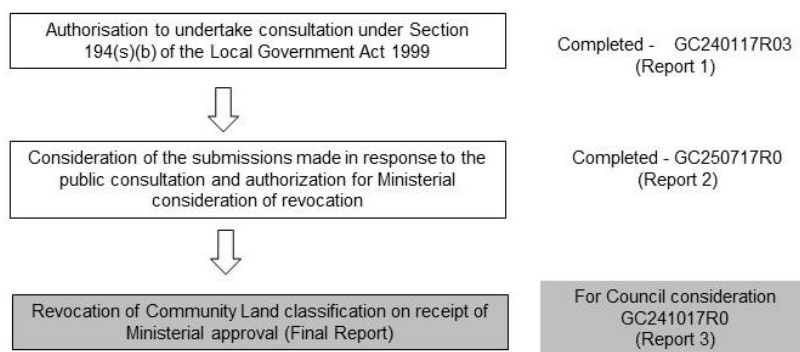
On 25 July 2017, (GC250717R07) Council considered the outcome of the community consultation process for the revocation of the community land classification over the Reserve. Council authorised the lodgement of the proposal with a report on all submissions made as part of the public consultation process and a request to approve the revocation of the Community Land classification over the Reserve, to the Minister for Planning.

Ministerial approval for the Reserve was received on 6 October 2017 (Appendix 1) for the revocation. Council is now able to finalise the process by passing a resolution to revoke the community land classification.

The Minister for Planning has recommended that Council obtain an independent valuation of the Reserve to facilitate its disposal on the open market.

Upon revocation of the community land classification, Council will be free to dispose of the Reserve in accordance with the Disposal of Land and Assets Policy and in accordance with the recommendation made by the Minister for Planning.

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



Community Impact

Open Space Mapping (Appendix 2) demonstrates the amount of open space available in Hallett Cove compared to other suburbs in Marion. The mapping shows:

- Hallett Cove has 23% of open space against area of residential properties
- Hallett cove has 85.8 square metres of open space per person
- It is projected that the population will increase in Hallett Cove by 393 people by 2036

The range of square metres per person in the City ranges from 3 square metres in Edwardstown to 266 square metres at O'Halloran Hill. The average will be skewed because of the vast open space in O'Halloran Hill and lack of population in Bedford Park.

The Reserve has been classified as a Local Level Reserve as it is a small open space that caters for people living in the local community. These spaces are less complex in design providing limited facilities that generally cater for low-density urban environment.

Environmental Implications

Contamination investigations have been undertaken to determine any future potential liability that may remain with Council as a result of any site contamination. The findings from the investigations have concluded that there is asbestos present in the fencing material along three of the property boundaries. The fence is damaged in places posing a potential complete exposure pathway through inhalation of asbestos particles.

On 25 July 2017, Council resolved to allocate funds up to \$11,000 to cover the full costs for the removal and replacement of the fence. Notices have been served under the Fences Act 1975. It is anticipated that the fence will be replaced in November/December 2017.

Financial Implications

It is recommended that the net proceeds from the disposal of the Reserve be transferred to the Open Space Reserve Fund to be used for the development of open space facilities as approved by Council.

The Valuer General's value for the Reserve in 2017/18 is \$220,000.

CONCLUSION

Council's endorsement of the recommendations will finalise the process to revoke the community land classification over Ranger Street Reserve at 5 Ranger Street Hallett Cove being the whole of the land comprised in Certificate of Title Volume 5110 Folio 876.

Following the revocation, Council will be able to dispose of the Reserve in accordance with Council's Disposal of Land and Assets Policy and the recommendation made by the Minister for Planning.

It is recommended that community land classification of the Land be revoked. The Reserve will be disposed of with the sale revenue re-invested into Council's Open Space Reserve Fund.

Appendix 1: Ministerial Approval
Appendix 2: Open Space Mapping



Government of South Australia

Department of Planning,
Transport and Infrastructure

In reply please quote

17PLN0683

Enquiries to David Whiterod

Telephone 7109 7142

RECEIVED
CITY OF MARION
INFORMATION MANAGEMENT
06 OCT 2017
Original ☐
Fwd: ☐
File No: _____
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DEVELOPMENT DIVISION

50 Flinders Street
Adelaide SA 5000GPO Box 1533
Adelaide SA 5001Telephone: 08 8303 0822
Facsimile: 08 8303 0849

ABN 92 366 288 135

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

SCANNED

Dear Mr Skull *Adrian*

I write in response to a letter from Carol Hampton, Manager City Property, seeking approval for the City of Marion Council's (the Council's) proposal to revoke the community land classification of allotment 535 in Deposited Plan 9597 comprised in Certificate of Title Volume 5110 Folio 876, located at 5 Ranger Street, Hallett Cove.

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

After carefully considering the effect of the revocation on the area and the local community, I am of the opinion that, on balance, the revocation will be more positive than not in its effect. I approve the Council's proposal to revoke the classification as community land of land being allotment 535 in Deposited Plan 9597 comprised in Certificate of Title Volume 5110 Folio 876.

I recommend that you obtain an independent valuation of the subject land to facilitate its disposal on the open market.

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

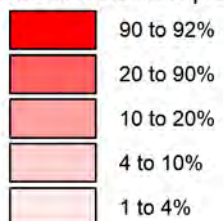
Yours sincerely

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

3 October 2017

Percentage Area of Open Space Against Area of Residential Properties

Percentage area of open space against
area of residential properties



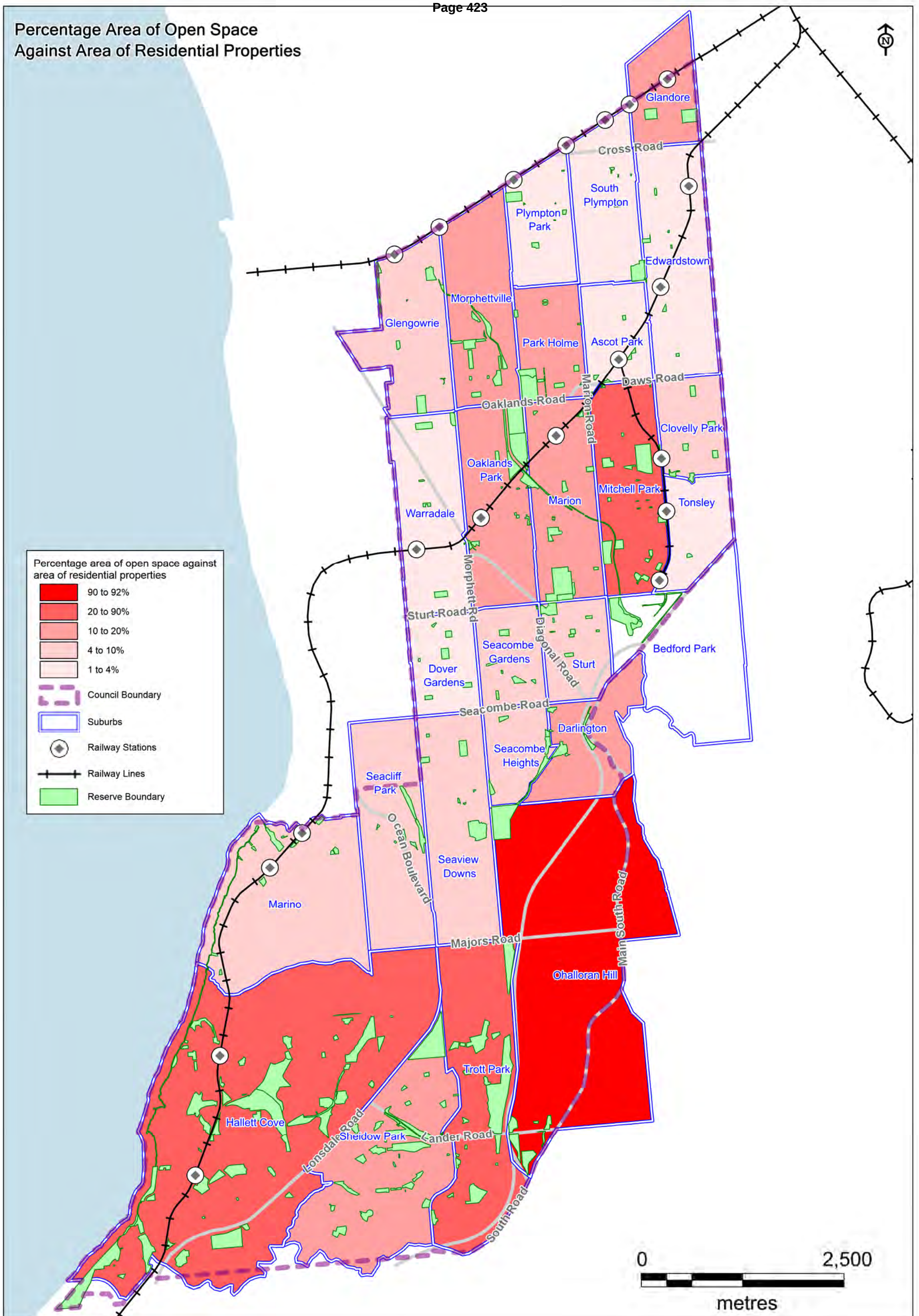
 Council Boundary

 Suburbs

 Railway Stations

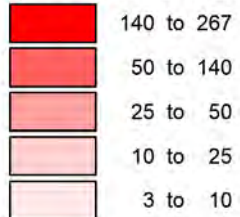
 Railway Lines

 Reserve Boundary

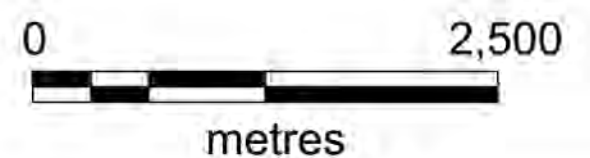
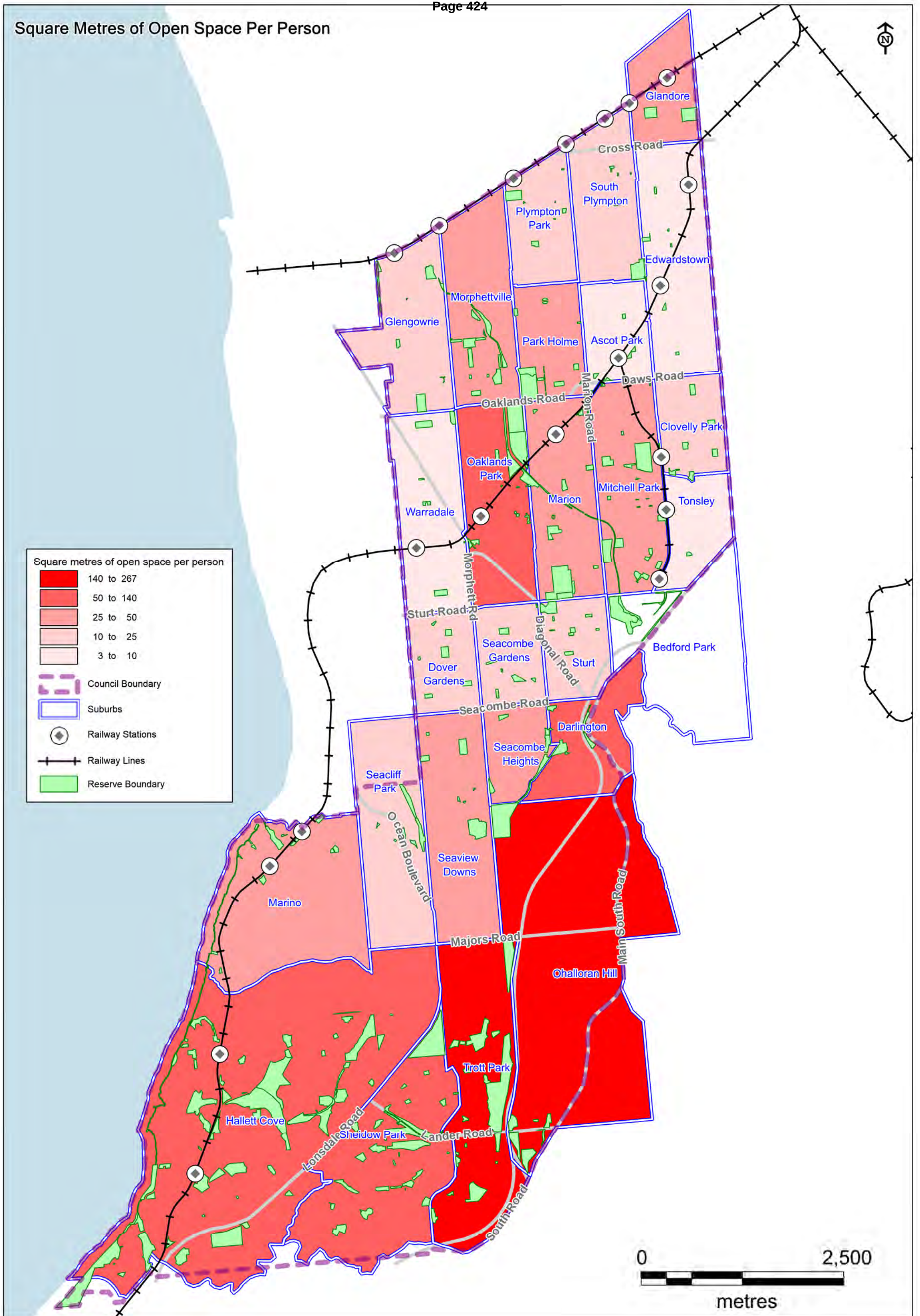


Square Metres of Open Space Per Person

Square metres of open space per person

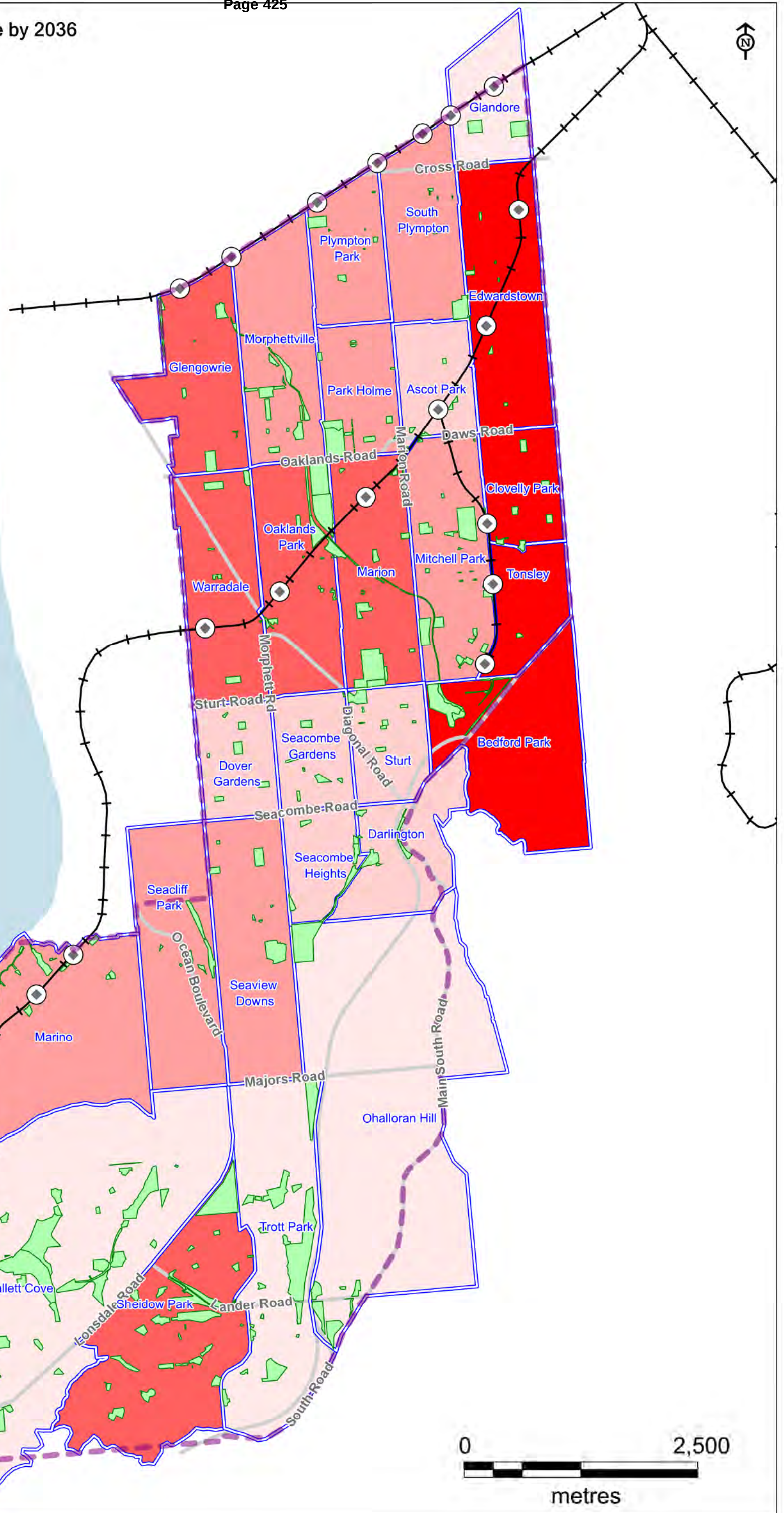
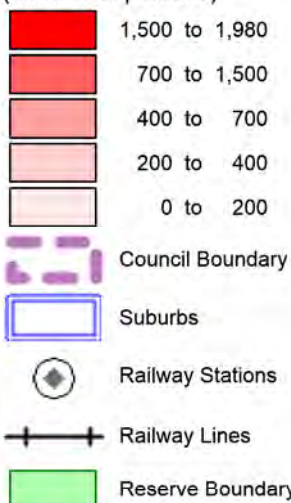


- Council Boundary
- Suburbs
- Railway Stations
- Railway Lines
- Reserve Boundary



Projected Population Increase by 2036
(Number of Persons)

Projected population increase by 2036
(number of persons)



**CITY OF MARION
GENERAL COUNCIL MEETING
12 DECEMBER 2017**

Originating Officer: David Melhuish, Senior Policy Planner

Manager: Jason Cattonar, Manager Development and Regulatory Services

General Manager: Abby Dickson, General Manager City Development

Subject: Castle Plaza Activity Centre Development Plan Amendment (DPA) – Interim Road Infrastructure Design and Delivery Deed

Report Reference: GC121217R12

REPORT OBJECTIVES

The purpose of this agenda item is to seek Council's approval to enter into and sign an Interim Road Infrastructure Design and Delivery Deed, relating to the road works required in order to develop the land as envisaged by the Castle Plaza Activity Centre Development Plan Amendment (DPA).

RECOMMENDATIONS

DUE DATES

That Council:

1. Delegates to the Chief Executive Officer the authority to negotiate the Interim Road Infrastructure Design and Delivery Deed relating to the Castle Plaza Activity Centre DPA.	12 December 2017
2. Authorises the Mayor and Chief Executive Officer to enter into and sign and seal all documentation necessary to facilitate the Interim Road Infrastructure Design and Delivery Deed on behalf of Council (pursuant to Section 38C of the Local Government Act 1999).	12 December 2017

BACKGROUND

Council has been undertaking a Development Plan Amendment (DPA) process proposing the rezoning of the existing Castle Plaza shopping centre and former Hills Industries site for mixed-use development.

On 25 July 2017, Council resolved to approve an amended version of the DPA and subsequently forwarded the document to the Minister for consideration and authorisation.

The amended version of the DPA proposed the creation of a traffic calmed "main street" environment on Raglan Avenue, and a road connecting Raglan Avenue directly to Ackland Street.

The road system throughout the area is intended to be delivered in two stages; providing the necessary road infrastructure when required. Previously, Stage 1 (shopping centre component) involved the creation of the “main street” on Raglan Avenue and Stage 2 (remainder of former Hills site – envisaged for mixed residential and commercial uses) involved the creation of the connector road, the upgrade to Ackland Street, the upgrade of the Ackland Street - South Road signalised intersection, and a new road system connecting the northern section of the site.

The developer is currently considering constructing the connector road as part of Stage 1 to provide further options for east-west traffic, and cater for the closure/part closure of Raglan Avenue while it is being up-graded.

Council’s traffic engineers have been involved in meetings between Council, DPTI (traffic) and the developers and their consultants in regards to the proposed road layout and associated traffic modelling.

Discussions on the road system have been at a high level at this stage. The relevant departments of Council will be involved at the detailed design stage of the development to ensure connectivity, streetscape design etc. are fully considered.

ANALYSIS

The Minister for Planning requires that the parties (Vicinity Centres (owner), Council and Department of Planning Transport and Infrastructure) enter into an interim Deed prior to the Minister for Planning providing final approval of the Draft DPA. This is to ensure there is an agreed process leading to the preparation of a detailed road analysis and the agreement, and execution of a final deed that details the Owner’s obligations to undertake the infrastructure works required for the Land (Final Deed).

The ‘Interim Road Infrastructure Design and Delivery Deed’ is currently being created. Norman Waterhouse Lawyers have been acting on behalf of Council in the creation of the deed. A draft version is attached for Members’ information and consideration. If a final version of the interim deed is received by Council before the 12 December 2017 General Council meeting it will be provided to Members.

The arrangement of the deed underpins the creation of the road system outlined in the Castle Plaza Activity Centre DPA approved by Council on 25 July 2017.

With ‘caretaker period’ for the State Elections commencing in mid-February 2018, the interim deed will need to be forwarded to the Minister as soon as possible to allow sufficient time for his consideration/approval of the Castle Plaza Activity Centre Development Plan Amendment.

CONCLUSION

In order to ensure that the road infrastructure required to develop the land as envisaged in the Castle Plaza Activity Centre DPA is undertaken, an Interim Road Infrastructure Design and Delivery Deed needs to be created and signed by all parties.

Appendix 1: Draft Version of Interim Road Infrastructure Design and Delivery Deed

DATED

DAY OF

2017

INTERIM ROAD INFRASTRUCTURE DESIGN AND DELIVERY DEED

BETWEEN

XXXXXXXXXXXXXXXXXX

("Owner")

-AND-

MINISTER FOR TRANSPORT AND INFRASTRUCTURE

("Minister")

-AND-

THE CORPORATION OF THE CITY OF MARION

("Council")

CROWN SOLICITOR

Level 9, 45 Pirie Street, Adelaide SA 5000

- F. The parties propose to enter into a further infrastructure deed to further detail the road infrastructure works required should the development of the Land proceed in the manner envisaged by the DPA.
- G. The Minister for Planning requires that the parties enter into this interim Deed prior to the Minister for Planning providing final approval of the Draft DPA to ensure that there is an agreed process leading to the preparation of a detailed road analysis and the agreement and execution of a final deed detailing the Owner's obligations to undertake the infrastructure works required for the Land (**Final Deed**).

OPERATIVE PROVISIONS:

1. ACKNOWLEDGEMENT

The parties agree both that the matters referred to in the Background of this Deed are true and correct in every material particular and that the Background will form part of this Deed.

2. DEFINITIONS AND INTERPRETATION

2.1 Definitions

Unless the subject or context required otherwise in this Deed:

- 2.1.1 **Administrator** has the same meaning as in the *Corporations Act 2001* (Cth);
- 2.1.2 **Agreed Cost Estimate** means the Agreed Cost Estimate for Road Infrastructure Works by the Responsible Party determined in accordance with clause 18;
- 2.1.3 **Austroads guidelines** means Austroads guidelines of the day and only varied where necessary to reflect standard practice in South Australia or to address a specific safety related issue at the location.
- 2.1.4 **Business Day** means a day that is not a Saturday, Sunday or a public holiday in Adelaide, South Australia;
- 2.1.5 **Construction Contract** means the construction contract entered into by the Responsible Party as principal for the carrying out of a Road Infrastructure Works Component (and possibly other work);
- 2.1.6 **Contractor** means a contractor under a Construction Contract;
- 2.1.7 **Contribution** means that proportion of the cost of a Road Infrastructure Works Component (whether undertaken by that party as the Responsible Party or undertaken by another party), which a party must bear, as ascribed to that party in the Contributions Schedule;
- 2.1.8 **Contributions Schedule** means the contributions schedule detailing which party, and the extent to which that party, will contribute to each Road Infrastructure Works Component attached at **ANNEXURE 2**;
- 2.1.9 **Council** means the City of Marion or its statutory permitted assigns;
- 2.1.10 **D&C Terms** means the terms set out in ANNEXURE 2 of this Deed;

-
- 2.1.11 **Defect** means any part of any Road Infrastructure Works Component which does not satisfactorily meet the Responsible Road Authority's requirements or specifications in accordance with this Deed;
- 2.1.12 **Defects Liability Period** means a period of 12 months commencing on Practical Completion of the relevant Road Infrastructure Works Component;
- 2.1.13 **Detailed Road Analysis** has the meaning given to that term in clause 4.1;
- 2.1.14 **Detailed Works Plan** has the meaning given to that term in clause 18.1
- 2.1.15 **Development Act** means the *Development Act 1993* (SA);
- 2.1.16 **Development Plan** means the Development Plan for the Council as amended by the DPA;
- 2.1.17 **DPA** means a Development Plan Amendment that is approved and in operation under the *Development Act 1993* (SA) as a result of a process initiated with the Draft DPA (whether in substantially the same form as the Draft DPA or in an amended form), and for the avoidance of doubt includes any amendment made to the DPA by the Minister for Planning pursuant to section 27(5) of the *Development Act 1993* (SA);
- 2.1.18 **DPA Gazettal** means a notice published in the South Australian Government Gazette pursuant to section 25(17) of the Development Act approving the DPA;
- 2.1.19 **DPTI** means the 'Department of Planning, Transport and Infrastructure';
- 2.1.20 **Draft DPA** means the Development Plan Amendment Titled "Castle Plaza Activity Centre DPA" prepared by the Council and endorsed by the Council for Minister's approval on 25 July 2017;
- 2.1.21 **Final Deed** means the deed that the parties intend to negotiate in good faith and enter into in accordance with this Deed, which will specify the obligations of each of the parties in respect of the Traffic Intervention Plan and must include those obligations outlined in clauses 17-29 inclusive of this Deed and the D&C Terms;
- 2.1.22 **Government Infrastructure** means infrastructure maintained by the South Australian Government or the Council;
- 2.1.23 **Insolvent** means being under administration or in provisional liquidation or liquidation, on the grounds of insolvency or anything analogous to or having a similar effect under the law of any relevant jurisdiction;
- 2.1.24 **Land** means the whole of the land comprised in Certificates of Title Volume XXXX Folio XXX and Volume XXXX Folios XXX, XXX and XXX; [**Vicinity note: must include all Vicinity land covered by the DPA, not just the shopping centre land.**]
- 2.1.25 **LMA** means a land management agreement pursuant to section 57 of the Development Act between the Owner, the Minister and the Council in respect of each of the Certificates of Title comprising the
-

Land, to be prepared and executed in accordance with clause 14 in the form comprised in ANNEXURE 5;

- 2.1.26 **Practical Completion** means practical completion of the relevant Road Infrastructure Works Component as determined under the Construction Contract pursuant to which the Road Infrastructure Works Component is or is to be carried out;
- 2.1.27 **Program** means the timing of construction of the Road Infrastructure Works referred to in the Traffic Intervention Plan;
- 2.1.28 **Responsible Party** means the Owner;
- 2.1.29 **Responsible Road Authority** means the road authority responsible for maintaining the Road Infrastructure Works Component upon completion of the same in accordance with any relevant legislation;
- 2.1.30 **Road Infrastructure Objectives** mean the objectives of the Minister and Council for the Road Infrastructure Works as set out at Annexure 1 or as otherwise determined by the Minister and Council (acting reasonably);
- 2.1.31 **Road Infrastructure Works** means the works set out at ANNEXURE 3 to be carried out in accordance with this Deed and the Final Deed;
- 2.1.32 **Road Infrastructure Works Component** means a component of the Road Infrastructure Works;
- 2.1.33 **Section 51 Certificate** means a certificate under section 51 of the Development Act;
- 2.1.34 **Security** means an irrevocable and unconditional undertaking issued by a financial institution that is regulated by the Australian Prudential Regulation Authority and that has a long term issuer credit rating of at least A- (Standard and Poor's equivalent), on terms acceptable to the Responsible Road Authority and being the security described in clause 20;
- 2.1.35 **Stage** means a stage of the Development and Road Infrastructure Works, to be carried out in accordance with this Deed and the Final Deed;
- 2.1.36 **Traffic Intervention Plan** means the document which:
 - (a) will be attached to the Final Deed; and
 - (b) will be prepared by the Minister in consultation with, and with the agreement of, the Owner (both parties acting reasonably) and the Council in accordance with this Deed and following the due and proper consideration of the Detailed Road Analysis;
 - (c) will be a detailed schedule of the relevant Stage of the Road Infrastructure Works for the Land and adjacent areas, meeting the Road Infrastructure Objectives, describing the traffic interventions required, identifying the affected roads, together with timings and the expected cost for each Stage; and
 - (d) will include the Contributions Schedule.

2.2 Interpretation

Unless expressed to the contrary, in this Deed:

- 2.2.1 words denoting the singular or plural number include the plural number and the singular respectively;
- 2.2.2 words denoting a gender refer to both genders;
- 2.2.3 headings are for convenience only and shall not affect the interpretation of this Deed;
- 2.2.4 words denoting individuals include corporations and vice versa;
- 2.2.5 a reference to a party, the Background, clause, schedule, annexure or plan is a reference to a party, the Background, clause, schedule, annexure or plan of this Deed;
- 2.2.6 a reference to any act, regulation or by-law shall be deemed to include all amendments to them and all statutory provisions substituted thereafter;
- 2.2.7 a reference to a party includes a reference to that party's executors, administrators, successors and permitted assigns;
- 2.2.8 the use of **or** shall be that of the inclusive **or**, that is meaning one, some or all of a number of possibilities or alternatives;
- 2.2.9 an agreement on the part of or in favour of 2 or more persons binds or is for the benefit of each person jointly and individually;
- 2.2.10 a reference to a matter, act or thing includes the whole event or any part of that matter, act or thing and reference to a group of matters, acts, things or persons includes each matter, act, thing or person in that group;
- 2.2.11 no rule of construction shall be applied in interpreting or construing this Deed *contra proferentem* against a party or otherwise to the disadvantage of a party on the basis that the party proposed or drafted this Deed or any provision of this Deed;
- 2.2.12 reference to a corporation, organisation or other body (whether or not incorporated), but excluding the parties is:
 - (a) if that corporation, organisation or other body is replaced by another corporation, organisation or other body, then to refer to that other corporation, organisation or other body; and
 - (b) if that corporation, organisation or other body ceases to exist, then to refer to the corporation, organisation or other body which most closely or substantially fulfil the same purposes or objects as the first mentioned corporation, organisation or other body;
- 2.2.13 the word **including** where used is deemed to be followed by the words **without limitation**; and
- 2.2.14 reference to **month** means calendar month.

2.3 Relationship between the parties

- 2.3.1 The parties acknowledge and agree that their relationship pursuant to this Deed shall be exclusively that of independent contractors with

the rights, liabilities, duties and obligations set out in this Deed or, subject to this Deed, at law.

2.3.2 Nothing contained in this Deed shall be deemed or construed to constitute a party to be a partner, joint venturer, principal, agent, trustee (whether expressed, implied or constructive), beneficiary, lender, borrower, lessor, lessee, or fiduciary of another party.

2.3.3 No party has the authority to act for or incur any liability or obligation pursuant to this Deed as agent for or on behalf of any other party except as expressly provided in or contemplated by this Deed.

2.4 Proper law and jurisdiction

2.4.1 The proper law of this Deed shall be the law of South Australia and accordingly this Deed shall be governed by and construed in accordance with the laws of South Australia.

2.4.2 Each party irrevocably and unconditionally submits to the non-exclusive jurisdiction of the courts of South Australia and the courts of appeal from them for determining any dispute concerning this Deed. Each party waives any right it has to object to an action being brought in those courts, to claims that action has been brought in an inconvenient forum, or to claim those courts do not have jurisdiction.

2.4.3 The parties agree that none of them shall institute or attempt to institute any proceedings in relation to any dispute or any other matter or thing arising out of or in connection with this Deed other than in a court of South Australia or, in respect of any proceedings in a Federal court, in the Adelaide registry of the relevant Federal court.

2.4.4 Without preventing any other mode of service, any documents in an action (including any writ of summons or other originating process or any third or other party notice) may be served on a party by being left or left for that party at its address for service of notices pursuant to this Deed.

2.5 Waiver

2.5.1 A waiver of a provision of this Deed must be both in writing and be signed by the party or parties granting the waiver and the party or parties benefiting by or from the waiver or by a person duly authorised to execute such a document on behalf of each such party.

2.5.2 No waiver by a party of a performance or observance of a provision or a breach of this Deed shall operate as a waiver of the performance observance or breach of any other provision of this Deed.

2.5.3 No forbearance, delay, indulgence or partial exercise by a party in enforcing the provisions of this Deed shall be a waiver of or prejudice or restrict the rights of that party in any way.

2.6 Reading down and severance

2.6.1 If a provision of this Deed is reasonably capable of an interpretation which would render that provision to be unenforceable, illegal, invalid or void and an alternative interpretation would not have one of those consequences, then that provision shall be interpreted or construed so far as is possible, to be limited and read down such that its

meaning is that which does not render it unenforceable, illegal, invalid or void.

2.6.2 Subject to clause 2.6.1, if a provision of this Deed is for any reason illegal, void, invalid or unenforceable, then that provision shall be severed from this Deed without effecting the legality, validity or enforceability of the remainder of this Deed.

2.6.3 If a provision of this Deed is severed under clause 2.6.2, the parties agree to negotiate in good faith to reach agreement upon an amended provision as a replacement for the severed provision.

2.7 Cumulative rights

A right, power, remedy, entitlement or privilege given or granted to a party pursuant to this Deed is cumulative with, without prejudice to and not exclusive of any right, power, remedy, entitlement or privilege granted or given pursuant to this Deed or by the operation of law.

2.8 Employees or agents

Any act, matter or thing which is either required to be performed or done by a party may be performed or done by that party's duly authorised employees, agents, delegates or contractors.

2.9 Entire agreement

2.9.1 This Deed contains the entire agreement between the parties in respect of the subject matter of this Deed and the parties agree that this Deed supersedes and extinguishes any prior agreement or understanding (if any) between the parties in respect of the subject matter of this Deed.

2.9.2 No other agreement, whether collateral or otherwise, shall be taken to have been formed between the parties by reason of any promise, representation, inducement or undertaking (if any) given or made by one party to the other prior to the date of this Deed.

2.10 Auditor-General

Nothing in this Deed derogates from the powers of the Auditor-General under the *Public Finance and Audit Act 1987* (SA).

3. CONDITIONS OF THE DEED

3.1 DPA

3.1.1 The obligations of the parties under this Deed are subject to and conditional on:

- (a) the Minister for Planning approving the DPA for the Land;
- (b) the Minister for Planning publishing the DPA Gazettal;
- (c) the validity of the DPA not being subjected to any challenge in a court of competent jurisdiction within six months of the Minister for Planning having published the DPA Gazettal; and
- (d) the DPA not being disallowed by either House of Parliament under section 27 of the Development Act within six months of the date of publication of the DPA Gazettal.

- 3.1.2 The Owner acknowledges that nothing in this Deed can oblige or shall be construed as obliging the Minister for Planning to approve the DPA.

4. **RESPONSIBILITY TO UNDERTAKE INVESTIGATIONS AND ANALYSIS OF ROAD INFRASTRUCTURE WORKS**

4.1 The parties acknowledge and agree that:

- 4.1.1 as at the date of this Deed, the Owner is unable to provide sufficient detail regarding the final layout and configuration of the Development and while the parties have agreed the D&C Terms, it is not possible for the Traffic Intervention Plan to be finalised in respect of all Stages;
- 4.1.2 additional and detailed investigations, modelling and analysis must be prepared or cause to be prepared by the Owner as promptly as possible (to DPTI's and Council's satisfaction, acting reasonably), in order to identify the scope, timing and staging of the Road Infrastructure Works that will be required for the Land as a result of the Development for the relevant Stages ("**Detailed Road Analysis**");
- 4.1.3 although the Detailed Road Analysis must consider the Development of the entire Land, including the various Stages of the Development, detailed analysis is only required for the relevant Stage being undertaken;
- 4.1.4 the Owner must identify the required road upgrades/interventions for the surrounding road network based on the Detailed Road Analysis;
- 4.1.5 after the completion of, and the due and proper consideration of, the Detailed Road Analysis, the parties will negotiate in good faith with a view to agreeing the Traffic Intervention Plan and entering into the Final Deed (which will include the D&C Terms) by **XX XXXXX XXXX**.

4.2 The Owner acknowledges and agrees that the Owner must not make an application:

- 4.2.1 to enable the deposit of a Plan of Division creating allotments in relation to any portion of the Land; or
- 4.2.2 for development authorisation from the relevant authority under the Development Act for a development (other than land division), that involves construction of buildings and structures and requires building rules consent (as those terms are defined in the Development Act), on any portion of the Land,

until:

- 4.2.3 the Owner completes the Detailed Road Analysis for the relevant Stage; and
- 4.2.4 the parties agree the Traffic Intervention Plan; and
- 4.2.5 the parties have executed the Final Deed (unless the Minister and Council agree otherwise in writing).

- 4.3 The obligation in clause 4.1 and the prohibition in clause 4.2 and all other terms of the LMA and this Deed:
- 4.3.1 do not apply to a development comprising the continuation or expansion of a lawful development that existed on the Land prior to the DPA being gazetted for the Land; and
 - 4.3.2 do not restrict the Owner from developing the Land in accordance with the existing industrial zoning.
- 4.4 Without limiting clauses 4.1 or 4.2 the Owner must facilitate the upgrade of the intersection of South Road, Ackland Avenue and Edwards Street prior to the commencement of Stage 2 of the Proposed Development.

5. NOT APPLICABLE

6. SALE OR TRANSFER OF LAND OR ASSIGNMENT OF DEED

- 6.1 If the Owner intends to transfer any portion of the Land or wishes to assign this Deed prior to having undertaken the Road Infrastructure Works relating to that portion of the Land, the Owner must prior to any such transfer or assignment, procure the intended transferee of that portion of the Land to enter into a deed on the same terms as this Deed and deliver that signed deed to the Minister for execution by the Minister and Council.
- 6.2 The Owner indemnifies the Minister and Council from and against all loss and damage resulting from a breach of clause 6.1 by the Owner.
- 6.3 Without limiting the indemnity in clause 6.2, the Minister and Council are entitled to seek orders from a Court for specific performance of the obligations specified in this clause 6.
- 6.4 A transfer of any portion of the Land or an assignment of this Deed does not breach clause 6.1 if the transmission of the title relating to any portion of the Land occurs as a result of enforcement of a will, or by intestacy for that portion of the Land.
- 6.5 If the Owner transfers any portion of the Land or assigns this Deed having met the obligations specified in clause 6.1, then the Minister and Council shall release the Owner in respect of the Owner's obligations under this Deed except for the obligations of indemnity contained in clauses 6.2 and 6.3.

7. DISPUTE RESOLUTION

7.1 Disputes to be dealt with under this clause

Unless otherwise provided in this Deed all disputes or differences between the parties in connection with:

7.1.1 this Deed; or

7.1.2 any other matter in any way relating to this Deed,

(Dispute) will be dealt with in accordance with this clause 7 whenever the Dispute is raised.

7.2 Notice of Dispute

Any party (**Disputing Party**) may within 30 days after the Dispute arises, give a notice to the other parties (**Non-Disputing Parties**):

- 7.2.1 setting out details of the Dispute, the reason the Dispute should be resolved in favour of the Disputing Party, and any other matter that may, in the reasonable opinion of the Disputing Party, be relevant to the resolution of the Dispute; and
- 7.2.2 requiring the Non-Disputing Parties to, in good faith, seek to resolve the Dispute within 21 days of the date of the notice.

7.3 **Referral of Dispute to an Expert**

Subject to clause 7.7, if the Dispute is not resolved by agreement between the parties following notice given under clause 7.2, the determination of the Dispute (**Determination**) may be referred for determination by any party to any independent person (**Expert**) agreed between the parties (or in the absence of agreement within 7 days of any party proposing in writing an Expert, then the Expert shall be nominated at the request of any party by the President (or if there is not a President, then Chief Executive Officer or other person of like status) for the time being of The Law Society of South Australia (or if that body has ceased to exist then a body fulfilling substantially the same functions as the first mentioned body)).

7.4 **Expert**

The Expert is an expert and not an arbitrator.

7.5 **Final**

The Determination of the Expert is final and binding on the parties.

7.6 **Conduct of Determination**

Unless otherwise agreed by the parties in writing:

- 7.6.1 the place of the proceedings for purposes of the Determination will be Adelaide, South Australia;
- 7.6.2 each party is entitled to legal representation at all stages of the Determination;
- 7.6.3 the proceedings for the purposes of the Determination will be conducted in accordance with the laws of evidence;
- 7.6.4 each party will bear its own costs and expenses in relation to the Determination;
- 7.6.5 the parties will pay in equal shares the Expert's fees and expenses and the cost of the Determination including room hire (if any);
- 7.6.6 the parties must comply with all reasonable requests and produce all necessary documentation to the Expert to enable the Expert to make the Determination;
- 7.6.7 the parties may make submissions which the Expert must take into account when making the Determination;
- 7.6.8 the Expert must provide its Determination to the parties in writing, with reasons for the Determination and within 21 days of the appointment of the Expert; and

- 7.6.9 the provisions of the *Commercial Arbitration Act 1986* (SA) do not apply to the resolution of any Dispute under the provisions of this clause 7.

7.7 Legal proceedings

Nothing in this clause 7 prevents a party from issuing, or requires a party to delay issuing, legal proceedings in a court in respect of a Dispute if:

- 7.7.1 it is reasonably necessary for that party to seek urgent injunctive or other interlocutory relief in order to reasonably protect its position; or
- 7.7.2 the nature of the Dispute is such that it is not reasonably suitable for expert determination (for example, if the Dispute relates only the interpretation of the provisions of this Deed and will not require reference to expert evidence).

8. TIME OF THE ESSENCE

Time shall be of the essence in respect of any time, date or period specified in this Deed or in any notice served pursuant to this Deed.

9. VARIATION

No modification, variation or amendment of this Deed shall be of any force unless any such modification, variation or amendment is made by deed executed by each party.

10. COSTS

The parties will pay their own costs of and incidental to the preparation, negotiation and execution of this Deed and of any documents prepared and executed pursuant to this Deed, unless stated otherwise in those other documents.

11. NOTICES

- 11.1 A notice to a party must be in writing and may be served in the following manner:

- 11.1.1 delivering it personally to that party; or
- 11.1.2 addressing it to that party and either leaving it at, delivering it by courier (expenses prepaid) or mailing it by registered mail (return receipt requested) to:
- (a) the address of that party appearing in this clause 11; or
 - (b) any other address in South Australia nominated in writing by that party from time to time; or
- 11.1.3 sending a facsimile copy of the notice to the facsimile copier number specified in this clause 11 or to any other numbering nominated in writing by that party.

- 11.2 A notice given in accordance with this clause 11 will be deemed to be received as follows:

- 11.2.1 in the case of personal delivery or by courier, when delivered;

- 11.2.2 in the case of service by leaving the notice at an address specified in this clause, when left at that address, unless the time of leaving the notice is not on a Business Day or is after 5.00pm on a Business Day, in which case it shall be deemed to be given, made or received on the next Business Day;
- 11.2.3 in the case of service by mail, on the third Business Day following the date of posting; and
- 11.2.4 in the case of service by facsimile, when transmitted, as evidenced by a transmission report produced by the sender's facsimile machine that the notice was sent to the addressee's facsimile number, unless the time of transmission is not on a Business Day or is after 5.00pm on a Business Day, in which case it will be deemed to be given, made or received on the next Business Day.
- 11.3 A notice given or served pursuant to this Deed by a party may be signed by a duly authorised employee, agent or delegate of the serving party. Notices may be served at the following addresses and facsimile number:
- 20.3.1 To XXXXXXXXXXXXXXXX ACN XXX XXX XXX
[Address]
Facsimile: N/A;
- 11.3.1 To the Council
Site address: 245 Sturt Road, Sturt SA 5047
Postal address: PO Box 21, Oaklands Park SA 5046
Facsimile: (08) 8375 6699
Attention: Chief Executive Officer
- 11.3.2 To the Minister:
Level 9, 136 North Terrace, Adelaide, South Australia 5000
Facsimile: (08) 8402 1991;
- 11.4 A party may modify its address or facsimile number from time to time by a written notice served on the other party.

12. COUNTERPARTS

This document may consist of a number of counterparts and the counterparts taken together constitute one and the same instrument. If so, the signed copies are treated as making up the one document.

13. NOT APPLICABLE

14. LAND MANAGEMENT AGREEMENT

- 14.1 On or before the date of execution of this Deed, the Owner must:
- 14.1.1 execute a land management agreement in accordance with the land management agreement attached to this Deed and marked ANNEXURE 5, in respect of each Certificate of Title comprising the Land (**LMA**); and
 - 14.1.2 deliver that LMA to the Council for execution by the Minister and Council and lodgement at the Lands Titles Office by the Council.
- 14.2 The Owner must obtain all appropriate consents (including from all holders of registered interests rights or endorsements on the relevant Certificates of Title pertaining to the Land) and also pay any consent fees, stamp duty and registration costs on the LMA.
- 14.3 The parties acknowledge and agree that a further land management agreement similar to the LMA or a supplementary land management agreement will need to be entered into by the parties and noted on each Certificate of Title comprising the Land at around the same time that the Final Deed is executed by the parties to ensure that the obligations contained in the Final Deed will be complied with by any future owner of the Land.

15. ASSIGNMENT OF MINISTER'S RIGHTS AND OBLIGATIONS

- 15.1 The parties acknowledge that the Minister for Transport and Infrastructure reserves his right to assign any of his rights, benefits or obligations under this Deed to any instrumentality of the Crown in the right of South Australia (including but not limited to the Commissioner of Highways) who in the Minister's opinion will most appropriately deal with such right, benefit or obligation on the same terms as this Deed, on providing prior written notice to the Owner and without seeking the consent of any other party to this Deed.
- 15.2 The Minister will, at the completion of any development or works pursuant to this Deed, determine which instrumentality of the Crown (including the Council), should own and maintain the relevant parts of the completed development or works pursuant to this Deed and do all things necessary to vest in the instrumentality such development or works on terms acceptable to the Minister.

16. LIMITATIONS ON OPERATION OF DEED

- 16.1 Notwithstanding any other provision of this Deed, this Deed is subordinate to the provisions of the Development Act and the *Highways Act 1926* (**Highways Act**), and that Council's and the Commissioner of Highways' discretion with regard to any process whatsoever in relation to development approval or authorisation provided by the Development Act or with regard to the Commissioner of Highways' responsibilities under the Highways Act, must not be fettered.
- 16.2 The dispute resolution provision outlined in clause 7 of this Deed does not apply for any dispute arising from a matter arising from the operation of this Deed:
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- 16.2.1 which relates to any Development Act approvals or authorisation and/or any conditions placed on a party as a part of the Development Act approval or authorisation process; or
- 16.2.2 which relates to Council, the Minister or the Commissioner of Highways exercising statutory functions and duties.

17A **FINAL DEED TERMS**

The parties acknowledge and agree that the rights and obligations set out in clauses 17-29 inclusive of this Deed do not form part of the terms and conditions of this Deed but will form a part of the Final Deed (as amended by agreement between the parties to take into account any amendments required after completion of the Detailed Road Analysis and Traffic Intervention Plan).

17. **RESPONSIBILITY TO UNDERTAKE AND CONTRIBUTE TO THE COST OF ROAD INFRASTRUCTURE WORKS**

- 17.1 In respect of the various Road Infrastructure Works Components set out in ANNEXURE 3:
 - 17.1.1 the Responsible Party must fund and undertake, in accordance with the Program and the Traffic Intervention Plan, the construction of each Road Infrastructure Works Component; and
- 17.2 In relation to the carrying out of any Road Infrastructure Works Component:
 - 17.2.1 before commencing any Road Infrastructure Works Component, the Responsible Party must procure all relevant approvals; and
 - 17.2.2 before commencing any Road Infrastructure Works Component the Responsible Party must obtain the approval of the Responsible Road Authority to the Detailed Works Plan.
- 17.3 Council is not responsible for undertaking any Road Infrastructure Works or providing any Contribution.

18. **DETAILED WORKS PLAN**

- 18.1 Prior to commencing any Road Infrastructure Works, the Responsible Party must submit to the Responsible Road Authority for approval, a detailed works plan for the design and or construction of that Road Infrastructure Works Component (**Detailed Works Plan**) which (unless otherwise directed by the Responsible Road Authority) includes:
 - 18.1.1 the design brief to be issued to the relevant designer or consultant; and
 - 18.1.2 the identity of the relevant designer or designers.
 - 18.1.3 the detailed construction specifications, drawings, plans and designs for the Road Infrastructure Works;
 - 18.1.4 the proposed commencement and completion dates for the Road Infrastructure Works;
 - 18.1.5 the identity of the person or entity proposed to undertake the Road Infrastructure Works;

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- 18.1.6 a detailed estimate of the cost of the Road Infrastructure Works (including any appropriate allowances for contingencies) from an independent and appropriately qualified and experienced expert who is recognised as such an expert by the Responsible Road Authority (**Detailed Cost Estimate**); and
- 18.1.7 a statement of the extent to which the Road Infrastructure Works will be undertaken in accordance with the Program; and
- 18.1.8 if clause 18.3 applies - written agreement from each Contributing party to pay the excess Contribution in respect of that particular Road Infrastructure Works Component in accordance with that clause.
- 18.2 A Detailed Works Plan must be prepared in accordance with either:
- 18.2.1 the Minister's and/or the Commissioner's standard requirements for plans and specifications in respect of arterial road infrastructure from time to time; or
- 18.2.2 the Council's standard requirements for plans and specifications in respect of local road infrastructure from time to time;
- as the case may be (depending on whether the Minister, the Commissioner or the Council is the Responsible Road Authority for the Road Infrastructure Works Component).
- 18.3 In the event that the Detailed Cost Estimate is greater than the cost of the relevant Road Infrastructure Works Component (including contingency) as described in the Contributions Schedule then the Responsible Party must obtain the approval of each other party (if any) that is required to make a Contribution to that Road Infrastructure Works Component to ensure that each of such other party will increase their Contributions to that Road Infrastructure Works Component by an amount which equals the proportion of the excess that that party must pay in respect of that Road Infrastructure Works Component pursuant to the Contributions Schedule.
- 18.5 In the event that the Detailed Cost Estimate is less than the cost of the relevant Road Infrastructure Works Component as described in the Contributions Schedule then the contribution of each of the parties will decrease by an amount which equals the proportion that that party must pay in respect of that Road Infrastructure Works Component pursuant to the Contributions Schedule.
- 18.6 The **Agreed Cost Estimate** will be the Detailed Cost Estimate, as approved by the Responsible Road Authority in accordance with clause 18.7;
- 18.7 The Responsible Road Authority will promptly consider a Detailed Works Plan and the Program and notify the Responsible Party in writing within 90 days of receipt of the Detailed Works Plan of the Responsible Road Authority's decision to:
- 18.7.1 approve the Detailed Works Plan with or without conditions;
- 18.7.2 reject the Detailed Works Plan (with written reasons for the rejection); or
- 18.7.3 propose a modified Detailed Works Plan (with or without conditions) which the Responsible Road Authority would approve.
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18.8 The Responsible Road Authority will also specify on the relevant approved Detailed Works Plan the:

18.8.1 standards to which the Road Infrastructure Works must comply; and

18.8.2 the contractual arrangements (including but not limited to a requirement for the Responsible Party to execute a separate deed which the Responsible Road Authority deems necessary for the construction of the Road Infrastructure Works);

that the Minister, the Commissioner of Highways or Council (as the case may be) determines are necessary for the construction of the relevant Road Infrastructure Works Component.

18.9 Clause 18.8 does not exclude the requirement of the Responsible Party to obtain any and all other necessary approvals from the Responsible Road Authority to enable the Responsible Party to undertake the relevant Road Infrastructure Works.

19. **CALCULATION OF NOMINATED COST OF 'CONTRIBUTION' ROAD INFRASTRUCTURE WORKS**

19.1 The **Nominated Cost** of a Road Infrastructure Works Component is the amount actually and reasonably incurred by the Responsible Party in undertaking that Road Infrastructure Works Component for which Contributions must be paid, and the Nominated Cost is calculated:

19.1.1 by including all expenses reasonably incurred by the Responsible Party in designing, procuring and undertaking the approved Road Infrastructure Works Component (but not including the costs of finance, any land owned by the Responsible Party or any opportunity cost);

19.1.2 by excluding any expenses incurred because of the negligence, default, unreasonable delay or incompetence of the Responsible Party or its consultants or contractors or in undertaking any step, process or works that were not reasonably required to properly and reasonably complete the approved Road Infrastructure Works Component.

19.2 If the Nominated Cost exceeds the Agreed Cost Estimate for a Road Infrastructure Works Component then the Responsible Party must not issue invoices (to the extent of the excess) to any of the other parties who must make a Contribution to that Road Infrastructure Works Component unless the Responsible Party first obtains the written approval of each of the other parties who must make a Contribution to that Road Infrastructure Works Component, to ensure that each of those other parties agrees to increase its Contribution to that Road Infrastructure Works Component, by an amount which equals the proportion of the excess that that relevant party must pay in respect of that Road Infrastructure Works Component pursuant to the Contributions Schedule.

19.3 As soon as reasonably practicable after determining the Nominated Cost, the Responsible Party will provide to the other parties who must make a Contribution to that Road Infrastructure Works Component, all documents and information reasonably evidencing the expenses incurred by the Responsible Party in undertaking the approved Road Infrastructure Works Component

and, if requested by any of the parties, an opinion by an independent expert (obtained at the Responsible Party's cost and within a reasonable period after such request) in respect of the calculation of Nominated Cost for that Road Infrastructure Works Component under this Deed.

20. SECURITY

- 20.1 The Responsible Party must, in respect of each Road Infrastructure Works Component that the Responsible Party is responsible for, provide Security for an amount equal to the cost of the relevant Road Infrastructure Works Component, based on the Agreed Cost Estimate for that Road Infrastructure Works Component.
- 20.2 For the avoidance of doubt, the Responsible Road Authority will not require the Owner to provide Security under this clause 20 if a bond under section 51 of the Development Act is provided in respect of a Road Infrastructure Works Component.
- 20.3 The Security is to be provided to, and is to be expressed to be in favour of the Responsible Road Authority.
- 20.4 In the case of a Responsible Party making a request to the Development Assessment Commission for the issue of a Section 51 Certificate for any proposed division of any land within the Land:
 - 20.4.1 immediately prior to the first of the parties making a request to the Development Assessment Commission for the issue of a Section 51 Certificate for any proposed division of any land within the Land, that party is to notify the Responsible Road Authority;
 - 20.4.2 as soon as practicable after receiving the notice under clause 20.4.1 the Responsible Road Authority is to notify each of the parties (including without limitation the party which notifies the Responsible Road Authority under clause 20.4.1) that they must provide all of their respective Securities (to the extent that they have not already done so);
 - 20.4.3 each of the parties must provide all of their respective Securities (to the extent that they have not already done so) within 30 days of the Responsible Road Authority giving notice under clause 20.4.2; and
 - 20.4.4 as soon as practicable after the Responsible Road Authority receives each party's Security, the Responsible Road Authority will notify the party which notified the Responsible Road Authority in accordance with clause 20.4.1 that it was intending to make a request to the Development Assessment Commission for the issue of a Section 51 Certificate, that it may proceed to do so.
- 20.5 In the case of the Responsible Party intending to enter into a Construction Contract for a Road Infrastructure Works Component prior to any of the parties making a request to the Development Assessment Commission for the issue of a Section 51 Certificate referred to in clause 20.4, then:
 - 20.5.1 immediately prior to the Responsible Party entering into the Construction Contract for the Road Infrastructure Works Component, the Responsible Party is to notify the Responsible Road Authority;

- 20.5.2 as soon as practicable after receiving notice under clause 20.5.1, the Responsible Road Authority is to notify the Responsible Party that it must provide its Security in respect of the Construction Contract for that Road Infrastructure Works Component;
 - 20.5.3 The Responsible Party must provide its Security in respect of the Construction Contract for that Road Infrastructure Works Component within 30 days of the Responsible Road Authority giving notice under clause 20.5.2; and
 - 20.5.4 as soon as practicable after the Responsible Road Authority receives the Responsible Party's Security, the Responsible Road Authority will notify the Responsible Party that it may proceed to enter into the Construction Contract in respect of that Road Infrastructure Works Component.
- 20.6 Each party which is required to provide Security undertakes that it will not cause, suffer or permit the making of a request to the Development Assessment Commission for the issue of a Section 51 Certificate unless the Responsible Road Authority has issued a notice under clause 20.4.4
- 20.7 None of the Minister, the Commissioner, or Council need provide Security provided that nothing in this clause 20 will require the Owner to provide Security for any Road Infrastructure Works Component other than the Road Infrastructure Works Component for which the Owner is responsible.

21. INCREASE OF SECURITY

- 21.1 Subject to clause 21.2 where the contract sum in respect of a Road Infrastructure Works Component is more than the Agreed Cost Estimate, the Responsible Road Authority must request and the Owner must, upon request made by the Responsible Road Authority, provide additional Security so that the amount of the Security provided by the Owner in respect of its liability to contribute to the cost of that Road Infrastructure Works Component is equal to the Owner's proportion (as specified in the Traffic Intervention Plan) of the contract sum for that Road Infrastructure Works Component.
- 21.2 If the Responsible Road Authority is of the opinion that the amount of any potential additional Security to be requested by the Responsible Road Authority under clause 21.1 is nominal, the Responsible Road Authority may elect not to require the additional Security.

22. PROGRESSIVE RELEASE OF SECURITY

- 22.1 The Responsible Road Authority must review (and return or release as appropriate) the Security held by it as Practical Completion of each Road Infrastructure Works Component is achieved (but having regard to the right of the Responsible Road Authority to retain a portion of the Security referred to in clause 22.3).
- 22.2 Subject to clause 22.3, the Responsible Road Authority shall return to a party (**Security Party**) so much of the Security provided by the Security Party to the Responsible Road Authority as relates to a Road Infrastructure Works Component for which:
- 22.2.1 Practical Completion has been achieved; and

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- 22.2.2 the Security Party has contributed all of the Security Party's Contribution to the total cost of the Road Infrastructure Works Component.
- 22.3 The Responsible Road Authority is entitled to retain from the Security provided by the Security Party in respect of a Road Infrastructure Works Component so much of such Security as equates to 10% of the total amount of the Security provided for that Road Infrastructure Works Component, during the Defects Liability Period in respect of that Road Infrastructure Works Component. Upon the expiration of the Defects Liability Period, and subject to the rectification of all Defects in respect of the relevant Road Infrastructure Works Component in accordance with the relevant Construction Contract for that Road Infrastructure Works Component, the Responsible Road Authority must return or release (as appropriate) as soon as practicable to the Security Party the balance of the Security then held by it.
- 23. DEFAULT BY RESPONSIBLE PARTY IN UNDERTAKING ROAD INFRASTRUCTURE WORKS COMPONENT**
- 23.1 If the Responsible Party for undertaking a Road Infrastructure Works Component:
- 23.1.1 fails to enter into as principal a Construction Contract for the Road Infrastructure Works Component by the relevant date or trigger point specified in the Program (as applicable) or by such other time as is agreed in writing between the Responsible Road Authority and the Responsible Party; or
- 23.1.2 the Construction Contract entered into by the Responsible Party as principal is terminated as a consequence of the insolvency of the Responsible Party as principal or as a consequence of a breach by the Responsible Party as principal,
- then the Responsible Road Authority may give a direction to:
- 23.1.3 Council (in respect of land or roads that are under the control of Council);
- 23.1.4 Commissioner (in respect of land or roads that are under the control of the Commissioner),
- to take those actions described in and in accordance with clause 23.2.
- 23.2 Following a direction given by the Responsible Road Authority as referred to in clause 23.1:
- 23.2.1 the Responsible Road Authority must step-in and assume the Responsible Party's rights and obligations in respect of the carrying out and completion of the Road Infrastructure Works Component;
- 23.2.2 the Responsible Road Authority may, subject to having first given each of the other parties not less than 14 days' written notice of its intention to do so, realise, resort to and call upon the Security given in respect of such Road Infrastructure Works Component in whole or to any extent at any time and from time to time and any such realising, resorting to or calling upon shall be without prejudice to the rights of Council (or any other party) against the Responsible Party; and
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- 23.2.3 the Responsible Party must do whatever the Responsible Road Authority reasonably requires to facilitate the stepping-in by the Responsible Road Authority under clause 23.2.1 (including without limitation the grant to the Responsible Road Authority of a licence for no fee to enter upon the Land for the purpose of carrying out the relevant works).

24. OPEN TENDER

- 24.1 All Construction Contracts must be awarded by select or open tender. Where the tender is a select tender, the Responsible Party must invite a minimum of 3 potential tenderers to tender. If a Responsible Party's procurement process requires, then the Responsible Party may undertake an open tender.
- 24.2 If the price tendered by a Responsible Party's preferred Contractor for the carrying out of a particular Road Infrastructure Works Component is greater than the Agreed Cost Estimate, then the Responsible Party must obtain the approval of each other party (if any) who must make a Contribution to that Road Infrastructure Works Component before awarding the Construction Contract to that Contractor.
- 24.3 In the event that agreement cannot be reached on the awarding of a Construction Contract as referred to in clause 24.2, the Construction Contract must be awarded to the Contractor which tendered the lowest price.
- 24.4
- (a) Subject to clause 24.4(b), a Responsible Party in calling for tenders and entering into a Construction Contract or Construction Contracts can aggregate various Road Infrastructure Works Components (or combine a Road Infrastructure Works Component or Road Infrastructure Works Components with work other than Road Infrastructure Works).
 - (b) If a Responsible Party aggregates or combines a Road Infrastructure Works Component described in clause (a) it must require that potential Contractors in tendering apportion the tendered price so as to nominate a specific price for each Road Infrastructure Works Component and must ensure that the Construction Contract:
 - (i) ascribes a specific price to each Road Infrastructure Works Component; and
 - (ii) provides for the Road Infrastructure Works Component to be dealt with as a separable portion.
- 24.5 Wherever possible, the actual cost for a subcontract to be entered into by the Contractor under the Construction Contract is to be discernible during an "open book" assessment of amounts paid or payable to subcontractors.

25. PAYMENT FROM OTHER PARTIES

- 25.1 As the Responsible Party proceeds with a Road Infrastructure Works Component for which a Contribution is required, the Responsible Party shall be entitled to render invoices on a monthly basis (or less frequently, if the Responsible Party so chooses) to the other parties who, in accordance with

the Contributions Schedule, must make a Contribution to the cost of that Road Infrastructure Works Component.

- 25.2 Invoices rendered under clause 25.1 shall be for a party's proportion of the total cost of a progress claim or other claim rendered by the Contractor to the Responsible Party and for which payment has been made by the Responsible Party. Any such invoice shall be accompanied by written confirmation from the Contractor as to payment by the Responsible Party to the Contractor of the progress claim or other claim to which the invoice relates.

26. VARIATIONS TO CONSTRUCTION CONTRACTS

- 26.1 The Responsible Party may not initiate or allow a material variation to the works under a Construction Contract without the prior written consent (which must not be unreasonably withheld or delayed) of:
- 26.1.1 each other party (if any) that is required to make a Contribution in respect of the relevant Road Infrastructure Works Component under the Contributions Schedule; and
 - 26.1.2 the relevant Responsible Road Authority.
- 26.2 The parties agree that in the event of any inconsistency and to the extent that any party is bound by a Construction Contract, as between the parties to this Deed, the terms of this Deed override the terms of any Construction Contract.

27. GOODS AND SERVICES TAX

- 27.1 Unless specifically described in this Deed as "GST inclusive", any sum payable (or amount included in the calculation of a sum payable), or consideration to be provided, under or in accordance with this Deed does not include any amount on account of GST.
- 27.2 Where any supply to be made by one party (**Supplier**) to another party (**Recipient**) under or in accordance with this Deed is subject to GST (other than a supply the consideration for which is specifically described in this Deed as "GST inclusive"):
- 27.2.1 the consideration payable or to be provided for that supply but for the application of this clause 27 (**GST Exclusive Consideration**) shall be increased by, and the Recipient shall pay to the Supplier, an amount equal to the GST payable by the Supplier in respect of that supply; and
 - 27.2.2 the Recipient must pay that additional amount at the same time and in the same manner as the GST Exclusive Consideration payable or to be provided for that supply.
- 27.3 If any payment to be made to a party under or in accordance with this Deed is a reimbursement or indemnification of an expense or other liability incurred or to be incurred by that party, then the amount of the payment must be reduced by the amount of any input tax credit to which that party is entitled for that expense or other liability, such reduction to be effected before any increase in accordance with clause 27.2.

- 27.4 The Recipient need not make any payment for a taxable supply made by the Supplier under or in accordance with this Deed until the Supplier has given the Recipient a valid tax invoice in respect of that taxable supply.
- 27.5 If an adjustment event has occurred in respect of a taxable supply made under or in accordance with this Deed, any party that becomes aware of the occurrence of that adjustment event must notify each other party to that taxable supply as soon as practicable, and all of those parties agree to take whatever steps are necessary (including to issue an adjustment note), and to make whatever adjustments are required, to ensure that any GST or additional GST on that taxable supply, or any refund of GST (or part thereof), is paid no later than 28 days after the Supplier first becomes aware that the adjustment event has occurred.
- 27.6 A word or expression used in this clause 27 which is defined in the *A New Tax System (Goods and Services Tax) Act 1999* (Cth) has the same meaning in this clause 27.

28. MINISTER'S, COMMISSIONER'S AND COUNCIL'S DISCRETION

This Deed does not limit the Minister's (nor the Commissioner of Highways' where relevant) or Council's legislative powers (as applicable) to give directions to the Responsible Party about the manner of carrying out Road Infrastructure Works in respect of the relevant Road Infrastructure Works Component and notwithstanding the Program, the issuing of an approved Detailed Works Plan or the issuing of approval under clause 18, the Responsible Party may only undertake the works in accordance with any other necessary authorisation, arrangement or agreement with the Minister (or the Commissioner of Highways where relevant) or Council relating to the undertaking of public road infrastructure works.

29. FUNDING AND TIMELINESS OF DESIGN AND CONSTRUCTION OF GOVERNMENT INFRASTRUCTURE

- 29.1 Subject to this Deed and available funding as allocated by the Minister for each financial year during the term of this Deed, the Minister agrees to use his best endeavours to ensure that the design and construction of the Road Infrastructure Works Component ascribed to the Minister (or the Commissioner as the case may be) in the Traffic Intervention Plan, occurs in a timely manner to enable the proper, orderly and efficient development of the Land in accordance with the DPA and generally in accordance with the Program and the Minister will -

- 29.1.1 design and construct (or provide for the design and construction of) the Government Infrastructure;
- 29.1.2 design and construct (or provide for the design and construction of) the Road Infrastructure Works Component ascribed to the Minister (or the Commissioner as the case may be),

provided that at all times the Minister's and the Commissioner of Highways' (where relevant) absolute discretion (whether statutory or as required by law) in determining the funding, design and construction of the Road Infrastructure Works Component ascribed to the Minister (or the Commissioner as the case may be) is not fettered.

EXECUTED AS A DEED

EXECUTED by)

XXXXXXXXXXXXXXXXXXXX)

(ACN XXX XXX XXX))

pursuant to section 127 of the)

Corporations Act 2001)

.....
Signature of Director

.....
Signature of Secretary

.....
Name of Director
(Please print)

.....
Name of Secretary
(Please print)

THE COMMON SEAL of the)

MINISTER FOR TRANSPORT)

AND INFRASTRUCTURE)

was hereunto affixed by the)

Authorised Officer of the Minister)

in the presence of:)

.....
Witness

.....
Full name of Authorised Officer

.....
Full Name of Witness

.....
Office Held

THE COMMON SEAL of)
THE CORPORATION OF THE CITY)
OF MARION was hereunto affixed)
in the presence of:)

.....
Signature of Mayor

.....
Full name of Mayor

.....
Signature of Chief Executive Officer

.....
Name of Chief Executive Officer

ANNEXURE 1

Road Infrastructure Objectives

These objectives of the Minister and Council for the Road Infrastructure Works are indicative only and are subject to change following additional and detailed investigations and analysis required in relation to the relevant Stage.

1. INFRASTRUCTURE

- a) Facilitate the construction and operation of the proposed Development in Stages.
- b) Provide safe and efficient access for all modes of transport between the Development and the external road network.
- c) Facilitate the travel of visitor, commuter and freight traffic to the Development.
- d) Ensure safe and efficient functioning of the road network (all assets) on and around the Land both during and after construction of the Development, in accordance with DPTI requirements.

2. GENERAL

Development will ensure that a permeable street and path network is established that encourages walking and cycling through the provision of safe, convenient and attractive routes with connections to adjoining streets, paths, pedestrian crossing points on arterial roads, public and community transport stops and activity centres.

3. INTERNAL CIRCULATION

- a) *[Vicinity note: not relevant to the roadworks and should therefore be removed.]* Internal circulation roads should not allow direct access to parking bays from access points and should not require vehicles to reverse into traffic aisles close to access points.
- b) *[Vicinity note: not relevant to the roadworks and should therefore be removed.]* The configuration of the internal circulation shall not adversely impact on the operation of the arterial road network.

4. PEDESTRIAN AND CYCLIST ACCESS

- a) Development should ensure internal pathway connections to a permeable street and path network that encourages walking and cycling through the provision of safe, convenient and attractive routes to pedestrian crossing points on arterial roads.
- b) Driveway crossovers affecting pedestrian footpaths should maintain the level of the footpath.
- c) Development should provide safe access to multiple route options, to enable *[Vicinity note: not relevant to the roadworks and requirements of this Deed and covered by Development Plan policy and assessed separately, therefore should be removed from this annexure.]*

- d) Pedestrian and cycling facilities and networks should be designed and provided in accordance with relevant provisions of the Australian Standards and Austroads Guides.

5. PUBLIC TRANSPORT

The Development should provide convenient and safe pathway connections to existing transport set-down and pick-up points.

6. SOUTH ROAD AND ACKLAND ROAD INTERSECTION

- a) South Road / Ackland Road intersection to be upgraded to an equal level of service with the Development in place, when compared to the location without the Development, at the proposed time of completion of the Development.
- b) Specific objectives.

7. OTHER INTERSECTIONS [IF REQUIRED]

- a) Specific objectives. *[Vicinity note: Council will have objectives around Raglan Avenue main street – streetscape improvements related to crossings, street trees, street furniture and landscaping generally, in accordance with the Concept Plan and Council's Streetscape Design Guidelines.]*

8. ARTERIAL ROAD ACCESS POINTS

8.1 South Road

- a) All access to the Land on South Road, including the number of access points, their location, configuration, design and construction to be in accordance with Austroads Guidelines.
- b) *[Vicinity note: the Concept Plan for the site does not envisage this and it would take up unnecessary land. IN addition, these lots could be serviced from the existing road network behind and therefore do not need direct access. Suggest this is removed.]*
- c) Access points are to be designed in accordance with Austroads Guidelines, to ensure safe and efficient access to the development, while maintaining safe and efficient conditions for all other road users on the adjacent arterial road network.
- d) The provision of the specific turning movements for vehicles entering/exiting the Land via any potential access points will be based on Austroads Guidelines
- e) Acceleration/deceleration lanes to be considered for any access points, the provision and length of which are to be in accordance with Austroads Guidelines.

ANNEXURE 2**D&C Terms****1. LAND ACQUISITION**

The Owner is responsible for and for the costs of acquisition of such additional land as is required to enable the completion of the Road Infrastructure Works.

2. SPECIFICATIONS AND ENGINEERING STANDARDS

The Owner must comply with standard specifications applied by the Relevant Road Authority such as, but not limited to, materials, lanes, width of road, lighting, signs, paths and engineering standards.

3. AIRPORT REQUIREMENTS FOR OBSTACLE LIMITATION SURFACES

The Owner must comply with the requirements of the Obstacle Limitation Surfaces relating to the airport during construction.

4. SECURITY

The Owner must provide reasonable security for the Owner's obligations to construct and maintain the Road Infrastructure Works including the requirements and arrangements relating to responsibility for and management of post-construction risks and defects.

5. APPROVALS

The Owner is responsible to obtain specific authorisations, consents, approvals required to be obtained from the Department of Planning, Transport and Infrastructure or Council (as the case may be) for the Road Infrastructure Works.

6. VARIATIONS

The parties must agree the requirements and arrangements relating to any material variations to the agreed scope of the Infrastructure Works or the agreed design documents for the Infrastructure Works.

7. REPORTING

The Owner is to keep the Department of Planning, Transport and Infrastructure and Council informed of the progress of the Road Infrastructure Works and invite the Department of Planning, Transport and Infrastructure and Council (where appropriate) to be involved in Land meetings between the Owner and its contractors.

8. INSURANCE

Appropriate insurance is to be obtained and maintained by the Owner.

9. ACCESS AND INSPECTION

The Owner will grant access to the Land (if applicable) to facilitate the Road Infrastructure Works to the extent reasonably necessary and subject to the reasonable requirements of the Owner.

ANNEXURE 3
Road Infrastructure Works

[NW: to be inserted, including reference to Stages, if applicable]

ANNEXURE 4

Land

[Insert drawing of land]

ANNEXURE 5
Form of LMA

**CITY OF MARION
GENERAL COUNCIL MEETING
12 DECEMBER 2017**

Originating Officer: Ann Gibbons, Environmental Sustainability Manager

Manager: Fiona Harvey, Manager Innovation and Strategy

General Manager: Abby Dickson, General Manager City Development

Subject: Sector Agreement for Climate Change Adaptation for the Southern Adelaide Region 2017-2020

Report Reference: GC121217R13

REPORT OBJECTIVES

The purpose of this report is to:

1. Seek endorsement of the Sector Agreement For Climate Change Adaptation for the Southern Adelaide Region 2017-2020 between the four partner Councils and the Government of South Australia;
2. Provide an update on the implementation of the Resilient South program.

EXECUTIVE SUMMARY

The Resilient South Program is a regional climate change adaptation initiative being delivered for the Southern Adelaide Region by the Cities of Holdfast Bay, Marion, Mitcham and Onkaparinga.

A Sector Agreement For Climate Change Adaptation for the Southern Adelaide Region 2017-2020 ('Sector Agreement') has been drafted for consideration by each of the partner Councils (refer to Appendix 1).

The Sector Agreement is a non-legally binding contract between the parties that establishes a Schedule outlining an action plan to deliver a regional response to the challenges of climate change.

An update on delivery of the regional 'Southern Region Local Government Implementation Plan 2015 – 2019' endorsed at the 12 April 2016 General Council meeting (GC120416R03) is also provided (refer to Appendix 2). Some key achievements include:

- Development of the City of Marion Climate Change Policy that sets the direction for council in responding to the impacts of climate change from both an abatement/mitigation and adaptation perspective.
- A partnership with the Australian Red Cross to better support our community to cope with climate events such as heatwaves and storms (Climate Ready Communities Program).
- Production of urban thermal maps to help us to understand where our hot spots are provide information to assist us in prioritising urban greening projects such as street and reserve upgrades and tree planting activities.
- Climate change adaptation requirements embedded in key planning documents including the Remnant Native Vegetation Plan 2017, the Natural Landscapes Design and Maintenance Guide and the DRAFT Tree Management Framework.

RECOMMENDATIONS**DUE DATES****That Council:**

1. Endorses the Southern Region (Metropolitan Adelaide) Sector Agreement between the Government of South Australia and the Cities of Holdfast Bay, Marion, Mitcham and Onkaparinga (Appendix 1);	12 December 2017
2. Notes the update on delivery of priorities identified in the Resilient South 'Southern Region Local Government Implementation Plan 2015 – 2019' (Appendix 2).	12 December 2017

BACKGROUND

Council endorsed the 'Resilient South Regional Climate Change Adaptation Plan' in August 2014 (GC260814R06) and the 'Southern Region Local Government Implementation Plan' was adopted in April 2016 (GC120416R03).

The City of Marion Business Plan 2016 – 2019 has a commitment to 'Implement the Climate Change Policy and Plan (Resilient South Program), and the City of Marion Strategic Plan 2017 – 2027 includes a strategy to 'build community resilience to the impacts of climate change'.

An initial Sector Agreement between the Resilient South partner Councils and the South Australian Government was endorsed by Council in March 2013 (GC120313R03) and had a focus on collaboration during the planning phase of Resilient South. This revised Sector Agreement has a greater focus on implementation and is being considered by all four partner Councils during September to November 2017; it will operate until 30 June 2020.

The City of Mitcham endorsed a recommendation to sign the Sector Agreement at the 24 October 2017 Council meeting. The City of Onkaparinga and the City of Holdfast Bay have Executive and Mayoral approval to sign the Sector Agreement.

ANALYSISClimate Change Sector Agreement

The Sector Agreement For Climate Change Adaptation for the Southern Adelaide Region 2017-2020 (refer to Appendix 1) is being made between the Cities of Holdfast Bay, Marion, Mitcham and Onkaparinga (jointly referred to as the 'Resilient South project partner councils') and the South Australian Government, and is pursuant to the *Climate Change and Greenhouse Emissions Reduction Act 2007*.

The agreement formalises the cooperation on climate adaptation between the Resilient South project partner councils and the South Australian Government in the Southern Adelaide region. The agreement articulates the parties' common goal of developing and delivering regional climate adaptation planning initiatives in a cooperative and consultative manner. In particular, the agreement aims to support cooperation on the Resilient South project, a regional climate adaptation project currently being undertaken jointly by the Resilient South Program partner councils.

In particular, signing the Agreement:

- Confirms the commitment of both the SA Government and the four Resilient South partner councils to implement priority climate adaptation actions for southern Adelaide.

- Reinforces a partnership approach to delivering adaptation actions identified in the Regional Adaptation Plan, including exploring funding opportunities and sharing state-wide learnings regarding climate change adaptation initiatives.
- Confirms SA Government support for the development and/or coordination of any relevant funding proposal to the Commonwealth Government relating to the Regional Adaptation Plan and this Agreement.
- Provides a clear and coordinated approach for Resilient South partner Councils to work with relevant agencies and Ministers to respond to priority actions related to this Agreement and Regional Adaptation Plan.

Other regions to have a signed Sector Agreement include; Adapting Northern Adelaide (Cities of Salisbury and Playford); Resilient East (Cities of Adelaide, Burnside, Campbelltown, Norwood Payneham & St Peters, Prospect, Tea Tree Gully, Unley and Walkerville); Adelaide Hills, Fleurieu Peninsula and Kangaroo Island Region (Alexandrina, Yankalilla, Victor Harbor, Kangaroo Island and Mount Barker Councils); Limestone Coast, and Eyre Peninsula Region. There are also Sector Agreements in place with Carbon Neutral Adelaide (City of Adelaide), the Local Government Association of South Australia and SA Water.

Resilient South Program Update

The 'Southern Region Local Government Implementation Plan' (regional Implementation Plan) established four foundation projects that set high-level strategic actions and outcomes that guide the climate responses of each of the four partner Councils.

Some key achievements in each of these foundation projects includes:

Equip:

- o Development of the City of Marion Climate Change Policy that sets the direction for council in responding to the impacts of climate change from both an abatement/mitigation (i.e. energy efficiency, renewable energy, etc.) and adaptation perspective;
- o Development of a new Climate Change Sector Agreement with the SA Government;
- o Provided feedback and input into the State Government's response to the regional adaptation plans to identify climate adaptation priorities for the South Australian Government.

Aware:

- o Partnering with the Australian Red Cross to deliver the Resilient South Climate Ready Communities program during 2017/18 and 2018/19; this partnership will help us to support our community to better cope with climate events such as heatwaves and storm events.
- o Delivered a number of community workshops aimed at raising awareness and building skills to respond to climate impacts and have included topics on climate change and health as part of the Common Thread series;
- o Supported the LGA to develop and pilot targeted climate change training for Elected Members and Council staff.

Cool Places:

- o Produced urban thermal maps to help us to understand where our hot spots are provide information to assist us in prioritising urban greening projects such as street and reserve upgrades and tree planting activities.
- o Responding to climate change impacts is identified as a principle in a number of Council policies including the Tree Management Policy and the Open Space policy.

- o Climate change impacts have been embedded in key planning documents including the Remnant Native Vegetation Plan 2017 and the Natural Landscapes Design and Maintenance Guide.

Source to Sea:

- o Development of a Coastal Management Plan using the CoastAdapt tool developed by the National Climate Change Research Facility (NCCARF)

A more detailed update on delivery of the Regional Implementation Plan is included in Appendix 2.

South Australian Government Update

The State Government has developed a response to support the 680 actions from the 11 regional adaptation plans that will identify the adaptation priorities for the South Australian Government to action. The adaptation plan was provided to all regions for comments through the drafting process in addition to a workshop in August 2017 where feedback was collated. The South Australian Government adaptation plan identifies actions around the following themes:

- Building knowledge and capacity
- Planning and policy
- Climate-resilient buildings, assets and spaces
- Biodiversity management and restoration
- Emergency management
- Modelling and mapping
- Integrated water cycle management
- Urban greening
- Embedding climate risk
- Monitoring, evaluation and reporting
- Water and energy security
- Primary industries
- Health
- Transitioning economies and communities
- Coasts.

The plan is currently being progressed through State Government approval processes.

Consultation

The revised Southern Region Sector Agreement has been developed by the Resilient South Program Management Committee in consultation with staff at the Department of Environment, Water and Natural Resources (DEWNR). It has been approved by the Minister for Climate Change.

Legal/Legislative and Risk Management

The Sector Agreement in and of itself does not carry any appreciable risks to the City of Marion and does not give rise to any legally binding obligations.

The risk of not signing the Sector Agreement is that City of Marion will:

- Not acknowledge the importance of taking a leadership role in climate change adaptation, and working collaboratively with our Southern Region and State Government partners.
- Jeopardise previous work completed to date on the Resilient South program where City of Marion may be precluded from participating in joint projects, partnerships, and Commonwealth funding opportunities.

Financial Implications

Additional funding for projects to support climate change outcomes, including consideration of whole of life costs, will be built in to specific projects and strategies (e.g. Playground Strategy, Stormwater Management Plan, Coastal Management Plan, etc.) at the planning stage, and will be considered in line with established business planning and budgeting processes.

Policy Implications

The Resilient South program contributes to the delivery of outcomes identified in the Strategic Plan and 3-Year Business Plan, and is consistent with the principles of Council's Climate Change Policy.

The Strategic Plan 2017 – 2020 states that:

- We will plan for and respond to extreme weather events through our services and urban form, managing infrastructure issues associated with flooding and stormwater.
- We will build community resilience to the impacts of climate change.

The 3-Year Business Plan 2016 – 2019 commitments include a priority to:

- Implement the Climate Change Policy and Plan (Resilient South Program).

CONCLUSION

The Southern Region Sector Agreement formalises existing working relationships between the project partners. Approval of the Agreement requires a signature from the Mayor of the City of Marion (as well as from the other participating councils' Mayors and from the Minister for Sustainability, Environment and Conservation).

APPENDICES

Appendix 1 - Sector Agreement for Climate Change Adaptation for the Southern Adelaide Region 2017-2020 pursuant to the Climate Change and Greenhouse Emissions Reduction Act 2007

Appendix 2 - Resilient South Program Update, November 2017

SECTOR AGREEMENT

For Climate Change Adaptation for the Southern Adelaide Region 2017-2020

Pursuant to the *Climate Change and Greenhouse Emissions Reduction Act 2007*

BETWEEN

CITY OF HOLDFAST BAY

and

CITY OF MARION

and

CITY OF MITCHAM

and

CITY OF ONKAPARINGA

and

ADELAIDE AND MOUNT LOFTY RANGES NATURAL RESOURCES MANAGEMENT BOARD

and

THE GOVERNMENT OF SOUTH AUSTRALIA



THIS AGREEMENT is made the [] day of [] 2017

BETWEEN

- (1) the Minister for Climate Change (the Minister) on behalf of the Government of South Australia
- and
- (2) the City of Holdfast Bay, the City of Marion, the City of Mitcham, the City of Onkaparinga and the Adelaide and Mount Lofty Ranges Natural Resources Management Board - jointly referred to as the 'Resilient South Program Partners'

It is acknowledged that other key entities (from both public and private sectors) within the region may become partners in the Resilient South Program in the future. If this eventuates, the Agreement will be reviewed and amended accordingly.

1 STATEMENT OF PURPOSE

This Sector Agreement (Agreement) acknowledges the importance of taking a leadership role in climate change and sustainability, and working collaboratively with our partners.

This Sector Agreement:

- 1.1 Builds upon the previous Sector Agreement between the Resilient South Program Partners and the State Government.
- 1.2 Formalises a continued commitment to leadership and cooperative work around sustainability and resilience; with a key focus on adapting and responding to the impacts, risks and opportunities arising from climate change in the region.
- 1.3 Articulates a common goal amongst the parties to implement climate change adaptation planning, programs and actions in a cooperative, co-ordinated and consultative manner in the region.
- 1.4 Supports the implementation of the:
 - Resilient South Regional Climate Change Adaptation Plan (the Adaptation Plan);
 - Southern Region Local Government Implementation Plan 2015-2019 (the Implementation Plan);
 - Local action plans and policies for each partner council; and
 - Climate Change Adaptation Action Plan for South Australia.
- 1.5 The Resilient South Program Partners and the State Government are entering into this second Sector Agreement under the *Climate Change and Greenhouse Emissions Reduction Act 2007* (the Act) to:
 - Collaborate on the implementation of the Adaptation Plan;

- Identify and promote economic and employment opportunities within the region that may be affected by climate change, including those related to new markets, industry practices and regulatory environments;
- Provide relevant information to key service providers to help them manage risk and exploit opportunities;
- Work together to support a better understanding of climate change risks, issues and opportunities for communities, business and the natural environment;
- Facilitate community engagement and participation in programs designed to promote adaptation actions;
- Explore the potential for joint projects, partnerships, and Commonwealth funding opportunities;
- Promote and showcase achievements as a template for other regions of South Australia, as well as nationally; and
- Recognise the differences across the region and facilitate geographically specific responses to climate change.

2 THE REGION

For the purpose of this Agreement, the Southern Adelaide Region (the region) is aligned with the boundaries of the Council areas of Holdfast Bay, Marion, Mitcham and Onkaparinga (see map at Addendum 1).

3 BACKGROUND

- 3.1 The Government of South Australia seeks to reduce greenhouse gas emissions within the State through the *Climate Change and Greenhouse Emissions Reduction Act 2007*.
- 3.2 *South Australia's Climate Change Strategy 2015-2050 – Towards a Low Carbon Economy*, provides an overarching framework for climate change action, including adapting to climate change, reducing emissions, and attracting low carbon investment.
- 3.3 *Prospering in a Changing Climate: A Climate Change Adaptation Framework for South Australia* (the Framework) provides a framework for dealing with the impacts of climate change and identifying opportunities.
- 3.4 In 2011, the Resilient South Program Partners initiated a regional climate change adaptation planning process. The regional Adaptation Plan was completed in 2014 and adopted by each Resilient South Program Partner. A subsequent *Southern Region Local Government Implementation Plan 2015-2019* was developed and adopted in 2015. Each partner council has also developed a Local Climate Change Adaptation Action Plan or Policy.
- 3.5 The Resilient South Program Partners and the State Government signed a sector agreement in August 2013 in support of the development and implementation of the Adaptation Plan. This Agreement expired on 30 June 2014.
- 3.6 In 2014, Resilient South won the National Climate Change Adaptation Research Facility's (NCCARF) Climate Adaptation Champion award.

- 3.7 Concurrent to the adaptation planning undertaken by the Resilient South Program Partners, the South Australian Fire and Emergency Services Commission (SAFECOM) undertook a large-scale emergency risk management project in the Southern Adelaide region and developed a *Southern Adelaide Emergency Management Plan*, with links to climate change adaptation.
- 3.8 The Resilient South Program Partners have a demonstrated track record in adapting to the impacts of climate change, with initiatives in:
- Risk and hazard management including coastal impacts, bushfire, flooding/stormwater management, storms, extreme heat;
 - Infrastructure and development planning;
 - Water and energy security;
 - Biodiversity and natural resources protection; and
 - Public health impacts.

4 GUIDING PRINCIPLES

- 4.1 This Agreement supports the achievement of the Act.
- 4.2 This Agreement recognises that the Government of South Australia and the Resilient South Program Partners are committed to collectively address the issues associated with climate change to ensure a resilient, sustainable and prosperous future for the region.
- 4.3 This Agreement supports the implementation of the priorities identified in the regional Adaptation Plan, Implementation Plan, Local Action Plans and Adaptation Plan for South Australia.
- 4.4 This Agreement will enable an integrated approach whereby all parties provide strategic direction for the region in tackling climate change adaptation and supports the continuation of the Resilient South Program Management Committee with membership from each party.
- 4.5 This Agreement includes a Schedule outlining an Action Plan (Table 1) and a list of Priority Adaptation Focus Areas (Table 2) to which the signatories commit. The parties will endeavour to undertake the actions outlined in the Schedule, as resources allow.
- 4.6 The implementation approach will be consistent with the recommendations of Australia's National Climate Change Adaptation Framework and the Climate Change Adaptation Framework for South Australia.
- 4.7 The parties recognise that the Agreement is complementary to, and supports, existing legislation, strategies, policies and programs, including:
- *Southern Adelaide Emergency Management Plan*
 - *Tackling Climate Change: South Australia's Greenhouse Strategy*;
 - Local Government Association's *Climate Change Strategy*;
 - State Natural Resources Management Plan
 - *Adelaide and Mount Lofty Ranges Natural Resources Management Plan*;
 - *South Australia's Strategic Plan*;

- *30 Year Plan for Greater Adelaide*;
- *State Public Health Plan: South Australia, A Better Place to Live*; and
- Individual Council strategies and plans;
- International frameworks and agreements including the Kyoto Protocol and Paris Agreement under the United Nations Framework Convention on Climate Change, and the United Nations Green Cities Declaration.

4.9 This Agreement will build on common interests in order to deliver a regional approach to responding positively to the challenges of climate change, recognising that specific responses may vary across the region and that responses may need to represent the interests of specific communities.

4.10 It is recognised that the parties will have an opportunity to consider and provide input into the review of national and state adaptation plans, policies and frameworks.

5 THIS SECTOR AGREEMENT DOES NOT CREATE LEGALLY BINDING OBLIGATIONS

5.1 This Agreement does not create any legally binding contract between the parties and does not give rise to any legally binding obligations.

5.2 The parties may amend any commitments (as outlined in the Schedule) by agreement at any time.

6 GOVERNANCE ARRANGEMENTS

6.1 The Resilient South Program Management Committee (the Committee) will continue to maintain oversight of the Resilient South Program and will consist of at least one member from each of the Resilient South Program Partners, including the State Government.

6.2 The Committee will appoint its own chairperson and determine its own meeting procedures to resolve potential disputes and manage potential conflicts of interest.

6.3 The Committee may, as approved by the Resilient South Program Partners and State Government, have observers at its meetings.

6.4 The Committee may establish working parties as required to support the implementation of the Adaptation Plan and this Agreement.

6.5 The Committee will establish criteria to measure progress on the Adaptation Plan, Implementation Plan and this Agreement.

6.6 The Committee will provide regular progress reports to the Minister and to other regional stakeholders.

6.7 The State Government representative may provide regular briefings to the Committee on government policy development, as required.

7 ROLES AND RESPONSIBILITIES

The Agreement includes a Schedule outlining an action plan for the parties to the agreement.

7.1 Pursuant to this Agreement, the Resilient South Program Partners undertake to:

- Participate in Committee activities including all relevant actions identified in the Adaptation Plan and Agreement;
- Promote the Resilient South Program objectives internally and to relevant stakeholders;
- Ensure consistency with relevant local, state and Commonwealth government strategies;
- Prioritise opportunities to implement the Adaptation Plan on a regional scale where it is more efficient and practical than doing so on a council by council basis; and
- Contribute in a timely fashion to reviews of all key program deliverables.

7.2 Pursuant to this Agreement, the Government of South Australia undertakes to:

- Coordinate among relevant agencies and Ministers, to respond to the State regions regarding priority actions related to this Agreement and Plan through the delivery of a State-wide, whole-of-Government Adaptation Plan;
- Collaborate to implement adaptation actions through the Plan, including exploring funding opportunities and sharing state-wide learnings regarding climate change adaptation initiatives;
- Support the development and/or coordination of any relevant funding proposal to the Commonwealth Government relating to the Adaptation Plan and this Agreement;
- Ensure consistency with the Framework; and
- Ensure that briefings and advice are provided to the Committee on State and national policy developments and discussions, as required and relevant to this Agreement.

8 DURATION OF THIS AGREEMENT

8.1 The Agreement shall continue from the date on which it is made until 30 June 2020.

8.2 The Agreement can be amended or extended, as required, with the agreement of the signatory parties.

8.3 Any party can seek to withdraw from the Agreement by providing 30 days written notice to the other signatory parties.

8.4 The Schedule within the Agreement will be reviewed annually.

Southern Adelaide Region Sector Agreement

(Pursuant to the Climate Change and Greenhouse Emissions Reduction Act 2007)

LORRAINE ROSENBERG

**MAYOR
CITY OF ONKAPARINGA**

.....

Date ____/____/____

STEPHEN PATTERSON

**MAYOR
CITY OF HOLDFAST BAY**

.....

Date ____/____/____

KRIS HANNA

**MAYOR
CITY OF MARION**

.....

Date ____/____/____

GLENN SPEAR

**MAYOR
CITY OF MITCHAM**

.....

Date ____/____/____

HON IAN HUNTER MLC

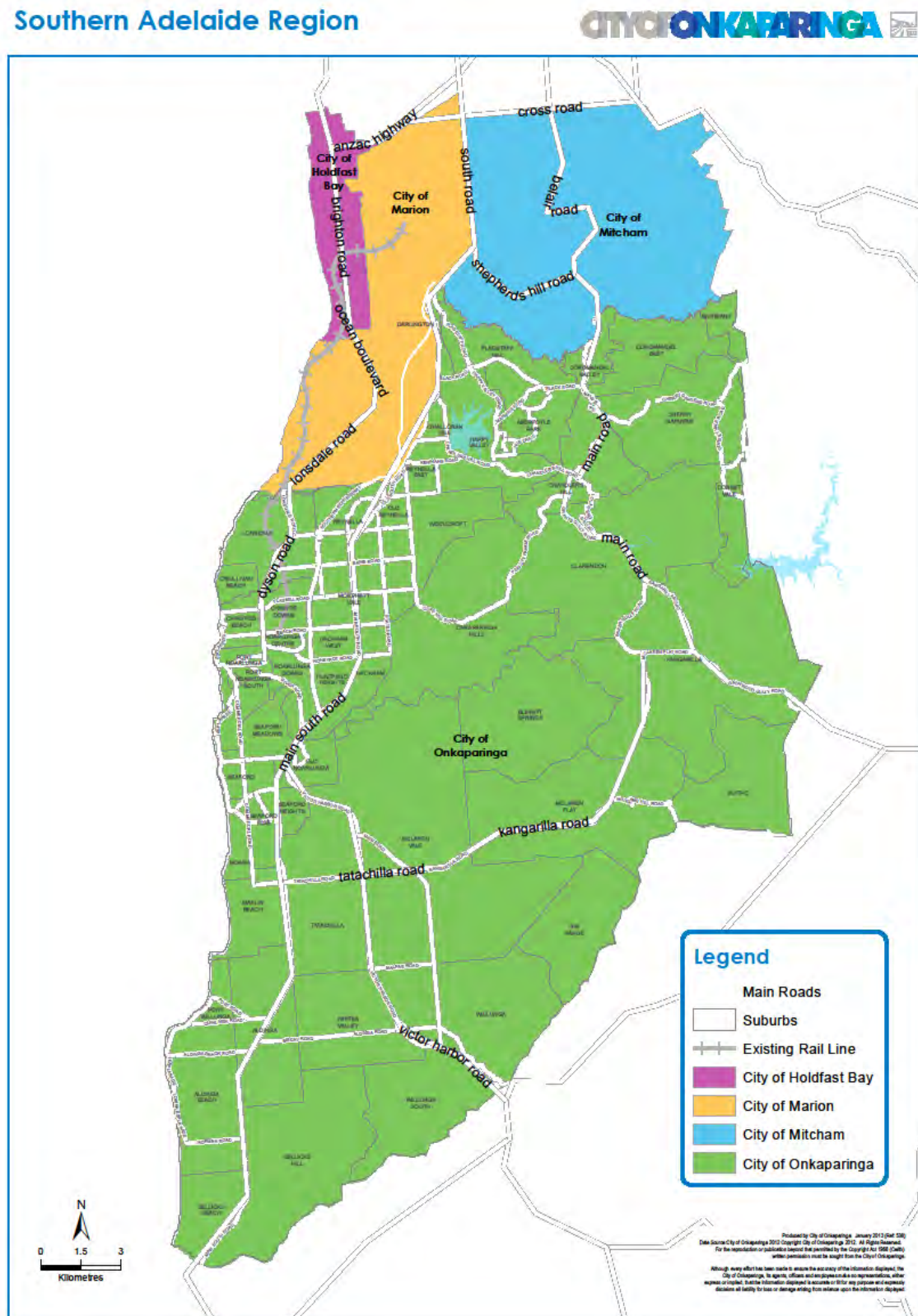
**MINISTER FOR CLIMATE CHANGE
GOVERNMENT OF SOUTH AUSTRALIA**

.....

Date ____/____/____

ADDENDUM 1

Map of the Southern Adelaide Region, showing council boundaries



SCHEDULE 1

Table 1. Action Plan

Sector Agreement Element	Key Actions	Date	Responsible party
Governance	The State Government and Resilient South Program Partners will continue the Resilient South Program Management Committee (Committee) to review progress of this Agreement and Schedule on a regular basis.	Already established	Member councils SA Govt.
Reporting	The Committee will provide regular progress reports and recommendations to the Minister, member councils and other relevant regional stakeholders.	Annually	Committee
Adaptation Plan and Implementation Plan	Co-ordinate among relevant agencies and Ministers a whole-of-government response to the Adaptation Plan and Implementation Plan	Ongoing	SA Govt.
Information Provision	Ensure relevant information is provided to the Southern Adelaide Region as appropriate, including national developments and learnings from other regions.	Ongoing	SA Govt.
Economic Opportunities	Identify and support economic development opportunities in the region arising from climate change, in support of the Adaptation Plan	Ongoing	Committee SA Govt.
External Support	Support the development and co-ordination of relevant funding proposals	Ongoing	Committee SA Govt.
Engagement	Support government, business and community adaptation by building partnerships, engaging in dialogue and providing relevant information and support	Ongoing	Committee SA Govt.
Sharing Successes	Promote and showcase regional achievements as a template for other regions across South Australia and Nationally	Ongoing	Committee SA Govt.

Table 2. Priority Adaptation Focus Areas for the Southern Adelaide Region

Focus Area	Action
Coastal Management	Work collaboratively to gain funding and support for regional coastal monitoring and management
Emergency Management	Continue the strong working relationship between the Resilient South Management Committee, the Southern Adelaide Zone Emergency Management Committee and the Australian Red Cross
Public Health	Clarify and strengthen working relationships between the Resilient South Partners and state government agencies responsible for responding to climate change impacts on public health
Adaptation Assets	Invest in infrastructure that delivers adaptation benefits such as shading, cool spaces, WSUD, flood controls, erosion controls etc.
Natural Environments	Invest in building the adaptive capacity of our natural environments
Business	Support the local and regional business communities to manage risks and capitalise on opportunities associated with climate change
Monitoring	Continue to invest in monitoring and evaluating the impacts of climate change in the region
Mainstreaming	Support the integration of climate change adaptation into everyday council, state government and business operations and long term decision making
Communications and Engagement	Develop and implement a Regional Communications and Engagement plan for Resilient South in order to support communities to acquire the skills, systems, technologies and behaviour required to adapt

GC281117R – Appendix 2 – Resilient South Program Update, November 2017

Strategic Actions from 'Southern Region Local Government Implementation Plan 2015 – 2019'		Achievements to Date	Next Steps
Program Governance			
1.1	Formalise the partnership between the South Australian Government and the four Partner Councils by renewing the Southern Region Climate Change Sector Agreement.	- Sector Agreement expired June 2014. - New agreement created to formalise commitment partnership between State Government & partner councils. State Government partnered with RS to improve knowledge, planning & implementation of CC adaptation actions	New agreement currently in circulation with partner councils – to be considered at 28 November 2017 General Council meeting.
	Formalise the collaboration between the four southern Adelaide Councils in responding to climate change; namely the City of Holdfast bay, City of Marion, City of Mitcham and City of Onkaparinga	Heads of Agreement renewed March 2015, establishes partnership, governance framework & program management committee (PMC)	Expires June 2019 – revise and review
	Regular meetings of the Program Management Committee to be held to coordinate delivery of the Regional Implementation Plan as per the Heads of Agreement	Program Management Committee (PMC) meetings held every second month with representatives from each of the 4 partner Councils and DEWNR	Continue to meet bi-monthly to drive the delivery of the Regional Implementation Plan
Foundation Project: Equip			
1.2	Embed the Regional Adaptation Plan in all Councils' strategic and community plans, local asset plans and regional public health planning.	- City of Marion Climate Change Policy endorsed by Council in September 2016 - The City of Marion 3-Year Business Plan 2016 – 2019 has a commitment to 'Implement the Climate Change Policy and Plan (Resilient South Program)' - The City of Marion Strategic Plan 2017 – 2027 includes strategies to 'plan for and respond to extreme weather events through our services and urban form, managing	Embed priorities identified by the Resilient South program into strategic plans as they are reviewed and updated (e.g. Asset Management Plans, etc.)

Strategic Actions from 'Southern Region Local Government Implementation Plan 2015 – 2019'		Achievements to Date	Next Steps
		infrastructure issues associated with flooding and stormwater' and to 'build community resilience to the impacts of climate change'. •	
1.3	Promote and maintain 'Resilient South Maps' as an online educational and analysis tool to support climate change adaptation planning and decision-making across the region.	• Resilient South Maps as a stand-alone tool has been discontinued and options to better integrate with each Council's mapping and GIS platforms is now being pursued	• Further work needs to be done to build capacity and capability of mapping tools to support climate change adaptation planning and decision making
1.4	Undertake monitoring and evaluation of the Resilient South Program, reporting to partner Councils and funding partners.	• Evaluation of the Resilient South program is coordinated by the PMC and includes tracking of progress against actions in the Implementation Plan, reporting of progress via the Work Area Planning process and reports to Council (as required)	• Continue to performance measure program through work area plans and at PMC meetings • The current Implementation Plan runs until June 2019; a review of Resilient South will need to occur before then to set the priorities beyond June 2019
1.5	Partner with the Local Government Association of South Australia to: a) work with SA Health to embed climate change actions in the Regional Public Health Planning; b) develop and deliver an education program for Elected Members and senior staff to further understand how a changing climate may impact locally and incorporate climate change into long-term planning and decision making; c) review and amend the SA Planning Policy Library in the context of stronger consideration of climate change impacts;	• Supported the LGA to develop and pilot targeted climate change training for Elected Members and Council staff • Attended various workshops facilitated by the LGA to gather climate adaptation input for inclusion in feedback to the SA Planning Policy review • Officers at South Australian councils share advice and support at the quarterly Climate Adaptation Practitioners Network meetings facilitated by DEWNR •	• Attend and present on the Resilient South approach at the 'Prosperity in a Changing Climate' symposium in Adelaide in November 2017

Strategic Actions from 'Southern Region Local Government Implementation Plan 2015 – 2019'		Achievements to Date	Next Steps
	d) share with other regions our knowledge, challenges and success in adapting to changes in our climate; e) build financial and technical capability within Partner Councils to implement the Implementation and Local Action Plans		
1.6	Advocate for the state government to: a) provide for more flexible operating hours for businesses in industrial areas during heat waves where there are no negative impacts on adjoining or adjacent land uses. b) undertake a review of how future climate hazards will impact non-government organisation (NGO) service delivery in the social services sector.	The Resilient South PMC has provided feedback to the SA Government on the draft adaptation priorities for the SA Government to action	When the SA Government Adaptation Plan has been approved by Government, work with the relevant departments to deliver climate adaptation outcomes in southern Adelaide
1.7	Work with Department of Environment, Water and Natural Resources (DEWNR) as a Public Health Partner Authority.	DEWNR is a key partner in the delivery of climate change adaptation outcomes	Ongoing collaboration with public health authorities to deliver public health outcomes in southern Adelaide
1.8	Integrate climate change considerations into Council regional public health planning.	- Council last reported to the SA Government on our public health planning in September 2016 - Responding to climate change is one of 4 priority focus areas for public health planning in SA	Ongoing collaboration with public health authorities to deliver public health outcomes in southern Adelaide
1.9	Ensure that climate risks identified in the Resilient South Program are considered and addressed in the development and implementation of the Southern Adelaide Zone Emergency Management Plan.	The Resilient South PMC contributed to the development of the Southern Adelaide Zone Emergency Management Plan (led by SAFECOM and Southern Adelaide Zone Emergency Management Committee)	- Continue to actively support the development, implementation and ongoing review of the Southern Adelaide Zone Emergency Management Plan - Ensure that climate change risks and impacts are considered and appropriately

Strategic Actions from 'Southern Region Local Government Implementation Plan 2015 – 2019'		Achievements to Date	Next Steps
			addressed in the development of the City of Marion's Community Emergency Management Plan Identify options to support vulnerable members of the community during extreme weather events for inclusion in the City of Marion Emergency Management Plan such as: guidance on the opening of libraries and community owned facilities beyond normal operating times during a heatwave to create 'cool' havens; assignment of emergency response centres for use during emergencies
1.10	Engage with the National Climate Change Adaptation Research Facility (NCCARF) on the development of a Sea Level Rise assessment tool.	- Awarded a small grant from NCCARF to test CoastAdapt as a tool to develop the methodology for Marion's Regional Coastal Plan - Completed a coastal climate change adaptation scoping study using CoastAdapt approaches.	- Use this work for ongoing Coastal Management Planning - Further data collection on coastal climate change risk and identification of coastal management and adaptation pathways
1.11	Review relevant Council outdoor event guidelines for risk assessment of extreme weather events and natural hazards such as heat wave and bushfire.	WHS tools developed on extreme weather events	Continue to update & modify as needed
Foundation Project: Aware			
2.1	Engage with the manufacturing and business sector to:	Opening of the Cove Civic Centre in August 2015 and employment of an Enterprise Coordinator for the Centre provides	Develop and implement an education program for business that includes: climate change adaptation capacity building with regional business

Strategic Actions from 'Southern Region Local Government Implementation Plan 2015 – 2019'		Achievements to Date	Next Steps
	a) identify economic development opportunities arising from climate change; and b) build capacity of the manufacturing and business sector to respond and adapt to climate change impacts.	increased support for businesses in the south of the City • Provided input into the Southern Adelaide Economic Development Board's (SAEDB) new Economic Development Plan for the region that was launched in August 2017	associations; targeted climate change adaptation presentations (e.g. at Business events); climate change and business continuity information in newsletters and on website (e.g. Business E-Talk) •
2.2	Work with our partners to increase awareness of climate change adaptation particularly in relation to preparing for and responding to natural hazards including flooding, bushfire and storm events.	• Partnering with the Australian Red Cross to deliver the Resilient South Climate Ready Communities program (commenced July 2017); each of the partner Councils is contributing \$2,500 p/a over 2 years to support the delivery of this program • Council contributes funding to the REDi-Plan program that educates communities about preparing for natural hazards such as flooding and bushfires.	• Work closely with the Red Cross to build Climate Ready Champions to support community capacity building and climate resilience • Explore opportunities to work with Australian Red Cross and other emergency services organisations to on community preparedness initiatives. • Continue to increase community awareness of climate change adaptation responses through targeted events and activities (e.g. upcoming heat wave hypothetical 'Feeling Hot, Hot, Hot – dealing with heatwaves in southern Adelaide' to be held at the Marion Cultural Centre on 7 February 2018)
2.3	Work with our partners to provide plain-English information through existing networks, social media and Council websites that: a) explains projected climate change impacts; b) raise awareness about managing the impacts of climate change on personal health and wellbeing (e.g. change time of day spaces	• Some basic level information is provided on Council websites • Options to develop a dedicated Resilient South website containing more detailed information that is specific to southern Adelaide is being explored	• Continue progress on new community-minded Resilient South website & ongoing communication with stakeholders. • Continue to promote opportunities for community action (i.e. through community grants programs)

Strategic Actions from 'Southern Region Local Government Implementation Plan 2015 – 2019'	Achievements to Date	Next Steps
are used to reduce dehydration from extreme heat); c) raise awareness about the impacts of climate change on infrastructure and open space and public realm and the need for councils to reassess service standards. d) presents potential climate change adaptation actions and other references to specific sectors; e) supports behaviour change to manage potable water security issues; f) supports behaviour change to increase energy efficiency in homes and businesses; g) promote adaptation success stories.		
2.4 Engage Resilient South Program champions to: a) inform their own networks about climate adaptation and the Resilient South Regional Climate Change Adaptation Plan; b) encourage new Program Champions to become involved in Resilient South; c) communicate the barriers and enablers to climate adaptation within their own sector; and d) inform a future review of the Regional Adaptation Plan.	• A network of climate adaptation champions was built during the planning phase of Resilient South	• Continue to engage through Red Cross Climate Ready program and other targeted workshops and events • Engage the climate adaptation champions in a review of the Resilient South Program
2.5 Integrate climate change adaptation into community development and social connectivity programs to build resilient communities that can respond to natural hazards.	• Refer to 2.2 above	• Refer to 2.2 above

Strategic Actions from 'Southern Region Local Government Implementation Plan 2015 – 2019'		Achievements to Date	Next Steps
2.6	Seek funding and partnership opportunities to develop technological applications and/or social media tools that engage the community and build adaptive capacity to climate change impacts.	Refer to 2.3 above	Refer to 2.3 above
2.7	Develop a Resilient South awards program to encourage adaptation actions within a range of community, business and industry sectors.	No progress to date	Research options to develop a Resilient South awards program for southern Adelaide
Foundation Project: Cool Places			
3.1	Develop partnerships and funding agreements to assist Partner Councils to establish geospatial evidence relating to the social, economic and environmental impacts of the urban heat island effect and the value of green infrastructure in mitigating these impacts.	Developed partnerships to establish geospatial evidence on the value of green infrastructure through urban heat mapping (this was tested through the LG R&D funded research project using i-Tree Eco tool)	Continue to seek opportunities & promote this work
3.2	Using Resilient South Maps, and other available spatial information, identify and prioritise open space and public realm areas most vulnerable to urban heat impacts that could benefit from green infrastructure.	Use urban heat maps to identify and prioritise areas vulnerable to heat for green infrastructure	Utilise heat & tree maps to inform future policy
3.3	Develop partnerships and funding agreements to enable Councils and/or communities to deliver their own Cool Places projects at priority locations.	Limited progress to date	Seek opportunities for council to work more closely community to deliver projects that will cool the urban environment
3.4	Investigate opportunities for establishing targets for increasing green infrastructure in our region to mitigate urban heat impacts.	Mapping of vegetation in open space across the Council to enable baseline information to support and prioritise biodiversity projects and native vegetation planting programs	- Continue conversations with DPTI to increase plantings on major roads - Use vegetation mapping data to identify priority sites for protection and enhancement of native vegetation that

Strategic Actions from 'Southern Region Local Government Implementation Plan 2015 – 2019'		Achievements to Date	Next Steps
		• A commitment to climate change adaptation is identified as a principle in the Tree Management Policy. • Climate change and urban heat impacts have been considered in the DRAFT Tree Management Framework	will support climate change adaptation outcomes • Establish targets for increasing green infrastructure and tree canopy cover as per the DRAFT Tree Management Framework using tools such as i-Tree eco tool outputs from the Urban Trees Project •
3.5	Review the way open space is provided and managed regionally to enable Councils to continue to provide positive health and wellbeing benefits for residents despite reductions in rainfall and other climate change impacts.	• Mitigation adaptation for climate change impacts is identified as a principle in the Open Space Policy. • Climate adaptation outcomes embedded in Council's guideline for the management of natural landscaping areas (as per definition in Open Space Policy) • Climate change impacts have been embedded in key documents including the Remnant Native Vegetation Plan 2017 • A new Open Space Plan for the City of Marion is currently being developed	• Finalise the development of the Open Space Plan and include consideration of relevant climate change impacts and adaptation opportunities
3.6	Develop Council guidelines and advocate for stronger Australian standards for the design and construction of climate sensitive outdoor infrastructure including: a) Utilising materials that are more resilient to extreme weather such as extreme heat, wind and rainfall;	• Neighbourhood and regional playgrounds have been reviewed for shade provision with a view to ensuring that all playgrounds will have either artificial and/or tree shade over the next 5 years	• Incorporate Resilient South outcomes and priorities for open space and public realm when each stage of the Walking and Cycling Strategy is implemented • Incorporate Resilient South outcomes and recommendations for open space and public realm into the delivery of play space developments and reserve upgrades

Strategic Actions from 'Southern Region Local Government Implementation Plan 2015 – 2019'		Achievements to Date	Next Steps
	b) Designing and constructing footpaths and trails that can cope with extreme weather; and c) Providing shade via vegetation or built structures for and playgrounds and adjacent to walking and cycling paths.		Incorporate climate change projections and Resilient South outcomes for open space and public realm into streetscape plans and activities
3.7	Work with essential services providers such as SA Power Networks and SA Water to ensure streetscape design, planning and management delivers climate change adaptation outcomes.	Ongoing relationship development with SAPN and SA Water	Continue relationship development and include of climate adaptation outcomes in key strategic projects being delivered with essential service providers
Foundation Project: Source to Sea			
4.1	Work with the Local Government Association of South Australia (LGA SA) in its advocacy for the state government to develop a strategic management plan to address sea level rise that considers the risk to existing and new development along the coast.	A representative of the LGA attends the Metropolitan Seaside Councils Committee (MSCC) to provide updates on their coastal advocacy activities	Attending and presenting on Marion's coastal adaptation and planning activities at the SA Coastal Conference in November 2017
4.2	Continue to engage with the National Climate Change Adaptation Research Facility (NCCARF) on the Coastal Climate Risk Management Working Group to develop systems and processes that build confidence and certainty regarding future projections for sea level rise and robust decisions for the coast.	Refer to 1.10 above	Data collected for coastal management planning, particularly in relation to sea level rise and impacts along Marion's coast
4.3	Work collectively with Metropolitan Seaside Councils Committee to: coordinate advocacy for the state and federal governments to improve funding for coastal protection and climate change	Working through the Metropolitan Seaside Councils Committee (MSCC) to collaborate on strategic coastal management activities along the metropolitan Adelaide coast (Coast Protection Board and AMLR NRM Board have representatives on the MSCC)	Ensure that coastal adaptation options identified in Resilient South are discussed at MSCC meetings to identify partnership and funding opportunities that will support implementation

Strategic Actions from 'Southern Region Local Government Implementation Plan 2015 – 2019'	Achievements to Date	Next Steps
adaptation in the coastal zone and neighbouring areas; • partner with the Coast Protection Board and the Department of Transport Planning and Infrastructure (DPTI) to facilitate development and implementation of a strategic approach to mitigating the impacts of climate change in the metropolitan Adelaide coastal zone. • partner with DEWNR and the AMLR NRM Board to secure additional resources to support community volunteer groups that care for our dune, marine and riparian systems; and • work with the Coast Protection Board and the Bureau of Meteorology to develop a monitoring strategy to inform the design and timing of construction of hard infrastructure (e.g. storm tide barriers, sea walls, groynes etc.)	• Regional climate change adaptation plans (Resilient South, Adapt West and Northern Adelaide) have been presented to the MSCC • Input from CPB and AMLR NRM Board and MSCC has been incorporate into Marion's approach for coastal climate change adaptation planning	
4.4 Seek funding and partnership opportunities from DEWNR, AMLR NRM Board, the Environment Protection Authority and other organisations to improve water resource management including to: a) implement Stormwater Management Plans to reduce climate change related flooding risk across the region; b) implement a whole of catchment management approach to provide greater	• Partnership with Water Sensitive SA - water sensitive urban design capacity building initiative led by the Adelaide and Mt Lofty Ranges NRM Board (AMLR NRM Board) • Strong relationship with AMLR NRM Board has been developed over a number of years and we have received significant funding for a number of stormwater and watercourse management projects (e.g. Waterfall Creek	• Continue to seek funding opportunities, implement stormwater management plans, whole of catchment management approach & continue to build capacity in all areas of water management. • Work with the City of Onkaparinga to progress stormwater management planning for the Field River catchment

Strategic Actions from 'Southern Region Local Government Implementation Plan 2015 – 2019'	Achievements to Date	Next Steps
protection and consideration of marine biodiversity in relevant policies and programs; c) ensure that the Guidelines for Water Quality are implemented across the region; d) build capacity in water sensitive urban design, flood management, water recycling and wastewater reuse, and riparian rehabilitation.	watercourse restoration, Oaklands Wetlands, etc.) • Working with the City of Mitcham on stormwater management planning on the eastern side of the Sturt River channel	

**CITY OF MARION
GENERAL COUNCIL MEETING
12 DECEMBER 2017**

Originating Officer: Nadia Yeoman, Acting Unit Manager Engineering Services
Manager: Mathew Allen, Manager Engineering & Field Services
General Manager: Tony Lines, General Manager City Services
Subject: Denham Avenue Traffic Report
Reference No: GC121217R14

REPORT OBJECTIVE AND EXECUTIVE SUMMARY:

At its meeting dated 26 September 2017, Council received notice of the following motion:

“That Council investigate the reports of speeding and dangerous driving along Denham Avenue (northern side of Kellett Reserve) and a report be provided to Council in October 2017, in order to determine what, if any, traffic calming is needed in the area.”

The purpose of this report is to provide information about the current traffic conditions in Denham Avenue, Morphettsville.

RECOMMENDATIONS

That Council:	DUE DATES
1. Notes the report.	12 December 2017
2. Endorses an investigation into extending Morphettsville Oval to provide a fit for purpose playing field and improve pedestrian movements and traffic management.	12 December 2017
3. Receives a further report that outlines details of expanding Morphettsville Oval and includes a scope of works, indicative costs and timeframes.	27 March 2018

DISCUSSION:

In a recent discussion with a representative of the Morphettsville Park Sporting and Community Club (MPSCC) Councillor Veliskou was advised that there were concerns raised about speeding/reckless driving along this section of road which was causing a hazard for families crossing this road to get to the oval. He was advised there was concern that a child may get hit due to some drivers not exercising due care especially when sporting events are taking place on the oval. It was requested that Council consider the provision of traffic calming device that may include (but not restricted to) rubber style speed cushions.

Traffic conditions along the Denham Avenue were investigated which included:

- Traffic volume and speed surveys;
- A review of accident records; and
- On-site inspections and observations.

Report Reference: GC121217R14

The results of the investigation are explained below.

Traffic Volume and Speed Surveys

Traffic data was collected in September 2017 in Denham Avenue between Quinn Street and Eltham Avenue. The average daily traffic volume (7-day average) was 453 vehicles per day, with an average speed of 36 km/h and 85th percentile speed of 45 km/h recorded. This means that 85% of drivers were driving at or below 45km/h in Denham Avenue. The mean speed of those exceeding the speed limit was 53.5km/h. The data indicates that the street generally operates satisfactorily.

A breakdown of traffic volumes and speeds recorded are attached in Appendix 1 of this report.

Accident Records

DPTI crash records show there have been no crashes recorded in the five year period 2012 to 2016. Crash records for 2017 are not yet available to Council.

On-site inspections and observations

Denham Avenue is classified as a local road within the CoM Road Hierarchy Plan; it is an 8.1m wide (kerb to kerb) two-way street. The street is straight and flat, and extends in an east-west direction from Morphett Road to Clifton Avenue for a distance of 421 metres. There are existing indented parallel car parks on the southern side of Denham Avenue between Quinn Street and Clifton Avenue, which are 2.3m in width. Existing on-street parking restrictions exist outside Nos 15-19 Denham Avenue: "No Stopping 12noon – 6pm Sat – Sun".

Whilst we have no tangible evidence of speeding vehicles or incidents of crashes to warrant the installation of permanent traffic control devices, there is concern from the MPSCC for driver behaviour and pedestrian safety.

Concerns have been raised regarding the irregular shape of Morphettville Oval. It is proposed that the shape of the oval be investigated to potentially extend the oval towards Denham Avenue to allow for an increase of the oval footprint which currently is not to AFL standard. There are also a number of risks associated with the location of the boundary lines being in close proximity to lighting poles, fences and coaches boxes.

Proposed actions

Administration investigate the extension of Morphettville Oval to provide a fit for purpose playing field and at the same time improve pedestrian movements and traffic management. This would include upgrading the existing informal footpath and installing 2 new kerb ramps with pedestrian warning signs. It is proposed that a further report is prepared that outlines details of expanding Morphettville Oval and includes a scope of works, indicative costs and timeframes.

CONCLUSION:

Pedestrian safety concerns were raised by the MPSCC, regarding incidents of speeding vehicles. Traffic survey data indicates that a majority of vehicles drive at acceptable speeds, and DPTI records indicate that no crashes had been recorded in Denham Avenue in the five year period 2012-2016. Further investigations can be undertaken to realign the Morphettville Oval and improve the oval functionality, pedestrian access and traffic management.

APPENDIX 1 - TRAFFIC DATA FOR DENHAM AVENUE, MORPHETTVILLE**Traffic Volumes**

	Total traffic volume 24h period (vehicles per day)	Morning peak hour: time and volume (vehicles per hour)	Afternoon peak hour: time and volume (vehicles per hour)
Monday	412	7-8am, 26	6-7pm, 41
Tuesday	384	10-11am, 30	5-6pm, 36
Wednesday	440	11am-12noon, 37	12noon-1pm, 40
Thursday	473	11am-12noon, 45	5-6pm, 50
Friday	520	11am-12noon, 39	5-6pm, 58
Saturday	420	11am-12noon, 29	6-7pm, 43
Sunday	521	10-11am, 85	5-6pm, 39

Table 1: breakdown of daily traffic volumes and peak traffic periods in Denham Avenue

Traffic Speeds

Chart 1 below illustrates that 94.3% of vehicles were travelling at or below the speed limit of 50km/h. Of the 5.7% of drivers exceeding the speed limit, the mean exceeding speed limit was 53.5km/h. Below is a chart showing the distribution of speeds recorded.

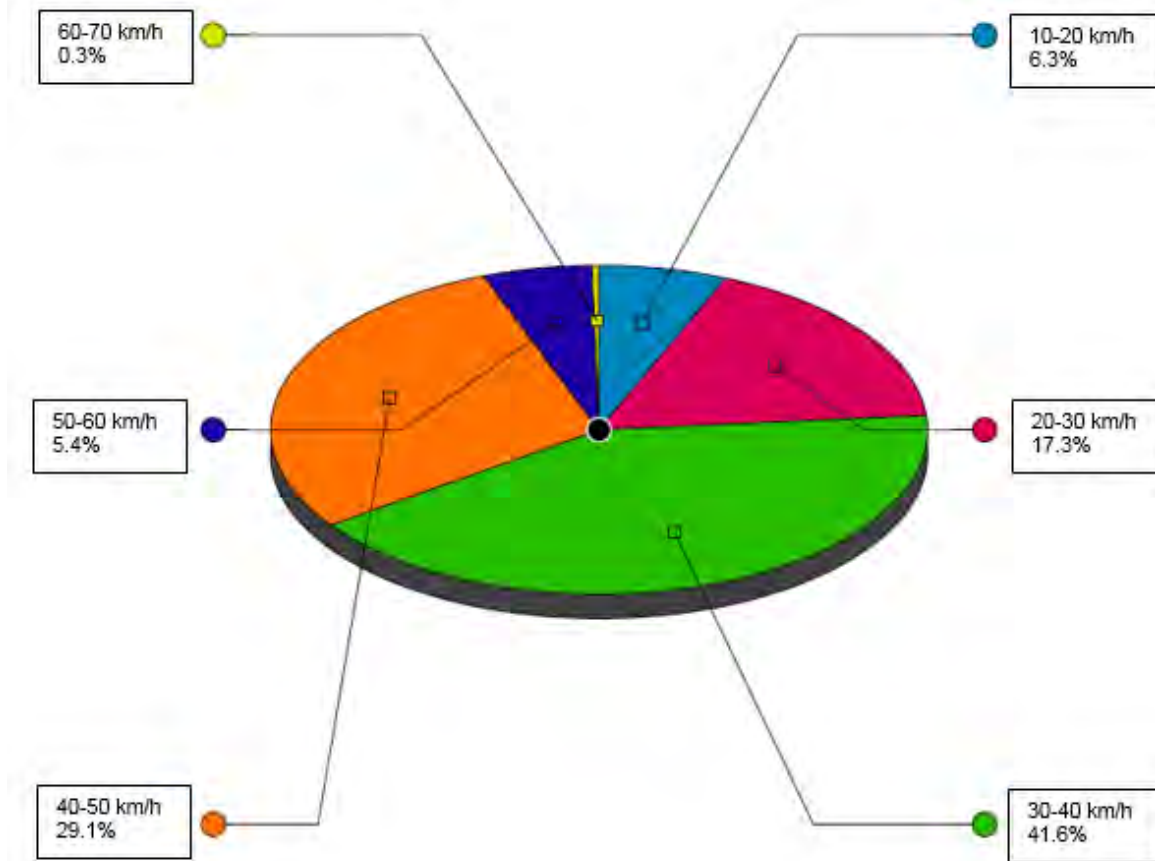


Chart 1 – breakdown of vehicle speeds in Denham Avenue

**CITY OF MARION
GENERAL COUNCIL MEETING
12 DECEMBER 2017**

Originating Officer: Birgit Stroehrer, Registered Architect Strategic Projects
Sean O'Brien, Community Facility Planner

Manager: Donna Griffiths, Acting Manager City Activation

General Manager: Abby Dickson, General Manager City Development

Subject: Mitchell Park Sports and Community Centre Expression of Interest Outcomes

Report Reference: GC121217R15

REPORT OBJECTIVES

To inform Council on the outcomes of the Expression of Interest (EOI) recently undertaken for the potential use of the Mitchell Park Sports and Community Centre (MPSCC) Project.

A total of ten responses to the EOI were received and responses are detailed in appendix 1 to this report. The EOI demonstrates the community need for the new facility and how the MPSCC will be a multifunctional facility with a diverse user base.

RECOMMENDATION

That Council:

DUE DATES

- 1. Notes the outcomes from the Expression of Interest undertaken for potential users of the redeveloped Mitchell Park Sports and Community Centre.**

12 December 2017

DISCUSSION

Background

The MPSCC concept has been designed as a regional sports and community hub that offers high quality facilities, multipurpose spaces as well as a broad range of programs, services and activities providing benefits to the region's economy and community.

The scope of the MPSCC comprises the development of a new two-storey community building to cater for the needs of the existing clubs and the Mitchell Park Neighborhood Centre, as well as 4 indoor courts that will replace the Marion Basketball Stadium that no longer meets the needs of the community.

Analysis shows that there is a major shortage of indoor recreation facilities in the Southern region of Adelaide and there is currently no indoor sport and recreation centre that meets the definition for a regional complex.

The existing building and sports infrastructure located at Mitchell Park Sports Club requires upgrading in the relatively near future and the facility is important to a large number of

organisations who would benefit from its upgrade. Enhancing the quality of the sports club building is justified due to the high level of use, forecast in population change and links to the Tonsley site and Flinders University.

The Mitchell Park Neighbourhood Centre is highly valued by its users and is an important community resource. However, the existing building is in need of upgrading and is not adequately meeting community needs. As such, an alternative building and site is required.

An opportunity exists for Council to establish the Mitchell Park Sports Ground with an integrated sports and community centre to provide a high quality regional level facility in partnership with multiple user groups.

The current concept for the facility comprises:

- A shared multipurpose function area to cater for the needs of the community and the clubs
- A community neighbourhood centre with child care facilities (Existing Mitchell Park Neighbourhood centre relocated)
- An indoor four-court multipurpose sports facility that has the potential to attract state or regional level activities with a show court and seating for major events.
- Indoor/outdoor dog training facility with office and storage. Includes eight (15x30m) dog rinks at the southern end of the complex
- Commercial grade kitchen linked to the main function/dining areas
- Gym and function areas that have the capacity to support a high performance/health/fitness professionals clinic
- Café/Kiosk
- A redesign of car park and traffic management
- 2 x Outdoor multipurpose courts for netball and tennis to the western side of the main indoor sports complex.
- Retain the main oval, scoreboard and oval lighting
- New remote control model car track
- New playground
- Community recreational spaces

The new facility will be used by a variety of sporting and community groups, including the existing clubs that form part of the Mitchell Park Sports Club and the Dover Gardens Dog Club as well as the Mitchell Park Neighborhood Centre. The new indoor courts will have a key focus on basketball; however, their use should include other sports, events and activities reflecting the needs of the broader community. The facility also provides other function spaces and meeting rooms that may be made available for community programs and recreational activities such as, dance, karate, personal trainers, meetings, events and social activities.

At the 28 June 2016 meeting, Council considered a detailed prudential management report for the project that included consideration of the projects costs, whole of life costs, project delivery and risk management; community needs analysis and strategic alignment. The initial concept design was approved in June 2016 (GC280616R07) with the intent of pursuing partnerships funding. The total project is estimated to cost in the order of \$19,750,000 with Council committed to contributing \$9,875,000 of its own capital resources to the upgrade and seeking an additional \$9,875,000 from external funding sources.

Since the June 2016 (GC280616R07) resolution, Council has been seeking to attract an additional \$9,875,000 from external funding sources.

To date, grant applications have been prepared for:

- The National Stronger Regions Fund (Federal Government program, which ceased after the 2016 Federal Election).
- The 2017/18 State Budget through the Office of Recreation and Sport.

To date Council has not secured partnership funding.

Current Project Activities

To ensure the MPSCC is supported by a sustainable and sound business model it will be important the facility has a variety of income streams to safeguard against any fluctuations in participation of a particular sport or activity. The achievement of diversified income streams will support the long-term financial viability of the facility.

To date Basketball SA has been heavily engaged in the planning process due to the urgent need to replace the Marion Basketball Stadium with better quality facilities. Whilst analysis shows basketball will be a key user of the indoor courts, other potential user groups have not had an opportunity to identify their needs and aspirations for using the indoor courts and open space areas of the proposed facility.

To identify and consider all potential users and further develop the business model, further research to determine how the facility could potentially be utilised is needed.

Identifying new user groups will:

- Ensure the aspirations of all interested community groups is considered
- Provide new opportunities for developing partnerships including funding partnerships
- Potentially broaden the range of services and programs on offer
- Obtain a more accurate understanding of the market for indoor recreation facilities as well as potential use of the outdoor spaces
- Access a diversity of income streams to support a sustainable business model
- Ensure there is optimal use of the facility and open space areas
- Strengthen further support for the project and strengthen the project's business case to attract funding partners
- Identify any special needs that may need to be catered for.

EXPRESSION OF INTEREST

To identify potential users and partnerships Council commenced a non-binding 'Expression of Interest' (EOI) process to seek informal offers for the possible use of the spaces planned for the facility.

The EOI was open for submissions from 30 October 2017 to 1 December 2017.

An integrated communications and engagement strategy was used to publicise the EOI, which included:

- An overarching media announcement of the EOI and advertisement in the Messenger Newspaper
- Communication to all Sport SA member organisations with the assistance of Sport SA
- Direct mail out to known interested organisations

- Direct mail out to all existing stakeholders involved in the project
- Email distribution to City of Marion Clublink Database
- Phone calls to high participation indoor sport state sporting organisations.

Submissions were received through the City of Marion 'Making Marion' website from groups who may wish to book available space in the facility as long-term users on a regular basis.

Groups that have already provided information through previous rounds of consultation were not required to make a submission.

In total ten (10) EOI submissions were received:

1. Step into Life Mitchell Park
2. South Adelaide Basketball Club Inc.
3. Korfball South Australia
4. Alpha Gymnastics
5. Ready Steady Go Kids - Marion
6. Sacred Heart College
7. South Adelaide Volleyball Club
8. Arista Marion Korfball Club
9. Gymnastics SA
10. Islamic Society of SA

All ten submissions received have potential for further consideration and potential use of the Mitchell Park Facilities.

The next steps will be detailed analysis of the proposed times of use to see how the activities may be accommodated. There will also be discussion on financial contribution by clubs.

This will involve the development of a draft model of use with consideration of:

- Existing user groups of the Mitchell Park Sports and Community Site;
- South Adelaide and Basketball SA information; and
- EOI's Received.

While Council continues to pursue funding partners for this project, the information gained from an Expression of Interest process for the use of the facilities further demonstrates the value of the project to the broader community. The EOI submissions will further inform the management and operating structure and assist in diversifying income streams.

Once a draft model of use is available, it will enable further discussion with each potential stakeholder and further discussion of suitable sustainable management arrangements for the facility.

It should be noted that due to the existing structures of some sports no EOI submissions have been received. For some sports competitions may need to be developed "in house" by the centre management. These activities include indoor netball and indoor soccer competitions. Analysis of participation rates indicates there is likely to be high demand for both of these activities and clubs are likely to organise teams into participate in competitions once they have been established. Allowances will be made for these sports in the facility use modelling.

In total, the process has identified twelve (12) additional user groups to be considered for the Mitchell Park Sports and Community centre.

CONCLUSION

The scope of the MPSCC project comprises the development of a new two-storey community building to cater for the needs of the existing clubs and the Mitchell Park Neighborhood Centre, as well as 4 indoor courts that will replace the Marion Basketball Stadium, which no longer meets the needs of the community. The project seeks to address Council's strategic priorities of delivering improved sport, recreational and community facilities at Mitchell Park and address the City's needs for indoor stadium facilities.

The information gained from the Expression of Interest process for the use of the facilities further demonstrates the value of the project to the broader community. The EOI submissions will inform the future management and operating structure and assist in diversifying income streams.

Appendix 1 – Expression of interest report

Mitchell Park Sports and Community Centre



Expression of Interest Report
December 2017

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BACKGROUND

The Mitchell Park Sports and Community Centre concept has been designed as a regional sports and community hub that offers high quality facilities, multipurpose spaces as well as a broad range of programs, services and activities providing benefits to the region's economy and community.

The scope of the Mitchell Park Sports and Community Centre comprises the development of a new two-storey community building to cater for the needs of the existing clubs and the Mitchell Park Neighborhood Centre, as well as 4 indoor courts that will replace the Marion Basketball Stadium which no longer meets the needs of the community.

Analysis shows that there is a major shortage of indoor recreation facilities in the Southern region of Adelaide and there is currently no indoor sport and recreation centre that meets the definition for a regional complex.

The existing building and sports infrastructure located at Mitchell Park Sports Club requires upgrading in the relatively near future and the facility is important to a large number of organisations who would benefit from its upgrade. Enhancing the quality of the sports club building is justified due to the high level of use, forecast in population change and links to the Tonsley site and Flinders University.

The Mitchell Park Neighbourhood Centre is highly valued by its users and is an important community resource. However, the existing building is in need of upgrading and is not adequately meeting community needs. As such, an alternative building and site is required.

An opportunity exists for Council to establish the Mitchell Park Sports Ground with an integrated sports and community centre to provide a high quality regional level facility in partnership with multiple user groups.

The current concept for the facility comprises:

- A shared multipurpose function area to cater for the needs of the community and the clubs
- A community neighbourhood centre with child care facilities (Existing Mitchell Park Neighbourhood centre relocated)
- An indoor four court multipurpose sports facility that has the potential to attract state or regional level activities with a show court and seating for major events.
- Indoor/outdoor dog training facility with office and storage. Includes eight (15x30m) dog rinks at the southern end of the complex
- Commercial grade kitchen linked to the main function/dining areas
- Gym and function areas that have the capacity to support a high performance/health/fitness professionals clinic
- Café/Kiosk
- A redesign of car park and traffic management
- 2 x Outdoor multipurpose courts for netball and tennis to the western side of the main indoor sports complex.
- Retain the main oval, scoreboard and oval lighting
- New remote control model car track
- New playground
- Community recreational spaces

The new facility will be used by a variety of sporting and community groups, including the existing clubs that form part of the Mitchell Park Sports Club and the Dover Gardens Dog Club as well as the Mitchell Park Neighborhood Centre. The new indoor courts will have a key focus

on basketball, however their use should include other sports, events and activities reflecting the needs of the broader community. The facility also provides other function spaces and meeting rooms that may be made available for community programs and recreational activities such as, dance, karate, personal trainers, meetings, events and social activities.

THE PURPOSE OF THE COMMUNITY ENGAGEMENT

To ensure the Mitchell Park Sports and Community Centre is supported by a sustainable and sound business model it will be important the facility has a variety of income streams to safeguard against any fluctuations in participation of a particular sport or activity. The achievement of diversified income streams will support the long term financial viability of the facility.

To date Basketball SA has been heavily engaged in the planning process due to the urgent need to replace the Marion Basketball Stadium with better quality facilities. Whilst analysis shows basketball will be a key user of the indoor courts, other potential user groups have not had an opportunity to identify their needs and aspirations for using the indoor courts and open space areas of the proposed facility.

To identify and consider all potential users and further develop the business model, further research to determine how the facility could potentially be utilised is needed.

- Identifying new user groups will:
 - Ensure the aspirations of all interested community groups is considered
- Provide new opportunities for developing partnerships including funding partnerships
- Potentially broaden the range of services and programs on offer
- Obtain a more accurate understanding of the market for indoor recreation facilities as well as potential use of the outdoor spaces
- Access a diversity of income streams to support a sustainable business model
- Ensure there is optimal use of the facility and open space areas
- Strengthen further support for the project and strengthen the project's business case to attract funding partners
- Identify any special needs that may need to be catered for

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Submissions were received through the City of Marion 'Making Marion' website from groups who may wish to book available space in the facility as long term users on a regular basis.

Groups that have already provided information through previous rounds of consultation were not required to make a submission.

EXPRESSION OF INTEREST RESULTS

The details below provide a summary of the EOI submissions received through the making Marion Website.

Total visits to Making Marion = 116

Submissions were received through Making Marion = 8

Additional submissions received by email = 2

Total Submissions = 10

Organisation/Club Name:	Briefly describe the major activities your Organisation/Club provides:
Step into Life Mitchell Park	Step into Life Mitchell Park provides Group Outdoor Personal Training for the Mitchell Park and wider community. We support the local businesses and sporting clubs through sponsorship, fundraising, networking, loyalty and referral programs. We have been operating from this site successfully for 11 years in February and have a great relationship with the Sports and Community Club. The health and wellness of the people I serve is the key to having a vibrant community. We are positive role models for the people driving and passing by which inspires many to move more and utilise the community facilities. We are proud to call this space our home.
South Adelaide Basketball Club Inc	Sporting club basketball. Full details provided previously.
Korfball South Australia	We deliver School clinics, School Competitions and runs several Leagues for the sport of Korfball. Our Major Indoor League runs between Easter and October every year with 6 competing clubs of varying grades from A-C and juniors.
Alpha Gymnastics	We offer recreational gymnastics classes for toddlers (KinderGym) through to adults as well as programs for local schools including Ascot Park Specialist Sport Program, Westminster School and St Peter's Woodlands Grammar School.
Ready Steady Go Kids - Marion	Ready Steady Go Kids run sports and exercise classes for preschool children. Generally in the mornings on each day, up to 5-6 days per week, in School terms
Sacred Heart College	We are a Co-educational Middle School offering a wide range of sport and PE curriculum

Organisation/Club Name:	Briefly describe the major activities your Organisation/Club provides:
South Adelaide Volleyball Club	The South Adelaide Volleyball is one of 8 State League Clubs affiliated with Volleyball South Australia. This season we had 7 senior teams and 13 junior teams training across 3 nights and 2 venues. In total we have approximately 200 training senior and junior players. We continue to expand each season with the sport and have seen an increase from 5 to 13 junior teams in just 3 years. Junior competitions now run all year and we stretched for training spaces. This new 4 court facility would be something our club would benefit greatly from. Currently the majority of venues we have available to us are either 2 or 3 court venues with limited run off space. We would see this as an opportunity to form a long term partnership the Mitchell Park Community Centre. We are also looking to expand into running volleyball clinics and tournaments for schools in the local area as well as expanding into running social tournaments. Again access to this new facility would greatly assist with these goals.
Arista Marion Korfbal Club	Arista Marion Korfbal Club is a community sporting group providing equal opportunities for men and women to play in the same team. Arista participates in a State League competition against 5 other clubs across 3 grades. Arista also participates in other competitions such as nationals to play against teams from interstate. We currently play our games at Netball SA stadium although often need to play at alternate venues when it is unavailable. All grades currently play on the same day at the same location. Arista Marion Korfbal Club is affiliated with Korfbal South Australia and Korfbal Australia. Many players from Arista have represented Australia at international competitions.

Organisation/Club Name:	What are the key future directions for your Organisation/Club?
Step into Life Mitchell Park	My aim is to continuing growing the health and wellness of the local community one person at a time. I have strong ties with and around the council zone and local sporting clubs and I hope to continue working with these organisations in the future to build a solid base of members striving for a healthier and productive life.
South Adelaide Basketball Club Inc	- Continue to build on the great foundations built over previous years; - Improve facilities for both players and spectators. New stadium is what we all need and want. In the meantime, we need to ensure that "The Shed" is still maintained, main focus areas here are the playing floors and the car park; - Continue to grow participation in basketball at all levels at South; and - Improve on court performances for both senior and junior teams.

Organisation/Club Name:	What are the key future directions for your Organisation/Club?
Korfball South Australia	KSA is embarking a new initiative to conduct school tournaments on a more regular basis as well as looking at changing the structure of our major league. Our goal is to have 150 school aged players by 2020. We are also developing plans to increase the clubs to 8.
Alpha Gymnastics	Did not answer question
Ready Steady Go Kids - Marion	To continue to grow within the Marion region and to encourage ELCs and Kindergartens to attend the centre for our programs as well.
Sacred Heart College	To continue educating young people
South Adelaide Volleyball Club	The key future directions for our club is to expand into a sustainable Volleyball Club catering to people of Southern Suburbs. We are aiming to set up a Spikezone which is modified volleyball for primary school students. This provides children an introduction to volleyball in a fun gameplay environment. The aim is for these children to then progress into playing club volleyball and becoming lifelong participants of the sport. We continue to aim and aspire to being the best State Club both on and off the court providing our members with the best opportunities and facilities available to us.
Arista Marion Korfball Club	Increase participation and retention of players to the sport of Korfball Assist in the development of a junior competition Continue to support player and referee development for participation at an international level Develop strategies to reduce barriers for participation

Organisation/Club Name:	How will your Organisation/Club increase opportunities for residents in the City of Marion?
Step into Life Mitchell Park	All ages, fitness levels and abilities are welcome to join our membership. We are inclusive of all cultures and provide a welcoming environment. By facilitating a safe and welcome space that engages with residents multiple times per day, we aim to inspire people to get out of their homes and engage in physical activity of any type which has been shown to reduce destructive behaviours, help with anxiety and depression and of course reduce the strain on medical facilities.
South Adelaide Basketball Club Inc.	Did not answer question. Full details provided previously.
Korfball South Australia	Easier for locals to join clubs when main playing venue is so close. We could base nearly all of our Korfball at this venue which would be a huge gain for the City of Marion. When equipment and courts are close and easy there is scope to use this venue for league but also come and try and school competitions for local schools.
Alpha Gymnastics	A larger space will allow us to accommodate more members by offering multiple classes at the same time. We also looking at introducing additional program targeting specific groups (fall safety, aging populations, schools, etc.) A gymnastics hall could be used for multiple users groups including regular members (predominately children), school/kindy groups, special needs groups, and strength training (predominantly adults). Martial arts may also use the gym floor
Ready Steady Go Kids - Marion	Continual marketing in the local area, at Kindergartens, childcare centres, at fairs and markets etc. while growing our online presence as well
Sacred Heart College	WE will provide additional sporting opportunities for our students many of whom are resident in the City of Marion.

Organisation/Club Name:	How will your Organisation/Club increase opportunities for residents in the City of Marion?
South Adelaide Volleyball Club	We will provide opportunities for the local community to be involved in our volleyball club. We will have opportunities for School aged children to either join our club or be involved in our clinics or tournaments. We would also encourage older people to be involved at our club either in our senior teams or recreational teams. This will provide the opportunity for people to be continually active both physically and socially. Volleyball SA State League Competition has also recently expanded into clubs having home and away matches for top teams. Usually State League games are played at a central venue on the weekend. However these once off games occur midweek and are up to the club to provide a venue (usually where they train). Having access to this facility would allow us to host games at the venue providing the local community with the option of spectating the best level of state league volleyball.
Arista Marion Korfbal Club	Increased exposure to Korfbal and promotion will allow increased participation in an equal opportunities sport. Korfbal is a game where families can bring their children to play as Kids Korf is continually being developed by Korfbal South Australia If there is opportunity for all clubs to play at the facilities, there will be greater opportunity for residents and families to be involved in a sport they can play together. There are currently no juniors and this is an area Korfbal South Australia and Korfbal Australia are aiming to develop.

Participation numbers

Organisation/Club Name:	Juniors - Females	Juniors - Males	Seniors - Males	Seniors - Females
Step into Life Mitchell Park			10	60
South Adelaide Basketball Club Inc	150	490	210	30
Korfbal South Australia	15	20	45	40
Alpha Gymnastics	159	57	4	6
Ready Steady Go Kids - Marion	70	80		
Sacred Heart College	350	450	0	0
South Adelaide Volleyball Club	90	45	45	30
Arista Marion Korfbal Club	0	0	21	17

Potential use

Organisation/Club Name:	Indoor Court	Oval	Multipurpose function rooms	Outdoor courts	Office
Step into Life Mitchell Park	I would welcome the use of the indoor courts during inclement weather and would love to take school groups if the opportunity arose.	My group currently uses the Southern Oval	I could use this space for meetings, forums and other functions. Nutritional seminars would greatly benefit the community.	I would use the outdoor courts to train the netball or tennis teams if I had that opportunity.	I do not require office space.
South Adelaide Basketball Club Inc	4 courts, Full details provided previously.	Nil	Occasionally	Nil	1 - 2
Korfball South Australia	We would like to use 1-4 courts at a time. Depending on the activity and number of participant we could foresee needing all 4 at times.	During summer but not on a regular basis.	Once or twice per year for special functions and awards.		
Alpha Gymnastics	No response to question	No response to question	No response to question	No response to question	No response to question
Ready Steady Go Kids - Marion	We generally use area of half to full basketball court for our programs	NA	NA	NA	May consider
Sacred Heart College	Use of courts for Basketball, Netball, Badminton and Volleyball	Soccer Pitches	Not required	Netball	Not required

Organisation/Club Name:	Indoor Court	Oval	Multipurpose function rooms	Outdoor courts	Office
South Adelaide Volleyball Club	We would look to use all available indoor courts for trainings, clinics and the possibility of social competitions	We would not look to use the oval space	We may have an interest in using the function room for club presentations	We would not need the outdoor courts	We would not need office space
Arista Marion Korfbal Club	Indoor courts are 20m x 40m divided in half with a korf (3.5 meter post with a basket at the top) placed 2/3rds from the centre of the court. There is 1 korf in each half.		We currently use Marion Sports Club for all of our meetings.		

Activities

Organisation/Club Name:	Activity 1:	Type of facility required for Activity 1:	Special facility requirements for Activity 1:	Activity 1 capability of occurring concurrently with other sports/users in the same space:	Activity 2:	Type of facility required for Activity 2:	Special facility requirements for Activity 2:
Step into Life Mitchell Park	My personal training classes. I currently have 14 sessions per week	The Southern Oval, current entrance off Bradley Grove.	I currently utilise the light towers erected by the Dover Dog School in the winter months	There have been no issues in the past 10 years. I have happily shared the space with the dog school and other recreational users.			
South Adelaide Basketball Club Inc	Playing and training Basketball from little kids right through to Premier League	Indoor Courts	Basketball rings, scoreboards, basketball lines, score benches, seating for players and spectators	Very limited			
Korfball South Australia	Korfball League	Indoor courts 3-4	Basketball rings completely off of court. Use of Korfball posts and baskets (we provide).	Yes if we are not using all courts.	After School Korfball league	As above - but could be run outdoors in term 1 and 4.	As above unless outside in which case a shaded area.
Alpha Gymnastics	Gymnastics sport activities	Gymnastics-specific hall	preferred ceiling height of 5m+, floor anchor points, in-ground foam pit or raised mezzanine to accommodate foam pit	sharing of space could be negotiated depending on group	Hosting Gymnastic Events	Gymnastics hall	As above

Organisation/Club Name:	Activity 1:	Type of facility required for Activity 1:	Special facility requirements for Activity 1:	Activity 1 capability of occurring concurrently with other sports/users in the same space:	Activity 2:	Type of facility required for Activity 2:	Special facility requirements for Activity 2:
Ready Steady Go Kids - Marion	Sports classes for pre-schoolers	Basketball (indoor) court	Storage for 4-5 x 240L bins of equipment	Preferably a barrier between courts			
Sacred Heart College	Nil	Nil	Nil	Nil	Nil	Nil	Nil
South Adelaide Volleyball Club	Volleyball Trainings	Indoor Courts	Additional height and limited obstructions above courts (e.g. basketball rings), Good lighting, Suitable runoff space at the end and side of courts, potential for storage of club gear e.g. balls	If we were only using half the gym space as long as a court divider was used there would be no issues with another sport running.			

Organisation/Club Name:	Activity 1:	Type of facility required for Activity 1:	Special facility requirements for Activity 1:	Activity 1 capability of occurring concurrently with other sports/users in the same space:	Activity 2:	Type of facility required for Activity 2:	Special facility requirements for Activity 2:
Arista Marion Korfball Club	Training and potentially games for whole competition.	Korfball - Training 1-2 courts, Game day if available 3-4 courts (20mx40m) for whole KSA competition	20m x 40m courts. Korf are 3.5m tall so may require additional height although this will depend on current design. Korfball is a ball sport - a mix between basketball and netball.	no issues			

Organisation/Club Name:	Is it likely your organisation will expand on usage levels indicated above and if so to what extent.
Step into Life Mitchell Park	I have the capacity to add more sessions to my timetable if my membership grows which won't impact on other users at present.
South Adelaide Basketball Club Inc	Yes, we currently use the two courts at Marion Stadium but we would expand to utilise the full four courts. South Adelaide is now the biggest basketball club in SA
Korfball South Australia	Unlikely, however if we were successful in securing a venue this could change. It is our BIGGEST hurdle by far.
Alpha Gymnastics	Highly likely to be able to expand. Gymnastics SA conducted a survey in the last 12 months which found over 500 children on club waiting lists in the Marion area.
Ready Steady Go Kids - Marion	Possible. Increasing the length of time for hire and/or days we hire.
Sacred Heart College	Possibly into the future we will have 1000 students on our Mitchell Park Campus
South Adelaide Volleyball Club	At this stage we would only look to use the facility as a training venue. However as mentioned there is the possibility to host State League Home Matches and junior clinics. Depending on the size we would also look into the multi-purpose function room for annual club presentations.
Arista Marion Korfball Club	As we are just one club, there is the potential for more clubs wanting to use the facility for trainings and state league competitions as well as other competitions throughout the year such as the National Championships. This could include but is not limited to other formats of the game including social korf, and K4.

Organisation/Club Name:	Please provide any other comments you would like the City of Marion to consider in your expression of interest?
Step into Life Mitchell Park	Step into Life has happily existed on this site for 11 years in February and have performed other functions besides running the classes. Our presence has deterred security breaches of the property and we have helped with vandalism and theft issues. We always act in the best interests of the community and have provided food and clothing for people we may discover around the venue, as well as referring them onto Marion Services.
South Adelaide Basketball Club Inc	Did not answer question. Full details provided previously.
Korfball South Australia	We would LOVE to have a meeting with relevant groups and decision makers. This centre looks amazing and we would love the chance to be involved
Alpha Gymnastics	We are a private business started in 2015. We are still fairly early in our development but believe there is potential in this area. Use of a new venue would only be considered if it was a permanently set-up gymnastics facility.
Ready Steady Go Kids - Marion	Ready Steady Go Kids has been established in the Marion area for approx. 8 years and has grown from approx. 30 enrolments up to 150 enrolments in that time.
Sacred Heart College	We would be pleased to discuss our needs further if required
South Adelaide Volleyball Club	It is extremely hard for all Volleyball Clubs in South Australia to find suitable and affordable training venues. Basketball and Netball have a huge base of venues and often book out these venues months in advance. As a result many clubs don't have an official place they can call 'home'. Differing from other sports such as cricket, football, basketball and netball where the majority of clubs have an established base. This is our chance to find ourselves a home and provide new opportunities to the local community. Volleyball is one of the fastest growing sports in the country and the need for clubs and venues is only going to increase. We would welcome the opportunity to be involved in the planning of court dimensions and layout to ensure the venue is suited to volleyball training and recreational competitions.
Arista Marion Korfball Club	Arista is a community based club promoting participation in a family friendly equal opportunities sport. We are always looking for facilities to use and often have to travel a distance to participate in the sport we love.

Organisation/Club Name:	Why would your Organisation/Club like to use the proposed facilities at Mitchell Park Sports and Community Centre?
Step into Life Mitchell Park	There is a great community vibe through the football, netball, cricket and rugby club. The facilities are easily accessible. Security, parking and lighting is good.
South Adelaide Basketball Club Inc	We are currently using Marion Stadium which over 60 years is reaching the end of its life and our club has out grown the 2 court stadium
Korfball South Australia	As I said we struggle to find a 'home' for our league where we can play all grades together at the one time. Given we are mixed gender and we have so many families playing this is a major hurdle for us. We think this space has the potential to become the home of Korfball in this state especially based on the area as it is our highest as far as members/players.
Alpha Gymnastics	We are currently based in Ascot Park and many of our current members are located in the Marion area (Plympton to Sheidow Park). A new facility in the area would allow us to expand with minimal disruption to our current members.
Ready Steady Go Kids - Marion	A high quality centre will attract new members to our program and assist us in maintaining our standing as Australia's leading Preschool sports program.
Sacred Heart College	To give our school more flexibility with sport and PE for our students
South Adelaide Volleyball Club	As mentioned there is a lack of facilities available with more than 3 volleyball courts and also venues with sufficient runoff. We would like to see this turn into a long term partnership providing a volleyball hub for people of the southern suburbs.
Arista Marion Korfball Club	Having a central location for our members to train and play would be ideal. It would be great to have some storage space for our equipment as we are currently transporting our equipment to trainings each week. To be able to have a full size court for training and game day will be helpful for the development of players in preparation for international competition. Having a space that is suited to Korfball will help encourage participation and the growth of Korfball.

OTHER SUBMISSIONS

(Email, letters and phone calls)

Submissions by email

1. Gymnastics SA education would like to have discussion with Council of using the following spaces:
 - Function/multipurpose spaces
 - Commercial grade kitchen
 - Meeting rooms
 - Community centre
2. The Islamic Society of SA would like to discuss activities the upgraded Mitchell Park may facilitate.

ANALYSIS

In total ten (10) EOI submissions were received

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All ten submissions received have potential for further consideration and potential use of the Mitchell Park Facilities.

The next steps will be detailed analysis of the proposed times of use to see how the activities may be accommodated.

This will involve the development of a draft model of use with consideration of

- Existing user groups of the Mitchell Park Sports and Community Site
- South Adelaide and Basketball SA information
- EOI's Received

Once a draft model of use is available it will enable further discussion with each potential stakeholder and further discussion of suitable sustainable management arrangements for the facility.

It should be noted that due to the existing structures of some sports no EOI submissions have been received. For some sports competitions may need to be developed “in house” by the centre management. These activities include indoor netball and indoor soccer competitions. Analysis of participation rates indicates there is likely to be high demand for both of these activities and clubs are likely to organise teams into participate in competitions once they have been established. Allowances will be made for these sports in the facility use modelling.

In total the process has identified twelve (12) additional user groups to be considered for the Mitchell Park Sports and Community centre.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 DECEMBER 2017**

Originating Officer: Melissa Virgin, Assistant Financial Accountant
Corporate Manager: Ray Barnwell, Manager Finance & Contracts
General Manager: Vincent Mifsud, General Manager Corporate Services
Subject: Finance Report – October 2017
Report Reference: GC121217R16

REPORT OBJECTIVES AND EXECUTIVE SUMMARY:

This report provides Council with information relating to the management of financial resources under its control as at October 2017. 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. 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 – October 2017”**

12 December 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 2017/18 reporting has seen some minor changes introduced to improve the relevance and accuracy of the data provided. With a greater focus on budget timing from both an operating and capital perspective, we will no longer be including commitments in the year to date results (i.e. where an order is raised for a supplier, but the works have not been carried out or paid for). This is expected to result in more meaningful variance reporting, with budget timings continuing to be a focus in Council's budget review process.

The grouping of projects in the Capital Works graphs attached has also been refined to provide more accurate reporting.

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**(a) Edwardstown Oval Soldiers Memorial Recreation Ground**

	2017/18 Actual YTD 31/10/2017	2017/18 Budget	Project Cost At Completion
Income			
Federal Budget Grant Contribution	280,000	1,600,000	4,000,000
Total Income	280,000	1,600,000	4,000,000
Expenditure			
Operating	-	-	-
Capital Construction	(233,183)	(3,739,094)	(8,430,300)
Total Expenditure	(233,183)	(3,739,094)	(8,430,300)
Project Result Surplus/(Deficit)	46,817	(2,139,094)	(4,430,300)

The net deficit forecast will be funded in the following manner:

Funded By :	\$
(Over Project Life)	
Reserve Transfer	4,430,300
- Asset Sustainability Reserve	
	4,430,300

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.

(b) Mitchell Park Sports & Community Centre

There is a future project which will meet the criteria and is listed in the following table.

The Mitchell Park Sports & Community Centre project is subject to grant funding but currently proposed for 2018/19 year.

Project	Commencement subject to Grant Funding	Council Resolution	Budget
Mitchell Park Sports & Community Centre	2018/19	GC280616R07	\$19.75m

Reporting on this project budget 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 2017/18 means a targeted operating surplus of between \$0 and \$4.455m.

Comment: Council currently has a net operating surplus result of \$6.389m before capital revenues, against a year to date forecast budget of \$3.080m 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 40.66% of the year to date Capital Renewal Budget has been spent.

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 been detailed in the covering 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 2017/18 budget and principal repayments of \$1.197m mean that the overall loan liability balance is forecast to decrease by \$1.197m to \$7.905m at 30 June 2018.

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: Council's Reserves are detailed in the below table. Transfer to Reserves of \$4.555m and Transfers from Reserves of \$16.059m are forecast to occur in 2017/18, and after accounting for amounts quarantined for specific projects or works, there is \$10.494m available.

Reserves (\$000s)	Asset Sustainability Reserve							Open Space Reserve	Grants & Carryover Reserve	TOTAL ALL RESERVES
	Major Infrastructure Failure	General	Walking & Cycling	Energy Efficiency	Major New Projects	CFPP	TOTAL ASR			
Opening Balance	2,000	4,541	200	40	4,197	4,653	15,631	1,188	13,698	30,517
Budgeted transfers to reserve	0	0	200	40	2,138	2,155	4,533	22	0	4,555
Budgeted transfers from reserve	0	(405)	0	(80)	(2,100)	(539)	(3,124)	0	(12,935)	(16,059)
Current Budgeted Closing Balance	2,000	4,136	400	0	4,235	6,269	17,040	1,210	763	19,013
Quarantined Funds	(2,000)	(3,313)	0	0	(2,175)	(268)	(7,756)	0	(763)	(8,519)
Projected Available Balance	0	823	400	0	2,060	6,001	9,284	1,210	0	10,494

The 2017/18 1st budget review forecasts a net cash surplus of \$26k.

*CFPP: Community Facilities Partnership Program

Funding Statement
Per Third Budget Review
as at 31 October 2017

Original Adopted Budget \$'000	Carryovers \$'000	1st Budget Review Variance \$'000		YTD Actual \$'000	YTD Budget \$'000	YTD Variance \$'000		Annual Budget + Carryovers \$'000	Note
Operating Revenue									
74,897	-	33	Rates	25,453	25,307	146	F	74,930	A
1,812	-	155	Statutory Charges	1,026	995	31	F	1,967	
1,752	-	37	User Charges	541	486	55	F	1,789	
5,509	-	1,663	Operating Grants & Subsidies	2,427	2,229	198	F	7,172	B
754	-	-	Investment Income	232	311	(79)	U	754	
681	-	(3)	Reimbursements	253	151	102	F	678	C
1,233	-	236	Other Revenues	341	231	110	F	1,469	D
334	-	-	Net gain - SRWRA	-	-	-	-	334	
86,972	-	2,121		30,273	29,710	563	F	89,093	
Operating Expenses									
34,014	-	(1)	Employee Costs	9,593	10,534	941	F	34,013	E
17,326	895	193	Contractual Services	5,188	5,955	767	F	18,414	F
5,044	5	60	Materials	1,440	1,804	364	F	5,109	G
545	-	(4)	Finance Charges	(23)	(23)	-	-	541	
17,030	-	75	Depreciation	5,557	5,568	11	F	17,105	
8,005	-	287	Other Expenses	2,129	2,792	663	F	8,292	H
81,964	900	610		23,884	26,630	2,746	F	83,474	
5,008	(900)	1,511	Operating Surplus/(Deficit) before Capital Revenues	6,389	3,080	3,309	F	5,619	
Capital Revenue									
1,710	-	(1,600)	Capital Grants & Subsidies	43	-	43	F	110	
1,500	-	-	Contributed Assets	-	-	-	-	1,500	
-	-	-	Gain/(Loss) on Asset Disposal	54	-	54	F	-	
3,210	-	(1,600)		97	-	97	F	1,610	
8,218	(900)	(89)	Net Surplus/(Deficit) resulting from operations	6,486	3,080	3,406	F	7,229	
17,030	-	75	add Depreciation	5,557	5,568	(11)		17,105	
(334)	-	-	less Share of Profit SRWRA (excluding dividend)	-	-	-		(334)	
24,915	(900)	(14)	Funding available for Capital Investment	12,043	8,648	3,395	F	24,001	
Capital									
	900								
14,766	1,992	715	less Capital Expenditure - Renewal	2,434	5,986	3,552	F	17,473	I
10,561	4,761	(13)	less Capital Expenditure - New	1,612	4,383	2,771	F	15,309	J
1,500	-	-	less Capital - contributed assets	-	-	-	-	1,500	
		-	add Proceeds from Sale of Surplus Assets			-	-		
(1,912)	(7,653)	(716)	Net funding increase/(decrease)	7,997	(1,721)	9,718	F	(10,281)	

Original Adopted Budget \$'000	Carryovers \$'000	1st Budget Review Variance \$'000		YTD Actual \$'000	YTD Budget \$'000	YTD Variance \$'000	Annual Budget + Carryovers \$'000	Note
Funded by								
		-	Loans					
-	-	-	Loan Principal Receipts (Net)	-	-	-	-	
-	-	-	Loan Receipts/(Payments) from Sporting Clubs (Net)	-	-	-	-	
(1,197)	-	-	Loan Principal Repayments		-	-	(1,197)	
(1,197)	-	-	Loan Funding (Net)	-	-	-	(1,197)	
Movement in level of cash, investments and accruals								
-	-	26	Cash Surplus/(Deficit) funding requirements	19,523	9,805	9,718	26	
(3,109)	(7,653)	(742)	Reserves Net - Transfer to/(Transfer from)	(11,526)	(11,526)	-	(11,504)	
(3,109)	(7,635)	(734)	Cash/Investments/Accruals Funding	7,997	(1,721)	9,718	(11,478)	
Funding Surplus/(Deficit)								
-							-	
1,912	7,653	716	Funding Transactions	(7,997)	1,721	(9,718)	F 10,281	K

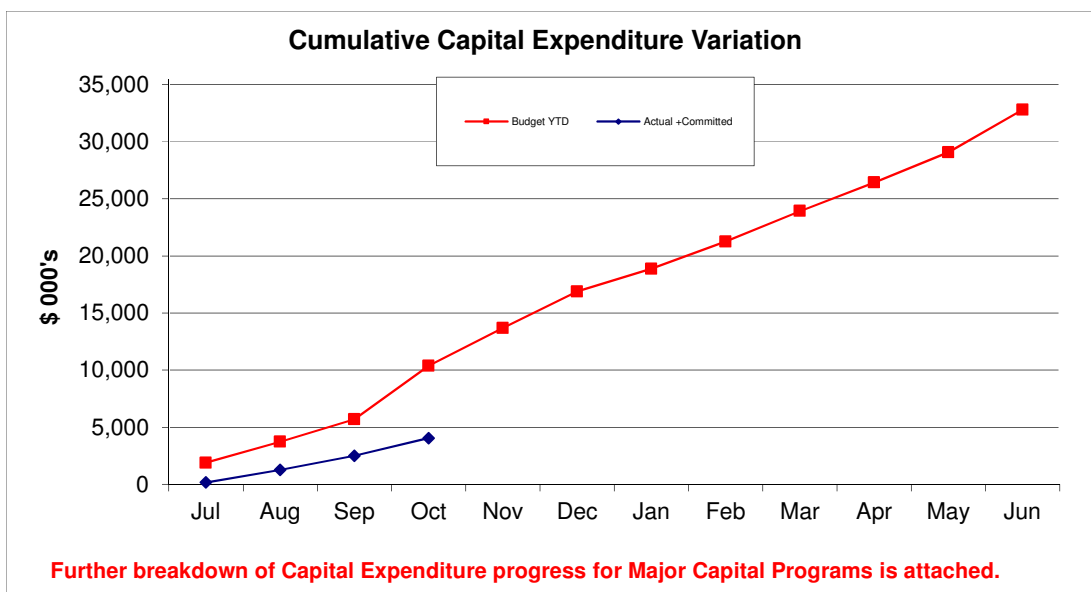
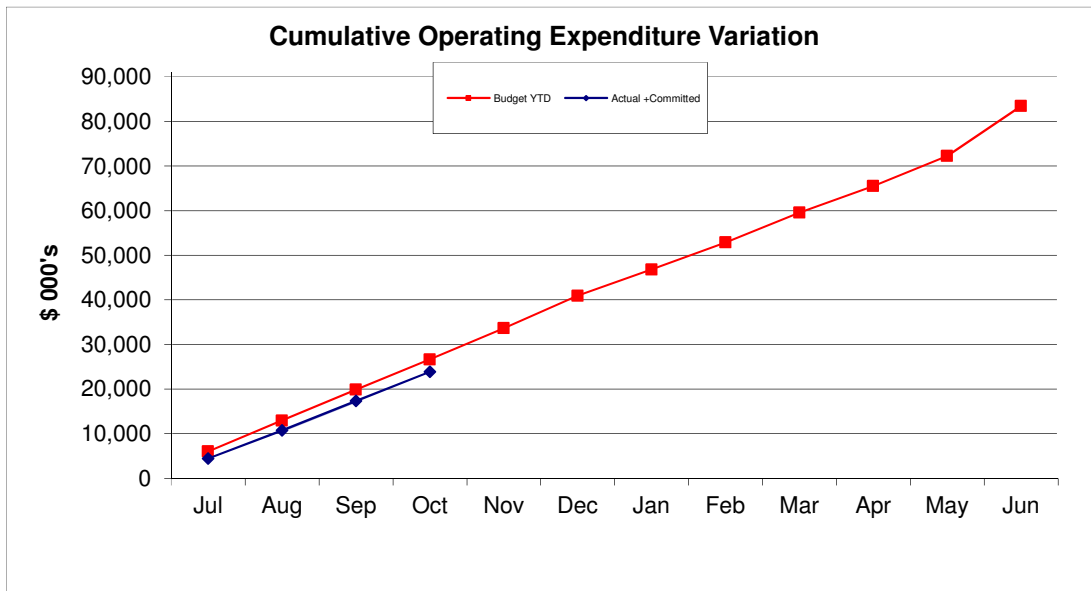
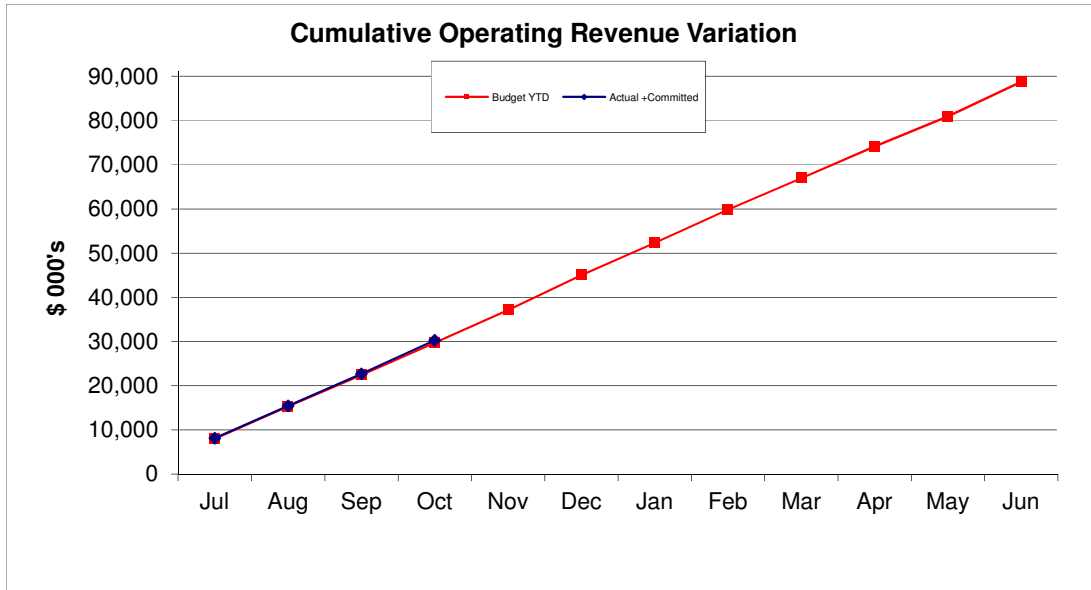
Variation Notes

A	Rates	Favourable \$146k	Reflects budget timing variation with regards to granting of Rate Rebates.
B	Operating Grants & Subsidies	Favourable \$198k	Reflects budget timing variations with regards to receipt of Roads 2 Recovery funding and State Government subsidies.
C	Reimbursements	Favourable \$102k	Predominately reflects unbudgeted Insurance Reimbursements (\$64k) and a number of variances which are individually insignificant.
D	Other Revenues	Favourable \$110k	Predominately reflects budget-timing variations in relation to a contribution to be received from Onkaparinga Council for the Southern Adelaide Small Business Advisory Service.
E	Employee Costs	Favourable \$941k	Predominantly reflects budget-timing variations and savings from temporarily vacant positions and forecast EA increases for outdoor staff, still in negotiation.
F	Contractors	Favourable \$767k	Predominantly reflects budget-timing variations relating to Waste Contractor (\$123k), Cleaning agreements (\$56k), Lease Payments (\$69k), Tree planting program (\$62k), Reserve Maintenance (\$55k), On-line Booking System (\$50k) and a number of variances which are individually insignificant.
G	Materials	Favourable \$364k	Predominantly reflects budget-timing variations with regards to Electricity (\$204k), Water (\$66k), Fuel/Oil (\$36k) and a number of other variances which are individually insignificant.
H	Other Expenses	Favourable \$663k	Predominately reflects budget timing variations with regards to Insurance premiums (\$264k), Contributions expense (\$135k), State Government levies (\$86k) and a number of other variances which are individually insignificant.
I	Capital Expenditure (Renewal)	Favourable \$3,552k	Predominantly reflects budget timing variations with regards to Fleet replacement (\$1,475k), Edwardstown Oval Soldiers Memorial Recreation Ground (\$1,025k) and a number of other variances which are individually insignificant.
J	Capital Expenditure (New)	Favourable \$2,771k	Predominantly reflects budget timing variations with regards to the Sam Willoughby International BMX track (\$762k), Solar options for Marion (\$274k), and a number of other variances which are individually insignificant.
K	Funding Transactions	Favourable \$9,718k	This variance is the sum total of all variances and reflects an increase against council's expected YTD cash position.

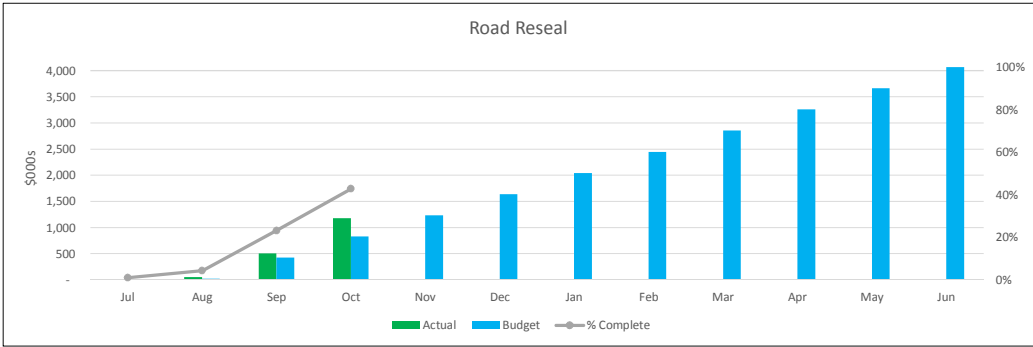
The above comments referring to budget timing variations are where some monthly budget estimates are not reflective of the actual expenditure patterns as at the reporting date.

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.

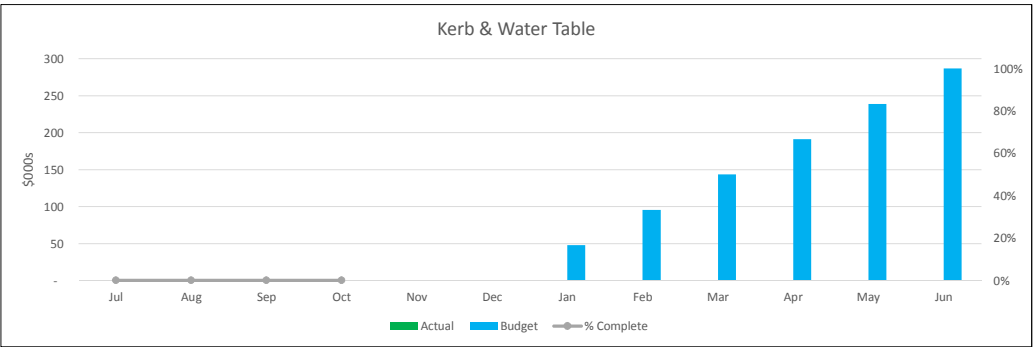
Funding Statement Cumulative Position - 2017/18



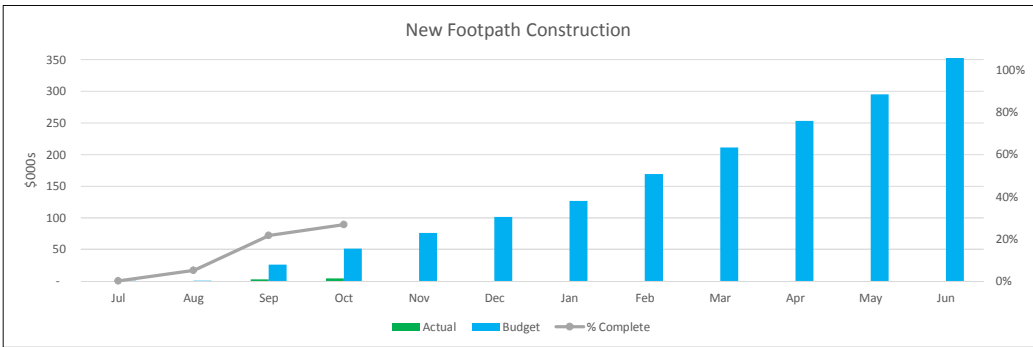
Capital Construction Progress - 2017/18



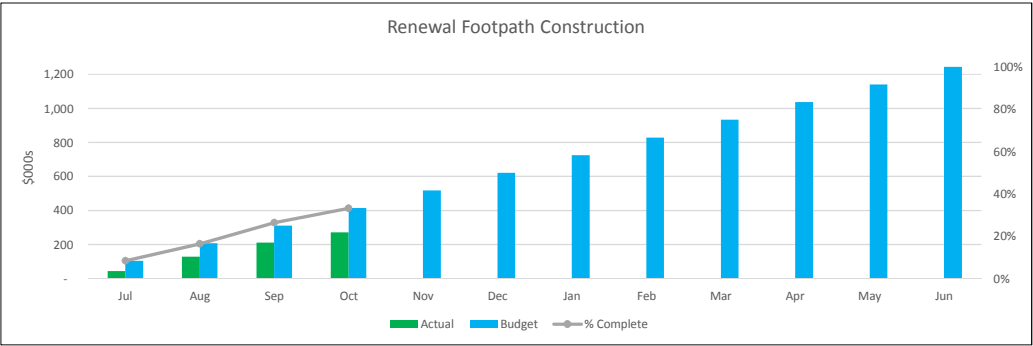
- Program commenced and progressing well with 43% complete.



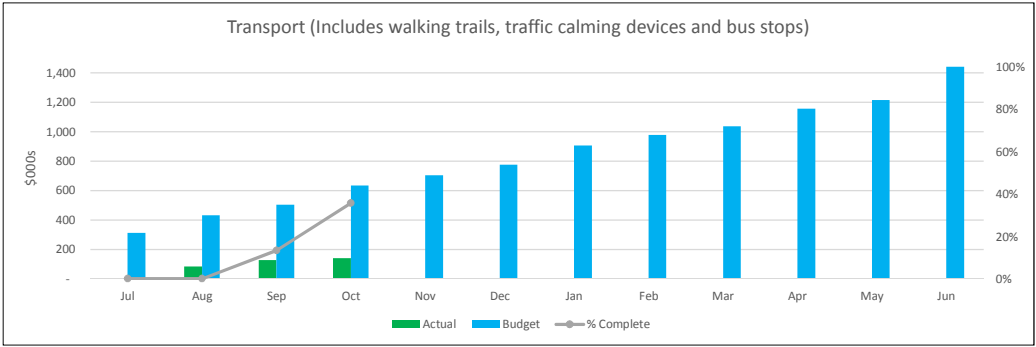
- Program is to be based upon condition assessment results. Works expected to commence in January 2018.



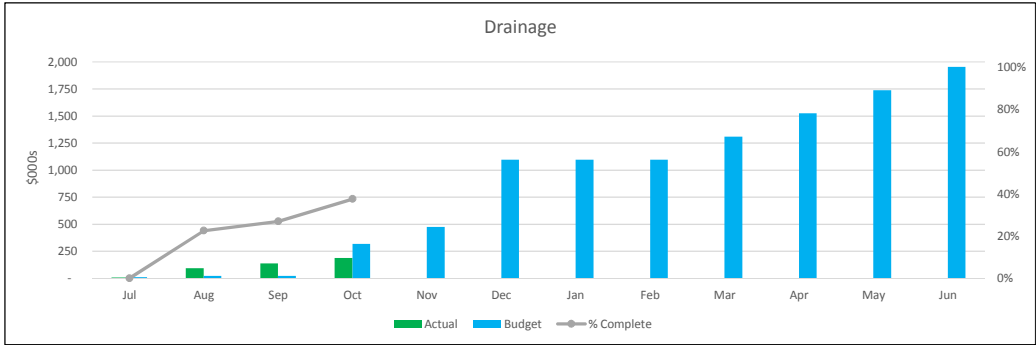
- Program commenced - 27% complete.



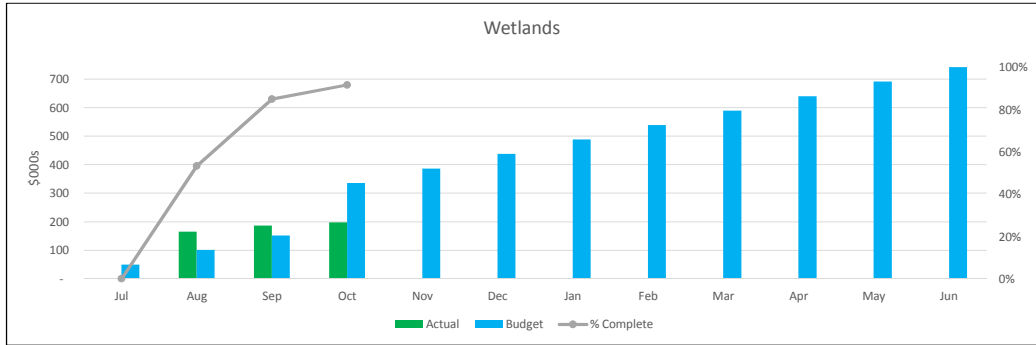
- Program commenced - 33% complete.



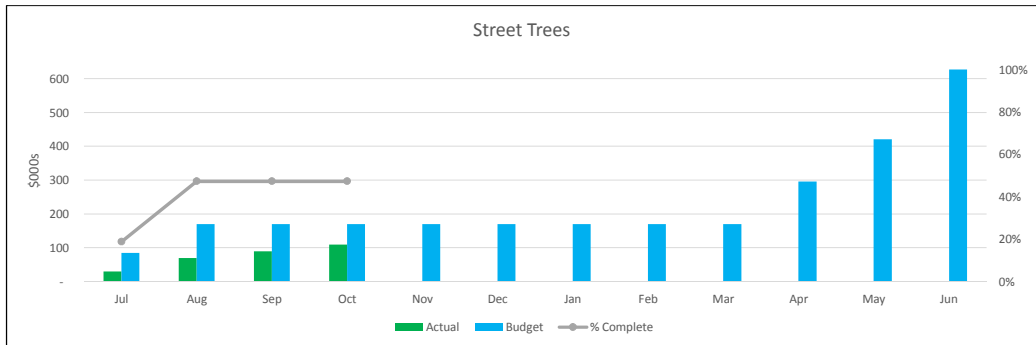
- Sturt Linear Path works and Bus stops are in progress.
- Ramrod Avenue tender has been awarded with works set to commence end of November.



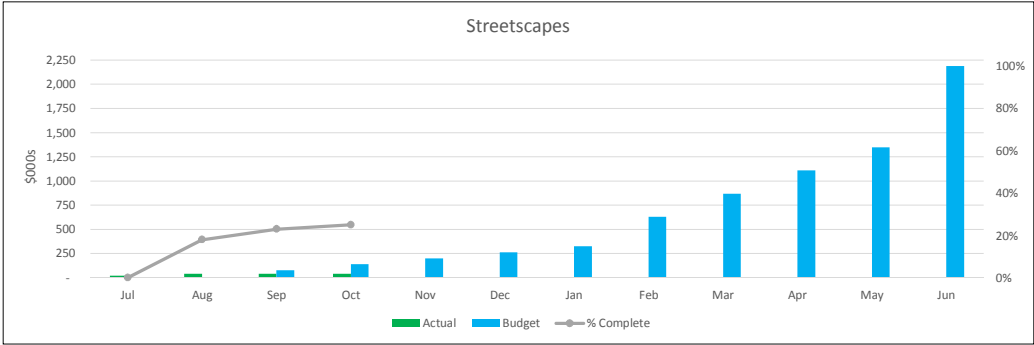
- Melanto Terrace and Gowrie Avenue complete
- Coolah Terrace and Francis Avenue/ Helmsdale Avenue are in progress. Mitchell Street tender has been awarded.



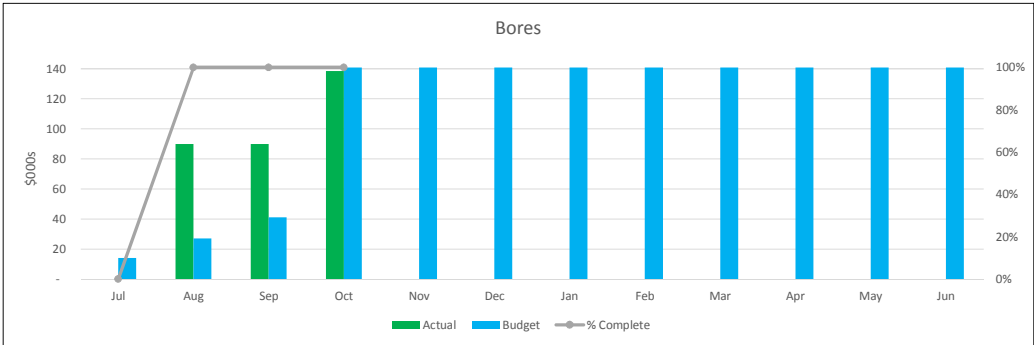
- Works are in progress on stage 3 of the Glade Crescent Wetland.



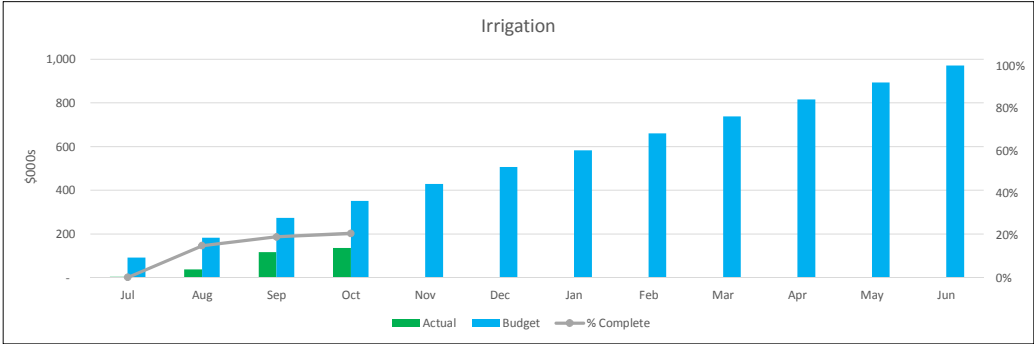
- Program has commenced with 662 street trees planted. Planting to recommence in April.



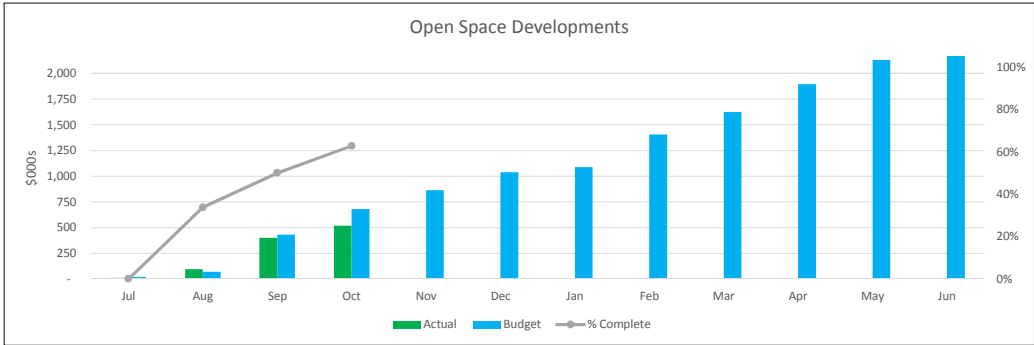
- Charles Street complete, Ramrod Avenue tender has been awarded. Remainder of program scheduled to commence in February 2018.



- Emergency works required for Golf Club bores are now complete.



- Program commenced - 21% complete.



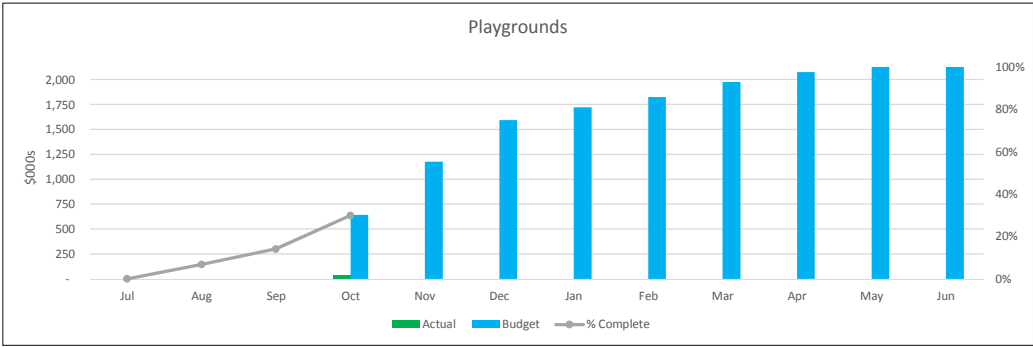
- Program commenced - 63% complete

Completed

- Clovelly Park Reserve Shade Sails
- Edwardstown Oval Open Space Improvements
- Glade Crescent Reserve Shade Sails

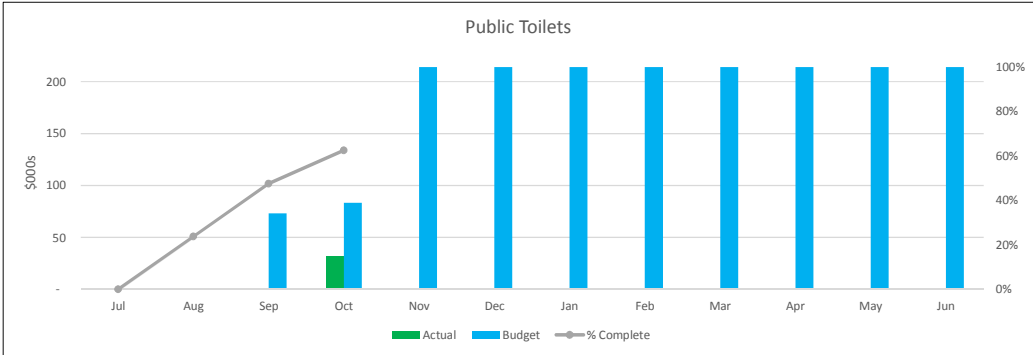
In Progress

- Youth Plaza Oaklands Wetlands Stage 2
- Heron Way Reserve Stage 5 - Amphitheatre
- Heron Way Reserve Stage 4 - Playground
- Capella Reserve Precinct Plan
- Reserve Street Reserve Shelter
- Jervois Street Reserve Shelter

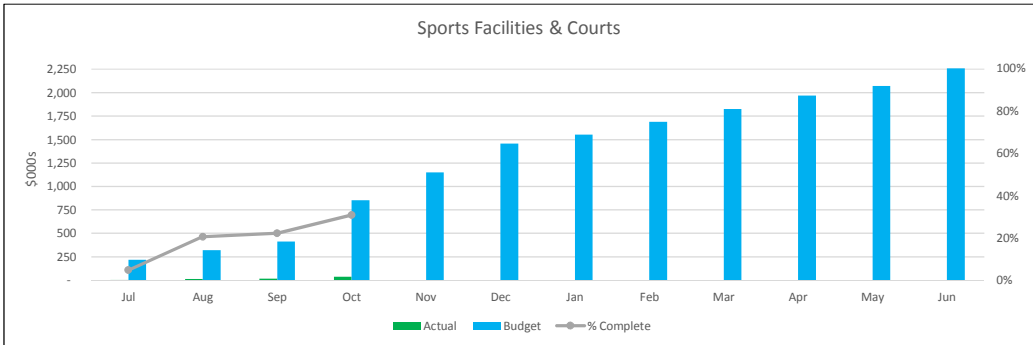


- Program commenced - 30% complete

- In Progress**
- Appleby Reserve, Gully Road, Clare Avenue, Breakout Creek (YMCA), Sixth Avenue and Bandon Terrace Playgrounds
 - Hendrie Reserve Inclusive Playground



- Exeloo for Heron Way has been installed with Gully Road due to arrive in November. Hendrie Reserve Exeloo has been ordered.
- Reserve Street waiting on SA Water to connect sewer.

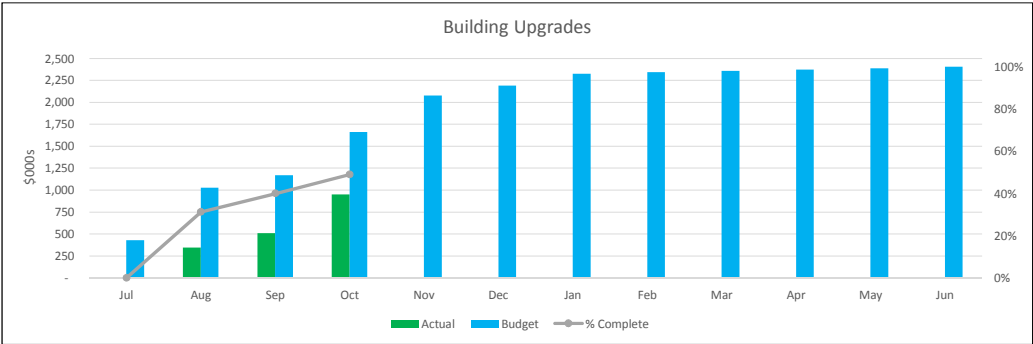


- Program commenced - 31% complete

- Completed:**

 - Ascot Park Bowling Fence
 - Stanley Street Tennis Court Renewal
 - Cosgrove Hall Winches
 - Clovelly Park Tennis Club Line Marking and Kitchen
- In Progress:**

 - Marion Club Carpark
 - Warradale Tennis Club Clubroom Works
 - Marion Golf Park Car Park
 - Marion Leisure and Fitness Carpark



- Program commenced - 49% complete

- Completed**

 - Solar panels for Cove, Cooinda, LKCC and Glandore
 - Marion Outdoor Swimming Centre Water Slide
 - Marion Outdoor Swimming Centre Upgrade - Umbrella
 - Marion Outdoor Swimming Centre Shade Sail Replacement
 - Clovelly Park Community Hall - Female Toilet
 - Marion Outdoor Swimming Centre Storeroom Linings
 - Solar Installation for Marino Community Hall
- In Progress**

 - Marion Cultural Centre Sign
 - Energy Efficiency Projects
 - Glandore Laneways
 - Coastal Walking Trail Renewal
 - Fitzjames Building

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	12,824.14	12,669.14	.00	.00	.00	155.00	0%	Made up of 1 out of 4 debtors.
Neighbourhood Centres Total	24,189.50	18,365.00	2,433.00	670.00	.00	2,721.50	6%	Made up of 4 out of 18 debtors in this category with one of these totalling \$1,840.00. Two account totalling \$850.00 have subsequently been settled in November.
Regulatory Services Land Clearing Total	3,233.81	.00	.00	.00	.00	3,233.81	7%	Made up of 6 debtors. Discussion for setting up a payment plan is in progress for one debtor totalling \$1,725.35. One account totalling \$240.79 has subsequently been settled in November.
City Property Facilities Total	48,099.87	34,927.50	3,975.05	1,463.99	3,253.15	4,480.18	9%	Made up of 4 out of 27 debtors in this category with two of these totalling \$3,368.15. One account totalling \$950.00 is being sent to the debt collectors due to payment plan not being met. An instalment of \$186.79 has been made on another account.
Civil Services Private Works Total	38,857.00	9,095.00	908.00	4,456.00	1,125.00	23,273.00	48%	Made up of 15 out of 32 debtors in this category, with two of these totalling \$4,120.00 relating to works not commenced, awaiting payment, with none of the remainder being individually significant. One account totalling \$725.00 is on a payment plan which is being met. Two accounts totalling \$3,790.00 have subsequently been settled in November.
Swim Centre Debtors Total	549.60	240.00	118.00	.00	.00	191.60	0%	Made up of 1 out of 4 debtors.
Grants & Subsidies Total	539,597.53	183,172.53	356,425.00	.00	.00	.00	0%	
Environmental Health Inspections Total	11,542.90	3,024.20	2,296.70	472.00	578.00	5,172.00	11%	Made up of 42 out of 89 debtors in this category, with none individually significant.
Regulatory Services Other Total	10,717.00	1,876.00	.00	1,273.00	1,072.00	6,496.00	13%	Made up of 66 out of 116 debtors in this category, one account totalling \$1,471.00 is on a payment plan which is being met. Two accounts totalling \$134.00 have subsequently been settled in November.
Development Services Total	1,891.50	.00	.00	.00	.00	1,891.50	4%	Made up of all debtors in this category, with none individually significant.
Living Kaurna Cultural Centre Total	7,699.00	2,173.30	4,469.70	112.50	.00	943.50	2%	Made up of 5 out of 14 debtors, with none individually significant. One account totalling \$76.50 has subsequently been settled in November.
Local Government Total	73,436.11	71,346.61	2,089.50	.00	.00	.00	0%	
Economic Development Total	6,160.00	6,160.00	.00	.00	.00	.00	0%	
Marion Cultural Centre Total	4,754.70	4,534.70	220.00	.00	.00	.00	0%	
Total	783,552.66	347,583.98	372,934.95	8,447.49	6,028.15	48,558.09		
Total Aging Profile		44%	48%	1%	1%	6%		

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.

*any category that does not have any outstanding invoices will not be displayed.

Rates Report - Collection of Rates to 31 October 2017

ANALYSIS OF OUTSTANDING RATES AS AT 31 OCTOBER 2017

	<u>Note</u>		% of Total Annual Rates
CURRENT	1	\$ 47,519,178	63.9%
OVERDUE	2	\$ 670,678	0.9%
ARREARS	3	\$ 1,526,365	2.1%
INTEREST	4	\$ 76,890	0.1%
POSTPONED	5	\$ 167,595	0.2%
LEGALS	6	\$ 26,985	0.0%
		\$ 49,987,691	67.2%
TOTAL ANNUAL RATES FOR 2017/18		\$ 74,378,692	

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: Interest

Interest represent the fines and interest applied to overdue rates and rates in arrears.

Note 5: 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 6: 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
12 DECEMBER 2017**

Originating Officer: Sherie Walczak, Unit Manager Risk

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: WHS Monthly Performance Report – October & November 2017

Report Reference: GC121217R17

REPORT OBJECTIVE

The objective of this 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 target of a 25% reduction of the Lost Time Injury Frequency Rate (LTIFR) from the previous year.

DISCUSSION

Targets and performance indicators have been established in order to measure the continual improvement of the program. Performance against these targets are measured in two ways:

- positive performance indicators (PPI's); and
- lag performance indicators (LPI's) which are both outlined in Appendix 1.

The current LTIFR is 7.4 which is equal to the 7.4 LTIFR reported at the same time last year. The Total Recordable Incident Frequency Rate represents a 27% reduction which is a commendable achievement, but highlights that an increased focus is required on hazard management with the aim to prevent injuries before they occur, in addition to the continued focus on the way in which we manage injuries.

CONCLUSION

The 62.5% reduction in Lost Time Injuries over the 2016/17 reporting period has been a significant improvement for the City of Marion as it continues in its commitment to place the community and safety at the forefront of everything we do in line with our corporate values. To date we are reporting an equal LTIFR to the 2016-17 period however, last year's statistic excludes two undetermined claims. Therefore, we are still on track to achieve Council's KPI of 25% or greater reduction in LTIFR, compared to the end of the 2016-17 reporting period and increasing the focus on hazard management will assist to achieve this.

APPENDICES

Appendix 1: Positive and Lag Performance Indicators

RECOMMENDATION

That Council notes the report and statistical data contained therein.

DUE DATE

12 December 2017

The Think Safe Live Well program's vision is **"Zero harm with enhanced wellbeing"** and focuses on further developing our leadership styles, organisational 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

POSITIVE PERFORMANCE INDICATORS

Hazard and Near Miss Reports

Historical statistics inform us that when there is a healthy culture of Hazard/Near Miss Reporting, there is a consequential reduction in injuries to Workers. Hazards and Near Misses are reported to date for this financial year and are outlined in Table 1 and can be compared against those reported last financial year which are outlined in Table 2.

Table 1: Hazard and Near Miss Reports - Financial Year 2017-18

Jul-17	Aug-17	Sep-17	Oct-17	Nov-17	Dec-17	Jan-18	Feb-18	Mar-18	Apr-18	May-18	Jun-18	Total
21	14	11	9	8								46

Table 2: Hazard and Near Miss Reports - Financial Year 2016-17

Jul-17	Aug-17	Sep-17	Oct-17	Nov-17	Dec-17	Jan-18	Feb-18	Mar-18	Apr-18	May-18	Jun-18	Total
10	4	15	13	13	11	3	15	17	3	4	8	116

Completion of actions against the LGA Action Plan

Periodically, the LGAWCS conducts an audit to test conformance of Council's WHS Management System against Return to Work SA's Performance Standards for Self Insurers. In response, Council sets an action plan which outlines the commitment to addressing non-conforming elements by October each year and the cumulative performance against this plan is outlined in Table 3.

Table 3: LGAWCS Action Plan – Calendar Year 2017

Jan-17	Feb-17	Mar-17	Apr-17	May-17	Jun-17	Jul-17	Aug-17	Sep-17	Oct-17	Total
12%	15%	27%	33%	33%	42%	54%	63%	76%	96%	96%

50 of 52 actions were completed prior to the end of October submission date. The two outstanding items were delayed through final production stages and will be implemented in November.

LAG PERFORMANCE INDICATORS

Lost Time Injuries Reported

Lost Time Injuries (LTI's) are those injuries where a whole work day or more has been lost due to a workplace injury. LTI's reported to date for this financial year are outlined in Table 4 and can be compared against those reported last financial year which are outlined in Table 5.

Table 4: Number of LTI's per month - Financial Year 2017-18

Jul-17	Aug-17	Sep-17	Oct-17	Nov-17	Dec-17	Jan-18	Feb-18	Mar-18	Apr-18	May-18	Jun-18	Total
0	1	0	0	1								2

Table 5: 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	0	1	0	0	2	0	7

Individual LTI's reported for 2017/18 are outlined in Table 6 below :

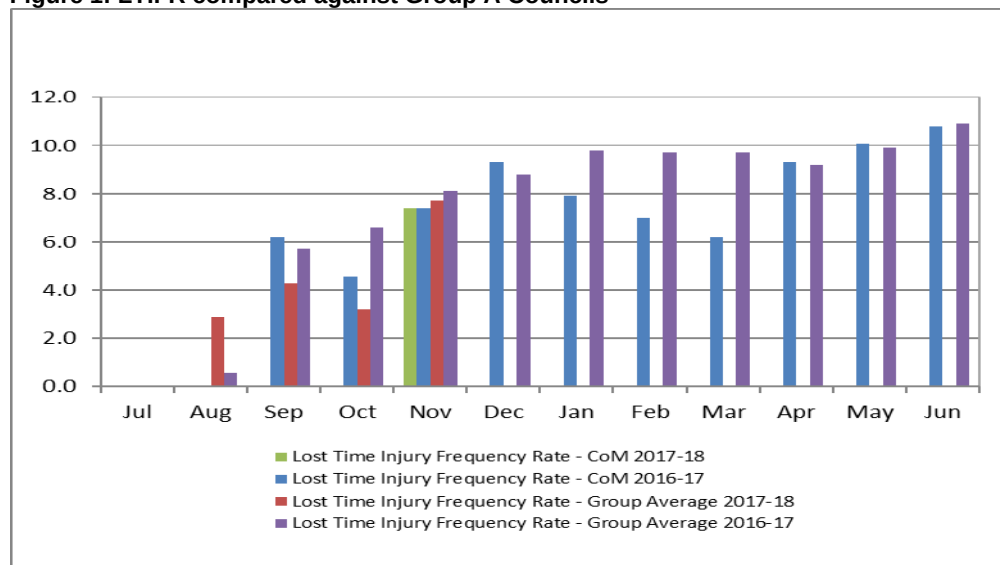
Table 6: Outline of LTI's reported - Financial Year 2017-18

No.	Description of Incident	Mechanism of Injury	Injury Description
1	Trip and fall over chain and post fence	Fall on same level	Left shoulder injury
2	Surged forward as vehicle braked suddenly	Forward motion stopping abruptly	Muscular stress in lower back

Lost Time Injury Frequency Rate

Lost Time Injury Frequency Rate (LTIFR), is an industry standard tool for measuring LTI's within a given reporting period which enables comparison to other organisations. Council's LTIFR is outlined in Figure 1, from the LGA's Member Portal data once claims have been determined and can be measured and monitored against our industry counterparts being the Group A Councils (¹GaC).

Figure 1: LTIFR compared against Group A Councils

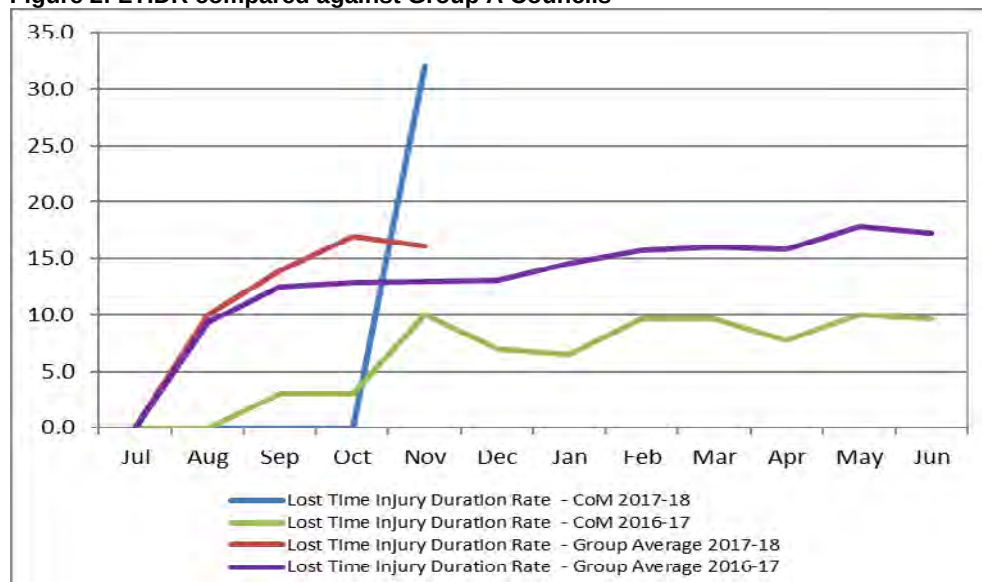


The current LTIFR for the City of Marion (which is represented in green) is 7.4 which represents two LTIs reported to date is just below the industry comparison LTIFR rate of GaCs of 7.7.

Lost Time Injury Duration Rate

The Lost Time Injury Duration Rate (LTIDR), is an industry standard tool for measuring the average days lost from LTI's within a given reporting period which enables comparison to other organisations. Council's LTIDR is outlined in Figure 2, from data sourced from the LGA's Member Portal once claims have been determined and can be measured and monitored against our industry counterparts being the GaC.

Figure 2: LTIDR compared against Group A Councils



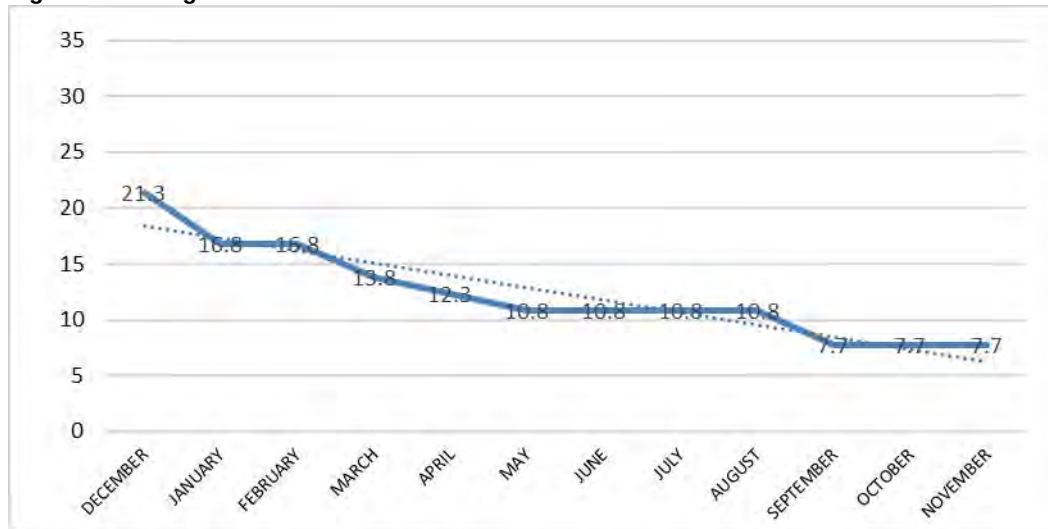
The current LTIDR for the City of Marion is 32.0 which is well above the industry comparison LTIDR rate of GaCs of 16.1. Historically, we have consistently recorded a lower duration rate than GaCs however the LTI sustained in August 2017 required surgery resulting in significant time away from the workplace to enable recovery.

¹ GaC are metropolitan councils with more than 300 staff (Marion, Adelaide, Charles Sturt, Onkaparinga, Playford, Port Adelaide Enfield, Salisbury and Tee Tree Gully).

Rolling Lost Time Injury Frequency Rate

Rolling LTIFR, outlined with a solid blue line in Figure 3 from internal incident report data, provides analysis of the average LTIFR over the last 12 months. The dotted blue 'median' line tracks the downward trend.

Figure 3: Rolling LTIFR



The current rolling LTIFR for the City of Marion is 7.7, which represents a 64% reduction over the previous 12 months.

Rolling Total Recordable Incident Frequency Rate

Total Recordable Incidents include fatalities, LTI's and incidents resulting in the employee receiving medical treatment and/or is certified as only fit to undertake suitable duties. The Rolling Total Recordable Incident Frequency Rate (TRIFR), outlined with a solid green line in Figure 4 from internal incident report data, provides analysis of the average TRIFR over the last 12 months. The dotted green 'median' line tracks the downward trend.

Figure 4: Rolling TRIFR



The current rolling TRIFR for the City of Marion is 24.2 which represents a 27% reduction over the previous 12 months.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 DECEMBER 2017**

Notice Received from: Councillor Raelene Telfer

Subject: Upgrade of Playgrounds

Ref No: GC121217M01

MOTION:

That flyers and advertising brochures for the upgrade of playground, as part of community consultation and engagement, include the proposed cost of the playground.

COMMENTS: Councillor Telfer

Discussion by Elected Members has been around giving local communities an understanding of the cost of an intended local, neighbourhood, regional or destination playground. The budget of \$10 million over 10 years for new and upgraded playgrounds, the cost of shade at \$2.25 million plus maintenance, and the proposed destination playground of \$4 million, defines Council's commitment to playgrounds. As well, the contribution offset from any sale of nearby, under-utilised, open space reserves, towards new playgrounds will create in our community greater understanding of Council's contribution to playgrounds and also Council's financial limitations to quantity and standard of any playground.

COMMENTS: Rebecca Deans, Open Space and Recreation Planner

The estimated costs of upgrade of playgrounds can be included on consultation and engagement material.

Flyers and surveys distributed in November 2017 were updated to reflect this change.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 DECEMBER 2017**

Notice Received from: Councillor Tim Pfeiffer
Subject: Dog On-Leash Provisions
Ref No: GC121217M02

MOTION:

That the dog on-leash provisions at Dumbarton Avenue Reserve in Edwardstown be revoked.

COMMENTS: Councillor Pfeiffer

On 10 November 2015, Council endorsed an “Expansion of nominated dog on leash areas with all other areas being designated as dog exercise (dog off leash).”

This resolution created 98 dog on-leash parks across the City of Marion. It is important to note that the resolution was made without conducting any formal community consultation.

While the decision was made more than two years ago, the associated signage has only recently begun appearing at some sites.

There is a group of up to 40 residents that exercise their dogs off-leash most days at Dumbarton Avenue Reserve. This reserve was changed to become a dog on-leash reserve as a result of the previous resolution, and the signs have only appeared in recent weeks.

In my personal experience, the group of residents who allow their dogs to exercise off-leash at Dumbarton Avenue Reserve are considerate and respectful. Dogs that I have witnessed at the site have been maintained under effective voice control.

Dumbarton Avenue Reserve has a playground, which is anecdotally receiving less usage now that the new Edwardstown Oval playground and Jervois Street playgrounds are in place (which are effectively either side of this reserve). Dog owners that I have witnessed have been vigilant about keeping dogs away from the playground.

It is likely that our dog on/off leash provisions will be brought back to Council for review in February. However, in the meantime (over the Summer and holiday period) there are very few fully fenced areas in the northern City of Marion that can be used to exercise dogs off-leash.

It is only recommended that an adjustment is made at this site for the present, due to the immediacy of the challenge for existing users. The remainder of the policy and associated implications can be considered in February 2018, as scheduled.

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

At the General Council Meeting held on 10 November 2015 (GC101115R04), Council resolved to expand nominated dog on leash areas. A list of the dog exercise off-leash and on-leash areas was posted on the City of Marion's website. Dumbarton Avenue Reserve, Edwardstown was included in this list as a designated dog on-lease area.

When Council made the resolution to expand nominated dog on leash areas, Council also endorsed funding to implement this change, including the installation of signs in affected parks and reserves. The requirement for this funding was placed on Council's unfunded priorities list, with funding being allocated in May 2016 and carried forward to the 2016/2017 financial year. Signage was installed in affected parks and reserves during the 2016/2017 financial year.

It has come to light that signage was not installed at Dumbarton Avenue Reserve, Edwardstown during the 2016/2017 financial year, but was installed several weeks ago.

An audit is being undertaken to ensure all signage as per the resolution in November 2015 is correct and that any conflicting/old signage has been removed.

Should Council endorse this Motion that dog on-leash provisions at Dumbarton Avenue Reserve, Edwardstown be revoked, then dogs could be off-leash in the reserve under "effective control" under the Dog and Cat Management Act, 1995 (SA). Dogs would however, be required to be on-leash within 5 metres of children's play equipment in the reserve, in accordance with Council's By-Law number 4 – Dogs.

At the 10 November 2015 General Council meeting, Council requested a review be undertaken of the changes to dog on/off leash areas twelve months after full implementation. A report will be brought to Council in February 2018.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 DECEMBER 2017**

Notice Received from: Councillor Jason Veliskou
Subject: Leaflet Advertising on Car Windscreens
Ref No: GC121217M03

MOTION:

That a report be provided to council outlining the options available for council to restrict (totally or partially) leaflet advertising on car windscreens. That this report look at if powers extend to both public land and private land like shopping centres, even if allowed by consent of landowner.

COMMENTS: Councillor Veliskou

This is essentially a litter issue. Public places within council where cars are parked in bulk and for long periods attract leaflets on windscreens. Sadly this ends up flying off or discarded by the driver as litter in the street or centre. Council can look at other ways (appropriate) local businesses can be assisted to advertise.

COMMENTS: Sharon Perin, Unit Manager Community Health and Safety

Complaints regarding the distribution of leaflet advertising on car windscreens are dealt with under the Local Nuisance and Litter Control Act, 2016 (SA). The Act provides for whoever distributed, or authorised the distribution of the leaflet to be responsible and possibly guilty of an offence. Community Safety Inspectors can issue an Expiation Notice for an offence, with an expiation fee of \$315. If a person was to be successfully prosecuted in court, the maximum penalty is \$10,000.

Community Safety Inspectors also take a proactive approach, whereby if they see litter from a large number of leaflets on the ground and the person or business is able to be identified, they contact the business or person. This includes advising businesses of more appropriate ways of advertising. Businesses are able to advertise through moveable (A Frame) signs and are able to apply for development approval for larger and/or more permanent signs.

Council is not able to prohibit the distribution of leaflets on property, including vehicles, where the owner of the property has given permission for the leaflets to be distributed. If the owner of private land gave permission for the distribution of leaflets, for example in a shopping centre carpark, Community Safety Inspectors would still investigate a complaint where a person complained about a leaflet being placed on their vehicle.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 DECEMBER 2017**

Notice Received from: Councillor Nick Kerry
Subject: State Wide Industrial Relations Agreements
Ref No: GC121217M04

MOTION:

That Marion Council at the next LGA meeting ask the following

**Local Government Association to take the lead on managing industrial relations.
& negotiate 1 statewide agreement with Indoor staff ie ASU & 1 statewide agreement
with outdoor staff ie AWU.**

COMMENTS: Councillor Kerry

There is a broader context to all this. It's a story of local government waste. There are 68 councils in this state. For decades, each has negotiated its own enterprise agreements for its indoor and, separately, outdoor staff.

Effectively, this means 136 agreements are negotiated every three years or so. It is a huge burden on the time and resources of every council.

A more efficient approach to all this would be for the Local Government Association to take the lead on managing industrial relations.

They are the organisation representing the entire sector.

In effect, the LGA could negotiate just four separate enterprise agreements every two years. One for indoor staff and one for outdoor staff in metropolitan Adelaide and the same for regional South Australia.

This would regularly save over \$1 million across SA in terms of management time (or consultants).

COMMENTS: Steph Roberts, Manager Human Resources

In pursuit of greater efficiencies and cost savings, the Local Government Association (LGA) is already investigating whether there is a better way of undertaking enterprise agreement negotiations including a significant level of alignment in the workforce (11,000 strong).

We have sought an update from the LGA regarding an overview of where the project is at. Following is the summary received:

The LGA appointed an Employee Relations Specialist (Grant Waldron) to undertake a feasibility study (now completed) to evaluate the value of establishing a common alignment through an industry framework that may include modernising the current enterprise agreements.

As highlighted in Councillor Kerry's comments, the current approach to enterprise agreements could be significantly improved, resulting in a reduction of costs to local government. The findings of the LGA's initial evaluation support Councillor Kerry's comments, and the LGA is now progressing its 'Workforce Alignment' project to its second phase. This will involve determining sector wide industrial relations priorities and then providing the sector with an industrial relations framework that delivers sector efficiencies, economies of scale, reduced IR related costs, implements IR best practices and eliminates duplication of effort.

If Members still wish to progress with the motion, please note that it would need to be considered at the LGA General Meeting in April 2018 and may be considered as a duplicate motion.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 DECEMBER 2017**

Question Received from: Councillor Jason Veliskou

Subject: Use of Drones

Reference No: GC121217Q01

QUESTION:

1)What are the current rules regarding the use of drones?

Are there different rules in regards to drones flying over private property, council land such as parks, council roads and footpaths, federal and state public lands such as parks roads etc, sensitive sites and private land not owned by drone user?

If so please elaborate?

Do any rules currently require enforcement by council?

COMMENTS: Councillor Veliskou

After reading the recent article where a councillor is suggesting council look into using drones for safety and crime prevention, I think it's pertinent to get an idea of the current legal issues surrounding drone use as it stands. From recollection I was under the impression that drones cannot fly over council roads without permission, but seek clarification.

COMMENTS: Brendon Lyons, Team Leader Asset Systems

Rules around the use of drones (Remotely Piloted Aircraft - RPA) are specified based on the weight of the RPA. These weight thresholds determine the requirement to obtain specific licences and if the RPA is excluded. All RPA's must comply with the Standard Operating Conditions.

The Standard Operating Conditions are defined in the regulations as:

- Only fly one RPA at a time;
- Do not fly into cloud / fog without approval from air traffic control and training;
- Only fly during the day;
- Keep your RPA within visual line-of sight;
- Do not fly your RPA higher than 120 metres (400ft) above ground level (exceptions apply);
- Keep your RPA at least 30 metres away from other people (exceptions apply);
- Keep your RPA at least 5.5km away from an aerodrome or helicopter landing site without approval;
- Do not fly your RPA over or near an area affecting public safety or where emergency operations are underway (without prior approval) - This could include situations such

as a car crash, police operations, fire and associated fire-fighting efforts and search and rescue;

- Do not operate your RPA in a prohibited area or in a restricted area (as defined in the regulations) unless you have the permission of, and operate in accordance with any conditions imposed by, the authority controlling the area;
- Do not fly your RPA unless you have it under complete control;
- Do not fly your RPA over any *populous areas* - A populous area is: an area that has a sufficient density of population, these can include: beaches, parks and sporting ovals.

Excluded RPA's

Excluded RPA's are defined by their size and are defined below. Excluded RPA's can be operated without certain licences and permissions.

RPA Sizes and requirements:

Micro RPA's ($\leq 100g$) are *excluded RPA*. Neither a remote pilot licence nor an operator's certificate are needed to fly this aircraft. A micro RPA is subject to all the general regulations regarding RPA operation including the Standard Operating Conditions.

Very Small RPA's ($100g < 2kg$): If this RPA is used for sport / recreational purposes or in accordance with the Standard Operating Conditions then neither a remote pilot licence nor an operators certificate are needed to fly this aircraft. This RPA may be flown for commercial gain provided it is flown within the Standard Operating Conditions without the need for either a remote pilot's licence or an operator's certificate.

Small RPA's ($2 < 25kg$): If this RPA is used for sport/ recreational purposes then neither a remote pilot licence nor an operator's certificate are needed to fly this aircraft. Small RPA's flown for sport / recreation purposes must be able to be seen by the operator continuously, must not be flown at night without complying with the procedures of an approved aviation administration organisation, must stay away from people and populous areas; and must fly below 120 metres.

Neither a remote pilot licence nor an operators certificate are needed to fly a small RPA on your own land providing the Standard Operating Conditions are met and the Civil Aviation Safety Authority are notified of the intention to conduct an RPA operation.

Medium RPA ($25 < 150kg$): If this RPA is used for sport/ recreational purposes then neither a remote pilot licence nor an operator's certificate are needed to fly this aircraft. Medium RPA's flown for sport / recreation purposes must comply with the provisions for model aircraft.

A remote pilot licence *is* needed but not an operator's certificate to fly a medium RPA providing the Standard Operating Conditions are met and the Civil Aviation Safety Authority are notified of the intention to conduct an RPA operation.

Limited training and experience exceptions also apply to allowing use without licence or certificate [see Standard Operating Conditions].

Large RPA ($> 150kg$): A large RPA is **not** an *excluded RPA*. To operate it legally you needed a remote pilot licence; an operators certificate; and a special certificate of airworthiness (restricted category), or an experimental certificate. The large RPA has to be maintained as a *class B* aircraft and is only able to be operated with approval of the Civil Aviation Safety Authority.

Flying RPA's – The following are derived from frequently asked questions regarding the use of RPA's

Q: Can I fly an RPA over Privately Owned or Council Owned land?

A: Yes, as long as the drone is high enough that it doesn't detract from the landowner's use and enjoyment of the land and as long as you adhere to the Standard Operating Conditions. This includes Council roads and footpaths.

Q: Can I fly an RPA in a South Australian National Park or Reserve?

A: Yes, but a permit is required and as long as you adhere to the Standard Operating Conditions.

Q: Can I fly my recreational RPA over a sporting event, a busy beach or other heavily populated areas?

A: No. CASA advises recreational drone owners to steer clear of populated areas.

Q: Can I fly my RPA and use it to take photos or videos of people?

A: The legal view on this varies depending on who you talk to. There is no specific piece of legislation that protects the privacy of individuals against recreational drones.

Q: Can my neighbour use an RPA to take video footage of what's going on in my backyard without my knowledge?

A: The legal view on this varies depending on who you talk to. There is no specific piece of legislation that protects the privacy of individuals against recreational drones. However, it is not recommend you record footage of anyone without seeking permission first.

Q: Can I fly an RPA over an airfield?

A: No. If your drone weighs more than 100g, you must not launch within 5.5km of any aerodrome, airport or helicopter landing site. In the City of Marion 5.5km exclusion zones exist around the helicopter landing sites at the Morphettville Race Course and Flinders Medical Centre.

Q: Can I wear virtual reality style, first-person goggles while I pilot the drone?

A: No. It's illegal to wear first-person goggles while piloting your drone, as CASA regulations require you to maintain a direct line of sight at all times.

Some areas are designated no fly zones.

Enforcement:

As the Civil Aviation Safety Authority (CASA) is under federal jurisdiction, all enforcement is their responsibility.

South Australian Police (SAPOL) may respond to an incident relating to the use of an RPA but will pass on the details to CASA for enforcement.

Council have no responsibility to monitor or enforce any infringement relating to an RPA.